

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 17 March 2011 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, G. Ferguson, B. Dodd, P. Watts, P. McWade, A. McNamara and M. Fearnhead

Also in attendance: None

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE SUB-COMMITTEE

		<i>Action</i>
ES81	MINUTES The Minutes of the meeting held on 3 rd March 2011 were taken as read and signed as a correct record. PHYSICAL ENVIRONMENT PORTFOLIO, TRANSPORTATION PORTFOLIO AND ENVIRONMENTAL SUSTAINABILITY PORTFOLIO	
ES82	REVIEW OF FEES & CHARGES FOR 2011/12 The Sub-Committee received a report which sought approval to increase existing fees and charges in line with inflation for the following: Environmental information, requests for information regarding potentially contaminated land, requests for environmental information, environmental health services charges, hackney carriage and private hire charges, licence fees (other than hackney carriage and private hire charges), Road Traffic Regulation Act 1984, Town Police Clauses Act, Highways Act 1980, Highway Searches, Signing, Traffic Signals, Building Act, Street Naming and Numbering, Road Safety, Traffic Data, CCTV Maintenance, New Roads and Street Works Act 1991 and miscellaneous.	

The Sub-Committee was advised that the increase in fees and charges also included a number of statutory fees that may increase during the coming financial year and Members were asked to agree to these increases as they occurred.

RESOLVED: That delegated authority be given to the Strategic Director Environment and Economy in consultation with the Chairman to amend the attached schedule, to both amend the fees and charges shown and to include additional items not included.

Strategic Director
Environment and
Economy

RESOURCES PORTFOLIO

ES83 DISCRETIONARY NON-DOMESTIC RATE RELIEF

The Sub-Committee received a report of the Strategic Director, Corporate and Policy which sought Members' consideration of an application for discretionary rate relief, under the provisions of the Local Government Finance Act 1988.

The Sub-Committee was advised that under the provisions of Section 47 of the Local Government Finance Act 1988, the Authority was allowed to grant discretionary rate relief to organisations that were either a charity or a non-profit making organisation. This relief may also be awarded to Community Amateur Sports Clubs. A summary of the application was outlined within the report and a list of the associated figures was included.

RESOLVED: That under the provisions of Section 47, Local Government Finance Act 1988, discretionary rate relief be granted to the following organisation at the percentage indicated, for the period from 1st April 2010 or the commencement of liability, whichever is the later to the 31st March 2013:

Strategic Director
Resources

Norton Priory Museum Trust Ltd	20%
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HEALTH AND ADULTS PORTFOLIO

ES84 WAIVER OF STANDING ORDERS: EXTENSION OF RESIDENTIAL CARE CONTRACTS FOR PEOPLE WITH LEARNING DISABILITIES AND MENTAL HEALTH

The Sub Committee considered a report which

sought approval for a suspension of the relevant procurement standing orders 3.1-3.7 and to authorise the Strategic Director Adults and Community in conjunction with the portfolio holder for Health to enter into a contract with the providers of residential care at Wide Cove, Smithy Forge, Leahurst and Woodcroft on a spot purchase basis from April 2011 to the end of March 2012.

In addition, the report sought approval to waive procurement standing orders 2.1-2.11 and to authorise the Strategic Director Adults and Community in conjunction with the portfolio holder for Health to enter into a contract with the providers of residential care at Holmdale, Glenwood and Bankfield, on a spot purchase basis, with an option to extend for a period of up to a further three years from April 2012 to the end of March 2015.

It was noted that at a previous meeting of the Committee held on 19th November 2009, the Strategic Director, Adults and Community in conjunction with the portfolio holder for Health was authorised to enter into “spot purchase” contracts to 31st March 2011.

Members were advised that the proposed rates set out in the report were competitive when compared with regional and national averages. Ongoing monitoring of services would ensure the standard of quality achieved by these providers was maintained. In addition a full cost analysis would be conducted to ensure any opportunities for efficiency savings were being explored by the provider.

It was also reported that a review of the accommodation and support being offered had been undertaken throughout 2010 with the residents and provider.

