

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 2 April 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Nelson, Polhill, Swain, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: G. Cook, B. Dodd, D. Johnson, I. Leivesley, A. McIntyre, G. Meehan, M. Noone, D. Parr, M. Reaney and M. Simpson

Also in attendance: Cllrs Hodgkinson, Osborne and E Cargill and F. Johnstone – PCT, B Pilkington and S Barber – 5 Borough's Partnership NHS Trust.

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

	<i>Action</i>
<p>EXB127 MINUTES</p> <p>The Minutes of 19th March 2009 were taken as read and signed as correct record.</p>	
<p>EXB128 ANNUAL AUDIT AND INSPECTION LETTER 2007/08</p> <p>The Board received a presentation from the Council's Auditors on the Annual Audit and Inspection Letter. It was advised that the Annual Audit and Inspection Letter provided an overall summary of the Audit Commission's assessment of the Council, drawing on audit inspections and performance assessment work. Appended to the report was a copy of the annual letter for Members' consideration.</p> <p>The Board's attention was drawn to the key messages, purpose, responsibilities and scope, how the council was performing and the audit of the accounts and value for money from the annual audit document.</p> <p>Members queried whether IRFS would be implemented in this authority. In response it was noted that</p>	

it would be implemented in phased stages from 2010 onwards and the finance team were currently planning for it.

The Executive Board noted their thanks to Mike Thomas and the team for the hard work and the positive report produced.

EXB129 ANNUAL REVIEW OF THE CONSTITUTION

The Board considered a report of the Strategic Director, Corporate and Policy which sought the approval of the Council to a number of changes to the Constitution.

Members had received a revised version of the Constitution, it was advised that this amended version picked up the changes to the Council's working arrangements that had taken place during the year, as well as other changes which were intended to assist the Council to operate more effectively.

It was advised that the proposals for change had been considered by the Chief Executive and the Executive Board Member for Corporate Services in accordance with Article 16.02. It was reported that apart from the purely technical changes, the proposed amendments that were considered to be of particular significance were listed as an appendix to the report.

The Board was informed of one change to the appendix which related to Citizen's Right's of Access to Information in terms of amending the acceptability of questions put to Area Forums. It was proposed that questions put to Area Forums should be the responsibility of the Lead Officer in Consultation with Members, rather than in consultation with the chair as not all Area Forums have a standing Chairman.

RESOLVED: That Council be recommended to approve the changes to the Constitution as set out in the amended version detailed as follows.

Local Code of Corporate Governance

National Standard document which Council needs to adopt. Further enhances the Council's integrity framework.

Warrington BC Trading Standards arrangements

Delegated powers changed to reflect joint working with Warrington BC

- (i) Mental Health functions – officer delegation

A separate report seeking additional officer delegations in relation to the council's Mental Health functions. To the extent approved by Council these will be added to the final printed version of the 2009 Constitution.

(ii) Urgent Decisions

It is important that the Council is able to respond promptly within an accountable framework. For this reason an urgent measures delegation is proposed for approval in the Scheme of Delegation.

(iii) Procurement Standing Orders

Improvements have also been proposed to the Procurement Standing Orders to ensure that the reasons for decisions are documented. This will enhance accountability and transparency.

(iv) Call-In

Changes have also been made to the Call-In Procedure to allow withdrawal where Members initiating the Call-In wish to discontinue the process.

Citizen's Right's of Access to Information, meetings etc, Number 7.

Acceptability of questions put to Area Forums should be the responsibility of the Lead Officer in consultation with Members rather than the responsibility of the Chair since not all Area Forums have a Standing Chairman.

EXB130 SUSTAINABLE COMMUNITIES ACT 2007

The Board received a report of the Strategic Director, Corporate and Policy which informed Members of the provisions of the Sustainable Communities Act 2007 and reported on a consultation on local spending reports pursuant to the Act.

It was advised that the Sustainable Communities Act 2007 was introduced to parliament as a Private Bill. In summary –

- 1) Local authorities were invited to make suggestions to the Secretary of State for Communities and Local Government aimed at improving the sustainability of local communities. Suggestions must promote economic, social and environmental well-being.
- 2) Local authorities would be able to request Local Spending Reports to help them to prioritise actions.

These reports would show all of the Government spending in their communities from Government Departments and their agencies.

- 3) The Act formally changed the name "Community Strategies" (as set out in the Local Government Act 2000) to "Sustainable Community Strategies".

The Board was advised that under the provisions of the Act, the Secretary of State had invited Local Authorities to make proposals which they considered would contribute to promoting the sustainability of local communities. It was advised that the expectation was that most proposals would originate from community organisations, parties and town councils, neighbourhood forums, residents and tenants associations, local strategic partnerships and other partnership bodies. It was further noted that proposals could also be developed by Councils themselves.

