

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 19 January 2017 in The Boardroom, Municipal Building*

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

Apologies for Absence: Councillor S. Hill

Absence declared on Council business: None

Officers present: G. Cook, D. Parr, M. Reaney, A. Jones, S. Baker and T. Coffey

Also in attendance: None

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

*Action*

#### EXB76 MINUTES

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

#### **CHILDREN, YOUNG PEOPLE AND FAMILIES PORTFOLIO**

#### EXB77 HOME TO SCHOOL AND COLLEGE TRAVEL AND TRANSPORT POLICY FOR CHILDREN & YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) - KEY DECISION

The Board considered a report of the Strategic Director, People, which sought approval for a revised assessment and eligibility criteria process for the Home to School and College Travel and Transport Policy (the Policy). The Policy applied to Children and Young People with Special Educational Needs and Disabilities (SEND).

The Board was advised that the Local Authority had a statutory duty to ensure that suitable travel arrangements were made to facilitate a child's attendance at school. It was reported that currently, 385 pupils with SEND received support from the Local Authority to access educational provision, either in or out of Borough. The changes to the

Policy would impact on new applications or at the point of transition.

Executive Board had approved a consultation process on a revised assessment and eligibility criteria process at its meeting on 14 July 2016. This report set out the details of the proposed changes which were consulted upon. It was reported that thirteen responses were received, and these were summarised at Appendix 1.

It was further noted that the Council's Internal Audit were currently undertaking a review of Sustainable School Travel. Any findings from that review would be implemented and included along with any agreed changes to the proposed assessment and eligibility criteria process. This would be submitted to the Board for approval at a later date.

Reason(s) for Decision

The decision was required to fulfil the Council's statutory duty to provide, where required, and promote the use of sustainable travel and transport.

Alternative Options Considered and Rejected

None.

Implementation Date

Any revised policy would be implemented for the September 2017 academic intake.

RESOLVED: That

- 1) the revised assessment and eligibility criteria as set out in paragraphs 3.9 and 3.10 of the report, be approved for inclusion in the Home to School and College Travel and Transport Policy for Children with Special Educational Needs and Disabilities; and
- 2) the implementation from September 2017 for new applications or applications at the point of transition be approved.

Strategic Director  
- People

EXB78 CAPITAL PROGRAMME 2017/18 AND BASIC NEED - KEY DECISION

The Board considered a report of the Strategic Director, People, which provided a summary of the Capital Programmes for 2017/18 for the People Directorate.

The Board was advised that in February 2015, the Department for Education (DfE) announced the schools

capital grant allocations for 2015/16, as well as indicative allocations for the two year period 2016/17 and 2017/18. By introducing three year allocations, the DfE was enabling those responsible for the school estate, to plan effectively and make strategic investment decisions. The report contained details on the indicative funding notified for 2017/18, as well as how the School Condition Allocation and Capital Expenditure Revenue Account funding would be allocated. It was noted that schools were required to make a contribution, and it was estimated that this contribution would be in the region of £35,358, based on current budget costs for the works.

It was reported that to ease capacity issues at Lunts Heath Primary School, and to provide additional places going forward in east Widnes, the provision of an additional classroom was recommended. This would assist with current school organisation issues and allow for an increase in the School's overall capacity once the building works were complete. It was noted that if agreed, the School's Published Admission Number would increase from 50 places to 60 places per year group.

Reason(s) for Decision

To deliver and implement the Capital Programmes.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

Capital Programmes for 2017/18 would be implemented from 1 April 2017. If the proposed works at Lunts Heath Primary School were approved, and planning permission agreed, it was anticipated that any works undertaken would be completed in the 2017/18 academic year.

RESOLVED: That

- 1) the Capital Funding available for 2017/18 be noted;
- 2) the proposals to be funded from the School Condition Capital Allocation be approved;
- 3) Council be recommended to approve the Capital Programme 2017/18; and
- 4) the proposal for the provision of an additional classroom at Lunts Health Primary School be approved.

Strategic Director  
- People

## EXB79 REGIONAL ADOPTION AGENCY UPDATE

The Board considered a report of the Strategic Director, People, which provided a progress report on the development of a Regional Adoption Agency (RAA). It also provided information on decisions taken under delegated authority by the Strategic Director, People, and the Lead Member for Children, Young People and Families.

