

APPENDIX 1

Extract of Executive Board, Executive Board Sub Committee and Executive (Transmodal Implementation) Sub Board Minutes Relevant to the Urban Renewal Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 17th JUNE 2010

SUSTAINABLE COMMUNITY STRATEGY 2011-2026 AND 8. NEW CORPORATE PLAN

The Board received a report of the Strategic Director, Resources on the Sustainable Strategy 2011-2026 and new Corporate Plan.

Members were advised that local authorities and their partners had a statutory duty to develop a Sustainable Community Strategy, to set out the strategic direction and long term vision for the economic, social and environmental wellbeing of their area. Targets in the existing Strategy run to March 2011; the Council would need to adopt a new strategy by April 2011.

The draft action plan attached to the report set out the approach and timetable to develop the new strategy. Development of the strategy would be overseen by a steering group including key partners. Members noted that the new edition of the Sustainable Community Strategy (SCS) would look over a longer time period which allowed strategic planning to cover 15 years, to 2026. This would bring major plans like the Core Strategy and Local Transport Plan into alignment and allow for coordinated delivery.

In addition, a new SCS would offer the opportunity to revisit the Corporate Plan and set out Halton's ambitions for the next five years. This approach would allow the Council to set its direction and align with the Key Objectives of the SCS and other major initiatives such as Total Place, 'personalisation' of care packages, tackling climate change and the efficiency agenda.

RESOLVED: The proposed approach for developing a new Sustainable Community Strategy as outlined in Annexe A attached to the report be agreed.

15. REGIONAL LEADERS BOARD (4NW)

The Board received a report advising them that the Government had announced that Central Government grant funding for the Regional Leaders Board (4NW) would cease from 30 September 2010, and as a result, all 4NW staff had been placed 'at risk' of redundancy.

The Board were advised that, at the meeting of the Leaders Board 4NW on 7 June 2010, there was strong commitment from the Sub-Regional Leaders present to maintain the Leaders Board to act as the 'voice' of the North West with Government. The Leaders Forum would be supported by a slimmed-down Secretariat, funded through existing subscriptions.

Members noted that many Leaders had indicated a strong commitment to keep the Board in place, recognising the need to maintain a strong voice for the North West. Attached to the report was a list of proposed subscriptions for each local authority, including Halton's proposed subscription for 2009/10 of £3,852.

RESOLVED: That the report be noted and the Board support the proposal as put by the 4NW Regional Leaders Board to continue with Halton's subscription.

EXECUTIVE BOARD MEETING HELD ON 15TH JULY 2010

24. HALTON HOUSING TRUST PROGRESS REPORT

The Board considered a report of the Strategic Director – Adults and Community which provided a further update on Halton Housing Trust's progress since the last report to Executive Board on the 16th July 2009.

Mr Nick Atkin, Chief Executive Halton Housing Trust and Ingrid Fife, Chair of the Board, Halton Housing Trust attended the meeting to present the report which set out the progress to date in delivering some of the key "pledges" made prior to the stock transfer, and progress in meeting the Tenant Services Authority's regulatory framework.

The Board was advised that the Trust continued to make strong progress in the range and quality of the services provided for their customers. This was underpinned by the Corporate Plan, which provided a clear strategic direction and vision for their role

and contribution to the wider success of Halton.

