

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 17 June 2010 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, H. Moir and Y. Sung

Also in attendance: None

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

		<i>Action</i>
ES5	MINUTES The Minutes of the meeting held on 27 May 2010 were taken as read and signed as a correct record.	
ES6	DECLARATION OF INTEREST PHYSICAL ENVIRONMENT PORTFOLIO	
ES7	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.

ES8 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.

NB: Councillors Nelson declared a personal interest in

the following item of business as council representative on Halton Housing Trust and that he knew a possible member of the User Led Organisation.

HEALTH AND ADULTS PORTFOLIO

ES9 PERSONALISATION AGENDA AND USER LED ORGANISATIONS – WAIVER OF PROCUREMENT TENDERING STANDING ORDERS

The Sub-Committee was advised that Improving the Life Chances of Disabled People (PSU 2005) included the recommendation that “By 2010, each local authority (defined as that area covered by a Council with social services responsibilities) should have a user-led organisation modelled on existing Centres for Independent Living (CILs).” User-led organisations (ULOs) were described as organisations, run and controlled by disabled people. The Department of Health had suggested authorities adopt one of three models of ULO, details of which were outlined in the report.

In order to progress local work on the development of a ULO an experienced independent consultancy was engaged to help to draw up an approach for the development of a ULO in Halton. The learning from these different strands of the strategy development project had been used to form an options appraisal exercise which had led to the recommendation that a Hub and Spoke model based on the Department of Health design criteria be adopted. This was consistent with the preferences expressed by all of the local organisations for disabled people that were interviewed.

It was noted that the proposed provider, Get Heard Consultancy had been working closely with Halton Disability Partnership and other local third sector groups in order to progress Halton Disability Partnership, seeking to develop as a user-led organisation with its own funding and a formal charity structure.

Given that Get Heard Consultancy had previously been commissioned and had been working with key stakeholders it seemed a poor use of resources for the Council to instigate a further formal tendering process which would require additional resources to progress it. They had identified costs of £34,650. Based on officers’ knowledge of the market, they were satisfied that the price of £34,650 was a fair price.

The Sub-Committee was therefore requested to waive Procurement Standing Orders 3.1 to 3.7 which placed a requirement on the Council to tender for contracts set up with external providers of services.

RESOLVED: That Procurement Standing Orders 3.1 to 3.7 be waived in accordance with Standing Order 1.6 and the Operational Director Health and Partnerships be authorised to award the contract for the User-Led Organisation Development Programme to Get Heard Consultancy, for the sum of £34,650 in light of the exceptional circumstances outlined in the report.

MINUTES ISSUED: 29 June 2010

CALL IN: 7th July 2010

Any matter decided by the Executive Board Sub Committee may be called in no later than 7th July 2010

Meeting ended at 10.35 a.m.