

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 28 March 2013 in The Boardroom, Municipal Building*

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

Apologies for Absence: Councillor J Stockton

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, G. Cook, D. Johnson, I. Leivesley, G. Meehan, D. Parr, S Clough, W Rourke, E. Dawson and S Johnson-Griffiths

Also in attendance: Councillor Ratcliffe

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

*Action*

#### EXB178 MINUTES

The Minutes of the meeting held on 14 March 2013 were taken as read and signed as a correct record.

#### CHILDREN YOUNG PEOPLE AND FAMILIES

#### EXB179 PUPIL REFERRAL UNIT DELEGATED BUDGETS AND DRIVERS FOR CHANGE - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on the effects of the School Funding Reform on the two Pupil Referral Units (PRUs) in the Borough.

The Board was advised that Halton had two PRUs which provided education at Key Stages 3 and 4 to pupils excluded from mainstream schools. Both PRUs were located within the same building on Astmoor Industrial Estate, with one Management Committee governing both PRUs and a Headteacher for each PRU.

It was noted that as part of the School Funding Reform, the Local Authority (LA) was charged with putting

arrangements in place from April 2013 for delegated budgets for PRUs and amendments to Management Committees would allow them to have the delegated powers necessary. In addition, from 1 April 2013, responsibility for recruitment and management of staff would transfer from the LA to the PRU Management Committee. School Funding Reform had also made changes to funding of PRUs moving to what would become known as Place-Plus Funding.

It was reported that the Management Committee supported the proposal to amalgamate both PRUs to bring them under the direction of one Leadership and Management Team, the benefits of which were outlined in the report. In order to comply with the Public Sector Equality Duty, a four week consultation period would be undertaken with stakeholders. It was further noted that collaborative work with Cheshire West and Chester and Halton Councils would benefit the authority in developing a high performing PRU.

#### Reason(s) for Decision

The implications of the School Funding Reform on PRUs and the current vacancies at the Key Stage 4 Gateway provided an opportunity to achieve greater consistency and better value for money by amalgamating both PRUs.

#### Alternative Options Considered and Rejected

Maintaining two PRUs but putting in place one leadership structure across both PRUs – this option was rejected as whilst remaining as two PRUs there was limited cost efficiencies that could be achieved, e.g. each PRU would have to purchase their own Service Level Agreements.

#### Implementation Date

1<sup>st</sup> September 2013.

RESOLVED: That

- 1) approval be given, as a basis for consultation, to the amalgamation of the Key Stage 3 and Key Stage 4 PRUs, bringing existing Key Stage 4 staff and provision under the leadership of the Key Stage 3 PRU with effect from 1<sup>st</sup> September 2013; and
- 2) a report be brought to the Board after the

Strategic Director  
- Children and  
Enterprise

consultation has taken place.

## EXB180 SCHOOL ADMISSION ARRANGEMENTS 2014 - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on School Admission Arrangements for 2014.

The Board was advised that statutory consultation on proposed admission arrangements and co-ordinated admission schemes for September 2014 intake, took place in January and February 2013. There were no changes proposed to the current oversubscription criteria for admission to Local Authority maintained community and voluntary controlled primary schools or to Local Authority maintained community secondary schools. It was reported that three responses were received, which were detailed in the report and attached at Appendix 3. In addition, the report also detailed a number of points raised within the consultation response from Wade Deacon, for Members' information.

Oakfield Primary School had requested an increase in their Published Admission Number from 40 to 45. However, as pupil numbers did not indicate an increase was required, the Local Authority would continue to monitor pupil numbers.

### Reason(s) for Decision

The decision is statutorily required and any revision to the proposed arrangements may adversely affect school place planning as detailed in paragraph 7.1 of the report.

### Alternative Options Considered and Rejected

Other options considered and rejected include the allocation of places through random allocation (lottery) as this method could be seen as arbitrary and random.

### Implementation Date

The Policy applies for the September 2014 academic intake.

**RESOLVED:** That the attached School Admissions Policy, Admission Arrangements and co-ordinated schemes for admission to primary and secondary schools for the 2014/15 academic year, which remain unchanged from the

Strategic Director  
- Children and  
Enterprise

arrangements agreed by the Board for 2013/14, be approved.

#### EXB181 EARLY HELP STRATEGY

The Board considered a report of the Strategic Director, Children and Enterprise, on Halton's Children's Trust Early Help Strategy (the Strategy).

The Board was advised that Early Help had been a priority of the Children's Trust for over two years. The Early Help and Support Strategic Sub-Group (EHaS) of the Children's Trust regularly reported to Executive Board highlighting progress on Halton's model of Team Around the Family (TAF).

It was reported that in 2012, the next step was the development of an Early Help Strategy and Local Offer, with the emphasis on early intervention in order to have a positive impact on families. The Strategy would need to focus primarily on pre-birth to five year old children and their families. The draft Strategy, attached to the report, comprised the main strategy, four cross cutting themes which spanned across the Children's Trust, a joint action plan, and an appendix that highlighted Halton's Local Offer.

RESOLVED: That

- 1) the Early Help Strategy, Local Offer and Action Plan be endorsed; and
- 2) the Early Help Strategy be implemented in conjunction with the 0-5 year old Development Action Plan, a priority of the Health and Wellbeing Board.

