

AGENDA ITEM NO. 4

REPORT TO: Corporate Policy and Performance Board
DATE: 31st October 2006
REPORTING OFFICER: Chief Executive
SUBJECT: Executive Board and Executive Sub Minutes
WARD(s): Boroughwide

1.0 PURPOSE OF REPORT

- 1.1 The Minutes relating to the Corporate Portfolio which have been considered by the Executive Board and Executive Sub since the last meeting of this Board are attached at Appendix 1 (link) for information.
- 1.2 The Minutes are submitted to update the Policy and Performance Board of decisions taken in their area.

2.0 RECOMMENDED: That the Minutes be noted.

3.0 POLICY IMPLICATIONS

None.

4.0 OTHER IMPLICATIONS

None.

5.0 RISK ANALYSIS

None.

6.0 EQUALITY AND DIVERSITY ISSUES

None.

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

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

EXECUTIVE BOARD 7 SEPT 06

CORPORATE SERVICES PORTFOLIO

EXB27 GAMBLING ACT 2005 STATEMENT OF GAMBLING POLICY

The Board considered a report of the Council Solicitor presenting a draft statement of gambling policy, which the Council was required to adopt under the Gambling Act 2005.

The Government had recently announced that statements of gambling policy must be in force by the end of January 2007 and so the draft had been produced in order that a formal consultation period could begin on, or around, 8th September 2006, ending by week commencing 23rd October 2006.

RESOLVED: That

- (1) the draft statement of gambling policy attached to the report be the Council's consultation draft;
- (2) the Council Solicitor determine all matters relating to the consultation process; and
- (3) the matter be reported back to the Executive Board following the consultation process.

Council Solicitor

EXB28 2006/07 BUDGET SAVINGS

The Board considered a report of the Strategic Director – Corporate and Policy providing details of budget savings.

It was noted that the Council set its 2006/07 revenue budget on 1st March 2006 and, in doing so, approved the inclusion of a savings reduction of £250,000 for each Directorate. Details of how the savings were to be implemented by each Directorate were presented in the Appendix to the report.

RESOLVED: That the savings proposals presented in Appendix 1 to the report be approved.

EXECUTIVE BOARD 21ST SEPT 06

CORPORATE PORTFOLIO

EXB33 ANNUAL GOVERNANCE REPORT

The Audit Commission attended the meeting to present the Annual Governance Report 2005/06, a copy of which had been circulated to all Members.

RESOLVED: That the Annual Governance Report be received

EXECUTIVE BOARD SUB COMMITTEE 7 SEPT 06

CORPORATE SERVICES PORTFOLIO

ES28 LEGAL SERVICES JOINT PROCUREMENT
ARRANGEMENTS

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.

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.

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 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%
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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.

CORPORATE SERVICES PORTFOLIO

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.

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.