

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 4 September 2014 in The Boardroom, Municipal Building

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, G. Cook, S. Wallace Bonner, G. Meehan, D. Parr, E. Dawson, A Scott and W Rourke

Also in attendance: Councillor Joe Roberts and Councillor Sue Edge and one member of the press

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

Action

EXB41 MINUTES

The Minutes of the meeting held on 7 July 2014, were taken as read and signed as a correct record.

CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO

EXB42 SCHOOLS CAUSING CONCERN - STATUTORY
GUIDANCE FOR LOCAL AUTHORITIES

The Board considered a report of the Strategic Director, Children and Enterprise, which provided an overview of the Schools Causing Concern (SCC) Statutory Guidance for Local Authorities.

The Board was reminded that, at its meeting on 27 February 2014, it had approved the Learning and Achievement Strategy. At the time, this was based on SCC Guidance issued in March 2013. The SCC Guidance was subsequently revised and issued to Local Authorities by the Department for Education in May 2014. It was reported that the Learning and Achievement Strategy would need to be revised to reflect the latest Guidance.

It was noted that the revised Guidance set out the

local authority's role in relation to maintained schools causing concern, and the importance of early intervention and swift and robust action to tackle failure. The new Guidance set out ten indicators for local authorities to champion educational excellence. Details of the key changes were contained in the report for Members' information.

RESOLVED: That the proposed changes to Halton's approach to support and intervention in Schools Causing Concern be approved and the Learning and Achievement Strategy be amended accordingly.

Strategic Director
- Children and
Enterprise

(N.B. The following Councillors declared a Disclosable Other Interest in the following item of business for the reasons stated: Councillor Jones as a Governor of Fairfield Primary School; Councillor D Cargill as a Governor of Windmill Hill Primary School).

EXB43 BASIC NEED CAPITAL FUNDING - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which provided an update for the allocation and spending of Basic Need Capital Funding.

The Board was advised that the Basic Need allocation supported the capital requirement for providing new pupil places by expanding existing maintained schools, free schools or academies and by establishing new schools. Halton used pupil forecast data to determine the need to provide additional school places in order to meet demand. Basic Need capital funding had been used to carry out building works to provide additional school places at a number of primary schools listed in the report, to alleviate pressure for demand in those areas.

The Board was reminded that in January 2014, Fairfield Junior School was expanded to allow the integration of the Infants School to form the new Fairfield Primary School. It was proposed that Basic Need capital funding be allocated to address school building and organisational issues at the newly combined school.

It was reported that Basic Need capital funding was allocated to local authorities to provide school places in any type of school. The Board noted that the building needs of all categories of school should be taken into account in the distribution of this funding. The Board further noted that £474,818 of funding would be set aside for the authority to address their strategic building needs. Applications would be

assessed against agreed criteria. Once a bid was approved, each responsible body would then cash-flow the project and claim the re-imbursalment on production of invoices once works were completed.

Reason(s) For Decision

The decision was required to deliver and implement the Capital Programme.

Alternative Options Considered and Rejected

Distributing the total Basic Need allocation – was rejected as funding needed to be retained to address emerging basic needs issues.

Implementation Date

October 2014, following agreement by Council.

RESOLVED: That Council be recommended to approve

- 1) the proposal to allocate Basic Need capital funding to the Fairfield Primary School project; and
- 2) the bid process for Responsible Bodies based on Strategic Needs.

Strategic Director
- Children and
Enterprise

HEALTH AND WELLBEING PORTFOLIO

EXB44 NHS SUPPORT FOR SOCIAL CARE

The Board considered a report of the Strategic Director, Communities, which advised Members on recent announcements regarding NHS support for Social Care.

The Board was advised that the Department for Health announced revised allocations and transfer arrangements for 2014/15. It was noted that for 2014, there would be two components to the allocation; the funding transfer to the Local Authority would be carried out by NHS England with Halton receiving £2,396,355, and the allocation for the Preparation for the Better Care Fund would be £533,000.

In terms of the main transfer, it was reported that the funding must be used to support Adult Social Care Services, and the local authority must agree with local health partners

how the funding would be best used as part of the wider discussions on the use of their total health and care resources. It was further reported that the funding for the Better Care Fund must be used for the implementation of the pooled budgets from April 2015, and to make early progress against the national conditions and the performance measures set out in the agreed local plan.

