

# Public Document Pack



## Executive Board Sub Committee

Thursday, 19 November 2009 10.00 a.m.  
Marketing Suite, Municipal Building

A handwritten signature in black ink, appearing to read 'David W R'.

**Chief Executive**

### **ITEMS TO BE DEALT WITH IN THE PRESENCE OF THE PRESS AND PUBLIC**

#### **PART 1**

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<b>1. MINUTES</b>	
<b>2. DECLARATION OF INTEREST</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
<b>3. PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO</b>	

*Please contact Gill Ferguson on 0151 471 7395 or e-mail [gill.ferguson@halton.gov.uk](mailto:gill.ferguson@halton.gov.uk) for further information.  
The next meeting of the Committee is on Thursday, 3 December 2009*

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*In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.*

**REPORT TO:** Executive Board Sub-Committee  
**DATE:** 19 November 2009  
**REPORTING OFFICER:** Strategic Director - Environment  
**SUBJECT:** Award of Contract for Carterhouse Swing Bridge Replacement.  
**WARDS:** Borough-wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 Procurement Standing Order 3.2 for Contracts between £50,000 and £1,000,000 requires that when accepting a tender where fewer than three tenders have been received, the circumstances be reported to Executive Board Sub-Committee for information.
- 1.2 The purpose of this report is to advise as regards award of the contract to replace the existing bridge at the location of the original Carterhouse Swing Bridge to Cheetham Hill Construction Ltd.

## **2.0 RECOMMENDATION: That**

- (1) The circumstances of the award of the Carterhouse Swing Bridge Replacement Contract to Cheetham Hill Construction Ltd be noted.

## **3.0 SUPPORTING INFORMATION**

- 3.1 In the late 1980s, the old Carterhouse Swing Bridge, spanning the Sankey Canal at the south end of Tanhouse Lane in Widnes, was dismantled and replaced by a fixed timber bridge.
- 3.2 The timber bridge, though under the ownership of HBC, is not a highway bridge and is of uncertain load capacity.
- 3.3 Provision of a modern structure with an increased and defined load capacity will create an improved link between the Trans Pennine Trail / Widnes Warth and the Widnes Waterfront area.
- 3.4 HBC also owns this section of the canal and it is an aspiration of the Council to reopen the canal to vessels. The design of the new structure will allow the bridge deck to be moved to accommodate future canal usage.
- 3.5 Funding has been confirmed through NWDA and Capital Priorities Fund sources for the bridge replacement scheme to be progressed.
- 3.3 Consequently, following completion of site investigatory works a contract was prepared for the design and build of a replacement swing bridge.
- 3.4 In accordance with Procurement Standing Order 2.5, tenders were invited from the following Contractors who were drawn from the Constructionline database of approved Contractors:

Cheetham Hill Construction Ltd  
Dew Construction Ltd  
Eric Wright Civil Engineering Ltd  
Harry Fairclough Ltd  
Qualter Hall Ltd

- 3.5 Despite confirming initial interest in tendering for the work, both Harry Fairclough and Qualter Hall responded during the tender period that they would not be able to return a tender.
- 3.6 Three tenders were therefore received but scrutiny of Dew Construction's tender revealed that the tender was deemed to be invalid, as it did not price all elements of the work.
- 3.7 Evaluation of the remaining two tenders was based upon a 40:60 ratio in terms of quality and price respectively, resulting in the following ranking:
1. Cheetham Hill Construction
  2. Eric Wright Civil Engineering
- 3.8 Cheetham Hill's target cost for the works was £288,305.00 compared with Eric Wright's £296,785.07. Both aligned closely with the pre-tender works estimate of £300,000.
- 3.9 Because more than three tenders were invited, in accordance with Procurement Standing Order 3.1 the Operational Director Highways, Transportation and Logistics is authorised to accept Cheetham Hill's tender which was evaluated as being the most advantageous to the Council. As a result, a satisfactory pre-contract meeting was conducted and Cheetham Hill are mobilising with a view to commencing works on site in late November 2009.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There is sufficient capacity in current funding sources to complete the works. Should there be any circumstances which lead to present funding commitments being insufficient these will be addressed with the relevant bodies.

#### **5.0 POLICY IMPLICATIONS**

- 5.1 There are no policy Implications as a result of this report.

#### **6.0 OTHER IMPLICATIONS**

- 6.1 There are no other Implications as a result of this report.

#### **7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **7.1 Children and Young People in Halton**

No direct impact

### **7.2 Employment, Learning and Skills in Halton**

No direct impact

### **7.3 A Healthy Halton**

No direct impact

### **7.4 A Safer Halton**

No direct impact

### **7.5 Halton's Urban Renewal**

The improvement of the link between the Trans Pennine Trail / Widnes Warth and the Widnes Waterfront area will contribute to the overall aspirations of the Widnes Waterfront regeneration programme being satisfied.

