

MINUTES OF

EXECUTIVE CABINET

MEETING DATE

Thursday, 8 December 2016

MEMBERS PRESENT:

Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Paul Walmsley, Adrian Lowe and Graham Dunn

MEMBER RESPONSIBLE:

Councillors Danny Gee, Kim Snape and Alistair Morwood

COUNCIL CHAMPIONS:

Councillors Gordon France, Margaret France, Margaret Lees and Marion Lowe

OFFICERS:

Gary Hall (Chief Executive), Jamie Carson (Director (Early Intervention and Support)), Chris Sinnott (Director (Policy and Governance)), Asim Khan (Director (Customer and Digital)), Chris Moister (Head of Legal, Democratic & HR Services) and Dianne Scambler (Democratic and Member Services Officer)

APOLOGIES:

None

OTHER MEMBERS:

Councillors Jane Fitzsimons, Tom Gray, Roy Lees, June Molyneaux, Richard Toon, Paul Leadbetter, Greg Morgan, Sheila Long and John Walker

16.EC.33 Minutes of meeting Thursday, 17 November 2016 of Executive Cabinet

Decision: The minutes of the Executive Cabinet meeting held on 17 November 2016 were confirmed as a correct record for signing by the Executive Leader.

16.EC.34 Declarations of Any Interests

There were no declarations of any interest.

16.EC.35 Public Questions

A number of questions were submitted on behalf of the Protect Chorley Hospital from Cuts and Privatisation against Item 3a on the agenda: NHS Sustainability and Transformation Plans.

A written response to each of the thirteen questions was provided by The Executive Leader and circulated at the meeting as follows:

It is important to note through the responses to all of the questions that Chorley Council does not have a formal role in the development or agreement of Sustainability and Transformation Plans, nor any of the plans that could be associated with them (such as commissioning strategies)

They are primarily NHS documents – requested from health economies from NHS England. The focus in the NH England planning guidance states that the NHS should take a system wide view of change (including local government). However, its focus is then on social care when it refers to working with local government. This means that attention is focussed on the county council, particularly through the health and wellbeing board, which is managed and led by the county council.

However, even with these caveats, Chorley Council has stated that it wants to protect the interests of its residents through any changes to public services. This means that we will and have lobbied other organisations where we think change is needed.

Also it should be noted that the responses to these questions are based on the agreed position of the entire Council, and not representative of any individual Councillor or Group. Some points raised have not been subject to decisions of the full Council and the attendant due process, and are proffered in a spirit of openness and transparency. Therefore some current Council answers and position may be subject to change by future due process.

1. When did you first become involved in the Commissioning, Sustainability, and Transformation plans?

Chorley Council's Chief Executive has acted as the representative of the Lancashire district councils in the development of the STP. As such, he was first involved in the STP process in January 2016. He has been involved as a representative of district councils, but without any decision making power, with a particular focus on the prevention work stream.

Councillors have not had any direct involvement in the sustainability and transformation plans, other than to be invited and attend engagement events for Our Health, Our Care in November 2016.

2. What Health and Social Care meetings are the Council involved in and could you please list the organisations, and how often they meet?

The Council is represented on the county council's health scrutiny committee in a non-voting capacity by Councillor Hasina Khan. She also took part in the recent review undertaken by the committee into the closure of the Emergency Department at Chorley Hospital. The membership of the Committee can be found on the county council's website:

<https://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=182>

The Chief Executive chairs the health and wellbeing partnership for central Lancashire. This partnership meets on a quarterly basis. The organisations represented on the partnership are; Chorley Council, South Ribble Borough Council, Preston City Council, Ribble Valley Borough Council, Lancashire County Council Chorley and South Ribble and Greater Preston CCGs, Lancashire Care Foundation Trust and Lancashire Teaching Hospitals.

The Chief Executive of Chorley Council sits on the Lancashire Health and Wellbeing Board as a representative of Lancashire district council Chief executives. The membership of the board can be found on the county council's website:

<https://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=825>

The Council Leader was appointed as the Council representative on the LTHTR Board of Governors in ay this year after we lobbied to have District Council representation across central Lancashire reinstated after it was removed a number of years ago.

