

Minutes of **Executive Cabinet**

Meeting date **Thursday, 23 February 2023**

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

Officers: Chris Sinnott (Chief Executive), Dave Whelan (Head of Legal and Procurement), Louise Mattinson (Director (Finance)), Neil Halton (Principal Management Accountant), Jennifer Mullin (Director (Communities)), Asim Khan (Director (Customer and Digital)), Andrew Daniels (Head of Communications and Visitor Economy), Howard Anthony (Performance and Partnerships Team Leader) and Nina Neisser (Democratic and Member Services Officer)

Apologies: Councillors Alistair Bradley and Beverley Murray

Other Members: Councillors Sam Chapman, Alan Cullens, Gordon France, Danny Gee, Tommy Gray, Hasina Khan, Michelle Le Marinel, June Molyneaux, Jean Sherwood and John Walker

23.EC.59 Minutes of meeting Thursday, 19 January 2023 of Executive Cabinet

Decision: That the minutes of the Executive Cabinet meeting held on 19 January 2023 be confirmed as a correct record for signature by the Executive Leader.

23.EC.60 Declarations of Any Interests

There were no declarations of any interests.

23.EC.61 Public Questions

There were no public questions.

23.EC.62 Revenue Budget Monitoring Q3

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Finance which set out the revenue and reserves forecast for 2022/23 for the Council based on the position as at 31 December 2022.

In summary, there is a forecast underspend of £0.273m, however as previously reported, the £0.597m unfunded cost pressure in respect of the 22/23 pay award, i.e.

the cost over and above the 2% budgeted pay award, has resulted in a forecast overspend of £0.324m. The Council's Medium-Term Financial Strategy recommends that General Reserves are maintained at a minimum of £4.0m to mitigate against any unforeseen financial risks that may present in the future. The forecast level of general fund balances at 31 March 2023, based on the above, will be £3.816m.

Decision:

- 1. To note the forecast outturn for revenue and the level of reserves based on the position as at 31st December 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 recommendations:

To ensure the Council's budgetary targets are achieved.

Other options considered and rejected:

None.

23.EC.63 Capital and Balance Sheet Monitoring Report Q3

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Finance which sets out the financial position of the Council in respect of the capital programme at 31 December 2022, highlighting key issues and explaining key variances, and provides an overview of various elements of the Council's Balance Sheet at 31st December 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. This was then reduced to £25.5m in the Quarter 2 Capital Monitoring report, approved at Executive Cabinet in November 2022. Following the changes detailed in this report, the total programme for 22/23 stands at £15.8m.

Members noted the revised capital programme to include an increase of £2m for the purchase of affordable housing and £14k for the play and open space at Longfield Avenue. A re-profiling of budgets between 2022/23 and 2023/24 has been undertaken and the total movement of budgets from 2022/23 amounts to £11.663m. As at 31 December, the actual capital expenditure across the programme was £9.763m, which represents 61% of the total forecast programme spend for 22/23.

Decision:

- 1. To approve the revised capital programme as attached at Appendix A, which includes approved amendments to the programme, as detailed at point 12 of this report, since the last Capital Monitoring report was approved by Cabinet in November 2022.**
- 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 31 December 2022.**

Reasons for recommendations

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

Other options considered and rejected

None.

23.EC.64 Quarter Three Performance Monitoring Report 2022/23

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Change and Delivery which set out the performance against the delivery of the Corporate Strategy and key performance indicators during the third quarter of 2022/23, covering 1 October 2022 to 31 December 2022.

The overall performance of key projects is excellent with 12 (85%) rated as complete or green and two (15%) rated as amber. Action plans for those projects rated amber are set out within this report. Performance of the Corporate Strategy indicators and key service delivery measures continues to be closely monitored, with 85% of Corporate Strategy measures and 86% of key service delivery measures performing on or above target or within the 5% threshold.

