



CABINET DECISION NOTICE

Publication Date: 15th June 2023

At a meeting of the Cabinet held on the 14th June 2023 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, Dawkins, Harness, Shepherd and Shreeve

DN.1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Swinburn for this meeting.

DN.2 DECLARATIONS OF INTEREST

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

DN.3 MINUTES

The minutes of the Cabinet meetings on the 5th April 2023 were agreed as a correct record.

DN.4 2022/23 QUARTER 4 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 four of 2022/23.

RESOLVED –

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

REASON 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.5 2022/23 PROVISIONAL FINANCIAL OUTTURN

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets providing key information and analysis of the Council's financial position and performance at the end of the 2022/23 year.

RESOLVED –

- 1. That the outturn position be noted and the report referred to Scrutiny for consideration..**
- 2. That the re-profiling requests in respect of the 2022/23 capital programme as detailed in Annex 1 be approved.**
- 3. That the revised Capital Programme for 2023/26 included at Annex 1 of the report be approved.**
- 4. That the yearend reserves position as detailed within Appendix 1 be approved.**
- 5. That the use of the Business Rates Equalisation Reserve to address any significant variances arising from technical adjustments linked to the completion of the year end accounts as set out in the report be approved.**

REASON 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 the monitoring report.

DN.6 CORPORATE PEER CHALLENGE REPORT

Cabinet considered a report from the Portfolio Holder for the Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing seeking approval of the recommendations from the Corporate Peer Challenge and agree the action plan.

RESOLVED –

- 1. That Cabinet expressed its thanks to the peer team for this work in producing a comprehensive report be noted.**
- 2. That the content of the Corporate Peer Challenge recommendations be noted.**
- 3. That the action plan in response to the report's recommendations as set out in the report be agreed.**
- 4. That authority be delegated to the Chief Executive in consultation with the Leader to implement the agreed actions and monitor progress.**

REASONS FOR DECISION - All Councils in England and Wales are encouraged by the LGA to undertake a review and commit to publishing its findings and an action plan.

OTHER OPTIONS CONSIDERED - No other opinions were considered.

DN.7 LOCAL PLAN REVIEW

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval of the timescale for publication in the Local Development Scheme.

RESOLVED –

- 1. That the timescale for publication in the Local Development Scheme, set out in appendix A be approved.**
- 2. That the Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport be authorised to implement such timescales.**

REASONS FOR DECISION

The Council has a duty to maintain an up-to-date local plan. The National Planning Policy Framework stipulates local plans should be

reviewed at least every five years and then updated as necessary. A cabinet decision in October 2021 recommended work on the review be restarted after a pause to reflect on proposed planning reforms. The publication of the Scoping and Issues paper marked the first informal stage in that review process. The council has a requirement to publish a Local Development Scheme which sets out the timeframe for undertaking the review.

OTHER OPTIONS CONSIDERED

The preparation of the Local Development Scheme incorporating the timescale set out in Appendix A is a requirement of the current local plan process. The timescale set out is based upon progressing the current review and provides the timetable for progressing the review through to adoption.

No other options are considered based on progressing under the current legislation.

DN.8 NORTH EAST LINCOLNSHIRE TREE STRATEGY

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval of the draft Tree Strategy and commence public consultation.

RESOLVED –

- 1. That the draft Tree Strategy (part one to part five, see appendix 'A') be approved.**
- 2. That the Director of Economy, Environment & Infrastructure be authorised to commence public consultation in advance of a further report.**

REASON FOR DECISION – A Tree Strategy provides a strategic framework for the management of the local tree population to achieve agreed aims and objectives. This Tree Strategy helps the council deliver its obligations under the Natural Environment and Rural Communities Act, 2006 (S40: duty to conserve biodiversity), deliver aims contained in the Government's 25-year Environment Plan 2018 to leave our environment 'in a better condition than when inherited it', and to comply with the National Planning Policy Framework. North East Lincolnshire's Tree Strategy proposes an integrated approach to tree management across the borough and will help towards increasing our canopy cover.

On the 3rd of November 2022 Communities Scrutiny Panel agreed the principle of adopting a formal North East Lincolnshire Tree Strategy, subject to public consultation, and had at this time invited panel members to raise any questions and comments prior to Cabinet.

OTHER OPTIONS CONSIDERED – No other options were considered.

