

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 7 September 2006 at 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, E. Dawson, J. Tradewell, P. Watts, P. Bickerstaff and T. Upton and S. Williams.

Also in attendance: (none)

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

		<i>Action</i>
	CORPORATE SERVICES PORTFOLIO	
ES28	LEGAL SERVICES JOINT PROCUREMENT ARRANGEMENTS	
	<p>The Sub-Committee was advised that on occasions the Council Solicitor was required to appoint external firms of solicitors. Typically this happened where there was a temporary peak of work, a need to cover for maternity or sickness, a need for specialised advice or where circumstances were especially sensitive or that a degree of separation or demonstrated independence was required. On occasions agency staff had been used and more often in connection with litigation, Counsel had been used.</p> <p>Whenever an external appointment of solicitors had been made, Standing Orders must be complied with. This usually involved having to get competitive quotes or formal tenders. This was time consuming and had to be repeated on each occasion work was put out. The ad-hoc process also made poor use of the Council's purchasing power.</p> <p>The report suggested that as an alternative, the Council Solicitor go out to tender once to appoint a single firm or panel of firms which could be drawn on whenever</p>	

needed. A Panel was preferable as approved firms needed to be available for certain specialised categories of work (which might include Child Protection). Some firms were generalist but others developed authoritative specialisms in certain fields. Legal Services needed to be able to tap into both types of firm.

This was reflected in an initiative which the Council's Solicitor had been exploring jointly with the Chief Legal Officers at Knowsley MB, Sefton MB, and West Lancashire DC. During July, Halton, acting jointly with the other authorities, would be advertising for expressions of interest. With the assistance of First Law (acting as procurement advisors) a shortlist would be drawn up for each authority although it was anticipated that there would be a substantial overlap. The intention was that by October 2006 following tenders and presentations to the legal officers of all four authorities, standing lists would be approved.

It was noted that the arrangement would be for a period of three years with an option to extend for a further two years. There was no legal commitment to place any work with any firm on the approved list. There would be nothing to stop authorities continuing to place work with firms not on the approved list if circumstances justified.

The Trades Unions had been consulted and had indicated support on the basis that the facility was available to deal with circumstances where legal work would currently be put out. The intended arrangement had no employment implications for existing staff.

RESOLVED: That the Council Solicitor be authorised to select a firm or firms to form standing call-off arrangements for external solicitors to be drawn on exceptionally and as circumstances require and to take such other actions as may be necessary to give effect to these arrangements

ES29 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 from National Council of Young Mens Christian Associations, 73 Widnes Road, Widnes.

RESOLVED: That under the provisions of Section 47, Local Government Finance Act 1988, the following application for discretionary rate relief be refused:

National Council of Young Men's Christian Associations 20%

ES30 TREASURY MANAGEMENT 1ST QUARTER 2006/07

The Board considered a report which reviewed activities on Treasury Management for the first quarter of 2006/07 April – June. All the policy guidelines had been complied with.

RESOLVED: That the report be noted.

ES31 TREASURY MANAGEMENT 2005/06

The Board considered a report which reviewed activities on Treasury Management for the year 2005/06.

The Annual Report covered:

- the Council's current Treasury position;
- performance measurement;
- borrowing strategy for 2005/06;
- borrowing outturn for 2005/06;
- compliance with Treasury limits;
- investment strategy for 2005/06;
- investment outturn for 2005/06;
- debt re-scheduling;
- other issues.

RESOLVED: That the report be noted.

ES32 SALE OF LAND AT AVONDALE DRIVE

The Sub-Committee considered a report which sought approval for the sale of land forming part of the site of the former Our Lady of Perpetual Succour RC Infant School, Avondale Drive, Widnes.

It was reported that the Council owns part of the site with the remainder of the land being within the ownership of the Roman Catholic Archdiocese of Liverpool. The Council's land was landlocked and therefore it was proposed that the Diocese and the Council dispose of the entire site jointly. Discussions had taken place with the Diocese with regard to the proceeds of sale and it was provisionally agreed that the

Council would receive 50% of the pro-rate net capital receipts for the entire site.

The 50% reduction reflected the fact that the Council's site was landlocked with no retained rights of access.

The site had been advertised for sale on the open market. Prospective purchasers were required to submit details of their proposed development and fourteen bids had been received ranging from £300,000 to £1,134,500. The bids, together with the development proposals were considered by the Diocese representative and the Council's Land and Property Manager and Planning Officer. All the development proposals included apartments which was not acceptable from a planning prospective. The four highest bidders were therefore invited to re-submit their bids and development proposals taking into account the Borough Council's planning advice.

Subsequently, two revised bids were received, £867,322 from Langtree Homes and £1m from Beara Properties. The proposal from Beara Properties provided a scheme of 20 dwellings comprising detached and semi-detached properties and had taken into account the requirements to locate a substantial amount of the parking behind the building line. They had also incorporated relevant contributions for public open space and loss of greenspace. Acceptance of the bid would give the Council projected capital receipts of £96,500 and therefore this was recommended for acceptance.

