

EXECUTIVE CABINET

THURSDAY, 13TH DECEMBER 2018, 6.30 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES FOR ABSENCE

1 **MINUTES OF MEETING THURSDAY, 15 NOVEMBER 2018 OF EXECUTIVE CABINET**

(Pages 5 - 14)

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.

4 **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 3 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 EXECUTIVE LEADER AND EXECUTIVE MEMBER (ECONOMIC DEVELOPMENT AND PUBLIC SERVICE REFORM) (INTRODUCED BY COUNCILLOR ALISTAIR BRADLEY)

5 **MARKET WALK BUILDING CONTRACT** (To Follow)

Report to be presented after Market Walk Steering Group has received it.

6 **ALKER LANE - DELIVERY OPTIONS** (Pages 15 - 24)

To consider and receive the report of the Director (Business, Development and Growth).

7 **APPROVAL FOR THE CONTRACT AWARD PROCEDURE FOR THE PROCUREMENT OF FURNITURE FIT OUT FOR THE STRAWBERRY FIELDS DIGITAL HUB** (Pages 25 - 28)

To consider and receive the report of the Director (Business, Development and Growth).

8 **APPROVAL FOR THE PROCUREMENT OF CONSULTANTS TO SECURE AN OUTLINE PLANNING CONSENT FOR THE SHADY LANE SITE** (Pages 29 - 38)

To consider and receive the report of the Director (Business, Development and Growth).

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

9 **APPROVAL FOR THE CONTRACT AWARD PROCEDURE AND EVALUATION CRITERIA FOR THE PROVISION OF SKIPS AND REMOVAL OF STREETSCENE WASTE FROM BENGAL STREET DEPOT** (Pages 39 - 42)

To consider and receive the report of the Director (Customer and Digital).

10 **APPROVAL FOR THE CONTRACT AWARD PROCEDURE AND EVALUATION CRITERIA FOR TRADE WASTE FROM COUNCIL BUILDINGS** (Pages 43 - 46)

To consider and receive the report of the Director (Customer and Digital).

11 **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, Jane Fitzsimons, Paul Walmsley and Adrian Lowe.

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%2016.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, 15 November 2018****MEMBERS PRESENT:**

Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Jane Fitzsimons, Paul Walmsley and Adrian Lowe

OFFICERS:

Gary Hall (Chief Executive), Chris Sinnott (Director (Early Intervention and Support)), Asim Khan (Director (Customer and Digital)), Mark Lester (Director (Business, Economic and Growth)), Rebecca Huddleston (Director (Policy and Governance)), Chris Moister (Head of Legal, Democratic & HR Services), Philippa Braithwaite (Democratic and Member Services Officer), Ruth Rimmington (Democratic and Member Services Team Leader), Fiona Hepburn (Housing Solutions Manager), Lesley Miller (Regulatory Services Manager), Jo Oliver (Waste and Streetscene Manager) and Hollie Walmsley (HR and OD Consultant)

APOLOGIES:

Councillor Beverley Murray

OTHER MEMBERS:

Councillors Aaron Beaver, Eric Bell, Gordon France, Margaret France, Tom Gray, Yvonne Hargreaves, Steve Holgate, Sheila Long, June Molyneaux, Alistair Morwood, and John Walker

18.EC.49 Minutes of meeting Thursday, 2 August 2018 of Executive Cabinet

Councillor Peter Wilson, Executive Member (Resources) opened the meeting.

Decision: That the minutes of the Executive Cabinet meeting held on 2 August 2018 be confirmed as a correct record for signature by the Executive Leader.

18.EC.50 Declarations of Any Interests

There were no declarations of any interests.

18.EC.51 Public Questions

There were no public questions received.

18.EC.52 Update of Community Infrastructure Levy Regulation 123 List

Councillor Paul Walmsley arrived at 6.35pm.