The Board was informed that there was no limit on the types of proposals that local authorities could make to the Secretary of State. It was noted that they could include a request for a transfer of functions from one body to another (for example from a national to a local body or from one local body to another). This could be accompanied by a request for transfer of funding linked to that function. In making such a proposal a local authority would have first to consult with both bodies concerned. It was noted there was no specific budget associated with this Act and proposals could be made requiring new funding but generally they would need to be resourced from existing public funds.

The Board was further advised that before submitting a proposal to the Government for consideration, the local authority must first establish and consult with a panel of "representatives of local persons". Statutory guidance required that persons from under-represented groups were included on such a panel. It was noted that for the purposes of the Act "representatives of local persons" meant a balanced selection of individuals, groups or organisations likely to be affected by or have an interest in the proposal. It did not refer to formally elected or nominated members of the community.

It was advised that the deadline for submission of proposals to the LGA was 31st July 2009. It was noted the LGA planned to consult on some draft criteria for short listing proposals in March 2009 and to publish a final proposal form in April allowing three months for local consultation and decision making before the submission deadline. It was

further noted that there would be further rounds for submission on proposals but no timetable had yet been set.

The Board also considered that the Act required the Secretary of State to make arrangements for the production of Local Spending Reports. These reports provided information about public spending in relation to a particular area. It was noted that this was intended to “promote the sustainability of local communities by providing access to high quality information about the public funding that was spent in the area”. The Government expected this provision to provide greater transparency and accountability.

It was reported that the Government had recently published a consultation on proposals for local spending reports. The consultation period would end on 15th May 2009. The consultation pointed out that the statutory requirement was potentially complex and expensive and suggested that the “first arrangement” would make use of information currently available and through the consultation it could be assessed how reports should be developed over time.

It was advised that the Government proposed that the first arrangement should comprise a list of items of expenditure for all local authorities, police authorities, fire and rescue authorities and primary care trusts. It was proposed that the items of expenditure would be broken down into more detailed tables as currently set out in the revenue out-turn returns made to Central Government.

The Board was advised of a response that would be sent to the consultation indicating that to be of any use, the reports must set out what was spent by agencies and Government departments. The proposed responses to the consultation questions were appended to the report for Members’ consideration.

RESOLVED: That

- 1) a seminar be held for all Members to consider how the Council might respond to promoting sustainability within the framework of the Act;
- 2) the matter be discussed at the Halton Strategic Partnership Board; and
- 3) the draft response to the consultation on local spending reports set out in the in appendix be agreed.

EXB131 PREPARATION FOR COMPREHENSIVE AREA ASSESSMENT - CAA

The Board considered a report of the Strategic Director, Corporate and Policy which outlined the key features of the new CAA framework that would take effect on 1st April, 2009. Appended to the report were signposts and specific information on the following aspects of the CAA for Members' consideration:

- a) The scope and architecture of CAA
- b) The Area Assessment
- c) The Organisational Assessment
- d) Timetable for Assessment
- e) Actions being taken to prepare for CAA

It was advised that a version of this report would be circulated to all members of the Halton Strategic Partnership Board, Specialist Strategic Partnerships and Sector Based Partnerships in the near future.

RESOLVED: That

- 1) the Board approves the initial actions to prepare for the Comprehensive Area Assessment set out in Section (e) of Annex 1 to the report; and
- 2) the Board supports and engages with the activities to prepare for CAA, across relevant areas of the Council and the Halton Strategic Partnership.

EXB132 EQUALITY & DIVERSITY PROGRESS REPORT

The Board received a report of the Strategic Director, Health and Community which provided an update on the current position on the equality and diversity agenda in Halton.

It was reported that the Council was making progress towards creating a culture whereby equality and diversity were part of the mainstream planning and service provision process. It was noted that the Council had developed a specific structure around equality and diversity duties. At its core was the Corporate Equality and Diversity Group, currently chaired by the Strategic Director of Health and Community. It was advised that this had representation from officers from across the Council and underpinning this were Directorate groups. In addition, it was reported that there

was a Members' Equality and Diversity Group chaired by Councillor Wharton, Executive Board Member, Corporate Services. Its role was to give a strong political foundation, champion equalities issues and provide the necessary degree of monitoring and challenge on the Council's pursuit of its equalities aspirations. It was reported that these groups now interlinked with the Local Strategic Partnership, Equality, Community Cohesion and Engagement Group.