DN.9 NORTH EAST LINCOLNSHIRE CARERS STRATEGY 2023-26

Cabinet considered a report from the Portfolio Holder for Health, Wellbeing and Adult Social Care seeking approval of the Carers' Strategy 2023-26

RESOLVED -

- 1. That the Carers Strategy 2023-2026, noting the methods used to coproduce the Carers Strategy and endorsing the core priorities as set out in the report, be approved.**
- 2. That the Director for Adult Social Services in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care be authorised to implement and make any reasonable consequential amends as may be necessary.**

REASON FOR DECISION –

Local Authorities and their partners are strongly encouraged to co-produce a local carers' strategy with carers and professionals, accompanied by an action plan.

The refreshed Carers' Strategy represents the best mechanism for setting out how the Council will discharge its obligations under the Care Act 2014 and Children and Families Act 2014.

OTHER OPTIONS CONSIDERED - An alternative option would be to decline approval of the NEL Carers Strategy 2023-26, although this option is not advised as the document was coproduced by carers and professionals in NEL directing our priorities for the next 3 years.

DN.10 HOME OPTIONS SERVICE 10-YEAR LEASE OF SWAN HOUSE, GRIMSBY

Cabinet considered a report from the Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing seeking approval to lease Swan House for a period of 10 years to provide move

on accommodation and support to those households approaching the Authority as homeless.

RESOLVED –

- 1. That the lease of Swan House for a period of 10 years to provide supported accommodation to relieve homelessness and equip people with skills to move on to independence as set out in the report be approved.**
- 2. That the Executive Director Place and Resources, in consultation with the Leader and Portfolio Holder for Economy, Net Zero, Skills and Housing, be delegated authority to ensure all necessary actions are carried out in relation to implementation including procurement of a housing management function.**
- 3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute and complete all requisite legal documentation.**

REASON FOR DECISION –

The lease of Swan House will help to reduce numbers of single households accommodated under statutory duties by the Home Options Service and better equip them to manage future tenancies without reliance on statutory interventions. In addition, it will bring a large empty property back in to use and reduce the likelihood of an unknown support provider taking on the lease which could have a negative impact on Council finances.

OTHER OPTIONS CONSIDERED –

Option 1 Do nothing (Home Options do not refer clients)

The owner is likely to continue with the lease to the non-registered provider, they would have no option but to fill the building by accepting referrals from agencies to recoup the rent, and the Authority would have to incur the housing benefit bill in full without subsidy with an estimated annual cost of £300 ,000 per year minimum.

In experience, this can lead to unsuitable referrals from agencies just wanting housing for their client, not considering the suitability of the accommodation or support needs of individuals, and with the potential to cause anti-social behaviour in the area.

The Home Options Service will continue to require 1 bed accommodation for those approaching as homeless or rough sleeping

to discharge their duty and will lease additional properties to manage the demand or use costly Premier Inns and guesthouses. Whilst it is possible to recover housing benefit on the B&B, it is difficult to manage when people are moving in/out frequently, they are in for a matter of days, and for each person per week the Authority pay £25.00 they cannot recover through housing benefit.

Option 2 – Refer Home Options clients to the non-registered provider

This would in effect reduce the cost of temporary accommodation, the bed and breakfast spend for single people and provide move on options for those who have been in the night shelter, allowing rough sleepers to take up that first stage accommodation. However, there would still be the financial impact on housing benefit bill as in option 1.

Option 3 – Home Options find alternative accommodation to lease/buy and renovate to provide housing for single people.

There is potential to buy or lease alternative properties and the Service will utilise all possible funding streams that are/become available to fund capital projects.

This option has been discounted at this time as the Authority are not a Registered Provider, and we are unable to apply for capital funding from Homes England at this time.

Swan House is already available, suitable, and well-located for town centre access. We would need to consider the commercial value of the flats, but this would be in conjunction with the housing benefit/income potential.

Option 4 – purchase Swan House

The flats stood empty for over 12 months after the refurbishment and the owner was unable to sell them on the open market. He then sold on the building to a company who specialised in working with providers of supported housing. Council believes the owners value the building around £0.5 million.

Although the Authority would gain an asset, the property would be a large investment and the asset would potentially be difficult to dispose of if no longer required in future due to its size and location.

This option could be revisited when the lease is up for renewal or using a break clause in the lease agreement once the Authority is satisfied the project is giving good value for money.

Option 5- Acquire a 10 year lease and install a dedicated support provider, as outlined in the report.

DN.11 CLEETHORPES LEVELLING UP FUND (LUF) PROJECTS

Cabinet considered a report from the Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing that sets out the process that will be undertaken to deliver the Cleethorpes Levelling Up Fund projects and seeks approval to contract for the required professional services.

