

Minutes of Executive Cabinet

Meeting date Thursday, 14 July 2022

Committee Members present: Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Terry Howarth, Alistair Morwood and Adrian Lowe

Committee Members present virtually (non-voting): None

Observers present: Councillors Mark Clifford, Alan Cullens, Gordon France, Margaret France, Danny Gee, Tom Gray, Hasina Khan, June Molyneaux, Jean Sherwood and John Walker
Councillors Aaron Beaver, Sam Chapman and Michelle Le Marinel (attended virtually)

Officers: Gary Hall (Chief Executive), Chris Sinnott (Deputy Chief Executive), Dave Whelan (Shared Service Lead - Legal and Deputy Monitoring Officer), Victoria Willett (Director of Change and Delivery) and Ruth Rimmington (Democratic Services Team Leader)

16 Minutes of meeting Thursday, 16 June 2022 of Executive Cabinet

Decision: That the minutes of the Executive Cabinet meeting held on 16 June 2022 be confirmed as a correct record for signature by the Executive Leader.

17 Declarations of Any Interests

There were no declarations of any interests.

18 Public Questions

There were no public questions.

19 Key Contracts and Partnerships Update

Councillor Peter Wilson, Executive Member (Resources), presented the report of the Director of Change and Delivery which provided an update on the performance of the council's key partnership arrangements.

The key partnerships performance report was produced in accordance with the requirements of the council's key contracts and partnerships framework.

Overall, the performance of all key partnerships was strong, and the financial assessment of the partnerships positive with the financial standing of all key partnerships set out within a confidential appendix.

There had been several successes across the key partnerships over the last 12 months including moving to a shared payroll and expenses provider, procuring a shared contract for Capita and implementing a Select Move Co-Ordinator.

Members noted a dip in performance on the FCC waste collection figures but noted this was due to Covid related sickness. Members were requested to report any missed bins via the Contact Centre and advise residents to leave their bins out until they had been collected.

Councillor Adrian Lowe, Executive Member (Customer, Streetscene and Environment), highlighted that the development of the Waste and Recycling strategy and the review of service provision were ongoing and would ensure the service complies with new legislation in relation to the Environment Act 2021.

Decision: That the report be noted.

Reasons for recommendations:

To ensure effective monitoring of the council's key contracts and partnerships.

Other options considered and rejected:

No other options have been considered as this report is only for information.

20 Approval to go out to Tender for Remedial Repairs to Brinscall Pool Concrete Floors

Councillor Peter Wilson, Executive Member (Resources), presented the report of the Director of Commercial Services which sought approval to procure urgent, essential, structural repair works through competitive tendering via open chest portal and approval to delegate authority for the Executive Member (Resources) to award the contract.

Due to the ongoing degradation of structural steel reinforcement and concrete to the main pool area floors, the integrity of the pool structure had now reached a point where extreme failure of the structure could occur.

Members noted the option to close the facility, but agreed it was an important community facility. The option to carry out full structural repair works had been estimated to cost £1,200,000 and would require closure of pool for 12 months was not supported.

Opportunities to secure funding from external sources, such as the Lottery, would be investigated. It was aimed that during the closure of the facility additional sessions would be offered at All Sessions leisure centre.

Decision:

- 1. Approval to utilise part of the approved Leisure Centre Improvements budget to enable essential structural repair works to be carried out to Brinscall Swimming Pool, work to include repairing structural floors and**

tank walls. This option would require the closure of the pool for approximately 6 months.

2. **Approval to undertake a competitive tender for urgent refurbishment works to Brinscall Pool through the open Chest portal in accordance with procurement procedures.**
3. **Approval to delegate authority to the Executive Member (Resource) to award the contract to undertake refurbishment works following completion of tender process.**

Reasons for recommendations:

1. Due to the ongoing degradation of structural steel reinforcement and concrete to the main pool area floors, the integrity of the pool structure has now reached a point where extreme failure of the structure could occur.
2. Failure to repair the defective concrete floor will render the facility not safe for use in the very near future, requiring the closure of the pool.
3. Temporary propping has been carried out over the last 12 years to enable the building to remain open, however the temporary propping is no longer adequate to ensure the safe operation of the building. A longer-term solution is now urgently needed to ensure the ongoing usability of the pool.

Other options considered and rejected:

1. The introduction of permanent propping of floors has been considered, and detailed structural designs have been sought. Appendix D shows the extent of propping which would be required to secure the floors to enable the facility to remain open in the short to medium term. It was estimated that the propping proposed could extend the life of the pool for 2 – 3 years before remedial works would be unavoidable. The costs to undertake this work would be considerable therefore it is considered that these funds would be better spent on delivering the long term solution.
2. Carry out full structural repair works requiring the stripping out of the existing floors and recasting new structural member and floors. Works will require the complete refurbishment of changing room areas and tiling of the pool deck & tank. Significant additional cost would be incurred to undertake these works and would require closure of pool for 12 months. This could extend the pool structure life up to an additional 50 years.
3. The final option to consider would be the closure of the pool and the possible redevelopment of the existing site. This option was considered not to be appropriate at this time.

