

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 27 February 2014 in The Boardroom, Municipal Building

Present: Councillors Polhill (Chairman), D. Cargill, Harris, R. Hignett, Jones, Nelson, Philbin, J. Stockton, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, G. Cook, D. Johnson, I. Leivesley, G. Meehan, E. Dawson and S. Nyakatawa

Also in attendance: One member of the press

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

Action

EXB147 MINUTES

The Minutes of the meeting held on 6 February 2014 were taken as read and signed as a correct record.

LEADER'S PORTFOLIO

EXB148 HALTON HOUSING TRUST - GOVERNANCE

The Board considered a report of the Operational Director, Legal and Democratic Services, on the revision of the Halton Housing Trust governance arrangements.

The Board was advised that at its meeting on 21 January 2014, the Environment and Urban Renewal Policy and Performance Board (EUR PPB) had considered proposals from Halton Housing Trust (HHT) to revise its governance arrangements.

It was noted that the Board of HHT had commissioned a review of governance and had considered that changes were necessary in order to fully comply with the requirements of the Homes and Communities Agency and the National Federation Code of Governance.

The EUR PPB had made a recommendation to Executive Board, as set out in the report.

RESOLVED: That the Board

- 1) note the Legal Advice and Guidance circulated by HHT;
- 2) agree a reduction to the HHT Board from the current 12 Member Board to a Board of 9 Board Members;
- 3) agree that the Council shall have 3 nominees on the revised 9 Member HHT Board; and
- 4) agree should HHT determine to reduce the HHT Board to less than 9, the Council shall at all times retain 3 nominees on any revised HHT Board.

Operational
Director, Legal
and Democratic
Services

EXB149 MARKING 50 YEARS OF RUNCORN NEW TOWN 1964 - 2014

The Board considered a report of the Strategic Director, Children and Enterprise, which set out the planned activities to mark the 50th anniversary of Runcorn being designated as a New Town.

The Board was advised that Runcorn was designated a New Town by National Government on 10 April 1964. Between 1964 and 1989, many aspects of the statutory functions were administered by Runcorn Development Corporation (and later its successors). The design-led characteristics included unique housing and estate designs, extensive landscaping, a high concentration of social housing stock, Expressway and Busway networks, planned industrial areas and the creation of a new town centre.

The former New Town and its 50th anniversary, provided an important context and framework in which to reaffirm and engage with some of the Council's existing priorities and activities. It was noted that Appendix A provided a summary of the proposed activities, which were set around four themes as follows:

- Community Engagement;
- Cultural learning;
- Regeneration; and
- Growth and Investment.

A summary of the events planned was contained in the report, with Appendix B containing a detailed calendar of proposed activities around the 50th anniversary date of 10 April 2014. These activities would be focused through collaboration of three service areas – Libraries, Community Development and the Development and Investment Services. In addition, funding was sought for the restoration of two Commission for New Town models, currently in storage, with a match funding bid through the Heritage Lottery Funds ‘Sharing Heritage’ grant to cover aspects of an exhibition and associated activities.

The Board was further advised that, at the request of the Council, the Royal Town Planning Institute New Town Summit planned to revisit two National Government Reviews of New Towns, as detailed in the report. Other opportunities to engage funders and partners, such as Housing Associations, could be given added pertinence due to the 50th anniversary.

RESOLVED: That

- 1) Executive Board supports utilising the 50th anniversary for the purposes of community development and cultural learning within the Borough;
- 2) the 50th anniversary activities be geared to maximise exposure to opportunities and challenges of Halton’s New Town heritage over coming years;
- 3) the proposed calendar of local events be approved; and
- 4) the use of non-emergency waiver of Procurement Standing Orders for the restoration of the New Town models be noted.

Strategic Director
- Children and
Enterprise

EXB150 ESTABLISHMENT OF A COMBINED AUTHORITY FOR THE LIVERPOOL CITY REGION - KEY DECISION

The Board considered a report of the Chief Executive which provided an update on the establishment of a Combined Authority for the Liverpool City Region from 1 April 2014.