Strategic Director  
- Children and  
Enterprise

#### EXB182 FOSTER CARER ALLOWANCES 2013-14

The Board considered a report of the Strategic Director, Children and Enterprise, on Foster Care Allowances 2013-14.

The Board was advised that as part of the Placement Strategy for Children in Care, the level of allowance paid to Halton foster carers was significantly increased in September 2010. This was aimed at increasing the number of foster carers available in the Borough and to support their retention. It was reported that it was important that allowances paid remained appropriate, competitive and

attractive in order to recruit and retain the quality of the pool of carers.

It was noted that allowances paid to carers should reflect actual costs incurred by them. Details of a proposed revised set of allowances was attached at Appendix 1, which proposed a 1.5% increase in the main allowances.

RESOLVED: That the level of increase in allowances be agreed.

Strategic Director  
- Children and  
Enterprise

#### EXB183 WAIVER OF PROCUREMENT STANDING ORDERS FOR SUBSCRIPTION TO FISCHER FAMILY TRUST

The Board considered a report of the Strategic Director, Children and Enterprise, seeking the waiver of Procurement Standing Orders for subscription to the Fischer Family Trust (FFT).

The Board was advised that FFT was part of a consortium contracted to extract all data for the Department for Education's National Pupil Database and Achievement and Attainment Tables, and had access to pupil performance and census data for the whole of England and Wales. It was reported that this allowed FFT to produce a wide range of innovative performance data which allowed schools to quickly identify and understand key strengths and weaknesses, set challenging but realistic targets and help pupils to identify and realise their potential.

It was reported that FFT reports covered all Key Stages (1-5) and all levels of pupil, and through the use of sophisticated statistical techniques were able to measure progress and estimate future performance. Subscription to FFT would provide access to Local Authority reports, email and telephone support, access to national research, data and school administration accounts.

RESOLVED: That waiver of Part 4 Procurement Standing Orders (4.1) be granted, for one year from 1 April 2013 to 31 March 2014, with one subscription to Fischer Family Trust, with an option to extend for a further two years (as detailed in paragraph 4.4 of the report).

Strategic Director  
- Children and  
Enterprise

#### EXB184 PURCHASE OF U-EXPLORE SOFTWARE LICENCES FOR RE-SALE TO SCHOOLS AND PROVIDERS

The Board considered a report of the Strategic Director, Children and Enterprise, on the purchase of the U-Explore software licences for re-sale to schools and

providers.

The Board was advised that U-Explore was a unique, innovative, online teaching and learning resource, which would support schools in the delivery of the new duty to secure access to independent and impartial careers advice for people aged 9-11 years. Details of the business case were set out in the report for Members' information.

RESOLVED: That

- 1) the Operational Director for Children, Organisation and Provision be authorised to award the contract for 10 U-Explore software licences and 1 commercial licence to the contractor U-Explore Limited for the sum of £12,600 (includes VAT) and shall be subject to three possible extensions of the contract by a period of up to one year for each extension running 2014/2015, 2015/2016 and 2016/2017. (Total spend over 4 maximum years: £50,400); and
- 2) in light of the exceptional circumstances, namely there being only one possible supplier of the service, and in accordance with Procurement SO 1.8.3 Standing Orders 4.1 and 4.2 be waived on this occasion in view of U-Explore Limited being the only supplier of the service and the collective agreement by Liverpool City Region to implement this software package jointly, which will support schools in delivering their new Careers Education, Information Advice and Guidance (CEIAG) responsibilities under the Education Act 2011.

Strategic Director  
- Children and  
Enterprise

*(N.B. The following Councillors declared a Disclosable Other Interest in the following item of business for the reasons stated:  
Councillor Polhill as Governor of Brookfields School; Councillor Harris as Governor of The Bankfield School)*

#### EXB185 CAPITAL PROGRAMME - 2013/14 - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which provided a summary of the Capital Programmes for 2013/14 for the Children and Enterprise Directorate.

The Board was advised that in March 2013, the Department for Education announced the schools capital grant allocations for 2013/14, as set out in the table in the

report. It was noted that this funding would support the following projects:

- Capital Maintenance and Capital Expenditure Revenue Account funding;
- Early Education for Two Year Olds 2013/14;
- Short Breaks Capital 2012/13.

Reason(s) For Decision

To deliver and implement the capital programme.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

1 April 2013.

RESOLVED: That

- 1) the capital funding available for 2013/14 be noted;
- 2) the position in respect of Basic Need be noted;
- 3) the proposals to be funded from Capital Maintenance and Capital Expenditure Revenue Account be approved;
- 4) the proposal for the Two Year Old capital funding be approved;
- 5) the proposal for the Short Breaks capital be approved; and
- 6) Council be recommended to approve the Capital Programme 2013/14.

Strategic Director  
- Children and  
Enterprise

EXB186 RE-DESIGNATION OF ASHLEY SCHOOL - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on the re-designation of Ashley School.

The Board was reminded that at its meeting on 24 January 2013, it had agreed that a statutory consultation be undertaken on the re-designation of Ashley School and to extend the age range from 11-16 to 11-19. It was reported that there were 241 consultation responses; five responses were received after the close of consultation; 238 responses supported the proposals; three did not. Included within this three, one from Halton Autistic Family Support Group (HAFS) stated they responded on behalf of 100 parents.