It was further advised that equalities were a dynamic area of public policy. There had been major recent legislative changes in this area. The Equality Bill, A Framework for a Fairer Future, was presented to Parliament in June 2008 and would be launched in April 2009. Details of what the Bill provided for were outlined in the report for Members' consideration. It was reported that the Council was currently at Level 3 of the Equality Standard for Local Government. However, in April 2009 the Equality Standard would be replaced by the Equality Framework for Local Government. Set out in the report were the current five levels of the Standard which would be simplified by consolidation into three levels.

The Board was also advised of progress that had been made to support the process in Moving towards Excellence.

RESOLVED: That the Executive Board note the report and endorse the actions outlined in section 4 in order for the Council to move forward to Excellent Status within the new Equality Framework for Local Government.

EXB133 REVIEW OF SAFEGUARDING CHILDREN AND YOUNG PEOPLE IN HALTON - KEY DECISION

The Board received a report of the Strategic Director, Children and Young People which outlined the findings of the Joint Area Review of Haringey Council and their statutory partners. In addition, the report set out an analysis of current strengths in Safeguarding and Child Protection Services in Halton and the report also identified service trends in Safeguarding and Child Protection Services in Halton along with a Development Plan.

It was reported that the significant weaknesses identified by the recent Joint Area Review (JAR) of Haringey Council and its statutory partners services to vulnerable people had caused a waive of both political and public concern about the protection of children in our society. It

was noted that it also had a significant impact on those who delivered Safeguarding services.

The Haringey JAR in November judged the Borough as “inadequate” and gave a damning verdict of the management and application of Child Protection Services across much of the public sector. Lead Statutory responsibility for Child Protection Services rested with the Director of Children’s Services and the Lead Member for Children and Young People.

It was further reported that Halton Council and its partners were judged in April 2009 by the OfSTED Joint Area Review as “Outstanding” in its Safeguarding and Child Protection Practice. That “Outstanding” judgement was confirmed in the Annual Performance Assessment by OfSTED public on the 17/12/08 of the Council’s Children and Young People Directorate. It was noted that this was one of only a few “Outstanding” ratings, nationally.

Also detailed in the report was the findings from Haringey’s JAR. In addition the report set out Halton’s strengths, Halton’s context and challenge, development plan and financial implications. It was further advised that safeguarding children well required the Council to routinely evaluate the effectiveness, capacity and safety of the current system. The report brought together the full range of issues impacted on the Council in its principal objective of keeping children safe.

REASON FOR DECISION

To ensure that children and young people are effectively safeguarded and the Council is compliant with the requirement set out in Lord Lamings Review of Progress Report

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None applicable

IMPLEMENTATION DATE

2nd April 2009

RESOLVED: That the Executive Board endorses the ‘Development Plan’ enclosed as section 4 to the report.

EXB134 ACCELERATED CAPITAL - KEY DECISION

The Board received a report of the Strategic Director, Children and Young People which provided an update on

the capital programme for 2009/10 following the offer to local authorities by the DCSF to accelerate capital funding.

It was advised that in November the DCSF offered to release in 2009/10 some of the capital grant programmed for release in 2010/11 with the aim of stimulating the local economy, especially for small and medium sized enterprises. It was noted that in order to support this initiative the Directorate had confirmed to the DCSF that it wished to bring forward £500,000 from the grant scheduled to be released in 2010/11. In addition, £120,000 of LCVAP had been brought forward for use on schools in Shrewsbury Diocese. It was proposed the accelerated capital funding available to Halton would fund the following works:

- Moore Primary School – removal of mobile classroom and provision of new build classroom.
- Lunts Heath Primary School – re-roofing.
- West Bank Primary School – new boiler.
- Hillview Primary School – new boiler.
- Cavendish School – furniture and equipment required to complete the building project at the school.

Detailed descriptions of the projects including the estimated cost of works were outlined in the report for Members' consideration.

REASON FOR DECISION

To deliver and implement the capital programmes.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

IMPLEMENTATION DATE

Capital programmes to be implemented with effect from 1st April 2009.

RESOLVED: That the Executive Board

- 1) notes the additional capital funding available for 2009/10; and
- 2) recommends submission to full Council for approval of the additional works to be carried out from the capital programme 2009/10.

EXB135 SCHOOLS ADMISSION ARRANGEMENTS 2010

The Board considered a report of the Strategic Director, Children and Young People which fulfilled the requirement under the School Standards and Framework Act, 1998, the Education Act 2001, the Education and Inspections Act 2006, and associated regulations, to determine Halton Local Authority's (LAs) Schools Admissions Policy for LA maintained community and voluntary controlled schools and co-ordinated admission schemes for all primary and secondary schools for September 2010 following statutory consultation. The LA also consulted on the admission arrangements to its maintained nursery schools for the September 2010 intake.

It was reported that in January 2009 Halton LA issued a statutorily required consultation paper on the proposed admission arrangements and co-ordinated admissions schemes for the September 2010 intake which was appended to the report for information.