It was reported that the RAA was being developed in the context of Government policy to regionalise adoption. The RAA project had been granted £639k by the Department for Education to establish the RAA by 1 June 2017. The five local authorities, named in the report included Halton, Wigan, and Cheshire West and Chester (CWAC) Councils, had agreed that the RAA would be a shared local authority service. Wigan Council would provide the service and CWAC would act as the lead commissioner. It was noted that staff in scope for the service would be seconded to Wigan with a formal review after one year of operation.

The report provided Members with information on the following aspect of the proposals:-

- the reasons for change;
- the scope of the RAA;
- the services offered by the RAA;
- partnership, governance and funding arrangements;
- the organisational structure;
- premises under consideration;
- systems and IT requirements;
- costs associated with the adoption service, with Halton's contribution being approximately 15% of the total budget;
- the expected benefits identified; and
- a timeline of the next steps in the process.

RESOLVED: That Members note the summary report for the full and detailed business case and inter-authority agreement, and in particular, the following points:-

- 1) The inter-authority agreement which sets out the legal and governance arrangements for the RAA, the role of the Lead Member in the partnership board which would oversee the RAA, how future finance and budgets would be agreed and the notice period if any partner wishes to withdraw (Section 5).

Strategic Director  
- People

- 2) The current basis for funding the RAA being based on levels of activity directly relating to numbers of children with a confirmed plan for adoption (Section 9). Halton's contribution of 15% of the overall budget would be £318,114 which was slightly below the current budget. Any efficiencies identified would be used to invest in the RAA as it transitions to its new partnership.
- 3) The service would be named Adopt Together and Wigan would be the delivery Local Authority. There would be a "hub" based in Warrington but social workers would still use Halton as a base on a regular basis.
- 4) The service offer is outlined in Section 4 and staff would be consulted on the detail in the New Year.

EXB80 CHILDREN AND YOUNG PEOPLE SPEECH AND LANGUAGE THERAPY CONTRACT

The Board considered a report of the Strategic Director, People, which sought authorisation to commence a joint tender process for the Children and Young People's Speech and Language Therapy Contract by Halton Borough Council (HBC) and Halton Clinical Commissioning Group (CCG).

The Board was advised that HBC and the CCG currently commissioned speech and language therapy provision for children and young people separately, with each contract delivering different service elements. It was reported that the proposal to jointly commission the service would confer a number of benefits and enhance seamless and effective provision for clients, with anticipated cost savings and align with the Government's focus and joint commissioning arrangements across health, education and social care.

Details of the business case were set out in the report for Members' consideration.

RESOLVED: That the Board approve the request for authorisation.

Strategic Director  
- People

EXB81 SCHOOL ADMISSION ARRANGEMENTS 2018 - KEY DECISION

The Board received a report of the Strategic Director, People, on school admission arrangements for the

September 2018 academic intake into Halton's schools.

The Board was advised that in October 2016, Halton Local Authority issued a statutorily required consultation paper on the proposed admission arrangements and co-ordinated admission schemes for the September 2018 intake. It was noted that the consultation ran until 11 November 2016, with no changes proposed to the current oversubscription criteria for Local Authority schools. It was reported that no responses to the consultation had been received.

As commissioner of school places, the Local Authority must ensure that the admission arrangements were fair, clear and objective and complied fully with all statutory requirements.

#### Reason(s) for Decision

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

#### Alternative Options Considered and Rejected

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 would apply for the September 2018 academic intake.

RESOLVED: That the School Admissions Policy, Admission Arrangements and Coordinated Schemes for admission to primary and secondary schools for the 2018/19 academic year, be approved.

Strategic Director  
- People

### **HEALTH AND WELLBEING PORTFOLIO**

#### **EXB82 RE-DESIGN OF NIGHT TIME SUPPORT**

The Board considered a report of the Strategic Director, People, on the re-design of night time care in the Council's Supported Housing Network.

The Board was advised of a pilot scheme, carried out in Southwark, which improved the night time care arrangements and support for people with learning

disabilities. Details of the study and its outcomes were attached to the report at Appendix 1. It was proposed that a similar scheme be replicated as a pilot in Halton utilising assistive technology to replace Waking Night staff.

