

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 24 May 2012 in The Boardroom, Municipal Building*

Present: Councillors Polhill (Chairman), D. Cargill, Harris, R. Hignett, Jones, Nelson, Philbin, J. Stockton, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, G. Cook, D. Johnson, I. Leivesley, G. Meehan, D. Parr and B. Dodd

Also in attendance: None

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

EXB4 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that one matter had arisen which required immediate attention by the Board (Minute EXB21 refers). Therefore, pursuant to Section 100 B (4) and 100 E, and due to the need to progress talks with another party, the Chairman ruled that the item be considered as a matter of urgency.

EXB5 MINUTES

The Minutes of the meeting held on 15 May 2012 were taken as read and signed as a correct record.

### LEADER'S PORTFOLIO

EXB6 LIVERPOOL CITY REGION DEAL

The Board considered a report of the Chief Executive which provided an update on the development and timescale of the Liverpool City Region deal.

*Action*

The Board was advised that in December 2011, the Government published a document “Unlocking Growth in Cities”, which encouraged core cities and their surrounding economic areas to agree a bespoke set of Deals. This would identify additional powers devolved to local areas in return for additional performance. These additional powers and responsibilities were designed to remove blockages in a range of different areas and to deliver significant transformational change. In return, the City Region would commit to deliver a range of enabling actions in support of the ‘asks’.

In January 2012, Liverpool City Council agreed a specific City Council deal with Government which contained additional responsibilities and funding. In addition, Liverpool City Council agreed to adopt a Mayoral Governance system. The Board was advised that the specific ‘Mayoral’ City Deal should be seen alongside the wider City Region Deal, with all partners and local authorities playing a full part in the wider City Region deal.

The report provided Members with an update on the progress to date; particular attention was drawn to the following elements which it was considered would be part of the final set of ‘asks’:-

- International Trade Exposition
- Superport
- Transport
- Knowledge, Economy and Science
- Low Carbon Economy
- Skills
- Business Investment Hub and
- Funding

The list of proposed ‘asks’ and ‘offers’ were attached at Appendix 1, and it was noted that this was still in the process of being refined through negotiation with Government.

RESOLVED: That the Board, having reviewed the asks and offers to Government as currently drafted,

- 1) welcomes the progress on agreeing a Liverpool City Region Deal with Government;
- 2) notes the timescales to negotiate and agree a City Deal; and
- 3) gives the Chief Executive, in conjunction with

Chief Executive

the Leader, delegated powers to conclude a City Deal with Government on behalf of the Council.

EXB7 TO CONSIDER THE RECOMMENDATIONS OF THE NATIONAL AUTISTIC SOCIETY'S REVIEW OF AUTISM PROVISION IN HALTON - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on the review of progress against the National Autistic Society (NAS) Report 2008 for Halton Borough Council.

The Board was advised that, in 2008, NAS was commissioned to undertake a review of provision within the Borough for children and adults with Autistic Spectrum Conditions. The recommendations from this report and the associated action plans were monitored through internal processes. However, after three years, Halton Borough Council commissioned an independent and objective strategic review of progress.

The Board was reminded that at its meeting in November 2011, it had agreed a set of objectives for this review. The NAS was commissioned to carry out the review which started in December 2011 and took place over four visits to Halton. It was reported that overall, the review team concluded that Halton Borough Council had made good progress against the majority of the 2008 recommendations. A development plan had been prepared which addressed the 17 recommendations from the 2012 NAS review, which was attached to the report.

Reason for decision

The NAS report recommended the re-designing of Ashley School as an ASD specific 11-19 school in order to meet the continuum needs locally. The re-designation of Ashley School would ensure that local provision met the needs of pupils with ASC. This would ensure that pupils stay within their communities. The cost of out of Borough provision would also be reduced with significant saving to the Council.

Alternative Options Considered and Rejected

The only other option available was for pupils to be educated out of Borough away from their families, peers and communities at a significant cost to the Council.

### Implementation Date

Formal consultations would commence as soon as the proposal had been approved by Executive Board. A formal public consultation process and time line would be drawn up. The re-designation should be completed during the 2012/13 academic year.

RESOLVED: That

- 1) the NAS report be endorsed and the recommendations in the attached Development Plan be approved; and
- 2) approval be given for formal consultation on the re-designation of Ashley Special School as an 11-19 school for pupils with ASC.