RESOLVED –

- 1. That the plans for progressing the Levelling Up Fund projects as set out in the report be noted.**
- 2. That the Director of Economy, Environment and Infrastructure, in consultation with the Leader of the Council be delegated authority to procure and appoint professional design, technical, regeneration, including associated specialist skills, and contractors, required to progress and deliver the Cleethorpes Levelling Up Fund projects.**
- 3. That the Director of Economy, Environment and Infrastructure, in consultation with the Leader of the Council, be authorised to:**
 - a. Defray the LUF grants within the terms of any conditionality.**
 - b. Undertake all ancillary activity reasonably arising in support and implementation of the above recommendations.**
- 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.**

REASONS FOR DECISION - To enable the Council to formally accept the £18.4m Levelling Up Fund grant and to progress to the projects through design, procurement and delivery.

OTHER OPTIONS CONSIDERED –

Do Nothing - The Council could choose to not progress any of the projects. However, this would mean the loss of £18.4m of LUF grant from the area and mean that the potential regeneration Cleethorpes would not be achieved, including the aspirations contained within the Cleethorpes masterplans.

Do Less – we could choose to limit the scale of the various projects. However, this would reduce their impact and upon the ambition of the Cleethorpes' Masterplan.

DN.12 HORIZON YOUTH ZONE

Cabinet considered a report from the Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing seeking approval of additional Council funding, on top of that previously agreed, to contribute to the finalisation of the funding package that will see the Horizon Youth Zone project delivered.

RESOLVED –

- 1. That the progress made to date regarding delivery of the Horizon Youth Zone as set out in the report be noted.**
- 2. That the additional capital investment as set out in this report be approved.**
- 3. That the Executive Director Place and Resources, in consultation with the Leader of the Council, be delegated authority to implement and deal with all matters reasonably arising from and ancillary to the above.**

REASONS FOR DECISION - Supporting the Horizon Youth Zone will deliver a new multi-purpose Youth Zone facility, which will make a very significant contribution to achieving the Council's Stronger Economy/Stronger Communities outcomes and support the regeneration of Grimsby Town Centre.

OTHER OPTIONS CONSIDERED –

The Council has considered the 'do nothing' option in relation to the project, but this would result in failure to deliver the Horizon Youth Zone with the loss of significant economic and social benefits for Greater Grimsby and North East Lincolnshire as a whole.

There would also be significant reputational risks to the Council because of this approach including damage to its key stakeholder relationships with Government, OnSide, and other members of the Greater Grimsby Board.

The Council has also considered implementation of scaled back version of the current proposals. However, a scaled back delivery of the Horizon Youth Zone would fail to capitalise on the opportunity for comprehensive regeneration of the area and failure to bring West Haven Maltings back into use would leave a vacant/derelict building in place with the potential to have a negative impact on

developer/occupier perceptions of the adjoining, strategic Alexandra Dock area.

DN.13 SUPPLY OF TEMPORARY AGENCY WORKERS

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets to approve a direct award of a 12 month contract with the current provider of the Managed Service Provider for the supply of temporary agency workers.

RESOLVED-

- 1. That a direct award of a 12 month contract with the current provider of the Managed Service Provider for the Supply of Temporary Agency Workers as set out in the report be approved.**
- 2. That the Executive Director Place and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets, be authorised to implement.**
- 3. That the Executive Director Place and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets, be authorised to commence a procurement exercise for the replacement arrangement(s) for the supply of Temporary Agency Workers.**
- 4. That the Executive Director, Place and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets be delegated authority to deal with all ancillary matters reasonably arising and leading to and including the award of the contracts for Temporary Agency Workers.**
- 5. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all legal documentation arising from the above recommendations.**

REASONS FOR DECISION - The decision allows the Council to enter into a 12 month contract with the current provider of temporary agency workers, to commence a procurement exercise for the future arrangement(s) and allow the award of the contract(s) for the replacement arrangements

OTHER OPTIONS CONSIDERED –

Do nothing – This option would leave the Council with no contract in place, and non-compliant with the requirements of the Public Contracts Regulations 2015.

Re procure the contract before the national changes are known – This option would potentially leave the Council with an unsuitable contract

and having to reprocurer again which would not represent best use of resources.

DN.14 PROCUREMENT OF CHILDRENS SERVICES CASE MANAGEMENT PLATFORM

Cabinet considered a report from Portfolio Holder for Finance, Resources & Assets and Portfolio Holder for Children and Education seeking approval to commence the procurement exercise for a Children's Services Case Management Platform.