Details of the consultation were published in the local press, made available on the Council's website and issued to the head teachers and governing bodies of all nursery, infant, junior, primary and secondary schools, the four Diocesan Authorities responsible for voluntary aided schools in Halton and neighbouring authorities. It was noted that following prior consultation and agreement with the four Diocesan Authorities, the LA also facilitated an on-line admissions consultation process for all Church of England and Catholic Voluntary Aided Schools, which enabled them to consult on their proposed admission arrangements for the 2010 academic year along with the LA's proposed arrangements.

It was advised that the consultation paper proposed no changes to the current over subscription criteria for admission to LA maintained community and voluntary controlled primary schools and no change to the current over subscription criteria for admission to LA maintained community schools in Runcorn. However, changes were proposed to the allocation of places at LA maintained community secondary schools in Widnes through the introduction of catchment zones as detailed in an Appendix to the report. The Board was advised the consultation commenced on 5th January 2009 and closed on 28th February 2009. 22 responses were received to the consultation and were outlined in the report for Members' consideration. The Halton Admissions Forum met on 3rd

March 2009 to consider the Admissions Policy, co-ordinated schemes, proposed catchment zones and the responses to the consultation. It was reported that the Admissions Forum approved the policy and co-ordinated and secondary schemes, considered the catchment zone options proposed by the LA and considered the responses received to the consultation, including the responses from the Governing Body at Waste Deacon High School who made representations about the LA's proposals. The Board was advised that the consensus from the Admissions Forum was that both Options 1 and 2 proposed by the LA should be put to the Executive Board for consideration.

It was further reported that the LA as commissioner of school places must ensure that the admission arrangements were fair, not complex and fully complied with all statutory requirements. In considering the introduction of catchment zones the LA wished to reflect the diversity of the community served by both The Bankfield School and Wade Deacon High School and did not wish to exclude particular housing estates or addresses in a way that might disadvantage particular social groups. It was advised that in the LA's view Option 2 best met those needs.

REASONS FOR DECISION

The decision was statutorily required and any revision to the proposed arrangement may adversely affect school place planning as detailed in 7.1 of the report.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

As detailed in paragraph 3.3 of the report if the LA remained with the current over subscription criteria for admission to Widnes Community High Schools i.e Children in Care, Siblings and then straight line distance measurement, some pupils living on the East side of Widnes would be required to circumvent two high schools to access educational provision, therefore this option was rejected. The representations submitted by the Governing Body at Wade Deacon High School were considered by the Halton Admissions Forum and rejected and the LA would support that view. Other options considered and rejected included the allocation of places through random allocation (lottery) as this method could be seen as arbitrary and random.

IMPLEMENTATION DATE

The Policy applied for the September 2010 academic intake and would apply for 3 years unless further Central or Local Government changes were required.

RESOLVED: That the Board approve the School

Admissions Policy, Admission Arrangements and co-ordinated schemes for admission to primary and secondary schools including the adoption of catchment zones for admission to Widnes Community High Schools, and admission arrangements to nursery schools and LA nursery classes. All of which applied to the 2010/11 academic year.

EXB136 CHILDREN'S ORAL HEALTH SCRUTINY

The Board received a report of the Strategic Director, Children and Young People which outlined Children's Oral Health in Halton recently endorsed by both the Children and Young People and Healthy Halton Policy and Performance Boards. It was reported that on 27th November 2007 the Children and Young People's PPB agreed that children and young people's oral health should provide the focus for scrutiny during 2008. It was advised that the Council's Annual performance Assessment of services for children and young people in Halton reported that "The Local Authority's performance on oral health was weaker than national and remained an area of development". It recommended that the Local Authority should "accelerate plans to improve oral health".

The Board were informed that the Oral Health Scrutiny Group was a joint scrutiny topic comprising of Members from the Healthy Halton and Children and Young People's PPB. The Board was advised that the Scrutiny Group would:

- Receive and consider evidence presented on the state of children's oral health in the Borough; and
- Consider the information in relation to statistical neighbours and national and regional benchmarks; and consider for securing improvement.

It was reported that dental health in Halton was poor and using data from epidemiological studies of child dental health, it was evident that 16 of the 21 electoral wards that comprised Halton Local Authority, dental health of five year olds was worse than the national average. This position was similar amongst the 12 year old population. It was noted that against this background Halton and St. Helens PCT had developed a dental commissioning strategy the aims of this were outlined in the report.

It was reported that the dental commissioning strategy was accepted by the PCT Board in March 2008 and funding was provided to ensure that key dental health

objectives identified within the strategy were addressed. In 2008-09 the PCT elected to focus on the priority issues:

1. Improving child dental health and reducing dental health inequality.
2. Improving access to primary dental care.

The background to each of these and details of how they would be achieved was outlined in the report for Members' consideration.

