

EXECUTIVE BOARD MINUTES – 16 June 2016

TRANSPORTATION PORTFOLIO

EXB7 OBJECTION TO PROPOSED 30 MPH SPEED LIMIT, LUNTS HEATH ROAD, WIDNES

The Board considered a report of the Strategic Director, Community and Resources, on an objection to a proposed 30mph speed limit at Lunts Heath Road, Widnes.

The Board was advised that in December 2015, the Council advertised its intention to introduce a 30mph speed limit on a length of Lunts Heath Road in Widnes (as detailed in Appendix B). This followed a number of requests from residents and a Ward Councillor for a reduction in the speed limit from 40mph. Members noted the continued housing development and multiple access points on Lunts Heath Road.

It was reported that during the consultation period, one objection was received from a resident, the details of which were attached at Appendix A for Members' information. The Board was further advised that this matter had been considered by the Environment and Urban Renewal Policy and Performance Board at its meeting on 23 March 2016, with a recommendation to support the Traffic Regulation Order, subject to the approval of the Executive Board.

RESOLVED: That

- 1) the proposal to make a Traffic Regulation Order to implement a 30mph speed limit on those roads defined in Appendix B, attached to the report be approved; and
- 2) the objector be informed of the decision.

Strategic Director
- Community &
Resources

EXB8 NEC SHORT FORM CONTRACT AUTHORISATION FOR BALVAC WORKS

The Board considered a report of the Strategic Director, Community and Resources, on the NEC Short Form Contract

authorisation for Balvac Works.

It was reported that the Council had an Access Agreement to the SCAPE Framework, which had successfully been utilised for the procurement of Bridge and Structures Maintenance Works.

Following consultation with the Leader, the Chief Executive authorised the entering into of a contract with Balvac, through the SCAPE Framework for the procurement of the Silver Jubilee Bridge (SJB) Complex Major Maintenance Project, using his emergency powers. The reasons for this action and the timescales involved, were set out in the report for Members' information.

RESOLVED: That the Board note that authorisation by the Chief Executive been given for the entering into of a contract with Balvac, through the SCAPE Framework, for the procurement of the SJB Complex Major Maintenance Project.

EXB16 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 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, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB17 PROPOSAL TO FACILITATE DISPOSAL OF THE FORMER BAYER CROPSCIENCE SITE- KEY DECISION

The Board considered a report of the Strategic Director, People and Economy, which presented the options for the development of the Bayer Cropsience site.

The report provided details on the current position with the site, options for its future development and a recommendation of a preferred approach, for Members to consider.

Reason(s) for Decision

To allow the development of a largescale brownfield site for economic gain.

Alternative Options Considered and Rejected

The site had been informally marketed and the site had been formally marketed under a development partner. Neither of these approaches had resulted in any viable success for development.

Although the recent open marketing had been for a period of five months, the site had been available on the market for circa five years in total.

Implementation Date

1 October 2016.

RESOLVED: That

- 1) the current position be noted;
- 2) the disposal of approximately 40 acres of land by way of a development agreement as per the terms set out in Appendix A, be approved;
- 3) the Operational Director, Economy, Enterprise and Property be authorised in consultation with the Leader and portfolio holders for Resources and Physical Environment to agree the final net price payable; and
- 4) the Operational Director, Economy, Enterprise and Property be authorised to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services.

Strategic Director
- People and
Economy

14th July 2016

EXB24 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 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 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 paragraph 3 of Schedule 12A of the Local Government Act 1972.

PHYSICAL ENVIRONMENT PORTFOLIO AND RESOURCES PORTFOLIO

EXB26 PROPOSED DEVELOPMENT AT VENTURE FIELDS, DENNIS ROAD, WIDNES.

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided options for the future development of the Venture Fields site, Widnes.

The report provided supporting background information as well as an outline of the current position regarding development potential for the site. An addendum to the report, setting out a third option, was tabled at the meeting for Members' consideration.

RESOLVED: That

- 1) the Board approve the developer to build the new 65,000 sq ft facility and the Council to purchase the completed building for £6M and to take out prudential borrowing to repay the loan over 20 years;
- 2) Members give approval for the Council to grant the lease to LPW Technology Ltd as per the terms set out in Appendix C attached to the report;
- 3) the Operational Director for Economy, Enterprise and Property be authorised to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services; and

Strategic Director
- Enterprise,
Community &
Resources

- 4) that the Chief Executive be asked to use his emergency powers in consultation with the Leader, to approve the addition of the Venture Fields scheme into the Council's Capital Programme to be funded from borrowing, and to report the action to the next available meeting of the Council.

15th September 2016

TRANSPORTATION PORTFOLIO

EXB33 MERSEY GATEWAY BRIDGE PROJECT PROGRESS UPDATE

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on the progress with the Mersey Gateway Bridge Project (the Project) and the performance of the Mersey Gateway Crossings Board Limited (MGCB) for the period January to June 2016.

