

ARUN DISTRICT COUNCIL

**DECISION NOTICES FROM THE CABINET MEETING HELD ON
14 NOVEMBER 2016**

REF NO.	DECISION
C/030/141116	Award of Corporate Cleaning Contract 2017-2019
C/031/141116	Award of Combined Cleansing Services Contract 2017
C/032/141116	Strategic Vision for Public Conveniences within Arun
C/033/141116	Footway between Brewery Hill and Nineveh Shipyard, River Road, Arundel [Exempt – Paragraphs 5 & 7 – Information in respect of Legal Proceedings & Information relating to any action taken in connection with prevention or investigation of crime]
C/034/141116	London Road Car and Lorry Park, Bognor Regis – Change of Use [Exempt – Paragraph 3 – Information relating to financial or business affairs]

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT
FROM 10.00 A.M. ON WEDNESDAY 23 NOVEMBER 2016 UNLESS
THE CALL-IN PROCESS IS APPLIED**

REFERENCE NO: C/030/141116

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Award of Corporate Cleaning Contract 2017-2019	
OFFICER CONTACT: Sam Horwill, Assistant Surveyor Extn: 37946 e.mail: sam.horwill@arun.gov.uk	

EXECUTIVE SUMMARY: Arun District Council's contract for Corporate Cleaning has been tendered in accordance with current procurement legislation and Standing Orders. This report provides a brief summary of the procurement process and details the results of the tender evaluation. A recommendation for the award of contract is provided based on results of the tender evaluation process.

DECISION:

As recommended in the report Cabinet,

RESOLVED - That

- (1) the award of the Arun District Council Corporate Cleaning Contract (CCC) to Contractor D based on their financial and technical submission being the most economically advantageous tender following a competitive tender process, be agreed;
- (2) authorisation for delegated authority to the Head of Finance & Property, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Governance, for carrying out negotiations with Contractor D to seek further efficiencies and cost reductions against the CCC (without reducing the specified cleaning standard) and subject to appropriate advice from the Council's Procurement Officer, be agreed; and
- (3) authorisation for delegated authority to the Head of Finance and Property, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Governance, for assessment and possible inclusion of provisional items associated with the CCC, be agreed.

REASON FOR THE DECISION: To Award the Arun District Council Corporate Cleaning Contract to the Most Economically Advantageous Tenderer.

OPTIONS CONSIDERED BUT REJECTED: To not agree to award the Arun District Council Corporate Cleaning Contract to Company D or the recommendations set out in this report.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/031/141116

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Award of Combined Cleansing Services Contract	
OFFICER CONTACT: Oliver Handson, Greenspace & Cleansing Contract & Development Manager	
Extn: 37955	e.mail: oliver.handson@arun.gov.uk

EXECUTIVE SUMMARY: Arun District Council's Combined Cleansing Services Contract has been tendered in accordance with current EU procurement legislation and the Council's Standing Orders. This paper outlines the procurement and evaluation process and provides a recommendation for the award of contract based on the results of the tender evaluation.

DECISION:

As recommended in the report and as amended at the meeting, the Cabinet,

RESOLVED – That

- (1) the Arun District Combined Cleansing Services Contract be awarded to Company A from 1 February 2017 based on their financial and technical submission being the Most Economically Advantageous Tender following a competitive tender process;
- (2) the Head of Legal and Administration be authorised to enter into the contract and all necessary legal agreements including a lease of relevant land/buildings owned by the District Council, to run concurrently with the contract;
- (3) the Clinical Waste Service will no longer be provided as part of the Combined Cleansing Services Contract for the reasons outlined in point 3.1 of the report and that Arun will pay for this service as part of a County wide framework; and
- (4) the Council does not take back the administration of a green waste service at this time for the reasons outlined in point 4.1 of the report.

REASON FOR THE DECISION: To Award the Arun District Council Combined Cleansing Services Contract.

OPTIONS CONSIDERED BUT REJECTED: To not agree to award the Arun District Council Combined Cleansing Services Contract to Contractor A or the recommendations set out in this report.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) None

RESPONSIBLE FOR DECISION:

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/032/141116

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Strategic Vision for Public Conveniences within Arun	
OFFICER CONTACT: Oliver Handson, Greenspace & Cleansing Contract & Development Manager Extn: 37955 e.mail: oliver.handson@arun.gov.uk	

EXECUTIVE SUMMARY: In line with the Council's 2020 Vision programme members agreed that a strategy for its public conveniences resulting in fewer public toilets should be put forward for consideration.

Following the initial report to the Environmental Services & Leisure Working Group in June and decisions taken by Cabinet, subsequent consultation with Parish & Town Councils has been carried out. This report provides a summary of this, togetherwith recommendations for moving delivery of this strategy forward.