The Chair of Healthy Halton PPB addressed the Board and noted in particular the importance of 'Lancashire Trial' as it was reported that 30% of children in the Borough did not visit a dentist therefore the treatment to take place in school settings would benefit a wider range of children.

RESOLVED: That

- (1) the Executive Board be requested to approve the recommendations contained in 2.1 to 2.3 below;
- (2) Halton and St. Helens PCT should, subject to parental consent and outcomes of the "Lancashire Trial", support the administering of fluoride varnish to children, to take place in school settings;
- (3) Halton and St. Helens PCT should take steps to support the take up dental services by vulnerable young people who may not have regular access to dental services or be registered with a dentist; and
- (4) the Children and Young People's Policy and Performance Board should keep under review the implementation of the Oral Health Strategy.

EXB137 CONSULTATION ON APPLICATION FOR NHS FOUNDATION TRUST STATUS

The Board received a report of the Strategic Director Health and Community which provided an update on the Five Borough's Partnership NHS Trust's consultation regarding its application for Foundation Trust status and its organisational proposals.

It was reported that the NHS Foundation Trusts were established under the Health and Social Care (Community Health and Standards Act) 2003 ("the 2003 Act"). It was noted that they had grown out of the wider NHS reform

programme, offering greater autonomy and freedoms for NHS organisations within a national framework of standards and inspections.

The Board was advised that all NHS Provider Trusts had been tasked with achieving the position at which they could be considered as potential Foundation Trusts. A Foundation Trust was an NHS organisation that operated on the principle of working with its members for public benefit. It was noted that a Foundation Trust remained part of the NHS and maintained the principles and standards of the NHS such as delivering services without charge.

It was further advised that Foundation Trusts were subject to NHS standards, performance measures and inspection processes. Foundation Trusts were overseen by an independent regulator, Monitor and inspected by the Healthcare Commission (to be replaced by the Care Quality Commission in April 2009), which was the body that ensured that Foundation Trusts met their obligations. Detailed in the report was a description of what NHS Foundation Trusts were and what they must be able to demonstrate.

It was reported that the Trust's consultation document described its proposals for the future organisational arrangements for governance and comprised of three main components which were set out in the report for Members' consideration. A copy of the consultation document was appended to the report for information.

RESOLVED: That the Executive Board support the application for Foundation Status and the opportunities this would bring to the people of Halton.

EXB138 HEALTH & COMMUNITY CAPITAL PROGRAMME 2009-10

The Board considered a report of the Strategic Director, Health and Community which advised the likely provisional carry forward to 2009/210 and sought approval for the draft 2009/10 capital programme.

Detailed in the report was the provisional outturn for Health and Community's 2008/9 capital programme, the provisional carry forward to 2009/10 and the draft programme for 2009/10. The below provided details of the 2009/10 allocations from grants.

	£
Provisional Housing Grant	622,000

Disabled Facilities Grant	453,000
Mental Health SCP	101,000
Social Care SCP	60,000
(b) Total	1,236,000

The provisional outturn for Health and Community's 2008/09 capital programme was appended to the report for Members' consideration. It was noted that a further report would be presented to the Board when the final outturn was available.

It was further reported that the carry figures were subject to variations and would not be finalised until year end. In addition, at the time of writing there had been no formal announcement of the 2009/10 housing capital allocation and therefore, an estimated figure had been used in order to get a budget approved in time for the new financial year.

RESOLVED: That the Board recommend that the Council approve the proposed capital programme for 2009/10 as set out in Appendix 1 to the report.

EXB139 SCRUTINY REVIEW OF SAFEGUARDING VULNERABLE ADULTS SERVICE

The Board considered a report of the Strategic Director, Health and Community which advised the follow up recommendations of the Scrutiny Review of the Safeguarding Vulnerable Adults service, carried out in 2008.

It was advised that a review of Halton's Safeguarding Vulnerable Adults Service was commissioned as a joint scrutiny topic between the Safer Halton and Health Halton PPB. It was carried out during 2008. The full report with recommendations highlighted was appended to the report for Members' consideration.

The Board was advised that the report was commissioned because referrals of alleged abuse of vulnerable adults in the category of "older people" received by Halton Borough Council had risen year on year, with Halton having the highest levels of referrals in the North West. The PPBs wished to understand the reasons for this and consider if appropriate procedures were in place to safeguard vulnerable adults.

It was further noted that the scrutiny review addressed a comprehensive range of safeguarding arrangements, addressing policies, systems and processes

and both Policy and Performance Board had endorsed the recommendations of the scrutiny review.