Members recognised that the development at Tatton Gardens was almost complete and it was hoped that residents would be ready to move in soon.

Decision:

That the report be noted.

Reasons for 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.

23.EC.65 2023/24 Holiday Activity and Food Programme (HAF)

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Communities on behalf of Councillor Bev Murray, Executive Member for Early Intervention. The report provided an update on delivery of Holiday Activity and Food programme (HAF) 2022 over the Easter, Summer and Christmas school holiday periods. The report also provided details of the Holiday Activity Programme for 2023 and proposed delivery and seeks approval to receive funding of £288,622 from LCC and undertake the delivery of HAF 2023 using the identified delivery model.

LCC have approached Chorley Council to deliver the HAF 2023 programme following the successful completion of delivery of HAF 2022. The delivery for 2023 would follow a similar model as last year and utilise our key local delivery partners within Chorley. Lessons learned will be implemented to build on the successes of 2022.

Chorley has 2588 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.

Members noted the strong links with Chorley Inspire Youth Zone, who have been key to the successful delivery of the previous programmes, and it was recommended to

continue with their commission for 2023. Members thanked the Communities Team for all the work delivered over the last couple of years with Covid-19 and the cost of living crisis.

Following discussion, it was agreed that a list of all schools included in the scheme would be sent out to all members. Members were encouraged to provide information on potential schools to be involved in the scheme in their specific wards to ensure the council are targeting the right areas with the highest number of children in need of free school meals. Officers would also write back out to schools as well as working with members and the Youth Zone.

Decision:

- 1. To approve that Chorley Council, take on lead responsibility for the delivery of the Holiday Activity Food programme for 2023 within Chorley and receive £288,622 funding budget associated with the programme from LCC.**
- 2. To approve that we commission the delivery of HAF 2023 to Chorley Inspire Youth Zone 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.
2. The relationship between Chorley Council and LCC worked well for HAF 2021 and HAF 2022 and it would be recommended to continue this model going forward. This ensures we have a level of control over delivery locally, can monitor provision and identify need across the borough.
3. There are strong links with Chorley Inspire Youth Zone, and they have been key to the successful delivery of the previous programmes, and we would recommend we continue with their commission for 2023. They have excellent relationships with targeted schools and many families. They have a vast knowledge of the subject area and provide existing provision that can add more value to the programme.
4. There are short timescales to deliver the programme and Inspire have the capacity to start delivery quickly and have already delivered the 2021 and 2022 HAF programme successfully. They have relationships with wider local organisations to benefit signposting and wider support around the families.
5. Grant agreements will be created between Chorley Council and partner which details all expectations and monitoring. An officer will monitor the programme, have regular dialogue to ensure all aspects of delivery are maintained and represent the Chorley HAF programme at county meetings. A local performance indicator has been created to monitor delivery and aid progress.

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.

23.EC.66 Executive Cabinet Response to the Overview and Scrutiny Task Group on Select Move

Councillor Terry Howarth, Executive Member for Resources presented the report of the Director of Communities which outlined the response to the recommendations of the Task Group for Select Move and provided a final update to implement and action the 18 recommendations made by the overview and Scrutiny Task Group.

The Overview and Scrutiny Committee commissioned the Select Move Task Group which commenced in December 2021. The final report of the task group, which was received by Executive Cabinet on 10 November 2022, made 18 recommendations for action, some of which had been addressed as part of Select Move Policy review. The Select Move Partnership was in the process of reviewing the Allocations Policy and the recommendations of the Task group made a very valuable contribution to this review.

Members noted an amendment to recommendation 6 which would consult on the reduction to refuse two reasonable offers rather than three refusals on reasonable offers. Recommendation 16 would also include the Select Move Coordinator in addition to the Housing Solutions Manager.

The Executive Cabinet and Chair of the Overview and Scrutiny Committee thanked Councillor June Molyneaux as Chair of the Task group, as well as all the members involved for their thorough review.