The report provided information on the following key headlines:-

- The Decent Homes Programme had been delivered 14 months ahead of schedule and had achieved efficiency savings of over £6.5 million. These savings would be reinvested in improving customers homes and neighbourhoods;
- Core performance and the quality of services to customers continued to improve as evidenced by the outcome of recently completed mock Short Notice Inspection;
- The Trust was viewed positively by the regulator, the TSA, and had received an improved Regulatory Judgement. The Trust had also been selected as one of only 39 pilots for the development of “local offers” following the implementation of the TSA’s new Regulatory Framework in April 2010;
- A new Chair, Ingrid Fife, had been appointed following the resignation of the previous and first Chair, David Felix. Ingrid, with the help and support of other members of the Board, was leading a review of the governance arrangements of the Trust to ensure that they remained fit for purpose both now and into the future;
- The continued development of the Neighbourhood Investment Framework outlined how the Trust would invest up to £262 million in the Borough between 2009 and 2015;
- There was strong support and positive contributions towards the Council’s priorities for the Borough. The Trust was working with a cross section of stakeholders to secure some real outcomes for people living within the Borough;
- For the second consecutive year the Trust had taken full advantage of the additional adaptations funding made available by the Council and had significantly reduced the long term backlog;
- The development and acquisition of new homes to

support the Council's Housing Needs Survey and Housing Strategy;

- The Trust implemented the Job Family and Pay Frameworks in May 2009, backdated to 1st April 2008; and
- A formal 5th anniversary celebration event is planned for 6th December 2010.

The Board was advised that as the Trust continued to make improvements to primary business areas and improving core performance the emphasis was now shifting towards considering longer term new business growth and development opportunities. This was underpinned through the continued development of an enhanced customer orientated culture throughout the organisation.

Arising from the presentation Members discussed affordable housing and new build schemes, delivering presentations of the Annual Report to the next round of Area Forums, communication pathways and points of contact for tenants, partnership working to tackle anti-social behaviour issues and the success in keeping rent arrears at a minimum.

RESOLVED: That the progress outlined in the report be noted

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 1 APRIL 2010

83. RENEWAL OF THE MERSEY FOREST AGREEMENT

The Board considered a report of the Strategic Director, Environment and Economy which advised Members that the original agreement with Mersey Forest had expired and sought support for a further agreement.

The Board was advised that Mersey Forest was the biggest of the UK's 12 Community Forests. It covered 420 square miles (1,082 km²) and was part of a 30-year plan to transform the landscape across Merseyside and North Cheshire. The regeneration of The Mersey Forest was being achieved by a partnership comprising of the Forestry Commission, Natural England, nine local authorities, the Mersey Forest Team and various other organisations and individuals who shared the vision for creating The Forest.

The Board was further advised that in the 19 years since it had been established, over 3,750 hectares of new habitat had been created in the Mersey Forest, and around 10 million new trees planted. In Halton itself during this period, there had been 110 hectares of new woodland planted, 45 hectares of non-woodland habitat created, £2.9 million additional funding brought in, and over two thousand community events organised.

It was reported that Halton Borough Council had been a partner in the Mersey Forest since its inception, and the current Agreement was now due for renewal. The new Agreement would run from the 1st April 2010 until the 31st March 2015.

In addition, the Agreement empowered the nine local authorities to work together to support the work of the Mersey Forest. The new Agreement was very similar to the previous one, with changes being made to reflect the local government re-organisation that took place in Cheshire in April 2009.

RESOLVED: That the existing Mersey Forest Agreement be renewed and the Strategic Director – Environment and Economy in consultation with the Portfolio Holder, Environment, Leisure & Sport, be authorised to determine the terms of the new Agreement following the principles outlined in the report. (1) a restrictive covenant be included on the disposal of land preventing residential use;

(2) an update report be brought back detailing the outcome of the District Valuer's findings on the value of the land; and

(3) approval be given to dispose of the land as identified on the plan to Widnes Regeneration Limited.

NEW SERVICE LEVEL AGREEMENT WITH CHESHIRE 84. WILDLIFE TRUST

The Board considered a report of the Strategic Director, Environment and Economy which sought approval to enter into a three year Service Level Agreement with the Cheshire Wildlife Trust, which would enable the Council to deliver its biodiversity commitments.

The Board was advised that the Council currently had a very basic Service Level Agreement with the Cheshire Wildlife Trust through which they gave advice on nature reserve management.

