

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 20 October 2022 in Boardroom - Municipal Building, Widnes

Present: Councillors Wharton (Chair), Harris, M. Lloyd Jones, J. Lowe, T. McInerney, Nelson, Nolan, Thompson and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: S. Young, M. Vasic, M. Reaney, E. Dawson, G. Ferguson and D. Nolan

Also in attendance: N. McGrath and S. Scott – Halton Housing Trust. One member of the public and Councillor McDermott.

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

EXB22 MINUTES

The Minutes of the meeting held on 14 July 2022 were taken as read and signed as a correct record.

LEADER'S PORTFOLIO

EXB23 URGENT DECISIONS

The Executive Board received a report from the Chief Executive, which provided information on the urgent decisions taken since the last meeting of the Board.

It was noted that the Council's Constitution gave authority to the Chief Executive to take urgent decisions, in consultation with the Leader of the Council and the Operational Director Finance and/or the Operational Director Legal and Democratic Services, where necessary.

Four urgent decisions had been made since the last meeting of the Board and full details were published on the Council's website.

Action

RESOLVED: That the urgent decisions taken since the last meeting of the Executive Board be noted.

EXB24 PROCUREMENT OF PROPERTY TERM CONSULTANT SERVICES

The Board considered a report of the Operational Director of Economy, Enterprise and Property, that notified Members of the intention to utilise the Matrix MM online market place to appoint Cassidy & Ashton as the main property term consultants for up to a four year period.

Cassidy & Ashton were the current term consultants and were appointed via the Chest in November 2018. The initial contract period was for three years and ended on 16 November 2021, a 12 month extension option was available which was exercised.

It was noted that during the past 4 years Cassidy & Ashton had consistently delivered a high level of service across all disciplines and it was considered desirable that the Council continued to engage with them going forward.

RESOLVED: That Members note the intention to utilise the Matrix MM online market place in order to appoint Cassidy & Ashton as our main property term consultants going forward for up to a 4 year period.

Operational Director of Economy, Enterprise and Property

EXB25 2022/23 SPENDING AS AT 30 JUNE 2022

The Board received a report from the Operational Director – Finance, which reported the Council's overall revenue net spending position as at 30 June 2022, together with an initial forecast outturn position.

A summary of spending against the operational revenue budget up to 30 June 2022 was presented in Appendix 1 and Appendix 2 and these provided detailed figures for each individual Department. In overall terms the outturn forecast for the year showed that net spend would be over the approved budget by £5.352m. It was noted that this figure was based on current service demand and forecast of future costs and income levels. Appendix 3 presented the Capital Programme as at 30 June 2022.

RESOLVED: That

- 1) all spending continues to be limited to only absolutely essential items;

Operational Director – Finance

- 2) Strategic Directors take urgent action to identify areas where spending could be reduced or suspended for the remainder of the current financial year; and
- 3) Council be requested to approve the revisions to the Capital Programme as set out in paragraph 3.10.

EXB26 COUNCIL CONTRACT FOR SUPPLY OF GROCERY AND CHILLED GOODS (INCL FRUIT, VEGETABLES AND DAIRY)

The Board considered a report of the Operational Director – Community and Environment, which sought approval to commence a new procurement process for the supply of Grocery and Chilled Goods.

RESOLVED: That

- 1) the preliminary estimates report be approved in compliance with Procurement Standing Order 1.3.4; and
- 2) Officers be authorised to undertake a call-off in compliance with Procurement Standing Order 1.4.1, Frameworks, accessing the TUCO Grocery, Frozen and Chilled Food, including associated goods of Fresh Fruit & Vegetables Framework for a 2 year period with the option to extend for a further two separate 12 month periods from 1 January 2023 to 31 December 2026 with an estimated total expenditure of £4 million.

Operational
Director –
Community and
Environment

DEPUTY LEADER'S PORTFOLIO

EXB27 WIDNES MARKET

The Board considered a report which provided Members with an updated Business Plan and Market Protocols for Widnes Market. Both of these documents highlighted the changes required to Widnes Market to bring it in line with the Council's financial procedures. A copy of the Business Plan and Market Protocols were attached as appendices to the report.

The Widnes Market Protocols and Charging Policy were previously approved by Executive Board at the meeting on 11 April 2019 (Minute EXB121 refers). In the intervening years a number of issues had been raised around the operation of Widnes Market which had necessitated some amendments to the market regulations

and the main points of these changes were set out in the report.

In addition the Board noted that the Widnes Market Business Plan had been updated to take into account the priorities and actions required to be undertaken to ensure the market continued to be at the heart of the Widnes Town Centre. The main focus of the Business Plan was to set out the vision and strategy for the market over the next three years.