## **8.0 RISK ANALYSIS**

### **7.1 Financial Exposure of the Council.**

Cheetham Hill were selected from the 'Constructionline' pre-qualified database of contractors. HBC internal audit carried out a further assessment of their financial standing and advised that they have sufficient financial capability to undertake a contract of this value. Payments under the proposed contract will be due under a payment valuation based on measurement of work completed.

### **7.2 Time and Cost Over-run**

The risk of cost and time overruns associated with this project will be managed through the application of the Engineering and Construction Contract, Conditions of Contract (NEC3) which sets out detailed procedures for dealing with the effects of changes on price and completion date issues. The proposed contract will be supervised by dedicated on-site staff.

## **9.0 EQUALITY AND DIVERSITY ISSUES**

9.1 There are no equality and diversity issues as a result of this report.

## **10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

10.1 There are no background papers within the meaning of the Act.

**REPORT TO:** Executive Board Sub Committee  
**DATE:** 19 November 2009  
**REPORTING OFFICER:** Strategic Directorate Corporate and Policy  
**SUBJECT:** Land at Houghton Street, Widnes  
**WARDS:** Halton View Ward

### **1.0 PURPOSE OF THE REPORT**

1.1 To seek the Council's approval to dispose of land at Houghton Street, Widnes to Halton Housing Trust.

### **2.0 RECOMMENDATION: That**

- (1) the report be noted; and**
- (2) the land at Houghton Street be sold to Halton Housing Trust on the terms reported.**

### **3.0 SUPPORTING INFORMATION**

#### **3.1 Introduction**

- 3.1.1 Halton Housing Trust have approached the Council with a view to purchasing land retained by the Borough Council following the LSVT Transfer in 2005 (plan attached).
- 3.1.2 Negotiations have taken place and the District Valuer has been consulted and has recommended the land be sold for the sum of £135,000 (one hundred and thirty five thousand pounds) subject to timescales for the development to take place to ensure the land is developed within a given time and not land banked for the future.
- 3.1.3 Halton Housing Trust have a scheme for building twelve social rent properties in this area, nine of which will be on this site.
- 3.1.4 The sale will be subject to Planning Consent being granted.

### **4.0 POLICY IMPLICATIONS**

- 4.1 This development will contribute to the Borough's urban renewal policies by utilising an underused site and securing overall improvement in the environment of the area.

**5.0 FINANCIAL IMPLICATIONS**

5.1 A capital receipt will be payable to the Council.

**6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children and Young People in Halton** – N/A.

6.2 **Corporate Effectiveness and Efficient Service Delivery** - N/A.

6.3 **A Healthy Halton** – This development will contribute towards health by providing good quality accommodation for people in need.