Chief Executive

### **PHYSICAL ENVIRONMENT PORTFOLIO**

#### EXB8 3MG FUNDING AND INFRASTRUCTURE - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which provided an update on the Growing Places Fund and sought approval to accept the impending written offer from the Liverpool City Region Local Enterprise Partnership, to seek authority to utilise the Growing Places Fund and the Regional Growth Fund grant for the provision of infrastructure associated with HBC Field.

The Board was advised that the Regional Growth Fund (RGF) allocation towards the remediation works and provision of rail sidings to serve the HBC Field and wider 3MG area, was reported to the 3MG Executive Sub-Board on 12 January 2012. Since then, the final offer letter had been received which included the provision of the link road and associated costs.

In addition, the Council had successfully bid for the Growing Place Funds (GPF) and had secured £5.4m of funding for the 3MG access road. Members were advised that, although there was no formal clawback agreement imposed on the Council, it must budget for repayment at some time in the future, subject to either the HBC Field being developed or by December 2015, whichever was the sooner.

The report provided details of the most prominent risks that remained for the Council, together with the associated costs, which were in addition to the direct road

construction contract and were approximately £1.8m. The Board noted that these costs were deemed necessary, in order to bring forward the road construction and could be funded through RGF and GPF.

#### Reason for Decision

The Council to enter into a Funding Agreement with the Liverpool City Region Local Enterprise Partnership and its accountable body to utilise the Growing Places Funding allocated for 3MG, specifically the provision of infrastructure associated with HBC Field.

#### Alternative Options Considered and Rejected

Officers have reviewed the various mechanisms to bringing forward the development of HBC Field and the Growing Places Funding was the option recommended as it provided the necessary funding and was interest free until December 2015.

The Council had considered alternative ways of progressing the infrastructure associated with HBC Field, including working with a developer. However, the opportunity of the Growing Places Fund, in conjunction with the previous secured Regional Growth Fund allowed the Council to lead this aspect of the development.

#### Implementation Date

The funding agreement would be implemented as soon as practicable and before July 2012.

RESOLVED: That the Board

- 1) accepts the offer of £5.4m of Growing Places Funding (GPF) from the Liverpool City Region Local Enterprise Partnership.
- 2) authorises the use of the £5.4m GPF for the provision of infrastructure associated with HBC Field.
- 3) authorises the use of £4.5m of the Regional Growth Fund (RGF) grant for the provision of infrastructure associated with HBC Field in line with the final offer letter dated 8 March 2012.

Strategic Director  
- Children and  
Enterprise

EXB9 CONSTRUCTION OF ACCESS ROAD TO 3MG DEVELOPMENT - WAIVER OF PROCUREMENT STANDING ORDERS - KEY DECISION

The Board considered a report of the Strategic Director, Policy and Resources, on the construction of the western access road to the 3MG HBC Field development and a waiver of Procurement Standing Orders.

The report provided details of the previous approval of the preliminary design of the access road, the preliminary estimates and tender submissions, and the business case for the waiver of Procurement Standing Orders.

Reason for Decision

Continuing progress on the provision of infrastructure to support the 3MG HBC Field development would enable the draw-down of Regional Growth Fund and Growing Places Fund allocated to the 3MG Programme that had been identified for this purpose. Construction of the western access road removed elements of risk to programme delivery, enhanced the value of the site and its attractiveness to potential developers / customers and took advantage of the competitive tender submission for the construction of the road from Balfour Beatty Civil Engineering Ltd (BBCEL).

Alternative Options Considered and Rejected

The contract for the construction of the western access road could be re-tendered. However, this would incur additional procurement costs, including tenderer pre-qualification and selection, preparation of tender documentation, management of the tender process and tender evaluation and award. The process was estimated to add approximately £75,000 to the cost of the scheme and would take around 20 weeks from inviting expressions of interest to award of Contract. The existing tender from BBCEL was considered to offer excellent value for money and there was no guarantee that a new tender process would result in lower prices.

The original plan was for the transport infrastructure relating to the development of HBC Field to be delivered through a Development Agreement with Pro Logis UK (PUK), the Council's development partner. For the reasons stated in paragraph 3.1.4 of the report to the Executive Board, PUK were not in a position to let a contract for the road construction. Therefore if the Council accepted and wished

to continue to make progress as set out in Paragraph 9.0 of the report, it was not an option to wait for a pre-let agreement to be signed with a customer.