RESOLVED: That

1. In the exceptional circumstances set out below, for the purpose of standing order 1.8.2, procurement standing orders 3.1 – 3.7 be waived on this occasion to permit the Strategic Director, Adults and Community to enter into contracts on an individual ‘spot purchase’ basis with the providers of registered Residential Establishments at:

Wide cove, Smithy Forge, Leahurst and Woodcroft which meet the Council’s quality criteria on the basis that the review of services has concluded that no remodelling is required at this time;

Strategic Director
Adults and
Community

2. in the exceptional circumstances set out below, for the purpose of standing order 1.8.2, procurement standing orders 2.1-2.11 be waived on this occasion to permit the Strategic Director Adults and Community to enter into contracts on an individual 'spot purchase' basis with the providers of registered Residential Establishments at:

Glenwood, Holmdale and Bankfield on the basis that these non-health services for which commissioning responsibility transferred from NHS Halton and St Helens to the Council in April 2009, meet the Councils' quality requirements; and

3. the Strategic Director, Adults and Community be authorised, in consultation with the portfolio holder for Health, to enter into 'spot purchase' contract arrangements at the rates set out in section 6.1 of this report, for the contract period in line with other residential contracts in the borough which is one year from April 2011 to the end of March 2012, with an option to extend for a period of up to a further three years from April 2012 to the end of March 2015: and that these purchasing arrangements be reviewed on an annual basis by the Strategic Director, Adult and Community, in consultation with the portfolio holder for Health. Fee levels initially to be in line with current rates paid and uplifted by 2% as agreed by the council in setting its budget for 2011/12 and to then be reviewed following actions in 4.1 to ensure ongoing value for money is secured.

ES85 INFLATIONARY UPLIFT FOR ADULT SOCIAL CARE CONTRACTS

The Sub-Committee considered a report of the Strategic Director Health and Community which sought approval for the inflationary increases for the Adult Social Care Contract. The Council had approved a 2% Inflationary Uplift on Social Care Budgets for 2011-12, therefore it was proposed that contracts for the provision of domiciliary care, residential and nursing placements were awarded an equivalent inflationary uplift of 2%.

With regard to Out of Borough Placements, it was proposed that the inflationary increase applied to Out of

Borough Placements be decided on a case by case basis as follows:

- providers to be informed that inflationary increase would be subject to submission of a written requested to HBC Contracts Department within a specific timeframe; and
- any increase within the agreed HBC rate of 2% to be approved and applied.

Any increase above 2% would be approved by a relevant Operational Director, based on the information submitted by the provider, confirmation of the host authority's approved inflationary rate and the knowledge of the on-going need for the specific service.

RESOLVED: That

1. an inflationary uplift for providers of Domiciliary, Residential & Nursing contracts of up to 2%, which is within the inflationary allowance by the Council to Social Services for 2011/12 be approved; and
2. inflationary uplifts for out of borough placements are awarded on a case by case basis, limited to the 2% HBC inflationary increase or the prevailing Local Authority rate be approved.

Strategic Director
Adult and
Community

ES86 REVIEW OF FEES & CHARGES

The Board received a report of the Strategic Director – Adult and Community which outlined proposals for increasing fees and charges for Adult & Community Services from 11th April 2011 to coincide with the date of the annual increase in Benefits rates.

It was noted that the fees and charges for Social Care Services listed had been inflated by 2% for 2010 – 2011 for residential services and non-residential services where a standard charge was applied.

Members were advised that fees and charges for home care, day care, and direct payments had been frozen. These charges were affected by the changes to the Fairer Charging for Non-residential Services Policy agreed in 2010-2011. In addition to the charging policy, homecare charges have remained frozen because hourly cost to Halton reduced in 2009-1010 due to a re-tender. The homecare charge, if increased by 2.0% would become higher than the cost to the council.

With regard to direct payments, hourly rates have been uplifted by 2% in accordance with the approved inflation allowances allocated by the Council.

Additionally, pitch charges for Riverview Gypsy site and Warrington Road Transit site had been inflated by 2.0% in accordance with the approved inflationary allowances allocated by the Council. However, the water and sewerage charges for Riverview Gypsy Site had increased significantly in 2010/11 and to keep the charge as the actual charge this had been inflated by 16.8%.

