

EXECUTIVE CABINET

THURSDAY, 8TH DECEMBER 2016, 6.30 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES FOR ABSENCE

1 **MINUTES OF MEETING THURSDAY, 17 NOVEMBER 2016 OF EXECUTIVE CABINET**

(Pages 5 - 10)

2 **DECLARATIONS OF ANY INTERESTS**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3 **PUBLIC QUESTIONS**

Members of the public who have requested the opportunity to ask a question(s) on an item(s) on the agenda will have three minutes to put their question(s) to the respective Executive Member(s). Each member of the public will be allowed to ask one short supplementary question.

ITEM OF EXECUTIVE LEADER AND EXECUTIVE MEMBER (ECONOMIC DEVELOPMENT AND PARTNERSHIPS) (INTRODUCED BY COUNCILLOR ALISTAIR BRADLEY)

4 **BOTANY BAY MASTERPLAN**

The report of the Chief Executive (to follow)

ITEM OF DEPUTY EXECUTIVE LEADER AND EXECUTIVE MEMBER (RESOURCES) (INTRODUCED BY COUNCILLOR PETER WILSON)

5 **ELECTIONS AND ELECTORAL REGISTRATION PRINTING PROCUREMENT**

(Pages 11 - 14)

Report of the Chief Executive (enclosed)

ITEM OF EXECUTIVE MEMBER (PUBLIC PROTECTION) (INTRODUCED BY COUNCILLOR PAUL WALMSLEY)

6 DRAFT DECISION IN RESPONSE TO PROPOSAL BY BT TO REMOVE PAYPHONES

(Pages 15 - 24)

Report of the Director of Customer and Digital (enclosed)

ITEM OF EXECUTIVE MEMBER (CUSTOMER AND ADVICE SERVICES) (INTRODUCED BY COUNCILLOR GRAHAM DUNN)

7 APPOINTMENT OF CONSULTANTS FOR PRIMROSE GARDENS AND AUTHORISATION FOR THE PURCHASE OF THE ST JOHN AMBULANCE BUILDING

(Pages 25 - 28)

Report of the Chief Executive (enclosed)

8 EXCLUSION OF THE PUBLIC AND PRESS

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Condition:

Information is not exempt if it is required to be registered under-
The Companies Act 1985

The Friendly Societies Act 1974

The Friendly Societies Act 1992

The Industrial and Provident Societies Acts 1965 to 1978

The Building Societies Act 1986 (recorded in the public file of any building society, within the meaning of the Act)

The Charities Act 1993

Information is exempt to the extent that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town & Country Planning General Regulations 1992(a).

ITEM OF DEPUTY EXECUTIVE LEADER AND EXECUTIVE MEMBER (RESOURCES) (INTRODUCED BY COUNCILLOR PETER WILSON)

9 24-26 GILLIBRAND STREET, CHORLEY

(Pages 29 - 32)

Report of the Chief Executive (enclosed)

10 ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Executive Cabinet Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Paul Walmsley, Adrian Lowe and Graham Dunn.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

To view the procedure for public questions/ speaking click here

<https://democracy.chorley.gov.uk/documents/s67429/Appendix%203%20Standing%20Orders%20Aug%202016.pdf> and scroll to page 48

To view the procedure for “call-in” of Executive Decisions click here

<https://democracy.chorley.gov.uk/ieListMeetings.aspx?CId=117&Year=0>

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**MINUTES OF****EXECUTIVE CABINET****MEETING DATE****Thursday, 17 November 2016****MEMBERS PRESENT:**

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

MEMBER RESPONSIBLE:

Councillors Matthew Lynch and Alistair Morwood

COUNCIL CHAMPIONS:

Councillors Gordon France, Jean Cronshaw and Margaret France

OFFICERS:

Gary Hall (Chief Executive), Chris Sinnott (Director (Policy and Governance)), Asim Khan (Director (Customer and Digital)), Chris Moister (Head of Legal, Democratic & HR Services), Cath Burns (Employment Skills and Business Support Manager), James Thomson (Principal Management Accountant) and Vanessa Fitzgerald (Policy and Engagement Assistant)

APOLOGIES:

Councillor Peter Wilson

OTHER MEMBERS:

Councillors Charlie Bromilow, Tom Gray, Marion Lowe, June Molyneaux, Richard Toon, Paul Leadbetter and John Walker

16.EC.23 Minutes of meeting Thursday, 25 August 2016 of Executive Cabinet

Decision: The minutes of the Executive Cabinet meeting held on 25 August 2016 were confirmed as a correct record for signing by the Executive Leader.

16.EC.24 Declarations of Any Interests

There were no declarations of any interests.

