



Executive Board Sub Committee

**Thursday, 7 December 2006 at 10.00 a.m.
Municipal Building, Widnes**

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

SUB COMMITTEE MEMBERSHIP

Councillor Mike Wharton (Chairman)	Labour
Councillor Phil Harris	Labour
Councillor Steff Nelson	Labour

Please contact Gill Ferguson on 0151 471 7395 or e-mail gill.ferguson@halton.gov.uk for further information.

The next meeting of the Sub Committee is on Thursday, 21 December 2006

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive Board Sub Committee

DATE: 7th December 2006

REPORTING OFFICER: Strategic Director Environment

SUBJECT: Victoria Park Restoration, Report on Path Surfacing Tenders

WARDS: Appleton

1.0 PURPOSE OF THE REPORT

- 1.1 To report for information the results of the tender for the supply and laying of specialist resin bound gravel surfaces to the Park's main paths

2.0 RECOMMENDATION: That in accordance with Standing Orders relating to Procurement clause 3.2, the Committee note for information only, that the tender was awarded to EBL Group Ltd.

3.0 SUPPORTING INFORMATION

- 3.1 The Victoria Park Restoration Scheme is nearing the end of the programmed works. One of the final elements of the scheme involves the gravel dressing of all the main paths.
- 3.2 The chosen method of applying the gravel dressing is to use a special resin binder. The manufacturer of the product provided the names of three local contractors capable of carrying out the size and quality of works required.
- 3.3 A tender for this work was prepared and sent to the three recommended contractors; Stirling Lloyd Contracting, EBL Group, and Groundwork.
- 3.4 Groundwork Ltd on receiving the tender declined to submit a price after analysing the documents. The tender from Stirling Lloyd Contracting arrived late and was disqualified.
- 3.5 The remaining valid tender from EBL Group (£97'471.44) was within budget for this element of work and a contract for the work has been entered into in accordance with Standing Orders relating to Procurement clause 3.1.

4.0 POLICY IMPLICATIONS

- 4.1 The proposals are in line with the aims of Halton's Corporate Plan relating to Priority 2 – Promoting Urban Renewal (C – To Attract and secure additional investment in Halton), Priority 4 – Poverty and Deprivation (E- To enhance the quality of life for older people in the community setting), and Priority 5 – Ensuring Safe and Attractive Neighbourhoods (G – To ensure progressive and sustainable environmental improvements in all areas of the Borough reflecting the priorities of the public).

5.0 OTHER IMPLICATIONS

- 5.1 The works are within the budget allocated for this item in the overall Park restoration project.

6.0 RISK ANALYSIS

- 6.1 The works are relatively straight forward and there are no unforeseen risks anticipated, any additional items of work that may be required will be covered by the contingency budget within the overall project budget.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 The works will provide an easy to use and safe path system throughout the Park.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
EBL Group returned tender dated 30.10.06	Picow Farm Depot	Nick Martin

REPORT TO: Executive Board Sub-Committee

DATE: 7th December 2006

REPORTING OFFICER: Strategic Director – Environment

SUBJECT: Extension of Service Level Agreement with Merseyside Environmental Advisory Service for the provision of Technical Environmental Advice

WARDS: Borough Wide

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to recommend a time extension to a Service Level Agreement between Halton Borough Council and the Merseyside Environmental Advisory Service for the provision of technical environmental advice in connection with planning matters.

2.0 RECOMMENDATION: That the Service Level Agreement between Halton Borough Council and the Merseyside Environmental Advisory Service is extended for two years to cover the period to end of March 2008, at an annual cost to HBC of £15,000 in 2006/07 and £15,450 in 2007/08.