Details of the proposed funding allocations were set out in the report for Members' information. It was proposed that the majority of the funding be utilised to support existing services which benefited the wider health and care systems and provided good outcomes for service users.

RESOLVED: That the revised funding allocation, as detailed in paragraphs 5.3 and 5.4 of the report, be approved.

Strategic Director
- Communities

EXB45 LIVING SUPPORT NETWORK CONTRACT

The Board considered a report of the Strategic Director, Communities, which requested the award of a contract for the Living Support Network.

Members were advised that Halton prioritised the support it gave to vulnerable people to help them remain in their own home and be independent. It was noted that there was a range of supported accommodation in the Borough and, through partnership with Halton Housing Trust, new build for Extra Care housing and accessible bungalows to accommodate people with complex needs. For other vulnerable adults with more moderate needs there were limited options for assistance.

It was reported that one option to address and avoid the escalation of needs requiring statutory intervention was the development of a Living Support Network, offered by a charity called KeyRing, who could deliver quality support which achieved positive outcomes for both the individual and commissioners in local authorities and the NHS.

The report set out the reasons for awarding a three year contract to pilot the service and to establish a network in Halton, through the waiver of Procurement Standing Orders. The business case for an extension of contracts was also set out for Members' information.

RESOLVED: That

- 1) the use of Procurement Standing Order 1.8.3 (e) to

Strategic Director

waive Procurement Standing Order 4.1 in respect of contracts with a value not exceeding £172,514, to enter into a contract with KeyRing Living Support Networks be approved; and

- Communities

- 2) the Strategic Director, Communities, in conjunction with the Portfolio Holder for Health and Wellbeing, be authorised to take such action as necessary to implement the contract.

RESOURCES PORTFOLIO

EXB46 CORPORATE PPB TOPIC GROUP- CORPORATE COMPLAINTS HANDLING PROCEDURE

The Board considered a report of the Strategic Director, Policy and Resources, which reported the findings of a review of the existing Corporate Complaints Handling Procedures.

Councillor Joe Roberts, Chair of the Topic Group, attended the meeting to present the report. The Board was advised that the Corporate Policy and Performance Board Topic Group had undertaken a review of the existing procedures to ensure that they were fit for purpose, consistent with recognised good practice and reflected best value in terms of economy, efficiency and effectiveness.

It was reported that a thorough review had been undertaken which concluded that the existing arrangements had a number of strengths, but that there was scope for improvement. Details of the findings were contained in the Topic Group report attached to the report. It was noted that one recommendation had suggested that consideration be given to the development of a Corporate Unacceptable Behaviour/Actions Policy, to articulate the Council's expectations concerning the behaviour of both staff and members of the public, providing a framework through which interactions could be managed in a consistent manner.

RESOLVED: That the recommendations contained within the report be supported as the basis for the implementation of a revised Corporate Complaints Handling Procedure.

Strategic Director
- Policy &
Resources

EXB47 2014/15 QUARTER 1 SPENDING

The Board considered a report of the Operational Director, Finance, which summarised the overall revenue and capital spending position as at 30 June 2014.

In overall terms, revenue expenditure was £0.176m below the budget profile, however, this was only a guide to eventual spending. It was noted that spending on employees was £368,000 below the budget profile at the end of the quarter.

Members were advised that the economic downturn continued to affect budgeted income targets. A number of income budgets were below their profile including trade waste income and sales revenue from the Stadium.

With regard to capital spending, it was reported that spending to the 30 June 2014 totalled £6.2m, which was 94% of the planned spending of £6.6m at this stage. However, this represented 17% of the total capital programme of £35.8m (which assumed a 20% slippage between years).

The Council's Balance Sheet was monitored regularly in accordance with the Reserves and Balances Strategy which formed part of the Medium Term Financial Strategy. The key reserves and balances had been reviewed and were considered prudent and appropriate at this stage in the financial year.

RESOLVED: That

- 1) all spending continues to be limited to the absolutely essential;
- 2) Strategic Directors ensure overall spending at year-end is within their total operational budget; and
- 3) Council approve the revised Capital Programme, as set out in Appendix 3 attached to the report.

Operational
Director - Finance

EXB48 TREASURY MANAGEMENT 2014/15 1ST QUARTER
APRIL-JUNE

The Board considered a report of the Operational Director, Finance, which updated Members on the activities undertaken on the money market, as required by the Treasury Management Policy.

