

**CABINET
13TH APRIL 2023**

PRESENT: The Leader (Councillor Morgan)
The Deputy Leader (Councillor Barkley)
Councillors Bailey, Baines, Bokor, Harper-Davies,
Mercer, Poland and Rattray

Councillor Seaton

Director Finance, Governance and Contracts
Democratic Services Manager
Head of Contracts, Leisure, Waste and
Environment
Head of Planning and Growth
Regeneration and Economic Development Officer
Democratic Services Officer (LS)

APOLOGIES: Councillor Rollings

The Leader stated that this meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

74. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

No disclosures were made.

75. LEADER'S ANNOUNCEMENTS

The Leader made an announcement, summarised as follows:

This was the final meeting of the Cabinet prior to the Borough Council elections on 4th May 2023. There had been much to do over the past four years and it had been an extraordinary period of time. Three members of the Cabinet would not be standing for re-election and the Leader wished to thank them, Councillors Barkley, Mercer and Rollings. He outlined the length of time they had served as councillors, the valuable contributions they had made and how he would miss working with them. In particular, Councillor Barkley had served as Deputy Leader for all of Councillor Morgan's time as Leader and on Cabinet before that. The Leader also wished to thank the Democratic Services Officer, the current and previous Chief Executive and all other officers who had contributed to and supported the work of Cabinet, together with the other members of the Cabinet. All had worked together to make a huge difference to people's lives in Charnwood during the current Council term.

76. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 9th March 2023 were confirmed as a correct record and signed.

77. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

78. PURCHASE OF ADDITIONAL REFUSE VEHICLES

Considered, a report of the Head of Contracts, Leisure, Waste and Environment to consider the purchase of two refuse collection vehicles (item 6 on the agenda filed with these minutes).

The Head of Contracts, Leisure, Waste and Environment assisted with consideration of the report.

RESOLVED

1. that **it be recommended to Council** that £440k is added to the Council's Capital Programme for the purchase of two new Refuse Collection Vehicles (RCVs), and that the vehicles are financed through capital plan receipts, thus avoiding interest payments and Minimum Revenue Provision (MRP);
2. that the Director of Finance, Governance and Contracts be given delegated authority to procure the two RCVs, if Council approve the addition to the Capital Programme.

Reasons

1. To ensure that the capital is available for the purchase of the required vehicles.
2. To enable the additional vehicles to be purchased in the most effective manner, using a suitable procurement process.

79. EXEMPT INFORMATION

RESOLVED that members of the public be excluded from the meeting during the consideration of the following items on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Democratic Services Officer stopped the sound recording of the meeting.

80. EXTENSION OF ENVIRONMENTAL SERVICES CONTRACT

Considered, an exempt report of the Head of Contracts, Leisure, Waste and Environment to consider a 12 month extension to the Environmental Services Contract (item 8 on the agenda filed with these minutes).

Councillor Seaton, Chair of the Scrutiny Commission, presented an exempt report setting out the Commission's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes). She stated that there had been unanimous support for the recommendations set out in the report of the Head of Contracts, Leisure, Waste and Environment.

The Head of Contracts, Leisure, Waste and Environment assisted with consideration of the report. He stated that it was appropriate and necessary to consider the matter at this time. The Council had still not received awaited information from the Government in respect of changes to its waste collection duties under the Environment Act 2021, so it would be prudent to extend and maintain current arrangements until those changes were known and could be incorporated in the procurement process for a new contract. If a decision as to whether to extend the current contract was delayed and then it was decided not to extend, there would not then be sufficient procurement time to ensure continuation of service.

RESOLVED that the following be agreed:

1. an extension of the existing Environmental Services contract with Serco PLC from 1st April 2024 until 6th April 2025;
2. in July 2022, Cabinet agreed to start a procurement exercise for a new Environmental Services Contract from 1st April 2024, agreed that this exercise continues with a revised contract commencement date of 7th April 2025, this will allow more time to ensure that the most effective and efficient solution is found;
3. that authority be delegated to the Director of Finance, Governance and Contracts in consultation with the relevant Lead Member to complete the extension agreement;
4. that the exempt report of the Scrutiny Commission be noted.

Reasons

1. To ensure continuation of services to Charnwood residents in the most efficient and effective manner.
2. To ensure that the contracts run consecutively.
3. To ensure that the legal documents relating to the extension can be completed quickly and efficiently.
4. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

81. EXTENSION OF MANAGEMENT OF OPEN SPACES CONTRACT

Considered, an exempt report of the Head of Contracts, Leisure, Waste and Environment to consider a 10 year extension to the Management of Open Spaces Contract (item 9 on the agenda filed with these minutes).

Councillor Seaton, Chair of the Scrutiny Commission, presented an exempt report setting out the Commission's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes). She stated that there had been unanimous support for the recommendations set out in the report of the Head of Contracts, Leisure, Waste and Environment.

