

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 20 July 2017 in The Boardroom, Municipal Building*

Present: Councillors Polhill (Chair), D. Cargill, Harris, R. Hignett, S. Hill, Jones, T. McInerney, Nelson and Wharton

Apologies for Absence: Councillor Wright

Absence declared on Council business: None

Officers present: A. Scott, D. Parr, I. Leivesley, M. Reaney, E. Dawson, S. Wallace-Bonner, L. Smith, J. Rosser and M. Allen

Also in attendance: None

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

*Action*

#### EXB17 MINUTES

The Minutes of the meeting held on 15 June 2017 were taken as read and signed as a correct record.

#### CHILDREN YOUNG PEOPLE AND FAMILIES

#### EXB18 CONVERSION OF THE GRANGE SCHOOL TO WADE DEACON TRUST - KEY DECISION

The Board considered a report of the Strategic Director, People, which provided a summary of the arrangements for the conversion of The Grange School to Wade Deacon Trust, and also sought authority to undertake any actions necessary to effect the transfer.

The Board was advised that The Grange School was an All-through school catering for pupils from age 3 to 16. It was funded through a Private Finance Initiative (PFI) with service commencement from April 2013.

It was reported that the Local Authority had received an Academy Order from the Secretary of State for Schools in October 2016, which approved the conversion of The Grange School to Academy Status, as part of the Wade Deacon Trust. Due to the complexity of the conversion, a

request was made to the Department for Education to provide financial assistance to secure specialist legal support.

The Board noted that in May 2017, the law firm Freeths were commissioned to work alongside Halton's Legal Services to represent the Council's interests during the academy conversion. Given the delay in commencing negotiations, the original conversion date had been delayed. However, a number of key documents would require amendment and agreement, as set out in the report, but which included the School's Agreement, the Principal Agreement, the Long Term Lease, Service Level Agreements and the Deed of Variation to the PFI contract.

#### Reason(s) For Decision

To seek delegated approval to facilitate the conversion of The Grange School to Wade Deacon Trust.

#### Alternative Options Considered and Rejected

All key documents considered and agreed by Executive Board. This option was rejected due to the number of changes required, the number of partners involved and the impact this would have on the timescale for conversion.

#### Implementation Date

Delegated powers to take effect from July 2017.

RESOLVED: That

- 1) The appointment of the law firm Freeths to act for the Authority in the conversion of The Grange PFI School be noted;
- 2) Authority be delegated to the Operational Director, Education, Inclusion and Provision, in consultation with the Portfolio holder for Children, Young People and Families, to agree to the following:-
  - i) Schools Agreement;
  - ii) Principal Agreement;
  - iii) Deed of Variation;

Strategic Director  
- People

- iv) Lease;
- v) Service Level Agreement for Resource Base Provision;
- vi) Shared Use Agreement; and
- vii) Commercial Transfer Agreement.

- 3) Authority is delegated to the Operational Director, Education, Inclusion and Provision, in conjunction with the Portfolio holder for Children, Young People and Families, to undertake any actions necessary to effect the conversion.

**EXB19 REQUEST FOR HALTON BOROUGH COUNCIL TO LEAD THE PROCUREMENT OF AN IAG SERVICE FOR HALTON, LIVERPOOL, WIRRAL AND KNOWSLEY AUTHORITIES**

The Board considered a report of the Strategic Director, People, which sought approval for Halton Borough Council to lead the procurement of Independent Advice and Guidance (IAG) services on behalf of Halton, Liverpool, Wirral and Knowsley Councils.

The Board was advised that the Education and Skills Act 2008 placed certain duties on local authorities to encourage, enable and assist young people to participate in education or training. A revised approach, known as the Halton Participation Strategy, was approved by the Board on 17 October 2013. An element within the Participation Strategy was the commissioning of a service to provide information, advice and guidance. It was noted that this service was carried out on behalf of the Liverpool City Region (LCR) authorities, with the procurement process led by Halton Borough Council. Greater Merseyside Connexions Partnership were awarded the contract for a two year period on 1 April 2014, with an option to extend this to 31 March 2018.

The Board noted that Halton and the LCR authorities of Knowsley, Liverpool and Wirral wished to maintain a similar service from 1 April 2018, and a joint procurement process, led by Halton, would seek to procure four, twelve month periods; this would allow for consistency of service, but with an option to reduce or terminate annually, should financial or other circumstances change.