The Board was advised that a decision must be made by the decision maker (Executive Board) within two months of the end of the representation period. Appendix C outlined the issues which the decision maker needed to consider. There were four options for decision, detailed as:

- Reject the proposals;
- Approve the proposals;
- Approve the proposals with modifications; or
- Approve the proposals subject to them meeting a specific condition.

The reason for decision must be given whether it was approved or rejected and should include the factors and criteria for decision.

#### Reason(s) for Decision

A gap in provision had been identified for vulnerable pupils with a diagnosis of Autism and for those with identified Social Communication Needs who had moderate to high learning ability.

#### Alternative Options Considered and Rejected

Retaining the current designation of Ashley School and the current age range was considered and rejected as it would not meet the gap in provision.

#### Implementation Date

A decision would be required by Executive Board prior to 1 September 2013.

RESOLVED: That Proposals, having been published in pursuance of the powers set out inspections 15(1) and 19 (1) of the Education and Inspections Act 2006, and having had regard to the statutory guidance and to responses to consultation, the following related proposals be approved:

Strategic Director  
– Children and  
Enterprise



- 1) with effect from September 2013, Ashley School will be re-designated as an 11-19 school for middle and high ability pupils with Social Communication Needs and Autism;
- 2) with effect from September 2013 Ashley School will have 70 places for pre-16 pupils and 42 places for post-16 pupils; and
- 3) the offer of post-16 provision will commence in September 2014.

*(N.B. Councillor Jones declared a Disclosable Other Interest in the following item of business as he was a Governor of Fairfield Infants School)*

#### EXB187 FAIRFIELD INFANT AND FAIRFIELD JUNIOR SCHOOL - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which summarised the current governance arrangements of Fairfield Infant and Junior Schools. It also sought permission to commence a consultation process to amalgamate the schools into a Primary School.

The Board was advised that, since the end of the 2012 school year, the Headteacher of Fairfield Junior School had performed an Executive Head role over both the Infants and Junior schools. The report detailed the amalgamation process and the consultation timeline for Members' consideration.

#### Reason(s) for Decision

To allow the consultation process to commence to allow the schools to be amalgamated from 1 January 2014.

#### Alternative Options Considered and Rejected

When two schools amalgamate there were 3 possible routes:

1. close both schools and establish a new primary school;
2. close Fairfield Infant School and expand Fairfield Junior School; and
3. close Fairfield Junior School and expand Fairfield Infant School.

Option one was rejected as it would be too disruptive to the

staff at both schools. Option three was rejected as there was currently a vacancy for the Headteacher position at the school.

The preferred option would be to close Fairfield Infant School and expand Fairfield Junior School. The Headteacher of the Fairfield Junior School would then take the position of Headteacher of the Fairfield Primary school.

#### Implementation Date

The consultation would commence at the start of the summer term on 10 April 2013.

RESOLVED: That

- 1) the commencement of consultations to amalgamate Fairfield Infant and Fairfield Junior Schools be approved; and
- 2) the timescales and key dates for the consultation process be noted.

Strategic Director  
- Children and  
Enterprise

### **HEALTH AND ADULTS PORTFOLIO**

#### **EXB188 NHS SUPPORT FOR SOCIAL CARE - KEY DECISION**

The Board considered a report of the Strategic Director, Communities, which informed Members of the recent announcements on NHS support for Social Care.

The Board was advised that in December 2012, the Department of Health announced revised allocations and funding arrangements. From 2013/14 the funding transfer to Local Authorities would be carried out by the new NHS Commissioning Board, with payments to be made via an agreement under the 2006 NHS Act. It was noted that a number of conditions, detailed in the report, must be satisfied prior to the transfer of funding.

It was reported that Halton had been allocated Winter Pressure funding of £223k for 2012/13, which would be used as follows:

- Strengthen integrated discharge arrangements at Warrington and Whiston Hospitals and Intermediate Care Services;
- Increase capacity within the partnerships Reablement Services;
- Increase intermediate care bed capacity in Nursing/

- Residential homes; and
- Increase resources available via Joint Equipment Service due to increased demand.

#### Reason(s) for Decision

The transfer of funds to Local Authorities from Health, in order to invest in social care services to benefit and improve overall health, was a national requirement.

#### Alternative Options Considered and Rejected

The options for the use of the 2013/14 funding allocations, as outlined in paragraph 5.3, presented social care and the Local Authority as a whole with the most cost effective use of the resources available and offer the best outcomes for service users and carers.

#### Implementation Date

1 April 2013.

RESOLVED: That the revised funding allocation, as detailed in paragraph 5.3 of the report, be approved.

Strategic Director  
- Communities

### EXB189 ADULT SOCIAL CARE CONTRACTS

The Board considered a report of the Strategic Director, Communities, which sought approval to extend the current services provided by the voluntary sector for a period of one year from 1 April 2013.

The Board was advised that Halton had a vibrant voluntary sector that had been maintained despite reduced funding over the last two years. The contracts detailed in Appendix 1, represented a number of voluntary organisations which delivered a valuable service across health and social care. These had been reviewed and considered for continued Council funding. The Business Case for the extension of the contracts was detailed in the report for Members' consideration.

