

## EXECUTIVE BOARD SUB COMMITTEE

*At a meeting of the Executive Board Sub Committee on Thursday, 19 July 2007 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: G. Ferguson, R. Dart, B. Dodd, A. McIntyre, P. Searing, M. Bennett, I. Bisset, G. Fitzpatrick, A. McNamara and M. Winstanley

Also in attendance: None

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

*Action*

#### **CHILDREN AND YOUNG PEOPLE PORTFOLIO**

ES10 TO SEEK A WAIVER OF CONTRACT STANDING ORDERS

The Sub-Committee noted that it was a requirement of the Building Schools for the Future (BSF) Programme that each authority establish and fund a BSF delivery team. In Halton a commitment was provided in the Strategy for Change Part 1 document submitted in October 2006 to form such a team to drive the development of the BSF Programme.

The pivotal position in the team was the post of BSF Programme Director. This position had been undertaken on an interim basis by Daniel Hennessey, from the MD Consultants, who had worked for Halton under contract for an average of four days per week from September 2006. As the Interim Project Director since September he had managed to acquire detailed knowledge of the secondary special provision, funding, school organisation, asset management and other challenges facing Halton in delivering the BSF Programme.

In addition, to his role in Halton as Interim Project

Director, Halton had benefited from his considerable national experience as a 4PS national advisor and Gateway Reviewer for BSF.

It was noted that advertisements for BSF Project Directors had ranged from £80,000 for posts in Salford and Portsmouth to up to £100,000 for the post in Suffolk. These were full time temporary posts, which would attract on costs and other benefits such as car allowance. To advertise a BSF Project Directors Post on the most senior Operational Director scale of 155 would provide an annual salary of £77,907, below the current market rate. After adding on costs and other benefits such as car allowance this post would cost in the region of £102,200 per annum for an estimated 215 working days per year an average cost of £475 per day. In order to increase capacity, in the last two months quotes were requested from several other consultancy firms. The daily rates provided ranged from £700 to £900 per day.

It was therefore proposed that the current Interim Project Director be offered a contract for 173 days per years, an average of four days per week at a daily rate of £416. This would cost a total of £71,968 per annum. In order to continue to secure the services of the consultant throughout the key early stages of the programme, it was suggested that the contract be let for two years initially until September 2009. A review of the contract would need to be undertaken no later than June 2009.

RESOLVED: That

(1) the Strategic Director Children and Young People be authorised to agree a contract for 173 days per annum at £416 per day for a period of two years initially until September 2009. To review no later than June 2009 the post of BSF Project Director; and

(2) Legal Services be requested to draw up a contract for the BSF Project Director role.

## **PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO**

ES11 ENTERPRISE & EMPLOYMENT DIVISION – EXTERNAL CONTRACTS

The Sub-Committee considered a report which sought approval to accept new and extend contracts relating

to delivery of employment services as follows:

(i) Three Jobcentre Plus/European Social Fund (ESF) co-financed employment contracts due to terminate on 31<sup>st</sup> March 2007 but due to good contract performance, Jobcentre Plus offered to extend these contracts until 31<sup>st</sup> March 2008;

(ii) In Work Support Service to Incapacity Support recipients participating in the Pathways to Work Programme across the JCP Greater Mersey District (Halton, Knowlsley, St. Helens and Sefton), 12 month contract to provide up to 175 Incapacity Benefit recipients that move into employment with an In Work Support Service for a period of 26 weeks. The contract may be extended should the Pathways to Work Programme continue beyond 31<sup>st</sup> March 2008;

(iii) Learning and Skills Council (LSC) had awarded a contract of £25,000 that would contribute to the cost of developing an Apprenticeship Programme to co-ordinate the development of a 20 place programme by 31<sup>st</sup> March 2008; and

(iv) LSC/ESF co-financed project to provide a Public Sector Demand Led Employment Routeway Programme for unemployed adults and young people in Halton. The value of the contract was £183,000 and aimed to support 60 people through the programme by 31<sup>st</sup> July 2008 with 32 progressing into employment.