Prior to December 2008 they had provided assistance to the Nature Conservation Officer. The current agreement would cost £2,400 per year.

The Board was further advised that the Council currently had a Service Level Agreement with 'Record' for the provision of biological recording and GIS analysis. The current agreement cost £2,170 per year.

In addition, the Council's Open Space Services had responsibility for nature conservation and biodiversity. The Division did not have a designated Nature Conservation Officer and therefore needed to deliver this element of its responsibility through partnership working.

RESOLVED: That, in consultation with the Portfolio Holder, Environment, Leisure & Sport, the Council enter into a Service Level Agreement with the Cheshire Wildlife Trust for the provision of Ecological Advice, Biological Recording and advice on Planning matters.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 27 MAY 2010

CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005: 3. INTRODUCTION OF DOG CONTROL ORDERS

The Sub Committee was advised that The Clean Neighbourhoods and Environment Act 2005 (CNEA 2005) introduced new powers and fixed penalties for local authorities to counter and reduce environmental crime across the public realm. Local authorities were required to carry out statutory public consultation when proposing the making of a Dog Control Order as outlined in The Dog Control Orders (Procedures) Regulations 2006. Consultation in Halton commenced on 22nd October 2009 and finished on 23rd November 2009. The report outlined the consultation procedure with other primary or secondary authority within the area and also the public consultation process. Although no objections were received, one response was received from English Nature stating that they had no objections to the Orders.

It was noted that anyone who committed an offence under any of the provisions of the Dog Control Orders may be liable to conviction in the Magistrates Court to a fine up to £1000. A fixed penalty notice may as an alternative be offered and paid. This would be £75. Anyone who failed to pay a fixed penalty may be liable for a fine up to £1,000.

The Sub Committee was advised that the Safer Halton Policy and Performance Board had been consulted on the outcome of the consultation and the next steps in the procedure and had supported the move towards implementation of the Orders. The Policy and Performance Board were advised that their comments would be considered and the schedule reviewed in twelve months time.

In considering the report and supporting the implementation of the Orders in principle, the Board requested that more information be provided on the locations affected by the proposal, how they were identified, how they would be specifically affected by the proposals if implemented, and a report be brought back to the next meeting of the Sub-Committee for further consideration.

RESOLVED: That the report be amended and re-submitted for consideration by the Executive Board Sub-Committee on 17 June 2010.

4. TRAVELLER TRANSIT SITE

The Sub-Committee received a report of the Strategic Director, Adults and Community on the budget outturn for the Traveller transit site at Warrington Road, Runcorn.

The report provided details of the running costs for the site following a full financial year in operation. It was noted that an overall occupancy rate of 69% for the year 2009/10 had been achieved. The report also detailed the feasibility and cost of providing a further four pitches for the Sub-Committee's consideration.

RESOLVED: That

- 1) the current daily pitch charge of £11 be increased by 2% in line with other Council fees and charges to £11.22 from 1 June 2010 and the charge be reviewed in line with other Council fees and charges in March 2011; and
- 2) a decision to increase pitch provision be deferred pending the outcome of the Partial Review of the North West Spatial Strategy.

EXECUTIVE BOARD SUB COMMITTEE – 17 JUNE 2010

7. WEED SPRAYING PROGRAMME 2010/11

The Sub-Committee considered a request for retrospective approval to waive standing orders for the commissioning of a borough-wide weed spraying programme for 2010/11.

In March 2009, a tendering exercise had been carried out to procure weed spraying services for the adopted highways and hard surfaced footpath network within the borough. Following an evaluation of four tender bids received, the contract for carrying out the works was awarded to Amenity Contract Services. The contract covered a 12 month period from April 2009, however, the Tender Specification allowed for the contract to be extended to cover a further 12 month period. This extension was at the discretion of the Council.

Following successful completion of the works in 2009/10, and given that Amenity Contract Services had proposed to carry out the works in 2010/11 at the same cost as in 2009/10, the contract to carry out Highway Weed-Spraying Service for 2010/11 was offered to, and accepted by, Amenity Contract Services.