Decision:

That the recommendations of the Overview and Scrutiny Task Group be received, and the action plan to deliver these recommendations is accepted.

Reasons for recommendations

To address the 18 recommendations made by the task group and implement the actions detailed in this report.

Other options considered and rejected

The action plan in response to the recommendations not to be implemented, however it is important to regularly monitor the choice-based lettings scheme and implement actions recommended to ensure Select Move is meeting the needs of the applicants.

23.EC.67 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.EC.68 Renewal of Lease - 1, 2 and 7 Flat Iron Parade - Poundland

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Commercial Services which sought authorisation for the grant of a new lease of Units 1 and 2 Market Walk and Unit 7 Flat Iron Parade to Poundland Ltd.

subject to terms provisionally agreed in conjunction with the Council's Consultant Surveyor, as set out in this report.

Decision:

- 1. That the terms provisionally agreed for the grant of a new lease are approved and the Director of Governance be authorised to complete the legal formalities in accordance with these terms.**
- 2. That the Chief Executive be authorised to approve any minor adjustments to the final detailed lease terms in consultation with the Executive Member for Resources.**

Reasons for recommendations

Following extensive negotiations, including possible reference to PACT (RICS Arbitration Platform) the proposed terms have been agreed in conjunction with the Council's Retail Consultants and reflect current market conditions within the Market Walk Centre in line with other leases which have been recently agreed/completed.

Other options considered and rejected

Termination of the lease and remarketing of the units. This was rejected on the grounds of potential loss of income and creation of voids and gaps of occupation in the Centre which would reduce footfall and detract from the marketability of other units and the value of the Centre.

23.EC.69 Renewal of Lease - MSU 3 Market Walk - Iceland

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Commercial Services which sought authorisation for the grant of a new lease of Unit MSU 3 Market Walk to Iceland Foods Ltd. subject to terms provisionally agreed by the Council's Consultant Surveyor, detailed in this report.

Decision:

That the terms provisionally agreed for the grant of a new lease are approved and the Director of Governance be authorised to complete the legal formalities in accordance with these terms.

Reasons for recommendations

Following extensive negotiations, the proposed terms have been agreed in conjunction with the Council's Retail Consultants and reflect current market conditions within the Market Walk Centre in line with other leases on similar units which have been recently agreed/completed.

Other options considered and rejected

Termination of the lease and remarketing of the units. This was rejected on the grounds of potential loss of income and creation of voids and gaps of occupation in the Centre which would reduce footfall and detract from the marketability of other units and the value of the Centre.

23.EC.70 Terms Agreed - Units 3 and 4 Market Walk - Shoe Zone

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Commercial Services which sought authorisation for the grant of a new lease of Units 3-4 Market Walk to Shoe Zone Ltd. subject to terms provisionally agreed by the Council's Consultant Surveyor, detailed in Appendix A.

Decision:

That the terms provisionally agreed for the grant of a new lease are approved and the Director of Governance be authorised to complete the legal formalities in accordance with these terms.

Reasons for recommendations

Following extensive negotiation, the proposed terms have been agreed by the Council's Retail Consultants and reflect current market conditions within the Market Walk Centre in line with other leases which have been recently agreed/completed.

Other options considered and rejected

Termination of the lease and remarketing of the units. This was rejected on the grounds of potential loss of income and creation of voids and gaps of occupation in the Centre which would reduce footfall and detract from the marketability of other units and the value of the Centre.

23.EC.71 Grant of Lease - Unit 4b/5 Flat Iron Parade Market Walk

Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Commercial Services which outlined and sought approval on the terms provisionally agreed for the grant of a 15-year lease of Unit 4b/5 Market Walk Extension.

Decision:

That the terms reported be approved and authority granted to issue instructions to the Director of Governance to complete the Lease.

Reasons for recommendations

To promote economic growth.

Other options considered and rejected

To demonstrate full consideration of issue. If no other options considered, please explain why.

Chair

Date