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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 14 September 2023 in The Boardroom, Municipal Building

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

Apologies for Absence: None

Absence declared on Council business: Councillor Harris

Officers present: G. Cook, S. Young, M. Reaney, E. Dawson, S. Wallace-Bonner E. Dunne, R Marr and G. Ferguson

Also in attendance: None

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

Action

EXB23 MINUTES

The Minutes of the meeting held on 13 July 2023 were taken as read and signed as a correct record.

LEADER'S PORTFOLIO

EXB24 REGULATION OF INVESTIGATORY POWERS ACT 2000 ("RIPA") & INVESTIGATORY POWERS ACT 2016 ("IPA") UPDATED POLICY AND USE

The Board considered a report of the Operational Director – Legal and Democratic Services, that sought approval of the Council's updated Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 (IPA) Policies and accompanying Employee Guides. These Policies covered the use of covert surveillance and the acquisition of communications data.

The report also provided members with an update on the Council's written response to the Investigatory Powers Commissioner's Office (IPCO). The written response provided information of the Council's use and compliance with RIPA and IPA.

RESOLVED: That

- 1) the revised RIPA policy and accompanying Employee Guide be approved;
- 2) the revised IPA Policy and accompanying Employee Guide be approved; and
- 3) the Board note the recent response to the IPCO.

Operational
Director, Legal
and Democratic
Services

EXB25 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.

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

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

CORPORATE SERVICES PORTFOLIO

EXB26 2023/24 SPENDING AS AT 30 JUNE 2023

The Board received a report from the Operational Director – Finance, which reported the Council's overall revenue net spending position as of 30 June 2023, together with an initial forecast outturn position.

A summary of spending against the operational revenue and capital net spending position as at 30 June 2023 together with a 2023/24 forecast outturn position was presented in Appendix 1 and Appendix 2 and these provided detailed figures for each individual Department. In overall terms net spending as at 30 June 2023 was £2.023m over budget. The outturn forecast for the year estimated that net spend would be over the approved budget by £8.415m.

The report detailed a review of the Council General Reserve as at 31 March 2023. The current balance of reserves held was not sufficient to meet the current forecast outturn overspend position for the year and it was clear that there needed to be a significant reduction in spending by all

Departments over the coming months to reduce the forecast outturn overspend.

Council had previously approved the capital programme for 2023/24 at its meeting on 8 March 2023. Subsequently, new capital grant allocations had been received and slippage to capital projects for 2022/23 had been rolled forward to the current year. Appendix 3 presented the Capital Programme as at 30 June 2023 and reported on the Council's total planned Capital Programme expenditure over the next three years. Appendix 4 outlined the saving measures against the budget for the three year period 1 April 2023 to 31 March 2026 together with information on action to date to achieve the target saving.

RESOLVED: That

- 1) all spending continues to be limited to only absolutely essential items;
- 2) Strategic Directors take urgent action to identify areas where spending could be reduced or suspended for the remainder of the current financial year, or additional funding secured; and
- 3) Council be requested to approve the 2023/24 to 2025/26 Capital Programme as set out in paragraph 3.18 and Appendix 3.

Operational
Director - Finance

EXB27 TRANSFORMATION PROGRAMME UPDATE

The Board considered a report of the Corporate Director: Chief Executive's Delivery Unit, which provided an update on the progress made within the Council's Transformation Programme. Work had continued to define the scope of additional projects within the Programme and the schedule of projects set out in Appendix A of the report had been updated to reflect this.

The Board noted that:

- early benefits had been realised within the 'A clear, affordable and appropriate SEND offer' project with cost avoidance of in excess of £300,000 identified;
- the realignment of Administrative Support services, which formed part of the 'Simplifying the Customer Journey' project was expected to realise savings in Quarter 3;
- there had been a refocusing of programme support provided to Children's Social Care, which was

coinciding with the appointment of the Director of Children's Services; and

- the estimated savings for the programme which were set out in Appendix B of the report.

RESOLVED: That the Board noted the contents of the update.

ADULT SOCIAL CARE PORTFOLIO

EXB28 HBC & NHS CHESHIRE & MERSEYSIDE JOINT WORKING AGREEMENT (BETTER CARE (POOLED) FUND) - KEY DECISION

The Board considered a report of the Executive Director – Adult Services, that sought approval of the updated two year Joint Working Agreement (JWA) between Halton Borough Council (HBC) and NHS Cheshire & Merseyside (CM), taking effect from 1 April 2023 to 31 March 2025. The JWA replaced the previous one year JWA which was agreed by Executive Board on 16 March 2023.

