

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 16 December 2010 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman), D. Cargill, A. Gerrard, Harris, Jones, McInerney, Nelson, Stockton, Swain and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, D. Johnson, I. Leivesley, G. Meehan, D. Parr, D. Tregoe and M. Allen

Also in attendance: None

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

Action

EXB75 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that one matter had arisen which required immediate attention by the Board (Minute 79 refers). Therefore, pursuant to Section 100 B (4) and 100 E, and due to the need to progress talks with another party, the Chairman ruled that the item be considered as a matter of urgency.

EXB76 MINUTES

The Minutes of the meeting held on 2 December 2010 were taken as read and signed as a correct record.

CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO

EXB77 TRADED SERVICES FOR LEARNING AND ACHIEVEMENT- KEY DECISION

The Board received a report of the Strategic Director

Children and Young People on the proposal to develop a Joint Venture model for School Improvement.

The Board were advised that, since the establishment of the Coalition Government in May 2010, the emerging political landscape and economic constraints had begun to reshape the way in which local authorities were expected to deliver services to schools. This included the national policy position of devolving power from local authorities to Headteachers as commissioners of school improvement services.

The Schools White Paper – The Importance of Teaching – was published on 25 November 2010 and the report outlined the Government's stated commitment to:

- make clear that schools – governors, headteachers and teachers had responsibility for improvement. Also end the requirement for every school to have a local authority school improvement partner (SIP) and end the current centralised target-setting process;
- ensure that schools had access to evidence of best practice, high-quality materials and improvement services, which they could choose to use;
- as the National Strategies and other field forces come to an end, support of a new market of school improvement services with a much wider range of providers and services available for schools to choose from;
- free local authorities to provide whatever forms of improvement support they choose, with expectations that alternative business models would be explored by local authorities; and
- ensure that schools below the floor standard received support.

Senior officers from Halton and Warrington Borough Councils had worked together to develop a service proposal to deliver school improvement functions in partnership with a private provider. This would increase the volume of schools potentially purchasing the service and therefore improve the viability. The report gave details of the options appraisals and the joint venture model timeline for Members' consideration.

Reason(s) for decision

The rationale for preferring a Joint Venture was due to the lack of contractual control of the income, i.e. the services would be procured via the school budgets and not the local authority budgets. In looking for this partner, the authorities should be able to mitigate the redundancy liability of school improvement staff whose funding would end on 31 March 2011. This was a significant saving to the Council, but also offered the employees concerned a continuity of their employment.

Alternative Options Considered and Rejected

The alternative of Joint Venture had been considered as part of the option appraisal and this model demonstrated the best solution to the Council.

Implementation Date

The selected bidder would be formally announced on 12 July 2011 for mobilisation by 1 September 2011.

RESOLVED: That

- 1) the development of the preferred approach of the Joint Venture Model for the delivery of school improvement services in conjunction with Warrington Borough Council and a private provider be agreed, subject to schools contributing funding to the delivery of the service between April and August 2011; and
- 2) the Joint Venture Model timeline, as set out in the report, be agreed.

Strategic Director
Children & Young
People

EXB78 OFSTED'S ANNUAL CHILDREN'S SERVICES ASSESSMENT

The Board received a report of the Strategic Director, Children and Young people on Ofsted's Annual Children's Services Assessment.

The Board were advised that in reaching the assessment of Children and Young People's Services, Ofsted had taken account of all inspected and regulated services, arrangements for Child Protection along with performance against national performance indicators. The

overall judgement that Halton was performing well was derived from a wide ranging assessment of services, listed in the report. The letter from Ofsted, attached as Appendix 1, would be the subject of detailed consideration and action by the Halton Safeguarding Children Board and Halton's Children's Trust.

RESOLVED: That the Board note

- 1) Ofsted's judgement that Children and Young People's Services in Halton continue to perform well; and
- 2) the large majority of services, settings and institutions inspected by Ofsted are good or better.

Strategic Director
Children & Young
People

EXB79 SHARED SERVICES

The Board was advised that Cheshire West and Chester Council had approached Halton Council to explore the possibility of having a Shared Service for Children and Young People. It was reported that this would be an opportunity for the Council to share skills and expertise it had as a Children and Young People's Directorate more widely. There was also the scope to explore a range of efficiencies over time.

It was anticipated that proposals for a Shared Service would develop on a stepped basis, where it was viewed by both Councils as meeting its needs. Each Council would remain sovereign in terms of its responsibilities for services to children and young people. Members would remain responsible and accountable for their own population. Further reports would follow detailing how the issues listed below would be taken forward:

- Legal Agreements;
- Accountability and Governance arrangements;
- Councillor involvement;
- Financial arrangements;
- Personnel matters;
- The scope for the arrangements and their timing;
- Reporting arrangements; and
- Risk Register.

Reason(s) for decision

The Council has the opportunity to provide expertise in Child Protection and Children and Young People's Services to a

wider community.

The Shared Service is intended to provide a range of efficiencies for the Council in the medium term.

Alternative Options Considered and Rejected

The Council does not take up Shared Service Opportunities. Given the current financial context this does not appear in the Council's best interests.

Implementation Date

The first step in agreeing the initial management arrangements is January 2011.