The Board was advised that Liverpool City Region (LCR) conducted a Review of Strategic Governance in 2013 (the review), to assess whether the arrangements for economic development, regeneration and transport as they stood, should continue. It was reported that the

establishment of a Combined Authority for the LCR was best placed to support business to grow, create jobs and to secure an improvement in the City Region's economic conditions.

It was noted that the remit of the Combined Authority for LCR would be those strategic economic development, regeneration, transport, housing and employment and skills functions, which could be better delivered collaboratively across the LCR. The review concluded that the Combined Authority would discharge thematic functions, the arrangements for which were set out in the report.

The report also set out the arrangements for the following matters:-

- Appointments to the Combined Authority and its Structure;
- Resource Implications; and
- Legal Implications

It was proposed that for Halton, the Leader be nominated as the representative to the Combined Authority, with the Deputy Leader as substitute. A Transport Sub-Committee, (to be known as the Merseytravel Committee), would provide operational input and leadership around transport issues. Halton would appoint its two Members to this Committee, as part of the Outside Bodies appointments process. It was further noted that as part of the Combined Authority's functions, an Audit Committee would be established as well as a Standards Committee; the latter would meet as required. In addition, a Scrutiny Pool, drawn from the Constituent Councils, would include Opposition Members to reflect the combined political make-up of the 6 authorities and achieve political balance.

The first meeting of the Combined Authority would take place on 1 April 2014.

The Board noted the following documents, attached to the report, for approval:-

- A Constitution for the Combined Authority, which had been developed by Legal and Democratic Services Officers from all LCR Councils and Merseytravel; and
- The Operating Agreement which set out how the

Combined Authority would work alongside the 6 constituent Councils, Merseytravel and the Local Enterprise Partnership to deliver its functions.

RESOLVED: That Council be recommended to

Chief Executive

- 1) confirm its previous decision that the Council should formally become a constituent member of the Liverpool City Region Combined Authority;
- 2) note the position on the making of the Orders as attached in Appendix 1 and the Parliamentary process currently in train;
- 3) endorse the Constitution for the Combined Authority as attached in Appendix 2;
- 4) approve the Operating Agreement for the Combined Authority as attached in Appendix 3;
- 5) approve the arrangements set out in the report to appoint members to the Combined Authority and its Committees;
- 6) note that no allowances (other than travel and subsistence) will be paid to Members of the Combined Authority, the Scrutiny Pool and other Committees and Boards, with the exception of the Merseytravel Committee;
- 7) agree that the payment of allowances for co-opted members of the Transport Committee will be dealt with in accordance with the current Merseyside Integrated Transport Authority Scheme and the Council's own scheme be amended accordingly;
- 8) note that a review of the Combined Authority's arrangements will be undertaken during the first year and reported to the Combined Authority's Annual General Meeting in 2015; and
- 9) agree that approval to make any technical amendments to the Constitution and Operating Agreement for the Combined Authority and any other associated requirements to achieve the creation of the Combined Authority is delegated to the Chief Executive in consultation with the

Leader of the Council.

CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO

(N.B. The following Members declared a Disclosable Other Interest in the following item of business for the reasons stated: Councillor Polhill as a Governor of Brookfields School, Councillor Wharton as a Governor of Hale Primary School; Councillor Jones as a Governor of Fairfield School.)

EXB151 CAPITAL PROGRAMME 2014-15 - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which provided a summary of the capital programmes for 2014/15 for the Children and Enterprise Directorate.

The Board was advised that the schools capital grant allocations for 2014/15 were announced by the Department for Education (DfE) in December 2013. Details of how the Capital Maintenance and Capital Expenditure Revenue Account funding would be allocated were set out in the report.

It was noted that Halton had recently used Basic Need Capital Funding to carry out building works to provide additional school places at Lunts Health, St Bedes Infants and Juniors, Windmill Hill and Weston Primary schools. Later in the year, works to provide post 16 facilities at Ashley School and increase capacity at Beechwood Primary would commence.

