

CABINET

HELD: Tuesday, 13 September 2022

Start: 7.00 pm

Finish: 7.20 pm

PRESENT:

Councillors:

Portfolio

Councillor Yvonne Gagen	Leader of the Council
Councillor Gareth Dowling	Deputy Leader and Portfolio Holder for Communities and Community Safety. Dementia Champion and Food Security Champion
Councillor Carl Coughlan	Portfolio Holder for Leisure; and Youth Champion
Councillor Vickie Cummins	Portfolio Holder for Health & Wellbeing
Councillor Anne Mary Fennell	Portfolio Holder for Planning
Councillor Nicola Pryce-Roberts	Portfolio Holder for Housing
Councillor Jenny Wilkie	Portfolio Holder for Street Scene and Green Initiatives

In attendance: Councillor David Westley

Officers:

Jacqui Sinnott-Lacey, Chief Operating Officer
Heidi McDougall, Corporate Director of Place & Community
James Pierce, Head of Finance, Procurement and Commercial Services
Kathryn Sephton, Clean & Green Operations Manager
Paul Charlson, Head of Planning & Regulatory Services
Jacky Denning, Democratic Services Manager
Peter Gregory, Estates & Valuations Manager
Rebecca Spicer, Insurance and Risk Officer
Tom McGowan, Principal Planning & Implementation Officer

A minute silence was observed in respect of the passing of Her Majesty Queen Elizabeth II.

15 **APOLOGIES**

An apology for absence was received on behalf of Councillor Adam Yates.

16 **SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

There were no items of special urgency.

17 **PUBLIC SPEAKING**

There were no items under this heading.

18 **DECLARATIONS OF INTEREST**

There were no declarations of interests.

19 **MINUTES**

RESOLVED: That the minutes of the Cabinet meeting held on 7 June 2022 be received as a correct record and signed by the Leader.

20 **PROCEDURAL MATTERS - ESTATES REGENERATION CABINET WORKING GROUP**

RESOLVED: That the following change of Terms of Reference of the Estates Regeneration Cabinet Working Group be noted:

Functions:

- (a) To oversee the Revival Project
- (b) To oversee the development of key HRA estates improvement and regeneration schemes
- (c) To consider innovation options in development and construction in potential schemes.
- (d) To report recommendations to Cabinet and/or Council as appropriate
- (e) To monitor the Cabinet approved Asset Management Strategy, to ensure appropriate investment in the asset portfolio, including consideration of proposed capital programmes and initiatives to contribute to the commitment to be a carbon neutral Borough by 2030.**

21 **MATTERS REQUIRING DECISIONS**

Consideration was given to report relating to the following matters requiring decisions and contained on pages 173 to 322 of the Book of Reports.

22 **CUSTOMER CONTACT CENTRE CALL HANDLING - WL108 PERFORMANCE INDICATOR**

The Leader, Councillor Yvonne Gagen, introduced the report of the Corporate Director of Transformation, Housing & Resources, which provided details on the level of resource required to enable the target for "WL108 average answered wait time for callers to the contact centre", to reduce to 60 seconds.

The Leader advised that the report had been considered by the Executive Overview

& Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendation contained therein.

RESOLVED: That the target for WL108 remains at 145 seconds.

23 **2022-23 QUARTER 1 REVENUE AND CAPITAL MONITORING HRA (HOUSING REVENUE ACCOUNT)**

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, which provided a summary of the Housing Revenue Account (HRA) and Housing capital programme positions for the 2022/23 financial year.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

- RESOLVED:
- A. That the 2022/23 HRA and Housing capital programme positions be noted.
 - B. That the proposed budget adjustments identified in paragraphs 4.3 and 4.4 of the report be approved, namely to move £50k budget from central administration to electrical testing; and £30k from contributions to bad debt provision to central heating servicing.
 - C. That the significant budget pressures be noted.

24 **2022-23 QUARTER 1 REVENUE MONITORING GRA (GENERAL REVENUE ACCOUNT)**

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, which provided a summary of the General Revenue Account (GRA) position for the 2022/23 financial year at quarter 1.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive

Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

- RESOLVED: A. That the 2022/23 GRA quarter 1 position be noted.
- B. That future GRA Revenue Monitoring reports be considered by the newly established Budget/Council Plan Committee, unless there are specific recommendations for Cabinet to consider.

25 **2022/23 TREASURY MANAGEMENT & PRUDENTIAL INDICATORS**

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, which set out details of Treasury Management operations for the first quarter of 2022/23 and to report on the Prudential Indicators, where available.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

- RESOLVED: A. That the Treasury Management activity and Prudential Indicator performance for the first quarter of 2022/23 be noted.
- B. That future Treasury Management monitoring reports be submitted to the Budget/Council Plan Committee, unless there are specific recommendations for Cabinet to consider.