16.EC.25 Public Questions

There were no questions received from any member of the public.

16.EC.26 Chorley Council Performance Monitoring Report - Second Quarter 2016/17

The report of the Director of Policy and Governance was presented by the Executive Leader. The monitoring report set out the Council's performance against the delivery of the Corporate Strategy and key performance indicators during the second quarter of 2016/17, 1 July to 30 September.

Overall performance remained good, with 88% of the projects on track or complete. Only two projects are currently rated as off track. The delivery of the Chorley Skills framework, was rated amber, although actions had already been identified and implemented to improve this target and the progressing of the delivery of Friday Street Health Centre, continued to be rated as red due to external factors outside the Council's control.

Performance of the Corporate Strategy indicators and key service delivery measures also remained good with 83% of the Corporate Strategy indicators and 80% of the key service measures performing about target or within the 5% tolerance. The Corporate Strategy indicators performing below target were the percentage increase in the number of volunteering hours earned and the percentage of 16-18 year olds who are not in education, employment or training (NEET). The latter indicator, usually spiked at this time of the year as it took some time to gather all the relevant placement information about this age group, more so this year with the reduction in LCC staffing available to collate this. Members were confident that performance would improve.

Decision:

That the report be noted.

Reasons for recommendation(s)

To facilitate the on-going analysis and management of the Council's performance in delivering the Corporate Strategy

Alternative options considered and rejected.

None.

16.EC.27 Revenue and Capital Budget Monitoring Report 2016/17 Report 2 (end of September 2016)

The report of the Chief Executive was presented by the Executive Leader and Executive Member (Economic Development and Public Service Reform). The report set out the provisional return and capital outturn figures for the Council as compared against budgets and efficiency saving targets set for the 2016/17 financial year.

Although no action was required at this stage, the project revenue outturns currently showed a forecast underspend of £237,000 against budget. The expected net income from Market Walk after the deduction of financing costs is £0.942m, with the latest projection showing a forecast outturn of £1.002m.

The Council had set an overall savings target of £150k in 2016/17 from the management of the establishment. Excellent progress had been made in this area and it was reported that the full savings target for 2016/17 had already been achieved.

The Council's Medium Term Financial Strategy proposed that working balances were to reach £4.0m over the three year lifespan of MTFS to 2018/19 due to the financial risks facing the Council. A budgeted contribution into General Balances of £500k was contained within the new investment package for 2016/17. The current forecast to the end of September showed that the General Fund balance could be around £3.422m by the end of the financial year and following approval of the recommendations contained within the report, the forecast balance would be £3.212m and broadly in line to achieve the target of £4.0m by 2018/19.

As part of the recommendations, Full Council was being asked to approve additions to the capital programme that included a £200,000 increase in the Chorley Youth Zone budget to underwrite the shortfall in funding in 2017/18. In response to Members, the Leader explained that this was due to higher than anticipated building costs and not wanting to scale down the scheme, the Council were being asked to underwrite some of the extra funding required to proceed. Once the development had commenced, the developer was confident that the scheme would attract more funding from private investors that would reimburse these costs.

The Council was also being requested to approve the use of £100,000 from in-year revenue underspends for investment in the Retail Grant Programme. This scheme had been extremely successful in the town centre and had recently been expanded to receive applications from across the borough. The additional funding would allow those applications that were already underway to be realised, although it was intended to review the scheme in subsequent years, with more of a focus on helping to regenerate empty shops in line with its original mandate. Members commented on the success of the scheme and how it had helped to generate employment opportunities across the borough.

Decision:

1. That the full year forecast position for the 2016/17 revenue budget and capital investment programme be noted.
2. That the forecast position on the Council's reserves be noted.
3. That full Council be requested to approve the use of £60,000 from the 2016/17 forecast revenue surplus on Market Walk to invest in the Public Realm works capital scheme.
4. That full Council be requested to approve the transfer of £50,000 from in-year revenue underspends to the Local Development Framework (LDF) reserve to finance costs anticipated in 2017/18 and 2018/19.
5. That full Council be requested to approve the use of £100,000 from year-in revenue underspends to invest in the Retail Grants Programme.
6. That full Council be requested to approve the use of £307k of LCC Transition Reserve to fund the Chorley Employment Inclusion Project (CEIP).
7. That the request made to DCLG to reimburse the Council for its contribution to the Croston Flood Risk Management Scheme be noted.
8. That full Council be requested to approve the following additions to the capital programme:
 - £200,000 increase in the Chorley Youth Zone budget to underwrite the shortfall in funding in 2017/18
 - £189,000 increase in Disabled Facility Grants budget, 100% grant funded, to bring in line with 2016/17 grant funding levels.
 - £8.1m Digital Office Park capital budget be added to the capital programme with the £4.05m Chorley Borough Council match funding to be financed through prudential borrowing. As per the the report approved by full Council on 19 July 2016
9. That full Council be requested to note the changes to the capital programme to reflect delivery 2016/17 to 2018/19.