Prior to the commencement of the works, however, the Managing Director of the Amenity Contract Services Ltd informed the Council that the company had entered into administration. Following a meeting with Managing Director of Amenity Contract Services it was established that he was in negotiations with another company, Assist Managed Services, who were seeking to take over the delivery of services that were to have been undertaken by Amenity Contract Services. Assist Managed Services confirmed that they could provide the weed spraying service for the Council using the same working practices and methods that were delivered previously by Amenity Contracting and at the same cost.

It was considered by officers that to carry out a further tendering exercise could have resulted in the following:

- commencement of the works could have been delayed;
- as a result of Amenity Contract Services entering into administration many other local authorities in the region would have been in the same position as Halton and would have required alternative contractors to carry out the works, this could have resulted in reduced market capacity; and

- if the Council had attracted a suitably qualified contractor through a new tendering exercise, it could have resulted in an increased cost.

RESOLVED: That

1) for the purposes of Contract Standing Order 1.6, retrospective approval is given on this occasion to the waiver of Standing Orders 3.1 to 3.7 and Standing Order 3.9, in light of the exceptional circumstances as detailed in paragraph 3.7 of this report;

2) retrospective approval be given to award the contract to undertake the 2010/11 Weed Spraying Programme to Assist Managed Services.

8

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005-: INTRODUCTION OF DOG CONTROL ORDERS

The Sub-Committee was advised that the Clean Neighbourhoods and Environment Act 2005 brought in new powers for local authorities to be able to deal with problems associated with irresponsible dog ownership. Dog Control Orders replaced the previous system of bylaws for the control of dogs as well as the Dogs (Fouling of Land) Act 1996, the powers of which were repealed upon adoption of dog control orders. These powers enabled local authorities to deal with the minority of irresponsible dog owners.

Members were advised on the progress in the process of declaring Dog Control Orders within the Borough and the findings of the public consultation. They also noted the comments received from the Safer Halton Policy and Performance Board. Comments previously submitted by the Executive Board Sub Committee would be considered as part of the consultation process.

RESOLVED: That

(1) in the light of the consultation exercise, the Board approves the following Dog Control Orders:

- (i) The Fouling of Land by Dogs Order (Appendix 1)
- (ii) The Dogs Exclusion Order (Appendix 2)
- (iii) The Dogs on Leads Order (Appendix 3)
- (iv) The Dogs on Leaders by Direction Order (Appendix 4)

(2) the Operational Director Environment and Regulatory Services, in consultation with the Operational Director Legal and Democratic Services and the Portfolio Holder for Environmental Sustainability be authorised to complete the implementation;

(3) in consultation with the Portfolio Holder for Environmental Sustainability, an immediate review of the Dog Control Orders be commenced; and

(4) in consultation with the Portfolio Holder for Environmental Sustainability a communication strategy and public information campaign be established to advise the public of the implications of the new Dog Control Orders.

EXECUTIVE BOARD SUB COMMITTEE – 8 JULY 2010

14 WIDNES WATERFRONT, ARTS PROJECT CONTRACT

The Sub-Committee considered a report which advised on an increase in expenditure on the Widnes Waterfront Arts Project contract, estimated to be 20%.

Since the tender process, it had been necessary for the contractor to include a further two items of work not originally budgeted for, due to a lack of information at the time of tendering. These were:-

- Reinforcement of a footbridge which formed part of the access route to the site – works included traffic management, provision of reinforcement materials and construction of a temporary diversion route; and
- construction of a maintenance track to and around the base of the Future Flower from the existing footpath.

These additional costs amounted to £26,096.42, approximately 20% above the original tender costs. This cost had been funded using the original NWDA funding contingency sum of £15,199, together with £10,897.42 from the existing allocation of Widnes Waterfront Capital funding.

