

CABINET

14 November 2016 at 5.00 pm

Present : Councillors Wensley (Vice-Chairman in the Chair), Bence, Bower, Chapman, Dendle and Wotherspoon.

Councillors Clayden, L Brown and Purchase were also in attendance for either all or part of the meeting.

314. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Mrs Brown.

315. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interest of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

There were no Declarations of Interest made.

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316. MINUTES

The Minutes of the Cabinet meeting held on 17 October 2016 were approved by the Cabinet as a correct record and signed by the Chairman.

317. AWARD OF CORPORATE CLEANING CONTRACT 2017-2019

Cabinet received a report from the Property & Estates Manager which informed Members that Arun District Council's contract for Corporate Cleaning had been tendered in accordance with current procurement legislation and Standing Orders.

The report provided a brief summary of the procurement process and it detailed the results of the tender evaluation so that Cabinet could decide whether to award the Arun District Council Corporate Cleaning Contract (CCC) to the preferred contractor and give authority to the Head of Finance & Property to proceed, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Governance, to undertake negotiations and seek further efficiencies and cost reductions against the CCC, subject to appropriate advice from the Council's Procurement Officer.

The scope of the CCC had been updated to focus on a performance specification rather than the previous prescriptive specification. The renewed performance specification had been adapted to suit Council needs and included a number of potential modifications allowing the Council to explore, through the tender process, what the market was prepared to offer in respect of delivering certain services.

The Property & Estates Manager, in presenting the report, outlined the economic advantage that the preferred contractor could offer. Although the current budgetary saving was small, there were additional cleaning functions that could be included under the terms of the new contract.

Following a brief discussion, the Cabinet confirmed its decision as per Decision Notice C/030/141116, a copy of which is attached to the signed copy of the Minutes.

(During the course of the discussion on this item, Councillor Wensley declared his Personal Interest as Deputy Leader of the Council and Cabinet Member for Corporate Governance.)

318. AWARD OF COMBINED CLEANSING SERVICES CONTRACT 2017

Cabinet received a report from the Greenspace and Cleansing Contract & Development Manager which informed Cabinet Members that Arun District

Council's Combined Cleansing Services Contract had been tendered in accordance with current EU procurement legislation and in line with the Council's Standing Orders.

The report outlined the procurement and evaluation process and it asked Cabinet to consider awarding the Contract based on the results of the tender evaluation undertaken.

To assist Cabinet Members in considering the recommendations outlined within the report, they were advised that the new contract would provide a number of service improvements which would add to the quality of services provided to residents by the Council. These had been set out within the report.

A Project Initiation document had been produced by members of the Cleansing Team which assessed the feasibility of taking the administration part of the green waste service back in-house. The results of this exercise had been thoroughly evaluated against the tender submissions and were considered to be a lower risk option which represented better value for money if it remained part of the new Contract at this time. In outlining this recommendation the Cabinet was asked if it could consider a slight amendment to the wording of Recommendation (4) to state as follows (the additional wording required is outlined in **bold**) "Agree that the Council does not take back **the administration of** a green waste service at this time for the reasons outlined in point 1.4 of this report". This slight amendment was agreed by the Cabinet.

Cabinet was advised that the new Contract would deliver an approximate annual saving of £250,000 per annum in comparison with current contractual costs.

In discussing the report, the Council's Officers involved in this project were thanked for their hard work with this project and as there were many things to welcome such as the introduction of a kerb-side collection of small electrical items; and the fact that residents would continue to receive a weekly residual waste collection service and a fortnightly recyclables collection service.

The Cabinet then confirmed its decision as per Decision Notice C/031/141116, a copy of which is attached to the signed copy of the Minutes.

319. STRATEGIC VISION FOR PUBLIC CONVENIENCES WITHIN ARUN

Cabinet received a report from the Greenspace and Cleansing Contract & Development Manager which informed Cabinet Members that in

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line with the Council's 2020 Vision programme, Members had agreed that a strategy for its public conveniences should be put forward for consideration.

Following the initial report considered by the Environment & Leisure Working Group in June 2016, and subsequent decisions taken by Cabinet, consultations with Town and Parish Councils had been undertaken. This report provided a summary of this and recommendations for moving the delivery of this Strategy forward.

In addition to the consultations undertaken, the report asked Cabinet to consider exploring the potential for a commercial development to include the retention and management of a smaller public convenience facility at Crown Yard, Arundel and Ferring Village Green.

Prior to debating this report, the Chairman invited Councillor Purchase to speak on this item as he had made this request prior to the meeting. Councillor Purchase's query related to community toilet provision with particular reference to Norfolk Park Gardens, Littlehampton. Councillor Purchase urged Cabinet to consider the inclusion of Norfolk Park Gardens within the recommended feasibility study of a Community Toilet Scheme. He outlined his concerns for the public should the Norfolk Park Gardens move to the suggested Seasonal Opening Hours plus opening for special events and requested all year round provision.