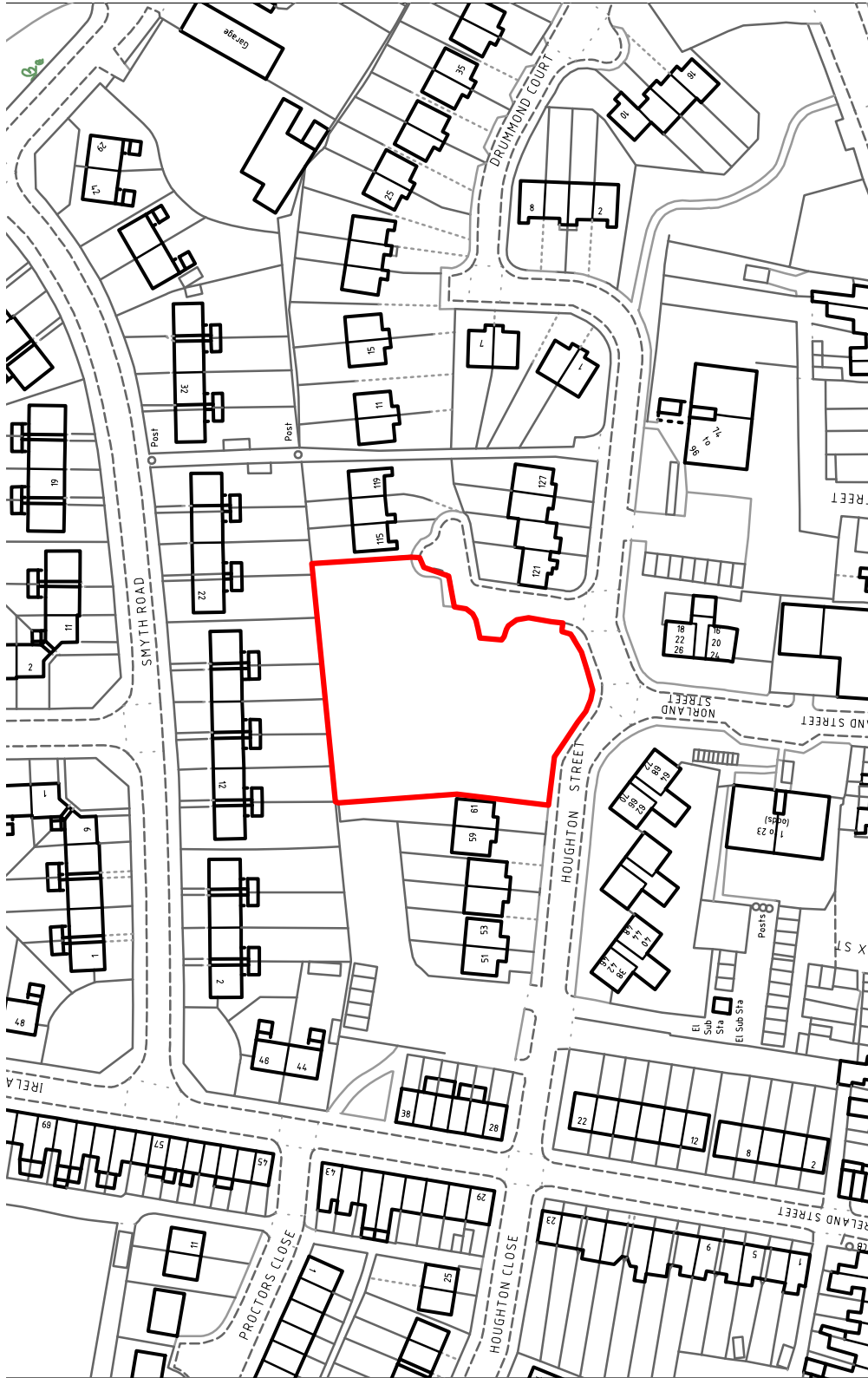
6.4 **A Safer Halton** – The development will be designed with safety in mind thereby satisfying the safer Halton priorities.

**7.0 RISK ANALYSIS**

7.1 There is no risk to the Council.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

8.1 Background papers are held within Property Services Department, 5<sup>th</sup> Floor, Municipal Building, Widnes.





**REPORT:** Executive Board Sub Committee

**DATE:** 19 November 2009

**REPORTING OFFICER:** Strategic Director, Environment

**SUBJECT:** Waiver of Standing Orders to Enable Procurement of CCTV Monitoring Services

**WARDS:** Borough-wide

## **1.0 PURPOSE OF REPORT**

- 1.1 To request approval to waive Standing Orders to enable procurement of specialist CCTV monitoring services.

## **2.0 RECOMMENDATION: That**

- 2.1 Standing Orders are waived to procure a two year extension to existing CCTV Monitoring Services contract with Remploy Managed Services, the terms of which will be agreed with the Strategic Director for Environment in consultation with the portfolio holder for Corporate Services.**

## **3.0 SUPPORTING INFORMATION**

- 3.1 Following implementation of the Housing Stock transfer and associated staff changes in October 2005, Remploy Managed Services was awarded the Town Centres and Local Areas CCTV Monitoring Contract. A new 3 year contract was negotiated in November 2006 to incorporate 24 hours/7 days a week monitoring. Since that time the monitoring service has developed a more proactive approach to CCTV surveillance. The Remploy team have worked hard over the past four years to improve relationships with all partners including Cheshire Police, Cheshire Fire Service and the Pubwatch and Shopwatch organisations in the borough.
- 3.2 The Remploy control room staff have been instrumental in building the confidence of our partners. Without statistical information being provided by the police it is difficult to quantify the effectiveness of CCTV, but feedback from Cheshire Police and other partners indicates that the reputation of Halton's Town Centres and Local Areas CCTV programme has been raised and the service is now seen as a key tool in the fight against crime in Halton.
- 3.3 Remploy Managed Services employs 7 fully trained and Security Industry Authority licensed operators and has been successful in retaining keen and capable staff for the period of the contract. All staff live locally, indeed all but one live in Halton and there has never been a

shift during the 4 year contract when the control room has not been manned.