21 Approval to Procure and Award Contract to undertake Reconfiguration Works to Strawberry Fields Digital Office

Councillor Peter Wilson, Executive Member (Resources), presented the report of the Director of Commercial which sought approval to award contracts, utilising an approved framework contractor, for works to reconfigure Strawberry Fields to increase the number of offices available to meet demand and additional budget.

Members noted the demand for this type of business space and the change in need following the pandemic. The investment would generate further income for the council over the existing revenue forecast and accommodate local businesses.

Decision:

1. **Approval to award the contract for building works for the reconfiguration of first and ground floors to contractor A for the tendered sum.**
2. **Approval to award contracts for ancillary works required to alarm systems, mobile phone boosting and carparks barrier to approved framework contractors.**

Reasons for recommendations:

1. A waiver of procurement rules has been approved to ensure works can commence on site and mitigate further increased materials costs (due to inflation) and realise new revenue as soon as possible.
2. To enable the delivery of a new CCTV control room, to facilitate a change in service delivery, works need to be completed by October 2022.
3. Works are to be procured through an existing framework contractor who have recently completed reconfiguration works to the second floor of Strawberry Fields with previous works being used to benchmark new costs.

Other options considered and rejected:

1. Procurement of works through open chest. The timescales to undertake approvals, evaluation and award would prevent delivery of changes within required timescales.
2. Due to increasing manufacturing costs for glass and plasterboard delay in commencing works would potentially see a significant increase in cost. Current prices are valid until the end of July 2022.

22 Exclusion of the Public and Press

Decision: To exclude the press and public for the following items of business on the grounds they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

23 Approval for Contract Award for Parking Enforcement and Cash Collection Services

Councillor Peter Wilson, Executive Member (Resources) presented the confidential report of the Director of Commercial.

Members noted a variation in the evaluation criteria reported in the original EMD from 70% Cost & 30% Quality (including Social Value) approval to 80% Cost & 20% Quality (including Social Value).

Decision:

1. **Approval that authority is delegated to the Executive Member (Resources) to award contracts for Parking Enforcement and Cash Collection with the final contract details reported back to Executive Cabinet once determined by all authorities within the Chipside Lancashire Group following the joint award and stand still period.**
2. **Approval for a variation in the evaluation criteria reported in the original EMD from 70% Cost & 30% Quality (including Social Value) approval to 80% Cost & 20% Quality (including Social Value) which the lead authority (Preston) had changed for the final Invitation To Tender (ITT).**

Reasons for recommendations:

1. The timing of tender submission, evaluation period (to comply with procurement regulations) and a need to award the new contract as soon as practicably possible in order for it to commence in October, coupled with the absence of Executive Cabinet meetings in August, means that delegated approval is required.
2. Point 32.2 of the Joint / Collaborative Procurement rules - The Authorised Officer shall ensure that the joint/collaborative procurement activity complies fully with the Regulations.
3. Preston Council will be the lead on behalf of the group in this procurement exercise. This is to ensure we comply with; Point 32.2 of the Joint / Collaborative Procurement rules – In any joint or collaborative procurement process the parties involved in the procurement should appoint a “lead body” to carry out the procurement. The procurement should then be conducted in accordance with the lead body’s Rules. If this approach requires any waivers of the lead body’s Rules, it shall be that body’s responsibility to seek approval for, and obtain, such waiver(s).

Other options considered and rejected:

To delay the contract approval until the next available Executive Cabinet date, following the evaluation of submissions, in September. This would delay the award of contract impacting on lead time to commencement and going beyond the end of the current contract.

24 Proposal of Rent and Service Costs for Tatton Gardens

Councillor Terry Howarth, Executive Member (Homes and Housing) presented the confidential report of the Director of Commercial Services.

Members supported the project and the provision of additional housing units.

Decision:

1. **Approval for the rent and service charge for Tatton Gardens to commence in-line with those already established for Primrose Gardens.**
2. **Approval that annual Affordable Rent increases will be a maximum of September CPI plus 1% in line with other housing providers in the borough and that the first annual increase will take place from April 2023.**
3. **Approval for future annual increases in rent for Chorley Council Housing Stock, including Extra Care, to be approved within the annual fees & charges setting process.**
4. **Approval to establish a new annual revenue budget of £400,000 per annum to staff and operate Tatton Gardens commencing in October 2021.**

Reasons for recommendations:

1. If these recommendations are approved both Primrose Gardens and Tatton Gardens will follow a consistent model for rent and service charge.
2. Rather than setting a fixed model for rent increases which wouldn’t take into account wider economic factors such as high inflation and the cost of living the annual fees & charges setting process allows for a flexible approach which can be discussed each year.
3. The budget is pragmatic based on actuals from Primrose Gardens but with a small contingency for unforeseen items / increases in the first year of operation.

Other options considered and rejected:

1. To have different rents whereby Tatton would start higher than Primrose to reflect market rents which have increased in recent years whilst primrose has remained constant.
2. To have a fixed rent calculation applied each year irrespective of inflation.

Chair

Date