

Executive Cabinet

Thursday, 8th December 2022, 6.30 pm
Council Chamber, Town Hall, Chorley, and Youtube

Agenda

Apologies for absence

- 1 **Minutes of meeting Thursday, 10 November 2022 of Executive Cabinet**

(Pages 3 - 8)

- 2 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

- 3 **Public Questions**

Members of the public who have requested the opportunity to ask a question(s) on an item(s) on the agenda will have three minutes to put their question(s) to the respective Executive Member(s). Each member of the public will be allowed to ask one short supplementary question.

Item of Deputy Executive Leader and Executive Member (Resources) (Introduced by Councillor Peter Wilson)

- 4 **Approval for the Contract Award Procedure and Evaluation Criteria for Trade Waste Collections from Council Buildings and Markets**

(Pages 9 - 12)

To receive and consider the report of the Director of Customer and Digital.

- 5 **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Condition:

Information is not exempt if it is required to be registered under-
The Companies Act 1985
The Friendly Societies Act 1974
The Friendly Societies Act 1992
The Industrial and Provident Societies Acts 1965 to 1978
The Building Societies Act 1986 (recorded in the public file of any building society, within the meaning of the Act)
The Charities Act 1993

Information is exempt to the extent that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town & Country Planning General Regulations 1992(a).

Items of Executive Leader and Executive Member (Economic Development and Public Service Reform) (Introduced by Councillor Alistair Bradley)

6 Tatton Gardens Update

(To Follow)

To receive and consider the report of the Deputy Chief Executive.

7 Shared Services Pest Control

(Pages 13 - 24)

To receive and consider the report of the Director of Communities.

8 Any urgent business previously agreed with the Chair

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Executive Cabinet Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Terry Howarth, Alistair Morwood and Adrian Lowe.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

[To view the procedure for public questions/ speaking click here and scroll to page 119](#)

[To view the procedure for "call-in" of Executive Decisions click here](#)



Minutes of **Executive Cabinet**

Meeting date **Thursday, 10 November 2022**

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

Officers: Chris Sinnott (Deputy Chief Executive), Asim Khan (Director (Customer and Digital)), Dave Whelan (Shared Service Lead - Legal), Louise Mattinson (Director of Finance), Jennifer Mullin (Director of Communities), Vicky Willett (Director of Delivery and Change), Chris Grundy (Service Lead - Commercial and Assets), Nina Neisser (Democratic and Member Services Officer), Laura Barton-Williams (Communications Manager), Jo Motteram (Senior Communications Officer), Andrew Daniels (Shared Service Lead - Communications and Visitor Economy) and Abbey Pearce (Communications Assistant)

Apologies: Councillor Beverley Murray

Other Members: Councillor Sarah Ainsworth, Julia Berry, Sam Chapman, Mark Clifford, Alan Cullens, Karen Derbyshire, Gordon France, Margaret France, Danny Gee, Tommy Gray, Hasina Khan, June Molyneaux, Dedrah Moss, Jean Sherwood, Kim Snape, Ryan Towers and John Walker

22.EC.31 Minutes of meeting Thursday, 20 October 2022 of Executive Cabinet

Decision: That the minutes of the Executive Cabinet meeting held on 20 October 2022 be confirmed as a correct record for signature by the Executive Leader.

22.EC.32 Declarations of Any Interests

There were no declarations of any interests.

22.EC.33 Public Questions

There were no public questions.

22.EC.34 Overview and Scrutiny Task Group Final Report - Select Move

The Chair of the Overview and Scrutiny Committee, Councillor John Walker, presented the report which had identified 18 recommendations. He thanked Councillor June Molyneaux as Chair of the Task Group, as well as all Members and Officers involved with the inquiry and the thorough review undertaken.

Decision: That the report of the Overview and Scrutiny Task Group be noted and accepted for consideration, with a view to the Executive Cabinet's recommended response to the recommendations being reported to a future meeting.

22.EC.35 2022/23 Corporate Budget Monitoring Report and Reserves for the six months to 30th September 2022

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director of Finance which sets out the revenue and reserves forecast for 2022/23 for the Council, based on the position as at 30 September 2022.

