

**Minutes of** **Executive Cabinet**

**Meeting date** **Thursday, 24 February 2022**

**Committee**

**Members present:** Councillor Alistair Bradley (Chair) and Councillors Peter Gabbott, Alistair Morwood and Adrian Lowe

**Committee Members**

**Present virtually**

**(non-voting):** Councillors Peter Wilson (Vice-Chair) and Bev Murray

**Officers:**

Chris Sinnott (Deputy Chief Executive), Dave Whelan (Shared Service Lead - Legal), Louise Mattinson (Director of Finance), Asim Khan (Director (Customer and Digital)), Jennifer Mullin (Director of Communities), Jonathan Noad (Director of Planning and Development), Andrew Daniels (Shared Service Lead – Communications and Visitor Economy), Michael Johnson (Policy Officer) and Nina Neisser (Democratic and Member Services Officer)

**Other Members:**

Councillor Sam Chapman, Mark Clifford, Alan Cullens, Gordon France, Margaret France, Danny Gee, Tom Gray, Hasina Khan and John Walker

**22.EC.84 Minutes of meeting Thursday, 20 January 2022 of Executive Cabinet**

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

**22.EC.85 Declarations of Any Interests**

There were no declarations of any interests.

**22.EC.86 Public Questions**

There were no public questions.

**22.EC.87 Revenue Budget Monitoring Quarter 3 2021/22**

On Behalf of Councillor Peter Wilson, Executive Member (Resources), Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform), presented the report of the Director of Finance which set out the revenue and reserves forecast for 2021/22 for the Council, based on the position as at 31 December 2021.

In summary, there is a forecast underspend against the budget for 2021/22 of £1.192m. Following the allocation to reserves, the revised forecast underspend, resulting in an increase to General Reserves, is £272k. 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 forecast level of general fund balances as at 31 March 2022, in light of the above, will be £4.329m.

**Decision:**

1. To note the forecast outturn for revenue and the level of reserves based on the position as at 31 December 2021.
2. To note the virements made to and from the revenue budget during the period, as detailed in Appendix 2 of the report.
3. To approve the creation of reserves from the forecast in-year underspend and the reallocation of existing reserves as follows:
  - Use of in year underspends for:
    - £30k to create a reserve to support the celebration of the Queen's Jubilee in the borough
    - £30k to create an allocation from which to make future awards of Check Out Chorley grants
    - £200k to create a reserve to support the creation of Apprentice, Graduate, and Trainee posts
    - £200k to create a reserve for investment in play and open space areas across the Borough
    - £200k to create a reserve to provide support for local businesses
    - £260k to increase the existing Green Agenda Fund to £500k

**Reasons for recommendations:**

To ensure the Council's budgetary targets are achieved.

**Other options considered and rejected:**

None

**22.EC.88 Capital Budget Monitoring Quarter 3 2021/22**

On Behalf of Councillor Peter Wilson, Executive Member (Resources), Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform), presented the report of the Director of Finance which outlines the overall financial position of the Council in respect of the capital programme as at 31 December 2021, highlighting key issues and explaining key variances over the first six months of the year, and provides an overview of various elements of the Council's Balance Sheet as at 31 December 2021.

The capital budget for 2021/22 was set at £38.1m at Council in February 2021. This was increased following approval of the 2020/21 outturn to £46.2m. The monitoring report as at 31st July 2021 increased the total budget to £46.6m. This was reduced to £42.6m in the quarter 2 monitoring report, approved at Cabinet in November 2021. Members noted that the total cost of the Council's capital investment programme for 2021/22 has decreased since the quarter 2 monitoring report approved by Executive Cabinet, from £42.6m to £28.6m as at 31st December 2021.

**Decision:**

1. To approve the revised capital programme as attached at Appendix A, which includes approved amendments to the programme, detailed at point 11 of the report, since the last Capital Monitoring report was approved by Executive Cabinet in November 2021;
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, as at 31st December 2021.

**Reasons for recommendations:**

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

**Other options considered and rejected:**

None.

