



Cabinet Minutes

The minutes of the Cabinet meeting of Wyre Borough Council held on Wednesday, 7 September 2022 in the Council Chamber, Civic Centre, Poulton-Le-Fylde.

Cabinet members present:

Councillor David Henderson, Leader of the Council
Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder
Councillor Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder
Councillor Simon Bridge JP, Street Scene, Parks and Open Spaces Portfolio Holder
Councillor Alice Collinson, Planning Policy and Economic Development Portfolio Holder
Councillor Michael Vincent, Deputy Leader and Resources Portfolio Holder

Apologies for absence:

None

Other councillors present:

Councillor David Walmsley

Officers present:

Mark Billington, Corporate Director Environment
Clare James, Corporate Director Resources and Section 151 Officer
Mary Grimshaw, Legal Services Manager and Monitoring Officer
Karen McLellan, Audit and Risk Manager (and Chief Internal Auditor)
Patrick Cantley, Senior Licensing Officer
Duncan Jowitt, Democratic Services Officer

No members of the public or press attended the meeting.

CAB.7 Declarations of interest

Councillor Michael Vincent declared that one of his disclosable pecuniary interests was a business located in Cleveleys Town Centre, which could be indirectly affected by item 8 - Cleveleys Town Centre Regeneration Framework - and did not participate in the discussion.

CAB.8 Confirmation of minutes

The minutes of the Cabinet meeting of 1 June 2022 were confirmed as a correct record.

CAB.9 Public questions

None

CAB.10 Local Government Ombudsman Annual Review Letter 2022

The Leader of the Council and the Corporate Director Resources asked Cabinet to consider the Annual Review letter from the Local Government and Social Care Ombudsman (LGO) for 2021/22, attached at Appendix A of the report.

Decision

Cabinet noted the comments made by the LGO in the Annual Review Letter.

CAB.11 Technical studies and update of Hillhouse Technology Enterprise Zone masterplan

The Resources Portfolio Holder and Corporate Director Communities submitted a report seeking approval for

- the release of funding from the Enterprise Zone Business Rates Growth Reserve for the commission of technical studies and to update the masterplan and marketing materials for the Hillhouse Technology Enterprise Zone (EZ).
- exemption to the Council's financial procedure rules for the procurement of consultancy services for the commission of technical studies and updates to the masterplan and marketing materials for the Hillhouse Technology EZ.

Decisions

Cabinet approved the release of up to £150,000 from the EZ Business Rates Growth Reserve (created from retained business rates on the EZ) for the purpose of providing funding to commission services including, but not limited to:

- Undertaking a Flood Risk Assessment for the entire EZ, with the results used to inform the overall site layout;
- Commissioning a Traffic Impact Assessment and Sustainable Transport Study to understand off-site traffic impact and sustainable transport options;
- Undertaking topographic and utility capacity surveys focussing on the Northern sector of the EZ to provide accurate site information including on the utilities infrastructure;
- The review and update of the masterplan – providing data to inform the Local Plan as well as estimates for income to the council from business rates;
- Specialist input to support responses to major investment enquiries.

The Resources Portfolio Holder delegated authority to the Corporate Director Communities to enter into any and all necessary documents and agreements to commission the required services and to make any funding of commissions conditional on suitable further agreement(s) being reached with NPL Estates (majority landowner within the EZ) and other land owner(s) or related companies to provide complementary investment, as necessary, to make full use of this investment by the council.

The Resources Portfolio Holder delegated authority to the Corporate Director Communities to allow for the commission of services by Blackpool Council under the exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules as part of the ongoing support package provided by Blackpool Council to develop and promote the EZ. The exemption category being "Tenders are invited on behalf of any consortium or collaboration, of which the Council is a member, in accordance with any method adopted by that body. Where however, a Council officer invites tenders on behalf of the consortium the receipt, opening and acceptance of tenders must comply with the Council's Financial Regulations and Financial Procedure Rules or any overriding legislation".

CAB.12 Variation to the Wyre Hackney Carriage Tariff

The Neighbourhood Services and Community Safety Portfolio Holder and Corporate Director Environment submitted a report asking Cabinet to consider the recommendation from the Licensing Committee to revise the Hackney Carriage Table of Fares. The Deputy Leader asked for Section e) of the proposal relating to fuel surcharge to be amended from "If the cost of diesel reaches £1.80 per litre or higher" to "If the cost of diesel is £1.80 per litre or higher."

Decisions

Cabinet agreed that subject to the minor amendment as set out above,

- the revised table of fares be approved and implemented from 30 September 2022, subject to the proper consideration of any responses to the public notice
- the Senior Licensing Officer advertise the variation in accordance with section 65 of the Local Government (Miscellaneous Provision) Act 1976 (Appendix 1 of the report).

CAB.13 Cleveleys Town Centre Regeneration Framework

The Planning Policy and Economic Development Portfolio Holder and Corporate Director Communities submitted a report seeking adoption of the Cleveleys Town Centre Regeneration Framework (CTCRF).

Cabinet thanked Mark Fenton for his work on the development of the framework.

Decisions

Cabinet agreed that

- the council adopt the CTCRF.
- the Head of Planning and Regeneration be authorised to make amendments and corrections to the CTCRF. Such changes to include but not be limited to editorial corrections, typographical errors, changed local circumstances or investment opportunities.
- where the revisions may alter the strategic objectives of the CTCRF, the Head of Planning and Regeneration, in consultation with the Planning Policy and Economic Development Portfolio Holder, determine if it may be appropriate to carry out further proportionate stakeholder or public consultations on the proposed revisions.

CAB.14 Exclusion of public and press

In accordance with Paragraph 11 of the Access to Information Rules in Part 4 of the Council's Constitution, the Chief Executive determined that the report submitted under item 10 of the agenda was "Not for Publication" because it referred to "exempt information" as defined in Part 1 of Schedule 12A(3) of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Variation Order 2006. This was on the grounds that it contained information relating to the financial or business affairs of a particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Cabinet decided to exclude the public and press for the item, and passed the following resolution:

"Cabinet resolves to exclude the public and press from the meeting whilst agenda item 10 is being considered as the item refers to exempt information as defined in category 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and category 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Part 1 of Schedule 12(a) of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information."

CAB.15 Compliance with Procurement Regulations

The Chief Executive, Corporate Director Resources (and Section 151 Officer) and Legal Services Manager (and Monitoring Officer) submitted a report to formally inform the Executive of an incidence of non-compliance to procurement regulations under the Contract Procedure Rules in the Council's Constitution and the remedial action taken.

Decision

Cabinet noted

- the details included in the report on the recent breach to Contract Procedure Rules under the Council's Constitution and Public Contract Regulations 2015.
- the remedial action taken.

The meeting started at 5.00 pm and finished at 5.09 pm.

Date of Publication: 8 September 2022

Options considered but rejected

Any alternative options that were considered but rejected, in addition to the reasons for the recommendations that were made, are included in the full reports.

When will these decisions be implemented?

All decisions will be put into effect five working days from the date of publication, unless a decision is "called-in" by any four members of the council within that period.