- 3.4 Remploy Managed Services is a public body employing people with disabilities. Therefore, apart from the operational benefits of employing Remploy there are social gains to be made in employing the organisation.
- 3.5 In the past the organisation received large grants from the government for employing people with disabilities. This helped to reduce its charges and as a result the contract costs offered to Halton 4 years ago was much lower than offered by other companies. These grants have now been substantially reduced and as a result the contract costs that Remploy can offer to its customers have increased.
- 3.6 The contract cost for 24 hour, 7 day monitoring is currently £97,215.24 but is due to end in November 2009. Remploy has confirmed that should the contract be renewed, costs will increase to £109,510.64.
- 3.7 Remploy Managed Services offer excellent terms and conditions to its employees. Should the contract be tendered, TUPE conditions would apply and based on informal discussions with other local authorities it is unlikely that competing contractors would be able to offer a lower tender price than that offered by Remploy, should staff choose to transfer.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The increase in contract costs of £12,295.54 will require additional funding to be met from existing resources.

#### **5.0 POLICY IMPLICATIONS**

- 5.1 There are no direct policy implications from this report.

#### **6.0 OTHER IMPLICATIONS**

- 6.1 There are no direct sustainability, best value, or legal implications resulting from this report.

#### **7. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES.**

- 7.1 Children & Young People in Halton – The CCTV operation could assist the police in incidents involving children. These include incidents related to missing children, underage drinking and bullying.
- 7.2 Employment, Learning & Skills in Halton – It could be argued that the presence of CCTV encourages economic growth as businesses may be attracted to areas where they feel more secure.

7.3 A Healthy Halton – Violence related incidents are a priority and the CCTV control room staff and Cheshire Police work in partnership to prevent assaults and injury by identifying potential incidents at an early stage.

7.4 A Safer Halton - The Town Centres and Local Areas CCTV programme contributes to make Halton safer and works closely with partners to tackle crime and provide public reassurance in the areas of CCTV coverage.

7.5 Halton’s Urban Renewal - The assurance that CCTV can offer to retail premises can encourage economic growth especially in the town centres.

**8.0 RISK ANALYSIS**

8.1 There are no direct risks associated with this report

**9.0 EQUALITY & DIVERSITY ISSUES.**

9.1 Remploy Managed Services have pioneered equality and opportunity for all by assisting disabled people seeking, and wishing to remain in sustainable mainstream employment opportunities.

**10.0 BACKGROUND PAPERS**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Background information	Traffic Section, Rutland Hse.	Steve Johnson,. x 3010

**REPORT TO:** Executive Board Sub Committee

**DATE:** 19<sup>th</sup> November 2009

**REPORTING OFFICER:** Strategic Director – Health & Community

**SUBJECT:** Request to extend contracts for Supported Living services for Adults with Learning Disabilities and Mental Health Needs

**WARD(S)** Borough-wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To request suspension of relevant procurement standing orders 2.1-2.16 to extend existing contracts for care / support relating to learning disabled adults and adults with mental health needs to 31<sup>st</sup> March 2011 to allow for a complete review of service users needs and the quality and cost effectiveness of services ahead of any future market testing.
- 1.2 To seek approval of delegated powers to the Strategic Director, Health and Community, in conjunction with the portfolio holder for Health, to award interim contracts to 31<sup>st</sup> March 2011 to existing providers of care and support services transferred from the PCT and to take such action as may be necessary to implement the recommendations detailed below.

## **2.0 RECOMMENDATION: That:**

- (1) **In the exceptional circumstances set out below, for the purpose of standing order 1.6 procurement standing orders 2.1 to 2.16 be waived on this occasion on the basis that compliance at this time would be financially detrimental to the Council. In addition, the existing contracts for care and support relating to learning disabled adults and adults with mental health needs be extended to 31<sup>st</sup> March 2011. The contracted rate to be in line with that previously agreed by Board, plus any inflationary uplift in line with that approved by the Council in setting the 2010/11 budget.**
- (2) **Delegated powers be approved to enable the Strategic Director, Health and Community, in conjunction with the portfolio holder for Health to award contracts to services provided by Alternative Futures and Community Integrated Care (CIC), recently transferred from the PCT under the Department of Health directive. The contracted**

rate initially to be in line with existing rates paid by the PCT and to then be reviewed following actions outlined in 3.1.10 of this report, plus any inflationary uplift in line with that approved by the Council in setting the 2010/11 budget.

- (3) Subsequent to the expiry of contracts under 2.0 (i), (ii) and 3.1.1 and 3.1.6 of this report, services will be procured either by the individual through their personal budget/direct payment or through 'spot purchase' contract arrangements via a Select list of Preferred Providers. The latter will be subject to a competitive tendering process and subject to procurement standing orders.
- (4) The Strategic Director, Health and Community, in conjunction with the portfolio holder for Health, be authorised to take such action as necessary to implement the above recommendations.