It was noted that since March 2023, national guidance had been issued in respect of the Better Care Fund (BCF) Plan and discussions had also taken place between HBC and NHS CM regarding the governance arrangements in respect to the Pooled Budget. This had resulted in the establishment of a Joint Senior Leadership Team (JSLT) between HBC and NHS CM. The JSLT would be responsible for the direction, oversight and monitoring of the BCF Plan and associated Pooled Budget. The JSLT would be supported in this duty by the Better Care Commissioning Advisory Group.

The new governance arrangements along with links to the two year BCF Plan had been reflected in the new JWA.

As the JWA was currently being progressed through NHS CM's associated governance channels, it was requested that delegated authority be given to Executive Director – Adult Services, in consultation with the Portfolio Holder for Adult Social Care, to finalise the new JWA.

Reason(s) for Decision

Approval of the agreement will continue to support both the HBC and NHS CM in developing our integrated

approach to service delivery and transformation to improve the Health and Wellbeing of Halton residents.

Alternative Options Considered and Rejected

Allow the JWA to cease.

Implementation Date

The two year JWA takes effect from 1 April 2023.

RESOLVED: That

- 1) the contents of the report and associated Appendix be noted; and
- 2) the Agreement be approved, with delegated authority to the Executive Director – Adult Services, in consultation with the Portfolio Holder for Adult Social Care, to finalise the new Joint Working Agreement (JWA)

Executive Director
of Adult Services

HEALTH AND WELLBEING PORTFOLIO

EXB29 CHESHIRE AND MERSEYSIDE CARE PARTNERSHIP

The Board considered a report of the Operational Director – Legal and Democratic Services, that sought authority for the Council to become a member of the new statutory Integrated Care Partnership for Cheshire & Merseyside, to be known as the Cheshire & Merseyside Health and Care Partnership (C&M HCP). The Partnership is a statutory joint committee and formed part of the overall structure of the new Integrated Care System set out in the Health and Care Act 2022. The report set out the statutory functions of the C&M HCP, its role and membership. A copy of the terms of reference was also included as Appendix 1.

RESOLVED: That it be recommended to Council that

- 1) the Council become a member of the Cheshire & Merseyside Health & Care Partnership;
- 2) the terms of reference of the Cheshire & Merseyside Health & Care Partnership, set out at Appendix 1, be adopted and that the Operational Director – Legal & Democratic in consultation with the Portfolio Holder – Health and Wellbeing, be authorised to make minor changes to the final version if necessary;

Operational
Director, Legal
and Democratic
Services

- 3) the Portfolio Holder - Health and Wellbeing be nominated to be the Council's representative on the Cheshire & Merseyside Health and Care Partnership; and
- 4) authority be delegated to the Chief Executive to nominate an Executive Director / Director of Public Health to be a member of the Committee if considered appropriate.

ENVIRONMENT AND URBAN RENEWAL PORTFOLIO

EXB30 HOUSES IN MULTIPLE OCCUPATION - AMENITY STANDARDS FOR LICENSED PREMISES

The Board considered a report of the Director of Public Health, which sought approval to adopt the Houses of Multiple Occupation (HMO) Licensing requirements and Amenity Standards Policy.

Over the past 12 months some Members had expressed concern about the proliferation and standards of HMO properties in certain parts of the Borough. Subsequently the Environment and Renewal Policy and Performance Board (PPB) had agreed to establish a working party to agree a set of HMO amenity standards and explore options for additional control of HMO's. The working party had met on a number of occasions and developed an action plan which was approved by the PPB in February 2023. Details of the plan were outlined in the report.

Following a progress report on the action plan to the PPB in June 2023, the Board had endorsed the proposal to submit the HMO Property Standards Policy to the Executive Board for adoption. A copy of the Policy document was attached to the report.

RESOLVED: That the adoption of the Houses of Multiple Occupation (HMO) Licensing Requirements and Amenity Standards Policy be approved.

Director of Public Health

EXB31 PRELIMINARY PROCUREMENT NOTIFICATION - PORT OF WESTON, SURFACE ACCESS IMPROVEMENTS

The Board considered a report of the Executive Director – Environment and Regeneration, which provided notification of the intention to undertake a procurement exercise to appoint a specialist multi-disciplinary team to prepare pre-development design and feasibility work for surface access improvements to Port Weston, Runcorn. The

contract was to be funded through the Liverpool City Region Freeport Seed Investment Fund, subject to securing a Grant Funding Agreement with the Combined Authority.