In summary, there is an underspend of £0.310m, however based on the current position of the 2022/23 pay award negotiations, an unfunded budget pressure is anticipated of £0.597m; as such the revised forecast outturn is for an overspend of £0.287m. The Council's Medium-Term Financial Strategy reported that the minimum level of general fund reserves should be maintained at £4.0m to cushion against any potential, future financial risks that may face the Council. The level of general fund balances as at 31st March 2023, based on the above, will be £3.853m.

Decision:

- 1. To note the forecast outturn for revenue and the level of reserves based on the position as at 30 September 2022.**
- 2. To note the virements made to and from the revenue budget during the period, as detailed in Appendix 2 of the report.**

Reasons for the recommendations:

To ensure the Council's budgetary targets are achieved.

Other options considered and rejected:

None.

22.EC.36 2022/23 Corporate Capital Programme and Balance Sheet Monitoring Report Position at 30th September 2022

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director of Finance which outlines the financial position of the Council in respect of the capital programme at 30 September 2022, highlighting key issues and explaining key variances, and provides an overview of various elements of the Council's Balance Sheet at 30 September 2022.

The capital budget for 2022/23 was set at £24.2m at Council in February 2022. This was increased following approval of the 2021/22 outturn to £32.2m, then further amended in the Capital Monitoring Report as at 31 July 2022 to £27.6m. Following the changes detailed in this report, the total programme now stands at £25.5m. Members noted that the total cost of the Council's capital investment programme for 2022/23

has decreased since the 2021/22 outturn report approved by Cabinet, from £27.6m to £25.5m as at 30th September 2022.

Members welcomed the completion of the Strawberry Meadows development and thanked officers for the delivery of the project. Members also discussed the budget for the decarbonisation works for Council assets and noted that Government timescales for delivering the scheme had become impractical and would result in higher costs even with the grant. Therefore, different options to deliver the works were being considered.

Decisions:

- 1. To approve the revised capital programme as attached at Appendix A, which includes an amendment to the programme of £23k, as detailed at point 11 of this report.**
- 2. To note the variations to the programme (which are detailed by scheme at Appendix B and referenced within the body of the report);**
- 3. To note the position in the Balance Sheet monitoring section of the report, in respect of cash, investment and loan balances and debtors, at 30th September 2022.**

Reasons for recommendations:

To ensure the Council's Capital Programme is monitored effectively.

Other options considered and rejected:

None

22.EC.37 Quarter Two Performance Monitoring Report 2022/23

Councillor Peter Wilson, Executive Member (Resources) presented the report of Deputy Chief Executive which sets out the performance against the delivery of the Corporate Strategy and key performance indicators during the second quarter of 2022/23, covering 1 July 2022 to 30 September 2022.

The overall performance of key projects is good with 79% rated as complete or green, 14% rated as amber, and 7% rated as red. Action plans for those projects rated amber and red are set out within this report.

Performance of the Corporate Strategy indicators and key service delivery measures continues to be closely monitored, with 75% of Corporate Strategy measures and 83% of key service delivery measures performing on or above target or within the 5% threshold.

Decision: That the report be noted.

Reasons for the recommendations:

To ensure the effective performance monitoring of the Corporate Strategy and safeguard its delivery across 2022/23.

Other options considered and rejected:

No other options have been considered or rejected. This is because the report does not present any items for decision.

22.EC.38 Household Support Fund - Phase 3 Delivery Plan

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director of Communities which seeks agreement for how the district element of the government's Household Support Fund Phase 3 (HSF3), allocated to Chorley Council by Lancashire County Council, should be allocated to enable it to be issued to those recipients most in need through to 31 March 2023.

In August, the government announced an extension to the Household Support Fund with a fund of £500million made available to County Councils and Unitary Authorities in England to support those most in need due to rising cost of living until March 2023. Upper tier authorities are required to work with districts and Third Parties Organisations (TPO), including the VCSE sector to ensure the funds reach those in most need.

Lancashire has been awarded £9,678,235.22 of which Chorley Council have been allocated £320,000. Local provision will focus on working in partnership with community organisations and develop a delivery plan that responds to current issues but also encourages those who are in difficulty to access wider and more impactful support. Members noted the proposed breakdown and allocation of the funding across the recommended categories and delivery partners.