### **3.0 SUPPORTING INFORMATION**

#### **3.1 Contracts for Adult Mental Health and Learning Disabilities Supported Living**

- 3.1.1 In April this year, following the Department of Health directive, responsibility for commissioning non-healthcare related activity and support for people with learning disabilities and the corresponding financial resources, transferred from the PCT to Adult Social Care. In Halton this includes 6 supported living services provided by Alternative Futures, and 7 services provided by CIC.
- 3.1.2 These services include accommodation based supported living services with an element of Supporting People Grant funding that was subject to the supporting people retraction plan in 2007. However, the care element of these services has not been reviewed for many years and must be undertaken as a matter of priority. Full social worker reviews are currently underway for the 40 people supported in these services. Early indications are that high staff to service user ratios need to be addressed and assistive technology/telecare could be brought in to give people greater independence.
- 3.1.3 The National Development Team for inclusion (NDTi) has selected proposals submitted by Halton Borough Council, working in collaboration with St Helens Council and the PCT, to be the demonstration site for the Housing and Social Inclusion Project for the North West region.
- 3.1.4 This is a three-year, Department of Health subsidised, initiative to support people with learning disabilities to move from residential care,

and achieve housing and support options that promote community inclusion and independence. The review of supported living services across Halton is one of the work streams.

- 3.1.5 As a result of being selected, NDTi support will be available to:
- Increase housing options and rights for people with learning disabilities;
  - Achieve successful strategies for improving social inclusion; and improve local performance against national indicator(s).
- 3.1.6 Existing Council contracts for accommodation-based care and support end on 31st March 2009. These are a combination of Community Care and Supporting People Grant funded block contracts and as such do not fit with the personalisation agenda. Research is being undertaken on possible models for future contracting arrangements that will give stability to providers, extend control to the person being supported and maintain value for money for the Council. This research is taking longer than anticipated as nationally limited progress has been made transferring shared supported living arrangements into personalised services and to date officers have not been able to identify a framework agreement for personalised supported living in any other authority.
- 3.1.7 In addition, on 18<sup>th</sup> June 2009, a judicial review upheld a Social Security Commissioners Decision (Turnbull judgement) that in certain circumstances rents for supported living services could not be classed under the Housing Benefit (HB) and Council Tax Benefit (CTB) Regulations 2006 as “exempt accommodation” and will therefore result in a reduction of housing benefit to local rent reference rates.
- 3.1.8 In Halton, this judgement has a potential impact on 82 people with a learning disability living in various supported living services across Halton. The most significant impact from the client’s perspective being the potential loss of benefit to meet the full cost of their rent, resulting in the accrual of rent arrears and the potential threat of possession proceedings.
- 3.1.9 Given the significant potential impact of this judgement on vulnerable people, the Council are currently considering the most effective response to minimise risk to clients and to the Authority.
- 3.1.10 This report seeks approval to extend the existing contracts to 31<sup>st</sup> March 2011 to allow sufficient time to:
- Complete reviews of services transferred from the PCT and work with the providers to configure cost effective, quality support to meet individual need.
  - Complete research to develop an appropriate model for procurement of care and support from 1<sup>st</sup> April 2011, which complies with relevant standing orders whilst embracing &

adhering to the principles of personalisation.

- Implement actions to minimise the effects of the Turnbull judgement
- Set up a select list of Preferred Providers.
- Incorporate the Councils In-House learning disability services onto a Preferred Providers Select List. This will allow the Councils In-House services to re-model and offer more flexible and cost effective services. In addition the In-House services will be able to undertake the high costing packages, thus reducing the need to make high cost out of borough placements for those service users with the most complex needs.

3.1.11 Approval is also sought to offer contracts within the same timeframe i.e. to 31<sup>st</sup> March 2011, to providers of non-health related support services transferred from the PCT on 1<sup>st</sup> April 2009. These services will then be procured in line with the adopted model referred to above.

#### **4.0 Business Case for the Contract extensions Value for money and competition**

4.1 Contracts for supported living were awarded following either negotiations with providers to implement the Supporting People Retraction Plan approved by Board in October 2006 or an open competitive tender exercise. Ongoing monitoring confirms that service quality has improved and represents value for money when benchmarked with neighbouring authorities. (See appendix 1 for benchmarking of costs against other local authorities)

#### **4.2 Transparency**

The contract and award process are subject to Freedom of Information requests and annual external and internal auditing processes. They are also recorded in the Council's contract register accessible via the internet. This ensures that external agencies do have some opportunity to examine contractual processes and outcomes.

#### **4.3 Propriety and Security**

The extension of contracts referred to in this report will be compliant with Halton Borough Council's procurement standing orders. Compliance with anti corruption practices will be adhered to and any of the contracts within the subject of this report will be terminated if there is any occurrence of corruption by any of the organisations or their staff.