3.0 SUPPORTING INFORMATION

- 3.1 A draft legal agreement has recently been received from Sefton Metropolitan Borough Council, acting on behalf of the Merseyside Environmental Advisory Service (MEAS), in relation to services provided to Halton Borough Council by MEAS for the provision of technical environmental advice in connection with planning matters. An existing legal agreement for the provision of these services was signed on the 9th June 2005 and covered a two year period from 1st April 2004 to 31st March 2006, at an annual cost of £5,000. The new draft legal agreement would extend this time period for a further two years to 31st March 2008, at an annual cost to HBC of £15,000 in financial year 2006/07 and £15,450 in 2007/08.
- 3.2 The MEAS is based in Maghull and provides a range of specialist advisory services to subscribing authorities. These services include advice on current and emerging European and national environmental policies, assistance with site specific environmental matters including those arising from administration of Development Control processes and support for the implementation of sub-regional initiatives.
- 3.3 The MEAS has been established for a number of years with the majority of funding for provision of its services being provided by Sefton, St Helens and

Knowsley Metropolitan Borough Councils. More recently, Wirral, Liverpool and Halton entered into separate formal agreements to pay MEAS for the provision of some services, these services being proportionate to the monies paid by each of the local authorities.

- 3.4 MEAS monitor the staff time spent by project and by local authority on a quarterly basis and it has become evident from this that their staff time spent on work for Halton has been somewhat in excess of the agreed £5,000 per annum during the time that the previous legal agreement covered. Additionally, the requirement for environmental advice and input in connection with planning activities has become greater recently through the development of additional legislation, for example in the form of the European Habitats Directive and requirements to undertake appropriate assessment. There has also been greater sub-regional working between the Merseyside authorities and Halton, particularly in connection with the progression of the North West Regional Spatial Strategy, which has required specialist technical input in certain instances.
- 3.5 The activities that MEAS would undertake on behalf of Halton over the period to end of March 2008 are detailed in a schedule which is annexed to the draft legal agreement. This would include advice in connection with the content or production of sustainability appraisals or appropriate assessments in relation to the Halton Local Development Framework, some advice in relation to the Mersey Gateway or advice in relation to Environmental Impact Assessment for the Liverpool John Lennon Airport expansion. It would also entail input into joint Merseyside responses in relation to selected major planning applications or Government consultations regarding environmental matters.

4.0 POLICY IMPLICATIONS

- 4.1 These have been largely outlined in paragraphs 3.4 and 3.5 above. The new development plans system introduced by the Planning and Compulsory Purchase Act 2004 is onerous in relation to the need to produce background documentation in support of a Local Development Framework. Without the provision of suitable supporting documentation there is potential for a particular document within the Local Development Framework to fail the test of soundness in relation to the provision of a suitable evidence base. Some of the evidence relating to environmental matters required to progress the Halton Local Development Framework cannot be produced 'in house' and requires the specialist input of MEAS. Similarly, on occasion expertise does not exist within Halton Borough Council to consider environmental information submitted with a planning application and again, this can be dealt with by MEAS. The extended Service Level Agreement is therefore considered suitable to meet these policy requirements.
- 4.2 A Directing Group, with a representative from each of the Merseyside authorities and Halton meets periodically to review the work priorities of MEAS. Halton's representative is the Operational Director, Environmental and Regulatory Services.

- 4.3 MEAS is one of several specialist organisations that provide support to the Merseyside authorities and Halton, with others including the Merseyside Policy Unit and Merseyside Information Service. It is of note that Halton also has a separate financial arrangement for the development of a joint Merseyside Waste policy document (agreed by Executive Board on 21 September 2006) and another Service Level Agreement with Cheshire County Council for the provision of archaeology and historic environment advice. The continuation of the legal agreement with MEAS for the provision of environmental services would not prejudice any of these other existing working arrangements.

5.0 OTHER IMPLICATIONS

- 5.1 It has become apparent from previous working with MEAS that they offer good value for money when compared against the charges made by consultants for equivalent services. The increased cost of these services to Halton is explained at paragraph 3.4 above. Part of the reason for MEAS offering good value for money is that they are able to draw upon existing local knowledge and technical expertise. Additionally, they also provide advice, on occasion, on behalf of all six local authorities, which means that the cost can be shared between the six rather than borne by an individual authority.