The report set out details of the proposed arrangements for the re-build of the Halebank Church of England Voluntary Controlled Primary School in 2016/17. It was noted that this school had been included in the DfE's Priority School Building Programme. However, the pre-school on site, which operated from a mobile classroom, was not included in the new school building programme. The provision of free early years entitlement to 2, 3 and 4 year olds was a statutory duty on Local Authorities, and the Board was advised that, in order for the free entitlement for two year olds to be delivered, it would be necessary to carry out some repairs and upgrade works to the pre-school mobile, at an estimated cost of £25,000.

Universal Infant Free School Meals Capital had been provided to ensure school kitchen and dining rooms were

able to provide a free school lunch to every child in Reception and Years 1 and 2. Appendix 2 contained the details of the works that needed to be carried out from the Local Authority maintained schools allocation.

Reason(s) For Decision

To deliver and implement the capital programmes.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

Capital programmes for 2014/15 to be implemented from 1 April 2014.

RESOLVED: That

- 1) the capital funding available for 2014/15 be noted;
- 2) the position in respect of Basic Need be noted;
- 3) the proposals to be funded from Universal Infant Free School Meals capital be approved;
- 4) the proposals to be funded from Capital Maintenance and Capital Expenditure Revenue Account be approved;
- 5) the proposals for Halebank Voluntary Controlled Church of England Primary School be approved; and
- 6) Council be recommended to approve the Capital Programme 2014/15.

Strategic Director
- Children and
Enterprise

EXB152 LEARNING & ACHIEVEMENT STRATEGY - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on the newly developed Learning and Achievement Strategy.

The Board was advised that the framework for the inspection of Local Authority arrangements for supporting School Improvement was published in May 2013. Inspection reports had identified strengths where local authorities had intervened successfully in schools at risk of being judged 'inadequate' by Ofsted. It was reported that Halton had used

good and outstanding schools to support under-performing schools, through the use of National Leaders in Education, Local Leaders in Education and Headteachers of good and outstanding schools. As some of the processes in place were based on relationships and local intelligence, it was reported that this process needed to be formalised.

Teaching Schools were introduced by the Government in 2011, with a remit to provide school improvement services within and outside of their local authority area. They had a key role to play in school improvement and it was reported that the local authority would work with Teaching Schools at a strategic level to increase its capacity for school improvement and secure and sustain school capacity across the local area. This would be achieved in the following areas:

- Developing school leadership and succession planning;
- School to school support; and
- Professional development for teachers and leaders.

Reason(s) For Decision

Since the grant funding for school improvement advisers and consultants under the National Strategies was withdrawn at the end of the 2010/11 financial year, the core school improvement team was significantly reduced. Their capacity to offer a wide range of school improvement services to all schools was significantly reduced.

Working in partnership with Teaching Schools would increase Halton's school improvement capacity and ensure a sustainable model for the future. School to school support underpinned the Learning and Achievement Strategy.

Alternative Options Considered and Rejected

The alternative was not to offer any school improvement services to schools; schools would have to buy these services on the open market. This would lead to a lack of coordination and loss of intelligence on schools. Local priorities, such as Closing the Attainment Gap would be left to individual schools to tackle isolation. This would leave the local authority and its schools in a very vulnerable position, given that school improvement services could now be inspected and the role of the local authority in enabling school to school support would be scrutinised.

Implementation Date

April 2014.

RESOLVED: That the Learning and Achievement Strategy be endorsed and its implementation be approved.

Strategic Director
- Children and
Enterprise

HEALTH AND WELLBEING PORTFOLIO

EXB153 EXTENSION OF RESIDENTIAL AND NURSING CARE CONTRACT

The Board considered a report of the Strategic Director, Communities, which sought approval to formally extend service provision of identified Residential and Nursing Care Contracts for a ten month period.