#### **4.4 Accountability**

The contracts will be performance managed and quality assured by the Adult Social Care Contracts and Supporting People Team.

#### **4.5 Position of the contract under the Public Contracts Regulations**

**2006**

These are Part B exempt services under the Contracts Regulations 2006 and do not need to be advertised in the OJEU although when a contract is awarded true OJEU must be notified within 48 days.

**5.0 POLICY IMPLICATIONS**

5.1 The recently published Government document Valuing People Now – a new three-year strategy for people with learning disabilities (2009) reaffirms the four guiding principles set out in Valuing People (2001) that people with learning disabilities: have the same human rights as anyone else, independent living, control of decisions made about their lives, and inclusion in all aspects of community. These rights are already embedded within contracted services for community support.

5.2 Over the next 5 years, personalisation will substantially affect the way in which people receive services. National indicator 130 has a target requiring 30% of people in receipt of community care to be purchasing them using an individual budget or direct payment by 1<sup>ST</sup> April 2011. Thus the Council must ensure it has flexible contracting arrangements in place to manage this.

**6.0 FINANCIAL IMPLICATIONS**

6.1 The estimated value of the 12-month contract extension for supported living services is:

Supporting people grant	£1,200,000
Community care grant	£3,300,000
Funding transferred by PCT under DH directive	£984,895

6.2 It is anticipated that in those services which transferred from the PCT, reductions in the level of service can be achieved whilst still meeting need and improving quality. A corresponding reduction in the cost of the service should then be achievable through market testing.

**7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

**7.1 Children & Young People in Halton**

None identified

**7.2 Employment, Learning & Skills in Halton**

None identified

**7.3 A Healthy Halton**



These services offer a range of care and support to vulnerable people in the Borough and by promoting social inclusion have a positive impact on a person's self-worth and mental health.

7.4 **A Safer Halton**

None identified

7.5 **Halton's Urban Renewal**

None identified

8.0 **RISK ANALYSIS**

All contracts are monitored in accordance with the level of risk identified and in the event of non-compliance the contract will be reviewed immediately and necessary remedial action instigated.

9.0 **EQUALITY AND DIVERSITY ISSUES**

9.1 Agencies working under contract to the Council are expected to comply with the Council's policies relating to Ethnicity and Cultural Diversity as well as promoting social inclusion of some of the most disadvantaged people in the Borough.

9.2 Equality and Diversity will also form part of the social worker reviews for each person residing in the two learning disability care homes and supported by those services transferred from the PCT.

10.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.

**Appendix 1**

**BENCHMARKING OF LOCAL AUTHORITIES COSTS FOR LEARNING DISABILITY SERVICES**

**\* funded by Supporting People.**

<b>Local Authority</b>	<b>Value</b>
<b>Halton</b>	<b>£12.50 – 12.80</b>
<b>St Helens</b>	<b>£16.11 (reducing to £13.95 in 2010)</b>
<b>Warrington</b>	<b>£12.89 – 13.00</b>
<b>Knowsley</b>	<b>£13.00</b>
<b>Trafford</b>	<b>£12.75 hourly rate</b>
<b>Liverpool</b>	<b>£12.68 - £14.30</b>

\* Halton are competitive in areas of costs for their adult learning services as funded by Supporting People.

**REPORT TO:** Executive Board Sub Committee

**DATE:** 19<sup>th</sup> November 2009

**REPORTING OFFICER:** Strategic Director – Health & Community

**SUBJECT:** Request to extend contracts for Residential Care for Adults with Learning Disabilities and Mental Health Needs

**WARD(S)** Borough-wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To request suspension of relevant procurement standing orders 3.1-3.9 to extend existing contracts for residential care at Wide Cove, Smithy Forge, Leahurst and Woodcrofts until 31<sup>st</sup> March 2011 to allow sufficient time to carry out complete extensive consultation with service users, carers and stakeholders and to complete an options appraisal regarding future use of the services.
- 1.2 To seek approval of delegated powers to the Strategic Director, Health and Community, in conjunction with the portfolio holder for Health, to award interim contracts to 31<sup>st</sup> March 2011 to existing providers of residential care services transferred from the PCT and to take such action as may be necessary to implement the recommendations detailed below.

