



CABINET DECISION NOTICE

Publication Date: 17th November 2022

At a meeting of the Cabinet held on the 16th November 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.58 **APOLOGIES FOR ABSENCE**

No apologies for absence were received for this meeting.

DN.59 **DECLARATIONS OF INTEREST**

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

DN.60 **2022/23 QUARTER TWO FINANCE MONITORING REPORT**

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets that presented the key information and analysis of the Council's position and performance against its Finance and Commissioning Plan for the second quarter of the 2022/23 year.

RESOLVED –

- 1. That the reported position and the mitigating actions being taken to bring spending down to manageable levels on a recurrent basis be noted.**
- 2. That the risks and opportunities over the forthcoming financial planning period be acknowledged.**
- 3. That the reprofiling and reprioritisation of the capital programme as detailed in the report now submitted be approved and the Executive Director Environment Economy and Resources (as Section 151 Officer) be instructed to so implement.**
- 4. That the Financial Monitoring Report be referred to Scrutiny for consideration.**

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

OTHER OPTIONS CONSIDERED – Not applicable to monitoring report.

DN.61 2022/23 QUARTER TWO COUNCIL PLAN PERFORMANCE REPORT

Cabinet considered a report from the Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing presenting the Council Plan Performance Report for quarter two of 2022/23 year

RESOLVED –

- 1. That the content of the report in Appendix A be noted.**
- 2. That the report be referred to all Scrutiny Panels for further consideration and challenge.**

REASONS FOR DECISION – The report is important in informing Cabinet and Scrutiny panels on the performance of the Council in delivering its' key strategic priorities.

OTHER OPTIONS CONSIDERED – Not applicable to performance report.

DN.62 REGENERATION OF RIVERHEAD SQUARE PHASE 2

Cabinet considered a report from the Leader of the Council and Portfolio Holder Economy, Net Zero, Skills, and Housing that presented proposals for the second phase of the regeneration of Riverhead Square and seeking approval to spend £3.3m of Towns Deal funding to implement the proposals.

RESOLVED –

- 1. That the proposals for the regeneration of Riverhead Square and the creation of public realm be noted.**
- 2. That the Executive Director Environment, Economy, and Resources be authorised, in consultation with the Leader of the Council, to progress the technical designs for the landscaping of Riverhead Square and the procurement of a main contractor to deliver the scheme using the existing North East Lincolnshire Council procurement frameworks, and to deal with all matters to award, implement, and mobilise.**
- 3. That the Executive Director for Environment, Economy, and Resources be authorised to submit a planning application in support of the Riverhead Square proposals.**
- 4. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute and complete all requisite legal documentation in relation to the matters outlined above.**
- 5. That the option (paragraph 1.17 - 1.18 of the report now submitted) regarding a major sculptural structure/canopy that was originally proposed be deferred given the current financial circumstances.**

REASONS FOR DECISION – To enable the Council to undertake the scheme and enable progression of the next phase of works related to the project.

OTHER OPTIONS CONSIDERED –

The proposals in this report set out the soft and hard landscaping for Riverhead Square which will create an attractive setting within the town centre.

Detailed designs for the landscaping works will consider the possibility of the funds being found for the structure and public art and not hinder their future installation.

In summary the options are:

- A Landscaping £3,200,00
- B Place making structure £ 500,000

The Town Deal funding allocation for the project is £3.3 million. Therefore, subject to inflation and contingencies, the option set out in paragraph 1.16 is deliverable within the budget. However, in the current circumstances, there is a budget risk which will be managed during the procurement process.

Proceeding with the additional option outlined in paragraphs 1.17-1.18 would require the identification of additional resources.

DN.63

DISPOSAL OF PROPERTY AT LESS THAN BEST CONSIDERATION – LEASEHOLD DISPOSAL OF THE TENNIS COURTS AT MOUNT PLEASANT PLAYING FIELDS AND STRIP OF LAND LEADING TO NEVILLE TURNER WAY PLAYING FIELDS.

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking authority to dispose, by way of a long-term lease, the Tennis Courts at Mount Pleasant Playing Fields and a strip of land to form an accessible pedestrian access pathway to the car park serving Neville Turner Way Playing Fields, Waltham

RESOLVED –

- 1. That the principle of a full, repairing, and insuring lease of the subject Site for a long term (minimum 25 years) at a peppercorn rent (£1 per annum if demanded) to Waltham Parish Council, be approved.**
- 2. That authority be delegated to the Executive Director of Environment, Economy and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets, to ensure that all necessary actions are carried out in order to complete and approve the detailed terms of the disposal.**
- 3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all requisite legal documentation in relation to the matters outlined above.**
- 4. That it be noted that, until disposal is ultimately achieved, the Council's commitment to maintaining the site be continued.**

REASONS FOR DECISION – A Community Asset Transfer proposal has been received from the Parish. The proposal, by way of a full Business Case, has been agreed in principle and, subject to approval, could result in the transfer of the Site by virtue of a long term (minimum 25 years) FRI lease. The lease would enable the asset to transfer to the Parish on the basis that their proposal is sustainable and viable over the term.

