

## EXECUTIVE BOARD SUB COMMITTEE

*At a meeting of the Executive Board Sub Committee on Thursday, 18 October 2007 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, G. Ferguson, A. Cross, B. Dodd, A. Gore, G. Hazlehurst, J. Hughes and A Scarisbrick

Also in attendance: None

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

		<i>Action</i>
ES32	<b>MINUTES</b>  The Minutes of the meeting held on 6 <sup>th</sup> September and 20 <sup>th</sup> September 2007 were taken as read and signed as a correct record.  <b>CORPORATE SERVICES PORTFOLIO</b>	
ES33	<b>SPIKE ISLAND - CANAL LOCK GATES</b>  The Sub-Committee considered a report which sought a waiver of Standing Orders to allow for single tender action in respect of the replacement of one pair of lock gates at Spike Island.  It was reported that in addition to the problem with the gates, there was an on-going problem of silt build up, both within the lock and on the river side of the outer gates, this had now reach the stage where if the silt on the river side was left it may soon begin to restrict craft from entering and exiting the lock.  KD Marine a Runcorn based firm who specialised in barge and ship operations, inclusive of canal and lock maintenance work had carried out all maintenance works	

associated with the canal over the past few years.

It was proposed that the Council contract KD Marine to install the gates as they provide a very good service, and as such they would be maintaining the gates in the future. KD Marine had provided a quotation for the remedial works of £58,250, this being inclusive of the replacement of the outer gates together with the silt removal where required. This included the supply of the gates and paddles themselves which was a sub-contract element of £32,550. The sub-contractor in this case was Calderdale Borough Council. The second element of the work amounting to £25,700 consisted of the de-silting of both the lock chamber itself and the area to the river side of the lock. Set up and security costs are also included in the above figure. An allocation covering the total amount had been made in the 06/07 Repairs and Maintenance Programme.

A waiver of Standing Orders was sought as requesting tenders may lead to the appointment of a contractor other than KD Marine, it would be likely that they would not be local to the area, and as such it was unlikely that the Council would get the same level of after-service as we would with KD Marine as they are locally based.

RESOLVED: That the Operational Director Property Services be authorised to award the contract for the replacement of the outer lock gates at Spike Island to KD Marine in the sum of £58,250, and in light of the exceptional circumstances namely that the work is of such a specialist nature and in accordance with procurement SO 1.6 standing orders 3.1-3.7 and 3.10 be waived on this occasion in view of the fact that compliance with standing orders is not practical because the requirements can only be reasonably delivered by KD Marine, due to the specialist nature of the work, which includes the provision of new gates, together with the associated de-silting operations.

Strategic Director  
Corporate and  
Policy

#### ES34 INVEST TO SAVE FUND

The Sub-Committee was advised that the Invest to Save Fund was established earlier this year and totalled £1m. The purpose of the fund was to provide “up front” monies from which sustainable savings were generated to help balance the Council’s budget. The Invest to Save criteria was outlined in the report and the following two proposals had met the criteria:

	Cost £000's	Annual Savings £000's
Halton Stadium - Energy Savings Measures	49	18
Various Buildings -Install Powerpefectors	137	40

These two proposals would utilise £186,000 from the fund and generate annual savings £58,000.

RESOLVED: That the proposals be approved.

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Policy

ES35 TREASURY MANAGEMENT 2007/08 2ND QUARTER:  
JULY-SEPTEMBER

The Sub-Committee considered a report which reviewed activity in Treasury Management for the Second Quarter 2007/08.

It was noted that all policy guidelines including the Prudential Indicators had been complied with. With regard to the approved counterparty list, the Sub-Committee noted that Northern Rock was on the Council's list of approved counterparties.

Although the Bank had forecast a downturn in profits this year from £650m to £500m due the increased cost of borrowing and had seen its long-term credit rating downgraded from A+ to A-, in all other respects it remained a sound mortgage based financial institution.

RESOLVED: That the report be noted.

**PLANNING, TRANSPORTATION, REGENERATION AND  
RENEWAL PORTFOLIO**

ES36 SPECIAL EDUCATION AND HEALTH & COMMUNITY  
TENDERED TRANSPORT CONTRACTS

Deferred.

ES37 JOINT OR PARTNERSHIP ARRANGEMENT FOR THE  
COMMISSIONING OF A CROSS-BOUNDARY  
EMPLOYMENT LAND AND PREMISES STUDY WITH  
DEFERRAL TO SEFTON MBC'S STANDING ORDERS

## FOR THE CONDUCT OF THIS COMMISSION

In order to provide a full and robust evidence-based support for the development of the Council's Local Development Framework (LDF), including the core strategy, it was necessary to undertake an Employment Land and Property Review.