RESOLVED: That

- 1) the report be noted; and
- 2) the Board approves Halton Borough Council acting as lead in the joint procurement process with Liverpool, Knowsley and Wirral local authorities.

Strategic Director  
- People

## EXB20 DEVELOPMENT OF VOCATIONAL ALTERNATIVE PROVISION - KEY DECISION

The Board considered a report of the Strategic Director, People, on a proposal to extend the range of vocational education offered by The Bridge School.

The Board was advised that there was insufficient provision in the Borough and neighbouring local authorities to meet the need for good quality skills based vocational alternative provision. Limitations of the current Bridge School site meant that it was not possible to increase or expand provision.

It was reported that a unit had become available at Astmoor, previously used by Riverside College. A feasibility study undertaken to assess suitability of the site and its associated costs, confirmed that with appropriate works, the site could be adapted to provide a skills base as part of the provision offered by The Bridge School.

Details of the proposal with associated costs required for refurbishment and additional specialist teaching resources, were set out in the report. It was noted that the provision would be under the management of The Bridge School and would fall under the Ofsted framework of evaluation. Secondary schools in the Borough had indicated their support for the proposed provision and the revenue costs would be met from schools through buy-back.

### Reason(s) For Decision

To agree capital funding for the development of a vocational skills base at Astmoor.

### Alternative Options Considered and Rejected

Expand The Bridge School on its current site. This was not possible due to the limitation of the current site.

Implementation Date

July 2017.

RESOLVED: That

- 1) the capital project to develop a skills base at Astmoor be approved;
- 2) this approval is subject to the agreement of the terms of the lease and support from Halton secondary schools; and
- 3) the Operational Director, Economy, Enterprise and Property, and the Operational Director, Legal and Democratic Services, be given the authority to agree the terms of the lease.

Strategic Director  
- People

**HEALTH AND WELLBEING PORTFOLIO**

EXB21 HALTON WOMEN'S CENTRE

The Board considered a report of the Strategic Director, People, which sought retrospective approval to bring the management of Halton Women's Centre into the structure of Halton Borough Council.

The Board was advised that the Relationship Centre, based in Runcorn, had to give notice of its intention to withdraw from running the Halton Women's Centre effective from the end of June 2017. It was reported that the Women's Centre was well regarded and the Council and Halton Clinical Commissioning Group (CCG) had worked closely to determine how to maintain the service provided.

The proposal was to bring the management of the Women's Centre into the remit of the Borough Council for a period of six months, to allow time for a detailed review of the service and its delivery and "fit" with local commissioning intentions. The Board was advised that, because of the very tight timescales involved, an interim decision had to be taken by the Director of Adult Services in consultation with the Portfolio holder for Health and Wellbeing. This report was presented for Executive Board to consider and approve this course of action.

RESOLVED: That

- 1) the contents of the report be noted; and

Strategic Director  
- People

- 2) retrospective approval be given to the proposal to draw the management of Halton Women's Centre into the structures of the Borough Council, as described in paragraphs 3.3.2 and 3.3.3 of the report.

#### EXB22 MADELINE MCKENNA RESIDENTIAL HOME

The Board considered a report of the Strategic Director, People, which sought approval to incorporate the management and staffing of the Madeline McKenna Residential Home into Halton Borough Council structures.

The Board was reminded, that in June 2016, it had approved the purchase of Madeline McKenna Court and entering into a partnership with an alternative provider to manage and deliver the service.

It was reported that the preferred provider had indicated that they were no longer in a position to deliver the service in partnership with the Council. Therefore, approval was sought to absorb the 23 staff at Madeline McKenna into the Council's existing structure, to be completed by 1 September 2017. The Board was advised that this action would ensure that services were delivered representing value for money, maintaining quality of provision and with remodelling of the service where required.

RESOLVED: That

- 1) the contents of the report be noted; and
- 2) approval be given for the transfer of the Madeline McKenna staff to Halton Borough Council on their existing terms and conditions.

Strategic Director  
- People

#### EXB23 BREDON SHORT STAY RESIDENTIAL RESPITE SERVICE

The Board considered a report of the Strategic Director, People, which provided an update on the wider Bredon service provision and the current contractual position for the Bredon Short Stay Residential Respite Service.

The Board was advised that currently, services were delivered as separate services by different providers. Refurbishment works to provide three flats for crisis or shorter stays was completed at the end of June 2017. It was reported that a waiver was required in order to retender for

service provision beyond 30 June 2017.