Gary Hall, Chief Executive, presented the report of the Director (Business Development and Growth) which informs Members about the update of the Community Infrastructure Levy (CIL) Regulation 123 List.

The List specifies the infrastructure projects to be funded in part by CIL in Chorley and includes schemes such as transport improvements, health facilities and education provision. An 8 week consultation was held with appropriate stakeholders asking for expression of interests, and the list of schemes requested for inclusion is set out in the report.

Members noted that the report is not asking for funding for projects, which will be proposed in future reports, and that information and guidance on CIL is circulated to Town and Parish Councils regularly.

Decision:

To approve the revised changes to the Regulation 123 List for a 4 week consultation to Friday 14 December 2018 and to delegate any changes following consultation to an Executive Member decision.

Reasons for recommendation(s)

To update infrastructure schemes and reflect changes to the Regulation 123 List.

Alternative options considered and rejected

None.

18.EC.53 Control of Invasive Non-Native Species in the Borough of Chorley

Mark Lester, Director (Business Development and Growth), presented the report which provides information about the control of Invasive Non-Native Species (INNS) in the Borough of Chorley and suggests action plans for a number of INNS.

Decision:

- 1. The report to be noted.**
- 2. To note that Council has a history of supporting collaborative funding bids with key partners in order to control INNS across the Borough and that small amounts of match funding may be required on a case by case basis for future, collaborative activity focusing on Council land and public open spaces.**

Reasons for Recommendation(s)

To be noted.

Alternative options considered and rejected

To not control INNS and allow the spread of them across the Borough.

18.EC.54 Chorley Council Performance Monitoring - Second Quarter 2018/19

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director (Policy and Governance) which sets out performance against the Corporate

Strategy and key service delivery measures for the second quarter of 2018/19, 1 July – 30 September 2018.

Overall performance of key projects is very good, with ten (83%) of the projects rated as green or complete and two (17%) of the projects currently rated amber.

Performance of the Corporate Strategy indicators and key service delivery measures is good, with 67% of Corporate Strategy measures performing on or above target or within the 5% threshold and 89% of key service delivery measures performing on or above target or within the 5% threshold. Those indicators performing below target have action plans outlined with measures to be put in place to improve performance.

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 of the Corporate Strategy.

Alternative options considered and rejected

None.

18.EC.55 Revenue and Capital Budget Monitoring 2018/19 Report 2 (end of September 2018)

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Chief Finance Officer which sets out the provisional revenue and capital outturn figures for the Council as compared against the budgets and efficiency savings targets set for the financial year 2018/19.

The Executive Member (Resources) confirmed that the proposed contribution of £50,000 to finance a procurement review of the Council's leisure contract was from in-year revenue underspends and not from the Council's reserves.

Decision:

- 1. Note the full year forecast position for the 2018/19 revenue budget and capital investment programme.**
- 2. Note the forecast position on the Council's reserves.**
- 3. Approve the contribution of £50,000 from in-year revenue underspends to finance a procurement review of the Council's leisure contract.**
- 4. Request Council note the capital programme to be delivered in 2018/19 to 2020/21.**
- 5. Request Council approve the budget changes to the capital programme outlined in paragraph 44.**

Reasons for Recommendation(s)

To ensure the Council's budgetary targets are achieved.

Alternative options considered and rejected

None.

18.EC.56 Deaccession of Stone Clock Face

Councillor Jane Fitzsimons arrived at 6.40pm.

Councillor Peter Wilson, Executive Member (Resources) presented the report of the Director (Policy and Governance) regarding the deaccession of a museum artefact from Astley Hall Museum and Art Gallery's permanent collection.

Decision:

To deaccession a stone clock face (accession number 1983:4 – see appendix 1 for image) in order to return it to St Laurence's Church, Chorley.

Reasons for Recommendation(s)

According to the Museum Code of Ethics we must recognise that individuals or communities may have a stronger claim to certain items than the museum. Though the item was accessioned into Astley Hall's collection in 1983 it is evident that in this instance, St Laurence's Church has a stronger claim to the object.