DECISION:

As recommended in the report and as amended at the meeting, the Cabinet,

RECOMMENDS TO FULL COUNCIL – That

- (1) the fact that no Town or Parish Council is willing to take on direct provision of local public conveniences, be noted;
- (2) the following public conveniences move to the following seasonal opening hours from 1st October 2017 plus opening for special events, be agreed:
 - Blakes Road, Felpham (Easter only then 1st May – 30th September)
 - West Beach, Climping (Easter only then 1st May – 30th September)
 - Sandy Road, Pagham (Easter only then 1st May – 30th September)
 - Norfolk Gardens, Littlehampton (Easter only then 1st May – 30th September)
- (3) the Council monitor the impact of the above seasonal opening over the course of the first closure period and review arrangements if considered necessary after that period
- (4) the Council explores the potential for a commercial development to include the retention and management of a smaller public convenience facility at:
 - Crown Yard Car Park, Arundel
 - Ferring Village Green

- (5) within the next 12 months, officers explore the feasibility of a Community Toilet Scheme as detailed in this report, within close proximity to and as an alternative provision option for;
- Snooks Corner, Felpham
 - Shrubbs Field , Middleton
 - Ferring Rife, Ferring
 - North Street, Wick
 - Avisford Park, Aldwick
 - West Meads, Aldwick
- (6) in relation to recommendation 5); where the opportunity to sign a local business or provider up to the scheme exists, to give delegated authority to the Property & Estates Manager to offer an annual grant of up to £500 to enter into a formal agreement with those businesses;
- (7) in addition to recommendation 6) the Council explores any other viable alternatives put forward by the Parish & Town Councils for those conveniences identified in 4 & 5);
- (8) the potential for relocating the Mewsbrook Park toilets within the new Littlehampton Leisure Centre complex which is supported by Littlehampton Town Council and will be explored in due course, be noted;
- (9) a further report will be presented to Cabinet in Autumn 2017 seeking a final decision on the future of those facilities identified in 4), 5) and 8) following completion of the feasibility work, be noted;
- (10) Parish contributions will be phased out from the financial year 2018/19;
- (11) the Council agree the closure of the East Preston public conveniences, currently leased to East Preston Parish Council, in the event of surrender or non-renewal of the current lease arrangements by the Parish Council, then exploring alternative uses for the site in line with the Asset Management Strategy.

REASON FOR THE DECISION: To progress delivery of a strategy for public conveniences within Arun.

OPTIONS CONSIDERED BUT REJECTED: Not to agree to recommendations outlined in this report

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/033/141116

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Footway between Brewery Hill and Nineveh Shipyard, River Road, Arundel [Exempt – Paragraphs 5 & 6 - Information in respect of Legal Proceedings & Information relating to prevention or investigation of crime]	
OFFICER CONTACT: Lawson Akhigbe Litigation Solicitor (Agency) Extn: 37831 e.mail: lawson.akhigbe@arun.gov.uk	

EXECUTIVE SUMMARY: This is an interim report to enable the Council to respond to a corporate complaint. There is a footway from Brewery Hill into the general area of Nineveh Shipyard. Some portion of the retaining wall from 1 Brewery Hill collapsed onto the footway. The footway was closed for public safety concerns in 2007 by ADC Building Control Department. The Land Registry records indicate that the retaining wall was not transferred to 1 Brewery Hill and is not a partitioning wall so has no immediate neighbour except the footway. To whom the obligation for repairs and maintenance of this wall cannot yet be determined.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED – That

- (1) the footway be kept closed until the various stakeholders real interests are determined and proffer the solutions to resolving the current impasse.
- (2) the owner of the freehold Nineveh Shipyard be given a further three months to consider whether they wish to apply for a variation of the S106 agreement to remove the obligation to keep the footway open for public use and allow for public consultation on the matter.

REASON FOR THE DECISION: To respond to the corporate complaint with respect to the footway between Brewery Hill and Nineveh Shipyard, River Road, Arundel.

OPTIONS CONSIDERED BUT REJECTED: To not accept the recommendations as outlined and, instead, explore alternative legal options.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION: None

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/034/141116

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: London Road Car and Lorry Park, Bognor Regis – Change of Use [Exempt – Paragraph 3 – Information relating to Business Affairs]	
OFFICER CONTACT: Nigel Croad, Resources Director & Deputy Chief Executive Extn: 37810 e.mail: nigel.croad@arun.gov.uk	
EXECUTIVE SUMMARY: This report advises on the current status on negotiations to dispose, on a long term lease, this site for an alternative use as additional student accommodation in Bognor Regis for the University of Chichester. It also seeks approval to enter a lock-out agreement with the University for up to six months to make best use of the whole site whilst retaining the capacity for public parking post any construction period and give delegated authority to conclude negotiations.	
DECISION: As recommended in the report, the Cabinet, RESOLVED - That (1) the Council will enter into a lock-out agreement with the University of Chichester for a period of up to six months; (2) part of the site of the London Road Car and Lorry Park be used for the University as Student Halls Accommodation on the draft terms set out in the Heads of Terms attached (but subject to continuing negotiation) to the report (excluding the level of any rent to be paid); (3) delegated authority be given to the Resources Director & Deputy Chief Executive or the most senior officer on property matters to conclude the negotiations for a Lease in Consultation with the Cabinet Member for Corporate Governance.	
REASON FOR THE DECISION: To assist the Council to reduce its budget deficit, aid its regeneration of the town and mitigate some of the impact on the town's property market of a large number of extra undergraduates needing living accommodation in the town. Taken in the widest context, the Council will determine the use/disposal of this site across its economic, social and environmental wellbeing powers and responsibilities.	
OPTIONS CONSIDERED BUT REJECTED: Recommend an alternative option as outlined in the report.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	