

# Public Document Pack



## Executive Board (Selection Committee)

Tuesday, 14 May 2019 2.00 p.m.  
The Boardroom, Municipal Building

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

**Chief Executive**

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

#### PART 1

Item	Page No
<b>1. MINUTES</b>	<b>1 - 10</b>
<b>2. DECLARATION OF INTEREST</b>	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
<b>3. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL</b>	<b>11</b>
<b>4. APPOINTMENT TO BOARDS, COMMITTEES, APPEALS PANEL AND SCRUTINY CO-ORDINATOR AND THE APPOINTMENT OF CO-OPTees TO VARIOUS BOARDS</b>	<b>12 - 14</b>

*Please contact Angela Scott on 0151 511 8670 or  
Angela.scott@halton.gov.uk for further information.  
The next meeting of the Committee is on Thursday, 13 June 2019*

***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.***

**EXECUTIVE BOARD**

*At a meeting of the Executive Board on Thursday, 11 April 2019 in The Boardroom, Municipal Building*

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, G. Cook, D. Parr, I. Leivesley, M. Vasic, M. Reaney, and E. Dawson

Also in attendance: One member of the press and four members of the public

**ITEMS DEALT WITH  
UNDER POWERS AND DUTIES  
EXERCISABLE BY THE BOARD**

*Action*

EXB113 MINUTES

The Minutes of the meetings held on 14 March 2019 and 22 March 2019, were taken as read and signed as a correct record.

**CHILDREN, EDUCATION AND SOCIAL CARE  
PORTFOLIO**

EXB114 CARE PROVIDER CONTRACT UPLIFT 2019/20 - KEY  
DECISION

The Board considered a report of the Strategic Director, People, on the proposed annual uplift for domiciliary and care home providers within Halton for 2019/20.

It was reported that the Care Act 2014 required local authorities to ensure that the care provider market remained viable and sustainable and that when commissioning services, local authorities must have regard for the cost effectiveness and value for money that the services offered for public funds.

The Board was advised that one of the main

challenges for the care sector was the introduction of the mandatory National Living Wage for workers aged 25 and above, effective from 1 April 2016, with an increase year on year, as detailed in the report. All care home, supported housing and domiciliary care providers that worked with the Council, had been consulted in respect of inflationary increases. It was noted that, based on the feedback from the care providers in the Borough, the average inflationary uplift required would be in excess of 3.2%. The increase in fee rates, as set out in the report, had been calculated based on the key risk areas, rather than an overall set increase.

### Reason(s) for Decision

The recommendation to uplift the fees for our care providers above inflation was referenced throughout the report and was based on the identified risks to provision of care to vulnerable adults in the Borough.

### Alternative Options Considered and Rejected

The social care market had been recognised nationally as being extremely fragile and the Council had a statutory duty to maintain market stability and sufficiency under the Care Act 2014. Not providing an inflationary uplift at a time when providers must pay the National Living Wage would destabilise the market. In addition, people were living longer with very complex health care needs and Halton needed a robust and skilled workforce to continue to provide high quality care for some of the most vulnerable people in our community.

The recommended increase was based on an analysis of the cost pressures on providers and included an element of flexibility to ensure that market sustainability and quality was maintained whilst being affordable to Halton.

An increase less than the recommendations could undermine market stability as providers would not be able to meet their mandatory responsibility to pay staff the National Living Wage, resulting in services becoming financially unviable. This would impact negatively on the local health and social care system, with a potential knock on effect for supporting timely discharge from hospital.

An increase of more than the recommendations would impact negatively on the Council's finances and would be unaffordable. The Council would have less money available to meet its statutory duties to continue to support vulnerable adults.

Implementation Date

1 April 2019.

RESOLVED: That the Board

- 1) notes the contents of the report;
- 2) notes the options and the risks; and
- 3) gives approval to actively enter into discussions with Care Providers, with a view to offer the recommended uplift for 2019/20.

Strategic Director  
- People

*(N.B. Councillors Polhill and Wharton declared a Disclosable Other interest in the following item of business as they both Non-Executive Directors of the Mersey Gateway Crossings Board)*

**TRANSPORTATION PORTFOLIO**

**EXB115 MERSEY GATEWAY PROJECT UPDATE**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on the Mersey Gateway Project.