It was noted that a new charge for 2011/12 was proposed for the appointee service where weekly payments of personal allowance are made through the Post Office Payout Service. The proposed charge was to recover the actual cost made by the Post Office to provide this service.

RESOLVED: That the proposed changes in fees and charges as outlined in the report be approved.

ES87 REQUEST FOR THE WAIVER OF STANDING ORDERS IN ORDER TO ENABLE THE AUTHORITY TO PROGRESS THE DEVELOPMENT OF A KNOWLEDGE TRANSFER PARTNERSHIP WITH BANGOR UNIVERSITY

The Sub Committee noted that the Council in conjunction with NHS St Helens and Halton PCT and Knowsley Borough Council had established a specialist community service for children and adults with learning disabilities whose behaviour challenges services. This service had been designed to deliver significant savings to the partner agencies as well as to radically improve the quality of life for some of the most vulnerable service users.

Members considered a request to suspend tendering Standing Orders in order to collaborate with Bangor University in a bid for funding under the Knowledge Transfer Partnership (KTP) Scheme. The KTP involved a partnership between an organisation, in this case St Helens and Halton PCT, Knowsley Borough Council and Halton Borough Council, an institution Bangor University and an associate i.e. an individual undergoing training at Bangor University. The purpose of the KTP was to enable the associate to work within the organisation to further its aims and expertise, drawing upon the best research available in the chosen field of activity. It would create a reciprocal relationship between academic expertise and front line practice and could last for a period of three years.

The waiver of standing orders was requested as:

- the School of Psychology in Bangor University is a leading international centre for the study and practice of Applied Behaviour Analysis (ABA), and the recognised lead in the UK in this field;
- ABA researchers in Bangor are the only team in the UK who are a part of a UK Research Assessment Exercise (RAE) five star academic department now firmly ranked as in the top 10% of UK psychology departments for research (RAE 2008);
- Bangor currently runs the largest masters programme in ABA in the UK (currently 60-70 students registered for study at any one time), and only one of two active programmes in the UK fully approved by the Behaviour Analysts Certification Board; Bangor University also has the largest concentration of BCBA's on staff (all qualified to the highest BCBA-doctoral level) in a UK University;
- Bangor's School of Psychology has been the lead base for ABA in the UK for the past four decades;
- the Bangor team are expert in the use of ABA with children and adults with autism and/or intellectual disability, and especially those with challenging behaviours; and
- Bangor is also the closest to Halton in the UK. The only other centres for ABA within the UK are at Cardiff, Swansea, Kent, and Ulster.

RESOLVED: That

- (1) the Strategic Director, Adults and Community, in consultation with the relevant portfolio holder be authorised to enter into an arrangement with Bangor University to bid for the funding of a Knowledge Transfer Partnership (KTP) proposal; and
- (2) on this occasion, in the light of exceptional circumstances, due to the need to have an

Strategic Director
Adults and
Community

agreement in place with a specific provider in advance of the bidding process Standing Orders 3.1 relating to Tendering for Contracts be waived pursuant to Standing Order 1.8.

ES88 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it 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.

LEADERS PORTFOLIO

ES89 MERSEY GATEWAY - APPOINTMENT OF SPECIALIST INSURANCE ADVISERS

The Sub Committee considered a request from the Mersey Gateway Team to authorise the appointment of Heath Lambert who would provide specialist insurance advisory services to the Mersey Gateway Project Team on

specialised insurance matters during the procurement phase.

RESOLVED: That the request to appoint Heath Lambert as specialist insurance advisory service to the Mersey Gateway Project Team and to waive standing orders 3.1 relating to the procurement of goods/services under paragraphs 1.8.2 (a), (b), (c) and (e) of HBC standing orders be approved.

Strategic Director
Environment and
Economy

MINUTES ISSUED: 22 March 2011

CALL IN: 29th March 2011

Any matter decided by the Executive Board Sub Committee may be called in no later than 29th March 2011

Meeting ended at 10.25 a.m.