It was reported that the group concluded that although the Halton figure for referrals seemed high in comparison to other local authorities, this could not be relied upon as a true like-with-like comparison and therefore could not be validated. No evidence was found to suggest that levels of abuse were higher in Halton than other areas.

Members were advised that currently there were no provisions within the existing residential and nursing care contracts for Elected Members to undertake lay assessments of residential and nursing care homes. It was reported that the Council was currently reviewing its residential and nursing care contracts and it was anticipated that this would provide an opportunity to consider recommendation 5.4.3.

The Board was informed that since the final scrutiny report was presented to the Policy and Performance Boards, a number of National reviews and investigations had been undertaken. Council anticipated changes to existing guidelines and, in this context, it was recommended that recommendation 5.6.1 would be put on hold. It was further noted that Halton Borough Council officers were responsible for the Safeguarding service and had followed up on other recommendations made in the report and progress would be reported within the Annual Report of the Safeguarding Adults Board and updates to the Safer Halton Partnership, as well as the two Policy and Performance Boards would be provided.

The Chair of Safer Halton PPB addressed the Board and reported that an adult abuse awareness day had taken place which was well attended with 21 Councillors who attended and there would be another one scheduled in the near future.

RESOLVED: That

- 1) the Executive Board endorse the recommendations of the Scrutiny Board, with the exception of 5.4.3 and 5.6.1 of the appendix to the report; and
- 2) the Board receives a further report on the two recommendations identified above.

The Board received a report of the Strategic Director of Health and Community which provided information on the key messages arising from the visit by the National Support Team (NST) for Health Inequalities during the week beginning 9th February 2009. The report also outlined the proposals for the next steps that the PCT and its partners needed to take in response to the recommendations arising from the visit.

It was reported that NSTs had, in the past, provided tailored support to local NHS organisations facing the greatest challenge to achieve key deliver areas. The Department of Health determined that such a process may be beneficial for public health and had set up 7 public health NSTs as follows, sexual health, tobacco control, health inequalities, teenage pregnancy, childhood obesity, alcohol harm reduction and infant mortality.

It was advised that the NST for Health Inequalities was one of a number of support teams established by the Department of Health to help PCTs and Local Authorities designated as spearhead areas deliver on public health priorities and targets. It was noted that the NST for Health Inequalities focused on the public service agreement (PSA) targets aimed at reducing the gap in life expectancy and mortality from the major causes of death. The Board was informed that the visit was not an audit nor was it part of performance management but it was designed to support the local health economy to improve performance.

The NST had provided a report based on the findings of the interviews and the workshops. The report outlined the key strengths of the local health economy and other areas with potential for improvement. It was noted that the NST had also identified areas where support could be provided.

The Board was advised that the visit focused on the Halton and St. Helens Primary Care Trust and local authority areas and took place over four days. A team of reviewing officers conducted a series of one to one interviews with selected individuals and various agencies. It was reported that in addition to the Community Engagement Focus Group, six workshops were also facilitated which covered various diseases detailed in the report. It was noted these workshop themes were areas that had been identified nationally as they offered the greatest opportunity for change and positive impact on health and life expectancy in the short term. The Board was advised that feedback was provided at a plenary session and a follow-up meeting was

scheduled for June 2009 for reflection and a discussion of proposed actions in response to the findings.

The Board were informed that the NST had commented that they had found the visit to be a very positive experience and some of the strengths highlighted were set out in the report for Members' consideration.

In addition, detailed within the report were the main recommendations and implementation of the recommendations plus next steps.

RESOLVED: That

- 1) the Executive Board receive the feedback reports from the NST Health Inequalities Team;
- 2) the Executive Board approve the next steps in responding to the recommendations as outlined in section 7; and
- 3) the Board receive a further report in July 2009.

EXB141 EXTENSION OF CONTRACTS FOR THE PROVISION OF MINOR ADAPTATIONS AND STAIR LIFTS

The Board received a report of the Strategic Director, Health and Community which advised the Board of the decision by the Chief Executive in awarding two contracts as a matter of urgency due to unforeseen circumstances. In addition, the report sought authorisation from the Board for further extension of the two contracts in the light of the exceptional circumstances and urgency of the situation.

It was reported that the powers of the Chief Executive had had to be utilised for a period of 48 hours between the contract expiry (31st March 2009) and date of the Board meeting (2nd April 2009). It was noted that this had occurred because the Department of Communities and Local Government notification of the successful bids for funding for the Handyperson Service was delayed. In addition, it was attributable to capacity issues within the service and the team having to prioritise the domiciliary care and residential care contracts.

The Board was advised that a contract for the provision of minor adaptations had existed between Halton Borough Council and J. C. Construction Limited since April 2006. It was noted that the awarding of the contract followed a full tendering process and a contract awarded for £52,000

per annum. The Board were informed that the contract was due to expire on 31st March 2009.