RESOLVED: That

- (1) the report be noted; and
- (2) approval be given for the sale of the site to the former Our Lady of Perpetual Succour Infant School, Avondale Drive, Widnes, to Beara Properties.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES33 NEW TERM CONTRACT FOR SURFACE TREATMENTS - APRIL 2007 TO MARCH 2012

The Sub-Committee considered a request for the preparation of an ad-hoc select list of suitable contractors for a new highway surface treatments contract to replace the

existing contract that expires on 31st March 2007. The new contract needed to be in place before this date to ensure continuity and a smooth transition of work to the successor of contractor.

The contract would be for an initial five years and included an option to extend by up to a further five years by agreement of the parties and subject to quality thresholds that must be met for the employer to consider the desirability of extending the contract.

The estimated value of the work covered by the Contract was an average of £225,000 for each of the initial five years of the contract. A further report would be submitted to a future meeting of the Sub-Committee to approve the award of the contract.

RESOLVED: That an ad-hoc select list of suitable contractors be prepared and used to procure a new highway surface treatments contract in the form of a partnering arrangement based on a schedule of rates to run from 1st April 2007 to 31st March 2012, with an option to extend the contract by a further five years by agreement of the parties

ES34 APPROVAL OF PUBLICATION OF HOUSE EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT FOR PUBLIC CONSULTATION

The Sub-Committee considered a report which sought approval for the publication of a draft Supplementary Planning Document (SPD); House Extensions for the Purposes of Statutory Public Consultation.

The purpose of the House Extensions SPD was to complement the Halton Unitary Development Plan (UDP), by providing additional guidance for anyone intending to extend or alter their house or erect a garage or other outbuilding to ensure that all developments:

- (i) were of exemplary design quality and that any extensions did not spoil the character of the original dwelling, but related closely to it and harmonised with the existing house in its scale, proportions, materials and appearance;
- (ii) protect residential amenity of neighbouring properties;
- (iii) protect and enhance the built and natural environment;

- (iv) preserve the essential character of the street and surrounding areas;
- (v) avoid the creation of dangerous highway conditions; and
- (vi) safeguard the provision of a reasonable private garden space.

The consultation that had taken place regarding the SPD was outlined in the report for consideration. In addition, a scoping exercise had been undertaken to determine whether or not a Strategic Environment Assessment (SEA) was required to assess the environmental effects of the SPD. The conclusion was that an SEA was not required.

In addition, a Sustainability Appraisal (SA) was in the process of being produced and would be consulted upon at the same time as the draft revision of House Extensions SPD. Once the formal public consultation exercise had been conducted, the responses would be recorded and taken into account. It was intended that a further report would be submitted to the Executive Board, seeking formal adoption of the House Extension Supplementary Planning Document.

RESOLVED: That

- (1) the draft Supplementary Planning Document (SPD): House Extensions, be approved for the purposes of Statutory Public Consultation;
- (2) the comments received at the Partnership Consultation Stage as set out in the Statement of Consultation and responses to them are noted;
- (3) further editorial and technical amendments that do not materially affect content of the SPD be agreed by the Operational Director – Environment and Regulatory Services in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, if necessary, before the document is published for public consultation; and
- (4) the results of the public consultation exercise and consequent recommended modifications to the draft SPD be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document.

COMMUNITY PORTFOLIO

ES35 HOMELESSNESS PREVENTION FUND

The Sub-Committee considered a report which sought approval for up to £10,000 of DCLG Homelessness Grant Funding to be utilised annually to provide a Homelessness Prevention Fund. The prevention fund would be managed by Halton Housing Trust (HHT) to avert homelessness, thereby reducing the number of homelessness applications in the Borough.

A monitoring arrangement whereby HHT report to the Council would be put in place to ensure that the Prevention Fund was being appropriately applied.

It was noted that compliance with Standing Orders was not practicable as the Council's requirements could only be delivered by HHT given that HHT provided the homelessness and housing advice service on behalf of the Council (under contract), following LSVT in December 2005.

In addition, the Prevention Fund criteria and proposed monitoring arrangements were transparent and HHT would be accountable to the Council for use of the Prevention Fund.

RESOLVED: That

- (1) the implementation of a Prevention Fund as outlined above be agreed and the Council's Standing Order (Contracts) 4.1 be waived accordingly; and
- (2) a further report be brought to a future meeting of the Sub-Committee on the expenditure of the Homelessness Prevention Fund.

N.B Councillor Nelson declared a personal interest in the above item as a member of Halton Housing Trust Board.

ES36 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In view of the nature of the business to be transacted, it was:

RESOLVED: That under Section 100 (A) (4) of the Local Government Act 1972, having been satisfied that in all of the circumstances of the case, the public interest in maintaining

the exemption outweighs the public interest in disclosing the information the press and the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Act.

CORPORATE SERVICES PORTFOLIO

ES37 LAND TO REAR OF MERSEY ROAD WIDNES

The Sub-Committee considered a proposal for the disposal of land to the rear of the Mersey Tavern, Mersey Road, Widnes to form a car park for the hotel.

RESOLVED: That

- (1) approval be given to dispose of the land on the terms reported; and
- (2) a Right of Way Order be granted to allow Copper Mount Inns to gain access to this site.

Meeting ended at 10.40 am

MINUTES ISSUED: 25th SEPTEMBER 2006

CALL IN: 29TH SEPTEMBER 2006

Any matter decided by the Executive Board Sub-Committee may be called in no later than 29th September 2006.

Meeting ended at 10.40 a.m.