**22.EC.89 Quarter Three Performance Monitoring Report 2021/22**

On Behalf of Councillor Peter Wilson, Executive Member (Resources), Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform), presented the report of the Deputy Chief Executive which sets out the performance against the delivery of the Corporate Strategy and key performance indicators during the third quarter of 2021/22, covering 1 October 2021 to 31 December 2021.

The overall performance of key projects is good, with 77% of the projects rated green, 15% rated amber, and 8% completed. Action plans for those projects rated amber are set out within the report.

Performance of the Corporate Strategy indicators and key service delivery measures continues to be closely monitored, with 71% performing on or above target, or within the 5% threshold. 29% are performing below target and outside of the 5% threshold. Where indicators are performing below target, action plans are in place to improve performance.

Members discussed the town centre vacancy rates and long-term empty units. The council were monitoring this, and it was recognised that there was no requirement for extra capital expenditure at this stage.

**Decision:**

**That the report be noted.**

**Reasons for recommendations:**

To ensure the effective monitoring of the Council's performance and delivery of the Corporate Strategy.

**Other options considered and rejected:**

No other options have been considered.

## **22.EC.90 Volunteering Policy**

Councillor Bev Murray, Executive Member (Early Intervention) presented the report of the Director of Communities which considers the revised Volunteering Policy for implementation across Chorley Council and presents the funding requirements of the volunteering programme.

The Volunteering Policy was last updated in 2015, since which time volunteering has formed a recurring key measure of success within the Corporate Strategy. A review of the 2015 Volunteering Policy found opportunities to outline a more ambitious approach to internal volunteering at Chorley Council, to bring it more in line with Chorley Council's consistent commitment to supporting individuals into a wide variety of valuable volunteering experiences that help to achieve our key aims outlined in the Corporate Strategy.

Members noted that volunteers will complement and supplement the work of paid staff and will not be used to displace paid staff or undercut their pay and conditions of service.

### **Decision:**

- 1. To agree to the implementation of the Volunteering Policy (2021), with any suggested amendments signed off by the Executive Member.**
- 2. To agree to fund the requirements of the volunteering programme as defined by the policy.**

### **Reasons for recommendations:**

To bring the Volunteering Policy in line with Chorley Council's consistent commitment to supporting individuals into a wide variety of valuable volunteering experiences that help to achieve our key aim around developing clean, safe and healthy communities as outlined in the Corporate Strategy.

### **Other options considered and rejected:**

Not updating the Volunteering Policy was an option that was rejected as the current policy is not fit for purpose.

## **22.EC.91 Holiday Activity and Food Programme 2022/23**

Councillor Bev Murray, Executive Member (Early Intervention) presented the report of the Director of Communities which gives an update on the delivery of the Holiday Activity and Food programme (HAF) 2021, provides details and proposed delivery of the Holiday Activity Programme for 2022/23, and seeks approval to undertake the delivery of HAF 2022/23 with identified delivery model and work with selected partners.

LCC have approached Chorley Council to deliver the HAF 2022/23 programme following the successful completion of delivery of HAF 2021. The delivery for 2022/23 would follow a similar model as last year and utilise our key local delivery partners; Chorley Inspire Youth Zone and Chorley School Sports Partnership to deliver the programme on behalf of Chorley Council. Lessons learned will be implemented to build on the successes of 2021.

LCC are finalising the funding amount which will be allocated to Chorley to deliver the programme. It is anticipated to be similar to last year but will be increased as it will

include Easter provision for HAF 2022 which was not part of HAF 2021. Approximately in the region of £320,000.

Chorley has 2591 children aged 4-16 receiving free school meals. The programme will help address child food poverty during the school holidays and help support many families who struggle during this time.