3. Where can we find the minutes of these meetings?

The minutes of the county council's health scrutiny committee can be found on the county council website.

The minutes of the central Lancashire health and wellbeing partnership are not published, but we can make them available if you would like.

The minutes of the central Lancashire health and wellbeing board can be found on the county council's website.

The minutes of the Lancashire Teaching Hospitals council of governors are available here:
<http://www.lancsteachinghospitals.nhs.uk/council-of-governors-papers>

4. Who attends on behalf of the council and what is their remit?

The representation of the council is set out in the answer to the earlier question.

Where the Chief Executive represents other district council Chief executives, his remit is to provide representation for other district Chief Executives, and to provide them with updates on the work being undertaken. In this capacity, he is not representing Chorley Council as a single organisation.

5. Is your role to help develop publicly owned and democratically accountable and controlled Health and Social Care facilities?

As a district council, Chorley Council does not have any role in the control, commissioning or provision of health and social care facilities.

However, the council has been proactive in giving its views on health and social care facilities, most notably the closure of the Emergency Department at Chorley Hospital and the letting of the contract for the Urgent Care Centre.

In addition, the council continues to work towards wider public service reform, including seeking to work towards changed local government structures to make services more sustainable. In that decision, the council was clear that the reason for wanting change is to make public services sustainable, while retaining community identity and local accountability.

6. Does the Council have a plan or policy for the future of Health and Social Care?

No, although the council has set out its broad ambitions in its future governance models work and at its recent full council meeting.

7. Does the Council intend to be involved in co-commissioning?

Chorley Council doesn't have any role in commissioning. This lies with the county council.

8. Where is the money to invest in new facilities coming from?

The council is not involved in the provision of new facilities for health and social care.

9. Which cabinet member is responsible for overseeing and communicating with other Health and Social Care organisations and the public?

The Executive Leader has responsibility for Public Service Reform. The report to the Executive Cabinet tonight recommends that Councillor Hasina Khan will continue to take a role in representing the council with regard to health and wellbeing matters.

10. Do you intend to hold public meetings to inform the public of your policy, role and the changes that are proposed?

While the council is committed to engaging with the public, we have not got a role in the changes proposed within the STP. We will continue to make our buildings available to facilitate engagement events, and to support our residents in campaigns to protect their services.

11. Are your discussions part of the future devolved Governance of Local Government across Lancashire and south Cumbria?

Chorley Council is involved in the combined authority for Lancashire. This may involve a devolution proposal to government, but it is not yet at this stage. Any proposals will require the agreement of a meeting of full council.

12. Will these devolution plans be put before the public on whether they want devolution or not?

We would expect significant engagement of the public in respect of any devolution proposals before they were agreed.

13. At what point would you say you are unwilling to be involved in the STP's?

As a council, we are not currently involved in the STP process. We will continue to work to ensure plans achieve changes that need to happen, but this also means making public services better at meeting the needs of our residents and more democratically accountable to local areas.

A spokesperson for the Protect Chorley Hospital from Cuts and Privatisation who was present at the meeting spoke of their concerns of the STP process and provided a background of the main issues before the Cabinet debated the responses given.

16.EC.36 NHS Sustainability and Transformation Plans

The Executive Leader presented the report of the Director of Policy and Governance that provided an update on the recently published Sustainability and Transformation Plan (STP) for Lancashire and South Cumbria. It was this item that questions had been submitted against by a representative of the Protect Chorley Hospital from Cuts and Privatisation

The STP sets out the collective challenges facing health and social care across Lancashire and South Cumbria in the coming years. As previously reported to Council, the challenges are significant and relate to budgetary constraints against an increasing demand for services. The funding gap will reach £572 million by 2021 unless changes are made to the system.

The plan identifies the following key objectives that it aims to respond to:

- To set out a clear direction of travel for the unified health and care system in Lancashire and South Cumbria as the Five Year Forward View has across England.
- To achieve fundamental and measurable improvements in health outcomes.
- To reduce health inequalities across Lancashire and South Cumbria
- To achieve parity of esteem for mental health and physical health across Lancashire and South Cumbria.
- To ensure greater focus on ill-health prevention, early intervention and self-care where this improves outcomes.
- To ensure change is supported by a clear evidence base or an evaluation structure where evidence is not available
- To remove organisational or professional boundaries that get in the way of progress.
- To make maximum use of new technology when this will improve the quality of care provided.

