

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 20 July 2006 at Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: (none)

Absence declared on Council business: (none)

Officers present: G. Ferguson, P Baragwanath, P. Baron, E. Dawson, J Hughes, S Nicholson, C Patino, J. Tradewell, A. West, D. Perchard and P. Brown

Also in attendance: (none)

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

CORPORATE SERVICES PORTFOLIO

Action

ES16 ACCEPTANCE OF TENDER FOR NEW BUILDING SUPPLY AND CIVIL ENGINEERING WORKS AT SAINTS PETER AND PAUL AND WADE DEACON SCHOOLS, WIDNES

The Sub-Committee received a report on six tenders received relating to the proposed building and civil engineering works to construct a six lane athletics track complete with changing rooms, including carrying out an attenuated drainage scheme at Saints Peter and Paul and Wade Deacon Schools, Widnes. Mayfield Construction Limited submitted the lowest tender in the sum of £1,449,600.00. This tender exceeded the client's allocated budget and cost savings totalling £58,304.61 had been negotiated with the contractor reducing the building costs to a revised tender of £1,391,295.39 which was now within the client's budget.

The project programme and details of all health and safety issues had been agreed with the clients and the completion of the project was planned for December 2006.

RESOLVED: That Members note the acceptance of a

revised tender for the works in the sum of £1,391,295.39.

ES17 2005/06 FINANCIAL OUTTURN

The Board considered a report summarising the final revenue and capital spending position for each Department for 2005/06.

In overall terms, the revenue underspending of £249,000 had confirmed previous projections highlighted in the quarterly performance management reports. As a result, the Council's general balances were now £6,561,000. Within the overall underspend, there had been a few significant variances which were outlined in the report.

Capital spending was £4.5m below the revised Capital Programme of £30.2m, however, the only areas of significant slippage were on four major schemes which were discussed in detail.

It was reported that the Housing Revenue Account had a surplus for the year of £588,000, which was higher than anticipated largely due to tight monitoring of spend in the run up to the Housing Stock Transfer on 5th December 2005. The surplus must remain within the Housing Revenue Account for a further twelve months in order to meet any residual issues following the stock transfer, but would then revert back to the General Fund.

In respect of School balances, these had reduced to £7.7m. This was made up from balances on individual School Budgets (£4.3m), Standards Fund (£2.8m) and Devolved Capital (£0.6m). It represented an overall reduction in School balances of £2.6m from the previous year. In addition, there was £1.4m of underspent Standards Fund Grant held by Education centrally, which along with the unspent School Standards Fund grant must all be spent by 31st August 2006.

RESOLVED: That the report be noted.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES18 APPROVAL OF PUBLICATION OF PROVISION OF OPEN SPACE SUPPLEMENTARY PLANNING DOCUMENT FOR PUBLIC CONSULTATION

The Sub Committee considered a report which sought approval for the publication of a draft Supplementary Planning Document (SPD): Provision of Open Space, for the purposes of statutory public consultation. The purpose of the provision of open space SPD was to complement the Halton Unitary Development Plan (UDP), that recognised the importance of open space within the Borough. Added to this it would provide a stimulus for the enhancement in quality, quantity and accessibility of all types of open space within Halton.

The consultation had taken place regarding the SPD and was outlined in the report for consideration. In addition, a scoping exercise had been undertaken to determine whether or not a Strategic Environment Assessment (SEA) was required to assess the environmental effects of the SPD. The conclusion was that an SEA was not required in relation to this SPD.

In addition, a Sustainability Appraisal (SA) was in the process of being produced and would be consulted upon at the same time as the draft Provision of Open Space SPD. Once the formal public consultation exercise had been conducted, the responses would be recorded and taken into account. It was intended that a further report would be submitted to the Executive Board, seeking formal adoption of the Provision of Open Space SPD.

RESOLVED: That

- (1) the draft Supplementary Planning Document (SPD): Provision of Open Space be approved for the purposes of statutory public consultation;
- (2) the comments received at the partnership consultation stage, as set out in the statement of consultation and responses to them are 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, if 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

Strategic Director
Environment

resolution to adopt as a Supplementary Planning Document.

COMMUNITY PORTFOLIO

ES19 DRAFT ENFORCEMENT POLICY - CONSUMER PROTECTION SERVICE

The Sub-Committee considered a report which sought approval for the adoption of the Consumer Protection Service Environment Policy following business consultation and consideration by the Safer Halton Policy and Performance Board. The Policy was based around the general principles of good enforcement, the Enforcement Concordat and the Code for Crown Prosecutors, and had been updated following relevant case law.

Apart from being best practice for any enforcement body to have a documented enforcement policy, the adoption, publication and adherence to such a policy counted towards 10% of the Council's sole Trading Standards Best Value Performance Indicator (BVPI) score.

RESOLVED: That the Council adopts the revised Consumer Protection Enforcement Policy.

Strategic Director
Health and
Community

ES20 LICENSING OF HOUSES - MULTIPLE OCCUPATION

In April the Housing Act 2004 introduced a requirement for the Council to license certain larger Houses in Multiple Occupation (HMO's). This requirement had made it mandatory for HMOs of 3 storeys or more and with five or more occupants who comprised two or more households to be licensed. It was reported that in Halton the number of HMOs was low and it was anticipated that there may be as few as ten properties that would be required to be licensed at the present time.

