

## EXECUTIVE BOARD SUB COMMITTEE

*At a meeting of the Executive Board Sub Committee on Thursday, 18 December 2008  
in the Marketing Suite, Municipal Building*

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, M. Curtis, C. Halpin, A. McNamara, A. Pannell,  
P. Watts, S. Williams and A. Williamson

Also in attendance: Councillor Hodgkinson

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE SUB-COMMITTEE

		<i>Action</i>
ES55	MINUTES  The Minutes of the meeting held on 4 <sup>th</sup> December 2008 were taken as read and signed as a correct record.	
ES56	PLANNING AND RISK SUPPLEMENTARY PLANNING DOCUMENT: APPROVAL FOR STATUTORY PERIOD OF PUBLIC CONSULTATIONS  The Sub Committee received a report of the Strategic Director, Environment which sought approval for the publication of the draft Supplementary Planning Document (SPD) on Planning and Risk for the purposes of statutory public consultation in January and February 2009.  The report outlined the need for the Planning and Risk SPD, the stakeholder consultation stage, the scoping stage, sustainability appraisal and the final stage after the public consultation, along with the need for delegated authority to enable editorial and technical amendments.  RESOLVED: That	

- 1) the draft Supplementary Planning Document (SPD) Planning & Risk be approved for the purposes of statutory public consultation;
- 2) the comments received at the stakeholder consultation stage, as set out in the Statement of Consultation and responses to them be noted;
- 3) further editorial and technical amendments that do not materially affect the content of the SPD be agreed by the Operational Director - Environmental and Regulatory Services in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, as necessary, before the document is published for public consultation; and
- 4) the results of the public consultation exercise and consequent recommended modifications to the draft SPD be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document.

Strategic Director  
- Environment

ES57 FORECAST FINAL CONTRACT COST - WARRINGTON ROAD TRAVELLER TRANSIT SITE

The Sub Committee received a report of the Strategic Directors, Environment and Health & Community which informed Members of an increase in costs of delivery of 57% on the tender price of Warrington Road Transit Site.

The Sub Committee was advised that the total costs could nevertheless be contained within the Council's housing capital programme by using an unspent contingency.

The Sub Committee discussed in detail where additional spend had taken place and the reasons behind this. In doing so the Sub Committee noted the business environment that utility companies operated within and the effect this could have on project costs.

Furthermore the Sub Committee noted that an internal audit of the project was taking place and agreed that the results of this would be reported to a future meeting of the Sub Committee.

RESOLVED: That

- (1) the report be noted; and

Strategic Director-

- (2) the internal audit report be submitted to a future meeting of the Sub Committee.

ES58 REQUEST TO WAIVE STANDING ORDERS RELATING TO CONTRACTS EXCEEDING £50,000 BUT LESS THAN £1,000,000

The Board received a report of the Strategic Director, Health and Community which sought the waiving of procurement Standing Orders 3.1 – 3.9 which placed requirements on the Council when tendering for contracts with a value greater than £50,000 but not exceeding £1,000,000.

It was noted that the report related to two existing service users who were being fully supported by the same agency, European Wellcare. They had indicated that they would like to live in the same property. The report therefore proposed that clients A and B live together and that European Wellcare's existing contract for supported living services be expanded to include delivery of care and support to both clients.

Members were advised that the establishment of this shared supported housing service would provide value for money, and as the individuals had expressed a preference for this, the waiver was sought. It was noted that compliance with the tendering requirements listed above was not practicable for reasons of urgency in order to limit the disruption to vulnerable clients and ensure the safety of these clients.

Furthermore Members were advised that the proposed expanded service would have an estimated cost of £106,300 and would continue until it was re-tendered in 2010. In addition it was anticipated that a select list framework agreement would be completed by the end of the next financial year and that a further report would be submitted to the Sub Committee in relation to this.

The Sub Committee noted the standard of care provided from European Wellcare and that waiving Standing Orders would enable a continuity of provision for the service users.

RESOLVED: That

- (1) in the exceptional circumstances set out below, for the purposes of standing order 1.6, procurement standing orders 3.1-3.9 be waived on this occasion on the basis that the current provider offers value for money and is performing well in meeting the needs of vulnerable service users with a learning disability; and
- (2) delegated powers be approved to enable the Strategic Director, Health and Community, in conjunction with the Portfolio Holder for Health and Community, to expand an existing 2 year contract with European Wellcare for the provision of supported living services, to the value set out in 3.8 and 6.2 of this report.

Strategic Director  
- Health and  
Community

ES59 REVIEW OF DIRECT PAYMENTS POLICY & PROCEDURE

The Sub Committee received a report of the Strategic Director, Health and Community which updated the Board on the consultation events held across the Borough and which sought approval of the proposed changes to the draft Direct Payments Policy and Procedure for Adult Social Care.

The Sub Committee noted that the Healthy Halton Policy and Performance Board (HHPPB) had previously been consulted on the draft plan prior to public consultation and it was agreed that the results of the public consultation should be reported to the HHPPB prior to the Sub Committee's decision.

RESOLVED: That

- (1) the report be deferred in order that the results of the public consultation be submitted to the Healthy Halton PPB for scrutiny; and
- (2) the report, once comments from Healthy Halton PPB have been incorporated, be re-submitted to the Board.

Strategic Director  
- Health and  
Community

ES60 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Sub Committee considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Sub Committee during consideration of the

following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

ES61 DOMICILIARY AND PERSONAL CARE TENDER APRIL 2008- MARCH 2011 - AWARD OF TENDER

The Sub Committee received a report of the Strategic Director, Health and Community which informed Members of the outcome of the tender process for the award of contracts to deliver domiciliary and personal care services within the Borough.

Members noted that the final report on the outcome of the tender process had been circulated extremely late and therefore it was:

RESOLVED: That the meeting be adjourned and reconvened on Tuesday 22<sup>nd</sup> December 2008 at 9.30am in order to allow Members time to read the final report. (Venue to be confirmed).

**MINUTES ISSUED: 24 December 2008**

**CALL IN: 6 January 2009**

**Any matter decided by the Executive Board Sub Committee  
may be called in no later than 6<sup>th</sup> January 2009**

*Meeting ended at 11.42 a.m.*