RESOLVED –

- 1. That the commencement of a procurement exercise for a Children's Services Platform as set out in the report be approved.**
- 2. That the Executive Director Place and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets jointly with the Portfolio Holder for Children and Education be authorised to implement.**
- 3. That the Executive Director Place and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets jointly with the Portfolio Holder for Children and Education be delegated authority to deal with all ancillary matters reasonably arising leading to and including the award of the contract for the Children's Services Platform.**
- 4. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all legal documentation in connection with the award.**

REASONS FOR DECISION - The decision allows the Council to commence a procurement exercise for the Children's Services Platform and allows the Council to award the contract.

OTHER OPTIONS CONSIDERED –

Procure individual applications:

This option would mean continuing with our current approach to procuring and implementing applications and we would hinder the chance to integrate working practices and consolidate information in a single place.

This option would hinder the achievement of the Children's Services

improvement and transformation journey.

Retain the current systems and migrate to the Cloud:

This option would mean entering into a new contract with the current provider, which would leave the Council non-compliant with the requirements of the Public Contracts Regulations 2015.

This option would hinder the achievement of the Children's Services improvement and transformation journey.

Do nothing:

This option would leave the Council non-compliant with the requirements of the Public Contracts Regulations 2015.

It would also mean that the Council would not achieve the aims for service improvement and transformation, such as:

The Council's ICT and Digital strategy to move our technology to the Cloud to support carbon reduction (Scope 1 emissions), improve our overall resilience, cyber security controls and availability (24 x 7)

The Council's ambitions for becoming a data led organisation. This equates to consolidating our data in as fewer places as possible and being confident it is an accurate picture of a child, a family and their associated journeys in life and through Council services.

It would hinder the achievement of the Children's Services improvement and transformation journey.

DN.15 PROCUREMENT OF AN INTEGRATED SEXUAL HEALTH SERVICE (ISHS)

Cabinet considered a report from the Portfolio Holder for Health, Wellbeing and Adult Social Care seeking approval to procure a new integrated sexual health service in North East Lincolnshire to commence 1st April 2024.

RESOLVED –

- 1. That the undertaking of a procurement exercise to deliver an Integrated Sexual Health Service contract, commencing on 1 April 2024 for an initial period of 5 years, with the possibility of a further 2 year extension, as set out in the report, be approved.**
- 2. That the undertaking of a procurement exercise to deliver a Sexual Health Outreach, HIV Prevention and Support Services shared contract for Greater Lincolnshire (LCC, NLC and NELC)**

commencing on 1 April 2024 for a period of 5 years, with the possibility of a further 2 year extension, as set out in the report, be approved.

- 3. That the Director of Public Health in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care be authorised to commence the above procurement exercises.**
- 4. That the responsibility be delegated to the Director of Public Health, in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care, to deal with all ancillary matters reasonably arising from and leading to and including the award of contracts.**
- 5. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all legal documentation arising from the above recommendations.**

REASONS FOR DECISION –

The services address and support the statutory requirements for local authorities with a statutory public health responsibility to commission open access services for the provision of contraception and detection and treatment of STIs.

Doing more or less of the same would not radically change outcomes for patients or provide better value. There is no one right way – it is for local teams to make collaborative commissioning for sexual health, reproductive health and HIV a local reality.

Collaborating on the commissioning and procurement of sexual health services across the Greater Lincolnshire area will improve access to services, particularly in bordering areas and enable potential efficiencies to be realised through standardisation of services and a single competitive process.

The proposed service model will support the sexual health needs of adults and children across North East Lincolnshire. The core Integrated Service will ensure that most sexual health and contraceptive needs can be met at one site, often by one health professional, as recommended by the latest evidence.

Accessible and effective sexual health services make an important contribution to the economic, health and social wellbeing of North East Lincolnshire residents – adults and children alike.

OTHER OPTIONS CONSIDERED –

Continue with the status quo and utilise maximum remaining contract extensions with requirement on provider to accelerate the

transformation plan. (Not pursued as Greater Lincolnshire sexual health commissioning and procurement project proposed statutory public health responsibility to commission comprehensive open access sexual health services.)

Recommission service in Autumn 2023 solely for North East Lincolnshire Council - Greater Lincolnshire project will deliver greater efficiency and effectiveness.

Recommission service in Autumn 2023 jointly with North Lincolnshire Council – Greater Lincolnshire project will deliver greater efficiency and effectiveness.

Do nothing, let contract expire and decommission ISHS– not an option as Council has statutory public health responsibility to commission comprehensive open access sexual health services.