RESOLVED: That

- 1) the use of Procurement Standing Orders 1.8.3 (d), ( e) and (f) to waive Procurement Standing Order 4.1 in respect of voluntary sector contracts with a value not exceeding £173,934, as listed in

Strategic Director  
- Communities

Appendix 1, be agreed; and

- 2) an extension of existing voluntary sector contracts for a period of up to one year from 1 April 2013 to 31 March 2014, be agreed.

#### EXB190 HEALTHWATCH UPDATE

The Board considered a report of the Strategic Director, Communities, which provided an overview of Healthwatch functions and its relationship with the Health and Wellbeing Board. It also sought approval for a retrospective waiver for a contract for the Independent Complaints Advocacy Service.

The Board was advised that the Health and Social Care Act 2012 set out the establishment of a local Healthwatch organisation by 1 April 2013. Healthwatch Halton would operate as the local independent organisation, and its main aim would be to give citizens and communities a stronger voice to influence and challenge how health and social care services were provided locally. The main functions were detailed in the report together with information on the Healthwatch relationship with the Health and Wellbeing Board, progress on the transition from LINK to developing Healthwatch Halton and the Independent Complaints Advocacy Service.

RESOLVED: That the use of Procurement Standing Orders 1.8.3 (b), (d) and (f) to waive Procurement Standing Order 4.1 to enter into a contract for an Independent Complaints Advocacy Service from 1<sup>st</sup> April 2013 that has been tendered as part of a cross boundary procurement exercise led by Liverpool City Council, be approved.

Strategic Director  
- Communities

#### EXB191 EXTENSION OF DOMICILIARY CARE CONTRACT - KEY DECISION

The Board considered a report of the Strategic Director, Communities, on the extension of the Domiciliary Care Contract for a period of one year.

The Board was advised that domiciliary care was a key service supporting vulnerable people in the Borough to remain at home. Analysis of future demand to 2015 had identified a 17% increase in service use, together with a forecast increase in the proportion of people over 80 years of age in the Borough.

It was reported that a detailed and robust tender procurement exercise would be undertaken to consider all aspects of an extremely complex area of work. Details of the exercise together with the Business Case were outlined in the report for Members' consideration.

RESOLVED: That the Board

- 1) Approve the use of Procurement Standing Order 1.8.3(c) to waive Part 2 of Standing Orders which refers to contracts exceeding £1,000,000 in value, whilst preparation is being undertaken to conduct a full tender process in compliance with EU Public Procurement Legislation 2006, Part 6 of Procurement Standing Orders; and
- 2) agree to extend existing Domiciliary Care contracts in Halton for a period of up to 1 year from 1 April 2013 to 31 March 2014.

Strategic Director  
- Communities

#### EXB192 COMPLEMENTARY THERAPIES AND INJECTING EQUIPMENT PROGRAMME (DRUG AND ALCOHOL SERVICES)

The Board considered a report of the Strategic Director, Communities, on the contract for the Complementary Therapies and Injecting Equipment Programme, as part of the Substance Misuse Service.

The Board was advised that at the time that the Substance Misuse Service contract was tendered and subsequently awarded to the company CRI, the Complementary Therapy Service and the Injecting Equipment Programme were delivered by other providers. By incorporating both of these latter services into the CRI contract, would ensure a holistic service at the point of contact for people accessing the service, as well as delivering value for money for the Council and its partners.

The report contained details of the Business Case for this proposal for Members' consideration.

RESOLVED: That the Board approves the use of Procurement Standing Orders 1.8.3 (d) and (e ) to waive Procurement Standing Order 4.1 to enable the current provider CRI to manage the Complementary Therapies Service and Injecting Equipment Programme as part of the Substance Misuse Services with an increased contract value.

Strategic Director  
- Communities

## EXB193 EXTENSION OF SUPPORTING PEOPLE CONTRACTS

The Board considered a report of the Strategic Director, Communities, which sought approval of the extension of the Supporting People Contracts.

The report provided Members with an up to date position with each of the Supporting People contracts that included Domestic Abuse Services, Sheltered Accommodation Services and the Service User Involvement Project. Included was a Business Case for the extension of the contract which would enable consideration of the proposals of the remodelling of the existing refuge.

RESOLVED: That Executive Board

- 1) supports an extension of the existing Supporting People contracts for a period of up to 1 year from 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014;
- 2) agrees to using Procurement Standing Orders 1.8.3 (d) and (e) to waive Part 2 of Procurement Standing Orders which refer to contracts exceeding £1,000,000 in value, whilst a strategic review of the Sheltered Schemes and Domestic Abuse services contracts service is undertaken. Following the review a decision will be taken in respect of conducting a full tender process in compliance with EU Public Procurement legislation 2006, Part 6; and
- 3) agrees to using Procurement Standing Orders 1.8.3 (d) and (e) to waive Part 3 of Procurement Standing Orders which refers to contracts whose value is in excess of £173,934 but not exceeding £1,000,000 for the delivery of the Service User Involvement contract.

Strategic Director  
- Communities

## EXB194 COMPLEX CARE SERVICES

The Board considered a report of the Strategic Director, Communities, which provided a summary of the implementation of the Complex Care Business Case.

