

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

**Meeting date** **Thursday, 10 October 2024**

**Committee Members present:** Councillor Alistair Bradley (Chair), and Councillors Beverley Murray, Terry Howarth, Alistair Morwood, Margaret France and Adrian Lowe

**Observers present:** Councillors Irene Amahwe, Michelle Beach, Danny Gee and Alex Hilton. Councillors Kim Snape and Craige Southern (attended virtually)

**Officers:** Chris Sinnott (Chief Executive), Sarah Bullock (Deputy Chief Executive), Asim Khan (Director of Customer and Digital), Tasneem Safdar (Head of Legal and Procurement), Neil Halton (Head of Finance), Hollie Walmsley (Head of People, Policy and Partnerships) and Ruth Rimmington (Democratic Services Team Leader)

**Apologies:** Councillor Peter Wilson

One member of the public.

A video recording of the public session of this meeting is available to view on [YouTube here](#)

**20** **Declarations of Any Interests**

There were no declarations of any interests.

**21** **Minutes of meeting Thursday, 11 July 2024 of Executive Cabinet**

**Resolved: that the minutes of the Executive Cabinet meeting held 11 July 2024 be confirmed as a correct record for signing by the Executive Leader.**

**22** **Public Questions**

There were no public questions.

**23** **2024/25 Corporate Budget Monitoring Report and Reserves for the 4 months to 31st July 2024**

The Executive Leader and Executive Member (Economic Development and Public Service Reform), Councillor Alistair Bradley, presented the report of the Director of Finance which set out the provisional outturn for revenue and reserves forecast for 2024/25 for the Council, based on the position as at 31 July 2024.

The forecast outturn was for an overspend of £0,215m. The most significant factor within this overspend was related to the ongoing income pressures at Market Walk. A cautious approach had been taken to income forecast and these would be revised in year as updates occurred.

The Council's Medium-Term Financial Strategy approved in February 2024, 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. Based on the above forecast outturn overspend, the level of General Fund balances as at 31 March 2025 was expected to be £3,877m, however officers would monitor the position during the year and report to members accordingly.

**Resolved (unanimously)**

- 1. To note the 2024/25 forecast outturn for revenue and reserves, based on the position at 31st July 2024.**
- 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, it is a requirement to report quarterly on the Revenue Budget monitoring and Reserves.

**24 2024/25 Corporate Capital Programme and Balance Sheet Monitoring Report Outturn Position for the four months to the 31st July 2024**

The Executive Leader and Executive Member (Economic Development and Public Service Reform), Councillor Alistair Bradley, presented the report of the Director of Finance.

The purpose of the report was to set out the outturn financial position of the Council in respect of the capital programme at 31 July 2024, highlighting key issues and explaining key variances, and to provide an overview of various elements of the Council's Balance Sheet at 31 July 2024.

The total cost of the Council's capital investment programme for 2024/25 had increased since the 2023/24 outturn report approved by Executive Cabinet, from £15,253m to £16.152m as at 31 July 2024. The change reflected variations approved since the last report, along with those contained within the report under consideration.

Members noted that the business rate collection had seen an improvement on previous years with an increase in collection rates. This brought collection rates back in line with levels that would be anticipated at this stage of the year.

**Resolved (unanimously)**

- 1. To approve the revised capital programme, attached at Appendix A, which includes an amendment to the programme for this quarter of £40,541m, as detailed at point 12 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, as at 31st July 2024.**

#### **Reasons for recommendations**

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

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

None, it is a requirement to report quarterly on the Capital and Balance Sheet budget monitoring.

## **25 Chorley Quarter One Performance Monitoring Report 2024-25**

The Executive Leader and Executive Member (Economic Development and Public Service Reform), Councillor Alistair Bradley, presented the report of the Director of Change and Delivery which set out the performance against the delivery of the Corporate Strategy during the first quarter of 2024/25, covering 1 April 2024 to 30 June 2024.

Overall performance of the Corporate Strategy projects was good, with one project (5%) now complete and 15 projects (79%) rated green, meaning they were progressing according to schedule. Three projects (16%) had been rated amber, which provides an early warning sign of potential delays, and action plans for these projects were contained within the report.