In debating the matter, Cabinet highlighted that, with only a 32% Customer Satisfaction score, the focus would be to improve the quality of toilet facilities provided and a Community Toilet Scheme would be explored which would include the feasibility of using the Café at Norfolk Park Gardens. It was also pointed out that Littlehampton Town Council had not paid their contribution towards Public Convenience provision for the last two years and as no Town or Parish Council had been willing to take on direct provision of local public conveniences Arun District Council had to explore all available options for future toilet provision.

In debating the report, Cabinet also welcomed the proposals noting that there were no recommendations for closure at present. It was pointed out that it was not a statutory duty for the Council to provide Public Toilets but Arun District Council was committed to quality provision of the toilets that were to remain in use. It was noted that several Councils across the Country had successfully started Community Toilet Schemes. Discussion then centred on the phasing out of the remaining Parish contributions and how to fairly approach this given some Town and Parish Councils were committing and others were not. The Cleansing Contract & Development Manager stated that invoices would be sent out shortly after Christmas.

In turning to the report's recommendations, Cabinet thanked the Cleansing Contract & Development Manager for his report and hard work.

Recommendation (2) was amended to correct the start date for Seasonal Opening Hours, from 1 October 2016 to 1 October 2017.

Following this slight amendment, the Cabinet

RECOMMEND 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

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- (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.

The Cabinet then confirmed its decision as per Decision Notice C/032/141116, a copy of which is attached to the signed copy of the Minutes.

(During the course of the discussion on this item, Councillor Chapman and Councillor Bower declared their Personal Interests as Ward Members for East Preston. Councillor Purchase also declared his personal interest as a Member of Littlehampton Town Council)

320. JOINT ARUN AREA COMMITTEES

The Cabinet received and noted the Minutes of the meetings of the Joint Arun Area Committees as follows:-

Joint Eastern Arun Area Committee – 6 September 2016
Joint Western Area Committee – 26 September 2016
Joint Downland Arun Area Committee – 28 September 2016

321. ARUN WELLBEING HEALTH PARTNERSHIP – 19 OCTOBER

Cabinet received and noted the Minutes of the meeting of the Arun Wellbeing & Health Partnership (AWHP) held on 19 October 2016.

322. EXEMPT INFORMATION

Cabinet

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the items.

323. WALKWAY BETWEEN BREWERY HILL AND NINEVEH SHIPYARD, RIVER ROAD, ARUNDEL [Exempt – Paragraphs 5 & 7 - Information in respect of Legal Proceedings & Information relating to prevention or investigation of crime]

The Resources Director and Deputy Chief Executive outlined the options available in order to respond to a corporate complaint with respect to a portion of the retaining wall adjacent to 1 Brewery Hill. It was noted that the legal obligation for repairs and maintenance of this wall could not be determined and so the footway between Brewery Hill and Nineveh Shipyard had been closed for public safety reasons by Arun District Council's Building Control, in 2007.

Cabinet were requested to consider the options that were available to the Council so that a resolution could be found to resolve the current legal ownership impasse.

Following questions which were responded to at the meeting Cabinet considered the report's recommendations and unanimously supported them.

The Cabinet then confirmed its decision as per Decision Notice C/033/141116, a copy of which is attached to the signed copy of the Minutes.

(During the course of the discussion on this item, Councillor Bower declared a Personal Interest as the Cabinet Member for Planning & Infrastructure involved with the Council's Building Control Decision on this matter in 2007. He retained his right to speak.)

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324. LONDON ROAD LORRY PARK – CHANGE OF USE [Exempt – Paragraph 3 – Information relating to Business Affairs]

Cabinet received a report from the Resources Director and Deputy Chief Executive that advised on the current status on negotiations to dispose, on a long term lease, part of the London Road Lorry and Car Park site for an alternative use as additional student accommodation in Bognor Regis for the University of Chichester. Approval was also sought to enter a lock-out agreement with the University, for up to six months, allow the University to commission a detailed feasibility study to set out how 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 on the draft heads of terms.

Cabinet were informed that the University were currently evaluating tenders from consultants to undertake the feasibility study and if this report's recommendations were agreed it was envisaged that they would commission the successful consultant very quickly.

Cabinet welcomed the report's recommendations as positive for the University and the Council and thanked the Resources Director and Deputy Chief Executive for his tireless work on this matter.

Cabinet confirmed its decision as per Decision Notice C/034/141116, a copy of which is attached to the signed copy of the Minutes, and

(The meeting concluded at 5.55pm)