The Board was advised that the Complex Care Business Plan focused on the need to improve joint working between health and social care partners. It provided an opportunity for Halton to reconsider its approach to supporting people with complex needs and opportunities

which could be realised by adopting an integrated model of working.

The report outlined the progress on implementation; work covered included governance arrangements, a Joint Working Agreement, review of the current assessment pathways, commissioning and monitoring of the new system, and a data sharing protocol. It was noted that five task and finish sub groups were established to take forward the work, and these were detailed in the report.

A copy of the three year Joint Working Agreement was attached at Appendix 1. It was further noted that this agreement would be underpinned by a pooled budget arrangement.

RESOLVED: That

- 1) the report be noted; and
- 2) the three year Joint Working Agreement (1.4.13 – 31.3.16) made under Section 75 of NHS Act 2006, including pooled budget arrangements, between Halton Borough Council (HBC) and Halton Clinical Commissioning Group (HCCG) attached at Appendix 1, be agreed.

Strategic Director  
- Communities

#### EXB195 TRANSFER OF PUBLIC HEALTH

The Board considered a report of the Director of Public Health on the transfer of Public Health functions and services from 1 April 2013.

The Board was advised that, as part of the Health and Social Care Act 2012, formal responsibility for the majority of public health functions would transfer to local authorities in April 2013. Preparation for this transfer had been on-going since March 2012 with a review across NHS Merseyside. It was noted that the legacy document, attached at Appendix 1, referred to the process Halton had completed to enable transfer and would be submitted to the Department for Health.

It was reported that Halton Borough Council had developed and led a Transition Group to oversee the safe transfer of all necessary functions. The Public Health Service would be located within the Policy and Resources Directorate for operational purposes, to enable work across all Directorates and to facilitate integration with Adult's and

Children's services.

RESOLVED: That

- 1) the preparation for the transfer of all Public Health staff and services from NHS Merseyside to Halton Borough Council in April 2013 be noted ; and
- 2) the legacy document that outlines completed preparation for handover of functions and services from Halton and St Helens PCT to Halton Borough Council attached at Appendix 1, be noted.

Director of Public Health

## **TRANSPORTATION PORTFOLIO**

### **EXB196 TRANSPORT CAPITAL IMPLEMENTATION PROGRAMME 2013/14**

The Board considered a response of the Strategic Director, Policy and Resources, on the Transport Capital Implementation Programme 2013/14.

The Board was reminded that at its meeting on 17 March 2011, Halton's Local Transport Plan (LTP3) was approved. It contained the key issues for transport in Halton, identified through a public consultation exercise, and were attached at Appendix 1. These issues were addressed by LTP3 through a series of local goals which linked to both national and local priorities.

It was reported that capital funding for local transport was provided by central Government through the Integrated Transport and Highway Maintenance Block Allocations. The grant was based on needs-based formulae which took account of a wide range of road, transport and other related data, specific to the authority.

The Department for Transport (DfT) confirmed the funding settlement for 2013/14 on 21 December 2012. The report provided details of the Major Scheme Capital Funding, Additional Maintenance Funding, Transport Block Implementation Programmes and Detailed Implementation Programmes.

RESOLVED: That

- 1) the Local Transport Settlement final allocations for 2013/14 and 2014/15 be noted;
- 2) Council be recommended to approve the following

Strategic Director  
- Policy &  
Resources



sums for incorporation into the Council's Capital Programme for 2013/14:

- Transport Implementation Programme £2,685,000;
  - Transport Major Scheme Capital Funding (SJB) £2,460,000
  - Additional Local Highways Maintenance Funding £355,000; and
- 3) authority to agree the detailed programme of schemes, based, where appropriate, upon the four year Implementation Programme described in the Local Transport Plan, be delegated to the Strategic Director, Policy and Resources, in consultation with the Executive Board Member for Transportation.

## **ENVIRONMENTAL SUSTAINABILITY PORTFOLIO**

### **EXB197 KENNELING ARRANGEMENTS AND OUT OF HOURS COLLECTION OF STRAY DOGS**

The Board considered a report of the Strategic Director, Communities, on the kennelling arrangements and out of hours collection of stray dogs.

The Board was advised that the Environmental Protection Act (EPA) 1990, placed a duty on each local authority to appoint an Officer to deal with the issue of stray dogs. Under the current arrangements, Halton, Knowsley Liverpool and St Helens Councils worked jointly as a Consortium to procure arrangements for dealing with stray dogs. A full procurement process resulted in the award of a contract for the kennelling of dogs to the RSPCA in Halewood and the collection of stray dogs out of hours to Animal Wardens Ltd. Both contracts were awarded for a three year period, which would end in April 2013.

The report provided further details on the kennelling re-charges, costs and the out of hours service. It was reported that, due to a change in policy at national level, the RSPCA would no longer be willing to provide a kennelling service when the current contract had expired. It was proposed that the Consortium lease the kennel block at Halewood and through procurement, find an organisation to staff and manage the facility. Some of the advantages to this approach were outlined in the report.

RESOLVED: That the proposed changes for the kennelling arrangements and out of hours collection of stray dogs be approved.