## **2.0 RECOMMENDATION: That:**

- (1) **In the exceptional circumstances set out below, for the purpose of standing order 1.6 procurement standing orders 3.1 to 3.9 be waived on this occasion on the basis that the review of residential services offered in Wide Cove, Smithy Forge, Leahurst and Woodcrofts Residential Homes should be completed to consider the changing needs of learning disabled adults and people with severe and enduring mental health problems. In addition the existing contract for these services be extended to 31<sup>st</sup> March 2011 in line with the contracted rate previously agreed by Board, plus any inflationary uplift in line with that approved by Council in setting the 2010/11 budget.**
- (2) **Delegated powers be approved to enable the Strategic Director, Health and Community, in conjunction with the portfolio holder for Health to award contracts to residential care services offered in Glenwood, Holmdale and Bankfield, provided by Community Integrated Care (CIC), recently transferred from the PCT under the**

**Department of Health directive. The contracted rate initially to be in line with existing rates paid by the PCT and to then be reviewed following actions outlined in 3.1.5 – 3.1.8 of this report, plus any inflationary uplift in line with that approved by the Council in setting the 2010/11 budget.**

- (3) The Strategic Director, Health and Community, in conjunction with the portfolio holder for Health, be authorised to take such action as necessary to implement the above recommendation.**

### **3.0 SUPPORTING INFORMATION**

#### **3.1 Contract for Specialist Adult with learning disabilities residential care.**

3.1.1 On 19th March 2009 Executive Board Sub-committee agreed to extend contracts for residential care at Wide Cove and Smithy Forge in order to allow time to reconfigure the accommodation and support to offer independent living arrangements and more opportunities to participate in community life.

3.1.2 Significant progress has been made since March in developing the residents' life skills and empowering them to take control of their own lives. Key areas of focus so far have been:

- Each persons needs are being assessed by a Social Worker in consultation with families and they also have support from an independent advocate.
- Meetings have been held with the residents to explain the principles of Valuing People Now and how their rights and independence can be increased.
- Halton Speak Out, the self-advocacy support group, are supporting people to think about and plan their future accommodation and support needs including discussion around individual budgets. Specialist support will be brought in as appropriate e.g. speech and language therapist to enhance effective communication.
- Families have formed "Smithy Forge Residents and Relatives Group" and have indicated their opposition to any change in the status quo. Officers have met with this group and responded to letters. Whilst it is important to consider families views they must be balanced against what the individual wants so that the person with learning disabilities is not disempowered.

3.1.3 The homeowners will need to de-register the care homes and a new registration as a domiciliary care agency may need to be applied for dependent on how people choose to be supported. The de-

registration process will take a minimum of three months and is dependent on the Care Quality Commission (CQC) being satisfied that robust alternative plans are in place to meet the needs of the residents.

- 3.1.4 In April this year, following the Department of Health directive, responsibility for commissioning non-healthcare related activity and support for people with learning disabilities and the corresponding financial resources, transferred from the PCT to Adult Social Care. In Halton this includes 3 residential care home provided by Community Integrated Care. These services are subject to inspection and regulation by the Care Quality Commission and will now be subject to review and inspection through HBC Quality assurance team and joint social care and health fieldwork teams.
- 3.1.5 In addition, the National Development Team for inclusion (NDTi) has selected proposals submitted by Halton Borough Council, working in collaboration with St Helens Council and the PCT, to be the demonstration site for the Housing and Social Inclusion Project for the North West region.
- 3.1.6 This is a three-year, Department of Health subsidised, initiative to support people with learning disabilities to move from residential care, and achieve housing and support options that promote community inclusion and independent living. The reconfiguration of residential services at Wide Cove and Smithy Forge is one of the work streams and the learning from this piece of work will be applied to a review of residential services transferred from the PCT
- 3.1.7 As a result of being selected, NDTi support will be available to:
- Increase housing options and rights for people with learning disabilities;
  - Achieve successful strategies for improving social inclusion; and improve local performance against national indicator(s).
- 3.1.8 A steering group has been formed with representation from residents, their advocate and families. Once agreement has been reached around the future model of support, this group will develop and oversee a detailed implementation plan.
- 3.1.9 A range of initiatives is being explored to empower people in residential care to ensure their voice is heard and to offer them choice. It is clear that the original timescale to establish independent living by 31st March 2010 was over ambitious and could only be met by council officers determining how people should be supported to live their lives; an approach that does not fit with the Transformation of Adult Social Care and personalisation of services.
- 3.1.10 Executive Board Sub-Committee is asked to extend the contract for residential care at Wide Cove and Smithy Forge for a further year to March 2011.

3.1.11 Approval is also sought to offer contracts within the same timeframe i.e. to 31<sup>st</sup> March 2011, to providers of non-health related residential care services at Glenwood, Holmdale and Bankfield provided by CIC and transferred from the PCT on 1<sup>st</sup> April 2009.

### **3.2 Contract for Adult Mental Health residential care**

3.2.1 On 19<sup>th</sup> March 2009 Executive Board Sub- Committee agreed to extend contracts for residential care at Leahurst and Woodcrofts. In addition the outcomes of a review of the current and future needs of those people with mental health needs living in residential care would be submitted to the Healthy Halton Policy and Performance Board.