The plan identifies a series of priority areas for 2016 to 2021 and much of the focus of the STP appears to have similar ambitions to the work that the Council undertook on future governance models, particularly around improving on prevention, early intervention and improving community resilience.

The local Our Health, Our Care programme will be the key vehicle for changes within the local health economy, and Councillors along with the Chief Executive have been invited and have attended engagement events that have provided updates on the programme. It is however

important to note that the Council has no role in approving the STP and that the plans are part of the NHS planning guidance.

The Council had recently reviewed and reiterated its position on public service reform and governance models at its Special Council meeting in November and is clear in its desire to maintain and protect public services and ensuring that they retain a local identity and improve democratic accountability. The Council through its Executive Leader and Public Services Reform Board would continue to press for public service reform that maintains and improves locally accountable public services.

Decision:

- 1. The contents of the report were noted.**
- 2. Approval that the Chair of Equalities and Well Being (in her role as Lead Member for Health and Wellbeing, Equality and Diversity) will provide updates to the Executive Cabinet and Council as the Sustainability and Transformation Plan develops further and the local Our Health, Our Care programme is published.**
- 3. Approval that the Executive Cabinet will continue to support local residents in their campaign to protect local health services.**

Reasons for Recommendation(s)

Development and changes in the local health economy affects Chorley's residents, and impact upon the Council's ambitions with regard to future governance models. It is therefore important that the Executive Cabinet receives updates on the STP.

Alternative options considered and rejected.

To not receive an update, would mean the Council not engaging in wider public service reform.

16.EC.37 Botany Bay Masterplan

The Executive Leader presented the report of the Chief Executive updating Members on the progress of the Council project to develop an Economic Masterplan for the Botany Bay Area.

The adopted Chorley Local Plan for 2012-2026 allocated the Botany Bay/Great Knowley Area as a sub-regional employment and mixed use site under policy EP2. Changes with that policy required the site to have a Masterplan, an acceptability of other forms of development to secure the delivery of the wider allocation including retail and housing. This was the second time that this area had been allocated in the Local Plan and if the site did not come forward in this plan period, it would have to be deallocated.

The project was listed as a corporate priority and has now been progressed with stakeholders. The report updated Members on the progress that had been made and presented a final draft for information. The Masterplan was policy and evidence led and reflected the aspirations of those Stakeholders that had signed up to a Memorandum of Understanding (MoU).

The Masterplan would be used to support any future planning application as evidence and would show how all the parcels of land within the allocation will contribute to the Local Plan. The costs of the Masterplan would be met from the site's various stakeholders and the carried forward investment budget. Any additional works regarding the improvements to the highway network would be met from the furthering key employment sites budget.

Members had concerns that current highways issues would increase if this site was developed and assurances were given that Highways England had already engaged with the Council to identify possible solutions to address these issues.

Officers were also asked to consider other issues that included the development of a Public Transport Plan to ease congestion and parking pressures, a park and ride facility, improvements to the Canal to provide a much improved leisure offer for the area and the undertaken of market testing should a retail development application be received as Members had concerns that any such development would affect the growth of the Town Centre.

Decision:

The report and draft illustrative Masterplan document at Appendix A was noted.

Reason(s) for recommendations:

Members cannot approve the proposed Masterplan as this will be a key consideration for any Planning Application and the Council should not do anything that may give the appearance of fettering any future decision.

Alternative options considered and rejected.

To take no action on progression of the Corporate Project.

16.EC.38 Elections and Electoral Registration Printing Procurement

The Executive Leader presented the report of the Chief Executive that sought approval of the proposed process for appointing a supplier for the printing of elections and electoral registration stationary. The report sought a departure for the Council's contract procedure rules by asking for permission to approach four suppliers directly.

A market testing exercise had been undertaken three years previously that had demonstrated best value and a waiver granted each subsequent year to reappoint the successful bidder

The quotes would be assessed in terms of both quality and cost for printing both elections and electoral registration printing and that the decision to award the contract would be taken by the Chief Executive in his role as Returning Officer.