The scope of works tendered in July by PUK included the whole of the western access road and bridge (as designed by Atkins) from Newstead Road into the proposed HBC Fields development site. This was on the basis of a potential customers' requirements. The contract could be retendered on this same scope of works, however, the value of the scheme would be above the public procurement thresholds and would require re-tendering with the consequent additional costs and delays as set out in paragraph 10.1.

In addition to the reasons for rejection described in paragraph 10.3, the scope of the scheme for the construction of the western access road had been modified from that originally tendered by PUK, because at this stage we did not know whether the site would eventually be developed for single or multiple occupiers. This retained a degree of flexibility in the future layout of the road south of the railway lane.

#### Implementation Date

Subject to Board approval, the advance site investigations and further design work would commence in early June 2012. It was anticipated that contract award would follow confirmation of amended design approvals in July 2012.

RESOLVED: That

- 1) the Board approves the project as described in the Preliminary estimates section of the report;
- 2) the Operational Director Policy, Planning and Transportation be authorised to award the contract for the construction of the 3MG Access Road to the Contractor Balfour Beatty Civil Engineering Ltd. in the sum of £4,330,784; and that in the light of the exceptional circumstances, namely that:
  - (i) Compliance with Standing Orders would result in a clear financial detriment to the Council; and
  - (ii) Compliance with Standing Orders would result in the Council having to forego a clear financial benefit; and

Chief Executive

(iii) Compliance with Standing Orders would result in the Council having to forego a clear commercial benefit;

and in accordance with Procurement Standing Order 1.8.3, Procurement Standing Orders 2.2 – 2.12 and 2.14 be waived on this occasion.

- 3) the Operational Director Policy, Planning and Transportation be authorised to award a contract for advance site investigation works (comprising sampling and testing) to the contractor Balfour Beatty Civil Engineering Ltd. in the estimated sum of £15,000 and that in the light of the exceptional circumstances, namely that:

(i) Compliance with Standing Orders is not practicable because the Council's requirements can only be delivered by a particular supplier;

and in accordance with Procurement Standing Order 1.8.3(e), Procurement Standing Order 4.1 be waived on this occasion.

- 4) the Operational Director Policy, Planning and Transportation be authorised to award the contract for further scheme design work to Atkins (Engineering and Design Consultants) in the estimated sum of £95,000 and that in the light of the exceptional circumstances, namely that:

(i) Compliance with Standing Orders is not practicable because the Council's requirements can only be delivered by a particular supplier;

and in accordance with Procurement Standing Order 1.8.3(e), Procurement Standing Order 4.1 be waived on this occasion.

- 5) the Chief Executive, in consultation with the Leader and the following Portfolio holders; Physical Environment, Transportation and Resources, be authorised to take such action as he judges necessary to implement the construction access road to 3MG.



EXB10 AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT - APPROVAL FOR A PERIOD OF PUBLIC CONSULTATION - KEY DECISION

The Board considered a report of the Strategic Director, Policy and Resources, on the publication of the consultation draft for the Affordable Housing Supplementary Planning Document (SPD) for a six week period of public consultation.

The Board was advised that, in planning terms, 'affordable housing' referred to a particular type of housing tenure, delivered by a Registered Provider and secured in perpetuity. National planning policy supported affordable housing being sought through the planning system on private housing sites as a form of 'planning gain'.

It was noted that the Unitary Development Plan was set to introduce a policy requiring the provision of affordable housing on market housing sites delivering ten or more residential units. The Affordable Housing SPD would provide greater certainty and clarity for all parties involved in the delivery of affordable housing in Halton through the planning system. The report outlined the development of an affordable housing policy within the Core Strategy for Members' consideration.

Reason for Decision

These were as set out in Section 3 of the report, Supporting Information.

Alternative Options Considered and Rejected

No alternative options had been considered at this stage.

Implementation Date

The SPD would be effective from the date of adoption by Executive Board and would be a material consideration in the determination of planning applications from this point. It was hoped that the SPD would be adopted at the same time as the Halton Core Strategy later this year.

RESOLVED: That

- 1) the consultation draft Affordable Housing SPD, attached at Appendix A to the report, be approved for the purposes of public consultation for a six week period; and

Strategic Director  
- Policy &  
Resources

- 2) any minor drafting amendments which may be made to the consultation draft Affordable Housing SPD prior to public consultation, be delegated to the Operational Director, Policy, Planning and Transportation, in consultation with the Executive Board Member for Physical Environment.