3.2.2 Leahurst is a 26 bed residential home in Ditton, Widnes. At the moment the service has 25 residents, only 10 of whom are Halton residents. The remainder of the occupants have been placed in the service by other local authorities. The age of the residents ranges from 46 to 71 years, the average age being 58. Four of the residents have been living in this residential setting in excess of ten years.

3.2.3 Woodcrofts is a 21 bed residential home in Halton View, Widnes. At the moment the service has 17 residents, 12 of whom are Halton residents. The remainder of the occupants have been placed in the service by other local authorities. The age of residents ranges from 40 to 79 years, the average age being 61. The average length of stay for residents is ten years and over.

3.2.4 Progress is ongoing reviewing the current and future provision of Mental Health services, including consultation with service users to assess their views. This project will make recommendations that will outline recommendations regarding the future of the services in line with best practice models for residential Mental Health Services.

3.2.5 Executive Board Sub-Committee is asked to extend the contract for residential care at Leahurst and Woodcrofts for a further year to March 2011.

### **4.0 Business Case for the Contract extensions Value for money and competition**

4.1 The current review will include a benchmarking exercise of similar specialist services and a review of quality of care (Care Quality Commission standards) in these homes against similar registered services.

#### **4.2 Transparency**

The contract and award process are subject to Freedom of Information requests and annual external and internal auditing processes. They are also recorded in the Council's contract register accessible via the internet. This ensures that external agencies do

have some opportunity to examine contractual processes and outcomes.

**4.3 Propriety and Security**

The extension of contracts referred to in this report will be compliant with Halton Borough Council's procurement standing orders. Compliance with anti corruption practices will be adhered to and any of the contracts within the subject of this report will be terminated if there is any occurrence of corruption by any of the organisations or their staff.

**4.4 Accountability**

The contracts will be performance managed and quality assured by the Adult Social Care Contracts and Supporting People Team. Residential and care providers are subject to inspection by the Care Quality Commission.

**4.5 Position of the contract under the Public Contracts Regulations 2006**

These are Part B exempt services under the Contracts Regulations 2006 and do not need to be advertised in the OJEU although when a contract is awarded true OJEU must be notified within 48 days.

**5.0 POLICY IMPLICATIONS**

5.1 The recently published Government document Valuing People Now – a new three-year strategy for people with learning disabilities (2009) reaffirms the four guiding principles set out in Valuing People (2001) that people with learning disabilities: have the same human rights as anyone else, independent living, control of decisions made about their lives, and inclusion in all aspects of community. These rights are already embedded within contracted services for community support.

5.2 Over the next 5 years, personalisation will substantially affect the way in which people receive services. National indicator 130 has a target requiring 30% of people in receipt of community care to be purchasing them using an individual budget or direct payment by 1<sup>ST</sup> April 2011. Thus the Council must ensure it has flexible contracting arrangements in place to manage this.

**6.0 FINANCIAL IMPLICATIONS**

6.1 The estimated costs of the 12-month contract extension for residential care services is:

<b>Residential Home</b>	<b>Estimated annual cost</b>
Widecove	£231,410
Smithy Forge	£200,414
Leahurst	£159,980
Woodcrofts	£144,068

The re-provision of residential care services is not expected to add any costs and in the medium to long term as people become more independent there may be reduced support costs.

- 6.2 The estimated 12 month costs of the transferred residential services are:

<b>Residential Home</b>	<b>Estimated annual cost</b>
Glenwood	£588,909
Holmdale	£309,967
Bankfield	£185,229

7.0 **IMPLICATIONS FOR THE COUNCIL’S PRIORITIES**

7.1 **Children & Young People in Halton**

None identified

7.2 **Employment, Learning & Skills in Halton**

None identified

7.3 **A Healthy Halton**

These services offer a range of care and support to vulnerable people in the Borough and by promoting social inclusion have a positive impact on a person’s self-worth and mental health.

7.4 **A Safer Halton**

None identified

7.5 **Halton’s Urban Renewal**

None identified

8.0 **RISK ANALYSIS**

- 8.1 All contracts are monitored in accordance with the level of risk identified and in the event of non-compliance the contract will be reviewed immediately and necessary remedial action instigated.

9.0 **EQUALITY AND DIVERSITY ISSUES**

- 9.1 Agencies working under contract to the Council are expected to comply with the Council’s policies relating to Ethnicity and Cultural Diversity as well as promoting social inclusion of some of the most disadvantaged people in the Borough.

- 9.2 Equality and Diversity will also form part of the social worker reviews for each person residing in the two learning disability care homes and supported by those services transferred from the PCT.



10.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF  
THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.