Alternative options considered and rejected

The object is not deaccessioned and remains in Astley Hall's permanent collection.

18.EC.57 Adoption of Council's Revised Tree Policy

Councillor Adrian Lowe, Executive Member (Customer, Advice and Streetscene Services) presented the report of the Director (Customer and Digital) which seeks approval for the adoption of the Council's revised Tree Policy.

The Tree Policy sets out the Council's risk based approach to the inspection and maintenance of trees on Council-owned land. It has been revised following the internal audit report of May 2016 and appointment of a new tree officer, and reflects best practise in managing trees and better management of risk associated with trees on Council-owned land.

Decision:

To approve the policy.

Reasons for Recommendation(s)

To ensure the Council has a robust policy in place for the risk management of trees it is responsible for.

Alternative options considered and rejected

To not adopt the revised policy would not comply with our audit requirements and potentially leave the Council open to challenge.

18.EC.58 Adoption of Council's Memorial Stone Inspection Policy

Councillor Adrian Lowe, Executive Member (Customer, Advice and Streetscene Services) presented the report of the Director (Customer and Digital) which seeks approval for the adoption of the Council's memorial stone inspection policy.

The Stone Memorial Inspection policy sets out the Council's risk based approach to the inspection of stone memorials in the cemeteries it is responsible for, and reflects best practise in managing the risks arising from stone memorials. The policy contains

details of the inspection and assessment process, which will be carried out in close liaison with Church authorities.

Decision:

To approve the policy.

Reasons for Recommendation(s)

To ensure the Council has a robust policy in place for the risk management of stone memorials in cemeteries and closed churchyards it is responsible for.

Alternative options considered and rejected

To not adopt the policy would not comply with our insurers requirements and potentially leave the Council open to challenge.

18.EC.59 Exclusion of the Public and Press

Decision: To exclude the press and public for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

18.EC.60 Central Lancashire Local Plan Review Evidence Base: Procurement of a Strategic Flood Risk Assessment (SFRA)

Councillor Alistair Bradley arrived at 6.50pm.
Councillor Paul Walmsley left the meeting at 6.50pm.

Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform) took the Chair and presented the confidential report of the Director (Business Development and Growth). The report provides details of the procurement exercise associated with the appointment of consultants to undertake an update of the Central Lancashire Level 1 Strategic Flood Risk Assessment (SFRA) (2007) for the Central Lancashire Authorities, and explains the Evaluation Methodology criteria that will be used to award the contract.

Members discussed whether this would include measures to mitigate surface water run-off, such as the planted areas damaged in the moorland fires, and noted that this will be included in future reports.

Decision:

- 1. To approve the budget for the Level 1 SFRA update, including attendance of the Consultant at the Central Lancashire Local Plan Examination in Public (EIP).**
- 2. To approve a budget to continue to retain the successful consultant to undertake potential work for a Level 2 SFRA if this is required.**
- 3. To approve the overall procurement approach.**

Reasons for Recommendation(s)

To ensure that the budget is fixed at a reasonable level and to ensure that Members agree with the procurement approach including potential further work.

Alternative options considered and rejected

An alternative option would be not to undertake an update of the Level 1 SFRA. However, there would be a significant risk that the Local Plan would not be able to be adopted, because it may not be considered to be “sound”. This would reduce the three Councils’ ability to ensure development in their boroughs is plan-led and appropriate.

Another alternative would be to attempt to undertake an update of the Level 1 SFRA internally. There would be a major risk that such an update review would not be able to be sufficiently detailed, given there is a lack of the required expertise available internally. If that were the case, again the Local Plan may not be found to be “sound” with its associated risks for the three authorities.

18.EC.61 Procurement of a Highways and Transport Masterplan for Chorley

Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform) presented the confidential report of the Director (Business Development and Growth), which informs Members of the proposed procurement of a Highways and Transport Masterplan for Chorley.