Members recognised that this funding must be spent by 31 March 2023 and requested that an update be provided once reported by LCC.

Decision:

- 1. To allocate the grant amount of £320,000 as per the details within this report.**
- 2. To use the specific criteria set out in the government guidance published to allocate and administer the grant.**
- 3. To allow any adjustments to the proposed funding allocation to be agreed subsequently via delegated responsibility to the Executive Member for Resources.**

Reasons for recommendations:

To ensure the funding is allocated to residents who are facing financial pressures throughout winter months until 31 March 2023.

Other options considered and rejected:

- To not allocate the grant funding would mean that those residents that need the support would not receive it.
- To aim to deliver this funding in isolation of the voluntary sector and other partners would not maximise the support that residents are able to access from this sector.

22.EC.39 Car Park Strategy, Fees & Charges

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director of Commercial Services which outlined the Car Park Strategy which seeks to address the main car parking priorities with regards to capacity, accessibility, price and impact on the environment for the next 5 years to reflect the change in demand since the completion of the Market Walk extension with leisure offer, changing consumer

habits since the Covid pandemic and the declaration of a Climate Emergency by Chorley Council.

Members noted that the changes are anticipated to generate an additional £175k based on current revenues. Current revenues, however, are down on pre-Covid budgets and parking as a whole is suffering reduced income of £100k. It is anticipated; therefore, this will bring an additional £75k beyond current budgeted levels.

The timing of the strategy was discussed as well as EV charging and Flat Iron tariff charges on a Sunday. Members welcomed the report, in particular the proposals to undertake accessibility works.

Decision:

- 1. To make the Flat Iron car park chargeable for 7 days a week between 8am and 5pm.**
- 2. To increase the tariff on the Flat Iron car park from 50p/hr to £1/hr.**
- 3. To reduce Free Parking on Long Stay car parks (for vehicles eligible to pay) from 3 hours to 1 hour the (same as short stay car parks) with up to 4 hours stay being £1.**
- 4. To designate Portland Street car park as a Leisure car park with a maximum stay of 4 hours (for £1).**

Reasons for recommendations:

1. To ensure there is sufficient parking capacity to accommodate future demand by visitors & workers to keep the town centre a thriving and support the local economy
2. To ensure that the car parks are fit for purpose in terms of stay period for primary users in that location
3. To consider the future of vehicle types and sizes and changes required to accommodate those vehicles
4. To maintain a revenue stream for the council to at least cover the costs of providing & maintaining the service
5. To highlight opportunities for future environmental improvements to the parking facilities

Other options considered and rejected:

1. Pay-on-Foot - this type of payment for parking is undeliverable due to the configuration of our car parks as it lends itself to multi-storey situations whereby off highway queues can be accommodated. To implement on ground level car parks would lead to a significant reduction in spaces whilst also requiring a permanently manned office to resolve any issues at the barrier/pay centre.
2. ANPR - all car parks are Council owned (public car parks). Car parks covered by Traffic Regulation Orders under the Road Traffic Regulation Act 1984 (criminalised regime) requires contraventions to be addressed in person to a stationary vehicle thus preventing the deployment of ANPR cameras/ parking systems on public car parks.

22.EC.40 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.

22.EC.41 Approval for the Contract Award Procedure for ICT Hardware and Software

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director of Customer and Digital which informs Members of the proposed shared procurement for ICT hardware, software and support (professional services, managed services etc.) and seeks agreement to the sharing of costs and procurement methods.

Recommendations:

- 1. To approve the contract award procedure for a number of procurements both independently and with South Ribble Borough Council outlined at Appendix 1 for software, hardware and support services.**
- 2. To waive the requirement to use the Social Value Portal.**
- 3. The decision to award for Chorley Council is delegated to the Executive Member of Resources.**

Reasons for recommendations:

By jointly procuring these contracts it ensures alignment of software, hardware and support across both Authorities supporting Shared Services.

Other options considered and rejected:

Each Council could procure software independently, but this would make it very difficult to align software or services in future.