RESOLVED: That

- 1) Members noted the intention to undertake a procurement exercise via the SCAPE Public Sector National Consultancy Framework, with the purpose of securing a specialist multi-disciplinary team to undertake design and feasibility work for surface access improvements to Port Weston; and
- 2) delegated authority is provided to the Executive Director Environment and Regeneration, to enter into a Grant Funding Agreement(s) with the Combined Authority to access the Liverpool City Region Freeport Seed Investment Fund.

Executive Director
Environment &
Regeneration

EXB32 PRELIMINARY ESTIMATES FOR LIQUID ROAD FUEL CONTRACTS – SUPPLY OF DIESEL, KEROSENE, HVO AND AD BLUE

The Board considered a report of the Executive Director – Environment and Regeneration, that sought approval for the Council to be included in a national procurement exercise in order to award contracts for the supply of Liquid Road Fuels to Council sites.

The Council currently had a Liquid Road Fuel contract and a contract for the provision of Ad Blue in place with a total expenditure in the region of £733,000 per annum. These contracts were both awarded under a national Framework Agreement procured by Crown Commercial Services (an executive agency sponsored by the Cabinet Office that provided commercial services, including buying services for the public sector). Both contracts would expire on 31 March 2025.

RESOLVED: That the Board approves the use of Procurement Standing Order 1.4.1 to allow the Council to use a Framework Agreement procured by a Central Purchasing Body (Crown Commercial Services) in compliance with the Public Contracts Regulation 2015.

Executive Director
Environment &
Regeneration

ENVIRONMENT AND URBAN RENEWAL AND HEALTH AND WELLBEING PORTFOLIOS

EXB33 REVOCATION OF HALTON'S AIR QUALITY MANAGEMENT AREAS IN WIDNES TOWN CENTRE

The Board received a report of the Director of Public Health, which sought approval for the revocation of Halton's Air Quality Management Areas in Widnes Town Centre.

In 2011, the high levels of Nitrogen Dioxide measured 49µg/m³ against the UK legal limit of 40µg/m³. Since then, a number of developments have resulted in a significant improvement in air quality. These included improvements in vehicle emission technology and the opening of the Mersey Gateway Bridge in 2017, which resulted in reduced traffic congestion in Widnes Town Centre. Levels of Nitrogen Dioxide in those areas were now consistently below the UK legal limit.

The Environment and Urban Renewal Policy and Performance Board (PPB) had previously endorsed a report which set out the rationale for revoking the air quality management in Widnes Town Centre and the proposal for the public consultation (Minute EUR32 refers). In June 2023, the PPB received a further report which set out the results of the public consultation and the Board endorsed that the report be submitted to Executive Board to seek approval for the revocation.

The air quality management areas would need to be revoked by way of an Order of the Council under the Environment Act 1995 and a copy of the draft Order was attached as Appendix 2.

RESOLVED: That the Board approve the revocation of:

- 1) the Halton Borough Council Air Quality Management (Widnes No.1) Order 2011; and
- 2) the Halton Borough Council Air Quality Management (Widnes No. 2) Order 2011.

Director of Public Health

EMPLOYMENT, LEARNING AND SKILLS AND COMMUNITY PORTFOLIO

EXB34 LIBRARY STRATEGY 2023/28

The Board received a report of the Executive Director – Environment and Regeneration, which provided a copy of the draft Library Strategy for 2023-28 and gave an update on the work of the Library Service for 2022/23.

The Board was advised that the current Library Strategy would expire in 2023 and a new draft Strategy

document had been produced. A copy of the Strategy document was appended to the report for consideration.

The new Strategy had previously been considered and endorsed by the Employment, Learning and Skills and Community Policy and Performance Board at its meeting on 19 June 2023.

RESOLVED: That the Library Strategy be adopted.

Executive Director
Environment &
Regeneration

EXB35 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 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.

DEPUTY LEADER'S PORTFOLIO

EXB36 PROPERTY AND ACCOMMODATION REVIEW

The Board considered a report of the Executive

Director – Environment and Regeneration, which provided an update on the review of the Council’s property (buildings), feedback from the Members’ working group and information on the proposed next steps to be undertaken. The group had met on two occasions and the notes from these meetings were appended to the report.

RESOLVED: That

- 1) the update provided be noted;
- 2) Members confirmed that they were content with the actions and next steps being proposed; and
- 3) a further report will be provided with options once the survey work outlined in the report is completed.

Executive Director
Environment &
Regeneration

MINUTES ISSUED: 19 September 2023

CALL-IN: 26 September 2023 at 5.00 pm.

Any matter decided by the Executive Board may be called in no later than 5.00pm on 26 September 2023.

Meeting ended at 2.50 p.m.