Decision:

To note the report and the attached Invitation to Quote tender document.

Reasons for Recommendation(s)

The report is for information only as funding for the Highways and Transport Masterplan has already been approved by Cabinet.

Alternative options considered and rejected

None.

18.EC.62 Approval for the Contract Award of Internet Connections for Strawberry Fields Digital Hub

Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform) presented the confidential report of the Director (Customer and Digital), which seeks approval for the contract award for up to two 10GB internet connections to provide connectivity to the Digital Hub.

Decision:

- 1. The procurement process proposed in the report be approved.**
- 2. That the award of the contracts be delegated to the Executive Member for Resources for approval.**

Reasons for Recommendation(s)

1. The Council’s contract procedure rules require the procurement process and assessment criteria to be approved.
2. This procurement provides an open and transparent process for the award of the contract.

Alternative options considered and rejected

If internet connections are not procured the Council would be unable to provide internet connectivity to Strawberry Fields Digital Hub which is critical for the intended use of the building.

18.EC.63 Approval for the Contract Award Procedure for the Procurement of Internal Networking For Strawberry Fields Digital Hub

Councillor Alistair Bradley, Executive Member (Economic Development and Public Service Reform) presented the confidential report of the Director (Customer and Digital), which seeks approval for the contract award procedure for the internal networking for Strawberry Fields Digital Hub, advises of the tender procedures being used to procure the networking, and seeks to obtain authority for the use of the criteria intended to award the contract.

Decision:

- 1. That the tender process for the award of contracts and award criteria be approved.**
- 2. That the award of the contracts be delegated to the Executive Member for Resources for approval.**

Reasons for Recommendation(s)

1. The Council's contract procedure rules require the procurement process and assessment criteria to be approved.
2. This procurement provides an open and transparent process for the award of the contract.

Alternative options considered and rejected

If internal networking is not procured the building will not be suitable for tenants to move into by March 2019.

18.EC.64 Council Tax Local Discounts & Exemptions Policy

Councillor Peter Wilson, Executive Member (Resources) presented the confidential report of the Director (Customer and Digital) which seeks approval to consult on the proposed changes to the Council Tax Local Discounts and Exemptions Policy from 1 April 2019 outlined in the report.

Decision:

To approve consultation on proposals to change the Council Tax Local Discounts and Exemptions Policy from 1 April 2019.

Reasons for Recommendation(s)

Charging greater Council Tax premiums on homes that have been empty and unfurnished for more than two years will support the Council's Empty Residential Property Policy and encourage owners to bring these properties back into use.

The proposed policy changes demonstrate commitment to meeting the needs of residents and the local area by tackling the borough's shortage of housing and the demand for affordable homes.

Consultation will allow residents and other interested parties the opportunity to comment on the proposed policy changes.

Alternative options considered and rejected

To leave Council Tax premiums unchanged on homes which have been empty and unfurnished for more than two years. This option has been rejected as the Council

would not be using all available measures to give incentive to long term empty property owners to bring their properties back into use.

18.EC.65 Cotswold Supported Housing and Primrose Gardens Concierge Service Contract

Councillor Peter Wilson, Executive Member (Resources) presented the confidential report of the Director (Early Intervention and Support) which provides details of the procurement exercise being undertaken to renew the contract for the delivery of the concierge service for Cotswold Supported Housing and Primrose Gardens, including the evaluations criteria which will be used to award the contract.

Decision:

- 1. To approve the contract award procedure, evaluation criteria and weightings which will be used to award a new contract for the provision of night caretaking and concierge security service at Cotswold and Primrose.**
- 2. To grant the Executive Member for Resources delegated authority for awarding the contract.**

Reasons for Recommendation(s)

In accordance with the Councils contract procedure rules, approval of the contract award procedure and evaluation criteria to be used is required from the relevant Executive Member portfolio holder.