6.0 RISK ANALYSIS

- 6.1 The risk from Halton not having recourse to the services of MEAS could result in a degree of failure to provide a suitable evidence base in connection with the Halton Local Development Framework.
- 6.2 Any risk of MEAS failing to meet its obligations in the provision of environmental services to Halton is dealt with by clause 2.1 of the draft legal agreement, which entitles Halton to terminate the future provision of services by written notice and to not make a payment if the services in question are not being provided or performed.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 There are no Equality and Diversity implications arising from this report.

8.0 REASONS FOR DECISION

- 8.1 These are set out in sections 3, 4, 5, and 6.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 9.1 These are set out by virtue of sections 3, 4, and 5.

10.0 IMPLEMENTATION DATE

- 10.1 The new legal agreement could be signed and come into effect subsequent to the approval of this report's recommendation.

**11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE
LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Legal Agreement between Sefton MBC and Halton BC for the provision of strategic environmental services (dated 9 th June 2005)	Planning & Policy Division Rutland House	Neil Macfarlane
Draft legal Agreement between Sefton MBC and Halton BC for the provision of strategic environmental services	Planning & Policy Division Rutland House	Neil Macfarlane

REPORT TO: Executive Board Sub Committee

DATE: 7 December 2006

REPORTING OFFICER: Executive Director - Environment

SUBJECT: Widnes Waterfront EDZ – Access Road
Report of OD Tender Acceptance

WARDS: Riverside

1.0 PURPOSE OF THE REPORT

- 1.1 To report the acceptance of a tender other than the lowest tender for the construction of an access road at Widnes Waterfront EDZ

2.0 RECOMMENDATION: That the report be noted

3.0 SUPPORTING INFORMATION

Tenders in connection with the construction of a short length of access road to serve site D on the Widnes Waterfront EDZ were received on Monday 13 November. In accordance with procurement standing orders, contracts not exceeding £1,000,000 can be awarded by the Operational Director.

Eight tenders were received and were assessed both on a price / quality basis in a ratio of 60/40 in accordance with the instructions for tendering. The results of the assessment are shown in the table below:

Tenderer	Tender Sum £	Tender Assessment Total £	Tender Evaluation scores – (pro-rata expressed as %age)		Total	Position
			Financial (60% max)	Quality (40% max)		
1	311,011.73	414,229.58	48.8	29.8	78.6	6
2	349,007.93	407,968.36	49.9	33.1	83.0	4
3	298,129.00	373,256.14	55.9	40.0	95.9	1
4	Did not achieve threshold quality score			22.2		
5	366,598.00	417,069.74	48.4	33.3	81.6	5
6	291,316.72	349,299.71	60.0	30.9	90.9	2
7	384,825.18	480,439.39	37.5	30.3	67.7	7
8	288,768.94	370,627.93	56.3	32.4	88.7	3

The financial assessment carried out under the New Engineering Contract (NEC) conditions takes into account other potential cost factors, for example the effects of '*Compensation Events*' that might arise due to changes during

construction, in addition to the tender sum derived from the bill of quantities, (shown in column 1) to arrive at a tender assessment total (Column 2).

Taking into consideration both the quality and price submissions, the most economically advantageous tender for the construction of the access road is that submitted by Birse Civils Ltd at a tendered cost of £298,129, which has been accepted by the Operational Director – Highways and Transportation.

4.0 POLICY IMPLICATIONS

There are no policy implications.

5.0 OTHER IMPLICATIONS

There are no other implications.

6.0 RISK ANALYSIS

The evaluation of tenders on a quality / price basis is the preferred method for this type of work, executed under the NEC Engineering and Construction Contract, as it enables the effects of quality management and the implementation of the works to be taken into account in determining the most economically advantageous offer. The procedure for assessment is set out in the Highways Agency's Model Contract Document and all tenderers were informed at tender invitation stage, of the assessment criteria to be applied to their submissions. The procedure was followed rigorously and the results of the assessment were recorded.