Strategic Director  
- Communities

#### EXB198 HOME ENERGY CONSERVATION ACT (HECA) REPORT 2013

The Board considered a report of the Strategic Director, Communities, on the Home Energy Conservation (HECA) report 2013.

The Board was advised that new guidance placed a duty on local authorities to prepare and publish a HECA report by the end of March 2013, with follow up progress reports every two years to 2027. The document should set out the energy conservation measure the authority considered practicable, cost effective and likely to result in significant improvement in the energy efficiency of residential accommodation.

A copy of the draft HECA report was attached at Appendix A. Specific areas covered were detailed in the committee report and included:

- Local ambitions and priorities;
- Measures which took advantage of financial assistance and other benefits offered by Central Government initiatives;
- Area based/street by street approaches; and
- A timeframe for delivery and national and local partners.

RESOLVED: That the Home Energy Conservation Act report, attached at Appendix A, be endorsed for onward submission to the Department for Energy and Climate Change.

Strategic Director  
- Communities

#### **RESOURCES PORTFOLIO**

#### EXB199 ANNUAL REVIEW OF THE CONSTITUTION 2013

The Board received a report of the Strategic Director, Policy and Resources, which sought the approval of the Council to a number of changes to the Constitution.

Members were advised that the revised version picked up the changes to the Council's working arrangements that had taken place during the year, as well as other changes which were intended to assist the Council to operate more effectively.

The proposals for change had been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. It was reported that apart from the purely technical changes, the proposed amendments that were considered to be of particular significance were listed as an appendix to the report.

RESOLVED: That Council be recommended to approve the revised Constitution, including the amendments set out in Appendix 1 attached to the report.

Strategic Director  
- Policy &  
Resources

#### EXB200 CALENDAR OF MEETINGS 2013/14

The Board received a report of the Strategic Director, Policy and Resources, which set out the proposed Calendar of Meetings for the 2013/14 Municipal Year which was appended to the report for information.

RESOLVED: That Council be recommended to approve the Calendar of Meetings for the 2013/2014 Municipal Year as appended to the report.

#### EXB201 SALARY SACRIFICE CAR SCHEME

The Board considered a report of the Strategic Director, Policy and Resources, which sought approval to phase out the Council's existing car lease scheme.

The report provided details of the background to the arrangements of the existing car leasing scheme. It was reported that the proposed replacement salary sacrifice scheme was a contractual arrangement whereby an employee gave up the right to receive part of their cash remuneration, in return for some form of non-cash benefit, which in this case would be a car. The Council would be able to make savings on its employer's national insurance and pension contributions.

It was noted that the Council already had salary sacrifice schemes operating for child care vouchers, mobile phones, computers and bicycles. The report detailed the benefits to both the employee and the Council for Members' consideration.

RESOLVED: That the Strategic Director, Policy and Resources, in consultation with the Resources Portfolio Holder, be authorised to:

Strategic Director  
- Policy &  
Resources

- 1) design and approve a local car leasing scheme

- policy and associated guidance for employees;
- 2) undertake the necessary procurement activity to appoint a provider to deliver a salary sacrifice car lease scheme;
  - 3) arrange the phasing out of the Council's existing employee car lease scheme; and
  - 4) undertake the operational management of the scheme.

## EXB202 AGENCY WORKERS - NEW FRAMEWORK/CONTRACT

The Board considered a report of the Strategic Director, Policy and Resources, which sought approval to commence a new collaborative procurement process for the supply of Agency Workers.

The Board was advised that Merseyside Procurement Partnership (MPP) awarded a collaborative Framework Agreement in September 2009 to Matrix SCM for a four year period for the supply of agency workers. It was noted that prior to the current Matrix Framework Agreement, minimal information was available on the Council's Agency Worker spend profiles. The report provided information on the historical spend comparisons, taken from the Council's financial system, 'Agresso', which showed a continued reduction in spend and suppliers used by the Council to provide agency workers over the last five years.

It was reported that St Helen's Council would lead on the new Procurement Process for MPP, with all members participating in the options appraisal of existing Open Frameworks with Government Procurement Service (GPS) and Managed Services to Temporary Agency Resources (MSTAR), supported by a market review to identify the best solution available as an alternative consideration to conducting a new tender process.

RESOLVED: That

- 1) Halton continues to work with the collaborative group MPP to seek the most economic advantageous route to market, either through an existing Framework or to contribute to a full EU procurement exercise;
- 2) Halton participates in the collaborative contract with MPP to ensure the Council maximises purchasing power on a common category of

Strategic Director  
- Policy &  
Resources

spend (supply of Agency Workers); and

- 3) the new Agency Worker Framework/ Contract be utilised in the first instance for the supply of any Agency Staff to ensure the Council achieves value for money.

#### EXB203 PENSIONS DISCRETIONS POLICY - REVIEW

The Board considered a response of the Strategic Director, Policy and Resources, on the review of the Pensions Discretions Policy.

The Board was advised that the Local Government Pension Scheme (LGPS) provided for employer discretions on a number of regulations relating to the application of the scheme, when an employee left employment under certain circumstances. However, there were some rules within the LGPS with discretions placed upon them which allowed an employer to decide which options they wished to apply.

The Executive Board had approved the previous Discretions Policy on 1 December 2011. The key changes proposed to the current Discretions Policy were detailed in the report and a copy of the Pensions Discretions Statement attached at Appendix 1.