**Decision:**

- 1. To approve that Chorley Council, take on lead responsibility for the delivery of the Holiday Activity Food programme for 2022/23 within Chorley and receive all funding associated with the programme from LCC.**
- 2. To approve that we commission the delivery of HAF 2022/23 to Chorley Inspire Youth Zone and Chorley School Sports partnership with a Chorley Council Officer within Communities Team whom will work closely alongside partners to oversee the programme, ensuring all expected delivery is on track and all intended monitoring is achieved.**

**Reasons for recommendations:**

1. Lancashire County Council are keen to follow the same model of delivery as last year and work with Chorley Council to deliver the programme locally. The relationship between Chorley Council and LCC worked well for HAF 2021 and ensures we have a level of control over delivery locally, can monitor provision and identify need across the borough.
2. Strong links have been created with Chorley Inspire Youth Zone and Chorley School Sports Partnership (CSSP). These partners were key to the successful delivery of the 2021 programme and we would recommend we continue with their commission for 2022. Both partners are a local service provider, have excellent relationships with targeted schools and many families and have a vast knowledge of the subject area.

**Other options considered and rejected:**

To reject LCC's preferred model of delivery within Lancashire and not take on lead responsibility for local delivery across Chorley. LCC will therefore carry out procurement of the service. This will result in Chorley Council having no control over ensuring delivery meets the needs of local families, that local partners are engaged to support delivery and that known vulnerable families are targeted with the opportunity. Easter provision will be extremely difficult to deliver with timescales available if an outside provider was awarded the contract. For these reasons, this option has been rejected.

**22.EC.92 Central Lancashire Local Plan Resourcing**

Councillor Alistair Morwood, Executive Member (Planning and Development) presented the report of the Director of Planning and Development which provides an update on the procurement process to provide additional support to the Central Lancashire Local Plan team and informs members on the reason for change in approach from that approved at Council on 16 November 2021.

Following approval to procure additional support via the Scape Framework, meetings were set up with Scape to identify suitable consultants to assist in this process; only one option was available. An initial outline cost proposal was received for this work which was above the level of support approved.

In addition, the Councils identified that the consultant suggested was potentially conflicted due to representing landowners in promoting sites through the Local Plan process. As such it was felt we could not continue down this route and an alternative approach now seeks to utilise existing consultants already supporting the plan process, along with policy officer support from the 3 councils, to progress the Local Plan to preferred options stage. It was still the aim to progress the plan to preferred options in 2022.

**Decision:**

- 1. To approve the revised approach for procurement from the use of Scape Framework (as agreed by Council on 16th November), to use existing consultants (via routes to be agreed by procurement based on individual contract details) and use of provision of further support from council planning policy teams.**
- 2. To note that the £300k is to be funded from the Local Plan budget, which is split equally between Chorley, Preston and South Ribble Councils. Agree to the continue to release the additional approved funding of £300,000 to the Local Plan Budget as agreed by Council in November and for detailed approval of individual contracts via EMD.**

**Reasons for recommendations:**

To ensure the progression of the Local Plan in a timely manner.

**Other options considered and rejected:**

Alternative option previously approved by Council on 16th November was procurement of support via the Scape Framework. Following pursuit of this option, and discussions with each of the three Councils involved in developing the plan, it is felt this option was no longer appropriate.

**22.EC.93 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.94 Approval of Revised Terms for the Lease for Whittle Surgery - Site of 239 Preston Road, Whittle-le-Woods**

On Behalf of Councillor Peter Wilson, Executive Member (Resources), Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform), presented the confidential report of the Director of Commercial Services which seeks approval for additional terms in respect of the lease of the site of 239 Preston Road, Whittle-le-Woods to the Whittle GP Surgery Practice.

**Decision:**

**To seek approval for additional terms in respect of the lease of the above site to The Whittle GP Surgery Practice.**

**Reasons for recommendations:**

1. Following agreement and approval of the initial heads of terms, a contract for the construction of the new medical practice building was let and construction is now nearing practical completion.

2. The Surgery is due for completion in March and a lease needs completing ahead of the Surgery handover.

**Other options considered and rejected:**

None.