The tender submitted by Birse Civils included a quality submission which was particularly strong across all aspects of the assessment criteria set out in the instructions for tendering, scoring top in six of the nine categories and with a maximum score in five. This signifies an excellent understanding of the requirements of the contract and indicates good management of the project through the construction stage.

All other tenderers have been informed in writing of their assessment scores and relative position in the tender evaluation process.

7.0 EQUALITY AND DIVERSITY ISSUES

There are no equality and diversity issues.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Report of tenders for Widnes Waterfront EDZ Access Road (to Operational Director H&T)	Rutland House Highways Office	D. Cunliffe

REPORT: Executive Board Sub-Committee

DATE: 7 December 2006

REPORTING OFFICER: Strategic Director, Environment

SUBJECT: Proposed Zebra Crossing – Cronton Lane, Widnes

WARDS: Farnworth

1. PURPOSE OF REPORT

- 1.1 To report the results of a consultation exercise for a proposed zebra crossing on Cronton Lane and to determine the action that should be taken.

2. RECOMMENDED: That:

- 1) the comments received be noted and the zebra crossing proposal be discontinued in favour of implementing an improvement to the refuge island at the roundabout, subject to consultation with the adjacent landowners; and
- 2) the location continue to be monitored to see whether further improvements are required following the improvements to the refuge.

3 SUPPORTING INFORMATION

- 3.1 The Area Forum for Birchfield, Farnworth and Halton View received a request from the residents of the new houses recently built and being constructed off Norlands Lane to install a pedestrian crossing on Cronton Lane outside the shops. Following informal discussions it was decided to investigate a zebra crossing, as the funding for a Puffin Crossing was outside the scope of the Area Forum.
- 3.2 A possible location was found and the proposal was advertised in the local press and on site for a period of some four weeks leading up to 31 May 2006. Comments were received from the Post Office about the difficulties a pedestrian crossing would cause to the operation of their business. Subsequently a number of comments were received both in favour and against the proposal from residents in the area, and also from the owner of Cronton Fish Bar No.2 and Bargain Booze. Also a petition was submitted in favour of the crossing via Councillor Cross. The number of people who have written supporting the crossing is 8, plus 88 people included in the petition. The number objecting is 102 including the three businesses above.
- 3.3 A pedestrian/traffic survey was carried out on Tuesday 12 September 2006. Although a controlled crossing is not justified under the former national criteria, there were a significant number of pedestrians crossing Cronton Lane. This indicated that the busiest time for pedestrians was between 18.00 and 19.00,

which is unusual and the surveyors indicated that it was people using the chip shop and off licence.

- 3.4 At present there are double yellow lines on Cronton Lane outside the shops, which prohibit parking, but there is an exemption for the delivery of goods to the adjacent shops, and this is particularly important for deliveries to the Post Office. The installation requirements of a zebra crossing includes zigzag lines which would prohibit parking, loading and unloading. Contravention results in the driver being prosecuted for an endorsable offence and therefore delivery drivers will not stop on them to deliver to the shops. This would cause operational problems for the shops
- 3.5 In the last five years there have been two reported injury accidents in the vicinity and neither of them involved pedestrians. Both accidents involved parked cars.
- 3.6 In view of the comments received, it is clear that the zebra crossing proposal, however desirable, would be divisive. An alternative improvement for pedestrians has therefore been developed. This would widen the refuge island and provide an additional length of footway outside the barber's shop. See plan attached to the report. This would help to reduce the conflict between pedestrian and vehicles and provide, it is hoped, an acceptable compromise.

4. POLICY IMPLICATIONS

- 4.1 None.

5. OTHER IMPLICATIONS

5.1 Resource Implications

- 5.1.1 The zebra crossing proposal was to be funded from Area Forum budgets, the alternative improvements outlined in 3.6 are estimated to cost £10,000 and can be funded from within the same allocation. The on-going revenue costs would be minimal and met from existing Highways budgets.

5.2 Social Inclusion, Sustainability and Best Value Implications

- 5.2.1 None

5.3 Legal Implications

- 5.3.1 If the Council proceeded with the zebra crossing proposal and the Post Office complained to the Ombudsman, then it would be difficult to justify the need for the crossing, given the lack of relevant pedestrian accidents.