The Board was advised that the MGCB was a special purpose vehicle established by Halton Borough Council (the Council) with the delegated authority to deliver the Project and to administer and oversee the construction, maintenance and tolling of the new crossing including the tolling of the existing Silver Jubilee Bridge. The MGCB was commissioned to deliver the Project on behalf of the Council and operate as a commercial, (though not-for-profit), organisation on an arm's length basis.

The report set out updates under the following areas:-

- Construction progress;
- Compensation Event;
- Relief Event;
- Health and Safety;
- Key Performance Indicators;
- Risk and a Risk Register; and
- Business Plan.

RESOLVED: That

- 1) progress with the Mersey Gateway Bridge Project as set out in the report, be noted; and

- 2) performance of the Mersey Gateway Crossings Board Limited in monitoring the Project Company's (MER) performance, as set out in the report, be noted.

EXB34 STREET LIGHTING HIGHWAY ELECTRICAL TERM MAINTENANCE CONTRACT

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the Street Lighting Highway Electrical Term Maintenance Contract.

It was reported that, in November 2010, Tarmac commenced a term maintenance contract to maintain all electrical equipment within the Borough. The initial contract was for five years, with the option to extend up to five, one year extensions. One extension had been utilised and it was noted that the normal expenditure covered by the contract was around £0.5m each year. However, Members were advised that due to capital funding being secured to install LED lanterns, this would increase the work to be carried out through the contract and consequently, expenditure was likely to exceed £1m.

It was noted that, although there was no statutory duty to provide street lighting, where it was provided, there was a requirement that it should be maintained in a serviceable condition.

RESOLVED: That

- 1) an extension to the Street Lighting Term Maintenance Contract, under Procurement Standing Order 1.15, be agreed, for a period of one year from 1 November 2016 to 31 October 2017; and
- 2) it be recorded that the expenditure is anticipated to be in excess of £1m per annum.

Strategic Director
- Enterprise,
Community &
Resources

EXB35 SURFACE TREATMENT TERM MAINTENANCE CONTRACT

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on a procurement process for the provision of a Surface

Treatment Term Maintenance Contract.

The Board was advised that the existing contract for surface treatment of the highway would end on 31 March 2017. It was necessary to make arrangements to secure a new term maintenance contract during the current financial year, to commence on 1 April 2017. It was reported that the value for a five year contract would be in the region of £3m, and under procurement rules, the contract would be tendered.

The Board was advised that tender submissions would be evaluated on a ratio of price (30%) and quality (70%), the outcome being reported to Executive Board at a future meeting.

RESOLVED: That it be noted that a procurement process will be entered into via The Chest, with the purpose of securing a Surface Treatment Term Maintenance Contract for carriageway and footway surface dressing and micro asphalt across the Borough.

Strategic Director
- Enterprise,
Community &
Resources

PHYSICAL ENVIRONMENT PORTFOLIO

EXB39 BRENNAN LODGE SUPPORTED HOUSING SCHEME

The Board considered a report of the Director of Adult Social Services which informed them that the contract with The Salvation Army for the delivery of supported housing services at Brennan Lodge had been terminated.

The Board was advised that the service was originally commissioned to provide a single homeless service in Widnes. The service was procured in 2014/15 and opened in July 2015. The Salvation Army were commissioned to deliver the service following a robust procurement process, and following contract award, they joined the steering group responsible for the property development.

It was noted that, due to ongoing issues and areas of concern identified within the scheme, and as detailed in the report, an action plan was devised for the relevant Officers to update and complete. The service audit review was completed in June 2016, and although it confirmed that there had been slight improvements, repeated errors still existed within the procedural practice and case file

management that had not been previously addressed.

The report set out three possible options for Brennan Lodge, which were; to fully lift the suspension of the service; to continue with partial suspension; or to terminate the contract with the current provider. Members were advised that the Local Authority had served formal notice on The Salvation Army, giving three month's notice to terminate the contractual agreement.

RESOLVED: That the Board note

- 1) the report;
- 2) that the contract with The Salvation Army has been terminated; and
- 3) that a re-procurement process has commenced, the outcome of which will be reported to the Executive Board.

Director of Adult
Social Services

EXB40 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 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 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 paragraph 3 of Schedule 12A of the Local Government Act 1972.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB41 3MG HBC FIELD

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on the disposal of the HBC Field site and the use by the Chief Executive of his emergency powers.

The Board had previously approved the disposal of land at HBC Field and the details of an option agreement with the end user at its meeting on 5 November 2015. In order to progress the negotiations and to finalise the legal documentation, the Chief Executive, in consultation with the Leader and the Portfolio Holders for Physical Environment, Transportation and Resources, had used his delegated powers to make amendments to the Heads of Terms having considered the rationale presented.

RESOLVED: That the Board endorse the use of emergency powers by the Chief Executive in consultation with the Leader and the Portfolio holders for Physical Environment, Transportation and Resources.

ENVIRONMENTAL SERVICES PORTFOLIO

EXB43 WASTE TRANSPORT SERVICES

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval to waive Procurement Standing Orders in connection with the proposed arrangements for the delivery of Halton's residual household waste contract.