RESOLVED: That

(1) the Operational Director, Economic Regeneration Service, be authorised to accept the new and extended contracts for the Delivery of Employment Services as detailed above; and

(2) the Operational Director, Economic Regeneration Service, be authorised to extend the term of existing contracts and enter into new contracts for the Delivery of Employment Service contracts. The Operational Director would ensure that any new or extended contracts would be on the basis that –

(i) Contracts of Employment of Council employees engaged in providing services under these contracts are co-terminous with the length of the delivery contract;

(ii) no additional posts within the Council would be established to undertake work under employment service

contracts unless they have been approved through the Council's establishment procedures; and

(iii) he will liaise with the Operational Director, Exchequer and Customer Services to determine that there is adequate insurance cover for the delivery of the service.

ES12 WAIVER OF STANDING ORDERS TO ALLOW RESURFACING OF DITTON ROAD USING THE COLAS REPAVE PROCESS

The Sub-Committee considered a report which sought approval for the waiver of Procurement Standing Order 3.1 to allow appointment of Colas Limited to undertake the resurfacing of Ditton Road using their sustainable Repave process.

Ditton Road was a highly used section of the Borough's highway network, particularly with regard to HGVs. There was a 1.1km section of it which was considered to be in extremely poor condition and was a major source of public complaint. It was noted that there two main engineering problems with this length of highway. Firstly, there was a nine year old utility trench running the full length of the proposed section which was in poor condition and required reinstatement. Secondly there was a problem with localised poor vertical alignment due to the nature of the underlying galigu material. This was an industrial waste product which is thixotropic and was settling and moving non-uniformly.

The Repave process was currently unique to Colas Limited and so it was not possible to directly seek comparable alternative quotes. It was a tried and tested process which met Highways Agency Specification and had been successfully used on a wider range of projects for local authorities, Highways Agency trunk roads, motor racing circuits, airport runways and taxi ways. The cost of the work including traffic management would be in the order £70k as opposed to 120k for a traditional 50mm plane and relay contract delivered through the term maintenance contract.

RESOLVED: That Standing Orders 3.1 be waived and Colas Limited be engaged to undertake the resurfacing of Ditton Road using their Repave process.

ES13 PROMOTIONS & TOURISM FEES AND CHARGES - 2007/08

The Sub-Committee considered the proposed fees and charges to be applied by the Promotions and Tourism Service for the financial year 2007/08. It was suggested to increase the current fees and charges by 2.5% in 2007/08, which was consistent with increases applied by other departments in the Council.

In order to ensure that the fees and charges offered a degree of flexibility to enable discounting and special offers to be made for bulk purchasing etc., it was proposed that the Tourism and Promotions Manager agree any offers in advance with the Operational Director for Regeneration and that a record be maintained for audit purposes.

RESOLVED: The proposed fees and charges for 2007/08 as outlined in the report be approved

#### ES14 DISPOSAL OF LAND AT THOMAS STREET, RUNCORN

The Sub-Committee considered a report which sought approval to dispose of a vacant site of land at Thomas Street, Runcorn. The site was located within a residential area and therefore it was anticipated that it would be sold for residential development. A statement from the Planning Officer would be included in the particulars.

There had been limited interest in the site for development, however it was now being brought forward because of recent incidences of fly tipping and therefore it was recommended that the site was offered for sale by auction. It was anticipated that a capital receipt would be received in excess of £50,000.

RESOLVED: That approval be given to dispose of the property by auction.

### **HEALTH AND SOCIAL CARE PORTFOLIO**

#### ES15 DIGNITY IN CARE

In 2007/08 the Department of Health announced the award of £67.7m National Dignity in Care Grant. The grant funding aimed to enhance the physical environment in care homes as part of the Government's Dignity Campaign, which placed dignity and respect at the heart of caring for older people. The grant was ring-fenced for this purpose only and Councils were asked to act as agents for the expenditure of the resources.

The Sub-Committee was advised on Halton's indicative allocation of £150,000 from the Department of Health (DOH). The award was subject to the submission of proposals on how the funding would be used to improve the lives of local people. Halton's providers were invited to submit proposals for improvement in line with the national criteria. As part of our responsibility for co-ordinating the allocation of the grant to Care Home providers, a multi-agency panel was convened to consider all applications on a fair and equitable basis. Following the evaluation of bids, proposals from fifteen care homes in Halton were submitted to the DOH for final approval.