The Head of Contracts, Leisure, Waste and Environment assisted with consideration of the report. He stated that it was appropriate and necessary to consider the matter at this time. Officers had been in negotiation with the contractor for many months regarding a contract extension proposal and if a decision as to whether to extend the contract was delayed, there would not then be sufficient time to procure a provider post 2024. Reference was made to the excellent performance of the current contractor, notably that it consistently met performance indicators, the awards it had won, the volunteer work it supported, its effective working relationship with Council officers and the value for money and investment it provided.

RESOLVED that the following be agreed:

1. the extension of the existing Management of Open Spaces contract with ID Verde SAS from 1st April 2024 until 31st March 2034;
2. that authority be delegated to the Director of Finance, Governance and Contracts in consultation with the relevant Lead Member to complete the extension agreement and to make amendments to the contract specification;
3. that the exempt report of the Scrutiny Commission be noted.

Reasons

1. To ensure continuation of services to Charnwood residents in the most efficient and effective manner.
2. To ensure that the legal documents relating to the extension are completed quickly and efficiently.
3. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

82. SHEPSHED PUBLIC REALM PROJECT: MARKET PLACE

Considered, an exempt report of the Head of Planning and Growth to consider the target price for the implementation of the Shepshed public realm works in Market Place and to approve the construction programme so that the contractors can be instructed to progress to Stage Two and commence construction works (item 10 on the agenda filed with these minutes).

Councillor Seaton, Chair of the Scrutiny Commission, presented an exempt report setting out the Commission's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes). She stated that there had been unanimous support for the recommendations set out in the report of the Head of Planning and Growth.

The Scrutiny Commission was thanked for its pre-decision scrutiny of this and earlier items. The Leader also wished to thank Councillor Seaton for her work chairing the Commission over the last few years. Cabinet had welcomed the contribution that pre-decision scrutiny had made.

The Head of Planning and Growth and the Regeneration and Economic Development Officer assisted with consideration of the report. Cabinet noted that the decisions it was being asked to take followed longstanding work on the project and previous Cabinet decisions to progress it. Reference was made to how the project assisted the Shepshed Town Centre Masterplan, the considerable involvement of stakeholders, how contributions from developers secured under S106 of the Planning Act and other funding should mean the final cost to the Council would be minimal and the significant benefit the public realm improvements would provide to Shepshed.

RESOLVED

1. that the commitment of resources to bring forward Stage Two (construction phase) of the Shepshed public realm improvement scheme for Market Place and to proceed with the construction works be confirmed;
2. that authority be delegated to the Head of Planning and Growth in consultation with the Cabinet Lead Member to make necessary modifications to the scheme design in response to any comments from the appointed Principal Contractor and County Highway Authority during Stage Two, the construction phase of the Market Place element of the project;
3. that authority be delegated to the Head of Planning and Growth to enter into procurement and any contracts and legal obligations necessary to deliver Phases One and Two of the scheme;
4. that authority be delegated to the Head of Planning and Growth to take forward and deliver Phase Two of the project, in consultation with the Chief Executive and Cabinet Lead Member, including making any necessary modifications to the design for Phase Two in response to comments from the appointed contractor, landowners and the County Highway Authority;
5. that the scheme is increased by £500k funded from Capital Receipts to enable the delivery of Phase Two (Bull Ring and Hall Croft) of the project;
6. to increase Phase One Scheme by £850,000, funded by Uk Share Prosperity Fund, and increase S106 Contributions by £125,200 to be added to the Capital Plan 2023/24;

7. that the formula shown in Appendix 3 to the report for the developer contributions to be secured under S106 of the Planning Act be approved and delegated authority be given to the Head of Planning and Growth to revise the formula as necessary to achieve the regeneration of Shepshed;
8. that the exempt report of the Scrutiny Commission be noted.

Reasons

1. To deliver Stage Two (construction phase) of the Shepshed public realm improvement scheme for Market Place.
2. To enable further minor modifications to the final scheme drawings and specification for the Market Place element of the scheme to be made in response to any comments from the County Highway Authority and the appointed Principal Contractor during the construction phase.
3. To obtain agreement that any procurement, legal agreements and other requirements to deliver Phases One and Two of the project can be secured.
4. To ensure that Phase Two (Bull Ring and Hall Croft) of the project is delivered.
5. To allocate sufficient funding to the project to deliver Phase Two.
6. To allocate sufficient funding to the project to deliver Phase One.
7. To provide a basis to seek developer contributions towards the Regeneration of Shepshed in line with policies in the Development Plan.
8. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

NOTES:

1. Councillor Seaton attended this meeting virtually. She was not taking decisions.
2. The following officers listed as present attended this meeting virtually: The Head of Planning and Growth, the Regeneration and Economic Development Officer. The remaining officers listed as present attended in person.
3. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 21st April 2023 unless called in under Scrutiny Committee Procedure Rule 11.7. Decisions in the form of recommendations to Council are not subject to call in.
4. No reference may be made to these minutes at the next available Ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on Friday, 21st April 2023.

5. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.