RESOLVED: That

- 1) the contents of the report be noted; and
- 2) retrospective approval be given to agree a waiver to extend the contract for up to twelve months whilst a tendering exercise is undertaken.

Strategic Director  
- People

#### EXB24 PUBLIC HEALTH HEALTH VISITING DIRECT AWARD

The Board considered a report of the Director of Public Health, on the delivery of a Health Visiting and Family Nurse Partnership Service (the Service).

The Board was advised that Halton had developed a specification for the delivery of public health services for children, young people and families. It was reported that Bridgewater Community NHS Foundation Trust currently held separate contracts with the Council for the delivery of different elements of what would become the 0-19 (24) Service.

The Board had previously approved the commencement of a procurement programme for the wider 0-19 (24) service at its meeting in March 2017. However, it was noted that the delay in the development of the specification had enabled a greater range of stakeholders to influence its development, with a resultant impact on the original timescale.

It was now proposed that the current provider of the Service be given a direct award of a contract for seven months from 1 September 2017 to 31 March 2018, to bring the contract into line with the School Nursing contract, minimise the impact on families and prevent disruption to various other NHS England services, as detailed in the report.

RESOLVED: That

- 1) the contents of the report be noted; and
- 2) the recommendation to grant a Direct Award for seven months to Bridgewater Community NHS Foundation Trust for the delivery of Health Visiting and Family Nurse Partnership Services from 1 September 2017 to 31 March 2018, be supported.

Director of Public  
Health

## EXB25 DOMICILIARY CARE CONTRACT TENDER

The Board considered a report of the Strategic Director, People, on the outcome of the tender for Domiciliary Care Contracts in Halton.

At its meeting on 16 March 2017, the Board had noted the intention to award the tender for Domiciliary Care to a single provider. Subsequently, a legal challenge to that course of action was lodged and the Board agreed to halt the process to allow a re-tendering exercise to be undertaken.

The report set out the details of the re-tendering exercise and the outcome of the evaluation process for Members' consideration.

RESOLVED: That the award of a Domiciliary Care Contract for a period of five years with an option to extend for a further two years (i.e. up to seven years in total), to Provider A, be approved.

Strategic Director  
- People

## TRANSPORTATION PORTFOLIO

## EXB26 AUTHORITY TO PROCEED WITH CARRIAGEWAY RECONFIGURATION WORKS ON THE SILVER JUBILEE BRIDGE USING THE SCAPE FRAMEWORK

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, for the use of the SCAPE framework on the Silver Jubilee Bridge (SJB), to meet future requirements in connection with the Mersey Gateway.

The Board was advised that the Council had an Access Agreement to the SCAPE framework, which was a public sector owned built environment specialist. In June 2016, the Chief Executive had reported to the Board the entering into of a contract with Balvac through the SCAPE framework, for the procurement of the SJB Complex Major Maintenance Programme.

It was noted that major works including re-painting of the SJB arch superstructure and new highway layout had been planned as part of the Mersey Gateway Scheme. A planned closure would take place when the new bridge opened, with the period of works taking twelve months for completion.

Approval was now sought to formalise the contract

development process with Balvac.

RESOLVED: That the use of the SCAPE framework for development of the carriageway reconfiguration scheme for the SJB to Project Order stage, be approved.

Strategic Director  
- Enterprise,  
Community &  
Resources

#### EXB27 WARRINGTON WESTERN LINK

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the consultation process regarding the Warrington Western Link project.

The Board was advised that Warrington Borough Council (WBC) had been awarded funding by the Department for Transport (DfT) to develop an outline business case for the Warrington Western Link proposal. A number of public consultation events were being held until 28 July 2017. Following this, a preferred route option would be included in the business case and submitted to the DfT for consideration.

It was reported that, subject to funding and the necessary planning consent, construction of the new road could commence in the early 2020's. It was expected that during the consultation period, further details would become available regarding the different route options and once this information was available, the Council would be able to give a thorough response to the consultation.

RESOLVED: That the Board notes the correspondence from Warrington Borough Council (WBC) and delegated authority be granted to the Strategic Director, Enterprise, Community and Resources, in consultation with the Leader of the Council and the Portfolio holder for Transportation, to respond to the WBC Scheme consultation on behalf of the Council.

#### EXB28 PRELIMINARY FLOOD RISK ASSESSMENT UPDATE

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the Preliminary Flood Risk Assessment Update.

The Board was advised that, as part of its new duties as a Lead Local Flood Authority (LLFA), the Council must undertake a Preliminary Flood Risk Assessment (PFRA). This was a high level screening exercise, to determine whether there was a local flood risk within the LLFA boundary, based on historic and potential future flood risk

data.

