

CABINET

13 January 2020 at 5.00 pm

Present: Councillors Dr Walsh (Chairman), Oppler (Vice-Chair),
Mrs Gregory, Lury, Purchase, Stanley and Mrs Yeates

Councillors Buckland, Charles, Clayden, Coster, Goodheart and
Mrs Pendleton were also in attendance for all or part of the meeting.

363. WELCOME

The Chairman welcomed Members, members of the public and Officers to the first meeting of Cabinet in 2020 and he wished all present a very Happy New Year.

364. DECLARATIONS OF INTEREST

Councillor Dr Walsh declared a Personal Interest in Agenda Item 7 [Littlehampton Public Realm Improvements – Phase 3 – Beach Road/East Street] as a Member of Littlehampton Town Council.

365. QUESTION TIME

The Chairman confirmed that one Public Question had been submitted in line with the Council's Constitution and that this was for him as Leader of the Council to respond to.

The questioner asked if following the flood events across the District during December 2019, could the Leader of the Council or relevant Cabinet Member outline the process used to ensure Arun and partner agencies and authorities would sit down to review and understand what had happened to include the causes, impacts, possible solutions and consequences for sites proposed or permitted for development. Would he also outline how such discussions might review the evidence base used to inform the Local Plan and the assumptions made within it, particularly with regard to the frequency and severity of these events and the mitigations required?

The Leader of the Council, Councillor Dr Walsh, responded stating that the Council's engineering service had collated information of the various issues reported to the Council. In the main these were localised issues relating to a specific set of circumstances such as an unmaintained ditch by the riparian landowner or an undersized culvert under a new access. Advice on resolving these matters would be provided to landowners as appropriate. The areas of land that were subject to more extensive flooding were consistent with the Environment Agency's flood maps and were not proposed for new residential development. For those areas where development was proposed it would be the responsibility of the applicants to submit detailed surface

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water drainage schemes for consideration having regard to the advice that was already available from the Council and national guidelines.

The Council in reviewing the Local Plan would take on board the latest information available to inform any future decisions. Experience had shown over recent years that the drainage schemes that had been implemented on new developments had worked as expected. The issues that had arisen in the past had tended to be in more established residential areas where a lack of maintenance of the ditch network by the relevant landowners was typically the problem. The Council had worked closely with the County Council to resolve these issues.

The Chairman then invited the questioner to ask a supplementary question.

The questioner referred to an example of extreme flooding at Seftor Field along the Pagham Road which had been closed on 8 January 2020. This flooding situation had been featured in the Bognor Regis Observer showing a picture of residents sailing a dinghy across this section of field. This field was adjacent to a development site in the Council's Local Plan, so it was felt that residents needed to receive a better explanation about their concerns of developing on what they saw as a flood plain.

Councillor Dr Walsh confirmed that he has seen this article and he asked the Director of Place to provide the response. He confirmed that the photographic image of a person on a sail board was an old picture that had been around for several years and was not related to the flooding experience this winter. He stated that part of the issue was that ditches had not been maintained by riparian owners. Also, it was confirmed that this site was not in a flood plain and that an inspection that had taken place before Christmas saw no evidence of flooding on this site. Yes, there was flooding in the Pagham area, but these seemed to be a specific issue in relation to Highways rather than the development site in question.

366. MINUTES

The Minutes of the Cabinet meeting held on 9 December 2019, as circulated to the meeting, were approved by the Cabinet as a correct record and signed by the Chairman.

367. BUDGET VARIATION REPORTS

There were no matters to discuss.

368. LITTLEHAMPTON PUBLIC REALM IMPROVEMENTS - PHASE 3 - BEACH ROAD/EAST STREET

The Leader of the Council, Councillor Dr Walsh, introduced this item stating that the report provided Members with an update regarding the planned improvements to the public realm in Littlehampton's Town Centre.

It asked Cabinet to note the various funding sources and the successful grant applications that had been accumulated to fund the first three phases of the scheme.

The Group Head for Economy was then invited to present the key highlights of the report. She explained the funding package that had been put together to improve the public realm in Littlehampton which the Cabinet was being asked to note.

Before inviting debate on the report, Councillor Dr Walsh outlined that this was a good example of positive partnership working with Littlehampton Town Council and having consulted widely with traders; the public; the Civic Society; and other interested parties. Now that funding was secured the next phase of the project could be moved forward. He extended his thanks to the Group Head of Economy and her team for their work and for talking to various groups to explain these key proposals.

Comments received were varied. The Group Head of Economy responded confirmed that the proposals would be shared with Councillors as these moved forward and that engagement with traders and stakeholders using their knowledge would take place.

The Cabinet

RESOLVED

That the report be noted.

369. AWARD OF RESPONSIVE REPAIRS AND VOIDES CONTRACT FOR COUNCIL HOUSING STOCK

The Cabinet Member for Residential Services, Councillor Mrs Gregory, introduced this item and informed Members that as a provider of social housing, the Council managed and maintained 3,348 homes across the District, all of which were maintained to the Decent Homes Standards as a minimum. The Council's current contract with Mears was due to expire on 31 March 2020 and so a tender process for a new Responsive Repairs and Void Refurbishment Contract had taken place in line with the Official Journal of the European Union (OHEU). The selected method for this procurement had been the 'Competitive Procedure with Negotiation' to ensure that the more complex aspects of the Contract had been fully understood by all parties. The award of the Contract had been based on the Most Economically Advantageous Tender (MEAT) for the Council.