Decision:

1. **The intention of the Elections and Electoral Registration Manager to seek a waiver from the Council's Contract Procedure Rules was noted.**
2. **Approval for a market testing exercise to be undertaken to enable the Council to demonstrate best value in retention to supply contracts for printing for elections and electoral registration.**
3. **Approval that the assessment of any quotations received for elections printing to be assessed on the basis of 70% quality and 30% cost.**
4. **Approval that the assessment of any quotations received for electoral registration printing be assessed on the basis of 60% quality and 40% cost.**
5. **Approval that the authority to award the contract be delegated to the Chief Executive in their role as Returning Officer.**

Reasons for recommendation(s)

It is necessary to undertake a market testing exercise to demonstrate best value. There are few experienced elections printers and so it is appropriate to approach them directly rather than do an open process.

Alternative options considered and rejected.

To continue with the current provider.

16.EC.39 Draft decision in response to proposal by BT to remove payphones

The Executive Member (Public Protection) presented the report of the Director of Customer and Digital that presented Members with the council's draft decision in response to the proposal by British Telecom (BT) to remove a number of public call boxes in the borough.

The Council had prepared the draft response to BT after a 90 day consultation period undertaken with the authority and local community and a response was given against each payphone as to whether to agree with its removal, object to the removal or whether the local community wished to adopt the box.

As part of the consultation process, BT is giving communities the opportunity to adopt a traditional red 'heritage' phone box and make them an asset that people will benefit from, such as a book store or a defibrillator station.

There are 30 payphones in the borough proposed for removal and a list of their location and usage over the past 12 months was appended to the report along with informed responses.

Decision:

1. **The report was noted.**
2. **Approval that the preparation and issuing of the Final Notification to BT and the Secretary of the State be delegated to the Director of Customer and Digital in consultation with the Executive Member with the portfolio for planning.**

Reasons for recommendation(s)

None

Alternative options considered and rejected

None

16.EC.40 Appointment of Consultants For Primrose Gardens and authorisation for the purchase of the St John ambulance building

The Executive Member (Customer and Advice Services) presented the report of the Chief Executive to provide an update on the commission of professional consultancy services for Primrose Gardens retirement living (extra care) scheme on Fleet Street and sought approval to award the contract to Pick Everard.

The report also confirmed the outcome of the negotiations regarding the sale of the St John Ambulance building to the Council as part of the land assembly for the development of Primrose Gardens Retirement living scheme.

Decision:

1. **Approval to award the contract for project management and quantity surveyor service for Primrose Gardens to Pick Everard under the Scape framework to a contract value of £144,000.**
2. **Approval of the acquisition of the St John Ambulance Hall with vacant possession for the capital sum of £188,500.**
3. **Authorisation be delegated to the Head of Legal, Democratic and Human Resources to prepare and execute the necessary legal documentation to complete the purchase of the St John ambulance Hall**
4. **Approval for the payment of £770 stamp duty plus the legal fees for St John on the condition that the sale is completed within eight weeks.**

Reasons for recommendation(s)

To enable the Primrose Gardens Project to continue and be delivered to timescales ensuring Eric Wright Construction deliver a high quality development with value engineering throughout the process to ensure costs are contained within budget.

Alternative options considered and rejected

None

16.EC.41 Exclusion of the Public and Press

Approval that the press and public be excluded for the following items of business on the grounds that they involve the likely disclose of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government act 1972.

16.EC.42 24-26 Gillibrand Street, Chorley

The Executive Member (Resources) presented the report of the Chief Executive that sought approval to the surrender of the existing lease of the above premises and the grant of a new 25 year lease to the Chorley Surgery Practice on terms provisionally agreed.

The surgery is now well established and has plans to improve the facility including the creation of a dispensing pharmacy within the property that will be open to patients and the general public.

Decision:

Recommendations approved.

Reasons for the recommendation(s)

The Council will secure occupation of the building until January 2042

Alternative options considered and rejected

The Council could continue with the existing lease; however the agreement does not offer the security of tenure required by the tenant to carry out alterations and investment in the property.

Chair

Date