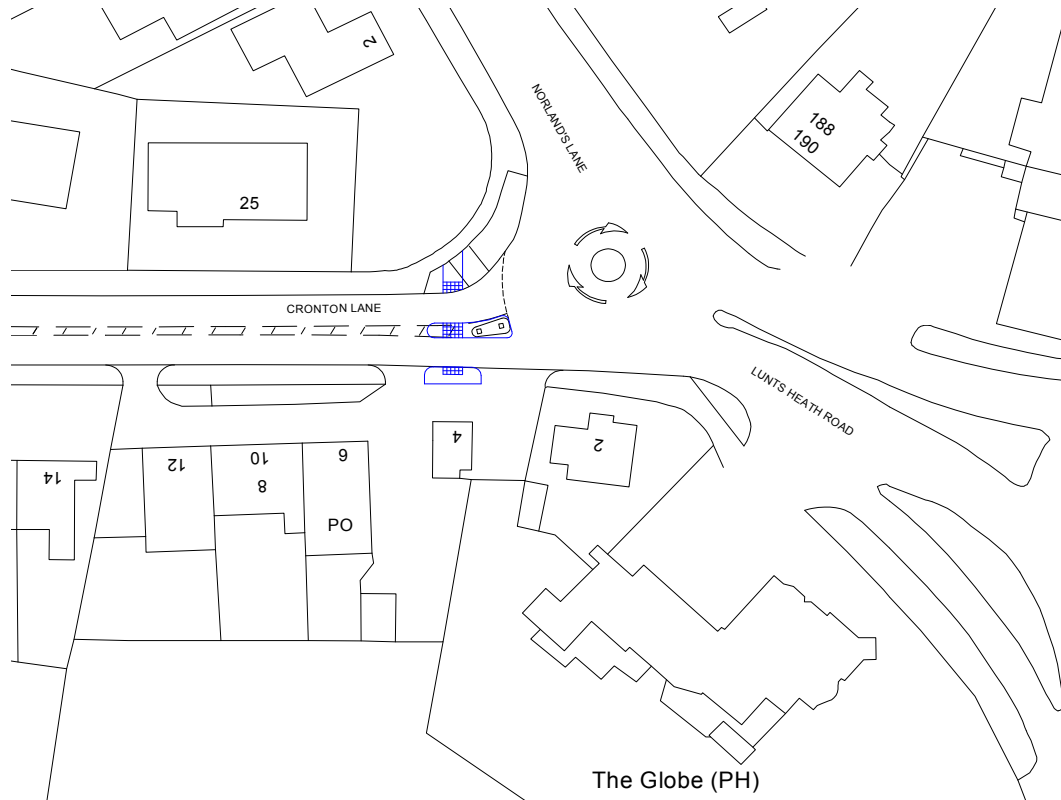
5.3 Crime and Disorder Issues, Human Rights Act Implications

- 5.3.1 None

6. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

6.1 Document	Available for inspection	Contact
Letters and e-mails received	Highways & Transportation Department	Stephen Rimmer Ext. 3182
Petition from residents	Rutland House Halton Lea	
Pedestrian/vehicle survey results		

PROPOSED IMPROVEMENTS TO CRONTON LANE/NORLANDS LANE, WIDNES



REPORT TO: Executive Board Sub Committee

DATE: 7 December 2006.

REPORTING OFFICER: Strategic Director
Health and Community

SUBJECT: Intermediate Care Crisis Beds

1. PURPOSE OF REPORT

- 1.1 To seek the authority to continue with the contract for two Residential Intermediate Care Crisis beds with Southern Cross/Highfield health care (Beechcroft Care Home), for up to six months, to suspend contract standing orders 2.2-2.6, 2.8-2.13, and approve delegated powers to enter into a contract without going out to competitive tender.

