

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 22 APRIL 2024**

**CABINET**

Tuesday, 9 April 2024

**PRESENT** – Councillors Harker (Chair), Curry, McCollom, McEwan, Porter, Dr. Riley and Roche

**INVITEES** – Councillors Snedker

**APOLOGIES** – Councillors Wallis, Dulston and K Nicholson

**ALSO IN ATTENDANCE** – Councillors Henderson and Robinson

**C118 DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

**C119 DEATH IN SERVICE - SUSAN WHITTAM**

The Cabinet Member with the Health and Housing Portfolio reported on the recent death in service of Susan Whittam, a valued member of the Dolphin Centre Catering Team, who had sadly passed away on 19 March 2024. Susan had worked for the Council for nearly 20 years.

**RESOLVED** – (a) That the recent sad death in service of Susan Whittam, be noted, and the Council's sympathy be conveyed to Susan's family.

(b) That a minute's silence be observed as a mark of respect for Susan.

**REASON** – To inform Members of the sad death in service of Susan Whittam.

**C120 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.**

In respect of Minute C121 below, a representation was made by a Member in attendance at the meeting.

**C121 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 5 MARCH 2024**

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 5 March 2024.

**RESOLVED** – That the Minutes be confirmed as a correct record.

**REASON** – They represent an accurate record of the meeting.

**C122 MATTERS REFERRED TO CABINET**

There were no matters referred back for re-consideration to this meeting.

**C123 ISSUES ARISING FROM SCRUTINY COMMITTEE**

There were no issues arising from Scrutiny considered at this meeting.

**C124 KEY DECISION - ANNUAL PROCUREMENT PLAN**

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) requesting that consideration be given to the Annual Procurement Plan (also previously circulated) including the assessment of contracts that are considered to be strategic or non-strategic; updating Members on the outcomes of procurement(s) previously designated as Strategic; and the decisions taken by the Procurement Board to waive the Contract Procedure Rules.

The submitted report stated that any contract award decision with a value below £100,000 was delegated to officers; in accordance with the Contract Procedure Rules, the Annual Procurement Plan was produced listing details of all existing and new contracts that were valued at £100,000 and above, which required a tender process; for those contracts designated as strategic, the final contract award would be approved by the Procurement Board and reported to this Cabinet; for those contracts designated as non-strategic, the decision would be delegated to the relevant Directorate and detailed in a decision record; and that three contracts had been designated strategic in the update to the Annual Plan.

A Member in attendance at the meeting made reference to the formatting and terminology contained within the report which she felt was not clear or transparent and required an explanation, and in doing so gave a number of examples from the report. Reference was also made to the length of the contract for the supply of materials and products for new build projects and how the Council was ensuring the contract offered best value over such a long contract. The Cabinet Member with the Resources Portfolio responded thereon.

**RESOLVED** – (a) That the the assessment of strategic and non-strategic contracts as presented in Appendix 1 of the submitted report be approved, and it be noted that:

- (i) further reports/ updates on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet;
- (ii) the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Directorate as listed in the plan at Appendix 1; and
- (iii) the contract award decisions for the contracts designated as strategic, as listed in the plan at Appendix 1, be delegated to the Procurement Board to approve and be reported back to Cabinet.

(b) That the contents of the submitted report in respect of the update of strategic procurements, Procurement Board waiver decisions, and Social Value, be noted.

**REASONS** – (a) In respect of strategic/non-strategic contracts, the recommendations are supported by the following reasons: -

- (i) the Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic;
- (ii) contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety; and
- (iii) the contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

(b) In respect of Procurement Board waiver decisions, the recommendations are supported by the following reasons: -

- (i) in order to comply with the Contract Procedure Rules;
- (ii) to provide Cabinet with information about the decisions made by the Procurement Board; and
- (iii) to supplement the reports that are taken to Cabinet about proposed spend over £100,000, that are set out in the Annual Procurement Plan and the in-year update to that report.

**C125 DOLPHIN CENTRE UPDATE: PHASE 3 MECHANICAL AND ELECTRICAL REPLACEMENT PROGRAMME AND RELEASE OF ADDITIONAL CAPITAL FUNDS FROM SWIMMING POOL SUPPORT FUND**

The Cabinet Member with the Health and Housing Portfolio introduced the report of the Group Director of Services (previously circulated) updating Members on the delivery of the Phase 3 Mechanical and Electrical (M&E) installation and requesting that consideration be given to the release of funding, following a successful bid to the Swimming Pool Support Fund (SPSF), for photovoltaic panels and a new combined heating and power unit.

The submitted report provided an update on the Dolphin Centre and the works being undertaken; stated that the Government announced the SPSF in June 2023, which was in two phases; the Council were successful in a bid to the Capital phase of the fund in February 2024; and that the funding would provide a new combined heating power unit and photovoltaic panels, which would improve the carbon footprint of the building and reduce operational costs.

It was reported the works identified in the bid had been incorporated into the Phase 3 M&E works which allowed a single tender to be issued in order to secure economies of scale and a more effective delivery programme. The Phase 3 works included space heating and ventilation across a number of areas in the building; the building management system (control system); air handling systems; emergency lighting; and replacing existing lights with LED fittings to improve energy efficiency.

In presenting the report the Cabinet Member with the Health and Housing Portfolio thanked all those staff involved in submitting the bid and securing the funding from Sports England.

A Member welcomed the funding and investment in the building and the improvements that would be made in its sustainability.

**RESOLVED** - That the £526K of capital funding, be released, from the successful bid to the Swimming Pool Support Fund.

**REASON** - To enable the installation of photovoltaic panels and a new combined heating and power unit at the Dolphin Centre as part of the Phase 3 Mechanical and Electrical works.

## **C126 PROPOSED WAITING RESTRICTIONS OUTRAM STREET - OBJECTION**

The Cabinet Member with the Local Services Portfolio introduced the report and plan of the Group Director of Services (both previously circulated) advising Members of an objection received to a proposal for waiting restrictions at Outram Street, as shown on the plan appended to the submitted report, and seeking a decision on whether to proceed with the proposal.

The submitted report stated that following the recent introduction of a contraflow cycle way on Duke Street and the introduction of revised waiting restrictions in the area, the southern end of Outram Street was left unrestricted; the absence of restrictions on parking in this location was interfering with the operation of the cycle route; and as a result, officers developed a proposal to regulate the parking and consulted on a proposal for waiting restrictions, a disabled bay and a limited waiting bay to prevent obstructive parking and improve road safety. A business owner on Duke Street made an objection to the proposed waiting restrictions, and the reasons for their objection was that the location of the disabled bay was not appropriate and that there were restrictions on both sides of the southern end of Outram Street.

Particular reference was made to the duty of the Council to maintain the flow of traffic and the provision of parking should only be considered if it was safe to do so and it did not interfere with the right of passage along it. The Council, acting in its capacity as the Highway Authority, also had a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic.

**RESOLVED** - That the objection be set aside and officers be authorised to proceed with the proposal to introduce 'No waiting at any time' and 'No waiting 9.00am – 5.00pm' restrictions, a Disabled Bay and Limited Waiting Bay, as shown on the plan appended to the submitted report.

**REASON** - To improve the road safety and preserving or improving the amenities of the area through which the road runs.

## **C127 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.**

There were no membership changes reported at the meeting.

**DECISIONS DATED –  
FRIDAY 12 APRIL 2024**