Alternative options considered and rejected

The option to extend the current contract with Sector would not have complied with the Councils procurement rules.

The option to tender for a concierge service for another one or three or more year contract was considered. However another one year contract was felt to be too short and more continuity of service was required, while any more than a two year contract was felt to be too restrictive for a changing and improving service.

18.EC.66 Review of Pest Control Services

Chris Sinnott, Director (Early Intervention and Support) presented the confidential report which outlines the options for the delivery of Pest Control Services within Chorley.

Decision:

To approve the recommendations within the report.

Reasons for Recommendation(s)

As set out in the report.

Alternative options considered and rejected

As set out in the report.

18.EC.67 Dog Warden Service Review

Chris Sinnott, Director (Early Intervention and Support) presented the confidential report which outlines the review the Council's policy on the return of stray dogs, the

transfer of ownership and rehoming policy, and the delivery of the out of hours stray dog collection service.

Decision:

To approve the recommendations within the report.

Reasons for Recommendation(s)

The recommendations support the most effective enforcement mechanisms and sanctions being used to promote responsible dog ownership and reduce the burden on the Council for the kennelling of stray and transferred dogs.

The proposals seek to achieve the most cost effective and proportionate service for collecting stray dogs out of hours, while ensuring that the service is providing value for money for each individual case.

The proposals continue to deliver the in-hours stray dog service with support and resilience to the role identified by the proposed restructure for the Regulatory Services Team.

The updated contract quotation document updates the provision in relation to the Council's 'none destruction' policy, which was not previously defined and the transfer of ownership provisions to ensure the best outcome for those animals and also ensure that there is a fair agreement with the kennels in relation to transferred dogs, which are not included in the current contract.

The tender exercise will seek quotes for kennels to operate an out of hours collection service and these will be assessed following the receipt of the quotations.

Alternative options considered and rejected

To cease the delivery of an out of hours service for collection. This was rejected on the basis of testing the market before making a final decision on the provision of an out of hours service.

18.EC.68 Regulatory Services Restructure Proposals

Chris Sinnott, Director (Early Intervention and Support) presented the confidential report which outlines the proposed changes to the structure and provision of services currently offered by the Regulatory Service Team alongside decisions specifically detailing the Pest Control and Stray Dogs Service.

Decision:

- 1. To approve the proposed structure and formal consultation.**
- 2. That the Executive Member for Early Intervention be given delegated responsibility for approving the final structure following the period of formal consultation, subject to there being no significant changes to those proposed within this report.**

Reasons for Recommendation(s)

To underline the focus of this diverse team as a key service for the delivery of the Council's Public Health and Integrated Community Wellbeing priorities, demonstrating the Council's commitment to early intervention, support and public protection.

Alternative options considered and rejected

As set out in the report.

18.EC.69 Housing Solutions Restructure Proposals

Councillor Jane Fitzsimons, Executive Member (Homes and Housing) presented the confidential report of the Director (Early Intervention and Support) which presents a proposal to amend the structure for the Housing Solutions Team which aims to provide additional resources and align the existing structure to provide a staffing resource for Primrose Gardens Extra Care Scheme and 10 general needs properties.

Decision:

- 1. To approve the proposed structure for formal consultation.**
- 2. That the Executive Member for Homes and Housing be given delegated responsibility for approving the final structure following the period of formal consultation, subject to there being no significant changes to what is proposed within this report.**

Reasons for Recommendation(s)

These proposals will provide the Council with the level of resources to maintain existing services and additional staffing to provide housing related management functions for a further 75 housing units.

Alternative options considered and rejected

Do nothing; under this option, the existing level of resources to manage an increase of 75 units is insufficient and would not provide the council with the ability to provide sufficient staffing levels at Primrose Gardens, which would inevitably leave vulnerable tenants at risk of harm and would expose the council to financial and reputational risks.

Chair

Date

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

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