RESOLVED: That the Pension Discretions Policy for the Council, attached at Appendix 1, be agreed.

Strategic Director  
- Policy &  
Resources

#### EXB204 REVIEW OF COUNCIL WIDE FEES AND CHARGES

The Board considered a report of the Strategic Director, Policy and Resources, on the proposed review of Council Fees and Charges.

The Board was advised that a review of fees and charges had been carried out as part of the budget preparations for 2013/14. It was proposed that existing fees and charges be increased in line with inflation, although some would increase more to reflect charges in adjacent authorities. In addition, others had been reviewed with consideration of the impact of the price change.

The schedule in Appendix 1 included a number of statutory fees which it was noted might increase during the financial year, with the relevant fees increased accordingly. Charges for The Brindley were listed in Appendix 2 and were for the 2014/15 financial year. Details of other

increases were contained in the report.

RESOLVED: That, subject to the removal of the charges set out in Appendix 1 which relate to the Halton Athletics Academy, and which will be the subject of a separate agreement with the Wade Deacon Academy and Saints Peter and Paul School,

- 1) the proposed fees and charges for 2013/14 as set out in Appendix 1, be approved and referred to the relevant Policy and Performance Boards for information; and
- 2) charges for The Brindley, as listed in Appendix 2, be agreed for 2014/15.

## **PHYSICAL ENVIRONMENT PORTFOLIO**

### **EXB205 3MG FUNDING AND INFRASTRUCTURE - KEY DECISION**

The Board considered a report of the Strategic Director, Children and Enterprise, on the 3MG Funding and Infrastructure.

The report provided a Preliminary Estimate Report for rail and road access infrastructure to the 3MG HBC Fields development site, in accordance with Procurement Standing Orders. In addition it sought approval to go out to tender for Phase 2 of the western access road works, to appoint a Contractor and to amend the Capital Programme to allocate funding to the 3MG Programme for the construction of the western access road Phase 2.

#### Reason(s) for Decision

To maximise grant that had been made available to the scheme and also to bring forward additional infrastructure to further develop the site.

#### Alternative Options Considered and Rejected

The Council could decide not to progress the completion of the road. However, this would result in unspent grant being returned to the Government and being lost to the Borough.

#### Implementation Date

Mid-May 2013.

Strategic Director  
- Policy &  
Resources

RESOLVED: That

- 1) the appointment of Waterman's as Project Manager for the Rail Sidings following competitive tender be noted;
- 2) the Operational Director for Economy, Enterprise and Property be authorised to procure the design and build of the Rail Sidings at 3MG HBC Field at an estimated cost of £2.5 M;
- 3) tenders be invited by the Operational Director, Planning, Policy and Transportation, for a contract to complete construction of the western access road at 3MG HBC Field at an estimated cost of £1.2m in accordance with Procurement Standing Order Part 2;
- 4) development and award of the contract be conducted in accordance with Procurement Standing Orders;
- 5) Council be recommended to approve a revision in the Capital Programme for £1.2m for the completion of the western access road to 3MG HBC Field; and
- 6) the Chief Executive, in consultation with the Leader and the Portfolio holders for Physical Environment, Transportation and Resources be authorised to take such action as judged necessary to implement the 3MG HBC Field development.

Strategic Director  
- Children and  
Enterprise

#### EXB206 PEELHOUSE LANE SITE - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on the future use of the Peelhouse Lane site.

The Board was reminded that in June 2012, it had approved the development of the Peelhouse Lane site on a 'whole site' approach, so that the interrelationship between respective opportunities was promoted. The report now outlined the recommended way forward along with funding proposals and the timeline of actions required.

It was proposed that the Peelhouse Lane site could be used to provide a 50-year capacity cemetery with the remainder of the land being set aside for housing. The report

provided details of the next steps in terms of the former Fairfield High School building, playing fields, the Infants and Junior Schools and the key timeline.

#### Reason(s) for Decision

To allow the use of the Council's land to generate capital receipts needed to bring forward the cemetery and Fairfield Infants and Juniors site.

#### Alternative Options Considered and Rejected

Alternative solutions would be to look at other uses for the land. However, a 50 year capacity cemetery was required and there were few other location options. In addition, the housing solution would provide the funds to undertake the work and any surplus could be used to contribute to the Fairfield Infant and Fairfield Junior schools project. To not use the surplus land for housing would require additional funds to be made available to undertake the works needed at the cemetery and nothing would be left for the Schools.

#### Implementation Date

The public consultation would need to be undertaken by the Spring of 2013.

RESOLVED: That

- 1) the progress on the disposal of the former Fairfield High School land (attached at Appendix A) as a school asset be noted;
- 2) the timescales and key dates for the recommended approach to ensure that land is available for cemetery use within the required time be noted;
- 3) such consultation be undertaken as is necessary to deliver the new cemetery and undertake applications to Sports England and the Planning Authority;
- 4) the vacant school buildings be promptly demolished upon the immediate vacation of the site by Wade Deacon, funded from eventual capital receipts;

Strategic Director-  
Children and  
Enterprise



- 5) 11.35 acres of land fronting Peelhouse Lane be placed in the open market for sale as residential building land;
- 6) the land delineated in red in Appendix A be appropriated from education purposes to be held for planning purposes in terms of sections 232 and 237 of the Town and Country Planning Act 1990; and
- 7) the Operational Director – Economy, Enterprise and Property in consultation with the Portfolio holder, be authorised to finalise the indicative boundary between residential and cemetery, shown in blue on Appendix A, with the other recommendations in the report being adjusted accordingly. The final line will remain consistent with the cemetery having a 50 year capacity.

