

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 8 February 2007 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: (none)

Absence declared on Council business: (none)

Officers present: G. Ferguson, G. Derby, J. Hughes, D. Sutton, J. Tradewell, S. Williams, M. Conway and R. Dart

Also in attendance: (none)

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

CORPORATE SERVICES PORTFOLIO

ES72 COMMISSIONING OF PROFESSIONAL CONSULTANT SERVICES

The Sub Committee considered a request to waive Standing Orders relating to Contracts to allow for the Commissioning of Professional Consultant Services through the Office of Government Commerce (OGC) Buying Solutions Framework Agreements for Property and Construction Services. The OGC was an independent office of the Treasury, it was launched in April 2000 following the Gershon Review, as a One Stop Shop central procurement organisation.

OGC Buying Solutions was dedicated to providing procurement services mainly to assist the public sector in achieving greater efficiency and value for money. All OGC Buying Solutions framework agreements were fully compliant with EU and public sector procurement regulations and incorporated best practice principles, thus they provided a simplified pre-tendered call-off facility at highly competitive rates.

It was intended to "call-off" professional consultant

Action

services from these framework agreements, initially to work on capital projects, but with the intention of widening this out in the future to work on any project where necessary.

The Sub Committee noted that the existing framework agreement for consultant services had been extended to its final end date of 31st March 2008. This decision was made by the Strategic Director – Corporate and Policy, in conjunction with the Executive Board Member for Corporate Services, in accordance with Minute No. ES27 (Executive Board Sub-Committee 4th March 2003).

It was agreed however, that the commissioning of consultants to work on capital projects should be excluded from the future workload of this agreement. As the level of spend on capital works in the future was uncertain, it was not appropriate at this stage to enter into another long-term agreement for the provision of consultant services. The setting up of any framework agreement would also take a considerable amount of time and cost, as EU regulations would need to be complied with.

The use of the OGC framework agreements as recommended would negate the need for a bespoke agreement and not the authority considerable expense. The arrangement would also allow the Council to use a variety of consultants across a range of projects.

RESOLVED: That a waiver of Standing Orders 2.1 – 2.6, 2.8 – 2.14, 3.1 – 3.7 and 4.1 be granted in order to allow for the procurement of professional consultant services through the OGC buying solutions framework agreement for construction and property professional services.

Strategic Director
Corporate and
Policy

ES73 DISCRETIONARY NON-DOMESTIC RATE RELIEF

Under the provisions of Section 47 of the Local Government Finance Act 1988, the authority was allowed to grant discretionary rate relief to organisations who were either a charity or a non profit-making organisation.

The Sub-Committee considered a report which set out details of two applications for discretionary non-domestic rate relief from:

- (i) Addaction, Ashley House, Victoria Road, Widnes WA8 7RP
- (ii) Halton Disability Services, 87 Albert Road Widnes.

RESOLVED: That

(1) under the provisions of Section 47, Local Government Finance Act 1988, discretionary rate relief be granted to the following organisation at the percentage indicated, for the period 1st April 2006 or the commencement of liability, whichever is the later, to 31st March 2009:

Halton Disability Services 20%

(2) under the provisions of Section 47, Local Government Finance Act 1988, the following application for discretionary rate relief be refused:

Addaction 20%

PLANNING, TRANSPORTATION AND REGENERATION PORTFOLIO

ES74 REPORT OF TENDER ACCEPTANCE FOR THE REPLACEMENT OF A SEWER BENEATH THE DARESBUY EXPRESSWAY

The Sub-Committee was advised on two tenders received for the replacement of a collapsed sewer beneath the Daresbury Expressway. The other two parties involved, the North West Development Agency and the CCLRC Daresbury Laboratory had agreed to meet one third each of the total cost of the tender sum.

The lowest tender received was that submitted by A.E.Yates in the sum of £79,879.00. Therefore the cost to the Council would be £26,626.33 which could be met from the Highways Maintenance Budget.

RESOLVED: That in accordance with Standing Orders relating to Procurement Clause 3.2, the Committee note that the tender was awarded A.E. Yates Limited.

ES75 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In view of the nature of the business to be transacted, it was:

RESOLVED: That under Section 100 (A) (4) of the Local Government Act 1972, having been satisfied that in all

Strategic Director
Corporate and
Policy

Strategic Director
Environment

of the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information the press and the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 6 of Part I of Schedule 12A of the Act.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

ES76 NATIONAL DAY NURSERIES ASSOCIATION NURSERY WITHIN KINGSWAY LEARNING CENTRE

The Sub-Committee considered a report which set out the current situation in relation to the National Day Nurseries Association Day Care (NDNA) Provision in Kingsway Learning Centre, and provided information on the proposed sale of the NDNA to a third party.

RESOLVED: That the Sub-Committee endorses the proposed sale of the National Day Nursery Association (NDNA) Nursery to a reputable third party.

Strategic Director
Children and
Young People

CORPORATE SERVICES PORTFOLIO

ES77 APPOINTMENT OF LEGAL ADVISORS FOR MERSEY GATEWAY

The Sub-Committee considered a report which outlined a review of the options for securing the continuity of the highest quality of legal advice for the Mersey Gateway Project as the project moves forward through the planning and procurement process.

RESOLVED: That the Council appoint DLA Piper on the terms submitted in their recent proposal.

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PLANNING, TRANSPORTATION AND REGENERATION PORTFOLIO

ES78 PROPERTY ACQUISITIONS FOR THE CANAL QUARTER

On 23rd June 2005 the Executive Board resolved to approve Urban Splash as the preferred developer to progress the delivery of the Canal Quarter. The Council had worked exclusively with Urban Splash to work up proposals.

In order to maximise the impact of the Canal Quarter, and to integrate with the rest of the old town it was necessary to purchase certain properties and to achieve its regeneration objectives.

RESOLVED: That approval be given to secure the acquisition of properties for the Canal Quarter regeneration project (subject available funding) and to the terms being agreed by the Council Solicitor and Operational Director for Property Services in consultation with the relevant portfolio holder and the Chairman of the Executive Board Sub Committee.

Council Solicitor/
Op Direct Prop
Services

COMMUNITY PORTFOLIO

ES79 REFURBISHMENT OF RIVERVIEW GYPSY SITE

The Sub-Committee were advised on six tenders received for the refurbishment of Riverview Gypsy Site, including the setting up of a temporary decamp site at Johnson's Lane, Widnes.

The lowest tenderer and highest scorer on price and quality were Mayfield Construction Limited.

RESOLVED: That

- (1) the tender submitted by Mayfield Construction Limited be accepted;
- (2) the Strategic Director, Corporate and Policy be authorised to negotiate a tender uplift due to the delay between submission and acceptance of the tender;
- (3) the Board agree under the procurement Standing Order 1.6 in light of the case set out in the report to waive the tendering requirements of the Standing Orders; and
- (4) the revised budget for the project be noted.

Strategic Director
Corporate and
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MINUTES ISSUED: 23rd February 2007

CALL IN: 1st March 2007

Any matter decided by the Executive Board may be called in no later than 1st March 2007.

Meeting ended at 10.54 a.m.