Chair

Date

Report of	Meeting	Date
Director (Customer and Digital) (Introduced by Executive Member (Resources))	Executive Cabinet	Thursday, 8 December 2022

Approval for the Contract Award Procedure and Evaluation Criteria for Trade Waste Collections from Council Buildings and Markets

Is this report confidential?	No
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Is this decision key?	Yes
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Savings or expenditure amounting to greater than £100,000	Significant impact on 2 or more council wards
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Purpose of the Report

1. To seek approval for the contract award procedure and evaluation criteria for the two-year contract to undertake trade waste collections from Council buildings and markets.

Recommendations to Executive Cabinet

2. To approve the contract award procedure of an open invitation to tender advertised on the Council's procurement website, Chest. Tenders will be evaluated to establish the most economically advantageous tender based on 70% cost, 15% quality and 15% social value.
3. To delegate to the Executive Member for Resources authority to approve the award of the contract to the winning bidder based upon the evaluation criteria.

Reasons for recommendations

4. Under the Council's Contract Procedure Rules approval by the Executive Cabinet for contract award for tenders greater than £100,000 is required.

Other options considered and rejected

5. To not agree contract award procedure would fail to comply with the Council's Procurement rules.

Executive summary

6. The Council as a business has a duty of care to ensure any waste it produces is collected and disposed of correctly. This includes waste from its offices, community centres, Chorley Markets and Market Walk shopping centre. The current contract will end on 31 March 2023 and new arrangements need to be put in place.

Corporate priorities

7. The report relates to the following corporate priorities:

Housing where residents can live well	A green and sustainable borough
An enterprising economy with vibrant local centres in urban and rural areas	Healthy, safe and engaged communities

Background to the report

8. The Council is responsible for any waste it produces from its buildings and premises. This includes the following sites:
 - Council offices – Town Hall & Union Street
 - Astley Hall complex
 - Community Centres (6)
 - Chorley Markets
 - Market Walk shopping centre, Phase 1 & 2
 - Strawberry Fields Digital Office Park
 - Leisure Centres (3) and Westway on behalf of Chorley Leisure
9. The three leisure centres along with the new Westway sports site are now operated by Chorley Leisure, will be included in the contract specification but service costs for these sites will be recharged to Chorley Leisure.
10. The Council has a duty of care to ensure the waste is collected regularly and disposed of legally.
11. This tender process is to replace the existing contract for the collection of waste from Council buildings, which was for two years and ends on 31 March 2023. The estimate of the total contract value over two years is around £150,000. Provision to add additional buildings or bins after the contract has been awarded will be included in the tender documentation.

SPECIFICATION AND EVALUATION

12. An open invitation for this services contract will be posted on the Council’s procurement website, the Chest, in early January. Contractors need to demonstrate their compliance with relevant waste legislation to move to the next stage where the cost and quality of the submission will be evaluated.
13. Evaluation of the tender will be on an 70% cost, 15% quality, 15% social value ratio. This is a routine procurement so this ratio is reasonable.

14. The Council's Social Value Policy requires a standard weighting for social value shall be a minimum 15% of the overall evaluation score for services Contracts above £100,000.
15. The tender period is for two years to start on 1 April 2023 to 31 March 2025.
16. Once the returned tenders have been evaluated an Executive Member Decision report will be prepared recommending approval to award the contract. This decision is expected to be made in February.

Climate change and air quality

17. To support the council's climate goals and our commitment to becoming a carbon neutral organisation by 2030, the evaluation criteria for the quality element will include a request for tenderers to demonstrate how they will minimise their impact on the environment in respect of the service, including:
 - efficiency and sustainability of vehicle fleet operations, including any measures to decarbonise fleet
 - measures to minimise or offset carbon emissions
 - ensure all segregated recyclable waste is fully recycled
 - measures to maximise the recovery of value from non-recyclable waste

Equality and diversity

18. There are no equality and diversity implications

Risk

19. This is a low risk procurement for an already established service. There are several competent waste collection companies working in the area who could provide this service.

Comments of the Statutory Finance Officer

20. Costs are charged to individual service budgets which total approximately £60k. Over half of the costs are recharged to tenants at Market Walk and Strawberry Fields as part of the service charges.

Comments of the Monitoring Officer

21. The legal implications have been identified in the body of the report.

Report Author:	Email:	Telephone:	Date:
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