RESOLVED: That

- 1) the report be noted; and
- 2) the recommendations outlined in paragraph 3.6 of the report, be approved, as follows:-
  - To establish a pilot based on the model presented in “Better Nights; Evaluation of Choice Support in Southwark” (see Appendix 2). This would include; consultation and reviews of all service users who may be affected by the pilot, the identification of appropriate use of technological solutions.
  - Consultation would begin with the Unions in January 2017 and then staff side and carers over February and March 2017. It was anticipated that service user exposure to the study would begin in March 2017 and last no longer than 3 months concluding by June 2017. The analysis and recommendations from the study would be assessed during July 2017 with a final conclusion and recommendations by August 2017.
  - Staff terms and conditions would be protected during the pilot. The full implications on staff terms and conditions would be explored as part of the pilot, and consideration of the impact would be discussed with Human Resources.

Strategic Director  
- People

#### EXB83 ADULT SOCIAL CARE CONTRACTS - KEY DECISION

The Board considered a report of the Strategic Director, People, which sought approval to extend the current Adult Social Care Contracts provided by external and voluntary sector providers.

The Board was advised that the services included in this contract were delivered to support the prevention agenda, which were pivotal to the strategic aims of adult social care. It was reported that the contracts outlined in Appendix 1, represented a number of voluntary organisations that delivered a valuable service across health and social care, and it was proposed that the Council continued to fund these services. It was noted that from 1

April 2017, each of these contracts would be managed through the Better Care Fund, to ensure joint funding and management of services.

As a part of this new twelve month agreement, a strategic review would take place of current funding to determine if they offered value for money, gauge service user feedback and to establish if there were alternative providers that could be procured. Members noted that it was intended to go to formal tender in April 2018 on each contract listed in Appendix 1.

#### Reason(s) for Decision

To support the Council objectives in relation to adults social care.

#### Alternative Options Considered and Rejected

An alternative option would be to carry out a procurement exercise and this was the preferred option for next year. This would allow enough time to complete a full service review of the services that were currently delivered as part of the voluntary sector contracts.

#### Implementation Date

1 April 2017.

RESOLVED: That Executive Board agree to use Procurement Standing Orders 1.14.3 to waive Procurement Standing Order 3.1 in respect of contracts below the EU threshold, as listed in Appendix 1 attached to the report.

Strategic Director  
- People

### **ENVIRONMENTAL SERVICES PORTFOLIO**

#### **EXB84 WASTE TREATMENT SERVICES**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on Waste Treatment Services.

The report set out details of contingency arrangements for dealing with Halton's residual waste. It was reported that, for a short period of time in November 2016, the Energy Recovery Facility was unable to accept Halton's residual waste. As a result, the Council was required to put in place alternative arrangements, and, in accordance with the Council's Procurement Standing Orders, it was necessary for the Chief Executive to approve



the appointment of WSR Recycling Limited during this period. It was noted that the Portfolio holder for Environmental Services was also consulted on, and supported, the action taken.

It was further noted that the report set out the reasons for undertaking a procurement exercise to maintain the current waste transport arrangements to the Rail Transfer Loading Station, beyond 31 March 2017. A soft market testing exercise had revealed that a longer contract term would attract more competitive rates, and if approved, would result in a contract term of five years, with the option to extend in twelve month increments and the contractor would be selected through an 'open' tendering process based upon 80% price and 20% quality evaluation.

RESOLVED: That

- 1) Members note the waiver of Procurement Standing Orders by the Chief Executive, on the grounds of an emergency, and the subsequent appointment of WSR Recycling Limited to carry out a service for the treatment/disposal of Halton's residual household waste during the period 30 November 2016 to 9 December 2016;
- 2) the Strategic Director, Enterprise, Community and Resources, be authorised, in consultation with the Executive Board Member for Environmental Services, to determine all matters and take all steps necessary to secure contingency arrangements for the treatment/disposal of Municipal Waste in the event that Halton is unable to deliver its waste to the Resource Recovery Contract, including any procurement arrangements and contract award up to the value of £1m; and
- 3) in accordance with Procurement Standing Order 2.1.1, Executive Board approve that a Tendering Exercise be carried out for the provision of a service for the bulk transport of residual Municipal Waste to the Resource Recovery Contract, as set out in the report.