RESOLVED: That

- 1) the report be noted;
- 2) the amendments to the Market Protocols as outlined in the Report, (section 3.2 refers) be approved; and
- 3) the Board requested the Corporate Policy and Performance Board to review the findings of the proposed Customer Survey, with a view to it bringing forward any further comments to the Executive Board on the proposed amended Market Business Plan.

Operational
Director of
Economy,
Enterprise and
Property

ADULT SOCIAL CARE PORTFOLIO

EXB28 ST PATRICK'S AND ST LUKE'S CARE HOMES REDEVELOPMENT CONTRACT

The Board considered a report which notified Members of the intention to undertake a procurement exercise via the RISE framework in respect of St Patrick's and St Luke's Care Homes.

It was noted that previously Eric Wright Construction were contracted to refurbish the Lillycross Care facility. The works were completed on time and on budget to a high standard, all of which demonstrated their capability and experience of working in the care sector. Furthermore, of the 20 contractors who were on the general building framework, Eric Wright Construction were the most cost competitive on the price valuation.

The overall estimated cost for both schemes amounted to circa £3.885m.

RESOLVED: That Members note the intention to undertake a procurement exercise via the RISE framework and make a direct award to Eric Wright Construction in respect of the redevelopment of both St Patrick's and St

Operational
Director of
Economy,
Enterprise and
Property

Luke's Care Homes, subject to them submitting competitive prices for the works.

EXB29 A NEW ASSURANCE FRAMEWORK FOR ADULT SOCIAL CARE

The Board considered a report of the Strategic Director – People, which provided an update on the Halton preparation for the new Care Quality Commission (CQC) Adult Social care assurance framework. It was noted that:

- The CQC had now published a draft assessment framework for consultation;
- North West ADASS Sector Led Improvement Board were leading on the assurance preparation across the North West and they had pulled together a number of work streams to support local authorities with assurance preparations;
- The LGA had completed an initial scoping of key data requirements aligned to the proposed assurance framework. A proposed set of indicators had been developed in draft form; and
- Halton Adult Social Care Management Team had established a task and finish group to ensure the Council was fully prepared for a CQC inspection, working on a timeline for full preparation by April 2023.

RESOLVED: That

- 1) the report be noted;
- 2) the approach to the preparation and generation of an improvement plan be agreed;
- 3) the risks be noted; and
- 4) the Board agree that a Members seminar be held later in the year to brief on the plan.

Strategic Director
– People

EXB30 COMMUNITY MEALS: RE-COMMISSIONING OPTIONS

The Board considered a report of the Strategic Director – People, which outlined proposals for the re-commissioning for the provision of the Community Meals Service from 1 April 2023. The Council currently provides a Community Meals Service to eligible adults within Halton who were unable to shop or prepare a meals for themselves

due to age, illness or disability. An external catering provider currently supplies the Council with frozen ready prepared meals.

It was noted that the Council's Internal Audit team had undertaken a planned audit of the Community Meals Service for the financial year 2020/21. Outlined in the Audit report, the Internal Audit Team made a number of recommendations for the service. One of the recommendations set out that an interim contract should be awarded to the existing supplier whilst the Council considers alternative community meals service delivery options. Subsequently, a one-year contract was agreed with the current supplier Apetito until 31 March 2023.

The report set out a number of options (Appendix A) in relation to the supply of meals from 1 April 2023 and requested the Board to advise on the preferred option.

RESOLVED: The Board agreed that option 1, as set out in Appendix A of the report, was the preferred re-commissioning option for the provision of the Community Meals Service from 1 April 2023.

Strategic Director
– People

EXB31 HALTON HOUSING TRUST - ANNUAL REPORT

The Board received the Halton Housing Trust's (HHT) Annual Report, which provided an update on their activities since the last report to Executive Board in October 2021.

The Chair welcomed Sam Scott, Group Chief Executive and Neil McGrath, Deputy Group Chief Executive of Halton Housing, who presented the report to the Board – *Annual Report to HBC Executive Board, October 2022.*

The report outlined some of the key achievements over the past year, which included the completion of 31 new homes for affordable rent and 48 new homes for shared ownership, Destination Ditton Pilot had been completed, delivery of their largest independent living scheme of 100 homes in Sandymoor (Hazlehurst) was completed, performance in responding to and addressing customer complaints continued to improve and the Trust had continued to work with the Council hubs to support customers during the pandemic.

The guests' responded to Members' questions on the report and Members congratulated the Trust on its achievements.

RESOLVED: That the report be noted.