RESOLVED: That the report be accepted.

15 HISTORIC ENVIRONMENT SERVICE LEVEL AGREEMENT

The Sub-Committee received a report of the Strategic Director, Environment and Economy which sought approval of a three-year renewal of the existing Service Level Agreement (SLA) between Halton Borough Council and Cheshire West and Chester Council in respect of historic environment services.

Members were advised that on 5th March 2009, the Sub-Committee resolved that the SLA for the provision of Historic Environment Services be renewed for a one year period from 1st April 2009 to 31st March 2010, at a cost of £14,335.36. The SLA was extended for one year only as at the time Cheshire Council was undergoing reorganisation.

The report recommended that the SLA be renewed for a further period of three years (2010-13). The cost for year 1 of the SLA would be £14,693.74. The subsequent years would be subject to an adjustment for annual inflation. This would be reviewed at the end of each year.

The SLA represented good value for money in terms of ensuring continual and permanent access to specialist advice on Historic Environment. A private sector alternative would be significantly more expensive, and the appointment of a full time member of staff with the relevant qualifications and experience would also lead to a much greater cost for the Council. Additionally, the SLA incorporates the development and maintenance of Halton's Historic Environment record which was a requirement of Planning Policy Statement (PPS) 5: Planning for the Historic Environment.

The Sub-Committee were advised that as the cost of the SLA exceeded £10,000, the Council's procedures for Standing Orders would have to be complied with. In this case, the Council's Solicitor had agreed that the three written quotations for the order were not required.

RESOLVED: That

1) the Service Level Agreement between Halton Borough Council and Cheshire West and Chester Council for the provision of Historic Environment Services be renewed for a period of three years from 1st April 2010 to 31st March 2013; and

2) Procurement Standing Order 4.1 be waived to allow Cheshire West and Chester Council to supply the

services within the Historic Environment Service Level Agreement without the need for a competitive tender.

16. STREET LIGHTING AND ILLUMINATED/UNLIT TRAFFIC SIGNS TERM MAINTENANCE CONTRACT

The Sub-Committee considered a report of the Strategic Director Environment and Economy on the recent advertisement of the Street Lighting and Illuminated/Unlit Traffic Signs Term Maintenance Contract. The existing contract was due to expire on 31st October 2010. The contract was for five years with an option to extend the contract by up to 5 years with the agreement of both parties. The Authority would support an extension, however, the current contractor was unable to agree to an extension for commercial reasons.

The Sub-Committee noted that the contract had been advertised following the rules defined in the EU Procurement Regulations. Tenders would be invited in early July and evaluated following their return in early August. It was planned to notify the successful tenderer in early September 2010 with the new contract due to commence on Monday 1st November 2010.

RESOLVED: That the report be noted and the Strategic Director for Environment and Economy, in consultation with the Executive Member for Transportation, be authorised to accept the tender for the Maintenance of Street Lighting and Illuminated/Unlit Traffic Signs Term Maintenance Contract.

EXECUTIVE BOARD SUB COMMITTEE – 22 JULY 2010

22. WINTER MAINTENANCE - WEATHER FORECASTING AND SUPPLY OF ROAD SALT

The Sub-Committee was advised that until 31st March 2010 weather data collection/ weather station maintenance was procured under joint collaborative arrangements with Cheshire utilising Vaisala and the Met Office. Vaisala Limited was one of two specialist companies who supplied and maintained the type of sensor system to collect real time data relating to the weather conditions within Halton.

Members noted that changing to an alternative supplier (at a cost of between £30,000 to £40,000) was not

an economic option at present as it would require the total replacement of the hardware embedded in the road surface, together with the replacement of the roadside instrumentation. The costs associated with the Vaisala weather forecasting and data collection were £24,954.32 for 2010/11. This was a saving on last year of £5,000.