Reasons for recommendation(s)

To ensure the Council's budgetary targets are achieved.

Alternative options considered and rejected

None.

16.EC.28 External Events Policy

The Director of Policy and Governance submitted a report setting out a new events policy that would process and approve events held on council land that are organised by individuals, groups and organisations external to the Council.

The report set out the aim of the policy and explained how it would clearly outline the role of Chorley Council in external events by providing a comprehensive structured framework for use when delivering events across the borough.

Decision:

Approval of the External Events Policy

Reason for recommendation(s)

To formalise and adopt a process for managing external event requests, to protect the council's assets to ensure they can be used and enjoyed for future generations and to mitigate the risk and liability to the council against health and safety

Alternative options considered and rejected.

None.

16.EC.29 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.30 Chorley Employment Inclusion Project

The report of the Chief Executive was presented by the Executive Leader and Executive Member (Economic Development and Public Service Reform). The report updated Members of the Chorley Employment Inclusion Project (CEIP) which is being developed as part of the Council's employability service and subject to an application submitted by Chorley Council from the European Social Fund (ESF) for 60% of its cost.

Members were being asked to approve a revenue contribution from Chorley Council of £307k (40% of costs) over a three year period from 1 January 2017 to 31 December 2019 to be funded from the uncommitted expenditure in the LCC transition fund in 2016/17 and 2017/18 as per recommendations made in the Revenue and Capital Monitoring 2016/17 report included on this agenda.

The report highlighted the success of the exiting Chorley Works project, now managed by the Employment Skills, Business Support service at Chorley Council that supports unemployed residents of Chorley. The new project would build upon this scheme which aims to reduce economic activity by providing disadvantaged target groups resident in Chorley, with access to a programme of support measures to help them to progress towards and/or into employment and be 'Chorley Works' ready.

Decision:

Recommendations approved.

Reasons for recommendation(s)

The Chorley Employment Inclusion Programme CEIP supports the delivery of the 2014 Economic Regeneration Strategy and the Chorley Skills Framework by:

- Supporting Chorley residents in becoming economically active and making a full contribution to the economic success of Chorley
- Realising Chorley's forecasted strong economic growth by supporting employers in Chorley who are facing challenges when filling job vacancies.

Alternative Options Considered and Rejected.

None

16.EC.31 Proposed Disposal of Land at Northgate Drive Chorley

The report of the Chief Executive was presented by the Executive Leader and Executive Member (Economic Development and Public Service Reform). The report sought approval of the sale of land comprising 1.85 acres to Scorpion Automotive on the terms outlined in the report. The disposal will potentially create a development of 32 new low cost homes and allow expansion of the business within their own site.

The sale of this land will result in the major redevelopment of a vacant site bringing much needed investment and economic growth to the neighbourhood and in the long term potentially creating

further job opportunities for local residents. The company will also be creating additional resident parking and retain a provision of open space on site.

The ward Councillors had been consulted upon and kept fully informed throughout the process and accepted that the proposals were favourable for the local community. They urged the developer to consider preconstruction consultation with residents ahead of the planning application to ensure a smooth transition.

Decision:

Recommendations approved.

Reasons for recommendation(s):

1. The sale of land at Northgate Drive located at the edge of Chorley North Business Park will allow the rapid expansion of the company for tracker and security devices on a larger scale than present. The sale of the council's land will result in 32 new homes being built on the site for all or the majority as low cost housing.
2. Homes that may be classed as private sales without transfer to the Registered Provider are still expected to be within the description of low cost as the sales prices are anticipated as low as £115,000 per unit and will attract CIL liability.
3. The sale of land will potentially result in a capital receipt of £208,000 (two hundred and eight thousand pounds) plus VAT
4. The sale of land will result in the major redevelopment of a vacant site bringing much needed investment and economic growth to this neighbourhood and long term potentially creating further job opportunities for local residents. It is anticipated that at least the 68 staff employed will continue to be employed in the new premises.
5. Scorpion Automotive will be creating more residents parking and providing open space on site as a result of their proposals.

Alternative options considered and rejected:

1. A decision not to support Scorpion Automotive to purchase the adjoining Council land will not allow them to continue their further growth expansion activities, thereby not encouraging further economic growth or job opportunities on their redeveloped site and by the inclusion of a small parcel of land from the Council's land.
2. By not selling the land primarily for redevelopment there would be a missed opportunity to create up to 32 new homes for the locality.
3. The Council would not benefit from a capital receipt.