The Group Head of Residential Services was then invited to present her report. She outlined that the Council had engaged the service of professional consultants specialising in this work as part of the procurement process. The approved tender evaluation criteria had been structured on 40 per cent price and 60 per cent quality and an evaluation matrix with an appropriately weighted scoring system had been devised for both the financial submissions and the technical aspects of each bid.

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The report set out a recommendation for the award of contract based on the results of the tender evaluation as set out in the report with an option to extend the contract for a further period of up to five years.

The Cabinet

RESOLVED

It be agreed that the award of the Council's Responsive Repairs and Void Refurbishment Contract be awarded to Contractor A from 1 April 2020 based on their financial and technical submission being the most economically advantageous tender following a competitive tender process.

The Cabinet confirmed its decision as per Decision Notice C/031/130120, a copy of which is attached to the signed copy of the Minutes.

370. AUDIT & GOVERNANCE COMMITTEE - 21 NOVEMBER 2019

The Chairman invited the Cabinet Member for Technical Services, Councillor Stanley, to present the recommendation from the meeting of the Audit & Governance Committee held on 21 November 2019.

Councillor Stanley confirmed that there was a recommendation to consider at Minute 311 [Update on the Progress of the Council's Property Investment Fund (PIF)] and he confirmed that he wished to amend this recommendation to read as follows [any deletions have been shown using ~~strike through~~ and additions shown in **bold**]:

"The 75% threshold within Section 5.1 of the Property Investment Strategy 2017-2022 be changed to 50% **in order to make more funds available to invest in improving the condition of the Council's existing estate**".

Councillor Stanley explained that his reasoning for proposing this amendment was that it would provide greater flexibility for the Council to manage its reserves and would make more money available for investment in the Council's existing assets over the coming years. Councillor Stanley stated that Members had expressed their ambition to invest in property for revenue generation purposes and it was understood that this change would not prevent the Council from using the remaining 50% receipts or borrowing to buy property or develop where there was a business case.

Councillor Purchase then seconded this amendment.

Although Cabinet fully supported this amendment, Councillor Coster, in attendance in the Public Gallery, indicated his wish to speak on this item and this was approved by Cabinet.

Councillor Coster outlined his concerns in accepting this amendment stating that there was risk in taking money from capital receipts to invest in Council assets when this money needed to be spent on revenue items such as repairs and maintenance.

The Group Head for Technical Services provided an explanation stating that there was a significant amount of work to be undertaken to get the condition of the Council's assets to the standard to which it aspired and as set out in the five year planned maintenance programme. In relation to the comments made, the Council's Finance Team had advised that some of the investment needed would be considered to be capital where it made a significant enhancement to the value of the assets.

Following some further discussion, the Cabinet

RECOMMEND TO FULL COUNCIL

That the 75% threshold within section 5.1 of the Property Investment Strategy 2017-2022 be changed to 50% in order to make more funds available to invest in improving the condition of the Council's existing estate.

The Cabinet confirmed its decision as per Decision Notice C/032/13012020, a copy of which is attached to the signed copy of the Minutes.

371. EXEMPT INFORMATION

The 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 item 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 item.

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372. PEST CONTROL SERVICE REVIEW

(Prior to the discussion on this item, Councillor Purchase confirmed that he wished to make the following declaration of personal interest. He confirmed that he wished to make this meeting aware that he had been asked a number of questions about the confidential business to be discussed and that had neither supported or opposed the proposals in responding to these questions. He did have questions of his own which he stated he intended to put to the meeting.

He confirmed that he had an open mind regarding this item and would listen and consider all the relevant issues and interests presented to the meeting and would reach his decision on merit. For the record, Councillor Purchase requested that his declaration be fully recorded in these minutes).

The Cabinet Member for Technical Services, Councillor Stanley, then introduced this item confirming that the Council currently provided a pest control service, delivered in house. Legally, there was no duty for the Council to provide such a service and that there were numerous private businesses in the area that did provide this service. Although there had been some increases in revenue secured in past years, Councillor Stanley explained that the pest control service continued to be operated at a cost to the Council. As part of an ongoing review of the cost effectiveness of this service, different approaches had been considered and he invited the Group Head of Technical Services to provide further information on the options open to the Council having received information explaining the outcomes of review.

The Group Head of Technical Services then provided detail on each of the options that had been considered all of which had been detailed in the report and he emphasised that as part of the review the practices used in other local authorities had been fully considered. The option of working with other authorities jointly to provide this service had also been fully explored.

Having fully explored all of the options and considered comments, the Cabinet

RESOLVED – That

- (1) Option 3.5 to approve to outsource the Council's pest control service be approved;
- (2) Delegated authority be given to the Group Head of Technical Services, in consultation with the Cabinet Member for Technical Services and Section 151 Officer, following advertisement and assessment of tenders to award the Contract following the principles set out within the Council's Purchasing, Procurement, Contracts and Disposals Procedure Rules.

Subject to approval at the next Cabinet meeting

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The Cabinet confirmed its decision as per Decision Notice C/033/13012020, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 6.20 pm)