It was further advised that since the contract had been placed a responsive service had been provided for disabled people requiring minor adaptations, negating the need to obtain prices for individual jobs and improving service performance for the provision of minor adaptations within 7 days.

It was reported that the service provided an average of 1,500 minor adaptations per year at an average unit cost of £35. The Board was advised that feedback from people using the service had been extremely positive with comments about the speed of provision, the courtesy of the provider, satisfaction with the work carried out and the improvement that had been made to independence. It was further noted that over the last three years J. C. Construction Limited had provided additional services to the value of a maximum of £20,000 per annum. As part of the tendering process the new specification for the provision of minor adaptations would be expanded to provide a more comprehensive services and would include external adaptations such as half steps and external rails. It was notified that the proposed new contract would last for a period 3 years and would offer an option to extend beyond that for a further two years, subject to specified outcomes being delivered and specified targets being met. The Board was informed that the cost of the contract 2009/10 and subsequent years would be met from existing available budgetary provision.

It was also noted that the absence of a contract would delay provision of minor adaptations and have a detrimental impact on service performance.

The Board was advised that a contract of the provision of stair lifts had existed between Halton Borough Council and Lift Able Limited since 1st April 2008. The awarding of the contract followed a full tendering process. The contract was due to expire on 31st March 2009. This contract was on a non-exclusive basis. If required for flexibility purposes it was noted that the Council could go to other suppliers if for example Lift Able were not able to provide a lift. It was reported that since the contract had been in place a responsive, timely service had been provided for disabled people requiring stair lifts which had improved the service for users including those with palliative care needs.

The service had provided 73 stair lifts to date in 2009 and feedback from people using the service had been positive with comments about the speed of provision and the helpfulness of the Lift Able representative. Furthermore it was reported that the new contract would last for a period of 3 years and would offer an option to extend beyond that for a further two years, subject to specified outcomes being delivered and specified targets being met.

The cost of the contract for 2009/10 and subsequent years would be met from existing available budgetary provision and the absence of a contract for the provision of stair lifts would result in those being provided through the Disabled Facilities Grant process with the associated delays of that system.

Detailed in the report was the business case for waiving standing orders which set out value for money, transparency, propriety and security, accountability and position of the contracts under the Public Contracts Regulations 2006.

RESOLVED: That

- 1) it be noted that on 18th March 2009, the Chief Executive under Standing Order 1.7 Procurement Standing Orders authorised:
 - a. the extension of contractual arrangements with JC Construction Limited until 2nd April 2009 in order that a report could be submitted to the Executive Board requesting an extension until 31st March 2010 to enable the Council to complete a competitive tendering exercise for the Minor Adaptations Service contract commencing 1st April 2010.
 - b. the extension of contractual arrangements with Lift Able Limited until 2nd April 2009 in order that a report could be submitted to the Executive Board requesting an extension until 31st March 2010 to enable the Council to compete a competitive tendering exercise for the stair lift service with the new contract commencing no later than 1st April 2010;
- 2) with effect from and including 2nd April 2009 and for the purposes of Standing Order 1.6:
 - a. in the exceptional circumstances – namely the

need to allow time to explore the extent to which this and other contracts could be combined with other low level preventative services to improve economy, efficiency and effectiveness – set out below, Procurement Standing Orders 3.1 – 3.7 be waived to allow the existing contractual arrangements with JC Construction Limited to be extended until 31st March 2010 in order that during the period of extension the Council was able to complete a competitive tendering exercise for the Minor Adaptations Service contract commencing 1st April 2010;

b. in the exceptional circumstances – namely the need to explore and finalise the central purchasing arrangement for this service with Northern Housing Consortium, Procurement Standing Orders 3.1. – 3.7 be waived to allow the existing contractual arrangements with Lift Able Limited to be extended until 31st March 2010 so that during the period of extension the Council was able to complete a competitive tendering exercise for the stair lift service with the new contract commencing no later than 1st April 2010;

3) the Operational Director (Older People and Independent Living Services) in consultation with the relevant portfolio-holder be authorised to take such actions in respect of the above contracts as may be necessary to consolidate arrangements with other low level preventative services, to tender and to award the above contracts individually or on a consolidated basis; and

4) in relation to the above it be resolved that these matters require immediate action.

EXB142 LIVERPOOL CITY REGION TRANSPORT GOVERNANCE REVIEW AND THE DRAFT LIVERPOOL CITY REGION MULTI AREA AGREEMENT

The Board received a report of the Strategic Director, Environment which provided an update on the current status of the Liverpool City Region Transport Governance Review and the development of the Liverpool City Region Multi Area Agreement (MAA), Transport Platform.

