



CABINET DECISION NOTICE

Publication Date: 22nd September 2022

At a meeting of the Cabinet held on the 21st September 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, Furneaux, Harness, Shepherd, Shreeve and S. Swinburn

DN.44 APOLOGIES FOR ABSENCE

There were no apologies for absence received for this meeting.

DN.45 DECLARATIONS OF INTEREST

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

DN.46 MINUTES

The minutes of the Cabinet meeting on the 8th September 2022 were agreed as a correct record.

DN.47 FRESHNEY PLACE LEISURE SCHEME

Cabinet considered a report from the Leader of the Council and Portfolio Holder Economy, Net Zero, Skills, and Housing to progress the next phase of the leisure scheme.

RESOLVED –

- 1. That the completion of the acquisition of Freshney Place be noted.**
- 2. That delegated authority be given to the Executive Director Environment, Economy, and Resources, in consultation with**

the Leader of the Council authority to develop the Freshney Place Leisure Scheme as the sole developer and conclude negotiations with third party landowners.

- 3. That the Executive Director Environment, Economy, and Resources be authorised in consultation with the Leader of the Council to take all preliminary actions in connection with the exercise of compulsory purchase powers in connection with property interests in the vicinity of Freshney Place required for overall delivery of the scheme and its wider regeneration aims, if the Council is unable to agree terms through the ordinary course of negotiations, accepting that the final decision of completion of any such order rests with Cabinet and will be subject to a further report.**
- 4. That the Executive Director for Environment, Economy, and Resources be authorised to submit a planning application in support of the Freshney Place Leisure scheme.**
- 5. That delegated authority be given to the Executive Director for Environment, Economy, and Resources in consultation with the Leader of the Council to commence the procurement of a professional delivery team, including the demolition and building contractor to implement Phase one of the scheme (subject to planning consent) and (having regard to recommendation 6) to deal with all matters to award, implementation, and mobilisation.**
- 6. That delegated authority be given to the Executive Director for Environment, Economy, and Resources in consultation with the Leader of the Council following the procurement process to appoint a contractor for phase one and enter into a Pre-Construction Services Agreement, noting that the further appointment for phase two of the works will rest with Cabinet and be subject to a further report.**
- 7. That the Assistant Director Law, Governance and Assets (Monitoring Officer) be given authority to execute and complete all requisite legal documentation in relation to the matters outlined above.**

REASONS FOR DECISION – To update Cabinet on the acquisition of Freshney Place and the current position of the Freshney Place Leisure Scheme reaffirming the Council's commitment to undertake the scheme and enable progression of the next phase of works related to the project having regard to the change in dynamics of ownership and control of the asset.

OTHER OPTIONS CONSIDERED – Given the Council has recently acquired Freshney Place for regeneration purposes, including delivery of

the leisure scheme, it was not considered there were any prudent other options at this stage. Progressing planning and procurement was the next natural part of the scheme but until such time as a planning permission was in place (or not) and a reliable tender was secured, the Council was not committed to major capital spend. If there were any challenges at these stages, then other options would be considered at that time.

DN.48 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.49 FREE SCHOOL BID APPLICATION

Cabinet received a report from the Portfolio Holder for Children and Education to build a new school for those young people with Social, Emotional and Mental Health needs.

RESOLVED –

- 1. That the grant to proceed with the application process for the SEMH Free School and the bid submission in October 2022 be approved.**
- 2. That delegated authority be given to the Director of Children’s Services, in consultation with the Portfolio Holder for Children and Education, subject to the application being successful:**
 - a) To accept the DfE funding on behalf of the Council**
 - b) To acquire the land at an assumed minimal cost to the LA**
 - c) To deal with all matters arising from, and ancillary to, the above, as set out in the report submitted.**
- 3. That the Assistant Director Law, Governance and Assets (Monitoring Officer) be authorised to execute all documents in connection with the above recommendations.**

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

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