26 **2022-23 QUARTER 1 CAPITAL MONITORING GRA (GENERAL REVENUE ACCOUNT)**

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, which detailed the Revised General Revenue Account (GRA) Capital Programme for 2022/23 and provided an update on the progress of capital schemes at quarter 1.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

- RESOLVED: A. That the revised Capital Programme, including the re-profiling, virements and budget adjustments contained within Appendix A to the report and the progress against the Revised Capital Programme at Quarter 1, be noted.
- B. That future GRA Capital Monitoring reports be considered by the newly established Budget/Council Plan Committee, unless there are specific recommendations for Cabinet to consider.

27 **CIL FUNDING PROGRAMME FOR 2023/24**

The Portfolio Holder for Planning, Councillor Ann Fennell, introduced the report of the Corporate Director of Place & Community, which sought approval of a temporary suspension of part of the Community Infrastructure Levy (CIL) Funding Programme 2023/24.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

The Head of Planning & Regulatory Services addressed the meeting and sought agreement to the Infrastructure Funding Statement being circulated via a Members Update item, rather than being considered by Cabinet in November 2022.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the request from the Head of Planning and Regulatory Services, the report before it and the recommendations contained therein.

- RESOLVED: A. That the temporary suspension of part of the CIL Funding Programme 2023/24 as set out in the report be approved as follows:
1. That the relevant parts of the 2023/24 CIL Funding Programme detailed in this report will be suspended temporarily pending recommencement in Spring 2023 to cover two full financial years (2024/25 and 2025/26).
 2. That amendment to the Governance Framework (see Appendix 1) is approved to allow the recommendation at A. to take place. Thereafter the original Governance Framework Timetable will return to the original format.
- B. That the resource issues regarding CIL and the need for contingency planning in relation to staff, be noted.
- C. That the Infrastructure Funding Statement be circulated via the Members Update, prior to it being formally published.

28 RISK MANAGEMENT FRAMEWORK & KEY RISK REPORT

The Leader introduced the report of the Corporate Director of Transformation, Housing & Resources, which provided an update on the Council's Risk Management Framework and set out details on the Key Risks facing the council and how they are being managed.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting and referred to the agreed comments of that Committee, which read:

"That the risk owner look again at the risk 'Delays In Preparation of new Local Plan' to change the rating higher than 'cautious'."

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

RESOLVED: That the progress made in relation to the management of the risks shown in the Key Risk Register (Appendix A) be endorsed.

29 MEDIUM TERM FINANCIAL STRATEGY UPDATE 2022/23-2024/25

The Leader introduced the report of the Head of Finance, Procurement & Commercial Services, which presented the updated Medium-Term Financial Forecast (MTFF) for 2023/24 to 2025/26 and the latest forecast budget gap for the three years of £3.014m, comprising:

- £0.539m in 2023/24
- £1.474m in 2024/25
- £1.001m in 2025/26

The report also detailed the reserves position as at 31 March 2022 and set out the annual budget setting process for 2023/24.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

RESOLVED: A. That the latest Medium-Term Financial Forecast (MTFF) for 2023/24 to 2025/26 and the latest reserves position as at 31 March 2022, be noted.

- B. That the annual budget setting process for 2023/24, detailed in paragraph 9 of the report, be endorsed.
- C. That the Council continue to actively look at options for reducing current spending.

30 **CORPORATE PEER CHALLENGE**

The Leader introduced the report of the Corporate Director of Transformation, Housing & Resources, which presented the Corporate Peer Challenge Report and draft action plan.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

- RESOLVED:
- A. That the Corporate Peer Challenge report be welcomed.
 - B. That the action plan be agreed.
 - C. That Executive Overview and Scrutiny Committee monitor the delivery of the action plan.

31 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 (financial/business affairs) of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

(Note: No representations had been received in relation to the following item being considered in private)

32 **MATTERS REQUIRING DECISIONS**

Consideration was given to report relating to the following matter requiring a decision and contained on pages 323 to 330 of the Book of Reports:

33 DEVELOPMENT OPTIONS FOR LAND AT NEW COURT WAY, ORMSKIRK

The Leader introduced the report of the Corporate Director of Transformation, Housing & Resources, which detailed options for the future use of the vacant site at New Court Way, Ormskirk, and sought authority to invite expressions of interest for development.

The Leader advised that the report had been considered by the Executive Overview & Scrutiny Committee on 6 September 2022, the minutes of which had been circulated prior to the meeting.

A revised Appendix B had been circulated prior to the meeting.

In reaching the decision below the Cabinet considered the decision of the Executive Overview & Scrutiny Committee, the report before it and the recommendations contained therein.

- RESOLVED:**
- A. That the Director of Transformation, Housing and Resources be authorised to take all necessary steps to prepare and advertise the site for expressions of interest, including some brief indicative Heads of Terms with a view to receiving development proposals. To be based on a lease of the land hatched per the attached plan at Appendix A to the report.
 - B. That the Director of Transformation, Housing and Resources to report back to Cabinet on the results of the expressions of interest exercise in order that it can decide on the course of action that would best meet the Council's priorities.

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Leader