## **NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO**

### **EXB207 CATALYST SCIENCE DISCOVERY CENTRE**

The Board considered a report of the Strategic Director, Communities, on a request from the Catalyst Science and Discovery Centre for a loan to support its continued operation.

The Board was advised that the Catalyst Science and Discovery Centre (Catalyst), was the only such centre in the UK with science as its central theme. Catalyst had submitted a Business Plan which set out what the organisation sought to achieve over the next five years and focused on four main areas:

- Cost Control;
- Capital Grants;
- Income Generation; and
- Maintaining existing levels of sponsorship.

It was reported that income generation was at the core of the Business Plan which comprised increases in visitor numbers, visitor dwell time, and conference business, growing and strengthening links across industrial, scientific and academic communities, enhancing the education offer and capturing new heritage opportunities in Halton. Members were advised that Catalyst would utilise any

potential loan from the Council to consolidate and further develop these activities.

RESOLVED: That the provision of a £30,000 loan be approved subject to the Catalyst Science and Discovery Centre meeting the conditions set out in section 7 of the report.

Strategic Director  
- Communities

EXB208 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 outweighed 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 was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

**ENVIRONMENTAL SUSTAINABILITY PORTFOLIO**

EXB209 WASTE MANAGEMENT SERVICES - KEY DECISION

The Board considered a report of the Strategic Director, Communities, which provided an update on the

outcome of a tender exercise for the provision of Waste Management Services.

The report provided Members with information on the Council's current Landfill Disposal Contract and made recommendations to ensure that the Council maintained adequate arrangements to fulfil its statutory duty relating to the treatment or disposal of residual household waste.

#### Reason(s) for Decision

In order for the Council to fulfil its statutory obligations as a Waste Disposal Authority, it must have in place arrangements for the treatment or disposal of residual household waste. It was important to ensure that any arrangements that were in place continued to represent the most cost effective and value for money solution available to the Council.

#### Alternative Options Considered and Rejected

By undertaking a procurement exercise for the provision of waste treatment services through an 'Open' process, the Council had sought to consider the widest range of options that were currently available. As a result of the outcome of the procurement exercise, the Council was left with no alternative options to consider other than that referred to in the report.

#### Implementation Date

Subject to the successful negotiation of contract prices that were acceptable to the Council, implementation was expected in May 2013.

RESOLVED: That

- 1) the report be noted;
- 2) the Strategic Director, Communities, be authorised to seek to negotiate with the company named in the report, for a reduced tender price for the Interim Waste Treatment Services contract and, subject only to reduced, cost effective prices being agreed, the contract be awarded to the company named in the report;
- 3) in the event that the Council is unsuccessful in securing reduced tender prices with the company named in the report, then no contract for Interim

Strategic Director  
- Communities

Waste Treatment Services should be awarded and a further market testing exercise should be undertaken; and

- 4) a further report be presented to Members in due course.

## **NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO**

### **EXB210 ICI RECREATION SITE DEVELOPMENT WIDNES**

The Board considered a report of the Strategic Director, Communities, which provided an update on the re-development of the ICI Recreation Site, Widnes.

The Board had previously considered a report on the future use of the site at its meeting on 28 June 2012 (Minute EXB 36 referred). A key aim of the Council was to ensure a sustainable use of the site which did not require revenue support from the Council.

The report updated Members on the current proposals and the planning, financial and community implications of the re-development of the site.

**RESOLVED:** That

- 1) the proposals for redevelopment of the ICI Recreation Site, Liverpool Road, Widnes, be noted;
- 2) in consultation with the Portfolio Holder for Neighbourhoods, Leisure & Sport, the Strategic Director, Communities, be authorised to explore the development of a Community Sports hub combined with a health facility; and
- 3) a further report be submitted with a business proposal(s) and costings; this may include a recommendation to sell some land to contribute to any shortfall for the development.

Strategic Director  
- Communities

*(N.B. Councillor Wharton declared a Disclosable Other Interest in the following item of business as he was a Board Member of Halton Transport Ltd and left the room during consideration of this item)*

## **LEADER'S PORTFOLIO**

### **EXB211 HALTON BOROUGH TRANSPORT LIMITED**

The Board considered a report of the Operational Director, Finance, on Halton Borough Transport Limited (the Company).

The report outlined proposals received from the Company's Board for consideration. The proposals were intended to support the Company in the continuing development and improvement of their services for the benefit of the community and to enhance the customer experience.

**RESOLVED:** That Council be recommended to note the developments made by Halton Borough Transport Limited as outlined in the report, and approve the recommendations i) to v) as set out in the report.

Operational  
Director - Finance

### **CALL IN**

**MINUTES ISSUED: 5 April 2013**

**CALL-IN: 12 April 2013**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 12 April 2013**

*Meeting ended at 2.45pm*