16.EC.32 Insurance Procurement Exercise 2017

The report of the Chief Executive was presented by The Executive Leader and Executive Member (Economic Development and Public Service Reform). The report updated members on a joint procurement exercise that had recently been undertaken with South Ribble Council for a renewal of insurance covers in place at both Councils under existing Long Term Agreements that were due to expire on 31 December 2016.

A detailed Tender Evaluation document had been provided by the Council's recently appointed, common insurance broker AON Risk Services and the report provided a summary of the evaluation results and recommendations regarding a suitable appointments from 1 January 2017.

Decision:

Recommendation approved.

Reasons for recommendation(s)

It is essential that the Council has quality, cost effective insurance covers in place beyond 31 December 2016 when the current Long Term Agreement's lapse.

Alternative Options Considered and Rejected

1. This exercise involved the use of a procurement framework for the first time with regard to insurance, having considered this approach alongside the traditional direct tendering method previously adopted.
2. There are significant benefits in using a procurement framework for both the Council and suppliers, including reduced timescales, costs and resources, professional advice of the collaborative partners, mitigation of risk, template documentation, assured suppliers standards and pre-defined terms and conditions.
3. Contract Procedure Rules also encourage the use of procurement frameworks where suitable ones exist.

Chair

Date



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Leader)	Executive Cabinet	8 December 2016

ELECTIONS AND ELECTORAL REGISTRATION PRINTING PROCUREMENT

PURPOSE OF REPORT

1. To seek member approval of the proposed process for appointing a supplier for the printing of elections and electoral registration stationary.

RECOMMENDATION(S)

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

EXECUTIVE SUMMARY OF REPORT

7. In 2013 the Elections and Electoral Registration Manager undertook a market testing exercise to demonstrate best value in relation to elections and electoral registration printing. At that time they committed to undertake the exercise again in 4 years.
8. Waivers have been granted each year to reappoint the successful bidder.
9. It is appropriate to revisit this exercise to ensure the current supplier remains competitive both in terms of quality and cost.
10. It is proposed to invite quotations from 3 different suppliers. These quotes will be assessed in terms of both quality and cost. Suppliers will be asked to quote for both elections and electoral registration printing.
11. This approach will be a departure from the Council's contract procedure rules. These require Intermediate Value Contracts (those between £10,000 and £75,000) to be placed upon the Council's e-Procurement Portal the Chest. In this instance it is proposed to approach 4 suppliers directly.
12. Suppliers will be asked to respond to the invitation to quote by 4pm on Monday 16 January 2017.
13. Quotes will be assessed and it is proposed that the decision to award the contract be taken by the Chief Executive in his role as Returning Officer.

Confidential report Please bold as appropriate	Yes	No
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Key Decision?	Yes	No
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Please bold as appropriate		
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 14. 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

- 15. To continue with current provider.

CORPORATE PRIORITIES

- 16. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

- 17. The Council have a duty to demonstrate best value in the award of contracts. This can be done through a compliant procurement exercise.
- 18. For intermediate value contracts, those valued between £10,000 and £75,000, the council should request at least 3 written quotations for the contract which should be invited through the Chest, the council's e-procurement hub.
- 19. It is legitimate to procure a contract for a single year.
- 20. It is very difficult to estimate numbers for Elections and Electoral Registration Printing as the requirements are based on changing numbers and there is always uncertainty around the number of election events each year. It is appropriate to use a quotation route for estimated numbers as then the Council can compare like for like.
- 21. It is proposed to depart from the Council's contract procedure rules to allow for direct approaches to recognised Elections Printers rather than publishing through the Chest. There are nationally only around 6 printers who have relevant experience some of which are based in the South of England which prevents ease of attending premises for QA checks. The Council are therefore looking to direct approach 3 printers to ensure we get 3 written quotes. However this will be beyond a simple price testing exercise as we will include additional assessment of the quality of the delivery under the contract. This will include, but not be limited to, the product provided, data security, insurance and project management.

ELECTIONS PRINTING

22. This will be assessed on the basis of 70 % quality vs 30% cost. This is because of the high importance in the printing being correct. Failure on this issue could lead to problems on polling day and ultimately lead to a requirement to re-run the election.

ELECTORAL REGISTRATION PRINTING

23. This will be assessed on the basis of 60% quality and 40% cost. Whilst it remains of high importance that the printing is done correctly the risk in the event the printing is done incorrectly is lower.