The report set out a number of Options for Members'

consideration in relation to the arrangements for the bulk transportation of Halton's kerbside collection of residual household waste to a Rail Transfer Loading Station, from October 2016.

RESOLVED: That

1) the waiver of Procurement Standing Order 1.14.3(a) be approved for the appointment of the Company named in the recommendation, to provide a service for the bulk transport of Halton's residual household waste to the Kirkby Rail Transfer Loading Station ("The Service") for the period 1 October 2016 to 31 March 2017;

2) the financial expenditure required to deliver The Service, as detailed within the report, be approved and be met from the Council's Contingency Budget; and

3) the Strategic Director – Enterprise, Community and Resources be authorised, in consultation with the Executive Board Member for Environmental Services and the Executive Board Member for Resources, to;

i) take all steps necessary to implement The Service for the period 1 October 2016 to 31 March 2017, including the agreement of all contractual arrangements, and;

ii) determine all matters relating to the transport of Halton's residual waste beyond 1 April 2017; including the potential continuation of a bulk transport service and any subsequent procurement arrangements and contract award up to the value of £1m.

20th October 2016

TRANSPORTATION PORTFOLIO

EXB47 LOCAL BUS CONTRACT TENDERS

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, regarding the procurement of a new Local Bus Contract Framework (the Framework).

The Board was advised that the Framework was a mechanism which allowed the Council to identify public transport operators, who were capable of delivering local bus

Strategic Director
- Enterprise,
Community &
Resources

transport contracts, on its behalf. The framework provided a platform to advertise long and short-term contracts over a reduced advertising period. It was noted that to become part of the Framework, providers were required to demonstrate their capabilities to deliver contracts by completing a Pre-Qualifying Questionnaire which contained a series of quality, financial and experienced based questions relating to the contract requirements.

The Board was advised that the supported local bus framework provided in excess of 370,000 passenger journeys across the Borough, with twenty-four local bus contracts currently operating. The current Framework was due to expire in March 2017, which required the procurement of a new Framework to cover the period April 2017 to March 2019.

RESOLVED: That

- 1) the Local Bus Framework be acknowledged and the requirement to procure a new framework be supported; and
- 2) the Board support the tendering of local supported bus contracts.

EXB48 AUTHORISATION FOR USE OF THE SCAPE FRAMEWORK FOR PROCUREMENT OF SCHEMES FOR THE MAINTENANCE AND ADAPTATION OF HIGHWAY STRUCTURES

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided a summary of the development of schemes for maintenance and other works to the Silver Jubilee Bridge and other highway structures.

The Board was informed that SCAPE was a public-sector owned built environment specialist with a suite of OJEU compliant frameworks for multiple areas of work. It was reported that the Council had an Access Agreement which had been utilised successfully for the procurement of Bridge and Structures Maintenance works. In June 2016, the Board was advised of the Chief Executive's authorisation for the entering into of a contract with Balvac, through the SCAPE framework, for the procurement of the Liverpool City Region, Silver Jubilee (SJB) Complex Major Maintenance Project.

It was noted that major maintenance works on the SJB complex had been planned as part of the integration of the new

Strategic
Director -
Enterprise,
Community &
Resources

highway layout for the Mersey Gateway Scheme. This would be effective once the Permission To Use (PTU) had been granted for the new Mersey Gateway Infrastructure, currently anticipated for Autumn 2017. The report set out further details of maintenance works to be undertaken, post PTU on the SJB and on the two footbridges at East Lane, Runcorn, which provided access to the Runcorn Shopping Centre.

RESOLVED: That

1. the use of the SCAPE framework for development of the SJB steel arch superstructure painting scheme to Project Order stage be approved;
2. the use of the SCAPE framework for development of the SJB deck re-configuration scheme to Project Order stage be approved; and
3. the use of the SCAPE framework for procurement of works to replace the structural deck systems of the two footbridges on East Lane, Runcorn be approved.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB52 LIVERPOOL CITY REGION: STATEMENT OF CO-OPERATION ON LOCAL PLANNING

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought to adopt the Liverpool City Region (LCR) Statement of Co-operation (SoC) on Town Planning matters.

The Board was advised that the Localism Act 2011 placed a legal duty on Local Planning Authorities to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation and strategic cross-boundary land use planning matters.

The SoC, attached at Appendix 1, provided evidence that this statutory co-operation had been undertaken. It was reported that the SoC had been drafted by all six LCR authorities plus West Lancashire District Council and approved by the Combined Authority's Housing and Spatial Planning Board. It was noted that the SoC was required to progress the LCR Single Spatial Framework and was required for each district in preparation of their respective Local Plans. To ensure it remained relevant, the SoC would be updated annually.

RESOLVED: That the Liverpool City Region Statement of Co-operation, attached to the report at Appendix 1, be adopted.

Strategic Director
- Enterprise,
Community &
Resources