Strategic Director  
- Enterprise,  
Community &  
Resources

## **RESOURCES PORTFOLIO**

### **EXB85 USE OF GUARDIAN SERVICE IN VACANT BUILDINGS**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the use

of Guardian Services in vacant buildings.

The Board was advised that a pilot of the Guardian Scheme was approved by Executive Board Sub Committee in 2012, for two vacant properties, as an alternative method of security for Council properties which were empty or surplus to requirements.

It was reported that generally, the Guardian Scheme worked well and proved to be cost effective in most cases. The report provided details of costs associated with the former library at Egerton Street, Runcorn; the scheme had also been used successfully during the contract period within the Transporter Bridge House in West Bank and the former Caretaker's Bungalow at St John Fisher Primary School, Widnes.

However, the report also set out details of the costs associated with the former hostel, Belvedere, in Runcorn. It was recommended that the scheme be continued as an interim arrangement whilst Officers explored options for the disposal and/or demolition of the property, before reporting to the Board on the outcome, by June 2017.

RESOLVED: That

- 1) the continuing use of the Guardian Scheme and the retendering of the service be approved;
- 2) the potential liability of Belvedere (Former Hostel) be noted and the continued use of the scheme as an interim arrangement be approved; and
- 3) Officers explore the options for disposal and/or demolition of the property and report back to Executive Board with recommendations by June 2017.

Strategic Director  
- Enterprise,  
Community &  
Resources

#### EXB86 REQUEST FOR BUSINESS RATES RELIEF

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on a request for Business Rates relief.

The Board was advised of a request for Discretionary Business Rates Relief from a Manchester based company for three units at Aston Fields, Runcorn, whilst the properties were refurbished. The report provided details of the request for Members' information.

Strategic Director  
- Enterprise,

RESOLVED: That the request from PIN Properties be refused for the reasons outlined in the report.

Community &  
Resources

EXB87 BUSINESS RATES RELIEF PROPOSED GUIDING PRINCIPLES

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on suggested guiding principles for the consideration of future requests for Business Rates Relief.

The Board was reminded that in April 2013, the Government introduced a business rates retention scheme, which sought to offer Councils a strong financial incentive to promote economic growth. It was reported that until now, the Council had considered such requests on merit on a case by case basis, and without any general criteria to help guide those decisions.

Attached at Appendix 1, were a set of proposed Guiding Principles which set out the circumstances where such request might be considered. If these were considered acceptable, Members would use them when considering future requests.

RESOLVED: That the guiding principles contained in Appendix 1 be approved.

Strategic Director  
- Enterprise,  
Community &  
Resources

EXB88 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.

### **RESOURCES PORTFOLIO**

EXB89 DISPOSAL OF FREEHOLD INTEREST IN THE LAND TO THE REAR OF THE FORMER SOUTHBANK HOTEL, LORD STREET, RUNCORN.

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval for the proposed disposal of the Council's freehold interest in land to the rear of the former Southbank Hotel, Lord Street, Runcorn.

The report set out details of the proposed development of the site for residential use, for Members' consideration.

RESOLVED: That

- 1) the disposal of the site to Mahady Investments Limited for the amount referred to in the recommendation, subject to contract and subject to planning permission, in accordance with the Heads of Terms attached at Appendix 2 to the report, be approved; and
- 2) the Operational Director, Economy, Enterprise and Property, be authorised to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services.

Strategic Director  
- Enterprise,  
Community &  
Resources

### **PHYSICAL ENVIRONMENT PORTFOLIO AND RESOURCES PORTFOLIO**

EXB90 LAND DISPOSAL FOR EMPLOYMENT LAND AT JOHNSON'S LANE, WIDNES

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the disposal of, and development on land at Johnson's Lane, Widnes.

The Board was advised of the proposals for the disposal of plots A and B on the site.

RESOLVED: That

- 1) the sale of approximately 1.8 acres of land to S. Evans and Sons Limited for the amount stated in the recommendation and 1.8 acres of land to Philip Bannon Plant Hire Limited for the amount stated in the recommendation, both subject to planning permission and subject to contract, be approved; and
- 2) the Operational Director, Economy, Enterprise and Property, be authorised to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services.

Strategic Director  
- Enterprise,  
Community &  
Resources

**MINUTES ISSUED: Wednesday 25 January 2017**

**CALL-IN: 1 February 2017**

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

*Meeting ended at 2.15 p.m.*