AWARD OF THE CONTRACT

24. Generally, a delegation would be granted to an Executive Member to approve the contract award. However, as this relates to elections printing and electoral registration printing it is proposed to delegate to the Returning Officer to make the decision.
 25. There will be 2 separate contract awards one for each area.

IMPLICATIONS OF REPORT

26. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	X	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

27. The cost of the contracts will be contained within existing budgets.

COMMENTS OF THE MONITORING OFFICER

28. The proposed procurement requires a small departure from the Council's contract procedure rules and therefore a waiver is required. The proposed award criteria is appropriate for type of contract.

Gary Hall
 Returning Officer

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Chris Moister	5160	***	***

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Report of	Meeting	Date
Director of Customer and Advice (Introduced by the Executive Member for Public Protection)	Executive Cabinet	08 December 2016

DRAFT DECISION IN RESPONSE TO BT CONSULTATION ON PAYPHONE REMOVAL

PURPOSE OF REPORT

1. To present 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.

RECOMMENDATION(S)

2. That the report is noted.
3. That the preparation and issuing of the Final Notification to BT and the Secretary of State be delegated to the Director of Customer and Advice in consultation with Executive Member for Planning.

EXECUTIVE SUMMARY OF REPORT

4. When BT announces plans to remove a phone box the council, as the local planning authority, is consulted and must decide whether to use its local veto to object. To do this the council needs to consider the views of the local community, announce its initial decision and ask for opinions on it before arriving at its final decision a month later.
5. The council may also consider a number of other factors including the nature of the local area and proximity of other phone boxes but must be able to objectively justify its' decision.
6. The consultation ends on 21 December 2016 and the council must respond to BT by this date.
7. There are 30 payphones in the borough that are proposed for removal. A list of these is attached including their location and usage over the last twelve months (Appendix B).
8. The council is currently in the consultation period and has issued a draft decision based on the responses. The decision is indicated in Appendix B.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 9. None

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 10. None

CORPORATE PRIORITIES

- 11. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

- 12. British Telecom is currently undertaking a programme of intended public payphone removals and is undertaking a formal consultation process with the council and the local community.
- 13. BT has a duty known as the Universal Service Obligation to provide a reasonable number of phone boxes where they are most needed. Ofcom guidance has also been issued in respect of the process of removing payphones.
- 14. When British Telecom announces plans to remove a phone box the council must decide whether to use its local veto to object. To do this the council needs to consider the views of the local community. Following this consideration the council needs to announce its initial decision and ask for opinions on it before arriving at its final decision a month later.
- 15. BT has a right of appeal against the council's decision to use its' local veto to object.

PROCEDURE FOR REMOVAL OF PUBLIC CALL BOXES

- 16. BT has provided the council with Ofcom guidance which sets out the procedure for the removal of public call boxes (PCBs). The procedure involves a consultation period of a maximum of 90 days. The procedure can be summarised as follows:
 - a. BT display a notice in the payphones identified for removal. This notice asks members of the public to contact the local planning department with any comments
 - b. BT give written notice of the proposals to the local council
 - c. The council consults with other public bodies such as parish councils
 - d. The council considers the responses to the consultation including any received from members of the public to the payphone notice
 - e. The council publishes a First Notification which sets out the draft decision and sends a copy to the Secretary of State
 - f. There is then a minimum consultation period of a month
 - g. The council then considers the responses to the First Notification and makes a final decision
 - h. The council publishes the Final Notification setting out its' decision and sends a copy to the Secretary of State and to BT

OPTIONS

17. The council needs to advise BT of its decision in respect of each payphone: whether to agree to the removal, object to the removal or whether the local community wishes to adopt the phone box.
18. 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 can benefit from, such as a book store or a defibrillator station. This costs £1 and more details about how to do this were included in the consultation information.
19. The council must work within the terms of the Communications Act 2003 when making its' decision. This means that it must be able to objectively justify its' decisions, as well as encourage competition and look after the interests of all members of the community. The decisions must be proportionate to what is trying to be achieved and transparent.

CONSULTATION

20. BT is currently carrying out a 90 day consultation period and put up notices in the relevant phone boxes on 14 September 2016.
21. The BT guidance on the consultation process recommended that the council consults with parish councils and this consultation period ran from 19 October to 14 November 2016.
22. The proposals were discussed at the Chorley Liaison meeting on 19th October 2016. An email was sent to all parish councils on 24 October 2016. They were also included in In the Boro on 7 November 2016.
23. Three responses have been received and these are attached at Appendix A. Objections were received in respect of three of the thirty payphones identified for removal.
24. The council issued its First Notification (ie. draft decision) based on the feedback from the consultation with parish councils on 18 November 2016.
25. This First Notification has been emailed to parish councils. Mobile phone coverage and the make-up of residents in the area are two factors that parish councils have been asked to particularly consider.
26. The council is required to issue its' Final Notification (ie. final decision) based on the responses to the First Notification and having had regard to certain other considerations at 28 to 32.