#### EXB11 ADOPTION OF THE DESIGN OF RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

The Board considered a report of the Strategic Director, Policy and Resources, on the adoption of the Design of Residential Development Supplementary Planning Document (SPD), as part of the Local Development Framework.

The Executive Board was advised that, at its meeting in November 2011, approval had been given to undertake a period of consultation on the Design of Residential Development SPD document. The public consultation, carried out between January and March 2012, generated representations from 11 parties, which were detailed in the Statement of Consultation, attached at Appendix B. All comments had been fully considered and they had informed the final version of the SPD which was the proposed adopted version, attached at Appendix A.

In addition, the Board was advised that since the closure of consultation, the Government had published the National Planning Policy Framework, which replaced the previous Planning Policy Statements and Planning Policy Guidance. The SPD had been updated to include up to date policy references.

The Board was further advised that once adopted, the SPD would form part of Halton's Local Development Framework, and would be a material consideration for the determination of all appropriate residential development applications and as such, provide greater detail and certainty to the Council to control and guide residential development across the Borough.

#### Reason for Decision

These were as set out in Section 3 of the report, Supporting Information.

### Alternative Options Considered and Rejected

No alternative options had been considered at this stage.

### Implementation Date

The SPD would be effective from the date of adoption by Executive Board and would be used to provide guidance to supplement the existing adopted Halton Unitary Development Plan policies and those in the Council's emerging Core Strategy.

RESOLVED: That

- 1) the Design of Residential Development SPD (Appendix A) be adopted as a Local Development Document and the procedures for adoption, as set out in the Town and Country Planning (Local Planning) 2012 (England) Regulations be carried out;
- 2) the results of the two periods of public consultation, as set out in the Statement of Consultation (Appendix B) be noted; and
- 3) any further editorial and technical changes that do not materially affect the content or intended purpose of the SPD be agreed by the Operational Director: Policy, Planning and Transportation in consultation with the Portfolio Holder for the Physical Environment if necessary, before the document is published.

Strategic Director  
- Policy &  
Resources

### **LEADER'S PORTFOLIO**

#### EXB12 PROCUREMENT OF CORPORATE PRINT CONTRACT FRAMEWORK AGREEMENT - PRELIMINARY ESTIMATES REPORT

The Board considered a report of the Strategic Director, Policy and Resources, which advised on the procurement of the Corporate Print Contract framework agreement - preliminary estimates report.

The Board was advised that the existing contract for externalised print services would expire on 20 June 2012. Tenderers would be invited under a formal process to apply for contracts for specified lots under the new Corporate Print Contract Framework Agreement.

The report provided Members with an outline of the current service, changes to the context of the current Framework Agreement and details of the method of procurement. It was noted that, as Halton was a member of the Merseyside Procurement Partnership, it was intended to let the contract as an open Framework Agreement, in collaboration with Knowsley Borough Council and Merseyside Fire and Rescue Service. The contract would also be available to other members of the group, as detailed in the report.

RESOLVED: That the Executive Board noted

- 1) that in accordance with both Procurement Standing Orders 6.0 – EU Public Contract Regulations 2006 and Standing Orders 6.7 – Restricted Tender Procedure, is to be undertaken. The award criteria will be based on the Most Economically Advantageous Tender (MEAT); and
- 2) that the contract would be a Framework Agreement, for which Halton (in collaboration with Knowsley Borough Council and Merseyside Fire & Rescue Service) will be the lead authority of the restricted tender process on behalf of the Merseyside Procurement Partnership.

Strategic Director  
- Policy &  
Resources

## **HEALTH AND ADULTS PORTFOLIO**

### **EXB13 REVIEW OF FEES AND CHARGES – COMMUNITY WARDEN SERVICE AND TELECARE SERVICE**

The Board considered a report of the Strategic Director, Communities, on proposed increases in fees and charges for the Community Warden and Telecare Service.

The Board was advised that a Telecare Strategy was approved at Executive Board on 1 July 2010. The number of people in receipt had increased to 2,106 as at April 2012, and Telecare continued to develop rapidly, as the range of equipment had increased, and it was noted that this was likely to continue as a further range of equipment would come onto the market.

The proposed new charges for 2012-13 would introduce a charge per person, and not be based purely on the property. It was noted that the level of charges would remain but then associated charges per person would be

introduced based on:-

- Single occupancy
- Dual occupancy
- Multiple occupancy

Attached to the report was Appendix 1, which contained details of the proposed revised charges and the number of people currently receiving the service.