In line with Government Best Practice Guidance and in response to the policy approach being taken in the emerging Regional Spatial Strategy, it was most prudent for this review to be undertaken at a Sub-Regional level. Unfortunately, due to timing and other issues it had not been possible to co-ordinate a single study for the full Merseyside Area, however Sefton MBC, Knowsley MBC and West Lancs District Council had invited Halton to participate in a jointly commissioned study. This approach should provide benefits to Halton both in terms of the overall cost of the study and the quality of the resultant output.

The estimated cost for the overall study (covering the four authorities) was up to £140,000 with the cost to Halton expected to be in the region of £30,000 up to £40,000. The cost had been budgeted for and would be met from existing resources.

In order to aid the efficient management of the study, it was intended that one authority would act as the lead or commissioning authority for the issue and receipt of tenders and the handling of payment of fees to the contracted consultant. The lead authority would invoice the other partner authorities for payment of agreed costs at the appropriate intervals. Sefton MBC had agreed to take on the role of lead commissioning authority for this study. As a result, the contract would be entered into solely by Sefton MBC on behalf of itself and its partner authorities.

The partner authorities (including Halton) would be fully represented on this Study Steering Group that would draft the study brief, select the winning consultants and manage the study through to completion.

RESOLVED: That

(1) the Planning and Policy Division be authorised to enter into a partnership arrangement with Sefton MBC, Knowsley MBC and West Lancs District Council to jointly commission a cross-boundary Employment Land and Property Review; and

Strategic Director  
Environment

(2) approval be given for Sefton MBC to act as the commissioning authority and under the provisions of Section 1.15c of Procurement Standing Orders, that the Standing Orders of the Authority (Sefton) shall apply to contracts entered into for the delivery of this Study.

## **ENVIRONMENT, LEISURE AND SPORT PORTFOLIO**

### **ES38 PRELIMINARY ESTIMATES FOR THE REPLACEMENT OF THE COUNCIL'S FLEET OF VEHICLES AND PLANT**

At present, the Council operated 109 vehicles and 88 items of plant and machinery acquired through tendered contracts on a contract hire basis. 48 of these fleet items with a combined capital value of £1.5m were now approaching their respective contract expiry dates. Whilst there was an existing supply contract in place until December 2007, which could be used for the replacement of these fleet items, an alternative procurement approach had been explored which had highlighted alternative, more cost effect acquisition methods than under the current arrangements.

During September, Sector Treasury Management were commissioned to carry out an options appraisal on different financial methods of fleet acquisition and to compare these against the cost of the contract hire. The alternative methods suggested were: Operating Lease, Finance Lease and Borrowing.

The Sub-Committee were advised on the appraisal exercise which demonstrated that a 'one size fits all' approach would not be in the Council's interest, but the flexibility of using all of the different methods depending on a number of factors including interest rates, residual values, vehicle capital costs, repayment terms and the number and type of vehicles required, would provide the least expensive way forward.

The purchasing of these fleet items was governed by European Procurement Rules. It was therefore proposed that further efficiencies on procurement process could be made if the Operational Director – Highways, Transportation and Logistics was authorised to agree terms with an established Central Purchasing Body (CPB) under the Public Contracts Regulations 2006.

Provided the Council purchases from a CPB arrangements that have themselves complied with, the 2006 Regulations then there was no requirements for Halton to go

through the advertising process again

It was noted that a number of local authorities and central government department had set up Procurement Organisations that had establishment fleet procurement frameworks that fully complied with the Public Contracts Regulations 2006.

RESOLVED: That

(1) the Operational Director for Highways, Transportation and Logistics in consultation with the Operational Director, Financial Services, Executive Board Member for Environment, Leisure and Sport and the Executive Board Member for Corporate Services be authorised to procure vehicles and plant through the most advantageous financial funding method;

(2) Council be recommended to include vehicle and fleet replacement in the capital programme at a cost of £1.192m in 2007/08; and

(3) procurement is undertaken through a central Purchasing Body complying with the requirements of the Public Contracts Regulations 2006.

Strategic Director  
Environment

ES39 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

(1) whether Members of the press and public should be excluded from the meeting of the Committee during consideration of the following items 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 items 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.

### **CORPORATE SERVICES PORTFOLIO**

ES40 ACQUISITION OF LAND AT THE FORMER BLUE CIRCLE SIDINGS, WIDNES WATERFRONT, WIDNES

The Sub-Committee considered a report which sought authority to acquire the site of the former Blue Circle Sidings, Widnes Waterfront, Widnes. The sidings were at present in the ownership of Network Rail and had been redundant for many years and were identified in the approved Widnes Waterfront Masterplan.

RESOLVED: That

- (1) approval be granted to the terms of the acquisition of the specified land at the Widnes Waterfront; and
- (2) the Council's Legal Department be instructed to complete the legal formalities.

Strategic Director  
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Policy

**MINUTES ISSUED: 22<sup>nd</sup> October 2007**

**CALL IN: 26<sup>th</sup> October 2007**

**Any matter decided by the Executive Board Sub Committee may be called in no later than 26<sup>th</sup> October 2007**

*Meeting ended at 10.35 am*