

CABINET



THURSDAY, 16 MARCH 2023 - 4.00 PM

PRESENT: Councillor C Boden (Chairman), Councillor Mrs J French (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor S Count, Councillor Mrs D Laws, Councillor P Murphy, Councillor C Seaton and Councillor S Tierney.

APOLOGIES: Councillor Miss S Hoy.

CAB70/22 PREVIOUS MINUTES

The minutes of the previous meeting held on 20 February 2023 were approved and signed.

CAB71/22 INVESTMENT BOARD UPDATE & REVIEW OF THE COMMERCIAL & INVESTMENT STRATEGY

Members considered the Investment Board update and review of the Commercial and Investment Strategy report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Benney and Cabinet AGREED to note the report and approve a review of the current Commercial and Investment Strategy as determined by the Constitution and in light of the current economic environment and delegate this review to the S151 Officer for tabling at a future meeting.

CAB72/22 PROPOSED OPERATING MODEL (LINKED TO ACCOMMODATION REVIEW)

Members considered the Proposed Operating Model, linked to the accommodation review report presented by Councillor Boden.

Councillor Mrs Laws said that she is pleased to see that training will be implemented as it is essential due to the different range of skills required to be able to manage staff virtually. She added that improvements do need to be made to the Council's information technology systems and an investment will need to be made. Councillor Mrs Laws stressed that whilst she agrees with flexible working it is still vital for an element of face-to-face contact and therefore regular team meetings are essential.

Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED the principles associated with the proposed Operating Model as set out in the report and to note the need to develop a suite of associated policies to ensure the successful implementation of the Proposed Operating Model which will be presented to the Audit and Risk Management Sub-Committee in the future for consideration and approval.

CAB73/22 RECAP DRY RECYCLING CONTRACT TENDER FOR BULKING, TRANSPORTATION, SORTING AND SALE OF RECYCLING MATERIALS

Members considered the RECAP Partnership Joint Materials Recycling Tender and Contract report presented by Councillor Murphy.

Proposed by Councillor Murphy, seconded by Councillor Tierney and AGREED:

- to commit to the procurement and appointment of one or more Contractors, to deliver

Joint Materials Recycling Facilities (MRF) services for bulking, sorting, onward processing and sale of recyclable materials for all RECAP participating partners;

- **to delegate to the Corporate Director and Section 151 Officer for the authorisation of the final Invitation to Tender (ITT), to award the contract, in consultation with the Portfolio Holder;**
- **that Cambridgeshire County Council will nominate one or more preferred suppliers, in collaboration with the partners, for the provision of the services of bulking, sorting and onward processing and sale of recyclable materials contract, on behalf of the RECAP partners.**
- **to note that whilst providing procurement expertise, Cambridgeshire County Council are not party to any resulting contract; and**
- **to note that the resulting contract will likely require an updated TEEP assessment of the recycling service provision provided by Fenland which will be presented to a future Cabinet meeting.**

CAB74/22 WHITTLESEY SOUTHERN RELIEF ROAD SOBC

Members considered the Whittlesey Southern Relief Road SOBC report presented by Councillor Seaton.

Members made comments as follows:

- Councillor Mrs Laws stated that she welcomes the content of the report not only in her position as a Whittlesey Town Councillor but also due to the lobbying that is taking place concerning the traffic issues on the A605. She added that she would welcome the opportunity to sit on the project board that Councillor Seaton had alluded to.
- Councillor Mrs French stated that she is pleased that this is going ahead for the residents of Whittlesey who have waited many years for this.
- Councillor Count stated that his own experience of sitting on the Kings Dyke Project Board did include a great deal of input from local members which, in his opinion, helped to shape that particular project for the future and local knowledge is imperative. Councillor Count stated that he welcomed that project, but it is still insufficient for the needs of Whittlesey and the proposed relief road is vital for that area. He expressed the view that he wished the processes could be altered in order that projects can be commenced in a timelier manner but he welcomes the funding from the Cambridgeshire and Peterborough Combined Authority Market Town Project.
- Councillor Tierney stated that he welcomes the news and is delighted for those who have been striving to move this proposal forward.
- Councillor Mrs Laws stated that it is important to remember that the proposal will open up growth and economy for Fenland as a whole. She added that it is much needed, and Whittlesey is the only Fenland market town which does not have a bypass and it is dealing with enormous amount of vehicles of different sizes, lengths and weights that use that road for which she is currently arranging for traffic surveys to be carried out. Councillor Mrs Laws made the point that she feels that the Council has a duty of care to those residents who live along the Peterborough Road.
- Councillor Benney stated that he whole heartedly supports the project which is a gateway into the Fens and from an economic perspective it opens the town of Whittlesey up from the overspill of investment from Peterborough and the project will benefit Fenland as a whole.
- Councillor Boden stated that he agrees with Councillor Count and made the point that large infrastructure projects are very cumbersome to initiate, and the process is slow. He added that in projects such as this, there are many stages to overcome, and the first stage was satisfactorily achieved by Whittlesey Town Council who managed to obtain a report which was positive and led to the justification for the strategic outline business case to be sought from the CPCA. Councillor Boden explained that there are now further stages to overcome