The Mersey Gateway Bridge opened on 14 October 2017, with the day to day operation managed on behalf of the Council by the Mersey Gateway Crossings Board (the Crossings Board). As well as receiving regular progress reports, the Crossings Board monitored the Operator's (Merseylink) performance against the contract and the activities of the toll operator, Emovis.

The report provided Members with the up to date position in respect of the Operation and Maintenance; Economic Impact and Handback Land; Finances including Project Funding, Financial Performance, the Local User Discount Scheme and the Extended Discount Scheme; and Tolls, Charges and Enforcement.

It was reported that the first fifteen months of operation of the Mersey Gateway had been very positive in operational and financial terms. The remaining elements of the construction phase were anticipated to be complete by June 2019, when the Project would then be solely in the operation and maintenance phase.

RESOLVED: That the report be noted.

## **ECONOMIC DEVELOPMENT PORTFOLIO**

### **EXB116 EXTERNAL FUNDING UPDATE**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on external funding secured by Halton during the past year, and an update on the Charging Policy Pilot.

The Board was advised that the primary role of the External Funding Team was to maximise external funding into the Borough. The Team focused on Government, European, National Lottery, Landfill Funding, Trusts and Foundations, as sources for external funding opportunities for Halton. Details of the type of support offered by the Team over the previous financial year were set out in the report.

At its meeting on 19 July 2018, the Board had agreed to the implementation of a pilot Charging Policy for bid-writing support for external sectors. The pilot commenced in September 2018 and charging was operated on a sliding scale but did not apply to organisations with less than £10,000 in unrestricted funding. It was reported that to date, two contracts were in place with two further contracts in the pipeline. Experience through the pilot had identified the need for a lower fee scale for smaller bids, and a suggested revised fee scale was set out in the report for Members' consideration.

RESOLVED: That the Board

- 1) note the level of funding secured to date; and
- 2) agree the revised fee charges for bid services up to £50,000 as set out in section 5 of the report.

Strategic Director  
- Enterprise,  
Community and  
Resources

## **RESOURCES PORTFOLIO**

### **EXB117 DISCRETIONARY NON DOMESTIC RATE RELIEF**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on two applications for discretionary non-domestic rate relief.

The Board was advised that under the amended provisions of the Local Government Finance Act 1988, the Council was able to grant discretionary rate relief to any business rate payer. Since 1 April 2017, the Council had been responsible for meeting the full cost of all mandatory

and discretionary rate relief granted, as part of the Liverpool City Region 100% Business Rates Retention Pilot Scheme.

The report set out details of two applications from two registered charities, for Members' consideration.

RESOLVED: That

- 1) the application for discretionary rate relief from Vision Enhancement Services/Deafness Support Centre in respect of 126 Widnes Road, Widnes, be refused on the grounds that the organisation also operates in Cheshire West and Chester, Flintshire, Denbighshire, Cheshire East, Wrexham and Conwy, and the Deafness Support Centre operates nationally; and
- 2) the application for discretionary rate relief from the Cathie Stankevitch Foundation in respect of Unit 20, Albert Square, Widnes, be approved.

Strategic Director  
- Enterprise,  
Community and  
Resources

#### EXB118 PENSIONS DISCRETIONS STATEMENT

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the annual publication of the Pensions Discretion Statement (the Statement).

The Board was advised that the 2019/20 Statement was based on the previous Statement (2018/19) and it was reported that no new discretions had been either added or removed. In addition, there had been no material changes to the Local Government Pension Scheme Regulations 2013, that would result in a change in the Statement.

RESOLVED: That the Pensions Discretion Statement for 2019/20 be approved.

Strategic Director  
- Enterprise,  
Community and  
Resources

#### EXB119 DIRECTORATE PERFORMANCE OVERVIEW REPORTS FOR QUARTER 3 2018 - 19

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on progress against key objectives/milestones and performance targets for the third quarter to 31 December 2018.

The Board was advised that the Directorate Performance Overview Report provided a strategic summary of key issues arising from the relevant quarter for each Directorate. The Board noted that such information was key

to the Council's performance management arrangements and Executive Board had a key role in monitoring performance and strengthening accountability. Performance Management would continue to be important in the demonstration of value for money and outward accountability.