2 RECOMMENDED: That

- (1) **for the purposes of SO16c, standing orders be waived as compliance is not practicable for the reason of the level of training and support that has been provided within this environment, and the need to continue to operate the service; 2 Intermediate Care crisis beds in Runcorn; and**
- (2) **Contract standing orders 2.2-2.6, 2.8-2.13 be waived on this occasion and the contract for Intermediate Care Crisis Services to Southern Cross/Highfield health care (Beechcroft care home) be extended for the period from December 31st 2006 for up to 6 months.**

3. SUPPORTING INFORMATION

- 3.1 Oaklodge Care home in Runcorn (CLS) were awarded a contract in 2003, to provide 10 specialist Intermediate Care Beds. On the 27th July 2005 we were informed that the care home would be closing, a four-week notice period was given.
- 3.2 Due to the short notice period, we immediately ceased admissions to the unit, to ensure that we were able to facilitate appropriate discharges, and the unit was closed on the 12th August 2005.
- 3.3 The Beechcroft crisis beds were opened on the 12th August 2005, these beds are an essential part of our service, and enables us to manage more complex risk issues, negating the need to admit unnecessarily to more intensive services. The occupancy rate of these beds is 95%.

- 3.4 During the period of time these beds have been operational, an intensive ongoing level of training and support has been provided to the staff within the care home, and a network of relationships with the Intermediate Care Team has been forged.
- 3.5 The Outcomes for service users have been positive and supported the overall aims of Intermediate Care.

4.0 Waiver of standing orders

- 4.1 Compliance with standing orders is not practicable for reasons of no expressions of interest returned within timescales for the provision of this service. Expressions of interest have been requested twice. The existing contractor did express an interest verbally, however due to administrative difficulties did not return a written expression of interest.
- 4.2 This request for waiver of standing orders 2.2-2.6, 2.8-2.13 is made, to sustain this essential operational service, particularly over the winter period.
- 4.3 Waiver is requested for a period of 6 months, to allow the time to again explore the market for the provision of these beds. Following the 6-month period, delegated authority is requested for the Operational Director (Older People) to award the contract, within the framework of standing orders, to 31st March 2008.
- 4.4 If waiver of standing orders is not agreed, this will result in a real decrease in service provision, particularly in Runcorn. This could result in an increase in admissions both to long-term care and hospital, due to the lack of services in the community.
- 4.5 This would also result in inequity of provision across the Borough, as Widnes residents can access Oak Meadow Intermediate care beds. Local services are important in supporting people to return home

5.0 THE INTERMEDIATE CARE CRISIS BEDS

- 5.1 Intermediate care is a range of services that aim to prevent unnecessary admission to hospital and long-term residential and nursing care, facilitate earlier discharge from hospital, and support people to remain in their own homes as independently as possible.

The crisis beds are 2 residential care beds which will be block purchased. These beds are for use by the Rapid Access Rehabilitation Service and other designated teams to admit people assessed in the community where their environmental and /or social circumstances determine that to remain in their own home would pose unmanageable risks. It should be identified that these risks can be resolved in a timely manner to enable the person to return home and continue with a

programme of rehabilitation/reablement.

- 5.2 There will be an agreed admission criteria for access to the beds.

6. FINANCIAL IMPLICATIONS

- 6.1 Funding for this service will continue to be from Access and Systems Capacity Grant and Vulnerable Adults Task Force (part NRF funding with HBC and PCT match), the funding is available at least until 2008, therefore no additional funding will be required.
- 6.2 The actual cost of the contract for 6 months is £14,832

7. POLICY IMPLICATIONS

- 7.1 The development of intermediate care services supports the Boroughs priority of improving health. The use of crisis beds are part of the wider development of an approach to intermediate care that is being developed by the Intermediate Care sub-group of the National Service Framework Local Implementation Team for Older Peoples Services.

8. EQUALITY IMPLICATIONS

- 8.1 Older people are often excluded from services or discriminated against in service provision on the basis of their advancing years. This services focuses on maximizing someone's recovery so they can maintain their independence and live at home In the community as long as possible.