The Board was advised that the Local Transport Act

(LTA) was given Royal Assent on the 26th November 2008 and subsequently became the Local Transport Act 2008. It was noted that the Act was a co-ordinating and enabling Act designed to provide additional powers relating to buses, transport governance and delivery and Road User Charging (RUC).

It was reported that on the 9th February 2009, the existing six Passenger Transport Authorities (PTA) in England, were re-named Integrated Transport Authorities (ITA). Once such PTA was Merseytravel and the responsibilities that the ITA immediately assumed were detailed in the report for consideration.

It was reported that the ITA could also work with local authorities to put forward proposals to Government to extend its boundaries, extend its influence over the highway network (subject to Governance review), extend its powers over the local heavy rail network and change its name.

It was further advised that a draft Governance study which was appended to the report had been developed by the Transport Working Group (TWG) and it was intended that this would be issued to Transport Consultants Atkins when all necessary approvals were in place. The study would be concluded in three stages details of which were outlined in the report.

It was noted that work already completed by the Transport Working Group had identified 7 possible options (the Discussion Model which were also detailed in the report. It was advised that there was a very strong emphasis on wide stakeholder involvement within the process and it would need particularly strong Member engagement.

The Board was notified of issues concerning governance of the LCR which were actively under consideration. It was reported that to help inform this process and with advice from the Department of Transport (DfT) the TWG had proposed that the Merseyside authorities and Halton would work together to produce a joint Local Transport Plan (LTP3) to ensure that transport issues across the LCR were effectively and efficiently addressed. Members were recommended to note that the Transport Working Group intended to explore the issues and potential for preparing a Joint Local Transport Plan in the future with any final recommendation being brought back to Members for their consideration.

It was further reported that a LCR Multi Area

Agreement (MAA) was in preparation which would create a framework within which the six city region local authorities, Merseytravel government and its agencies and other partners could co-operate to deliver improved economic performance. The Board was advised of the first stage of the MAA incorporating the “Story of Place” and Employment and Skills Platform had been agreed and was now being developed to include Housing, Economic development Transport Platforms. The Transport Platform of the MAA, Platform 4 – “Transport for a Growing City Region”, had the overall aim which was detailed in the report.

The Board was informed that some very helpful discussions had been held with GONW in developing the MAA and there had been some key messages over and above the previous guideline not to seek additional funding or to promote particular schemes which were set out in the report.

It was further advised that the MAA proposals were designed to integrate the key LCR priorities with responsibilities for delivering the shared national transport priorities. In addition the proposals would help to deliver against appropriate Public Service Agreements (PSA) target and would link with Local Area Agreements (LAA) to help deliver their transport targets.

Members were advised that the Transport Platform of the MAA was still in the development stage and it was intended for it to be incorporated into the full LCR MAA in early summer. It was noted that the key components of the document were “Asks” of the Government which, if agreed, would enable barriers to the implementation of transport strategies to be addressed. The current proposed Asks were detailed in the report in addition to a package which outlined what the proposals would deliver. It was further advised that GONW had commented positively on the draft Transport Platform but had suggested a number of areas that required improvement. Members were notified that these comments were now in the process of being addressed and would inform the next draft of the MAA.

RESOLVED: That

- 1) the proposal to engage transport consultants Atkins to carry out the study on the Liverpool City Region Transport Governance be endorsed;
- 2) Members endorse the intention of the Transport Working Group to explore the potential for producing

a joint Local Transport Plan for Merseyside and Halton i.e. the Liverpool City Region; and

- 3) work to continue to develop the draft Liverpool City Region MAA; Platform 4 – “Transport for a Growing City Region” and the “Asks” of Government contained therein, be endorsed.

EXB143 PART II

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 outweighs 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 is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

EXB144 ST MICHAEL'S GOLF COURSE: AMENDMENT TO THE EXISTING CONTRACT FOR THE REMEDIATION OF THE GOLF COURSE

The Board received a report of the Strategic Director,

Environment which sought to gain approval from the Board to amend the existing contract for the remediation of St Michael's Golf Course.

It was advised that due to the urgent requirement for action, this item would be excluded from the "call in" procedures.

RESOLVED: That

- 1) having regard to the balancing risks, and the need to expedite the procedure, the Operational Director, Major Projects be authorised to amend the existing contract for the remediation of St Michael's Golf Course to suite the revised scope and cost of work and to include a performance bond to reduce any risk to the Council; and
- 2) that the item be excluded from the "call in" procedures due to the emergency involved.

MINUTES ISSUED: 8 April 2009

CALL IN: 17 April 2009

Any matter decided by the Executive Board may be called in no later than 17th April 2009.

Meeting ended at 4.00 p.m.