The report provided supporting information on the economic background, economic forecast, short term rates, longer term rates, temporary borrowing/investments and new long term borrowing. It was noted that no debt

rescheduling had been undertaken during the quarter.

RESOLVED: That the report be noted.

EXB49 DISCRETIONARY NON DOMESTIC RATE RELIEF

The Board considered a report of the Strategic Director, Policy and Resources, which related to two applications for discretionary non-domestic rate relief.

The Board was advised that, under the provisions of the Local Government Finance Act 1988, the Authority was allowed to grant discretionary rate relief to any business ratepayer, when it was considered appropriate. This relief had only been available to award to organisations that were a charity, a not-for-profit organisation or a Community Amateur Sports Club.

It was reported that since April 2013, there had been significant changes in the funding of non-domestic rate reliefs and exemptions following the introduction of the Retention of Business Rates Scheme, the details of which were set out in the report.

The report set out the details of the requests from the Chester Diocesan Board of Finance and the Halton Credit Union Ltd. Appendix 1 provided details of the costs identified to the Council Taxpayer for each application.

RESOLVED: That Discretionary rate relief be granted to the following organisations at the percentage indicated, for the period from 1 April 2013 (or the commencement of liability whichever is the later) to 31 March 2016:-

Chester Diocesan Board of Finance	20%
Halton Credit Union Ltd	100%.

Strategic Director
- Policy &
Resources

EXB50 MUNICIPAL BONDS AGENCY

The Board considered a report of the Operational Director, Finance, on the establishment of a Municipal Bonds Agency.

The Board was advised that the Local Government Association were looking to establish a Municipal Bonds Agency (MBA) with the aim of offering Councils access to cheaper borrowing rates. It was noted that currently, the usual methods for borrowing by Councils is through the Public Works Loan Board or financial markets. An MBA would seek to give Councils access to lower borrowing costs

and greater influence over interest rates, with the possibility of financing costs reduced by up to a prudent 20 to 25 bases points; this could result in an annual saving on each £10m of borrowing of up to £25,000 each year.

It was reported that the company would look to raise up to £10m of equity capital in two phases, as detailed in the report. The minimum investment to phase 1 was set at £10,000, although it was noted that this phase had been oversubscribed. The company would source the funds to enable it to lend to local authorities by issuing bonds to financial markets. The success of the scheme was dependent on bonds issued at prices which enabled the company to provide competitive lending rates and on there being enough demand for borrowing from local authorities.

RESOLVED: That

- 1) approval be given for the Council to become a shareholder in the Local Capital Finance Company Ltd; and
- 2) the Operational Director, Finance, in consultation with the Executive Board Member, Resources, be given delegated approval to invest with the Local Capital Finance Company Ltd, in the first sum of £10,000, and they also consider a subsequent second phase investment.

Operational
Director - Finance

EXB51 NON EMERGENCY WAIVER REGISTER - ANNUAL REPORT FOR 2013/14

The Board considered a report of the Strategic Director, Policy and Resources, which provided an update on non-emergency waiver approvals granted in the period 1 April 2013 to 31 March 2014.

The Board was advised that, following changes to the Council's Constitution which was approved by Council on 17 April 2013, a new threshold for low value non-emergency waivers under £5,000 was established. In such cases, a Divisional Manager could seek approval to waiver part of Procurement Standing Orders with the permission of the Head of Procurement.

It was noted that the Head of Procurement was required to report such approvals to Executive Board annually. Appendix 1 contained details of the 31 applications in year which had received such approval. It was further

noted that, with the changes to the thresholds for the current year to a higher value, approved by Council on 9 April 2014 as part of the Constitution Review, the threshold for the approval of non-emergency waivers had been increased to £50,000 from April 2014.

RESOLVED: That the non-emergency waivers approved during 2013/14 by the Divisional Manager, Procurement, in accordance with Procurement Standing Order 1.8.3, as shown in the attached Appendix, be noted.

EXB52 DIRECTORATE OVERVIEW REPORTS - QUARTER 1

The Board considered a report of the Strategic Director, Policy and Resources, on progress against key objectives/milestones and performance targets for the first quarter to 30 June 2014.