CONSIDERATIONS

27. The council must be able to objectively justify its decisions. This means that we must be able to provide reasons in the case that we object to the removal of an individual payphone.
28. In addition to the responses from the consultation the council is advised to consider some other factors when making the decision on whether or not to use its' local veto to object to the removal. The council should look at the area that surrounds the phone box and the people who live there.
29. The type of housing around a phone box may indicate how important the phone box is. Where there are a large number of homeowners it is likely they will have mobiles as well.
30. The number of households is another consideration as there may be concerns about alternative access where there is a low population density in an area.
31. The use of the phone box for emergency calls should also be a consideration. For example, if the phone box is near to an accident blackspot it may strengthen the argument to keep it.
32. The lack of mobile phone coverage may also be an important factor in the decision
33. BT have confirmed that the criteria used to identify payphones for removal was the level of use of the phones.
34. There is one phone box that has the incorrect address on the list. BT have confirmed the location of the phone box as being opposite 1 Chorley Road, Heath Charnock and this has been noted on the list.

- 35. The council would not have been able to assess these proposals on an individual phone box basis without the investment of significant resources and so has worked closely with parish councils.
- 36. There may be concerns from residents that a valuable and longstanding service has been withdrawn. The parish council's unique position enables them to best understand the needs of the local community.

NEXT STEPS

- 37. The council will continue to consider feedback received on the First Notification and the other relevant factors before preparing and issuing the Final Notification to BT and the Secretary of State by 21 December 2016.
- 38. Subject to Executive Cabinet authorisation the 'Final Notification' will be issued by the Director of Customer and Advice in consultation with Executive Member for Planning under delegated powers.

IMPLICATIONS OF REPORT

- 39. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	√	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 40. None.

COMMENTS OF THE MONITORING OFFICER

- 41. None.

ASIM KHAN
DIRECTOR OF CUSTOMER AND ADVICE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Helen Sutton	5449	17 November 2016	***

Appendix A

Consultation Responses

Phone box	Response
OPPOSITE OF 47 CHORLEY ROAD CHORLEY ROAD ADLINGTON CHORLEY (Correct Address is OPP 1, CHORLEY ROAD, HEATH CHARNOCK)	There are some very vulnerable residents who use this phone. There is no other affordable alternative for them to use.
OPP. THE PLAYING FIELDS WATER STREET BRINDLE CHORLEY	The Parish Council objects to this in the strongest possible terms. (NB. Further clarification has been sought on the reasons for the objection)
NEAR LANE END FARM POMPIAN BROW BRETHERTON LEYLAND	The Parish Council object to the decommissioning of the kiosk on the basis that it is a much needed communication amenity and is used by the community especially elderly resident. This part of the village is remote and there are no public buildings in the area to gain access to emergency services if required.

Appendix B

List of phone boxes identified for proposed removal

Chorley District

Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
01254201765	OPP THE ROYAL OAK HOTEL BOLTON ROAD HOGHTON PRESTON	PR5 0SP	3	14/09/2016	Agree	
01254830112	JUNCTION OF BETT LANE BLACKBURN ROAD HIGHER WHEELTON CHORLEY	PR6 8HX	0	14/09/2016	Agree	
01254830151	JUNC OF OAKMERE AVENUE. CHORLEY ROAD WITHNELL CHORLEY	PR6 8AU	5	14/09/2016	Agree	
01254830300	JUNC OF OLLERTON LANE CHORLEY ROAD WITHNELL CHORLEY	PR6 8BQ	0	14/09/2016	Agree	
01254852339	PCO STATION ROAD HOGHTON PRESTON	PR5 0DD	1	14/09/2016	Agree	
01254852523	OPP. THE PLAYING FIELDS WATER STREET BRINDLE CHORLEY	PR6 8NH	0	14/09/2016	Object	Awaiting further comments from the parish council to justify the objection
01254852990	OPPOSITE BELL VILLAS GIB LANE HOGHTON PRESTON	PR5 0RU	0	14/09/2016	Agree	
01257270007	O/S93 COLLINGWOOD ROAD CHORLEY	PR7 2PT	87	14/09/2016	Agree	
01257270346	OUTSIDE SHOPS RUNSHAW LANE EUXTON CHORLEY	PR7 6AX	27	14/09/2016	Agree	
01257270407	JNC OF PRESTON & SWANSEY LN PRESTON ROAD CLAYTON LE WOODS CHORLEY	PR6 7JE	13	14/09/2016	Agree	
01257270444	JUNCTION OF CHORLEY OLD ROAD HILLSIDE CRESCENT WHITTLE LE WOODS CHORLEY	PR6 7LU	16	14/09/2016	Agree	
01257270536	NR THE ORDNANCE PUBLIC HOUSE WIGAN ROAD EUXTON CHORLEY	PR7 6LA	2	14/09/2016	Agree	
01257270627	O/S BRYANT HOMES EAST TERRACE EUXTON LANE EUXTON CHORLEY	PR7 6TE	51	14/09/2016	Agree	