**22.EC.95 Approval of Tender Evaluation Criteria for Security & Concierge Services**

On Behalf of Councillor Peter Wilson, Executive Member (Resources), Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform), presented the confidential report of the Director of Commercial Services which provides details of the procurement exercise being undertaken to bring the contracts for the delivery of the concierge and security services across council operated assets into one, including the evaluation criteria and weightings which will be used to award the contract.

**Decision:**

1. **To approve the contract award procedure of an Open Tender process through Find a Tender procurement as compliant with the Public Contract Regulations. The evaluation criteria used to establish the most appropriate supplier and economically advantageous contract will be 15% Social Value, 35% cost and 50% quality.**
2. **To approve the recommendation for the final contract to be awarded by the Executive Member (Resources) by means of an Executive Member Decision.**
3. **To approve the extension of the existing contracts for Sector, Exclusec and New Concept security services until 30th September 2022.**

**Reasons for recommendations:**

1. Under the Council's Contract Procedure Rules approval by the Executive Cabinet for the contract award procedure including the evaluation criteria and weightings is required for procurements with a total contract value above £100,000. Where this is obtained approval for the subsequent contract award decision can be made by EMD.
2. In order to have sufficient time to use the Find a Tender procurement process, due to the overall value of a combined contract, the existing contracts which currently expire 31st March 2022 need to be extended in order to ensure continuity of service until the new supplier is in place.

**Other options considered and rejected:**

The option to extend the current individual contracts with Sector, Exclusec and New Concept Security Services by further multiple years would not have complied with the Council's procurement rules. A waiver of CPR's is still required for the short-term extension.

**22.EC.96 Approval to Procure Replacement Ride on Mowers**

On Behalf of Councillor Peter Wilson, Executive Member (Resources), Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform), presented the confidential report of the Director of Customer and Digital which seeks approval for the procurement of four ride on mowers for use in Streetscene Services as well as delegating the award of contract to the Executive Member for Resources.

**Decision:**

- 1. To approve the contract award procedure to procure four ride-on mowers. Tenders will be evaluated to establish the most economically advantageous tender based on 75% cost and 25% quality.**
- 2. That the final award of contract be delegated to the Executive Member for Resources for approval following procurement.**

**Reasons for recommendations:**

1. Four replacement ride-on mowers are required to ensure service delivery for grounds maintenance teams.
2. Executive Cabinet approval is required for tenders over £100,000 in line with Council procurement rules.
3. Joint procurement with South Ribble Council is sought to benefit from economies of scale.

**Other options considered and rejected:**

The option to extend existing lease agreements on these has been rejected to avoid increased maintenance costs and downtime impacting on performance.

**22.EC.97 Wigan Lane Sports Facility Delivery**

Alistair Morwood, Executive Member (Planning and Development), presented the confidential report of the Director of Planning and Development which seeks approval of the outline design, tender approach and evaluation criteria for the delivery of a new archery facility and associated infrastructure at Wigan Lane Playing Field.

**Decision:**

- 1. To approve the outline design for the Wigan Lane Archery Facility and surrounding access and landscaping.**
- 2. That the green initiatives taken forward in the building design are ratified.**
- 3. To approve the tender approach and evaluation criteria for the tender process, to be progressed.**
- 4. To delegate contract award to Exec Member of Planning and Development subject to planning approval.**
- 5. To approve termination of the grazing licence on the land to the Wigan Lane frontage in order to designate as car parking which will be incorporated into the redevelopment, constructed and managed by the Council.**

**Reasons for recommendations:**

The enhancement of the Wigan Lane Playing Field is identified in the Playing Pitch Strategy and Open Space, Sport and Recreation Strategy Action Plan 2020 – 2025. S106 has been collected towards the delivery of this project for some time now. Stakeholders are very supportive to the project and have shown a long-term dedication to utilising and enhancing this site.

**Other options considered and rejected:**

No other options have been considered; the Wigan Lane Playing Field site is protected as open space provision for sport in the Local Plan and this use has been approved at Full Council. This report progresses that decision.



Chair

Date