

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 30 June 2011 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman), D. Cargill, Harris, McNerney, Stockton, Swain and Wharton

Apologies for Absence: Councillors Jones, Nelson and Wright

Absence declared on Council business: None

Officers present: M. Reaney, D. Johnson, I. Leivesley, G. Meehan, D. Parr, A. Cross and A. Jones

Also in attendance: None

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

EXB14 MINUTES

The Minutes of the meeting held on 16 June 2011 were taken as read and signed as a correct record.

HEALTH AND ADULTS PORTFOLIO

EXB15 ADULTS AND COMMUNITY CAPITAL PROGRAMME

The Board received a report of the Strategic Director, Communities which informed Members of the final outturn figures for 2010/11 and the provisional capital programme for 2011/12.

The Board was advised that the 2010/11 underspend in the main related to two areas:-

- Borough Placements & Service Development – the scheme required detailed planning on an individual basis and negotiation with housing developers. Both of these activities were time consuming and had incurred delays, impacting on the expected spending; and

Action

- Extra Care – Payment was now expected in two halves, one of which was incurred in 2010/11, the second in 2011/12.

The Board was further advised that the Government had clear expectations that councils would support vulnerable people by promoting independence and wellbeing. Capital projects detailed in the report supported these objectives and promoted social inclusion through sport and leisure.

RESOLVED: That

- 1) the final 2010/11 outturn figures be noted; and
- 2) the Board recommend that the Council approve the capital project for 2011/12 as set out in Appendix 1 to the report.

Strategic Director
- Communities

COMMUNITY SAFETY PORTFOLIO

EXB16 HATE CRIME REDUCTION STRATEGY AND ACTION PLAN - KEY DECISION

The Board received a report of the Strategic Director, Communities which informed Members of the Hate Crime Reduction Strategy and Action Plan for Halton.

The Board was advised that hate crime was a serious issue, affecting the quality of life for people and communities. It can take various forms of either physical or verbal abuse and even the threat of attack. Due to the low number of reported incidents in Halton, and the knowledge that there is a smaller diverse community, work had progressed to include hate crime matters with wider safeguarding issues. This included training of front line service providers and the use of existing communication methods to raise awareness of reporting centres.

The Board noted that the strategy and action plan was for the wider Strategic Partnership to progress, as the Council was unable to do so alone. The strategy had been shared with a variety of Partners, groups and networks, as detailed in the report.

Reason(s) For Decision

To address hate crime issues within the Borough and increase the joint working across Partners that will make Halton a stronger and more resilient place to live.

Alternative Options Considered and Rejected

Current arrangements could continue however as identified in this report the Council cannot progress and develop this work without the input from the Strategic Partnership.

Implementation Date

The detailed action plan had several different implementation dates depending on which action was being undertaken. Some activity had already started with the latest completion date being December 2012, depending on Partners' involvement.

RESOLVED: That the draft Hate Crime Reduction Strategy and Action Plan as detailed in the report be endorsed.

RESOURCES PORTFOLIO

EXB17 CHANGES TO PROCUREMENT STANDING ORDERS

The Board received a report of the Strategic Director, Policy and Resources, on proposed changes to Procurement Standing Orders.

The Board was advised that, as part of the Council's Procurement Strategy, the Procurement Division had been actively seeking new ways to improve procurement practice across the Council.

Current Procurement Standing Orders state differing thresholds of spend to allow officers to procure goods, services and works. The thresholds were detailed in the report and were:

- Up to £1000: Advisable for quotations to be sought;
- £1,001 - £50,000: Must seek three quotations via the Chest (Due North) E sourcing system; and
- £50,001 - £1M: Must follow a formal tender process and in line with EU Public Procurement Contract Regulations in terms of the Official Journal of the European Union (OJEU) requirements. (Thresholds £156,442 goods and services and £3,927,260 works).

The Board was advised that it was proposed to change the thresholds from £50,000 to the OJEU threshold for goods and services of £156,442. This would mean that for contracts between £1,001 and £156,442, that the three

quotation process via the Chest would be used in future. By moving this threshold it would allow both officers in Directorates and the Procurement Team the ability to take a less bureaucratic process to seek quotations via the Chest rather than follow a formal tender.

RESOLVED: That Council be recommended to approve the changes to Procurement Standing Orders as set out in Appendix 1.