Performance of the Corporate Strategy indicators and key service delivery measures continue to be closely monitored, with 71% of Corporate Strategy measures and 83% of key service delivery measures performing on or above target or within the 5% threshold.

Members discussed the indicator for 'The percentage of 16-17 year olds who are not in education, employment, or training (NEET)' and noted a holistic approach would be helpful in supporting young people, and an aspiration to increase the offer of vocational skills.

The indicator for 'Average working days per employee (FTE) per year lost through sickness absence' was also discussed. No link had been noted between the length of contract and the level of sickness or if the place of work was remote or in the office. The cases of retirement on medical capacity were few and dealt with on a case by case basis. Reasonable adjustments could be put in place to assist and the focus was to keep staff in work where possible.

#### **Resolved (unanimously)**

**To note the report.**

#### **Reasons for recommendations**

To ensure the effective performance monitoring of the Corporate Strategy and safeguard its delivery across 2024/25.

#### **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.

## 26 Policy for managing unreasonable customer behaviour

The Executive Member (Customer, Streetscene and Environment), Councillor Adrian Lowe, presented the report of the Director of Customer and Digital which approval to adopt a formal policy for managing unreasonable customer behaviour.

The council was committed to providing the highest level of service and strive to continue to develop and improve services. In a minority of cases customers pursue their requests or complaints in a way that was unreasonable.

By adopting a formal policy, the council set out a clear process on how unreasonable behaviour would be managed. This would ensure a safe working environment for council employees and that the time spent with our other customers was open, fair, and proportionate.

The policy was relevant to all customers, both internal and external, and would be applied by all council employees and Members, including the Leisure Centres.

### **Resolved (unanimously)**

- 1. To approve the adoption of a formal policy for managing unreasonable customer behaviour.**
- 2. To note the implementation of a Managed Customer Contact Register to alert staff to problematic individuals and properties.**

### **Reasons for recommendations**

The policy for managing unreasonable customer contact will set out a clear process on how unreasonable behaviour will be managed. This will safeguard that council employees have a safe working environment, and the time spent with our customers is fair and balanced.

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

To not adopt a formal policy for managing unreasonable customer behaviour. This option was rejected because to maintain a safe working environment for council employees we should set out clearly to everyone who accesses our services what we consider to be unreasonable and the steps we may take to deal with such behaviour.

## 27 Exclusion of the Public and Press

**Resolved: that the press and public be excluded from the meeting for the following item of business on the grounds that it involves the disclosure of exempt information as defined by paragraph 3 of Part 1 of schedule 12A to the Local Government Act 1972.**

## 28 Procurement of Statutory Compliance, Maintenance and Minor Works Framework

The Executive Leader and Executive Member (Economic Development and Public Service Reform), Councillor Alistair Bradley, presented the confidential report of the Director of Planning and Property.

The report requested procurement strategy approval for a statutory compliance, maintenance and minor works framework shared with Chorley Leisure, South Ribble

Borough Council and South Ribble Leisure covering the servicing, maintenance and minor works across Chorley and South Ribble's estates.

It was confirmed that the Social Value portal favoured local companies.

### **Resolved (unanimously)**

- 1. To approve the procurement strategy for a statutory compliance, maintenance and minor works framework with Chorley Leisure, South Ribble Borough Council and South Ribble Leisure appointing three contractors per lot.**
- 2. To delegate the contract award for the Framework contractors to the Executive Member of Economic Development and Public Service Reform for sign off.**
- 3. Once framework awarded, to delegate subsequent framework calls off's <£100k to the Director of Planning and Property, (still subject to usual budget approval process).**

### **Reasons for recommendations**

1. Local Supply Chain: Running an Open Exercise rather than calling off a framework will give us more opportunity to engage with local suppliers.
2. Compliance and Efficiency: Ensuring statutory compliance and efficient maintenance of council assets is crucial for safety, operational continuity, and legal adherence.
3. Best Value: A competitive procurement process with three contractors per lot will secure the best value for money, enhancing service quality and cost-efficiency.
4. Economies of Scale: Procuring a shared framework with South Ribble Borough Council will offer cost savings due to a larger contract value.
5. Operational Flexibility: Appointing one primary contractor per lot for servicing and two preferred suppliers for higher-value works offers operational flexibility, risk mitigation, and continuity in case of contractor issues.
6. Market Engagement: This approach promotes healthy market engagement and competition, leading to innovation and improved service delivery.