RESOLVED: That

- 1) the Chief Executive, in consultation with the Leader and Strategic Director of Children & Young People's Services, agree the first steps in having a Shared Service for children and young people with Cheshire West and Chester Council. This would initially only involve arrangements for the Strategic Director of Children's Services and the Safeguarding Unit Manager.
- 2) the stepped approach to shared arrangements beyond this, with reports at each stage of the process be agreed. This is with specific reference to items within Paragraph 3.5 contained in this report and other areas identified for shared arrangements.

Chief Executive/
Strategic Director
Children & Young
People

RESOURCES PORTFOLIO

EXB80 DRAFT CORPORATE RISK REGISTER 2010/11

The Board received a report of the Strategic Director, Resources, on the Draft Corporate Risk Register 2010/11.

The Board were reminded that the purpose of the Corporate Risk Register was to ensure that the Council maximised its opportunities whilst minimising and controlling the associated risks in delivering the Council's vision and services for Halton.

A recent review of the Register had resulted in a change to its structure with corporate risks identified and

grouped under each of the sixteen headings and attached at Appendix 1 to the report.

RESOLVED: That the revised Corporate Risk Register be approved.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB81 MERSEYSIDE AND HALTON JOINT WASTE DEVELOPMENT PLAN DOCUMENT - PREFERRED OPTION 2 - NEW SITES CONSULTATION-KEY DECISION

The Board received a report of the Strategic Director, Environment and Economy on the Merseyside and Halton Joint Waste Development Plan Document - Preferred Options 2 - New Sites Consultation.

The Board were reminded that the Borough Council was involved in producing a Merseyside Joint Waste Development Plan Document (Waste DPD) for the Merseyside sub-region. The plan focused on providing new capacity and new sites for waste management uses and delivered a robust policy framework to control waste development whilst meeting the identified waste management needs in Merseyside and Halton. The Waste DPD dealt with all waste including commercial and industrial, hazardous, construction, demolition, excavation and municipal waste.

The Board had previously considered reports on the Preferred Options stage of producing the Waste DPD and the results of public consultation undertaken between May and July 2010 were attached at Appendix 1.

On 22 October 2010, the City Region Cabinet considered a recommendation to endorse a public consultation, Preferred Options 2, on new sites for proposed allocation within the Plan and approval to be sought from each district. A number of meetings had been completed with consultees (notably adjacent planning authorities), and the waste industry to clarify and resolve issues raised during the Preferred Options consultation earlier in the year. Appendix 2 contained a report on the proposed replacement sites for allocation within the Waste DPD following the withdrawal of some sites after the July 2010 consultation.

Reason(s) for decision

Government policy (PPS10) requires that waste must be

dealt with in a sustainable way. The Council is involved in producing a Joint Waste Development Plan Document (DPD) for the Merseyside sub-region. Drafting of the Plan has reached the stage where the policy framework contained in the Waste DPD needs to be subject to public scrutiny.

Alternative Options Considered and Rejected

The Waste DPD has been prepared through a multi-stage process. Three public consultation stages have been completed:

- Issues and Options took place in March and April 2007.
- Spatial Strategy and Sites stage took place between December 2008 and January 2009.
- Preferred Options Report – 24th May – 4th July 2010

These reports document the evolution of the Plan and the options for policies and sites that have been considered and rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and, detailed technical assessments have all been used to inform the preparation of this Report, forming a fourth public consultation stage. The Preferred Options 2 Report sets out the alternative options considered.

Implementation Date

The Joint Merseyside Waste DPD was scheduled to be adopted by all six partner Districts in October 2012.

RESOLVED: That Council be recommended to

- 1) note the results of the consultation on the Waste Development Plan Document Preferred Options Report; and
- 2) approve the Preferred Options 2: New Sites Consultation Report and approve a six-week public consultation commencing in early 2011.

Strategic Director
Environment and
Economy

ENVIRONMENTAL SUSTAINABILITY PORTFOLIO

EXB82 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 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 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 item 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.

EXB83 RESOURCE RECOVERY CONTRACT

The Board received a report of the Strategic Director, Environment and Economy which updated Members on the procurement of services for the treatment of Halton's residual waste.

In 2007, the Board had approved a Contract Procurement Strategy with Merseyside Waste Disposal Authority (MWDA) for the provision of services and facilities for the recycling and treatment of waste for Merseyside and Halton. The Waste Management and Recycling Contract (WMRC) was entered into in June 2009 for a period of 20 years. The WMRC provided for the management of Halton's Household Waste Recycling Centres and the provision and management of Materials Recycling and Garden Waste Composting Facilities.

A second contract, the Resource Recovery Contract (RRC) provided for the operation of waste treatment facilities and the diversion of residual waste from landfill for a period of 25 to 30 years; the report contained an update on the procurement of the RRC for Members' consideration.

RESOLVED: That

- 1) the progress made in securing services for the treatment of Halton's residual waste through the Merseyside and Halton Resource Recovery Contract procurement project be noted; and
- 2) a further report be presented to Members following the award of the Resource Recovery Contract detailing the financial, operational and other implications for Halton as a result of the authority's inclusion in the contract.

Strategic Director
Environment and
Economy

MINUTES ISSUED: 22 December 2010

CALL-IN: 31 December 2010

Any matter decided by the Executive Board may be called in no later than 5.00pm on 31 December 2010

Meeting ended at 12.20 p.m.