Strategic Director
- Policy &
Resources

PHYSICAL ENVIRONMENT PORTFOLIO

EXB18 HALTON CORE STRATEGY - SUBMISSION TO THE SECRETARY OF STATE - KEY DECISION

The Board received a report of the Strategic Director, Policy and Resources, on the Halton Core Strategy, which sought approval to submit the document to the Secretary of State for Communities and Local Government, to commence its formal examination.

The Board was reminded that on 31 March 2011, approval was given to make changes to the Proposed Submission Core Strategy (November 2010) for the purpose of a further six week public consultation and representation period.

A further period of public consultation took place on the Revised Proposed Submission Core Strategy between 13 May 2011 and 24 June 2011. The main matters provoking the need for a further consultation period were detailed in the report. Once the final version of the Strategy had been collated and ratified by Council, it would then be submitted to the Secretary of State for examination, and, following the statutory stages of inspection as outlined in the report, it was expected that the Core Strategy would be adopted by Spring 2012.

Reason(s) For Decision

The next stage in the production of the Halton Core Strategy was for the document to be submitted to the Secretary of State for examination. Officers were seeking Executive Board endorsement and full Council ratification to proceed to the examination stage for the Core Strategy.

Alternative Options Considered and Rejected

No alternative options had been considered at this stage. Submitting the Core Strategy for examination was the next

step in the process of the Core Strategy's production and was in accordance with the associated Regulations for the production of Development Plan Documents.

Implementation Date

It was envisaged that the Core Strategy would be submitted to the Secretary of State in late July 2011, with the examination phase commencing in Autumn 2011, to be followed by adoption of the Core Strategy in Spring 2012. After its adoption, the Core Strategy would then be used for development management purposes in the determination of planning applications and to direct development to the most appropriate locations in accordance with the adopted spatial strategy for the Borough.

RESOLVED: That Council be recommended to:

- 1) approve the Halton Core Strategy Revised Proposed Submission Document (May 2011) for Submission to the Secretary of State under Regulation 30 of the Town and Country Planning (Local Development) (England) Regulations 2008;
- 2) agree that any minor editorial amendments required to improve the legibility of the Halton Core Strategy be agreed with the Inspector by the Operational Director for Policy, Planning and Transportation in consultation with the Executive Board Member for Physical Environment;
- 3) delegate authority to the Strategic Director, Policy and Resources, to enter into discussions with parties and to suggest wording changes, as are deemed necessary by the Inspector to reach agreement on matters discussed at the examination into the soundness of the Core Strategy; and
- 4) material weight to give to the Halton Core Strategy Revised Proposed Submission Document (May 2011) as a material consideration in Council Development Control policy decisions.

Strategic Director
- Policy &
Resources

CHILDREN AND YOUNG PEOPLE PORTFOLIO

EXB19 CHILDREN AND YOUNG PEOPLE'S PLAN 2011-14 - KEY DECISION

The Board received a report of the Strategic Director,

Children and Enterprise, on the adoption of the Children and Young People's Plan (CYPP) 2011-14.

The Board was advised that the CYPP was the agreed joint strategy of the partners in the Children's Trust, detailing how they would co-operate to improve children's wellbeing. The Plan represented Halton's local vision and aspirations for children and young people in the Borough, provided strategic direction and determine how the Children's Trust Board would work together to commission services to address locally identified needs and better integrate provision.

In July 2010, the Coalition Government announced its intention to reform Children's Trusts. The proposals came into force on 31 October 2010 and the report detailed the changes. The reforms removed the requirement to produce a CYPP. However, with agreement to continue the Children's Trust arrangements, came the need for a CYPP to provide strategic direction.

The Board was further advised that, following a Children's Trust Development Day in December 2010, work began on a new CYPP, and following further consultation, the new priorities for the Children's Trust had been agreed as:-

- Improve outcomes for children and young people through embedding integrated processes to deliver early help and support;
- Improve outcomes for children and young people through effective joint commissioning; and
- Improve outcomes for our most vulnerable children and young people by targeting services effectively.

Reason(s) For Decision

An Equality Impact Assessment undertaken on the document showed that there were no negative impacts on any individuals and groups within Halton as a result of the Plan. The Children & Young People's Plan facilitates positive action for children and young people overall in Halton and for particular groups of children and young people as appropriate.

Alternative Options Considered and Rejected

This CYPP had been developed to replace the previous

Plan that expired on March 31st 2011 and took into account the agreed new priorities for the Children's Trust for the next three years. The CYPP was also aligned with the new Sustainable Community Strategy 2011-26.

Implementation Date

Not applicable.