ENVIRONMENT AND URBAN RENEWAL PORTFOLIO

EXB32 CONTRACTOR INVOLVEMENT IN THE EAST RUNCORN CONNECTIVITY (ERC) PROJECT

The Board considered a report from the Operational Director – Policy, Planning and Transportation, which sought approval to utilise the SCAPE framework to secure Balfour Beatty to provide contractor involvement in the development of the four schemes that comprised the East Runcorn Connectivity (ERC) project.

The full ERC scheme comprised four elements:

- A558 dualling from Pitts Heath Lane to Innovation Way;
- A56 Major Maintenance – Keckwick Lane to M56 junction 11;
- Potential loop road M56 junction 11 to A533; and
- A suite of active and sustainable travel interventions.

The SCAPE Framework had been used successfully for the completion of works on Silver Jubilee Bridge, Runcorn Delinking and Runcorn Station Quarter projects. The SCAPE had six stages as shown in Appendix 1. The report sought permission to utilise the SCAPE process to the end of Stage 3 (pre-construction). Once Stage 3 was complete and provided technical considerations were favourable and funding was available, a further report would be presented to the Board to seek approval to sign a 'delivery agreement' and proceed into construction.

RESOLVED: That

1. approval is given to procure, via the SCAPE framework, contractor input into the ERC Project, up to and including 'Pre-construction Stage'; and
2. delegated authority is given to the Operational Director – Planning and Transport, in consultation with the Portfolio Holder Environment and Urban Renewal, to implement activities to pass the formal SCAPE gateways up to and including 'Pre-construction Stage'.

Operational
Director – Policy,
Planning and
Transportation

Councillor Thompson declared an interest in the following item as he is a member of the Town Deal Board

EXB33 BRINDLEY GREEN, RUNCORN SCAPE FRAMEWORK

The Board considered a report of the Operational Director – Economy, Enterprise and Property, which provided an update on:

- the development of the High Street Connectivity project in support of the Runcorn Town Investment Plan; and
- the Inception Phase of the previously approved development of the High Street Connectivity project as per the Town Centre bid, which led to a change in scope.

The report also sought approval to utilise the SCAPE framework for the integration of the already designed Brindley Green plans with the High Street scheme to Project Order stage.

RESOLVED: That the Board approve

- 1) the use of the SCAPE framework for the integration of the already designed Brindley Green plans with the High Street scheme to Project Order stage; and
- 2) the delegation of authority to the Operational Director, Economy, Enterprise and Property to authorise the passing of the SCAPE gateways prior to this stage.

Operational
Director –
Economy,
Enterprise and
Property

EXB34 ENVIRONMENT SERVICES DYNAMIC PURCHASING SYSTEM

The Board considered a report which sought approval to proceed with a procurement process with regard to the provision of an Environment Services Dynamic Purchasing System (DPS).

The Environment Services Division currently utilised DPS to source landscape contractors to carry out construction works in the borough's parks, playgrounds and open spaces. The Division's existing DPS would come to an end on 31 March 2023. It was proposed that a new Environment Services DPS would be set up for an initial 4 year period.

Based upon previous expenditure it was anticipated that the total annual value of the further competition exercises tendered via the Environment Services Division DPS was likely to be up to £1.5m thus making the value of a four year contract up to £6m. This figure was above the

Public Contract Regulation threshold and as such it would need to be procured in accordance with the Public Contract Regulations 2015.

RESOLVED: That approval be given for a procurement process to be undertaken with the purpose of creating an Environment Services Dynamic Purchasing System.

Operational
Director –
Community and
Environment

CLIMATE CHANGE PORTFOLIO

EXB35 HALTON SMART MICRO GRID

The Board considered a report of the Chief Executive, which sought for a waiver of compliance with part 2 and/ or 3 of Procurement Standing Orders pursuant to Procurement Standing Order 1.14.4 to allow a direct contract award to Horizon Energy and Power to provide technical support development of the Halton Micro Grid including submitting a planning application and developing all documentation to enable design and build tenders to be invited.

The Board was advised that at a previous meeting the Board had endorsed a scheme to extend the Solar Farm on the former St Michael's Golf Course and create a micro grid connecting in the Municipal Building, Lowerhouse Lane Depot and the new Leisure Centre in Moor Lane (Minute EXB75/2022 refers).

It was noted that the scheme also had the endorsement of the Liverpool City Region (LCR) Internal Investment Panel with a potential for a grant allocation of £2.5m towards the capital costs. A key condition of the Investment Panel's decision was that the Council provided an updated cost for the project to reflect current market prices.

In order to meet the condition set out by the LCR Internal Investment Panel the Council would be required to undertake a procurement exercise and seek planning approval for the scheme. This would require specialist consultancy support in a number of areas, details of which were outlined in the report.