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

1. Do Nothing: Currently engaging with multiple contractors independently for each service area without a formalised framework. Rejected due to the administrative burden managing multiple contracts individually, inconsistency in quality and potential higher costs as the contracts do not benefit from economies of scale.
2. Single Contractor Framework for All Services: Engaging a single contractor to provide all statutory compliance and maintenance services across all areas. Rejected due to the risk of service disruption being dependent on a single contractor and limited competition which can result in higher costs.
3. Single Contractor Per Lot: Establishing a framework with one contractor per lot. Rejected due to limited competition and risk on service resilience.
4. Procure Framework without South Ribble: Discounted due to the Property Services being shared and the economies of scale that will be received by including both Council estates.

**29 Approval for the contract award procedure and evaluation criteria for the procurement of: 1) Tipper vans and plant machinery for Streetscene 2) Trade waste services for council buildings 3) Depot waste services**

The Executive Member (Customer, Streetscene and Environment), Councillor Adrian Lowe, presented the confidential report of the Director of Customer and Digital.

The report requested approval for the contract award procedure and evaluation criteria for the procurement of tipper vans and plant machinery for Streetscene, trade waste services for council buildings and depot waste services.

Members noted that electric options for tipper vans had been investigated, including trials, but no suitable options had been identified that met the needs of the service. Compatibility with biodiesel/ HVO would be included in the specification as a greener alternative to regular diesel.

**Resolved (unanimously)**

- 1. To approve the entry of a further competition exercise through either a compliant framework, or an open tender through procurement portal, The Chest, to procure a total of 16 new vans & 3 Plant machinery. Tenders will be evaluated to establish the most economically advantageous tender based on 80% cost, 20% quality.**
- 2. To approve the exclusion of social value as part of the evaluation criteria from the tender exercise for new tipper vans.**
- 3. To approve an open tender through procurement portal, The Chest, for trade waste collections services for council buildings and markets. Tenders will be evaluated based on 70% cost, 15% quality and 15% social value.**
- 4. To approve an open tender through procurement portal, The Chest, for the provision of skips, removal and disposal of waste from the council's Streetscene depot. Tenders will be evaluated based on 70% cost, 15% quality and 15% social value.**
- 5. That the award of these contracts be delegated to the Executive Member for Resources for approval.**

**Reasons for recommendations**

1. Under the Council's contract procedure rules approval by the Executive Cabinet of contract award procedures and evaluation criteria for tenders greater than £100,000 in value is required.
2. Further competition exercises will help the council to achieve best value pricing.
3. 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.
4. For the vehicles and plant machinery there are options for either outright purchase or contract lease with maintenance under consideration which will ensure the most cost effective approach. Leasing the vehicles inclusive of repair and maintenance costs will offer cost certainty.

**Other options considered and rejected**

1. To direct award a contract, which would not offer the potential savings of further competition.
2. To not agree the contract award procedure would fail to comply with the Council's Procurement rules.

## 30 Supply of household wheeled bins

The Executive Member (Customer, Streetscene and Environment), Councillor Adrian Lowe, presented the confidential report of the Director of Customer and Digital.

The report requested approval for the supply of household wheeled bins under an exclusive supply contract for a period of 3 years.

### **Resolved (unanimously)**

**To approve the procurement of wheeled bins under a 3-year supply contract.**

### **Reasons for recommendations**

1. The fixed unit price offered currently represents best value compared to the market rates and will likely remain so for the exclusivity period.
2. This fixed rate achieves savings compared to what is currently being paid to suppliers. The rate will be under review each time an order is placed to ensure continuous best value.
3. The offer is under unique circumstances and is a conclusion to protracted negotiations for a warranty claim settlement.

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

1. To run a full procurement exercise for a 3-year supply contract would not achieve a similar level of cost savings.
2. To not enter the agreement would result in the abandonment of the warranty settlement claim and leave the council in a position where previous costs cannot be recovered without formal legal proceedings, which would present significant risk and cost implications.

Chair

Date