RESOLVED: That the proposed fees and charges, as outlined in the report and Appendix 1 be agreed.

Strategic Director  
- Communities

#### EXB14 CONTRIBUTION TO LOCAL ENERGY PROJECTS PLUS ADVICE LINE

The Board considered a report of the Strategic Director, Communities, advising on the award of a contract to Energy Projects Plus for the delivery of a local energy advice line.

The Board was advised that since 1995, a locally based telephone advice service – Energy Projects Plus – had been delivered to residents across Merseyside and Cheshire. From 2008-12 the service had been fully funded by central Government, through the Energy Saving Trust.

Central Government had reviewed its approach to meeting the legally binding targets for the reduction of carbon emissions and fuel poverty in the UK, and was implementing changes to funding measures. As part of this amended approach, Members noted that the locally based advice service would change to a Green Deal advice line, operated from London. The report advised that the advice line would have no knowledge of specific local schemes, their availability and operation.

It was further noted that Energy Projects Plus had discussed with local authorities in Merseyside and Cheshire, the value placed on local advice provision and had strong support for the retention of the service, should sufficient funding be secured. The report provided details of the business case for Members' information.

RESOLVED: That

- 1) In accordance with Procurement Standing Order 1.8.2. ( e), Standing Orders 4.1 and 4.2 be waived in respect of Energy Projects Plus Local Advice Line; and

Strategic Director  
- Communities

- 2) the Operational Director (Prevention and Assessment) be authorised to award a contract to Energy Projects Plus to deliver a local energy advice line.

## **ENVIRONMENTAL SUSTAINABILITY PORTFOLIO**

### **EXB15 WASTE TREATMENT SERVICES TENDER**

The Board considered a report of the Strategic Director, Communities seeking approval to carry out a tender exercise to test the current market on the appointment of a contractor to provide waste treatment services.

The Board was advised that the Council currently had contractual arrangements in place for the re-use, recycling, composting or disposal of municipal waste produced in Halton. These contracts had been either directly procured by the Council or secured in partnership with the Merseyside Recycling and Waste Authority (MRWA).

The Council, in partnership with MRWA, were involved in the procurement of a Resource Recovery Contract (RRC) for the diversion of residual waste from landfill from 2015. Increasing costs associated with waste disposal (as a result of the Landfill Tax), meant that a continued reliance on landfill would impose an increasing and significant financial burden on the Council's budgets over the coming years.

The report outlined details of costs associated with the Landfill Tax over the next three years. The Board noted that it was intended to test the current market in order to establish whether there were more cost effective alternatives to the current landfill disposal arrangements.

**RESOLVED:** That

- 1) the tender procedure outlined in the report be approved; and
- 2) on completion of the tender exercise, a further report be presented to Executive Board in accordance with Part 2 of the current Procurement Standing Orders.

Strategic Director  
- Communities

## **RESOURCES PORTFOLIO**

### **EXB16 TREASURY MANAGEMENT 2011/12 4TH QUARTER: JANUARY - MARCH**

The Board received a report of the Operational Director, Finance on the Treasury Management 2011/12 4<sup>th</sup> Quarter (January to March) which updated them on activities undertaken on the money market as required by the Treasury Management Policy.

The report provided supporting information on the economic forecast, short term investment rates, longer term investment rates, temporary borrowing/investments and new borrowing. The Board noted that during the final quarter of 2011/12, the Council had temporarily breached its Operational Boundary when acquiring further borrowing for the Mersey Gateway, However, this was a short term breach and was eliminated during the first quarter of 2012/13, and there had been no other breaches of approved limits within the Annual Investment Strategy for the quarter ended 30 March 2012.

RESOLVED: That the report be noted.

## **NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO**

### **EXB17 VARIATION OF THE NON-STATUTORY FEES AND SETTING OF NEW FEES FOR SERVICES OFFERED BY HALTON REGISTRATION SERVICE FOR 2013/2014**

The Board considered a report of the Strategic Director, Communities, which sought approval to vary the non-statutory fees offered by Halton Registration Service for 2013/14.

The Board was advised that the Marriage Act 1995 and the Civil Partnership Act 2005 allowed local authorities to set fees for the attendance of a Superintendent Registrar and Registrar at a ceremony in an approved premise. The Executive Board Sub Committee had previously agreed to review the charges for non-statutory registration services outside of the usual time periods.

The Board noted that in determining the proposed fee structure for 2013/14, comparisons had been made based on information available from Cheshire East and Cheshire West and Chester Councils. This information was attached at Appendix 1 for Members' consideration.