The Council had appointed Horizon Power and Energy to undertake consultancy work in relation to the initial solar farm project and they had provided a quote for the above scope of work for the Micro Grid Project. A benchmarking exercise of the costs submitted by Horizon Power and Energy had been undertaken against the

consultancy rates on the ESPO Public Sector Procurement Framework and this had shown that the costs of the work were in line with the framework rates.

RESOLVED: Executive Board give approval that

- 1) Procurement Standing Orders 2 and or 3 be waived pursuant to Standing Order 1.14.4 (non-emergency procedures – exceeding a value threshold of £100,000), 1.14.4 (iv) where compliance with Procurement Standing Orders would result in the Council having to forego a clear financial or commercial benefit); and
- 2) a contract award be made to Horizon Energy and Power as their quote demonstrates value for money against the ESPO Public Sector Procurement Framework rates and of their expertise and detailed knowledge of the Halton Micro Grid Project.

Chief Executive

EXB36 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 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.

With prior permission from the Leader, Councillor McDermott remained to observe the following items.

DEPUTY LEADER'S PORTFOLIO

EXB37 PROPOSED LEISURE CENTRE, MOOR LANE, UPDATE REPORT

The Board considered a report of the Operational Director – Economy, Enterprise and Property, which provided an update on the progress in respect of the proposed Leisure Centre on Moor Lane. The report also sought approval to proceed following submission of the updated costs from the contractor.

RESOLVED: That

- 1) the report be noted; and
- 2) approval is given to proceed with the construction of the Leisure Centre, and enter into a contract with Wates Construction to deliver the scheme.

Operational
Director –
Economy,
Enterprise and
Property

ENVIRONMENT AND URBAN RENEWAL PORTFOLIO

EXB38 SILVER JUBILEE BRIDGE LIGHTING SCHEME

The Board considered a report of the Operational Director – Policy, Planning and Transportation, which provided an update on the competitive tendering exercise that had been carried out utilising the SCAPE Framework in accordance with Procurement Standing Order 1.4.1 to provide costings for a new architectural lighting scheme on Silver Jubilee Bridge.

The Board thanked Councillor S Hill for his contribution towards this project.

RESOLVED: That

- 1) the SCAPE Framework is used for fulfilling of the supply and installation of the SJB floodlighting scheme in compliance with Procurement Standing Order 1.4.1;

Operational
Director – Policy,
Planning and
Transportation

- 2) the tendered sum set out in section 3.4 is accepted and the capital programme amended accordingly; and
- 3) delegated powers are given to the Operational Director – Policy, Planning and Transportation in conjunction with Portfolio Holder for Environment and Urban Renewal to undertake the necessary actions to deliver the proposed lighting scheme.

ADULT SOCIAL CARE PORTFOLIO

EXB39 LILYCROSS CARE CENTRE - CARE BEDS

The Board considered a report from the Director of Adult Social Services, which sought a waiver in compliance with Procurement Standing Order 1.14.4 (v) of Part 3 of Procurement Standing Orders for the granting of a direct award for the provision of 10 Transitional Beds (Residential and Nursing) at Lilycross Care Centre, Widnes by Catalyst Management Services from 1st October 2022 to 31st March 2023.

RESOLVED: That

- 1) the contents of the report be noted; and
- 2) in compliance with Procurement Standing Order 1.14.4 (v), of Part 3 of Procurement Standing Orders, approval be granted for a direct award to Catalyst Management Services for the provision of Care Beds at Lilycross Care Centre.

Director of Adult
Social Services

LEADER'S PORTFOLIO

EXB40 ADDITIONAL CAPACITY TO SUPPORT THE DESIGN OF THE COUNCIL'S TRANSFORMATION PROGRAMME

The Board considered a report of the Executive Director - Enterprise, Community & Resources – Interim, which sought approval for a waiver of standing orders for an immediate hire of additional temporary resources from a specific supplier who could provide that expertise at short notice to assist with designing the Transformation Programme. The appointment was needed in order for the programme to be approved as part of the Council's 2022/23 budget setting process.

RESOLVED: That

- 1) the appointment of additional temporary capacity to support the Transformation Programme design, be approved; and
- 2) Part 3 of Procurement Standing Orders be waived, by virtue of Procurement Standing Order 1.14.4 (v) and the contract be awarded directly to Studio3Advisory Ltd.

Executive Director
- Enterprise,
Community &
Resources –
Interim

MINUTES ISSUED: 25 October 2022

CALL- IN: 1 November 2022 at 5.00 pm

Any matter decided by the Executive Board may be called in no later than 5.00pm on 1 November 2022.

Meeting ended at 3.12 p.m.