with the next one being the outline business case. He added that a great deal of money needs to be spent in the preparation of such projects before commencement of any works can begin, however, there is a process to follow which cannot be deviated from. Councillor Boden made the point that whilst he appreciates the frustration caused by the amount of traffic currently being handled by Whittlesey, it is the projection and looking forward which needs to be considered. He explained that from the data that is already held when looking at the traffic growth that exists in Fenland as a whole, including Peterborough and Whittlesey, by the end of the decade the two roundabouts in the centre of Whittlesey are going to be severely congested adding 6.5 minutes to negotiate. Councillor Boden expressed the view that looking to the future the relief road will not be constructed before the end of the decade but by that time, the need will be so obvious which is why steps are being taken now in order to prepare so that when the need is actually require, approval can be sought in order to get the relief road actually built.

Proposed by Councillor, seconded by Councillor and AGREED to:

- **confirm the establishment of the Project Board to oversee the business case project, confirm the boards remit including its terms of reference and membership;**
- **note the procurement exercise to select a contractor to deliver the SOBC project and give approval for delegated authority to the Portfolio Holder for Social Mobility and Heritage to award the contract;**
- **note that third party funding has been approved from CPCA Market Towns Budget for this work. A Grant Funding Agreement between CPA and FDC is required and that this agreement requires FDC to underwrite any capital overrun; and**
- **delegate approval to the Portfolio Holder for Social Mobility and Heritage and the Portfolio Holder for Finance to sign the agreement on behalf of FDC.**

CAB75/22 24 HIGH STREET, WISBECH - UPDATE

Members considered the update report concerning 24 High Street update report presented by Councillor Seaton.

Councillor Tierney stated that it has taken a considerable amount of time to get to this stage and he worries about the public's perception of the timescales when looking at the works that have taken place so far with the project. He added that he welcomes the decision not to close the High Street for an extended period of time during the works as that would be detrimental for the shops, businesses and residents. Councillor Tierney stated that it is a complicated project and he is excited to see it moving forward.

Proposed by Councillor Seaton, seconded by Councillor Boden and AGREED to note the current position in relation to the 24 High Street construction project in Wisbech High Street.

CAB76/22 PROCUREMENT OF CLEANING SERVICES

Members considered the Procurement of Cleaning Services report presented by Councillor Benney.

Councillor Boden stated that given the accommodation review which is currently taking place there is some uncertainty with regards to what the Council's footprint is going to be and, therefore, it is imperative that the new arrangements allow for complete flexibility as detailed within the report in order that the Council is not penalized for any arrangements which are made with the County Council. Councillor Boden added that he welcomes utilizing the County Council for these arrangements because of the economies of scale which they can provide rather than the Council doing it solely where the opportunity would not be able to achieve such favourable terms and he agrees that in this case there is the justification to work with the County Council.

Proposed by Councillor Benney, seconded by Councillor Boden and AGREED for the procurement process to commence in order that Cambridgeshire County Council may complete the execution of the cleaning contract with Atalian Servest AMK Ltd before the contract commencement date of 1 April 2023.

CAB77/22 PROCUREMENT OF SEWAGE EFFLUENT REMOVAL SERVICES

Members considered the Procurement of Sewage Effluent Removal Services report presented by Councillor Benney.

Proposed by Councillor Benney, seconded by Councillor Mrs Laws and AGREED that officers be given delegated authority to appoint the most advantageous tenderer as per evaluation under the Public Contract Regulations 2015 and, therefore, undertake the Council's sewage effluent removal services for the coming 3-year period, commencing on 1 April 2023, including the option for a 2 year extension subject to agreement by both parties.

CAB78/22 RENEWAL OF IDOX SOFTWARE APPLICATION SUPPORT AND MAINTENANCE

Members considered the Renewal of Idox Software Application Support and Maintenance Contract report presented by Councillor Tierney.

Councillor Boden stated that it is appropriate for members to agree the proposal for the three-year period starting imminently but he added that consideration also needs to be given to the transformation processes that are currently being undertaken.

Proposed by Councillor Tierney, seconded by Councillor Boden and AGREED for the renewal of the contract between the Council and the Idox Group for 3 years in accordance with the terms of the contract at an estimated total cost of £258k for the period from 1 April 2023 until 31 March 2026.

CAB79/22 DRAFT 6 MONTH CABINET FORWARD PLAN

Councillor Boden presented the draft 6 Month Cabinet Forward Plan for information.

CAB80/22 FREEDOM LEISURE - ENERGY CRISIS SUPPORT

Members considered the Freedom Leisure Energy Crisis Support report presented by Councillor Sam Clark.