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

#### EXB120 BUSINESS PLAN 2019 - 2020

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the adoption of the Council Business Plan (the Plan) 2019/20, as a basis for action and performance monitoring.

The Board was advised that the Council developed its business plan in parallel with the determination of its annual budget and the review and refresh of Corporate and Directorate Risk Registers. The Plan was formulated as a series of extracts representing each of the Council's six strategic priority areas. Each of the Business Plan extracts provided details of the specific objectives and performance measures which would provide a focus for the ongoing monitoring of progress throughout the coming financial year.

It was noted that Elected Members were engaged in the development of Directorate Plans, primarily through the autumn cycle of individual Policy and Performance Board meetings. This allowed Members to consider key themes for each strategic priority area and develop specific improvement activities and targets for the coming year.

RESOLVED: That

- 1) the draft Business Plans extracts be received; and
- 2) the Chief Executive, in consultation with the Leader, be authorised to make any final amendments and adjustments that may be required.

Strategic Director  
- Enterprise,  
Community and  
Resources

#### **PHYSICAL ENVIRONMENT PORTFOLIO**

#### EXB121 WIDNES MARKET - PROTOCOL AND CHARGING POLICY UPDATE REPORT

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which

sought approval of an amended Market Charging Policy and Protocol documents.

The Board was advised that a revised management structure was adopted for the markets in October 2018. An initial task of the new management regime was to review the charging policy and protocols to ensure they remained fit for purpose and in line with any legislative changes.

It was reported that a recent Internal Audit report on control measures in place had made a number of recommendations to help strengthen existing arrangements. These recommendations had been included in the revised documents and were detailed in the report.

The report also provided details on the proposed main changes to the charging policy document for Members' consideration.

RESOLVED: That the proposed amendments to the Market Charging Policy and Protocols be approved with immediate effect.

Strategic Director  
- Enterprise,  
Community and  
Resources

EXB122 ADOPTION OF STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval of an updated Statement of Community Involvement (SCI), as part of Halton's Local Plan.

The SCI document set out how councils engaged with local communities and other interested parties in the production of their Local Plan and determination of planning applications. The Board had considered and approved the draft SCI document for a period of public consultation at its meeting on 13 December 2018.

It was noted that the results of the public consultation were set out in Appendix A, attached to the report. Once adopted, the procedures contained in an adopted SCI must be followed for consultation on all Local Plan documents and planning applications within Halton.

RESOLVED: That

- 1) the Statement of Community Involvement (attached to the report at Appendix A), be adopted as a Local Plan Document as required by the Town and Country Planning (Local Development)

Strategic Director  
- Enterprise,  
Community and  
Resources

2004 Regulations;

- 2) the results of the public consultation, as set out in the Statement of Consultation (attached to the report at Appendix B) are noted; and
- 3) further editorial and technical changes that do not materially affect the content or intended purpose of the SCI be agreed by the Operational Director, Policy, Planning and Transportation, in consultation with the Portfolio holder for the Physical Environment before the document is published.

EXB123 HALTON HOMELESSNESS STRATEGY 2019-2024 - KEY DECISION

The Board considered a report of the Strategic Director, People, on a revised draft Homelessness Strategy and action plan.

The Board was advised that under the Homelessness Act 2002, it was a statutory requirement for each local authority area to produce a five year strategy and to review it annually. The draft Homelessness Strategy highlighted developments in the legislative and policy framework since the previous strategy was implemented.

It was reported that the draft local strategy followed the national approach of 'protect, prevent, resolve and avoid' repeat homelessness, as detailed in the report.

Reason(s) for Decision

It was a statutory requirement that all areas should develop and publish a Homelessness Strategy to cover five year period. This draft Strategy met that requirement.

Alternative Options Considered and Rejected

There were no alternative options considered. The draft Strategy had been developed following consultation with key stakeholders and people who used the services, and met the requirements of national and local strategic priorities.

Implementation Date

The draft Strategy would be implemented as from the date of final approval by Executive Board.

RESOLVED: That Executive Board

Strategic Director  
- People

- 1) notes the contents of the report; and
- 2) approves the Strategy Review and action plan in accordance with statutory requirement.