The Directorate Performance Overview Report provided a strategic summary of key issues arising from performance in the relevant quarter for each Directorate, being aligned to Council priorities or functional areas. The Board noted that such information was key to the Council's performance management arrangements, with the Board having a key role in monitoring performance and strengthening accountability.

It was noted that Directorate Risk Registers had been reviewed and refreshed in conjunction with the development of Directorate Business Plans 2014/17. The monitoring of high risks would be reported in Quarter 2.

It was reported that monitoring of relevant high risks would be undertaken and progress be reported against the application of the risk treatment measures in Quarters 2 and 4.

RESOLVED: That the report and progress and performance information be noted.

EXB53 CORPORATE SECURITY CONTRACT

The Board considered a report of the Strategic Director, Children and Enterprise, which notified Members that a tender for Corporate Security Services would be published via the Chest and to seek the waiver of Procurement Standing Orders for a temporary extension of the current contract.

The Board was advised that there were currently

three contracts in place, with a total expenditure in the region of £750,000 per annum, which provided static guarding, key holding and emergency call outs to the majority of the Council's corporate buildings. This also included security requirements at The Brindley, Halton Stadium and the Borough's parks and gardens.

It was reported that, as each area of buildings and landscaping had differing requirements, the contract would be split into three sections. It was intended that the new contract would be awarded for a three year period, with the provision to extend for a further year. The report detailed the proposed two stage procurement process.

The Board noted that two of the current contracts expired on 10 May 2015 and the third expired on 31 May 2015. Therefore, permission was sought for a temporary extension so that all contracts would expire on 31 May 2015, with the award of the new single contract commencing from 1 June 2015.

RESOLVED: That

- 1) in line with Procurement Standing Orders 1.8.3 (e), Executive Board approve the waiver of Procurement Standing Orders 2.1. to 2.1.3, in order to allow the Operational Director, Economy, Enterprise and Property to grant an extension to the existing security contracts covering corporate buildings and The Brindley and Halton Stadium, from 10 May 2015 until such time that the new contract is let, which is anticipated to be 1 June 2015, in order to bring all requirements in-line to allow a new contract to be awarded covering all requirements at the same time; and
- 2) Members note the intention to procure a new corporate security contract in line with the EU Public Procurement Regulations 2006 and Procurement Standing Orders.

Strategic Director
- Children and
Enterprise

PHYSICAL ENVIRONMENT PORTFOLIO

EXB54 HALTON BOROUGH COUNCIL MARKETS

The Board considered a report of the Strategic Director, Children and Enterprise, on a Charging Policy for Halton Borough Council's markets.

The Board was advised that a requirement to have a single source of information had been identified which related to the charges for stall rental or storage space within each of the Council's markets. It was reported that this would ensure transparency for traders and provide a full working document for use by the markets management team to ensure all traders were treated in a fair and consistent manner. As part of this exercise, it was further reported that a review had been undertaken of the way in which the Council charged its market traders, to ensure that the rents were consistent, competitive and viable. Members noted that rents within Widnes Market had remained static since 2009/10.

Following the review, a number of areas where changes would be required were identified, details of which were set out in the report. This included:-

- Rents within the Market Hall to be based on up-to-date floor space and frontage measurements;
- Direct Debit arrangements for monthly stall charges;
- Application of consistent electricity charges;
- A new charging structure for Runcorn Street Market; and
- New consistent store room charges based on store room area.

The report provided further details on the risk analysis for the Widnes Market Hall, changes to electricity charges, Widnes Open Market, Runcorn Street Market, containers and store rooms and the use of Widnes Market Foyer, for Members' information.

RESOLVED: That

- 1) the Charging Policy for Halton Borough Council Markets be approved with immediate effect;
- 2) the Charging Policy and associated stall charges be reviewed and amended (if required), yearly; and
- 3) the Operational Director, Economy, Enterprise and Property be given delegated power , in

Strategic Director
- Children and
Enterprise

consultation with the Operational Director, Finance and the Portfolio holder for Physical Environment, to make amendments to the Pricing Policy prior to the review, should the need arise.

EXB55 HOUSING ALLOCATIONS SCHEME REVIEW - KEY DECISION

The Board considered a report of the Strategic Director, Communities, which sought approval for a number of changes to the Housing Allocations Scheme.