Members made comments as follows:

- Councillor Boden expressed the view that the announcement in the recent Budget was welcomed but the details and implications for the Council are not yet known, however, it is hoped that the detail will be favourable to the Council's particular situation. He added that it is very much welcomed as this did not happen for part of the Covid period, and the monies are to be made available to local swimming pools which are under third party control as well as being directly controlled by councils. Councillor Boden stated that given that Freedom Leisure has charitable status, the Government announcement is such that the Council will be able to apply for money from the fund. He stated that given that the finer detail is not known he suggested that the recommendations should be amended to reflect the point that offering to make a repayable loan up to a maximum of £250,000 for the six month period commencing on 1 April 2023 which represents 86% of the expected maximum excess energy costs with the sum anticipated to be reduced by the continuing implementation of the mitigation measures put in place to reduce operating costs and energy consumption which is referred to in section 12 of the report. Councillor Boden added that the suggested wording

that he is proposing to include is 'together with any additional government support for Leisure Centres energy costs', so that it can be considered when any potential loan is looked at on an open book basis.

- Councillor Mrs French stated that she welcomes and fully supports the proposal, but she would not like to see any reduction in opening hours at the leisure centres going forward.

Proposed by Councillor Clark, seconded by Councillor Boden and AGREED to:

- note the considerable impact that the energy crisis continues to have on the leisure sector across the country;
- note the continued good operational performance of the Fenland group of leisure centres managed by Freedom;
- recognise the £4 return on investment that every £1 invested in sport and physical activity generates in England and as part of that return recognises the essential role that the Council's leisure facilities play in helping to maintain the physical and mental health of our community as highlighted;
- recognise the significant financial challenges that the Council itself is facing;
- agree to maintain the reduction in opening hours agreed in 2022 in order to continue to mitigate some energy costs in the leisure centres;
- consider, and delegate to the Section 151 Officer, working in consultation with the Portfolio Holders for Finance and Leisure, to offer direct financial support to Freedom Leisure in the form of a repayable loan, on an open book basis, up to a maximum sum of £250,000 for the period 1 April 2023 to 30 September 2023. This represents 86% of the expected maximum excess energy cost, with the sum anticipated to be reduced by the continuing implementation of the mitigating measures put in place to reduce operating costs and energy consumption as detailed in section 12 together with any additional Government support for leisure centres energy costs. Any repayable loan shall become payable through an annual deduction of any profit generated in excess of the levels predicted in the Leisure Operators Base Trading Account (LOBTA). This is a change from the current 50/50 profit share and will be subject to the performance of the business over the remaining contract period, with the past three years having been particularly difficult for businesses across the country and whilst the operational business has recovered well, there remains no certainty that excess profits will be made in the future; and
- instruct officers, alongside other industry experts, with input from the energy market, to investigate the likely longer-term impact of the energy supply costs on the management of leisure facilities, reporting back to Cabinet with options that consider a longer-term approach to managing the situation. This report to be presented alongside a further report regarding Freedom Leisure and potential energy support for the remainder of 2023/24 and a review of ongoing actual costs to date.

CAB81/22 WISBECH PARK - PAVILION CONSTRUCTION CONTRACT

Members considered the Wisbech Park Pavilion Construction Contract report presented by Councillor Murphy.

Members made comments as follows:

- Councillor Tierney expressed the view that he is pleased to see the project moving forward.
- Councillor Mrs French stated that she welcomes the project which has received some funding from the County Council, however, she would urge the project to move forward at pace in order that the funding is not lost.

Proposed by Councillor Murphy, seconded by Councillor Clark and AGREED to:

- note the project progress;

- consider the financial position of the project, following tender returns, and to decide to continue the project with the tendered costs and estimated capital requirement from FDC detailed within exempt Schedule Error! Reference source not found. (subject to tender assessments).
- delegate to the Section 151 Officer, working in consultation with the Portfolio Holders for Finance and Environment to facilitate the additional capital sum required, as detailed in the exempt Schedule Error! Reference source not found., allowing acceptance of the best value compliant tender when tender assessments are completed following FDC's Code of Procurement; and
- to delegate to the Section 151 Officer, working in consultation with the Portfolio Holders for Finance and Environment to enter into a construction contract with the best value compliant tenderer to build the Wisbech Park Pavilion.

CAB82/22 STRUCTURAL CONCRETE REPAIRS, WATERPROOFING, SURFACING AND EXPANSION JOINT REPLACEMENT WORKS - WISBECH SUSPENDED QUAY (CONFIDENTIAL)

Members considered the structural concrete repairs, waterproofing, surfacing and expansion, joint replacement works at Wisbech Suspended Quay presented by Councillor Benney.

Members made comments, asked questions and received responses.

Proposed by Councillor Benney, seconded by Councillor Boden and AGREED the recommendations in the report.

(Members resolved to exclude the public for this item of business on the grounds that it involved the disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972)

5.05 pm

Chairman