01257275454	ADJ. EAGLE HOTEL BOLTON STREET CHORLEY	PR7 3DX	165	14/09/2016	Agree	
01257451193	OUTSIDE 166 WOOD LANE WOOD LANE HESKIN CHORLEY	PR7 5NP	2	14/09/2016	Agree	
01257451201	OUTSIDE 295 THE GREEN. THE GREEN ECCLESTON CHORLEY	PR7 5TJ	2	14/09/2016	Agree	

01257451390	OPPOSITE 190/192 THE GREEN. THE GREEN ECCLESTON CHORLEY	PR7 5SU	4	14/09/2016	Agree	
01257480109	OPPOSITE 11/13 BOLTON ROAD BOLTON ROAD ANDERTON CHORLEY	PR6 9HJ	0	14/09/2016	Agree	
01257480110	NEAR BAY HORSE HOTEL BABYLON LANE ADLINGTON CHORLEY	PR6 9NN	9	14/09/2016	Agree	
01257480199	OUTSIDE 111 PARK ROAD PARK ROAD ADLINGTON CHORLEY	PR7 4JW	82	14/09/2016	Agree	
01257480246	OPPOSITE OF 47 CHORLEY ROAD CHORLEY ROAD ADLINGTON CHORLEY	PR6 9LH	28	14/09/2016	Object	(The address is incorrect and should be 1, Chorley Road Heath Charnock) There are some very vulnerable residents who use this phone. There is no other affordable alternative for them to use.
01257480407	OPPOSITE SHAWS DRIVE BOLTON ROAD ANDERTON CHORLEY	PR6 9HN	4	14/09/2016	Agree	
01257480410	O/S OF 42 WESTHOUGHTON ROAD. WESTHOUGHTON ROAD ADLINGTON CHORLEY	PR7 4ET	0	14/09/2016	Agree	
01257480599	O/S 174 CHORLEY ROAD CHORLEY ROAD ADLINGTON CHORLEY	PR6 9LQ	6	14/09/2016	Agree	

01257480735	O/S GREY HORSE P/HOUSE WIGAN LANE COPPULL CHORLEY	PR7 4BN	0	14/09/2016	Agree	
01257791083	OPPOSITE OF ALLISON ARMS P/H PRESTON ROAD COPPULL CHORLEY	PR7 5DU	0	14/09/2016	Agree	
01257792984	JNC OF SPENDMORE LANE & TANSLEY AVENUE COPPULL CHORLEY	PR7 5DJ	39	14/09/2016	Agree	
01704822201	OPP 27 NEW STREET MAWDESLEY ORMSKIRK	L40 2QP	1	14/09/2016	Agree	

01772423509	OPP WYMOTT DRIVE (PRISON) MOSS LANE LEYLAND	PR26 8LX	43	14/09/2016	Agree	
01772600410	NEAR LANE END FARM POMPIAN BROW BRETHERTON LEYLAND	PR26 9AQ	53	14/09/2016	Object	This is a much needed communication amenity and is used by the community especially elderly residents. This part of the village is remote and there are no public buildings in the area to gain access to emergency services if required.

Signature:

Area: Chorley District

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Report of	Meeting	Date
Chief Executive Officer (Introduced by the Executive Member for Customer and Advice Services)	Executive Cabinet	8 th December 2016

APPOINTMENT OF CONSULTANTS FOR PRIMROSE GARDENS AND AUTHORISATION OF THE PURCHASE OF THE ST JOHN AMBULANCE BUILDING

PURPOSE OF REPORT

1. To provide an update on the commission of professional consultancy services for Primrose Gardens retirement living(extra care) scheme on Fleet Street and seek approval to award the contract to Pick Everard.
2. To confirm the outcome of the negotiations regarding the sale of the St John Ambulance Hall building to the Council as part of the land assembly for the development of Primrose Gardens Retirement living scheme.