It was proposed that the Council continue with the joint collaborative arrangements for weather forecasting and data collection with the Cheshire Councils and Warrington Borough Council until 31st March 2011. During this period a comprehensive review of weather data capture process would be carried out to ensure the most effective and accurate system was being utilised.

In addition, Members were advised that the Council had procured salt from Peacock Salt Limited until the contract ended on the 31st March 2010. During the snow and icy conditions which affected much of mainland Europe, extraordinary demands were placed on salt production and consequently, the reliability of supplies from Peacocks.

At present, Cheshire East and Cheshire and Chester currently had a contract for salt procurement with Salt Union until the 31st March 2013, which included rates for Halton and Warrington Borough Councils. The cost of procuring salt by via the Cheshire Contract for 2010/11 would be £37.36 per tonne. Last year's rate via Peacock's was £37.50 per tonne.

It was therefore proposed that the Council continue with the joint collaborative arrangements for salt procurement with the Cheshire Councils and Warrington Borough Council until 31st March 2013. As a consequence for this coming winter it was intended that Halton's salt would be sourced from Salt Union rather than Peacock's.

It was noted that extension of these arrangements with the Cheshire Councils and Warrington was in keeping with the joint collaborative arrangements for Winter Maintenance highlighted during the Winter Resilience Reviews of 2008/09 and 2009/10.

RESOLVED: That the Sub-Committee

(1) approves a 1 year extension to the current joint collaborative arrangements for weather forecasting and data collection until March 31st 2011; and

(2) the circumstances associated with the current joint collaborative arrangements for salt supply are noted.

23. EXTENSION OF TERM CONTRACT FOR HIGHWAY IMPROVEMENT SCHEMES

The Sub-Committee considered a report of the Strategic Director, Environment and Economy which advised that a Highway Improvement Term Contract with Lambros (Paving Contractors) Limited was formed on 9th July 2007 for an initial period of three years with an option to extend the term, by mutual agreement, for further periods of 12 months, up to a maximum of five years. Members noted that the annual value of works undertaken through the contract had increased since it was originally formed and therefore, Members were requested to consider the extension of the Contract. Lambros had confirmed in writing their desire to extend the Contract.

The Contract included a range of performance measures designed to ensure that works were undertaken to the specified standard and quality and delivered in accordance with the agreed scheme programmes. Throughout the programme of the Contract, Lambros' performance in this respect had been excellent, achieving a high standard of work throughout the Borough and there had not been any cause to issue performance penalties.

If the option to extend the current contract, in accordance with the original procurement strategy were not taken up, then the Council would have to find an alternative way of delivering the range of highway improvement schemes and minor works that had been identified in the Local Transport Plan Implementation Programme for 2010/11. A number of alternatives had been considered:

- Invite "Spot" Tenders for individual schemes and minor works;
- Procure the work through the current Highway Maintenance Term Contract; and
- Procure a new Term Contract to deliver the programme.

The Contract was designed essentially to deliver the quality transport corridor of the integrated transport programme as outlined in the Council's local Transport Plan

2006/7 to 2010/11, valued at around £450,000 per year. However, as the LTP capital allocation increased due to the 25% performance addition, and the contract was utilised to deliver a wider range of highway construction works, the value of instructions through the contract had grown to approximately £800,000 per annum, and a current total spend of £2.4m.

It was proposed that as this was the final year of the three year capital transport settlement and the final year of the LTP2, and funding for highway improvements and capital works was uncertain beyond March 2011, a 12 month extension to the term contract should be granted, as outlined in the original tender documents. Dependent upon future funding availability and continuing good performance by the Contractor, the Contract would be extended for a further 12 month period if necessary, and this would be reported to the Board at the appropriate time.

RESOLVED: That the Highway Improvement Term Contract with Lambros (Paving Contractors) Limited of Longmeadow Road, Knowsley, Prescot be extended for a period of 12 months to July 2011 to enable the delivery of approximately £800,000 worth of highway improvements.