It was noted that the legislation was not totally prescriptive to allow authorities to tailor licensing provisions to local circumstances. The Government had been keen to see collaborative working to develop local and regional approaches. Therefore the Council had been working jointly with other authorities in the region and in particular in Cheshire.

Local authorities were allowed to charge a fee for the costs reasonably incurred in administering the licensing

process. Although standard fees could not be set across Cheshire a standard approach for determining fees had been agreed. The proposed scale of fees for Halton was listed below and covered a five-year licence, this being the maximum duration allowed for a licence.

Up to 6 rooms	£285
7 – 8 rooms	£295
9 – 10 rooms	£300
11 rooms plus	£310

(Room means a bedroom or living room.)

RESOLVED: That the proposed fees for licensing eligible properties be approved.

Strategic Director
Health and
Community

ES21 HOMELESSNESS PREVENTION FUND

This item was deferred.

HEALTH AND SOCIAL CARE PORTFOLIO

ES22 INTERMEDIATE CARE CRISIS BEDS

The Sub-Committee considered a report which sought authority to continue with the contract for two Intermediate Care Crisis beds with Southern Cross/Highfield Health Care (Beechcroft Care Home), for a period ending in December 2006, to suspend contract standing orders 2.2 – 2.6, 2.8 – 2.13 and approve delegated powers to enter into a contract without going out to competitive tender.

The Beechcroft crisis beds were opened on the 12th August 2005, these beds were an essential part of the service and enabled the Authority to manage more complex risk issues, negating the need to admit unnecessarily to more intensive services. During the past six months, an intensive level of training and support had been provided to the staff supporting this bed provision and a network of relationships with the Intermediate Care Team had been forged. The outcome for service users had been positive and supported the overall aims of Intermediate Care.

It was noted that compliance with Standing Orders was not practicable for reasons of commercial detriment to the Council in line with the level of training and support that had been provided with this setting.

The request for the waiving of Standing Orders was made retrospectively, 12th February 2006, due to the need to continue to keep these beds operational. The waiver request would allow sufficient time to tender for the provision of this service and ensure that the Council could provide any additional training required to a new provider, and complete the review of the overall service provision, within the framework of Standing Orders.

If the waiving of Standing Orders was not agreed, this would result in a real decrease in service provision, particularly in Runcorn. This could result in an increase in admissions both to long-term care and hospital, due to the lack of services in the community. This would also result in inequity in provision across the Borough, as Widnes residents could access Oak Meadow intermediate care beds. Local services were important to supporting people in returning home.

RESOLVED: That

- (1) for the compliances of Standing Order 1.6c, standing orders be waived as compliance was not practicable for the reason of the level of training and support that had been provided within this environment, and the need to continue to operate the service; two Intermediate Care crisis beds in Runcorn; and
- (2) Contract Standing Orders 2.2 – 2.6, 2.8 – 2.13 be waived on this occasion and the contract for Intermediate Care Crisis Beds Services for the period 31st March until December 2006 be awarded to the Southern Cross/Highfield Health Care (Beechcroft Care Home).

Strategic Director
Health and
Community

ES23 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In view of the nature of the business to be transacted, it was –

RESOLVED: That under Section 100(A) (4) of the Local Government Act 1972, having been satisfied that in all of the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information the press and the public be excluded from the meeting for the following items of business on the grounds that they involve the likely

disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

ENVIRONMENT, LEISURE AND SPORT PORTFOLIO

ES24 THREE YEAR MARKETING AND PUBLIC RELATIONS STRATEGY AND ANNUAL BUSINESS PLAN - HALTON STADIUM

The Sub-Committee considered a copy of the three-year marketing and public relation strategy and Annual Business Plan for the Halton Stadium. A consumer evaluation exercise was undertaken in 2005 by the consultants Mott MacDonald, their findings and recommendations form the basis for the three-year marketing and public relation strategy. These recommendations had fed into the Annual Business Plan.

Arising from the discussion it was requested that other similar business plans be brought to future board meetings for consideration.

RESOLVED: That the three-year marketing and public relation strategy and Annual Business Plan for the Halton Stadium be adopted.

Strategic Director
Environment

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES25 MERSEY GATEWAY

The Sub-Committee was advised that the Secretary of State's decision to grant programme entry approval for the Mersey Gateway represented a step change in scheme preparation that had prompted a review of the procurement and commercial arrangements in place with each consultant and project adviser. The review had checked that the existing contractual arrangements remained value for money and were appropriate for the next phase of scheme development. The actions required to ensure that the right resources were in place to deliver the project were also reported for agreement.

RESOLVED: That

- (1) the procurement arrangements for each consultant and project adviser be agreed; and
- (2) the public relations brief be submitted to the New Mersey Gateway Executive Board for approval.

Strategic Director
Environment

MINUTES ISSUED: 11th AUGUST 2006
CALL IN: 17TH AUGUST 2006

**Any matter decided by the Executive Board Sub-Committee may
be called in no later than 17th August 2006.**

Meeting ended at 11.45 a.m.