RESOLVED: That the variations and setting of fees offered by Halton Registration Service, as set out in Appendix 1, be approved.

Strategic Director  
- Communities

## **TRANSPORTATION PORTFOLIO**

### **EXB18 PASSENGER TRANSPORT TENDER**

The Board considered a report of the Strategic Director, Policy and Resources, on Passenger Transport Tenders.

The Board was advised that the Transport Co-ordination Section were responsible for a range of passenger transport contracts and arrangements for vulnerable children and adults on behalf of both the Children and Enterprise and the Communities Directorates. Where possible, this was provided by the Council's in-house fleet provision, but supplemented by contracted services by external transport providers. These included licensed taxi operators and minibus/coach companies.

The Board noted that each Directorate was responsible for the provision of transport for any vulnerable passenger that needed, and was entitled to, assisted transport to educational requirements and to adult day care facilities and community venues. Transport Co-ordination Services were responsible for the procuring of the most cost effective and practical means of transport, depending on the needs of each passenger.

Appendix 1 attached to the report provided information on the contracts that would be published via The Chest, in compliance with the EU Public Procurement Regulations 2006, in line with Standing Orders part 6.0 and 6.7.

RESOLVED: That the Board note and support the advertising of transport tenders for services on behalf of the Children and Enterprise and Communities Directorates, required from September 2012.

Strategic Director  
- Policy &  
Resources

### **EXB19 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during



consideration of the following item 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 paragraphs 1,2,3 and 5 of Schedule 12A of the Local Government Act 1972.

EXB20 CONTRACT AWARD FOR THE PROVISION OF COMMERCIAL VEHICLE AND PLANT SPARES AND COMPONENTS

The Board considered a report of the Strategic Director, Policy and Resources, on the award of a contract for the provision of Commercial Vehicles and Plant Spares and Components.

The Board was advised that the current contract for the supply and management of commercial vehicle and plant spares and components would end on 31 May 2012. The evaluation of tenders had been undertaken using the Most Economically Advantageous Tender (MEAT) principles and the report contained details of the evaluation matrix and those companies that submitted a tender, together with the prices as submitted.

It was noted that the new 3 year contract would be awarded from 1 June 2012, and would provide a greater level of flexibility, as it did not commit the Council to any exclusive arrangements. The contract would also have the potential for up to two separate extensions, each of one year

duration, subject to satisfactory performance and pricing.

RESOLVED: That Carberry Park and Bootle Brake and Clutch Ltd be awarded the contract for the supply and management of Commercial Vehicle and Plant Spares and Components for a period of three years from June 2012 to May 2015, with potential for up to two, one year extensions to cover the period to May 2017.

Strategic Director  
- Policy &  
Resources

*(N.B Councillor Jones declared a personal and prejudicial interest in the following item of business as a Governor of Wade Deacon High School, and left the meeting during consideration of the item)*

#### EXB21 WADE DEACON ACADEMY CONVERSION

The Board considered an urgent report on the proposed conversion by Wade Deacon High School to Academy status.

The Operational Director, Children's Organisation and Provision, gave a verbal report to the Board which outlined the relevant issues associated with the conversion, as they would impact on the Council.

This included:

- Service Level Agreements
- Human Resources (Staff Dismissal, TUPE, Payroll)
- Insurance
- Finance
- Health and Safety
- Legal
- Property
- BSF-specific issues and contracts

RESOLVED: That

- 1) the Council does not support the conversion of Wade Deacon to Academy Status because:
  - a) there are serious reservations that it will compromise the strategic approach to the education of children and young people in Halton; and
  - b) there are serious financial consequences to other schools within the Borough, the Council, local employment and the viability of a number of services currently provided by the Council;

Strategic Director,  
Children and  
Enterprise

- 2) the Council note that the Secretary of State has now approved and sent an Academy Order to the Council and the Council has no alternative other than to progress the conversion; and
- 3) the Strategic Director, Children and Enterprise be authorised, in consultation with the Leader, the Portfolio holder for Children, Young People and Families, the Chief Executive, the Operational Director, Finance and the Operational Director, Legal and Democratic Services, to take all relevant steps to safeguard the interests of the Council and wider school community in negotiating the transfer arrangements.

**MINUTES ISSUED: 29 May 2012**

**CALL-IN: 7 June 2012**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 7 June 2012**

*Meeting ended at 3.30pm*