RECOMMENDATION(S)

3. To approve the award of the contract for project management and quantity surveyor service to Pick Everard under the Scape framework to a contract value of £144,000.
4. To approve the acquisition of the St John Ambulance Hall with vacant possession for the capital sum of £188,500. Authority be delegated to the Head of Legal Democratic and HR Services to prepare and execute the necessary legal documentation to complete the purchase.
5. To approve the payment of £770 stamp duty plus also St John legal fees on the condition that the sale is completed within 8 weeks.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more

		wards
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REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 6. 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

- 7. None

CORPORATE PRIORITIES

- 8. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

- 9. Primrose Gardens is the Councils retirement living/extra care scheme which has been awarded HCA Care and Specialised Housing Grant and secured planning permission in July 2016.
- 10. The council gave the scheme the go-ahead in September 2016 and this included allocating a budget for professional fees to support the delivery of the project, to ensure that we have the expertise necessary.
- 11. The design team have been refining the designs, undertaking further specialist survey work and the acquisition of the St John Ambulance building is now in process and will be complete by early January 2017.
- 12. The council have instructed Hill Dickinson Solicitors to produce the Pre Construction Agreement t and this draft document is now with all parties for comment and amend and once approved by Executive Member, it will be signed.
- 13. Therefore it is necessary to engage the service of professional consultants who have the expertise to support the project delivery by providing capacity and skills in areas which are not available in-house.

SCAPE FRAMEWORK

- 14. It is proposed that the professional consultants will be procured using the Scape Procure framework. Scape is a public-sector owned, private company that is wholly owned by six Local Authority shareholders. This means they can act as a Contracting Authority with the ability to procure Framework Contracts for Public Sector bodies.
- 15. Scape are a non-profit-making and have a strong commitment to investing in social and community projects and have a proven track record of delivery.
- 16. There are a number of advantages to using the Scape framework which include securing providers at highly competitive fixed rates and a strong local focus.

17. The contractor who has been procured through the Scape procure process is Pick Everard Consultancy who are a multi-professional consultancy with specialism across extra care, sheltered housing residential care and nursing.
18. References have been followed up and these were very positive.

SERVICES TO BE DELIVERED

19. The services which Pick Everard will be commissioned to deliver include:
 - Preparation of the Employers Requirements Document
 - Advise on the most appropriate form of contract with the main contractor
 - Advise on the draft preconstruction contract between the Council and the main contractor
 - Co-ordinate the production of and check the figures within the updated costs plan from the main contractor
 - Undertake general Project Management and Quantity Surveyor Functions through to RIBA stage 6.
 -

CONTRACT VALUE

20. The value of the contract is £144,000.

ACQUISITION OF ST JOHN

21. A price of £188,500 has been agreed in addition to the council paying for £770 in stamp duty and legal fees. This price is based upon the commitment of St John to facilitate a timely sale, with a completion within 8 weeks.
22. The council have been engaging with the two occupant businesses of St John, namely Anita Murray School of Dancing and Dance with Passion since the project began. Both these partners are very supportive of the project and have committed to moving into the new facility when it's complete in 2018.
23. The council have provided alternative venues for their decant arrangements and it is envisaged that the St John Ambulance Hall will be closed to the public from midnight Sunday 5th February 2017, with asbestos surveys beginning Monday 6th February 2017.

NEXT STEPS

24. Pick Everard will start immediately with reviewing the pre-construction services agreement and assessing the schedules of the costs which Eric Wright have provided so far.
25. The two dance schools have been engaging in discussions regarding alternative venue arrangements for their classes during the construction period and agreements have now been made regarding these.
26. It is anticipated that St John Ambulance building will be closed to the public from Monday 6th February 2017 in order for the asbestos surveys to commence.
27. Communications and Marketing team are currently developing a logo for the scheme and also developing a website and associated marketing material.
28. It is envisaged that the final Construction Contract will be drafted and a decision proposed for February Executive Cabinet.

IMPLICATIONS OF REPORT

29. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

The cost of this contract is within the capital budget set aside to fund the cost of professional fees relating to the Primrose Gardens project. The Council decision from 20 September this year included budgetary provision for the purchase of the St Johns Ambulance building.

COMMENTS OF THE MONITORING OFFICER

The use of the SCAPE Framework is a compliant procurement process and is allowed both by statute and the Council's contract procedure rules. The necessary legal documentation will be prepared and completed prior to the completion of the purchase.

GARY HALL
CHIEF EXECUTIVE OFFICER

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Zoe Whiteside	5771	24/11/2016	***

Background Papers			
Document	Date	File	Place of Inspection
Fleet Street Extra Care Scheme	20 th September 2016	***	http://mod/ieListDocuments.aspx?CId=114&MID=4914#A147145

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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