RESOLVED: That Council be recommended to endorse and adopt the Children and Young People's Plan 2011-14.

Strategic Director
- Children and
Enterprise

EXB20 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 paragraph 3 of Schedule 12A of the Local Government Act 1972.

EXB21 TRADED SERVICES: SCHOOL IMPROVEMENT SERVICES - KEY DECISION

The Board received a report of the Strategic Director, Children and Enterprise, which provided an update on the outcome of the Competitive Dialogue process that the Directorate had, regarding the development of a Traded Schools Improvement Service Joint Venture.

The Board was advised that supporting School Improvement had always been a key focus for the Council and the Children and Enterprise Directorate had provided an in-house service to deliver those responsibilities and functions. Changes to the grant funding to local authorities ceased on 31 March 2011 and was redirected to schools in order for them to purchase their own improvement support.

The report outlined the national policy background as well as developments that had taken place in Halton. An options appraisal was carried out in December 2010 in order to identify an appropriate commercial partner. Following decisions of the Executive Boards of Halton and Warrington Borough Councils, investigations were made for the development of a joint venture, as detailed in the report.

Reason(s) For Decision

The funding for this staff group and area of service delivery was no longer available to the Council.

The rationale for preferring a Joint Venture was due to the lack of contractual control of the income, i.e. the services will be procured via the school budgets and not the local authority budgets. In looking for this partner, the two authorities should be able to mitigate some of the redundancy liability of school improvement staff whose funding ended on 31st March 2011. This was a significant saving to the Council, but also offered the employees concerned a continuity of their employment.

The establishment of a joint venture partnership would ensure that the employment of our staff was secured and redundancy costs were mitigated.

The support made available to our schools via this model would ensure continued influence by the Council, deliver high quality personnel and generate potential income to the Council.

Alternative Options Considered And Rejected

The alternative of Joint Venture had been considered as part of the option appraisal and this model demonstrated the best solution to the Council.

Implementation Date

It was planned that the selected bidder be notified on 1st July 2011 to ensure mobilisation by the 1 September 2011.

RESOLVED: That Executive Board:

- 1) agree to appoint SERCO Ltd as the preferred bidder;
- 2) delegate responsibility to make any changes to final contract structure to the Chief Executive in consultation with the (i) the Leader of the Council and (ii) the Lead Member for Children, Young People and Families;
- 3) note that this Joint Venture can be used as a procurement vehicle into the future for additional school support services; and
- 4) to give effect to the above, the Operational Director (Legal and Democratic Services) be authorised to enter into the necessary legally binding documents on behalf of the Council.

Strategic Director
- Children and
Enterprise

(N.B. Councillor Stockton declared a personal interest in the following item of business as he was a Governor of The Grange School)

EXB22 THE GRANGE ALL THROUGH SCHOOL DAY CARE- KEY DECISION

The Board received a report of the Strategic Director, Children and Enterprise which informed Members of the Review of Full Day Care Provision on the Grange All Through School Site.

The Board was advised that facilities at The Grange Day Care centre were put in place following the introduction of the Neighbourhood Nursery Initiative in 2002. The intention at the time was for the full day care element to be self sustaining. An internal audit in September 2010 had found that The Grange had been run at a deficit for two years and was on track to make a further loss in 2010/11.

The Childcare Act 2006 placed a duty on local authorities to secure the provision of sufficient childcare to meet requirements of parents in their area. A recent Halton Child Care Sufficiency Assessment identified sufficient high quality child care in Runcorn and this sufficiency judgement would be unaffected by the withdrawal of full day care at this location.

Reason(s) For Decision

To control the financial risk to the Council.

Alternative Options Considered And Rejected

Tendering- out the setting to Private/Voluntary/Independent (PVI) sector: It was highly unlikely that a PVI provider could be found to take on Day Care making losses of this size. Because the staff were paid on local authority rates, TUPE regulations would mean any provider would be faced with having to pay rates that were significantly higher than the norm for the PVI sector. A nearby Local Authority had just attempted a similar exercise with one of its day care settings and had been unable to find a provider.

Implementation Date

Autumn 2011.

RESOLVED: That Full Day Care ceases to be delivered from the Grange All Through School Site.

Strategic Director
- Children and
Enterprise

MINUTES ISSUED: 4 July 2011

CALL- IN: 11 July 2011

Any matter decided by the Executive Board may be called in no later than 5.00pm on 11 July 2011.

Meeting ended at 2.45 p.m.