The Board was advised that the Council's current Housing Allocations Scheme was approved by Executive Board on 3 March 2011. It was implemented from 9 July 2012 when the new Choice Based Lettings Scheme 'Property Pool Plus' went live in Halton. It was noted that the scheme was shared by other Councils, including Liverpool, Knowsley, Sefton and Wirral and by participating Housing Associations.

Appendix 1 contained a summary of the principal changes to the scheme, the most significant of which was the introduction of qualification criteria to join the Housing Register. It was reported that this was a requirement made necessary by provisions contained within the Localism Act 2011. Drafting of the new qualification criteria had taken longer than anticipated due to the need to achieve consensus amongst partners. However, having agreed a revised scheme, in November 2013, Halton's Customer Intelligence Unit led on a formal sub-regional consultation between January and April 2014, with each proposal being supported by a clear majority.

The Board was further advised that a supplement to the Code of Guidance, published in December 2013, suggested that authorities should consider the adoption of a two year minimum residence rule to ensure priority for local people. Consideration was given to this by the participating organisations, but on balance felt that such a move would be counter-productive for the Property Pool Plus Scheme, which does already prioritise local people through the 'local connection' criteria.

Reason(s) For Decision

The changes were intended to ensure that the scheme continued to comply with the statutory framework and Code of Guidance, and remained transparent and fair.

Alternative Options Considered and Rejected

The various options considered in framing the qualification criteria were too numerous to list. Those which were decided upon to be the subject of consultation, were selected on the basis of trying to limit exclusions to only those guilty of behaviour serious enough to make them unsuitable to be a tenant.

Implementation Date

Subject to each Authority approving the revised Scheme, it was anticipated that it would be implemented in November 2014.

RESOLVED: That

- 1) subject to the unanimous agreement of the Local Authorities participating in the sub regional Property Pool Plus Scheme, the amended Housing Allocations Scheme, as set out in Appendix 2, be approved; and
- 2) the Strategic Director, Communities, in consultation with the Portfolio holder for Physical Environment, be authorised to agree any minor modifications arising from the presentation of the amended scheme to the Cabinets of other Partner Authorities.

Strategic Director
- Communities

ECONOMIC DEVELOPMENT PORTFOLIO AND CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO

EXB56 WELFARE REFORM SCRUTINY REVIEW REPORT AND RECOMMENDATIONS

The Board considered a report of the Strategic Director, Children and Enterprise, which presented the recommendations of the Welfare Reform Scrutiny Topic Group.

Councillor Sue Edge, Chair of the Topic Group, attended the meeting to present the report. The Board was advised that the report, attached at Appendix 1, was commissioned by the Employment, Learning, Skills and Community Policy and Performance Board, following changes to the welfare system introduced by the Welfare Reform Act 2012.

It was reported that the Scrutiny Review was conducted between June and September 2013. The original recommendations were adjusted through a prioritisation exercise, which took account of financial and budgetary restrictions. The report contained a summary of the recommended actions, for Members' consideration.

RESOLVED: That the recommendations of the Welfare Reform Scrutiny Topic Group be noted.

TRANSPORTATION PORTFOLIO

EXB57 OBJECTION TO TRAFFIC REGULATION ORDER 865

The Board considered a report of the Chief Executive which reported on the use of his delegated powers in respect of an objection to a proposed Traffic Regulation Order from Cheshire West and Chester Council (CWAC).

The Board was advised that CWAC had closed the Sutton Weaver Swingbridge over the Weaver Navigation Canal and installed a temporary bridge close to the existing crossing and then closed the Swingbridge to traffic to allow the contractor unrestricted access to carry out essential repair work.

The report set out details of the traffic restrictions and the impact on surrounding roads in the area as a result of the diversions which CWAC had put in place. It was reported that CWAC may consider making the temporary arrangements permanent, although no formal request had been received. Therefore, in anticipation, the Chief Executive, in consultation with the Leader of the Council, submitted a formal objection to CWAC to these temporary arrangements being made permanent.

RESOLVED: That the actions of the Chief Executive in submitting an objection to the Cheshire West and Chester Council proposal to ban right turns at Sutton Weaver Swingbridge, be noted and endorsed.

MINUTES ISSUED: 5 September 2014

CALL-IN: 12 September 2014

Any matter decided by the Executive Board may be called in no later than 5.00pm on 12 September 2014

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Meeting ended at 2.56pm