OTHER OPTIONS CONSIDERED –

To do nothing would see the Parish 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 Community and residents. As a result, the Site use would continue to be managed as is, including all associated costs 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 the Parish 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.64 REFURBISHMENT OF THE FORMER HOLME HILL SITE, GRIMSBY

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking authority to provide investment into the site of the former Holme Hill School/ Education Development Centre, Heneage Road, Grimsby.

RESOLVED –

- 1. That the principle of a tendering exercise to confirm the value of investment works, as a requirement under a key decision, via an open market procurement exercise as per the proposals set out in the report now submitted, be approved.**
- 2. That authority be delegated to the Executive Director of Environment, Economy and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets, to ensure that all necessary actions are carried out in order to complete and approve the detailed terms of the procurement, and thereafter tender, award and implement the investment works.**
- 3. That Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all requisite legal documentation in relation to the matters outlined above.**

REASONS FOR DECISION – The Site has been managed with minimum investment and use since the Council declared the property surplus to its requirements a number of years ago. Due to the legal requirement to improve the condition of the Clock Tower (separate funding and investment scheme) to remove the Grade II Listed Site from the Heritage At Risk Register, there is the opportunity to improve the condition of the remainder of the Site and use the Site for co-

location of a number of Services. The proposal outlined in this report is in response to the need to release and rationalise other existing operational Council owned and occupied property which will provide associated ongoing annual revenue savings and will benefit the Community so far as Service integration with Partners, Third Sector and the Community.

OTHER OPTIONS CONSIDERED –

To do nothing is not an option as the Council has already secured separate investment into improving the condition of the Clock Tower to enable its removal from the Heritage At Risk Register. The full investment proposal as outlined in this report complements these works and through a Business Case provides the necessary assurance the Site would benefit Services through co-locating in the East Marsh, adding further benefit to the Community as well as investing in a vacant property, improving the street scene, rationalising other property with the associated cost savings.

The freehold or leasehold disposal of the Site has been considered previously, however, due to the level of investment required, the potential capital receipt from a disposal on the open market was significantly low. Given the Heritage importance of the Site and the separately agreed budget already secured for improvements to the Clock Tower, the proposal outlined in this report is considered the preferred option. The proposal seeks to achieve a restored Grade II Listed asset, co-location from a reduction in existing property (as well as reduced costs), which would not be realised should the disposal option be pursued; therefore, this is no longer a viable option.

DN.65 START FOR LIFE PROGRAMME

Cabinet considered a report from the Portfolio Holder for Children's Education and Young People seeking endorsement to sign up to the government's Start for Life programme and accept the associated funding to deliver a range of services through our Family Hubs

RESOLVED –

- 1. That the sign up for the programme and the commitment to deliver the minimum offer required, as per the Department for Education and the Department of Health and Social Care guidance, be endorsed.**
- 2. That the Director for Children's Services be authorised to accept the funding allocation as per the offer and criteria for delivery.**
- 3. That the Director of Children's Services be authorised, in consultation with the Portfolio Holder for Children and Education, the responsibility for delivery and implementation of the programme.**

4. That the Assistant Director for Law and Governance (Monitoring Officer) be authorised to execute all legal documentation arising.

DN.66 URGENT BUSINESS - HOME UPGRADE GRANT PHASE 2 – FUNDING THROUGH THE MIDLANDS ENERGY HUB

Cabinet considered a report seeking approval to support the regional bid and if successful accept funding from the Midlands Net Zero Hub.

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. This matter was considered urgent due to the Council being informed by Midlands Energy Hub on 25th October 2022 that it was eligible to receive £1,050,00 worth of funding for energy efficiency and clean heating upgrades for owner occupiers and private rented sector of fuel-poor homes located off the gas network (Home Upgrade Grant) and limited to areas of deprivation.

RESOLVED –

1. That the Executive Director for Environment, Economy and Resources be authorised, in consultation with the Leader of the Council, to accept the grant funding on behalf of the Council, should the bid be successful.
2. That the Executive Director for Environment, Economy and Resources be authorised, 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, procurement formalities, award and implementation of resultant contracts and works.
3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised the responsibility to complete and execute all documentation arising.

REASONS FOR DECISION – To support the bid application and accept the funding if MNZH are successful with the funding bid. This will assist households over the next two years who are currently living in fuel poverty off the gas network.

OTHER OPTIONS CONSIDERED –

Do Nothing – To do nothing would mean that the Council will depend on existing funded schemes, which do not include a wide range of energy efficiency improvements.

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

Accept the Funding If successful with the bid. This was the preferred option, delivering the scheme outlined in the report as other funded schemes did not provide the same level of support for low-income families off the gas network.