EXB124 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 Section 100A (4) 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 outweighed that 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 Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

**CHILDREN, EDUCATION AND SOCIAL CARE PORTFOLIO**

EXB125 HALTON CARE HOMES - TO CONSIDER OPTIONS TO MAINTAIN SERVICE DELIVERY FOR OLDER PEOPLE IN HALTON - KEY DECISION

The Board considered a report of the Strategic

Director, People, on options to maintain service delivery at two care homes for older people in Halton.

Reason(s) for Decision

To ensure the sustainability of the care home sector in Halton at its current level of provision, ensuring there was minimal impact on the care home residents.

Alternative Options Considered and Rejected

These were set out in Appendix 1 attached to the report and in section 6.2 of the report on financial summary. The preferred option was Option 3, for the reasons stated in the report.

Implementation Date

The proposal will occur if the market conditions determine the relevant action.

RESOLVED: That the Board agreed the recommendations in the report.

Strategic Director  
- People

**MINUTES ISSUED: 16 April 2019**

**CALL-IN: 25 April 2019**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 25 April 2019.**

*Meeting ended at 2.35 p.m.*

**REPORT:** Executive Board (Selection Committee)  
**DATE:** 14 May 2019  
**REPORTING OFFICER:** Chief Executive  
**SUBJECT:** Appointment of Deputy Leader of the Council  
**WARDS:** Borough-wide

**PURPOSE OF REPORT**

In accordance with the Council Constitution, to make a recommendation to the Council on the appointment of Deputy Leader for the 2019/2020 Municipal Year.

**REPORT:** Executive Board (Selection Committee)

**DATE:** 14 May 2019

**REPORTING OFFICER:** Strategic Director – Enterprise, Community and Resources

**SUBJECT:** Appointment to Boards, Committees, Appeals Panel, Working Party and Scrutiny Co-ordinator and the appointment of Co-optees on Various Boards

**WARDS:** Borough-wide

### 1. PURPOSE OF REPORT

To constitute and make appointments for the Council's Boards, Committees, Appeals Panel, Working Party and Scrutiny Co-ordinator post.

### 2. RECOMMENDED: That the Executive Board recommends to the Council the following appointments:

- 1) to the Council's Boards, Committees, Appeals Panel, Working Party and Scrutiny Co-ordinator post for the 2019/20 Municipal Year;
- 2) Mr David Wilson be re-appointed as Healthwatch Halton non-voting co-optee to the Health Policy and Performance Board, for the 2019/20 Municipal Year;
- 3) Reverend David Felix be re-appointed as non-voting Parish Council Co-optee on the Standards Committee for the 2019/20 Municipal Year;

### 3. SUPPORTING INFORMATION

3.1 The Executive Board is asked to make appointments to serve on the following Boards, Committees, Appeals Panel, Working Party and Scrutiny Co-ordinator post:

Executive Board	(10)
Health and Wellbeing Board	(4)
Children, Young People and Families Policy and Performance Board	(11)
Corporate Policy and Performance Board	(11)

Employment, Learning and Skills and Community Policy and Performance Board	(11)
Environment and Urban Renewal Policy and Performance Board	(11)
Health Policy and Performance Board	(11)
Safer Policy and Performance Board	(11)
Regulatory Committee	(11)
Development Control Committee	(11)
Business Efficiency Board	(11)
Mayoral Committee	(5)
Standards Committee	(9)
Appeals Panel	(20)
Appointments Committee	(6)
Local Development Framework Working Party	(15)

3.2 The Executive Board is asked to confirm the appointment of a Scrutiny Co-ordinator for the 2019/20 Municipal Year and to confirm the re-appointment of Mr David Wilson to the Health Policy and Performance Board as a non-voting co-optee for the Municipal Year 2019/20.

3.3 The Executive Board is asked to confirm the re-appointment of Reverend David Felix (Sandymoor Parish Council) as a non-voting Parish Council Co-optee to sit on the Standards Committee for the Municipal Year 2019/20.

#### **4. POLICY IMPLICATIONS**

None.

#### **5. OTHER IMPLICATIONS**

None.

#### **6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children and Young People in Halton** – none.

6.2 **Employment, Learning and Skills in Halton** – none.

6.3 **A Healthy Halton** – none.

6.4 **A Safer Halton** – none.

6.5 **Halton's Urban Renewal** – none.

**7. RISK ANALYSIS**

None.

**8. EQUALITY AND DIVERSITY ISSUES**

None.

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

There are no background papers under the meaning of the Act.