The PFRA was previously agreed by the Board in 2011 and must be reviewed every six years. An updated Preliminary Assessment Report (PAR), along with a Review Self-Assessment Form had been produced and submitted to the Environment Agency (EA). The updated PAR set out how the assessment had been undertaken and provided a robust evidence base to help support the full update of the Flood Risk Assessment Strategy.

The outcome of the first two stages of the flood risk assessment review was that no Flood Risk Area (FRA) was proposed for Halton. As a result, the production of Flood Risk Maps and preparation of a Flood Risk Management Plan for FRA were not triggered.

The Board was asked to approve the findings prior to publication by the EA by 22 December 2017.

RESOLVED: That the findings of the Preliminary Flood Risk Assessment Review be noted and approved.

Strategic Director  
- Enterprise,  
Community &  
Resources

## **PHYSICAL ENVIRONMENT PORTFOLIO**

### **EXB29 SYRIAN REFUGEE CRISIS**

The Board considered a report of the Chief Executive, which provided an update on the Syrian Resettlement Programme within Halton.

In February 2016, the Board agreed to support the Government's request to engage with the Dispersal Programme for Asylum Seekers and the Syrian Resettlement Programme for refugees.

As part of the Liverpool City Region commitment, Halton had agreed to accept 100 individuals, providing support over a five year period. It was reported that Refugee Action (RA) had been commissioned to deliver dedicated support which was a requirement of the Home Office funding arrangements. The Board was advised that, whilst RA staff had a wealth of experience with this client group, Officers felt that an alternative approach may offer greater support to those refugees located in Halton.

The report set out a proposal to terminate the existing contract with RA, giving the required period of notice, and to then extend the existing Supporting People contract with Plus Dane Shap to support the existing families within the Borough.

RESOLVED: That

Chief Executive

- 1) the contents of the report be noted;
- 2) the Board supports the Chief Executive's use of Delegated Powers for an early termination of the support contract currently delivered by Refugee Action within the Liverpool City Council service specification; and
- 3) the Board supports the use of a waiver of Procurement Standing Orders to allow the Council to extend/amend the existing Supporting People contract with Plus Dane Shap to provide ongoing support to Syrian Refugees in accordance with Home Office funding requirements.

EXB30 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 Section 100A (4) 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 that 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 Section 100A (4) 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.

## **LEADER'S PORTFOLIO**

### **EXB31 HALTON BOROUGH TRANSPORT LIMITED**

The Board was advised that this item had been withdrawn from the agenda.

### **EXB32 WIDNES VIKINGS**

The Board considered a report of the Chief Executive on the partnership with the Widnes Vikings, the Council and local community support.

The report set out details of the significant contribution Widnes Vikings Club made through a community programme, supporting a range of activities and working closely with Halton Clinical Commissioning Group, Riverside College, Schools and the local business community.

Proposals for a revised financial package of support were set out in Appendix 1 for Members' consideration.

**RESOLVED:** That

- 1) the Chief Executive exercise delegated powers, in consultation with the Leader of the Council, to negotiate a new lease and revised financial arrangements with Widnes Vikings for the use of the Stadium and other Council facilities, on the terms set out in the report; and to take such reasonable steps as may be necessary to achieve this; and
- 2) the Council continue to support Widnes Vikings, help them to continue to develop their on-field and off-field community-based activities and retain a strong professional rugby league presence in the Borough.

Chief Executive

**CHILDREN YOUNG PEOPLE AND FAMILIES  
PORTFOLIO**

EXB33 WAIVER REQUEST IN COMPLIANCE WITH STANDING  
ORDER 1.14.3 FOR COGNISOFT LTD.

The Board considered a report of the Strategic Director, People, which sought a waiver of Procurement Standing Orders for an extension of the contract period with Cognisoft Limited.

The Board was advised that an extension to the current provider of the Client Caseload Information System would allow the continuation of the service without disturbance. It was noted that a key element of the request were the financial efficiencies obtained as there would be no additional costs associated with the transfer of data or staff training.

RESOLVED: That

- 1) the report be noted; and
- 2) the proposed waiver of Procurement Standing Orders be approved.

Strategic Director  
- People

**MINUTES ISSUED: Tuesday 25 July 2017**

**CALL-IN: 1 August 2017**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on Tuesday 1 August 2017**

*Meeting ended at 2.15 p.m.*