Details of the specific improvements which would directly benefit residents in Halton care homes was set out in the report. It was noted that the improvements listed exceeded £150,000 in value. A number of providers were match funding or supplementing the DOH grant in order to deliver service improvements.

Subsequently the Department of Health had now approved Halton's submission for £150,000 and local providers had been advised that they could proceed with the work. Payment would be made on completion of the work.

RESOLVED: That the Sub-Committee note and endorse the allocation of Dignity in Care Grant to care homes in the Borough.

ES16 REQUEST TO WAIVER STANDING ORDERS RELATING TO CONTRACTS EXCEEDING £50,000 BUT LESS THAN £1,000,000.

Within Halton, around 190 adults with learning disabilities were being supported to live in their own tenancies either through Supporting People Grant or the ALD pooled budget. There were a further 20 plus people waiting for similar opportunities.

A residential social landlord was securing three new build properties in Widnes to set up five long-term assured tenancies for Adults with Learning Disabilities. The Council would have nomination rights to these tenancies for up to 20 years and five individuals had been identified as prospective tenants.

The proposed start date for the tenancies was 1<sup>st</sup> August 2007. The five people selected had a range of

abilities and would require varying levels of support. The estimated total annual cost of service was £120,000 and preferred contract period was for three years with an option to extend to five. This would offer the stability required for individuals to lead a fulfilled life.

Given the timescales for the support services to commence in August, compliance with the tendering requirement of Procurement Standing Orders Part 3, 3.1 to 3.7, was not practicable. It was therefore proposed to invite quotes, in writing, for specified services from more than three agencies. These agencies would be chosen from those already providing services to the Council together with selected Autistic Spectrum Disorder specialist providers.

It was anticipated that this approach would still achieve financial advantage through competition and secure value for money for the Council.

RESOLVED: That

- (1) Standing Orders 3.1 to 3.7 are waived; and
- (2) the process for obtaining quotes, outlined in the report is followed and the Operational Directors for Adults of Working Age be given delegated responsibility to enter into a contract(s) from this exercise.

## **CORPORATE SERVICES PORTFOLIO**

### **ES17 TREASURY MANAGEMENT - 1ST QUARTER**

The Sub-Committee considered a report which reviewed activities and Treasury Management for the 1<sup>st</sup> quarter of 2007/08.

It was noted that all policy guidelines including the prudential indicators had been complied with.

RESOLVED: That the report be noted.

### **ES18 DISCRETIONARY NON-DOMESTIC RATE RELIEF**

Under the provisions of Section 47 of the Local Government Finance Act, 1988, the Authority was allowed to grant Discretionary Rate Relief to organisations who were either a charity or a non-profit making organisation.

The Sub-Committee considered a report which set out details of an application for Discretionary Non-Domestic Rate Relief for CLS Care Services Limited.

RESOLVED: That:

(1) under the provisions of Section 47, Local Government Finance Act, 1988, the following application for Discretionary Rate Relief be refused:

CLS Care Services Limited                      20%

**SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

The Committee considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Committee 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.



## **HEALTH AND SOCIAL CARE PORTFOLIO**

ES19 LEGIONELLA INCIDENT - KINGSWAY LEISURE CENTRE  
2006

This item was withdrawn.

## **CORPORATE SERVICES PORTFOLIO**

ES20 DISPOSAL OF THE LEASEHOLD INTEREST IN THE  
HALTON BUSINESS FORUM (FORMERLY WIDNES  
TOWN HALL), VICTORIA SQUARE, WIDNES

The Sub-Committee considered a report which sought approval to grant a 150 year lease of the Halton Business forum, Victoria Square, Widnes to Bridge Leisure Limited. The timetable for completion of the lease was proposed by late autumn and ready for opening Summer 2008

RESOLVED:

(1) Approval be granted to enter into single tender negotiations with Bridge Leisure Limited; and

(2) Approval be granted to enter into a 150 year lease subject to all other terms being approved by the Strategic Director Corporate and Policy and Council Solicitor in conjunction with the appropriate portfolio holder.

**MINUTES ISSUED: 3<sup>rd</sup> August 2007**

**CALL IN: 9<sup>th</sup> August 2007**

**Any matter decided by the Executive Board Sub Committee may be called in no later than 3<sup>rd</sup> August 2007**

*Meeting ended at 10.37 a.m.*