

NOT FOR PUBLICATION BY VIRTUE
OF PARAGRAPH 1 OF PART 1 OF
SCHEDULE 12A TO THE LOCAL
GOVERNMENT ACT 1972

Decision under Delegated Powers

Officer Making the Decision

Alison Simmons - Head of Strategic and Private Sector Housing

Recommendation

To sign and seal the Legal Agreement (Appendix 1) between Blaby District Council and Charnwood Borough Council for the provision of services by Charnwood Borough Council, enabling Blaby District Council to deliver delegated functions of Leicestershire County Council within the administrative area of Charnwood Borough Council. The term of the agreement will end on 31 March 2022 (with a possible 2 year extension until 31 March 2024).

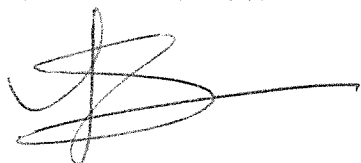
Reason

On 14th February 2019 (Minute 84 (18/19)), Cabinet approved the Council's continued participation in the Lightbulb Service model and the Agreement is required to enable the Council to continue to carry out the delegated functions of Leicestershire County Council at a local level.

Authority for Decision

The Constitution gives general delegated authority to Heads of Service to take such action as may be necessary or appropriate in connection with the implementation of decisions properly authorised by Cabinet.

Decision and Date



Alison Simmons
Head of Strategic and
Private Sector Housing

2nd February 2022

Background

In May 2017, Cabinet resolved (Minute: 113 16/17) that the Council would participate in the Lightbulb Service Model. This would be on the basis of the Locality Team Option, whereby Charnwood Borough Council will directly employ a locality based Lightbulb team and deliver the service directly across the Borough (linking to the Central Hub to ensure consistency of operating procedures and resilience in the overall system).

Cabinet noted that County Council proposed to review how the Service was working after 12 months of operation (at the end of 2018) and, should funding provision for the Service change in the future, that Charnwood's participation in the project be reassessed at this time.

The Council completed a review of Lightbulb within Charnwood and a report was submitted to Cabinet with the findings on 14th February 2019. Cabinet resolved (Minute 84:18/19) that participation in the Lightbulb Service Model, for a period of 3 years with a possible 2 year extension (i.e. financial years 2019-2020 to 2023-2024) be agreed.

In August 2021 a further review of the Lightbulb Service Model was undertaken in line with the contract, to consider the service delivery model and to recommend whether an extension for a further 2 years should be approved in line with the Cabinet decision.

The recommendation of the review was that the Council continues to participate in the delivery of the Lightbulb Service Model in 2022-2023 and 2023-2024 with an increase in resources, funded through the Better Care Fund allocation.

The Legal Agreement (Appendix 1) is required to enable the Council to continue to carry out the delegated functions of Leicestershire County Council at a local level.

Comments from HR

Financial Implications

There are no risks associated with this decision. The budget required to deliver the Lightbulb Service model was approved as part of the 14th February 2019 Cabinet Report.

Risk Management

There are no risks associated with this decision.

Key Decision: No

Background Papers: Cabinet Minutes 14th February 2019

This deed is dated

Parties

- (1) Blaby District Council of Council Offices Desford Road, Narborough, Leicestershire LE19 2EP (BDC)
- (2) Charnwood Borough Council of Council Offices, Southfield Road Loughborough, LE11 2TX (CBC)

BACKGROUND

- (A) BDC and CBC are parties to an agreement for the provision of services by Charnwood Borough Council to enable Blaby District Council to carry out certain functions of Leicestershire County Council within the Administrative area of Charnwood Borough Council in connection with the Lightbulb Programme dated 30 April 2020 (**Agreement**)
- (B) The Parties have agreed to extend the contract for a further 2 year period consequently, the parties wish to amend the Agreement as set out in this deed with effect from the date of this deed (**Variation Date**).

Agreed terms

1. Terms defined in the Agreement

In this deed, expressions defined in the Agreement and used in this deed have the meaning set out in the Agreement. The rules of interpretation set out in the Agreement apply to this deed.

2. Variation

3. With effect from the Variation Date the Parties agree the following amendments to the Agreement:

a)	Clause 2.1 be amended:	This clause is amended to read as follows: This Agreement shall come into effect on the Commencement Date and shall continue until 31 March 2024 unless terminated earlier in accordance with the provisions of clause 19.4 or extended in accordance with clause 4.2
b)	Schedule 3 be amended	That the words "1 April 2020 and 1 April 2021" be deleted from the 2 nd paragraph

4. Governing law

This deed and any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales.

5. Jurisdiction

5.1 Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with this deed or its subject matter or formation.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

IN WITNESS WHEREOF the parties hereto have executed and delivered this document as a Deed on the date of this document

Executed under the Common Seal of

BLABY DISTRICT COUNCIL

In the presence of

Duly Authorised Officer

Executed under the Common Seal of

CHARNWOOD BOROUGH COUNCIL

In the presence of

Duly Authorised Officer