The Board was advised that the existing contracts had been in operation since 2010, and covered all residential and nursing care provided by the local authority. A number of providers operated under the North West NHS Framework for Continuing Care, whose contract was due to expire on 28 February 2015. It was reported that the preferred option would be to develop a joint contract between the local authority and the Halton Clinical Commissioning Group to meet both health and social care needs with registered services.

The request for the waiver of procurement Standing Orders would provide the time needed by commissioning managers to develop a joint contract by December 2014. In addition, it was noted that a negotiated approach in relation to the annual uplift would be appropriate to continue the support in this vital sector of the business. A Business Case was set out in the report for Members' consideration.

RESOLVED: That the Board

- 1) approves the use of Procurement Standing Order 1.8.4. (c) to waive Part 2 of Standing Orders in respect of contracts exceeding £1,000,000 in value and to extend existing Residential and Nursing Care contracts in Halton for a period of up to ten months from 1 April 2014 to 28 February 2015, so as to align Health and Social Care contract end dates;
- 2) authorises the Strategic Director, Communities, in consultation with the Portfolio holder for Health and Wellbeing, delegated authority to determine an uplift for the extended contract period; and

Strategic Director
- Communities

- 3) approves the use of Procurement Standing Order 1.8.4 (c) to waive part 2 of Standing Orders in respect of contracts exceeding £1,000,000 in value, to allow existing registered residential providers that are not on the NHS North West Framework for Continuing Health Care, the option to enter into a contract from April 2014 to April 2015, with an option to extend for an additional four years, on an annual basis. The contract would be awarded at the rate to be determined by the Strategic Director, Communities in consultation with the Portfolio holder for Health and Wellbeing.

EXB154 ADULT SOCIAL CARE CONTRACTS

The Board considered a report of the Strategic Director, Communities, which sought approval to extend the current services provided by external providers in the voluntary sector for one year to 31 March 2015.

The Board was advised that the Care Bill 2013 placed responsibility on local authorities to take on new functions to help improve people's independence and wellbeing. This had necessitated a review of the Communities' Directorate approach to the delivery of prevention and early intervention services.

It was reported that within Halton, the voluntary sector had played a significant role in delivering prevention and early intervention services. Appendix 1 provided a list of such contracts and it was proposed that those listed services would be reviewed to determine whether any of the current services could be re-designed or, if the scale of the service increased, then if it would become necessary to undertake a tender process. It was noted that the review would take place during 2014/15 to ensure that service objectives were in line with the new Health and Wellbeing and Clinical Commissioning Group priorities, and to ensure that services continued to provide value for money.

RESOLVED: That

- 1) the use of Procurement Standing Orders 1.8.3 (d), (e) and (f) be used to waive Procurement Standing Order 4.1 in respect of voluntary sector contracts with a value not exceeding £173,934, as listed in Appendix 1 be approved; and
- 2) an extension of existing voluntary sector contracts for a period of up to one year from 1 April 2014 to 31

Strategic Director
- Communities

March 2015, be approved.

RESOURCES PORTFOLIO

EXB155 2013/14 QUARTER 3 SPENDING

The Board considered a report of the Operational Director, Finance, on the Council's overall revenue and capital spending position to 31 December 2013.

A summary of spending against the revenue budget up to 31 December 2013 was attached to the report at Appendix 1. This provided individual statements for each department. The Board was advised that in overall terms, the revenue expenditure was £0.9m below the budget profile, although this was only a guide to eventual spending.

It was reported that on 11 December 2013, the Council had approved the early implementation of budget savings for 2014/15 totalling £6.5m. A number of those would provide part year saving in 2013/14 and would assist in keeping overall spending within budget at year end.

The report contained details on a number of significant areas of the budget including:

- The employee budget, vacant posts, overtime and agency staff;
- Expenditure on general supplies and services;
- Children's residential placements;
- Spending on in-house adoption;
- The Complex Care Pooled Budget (attached at Appendix 2);
- The collection rate for Council Tax and Business Rates; and
- The Council's net overall spending.

The report also outlined details of a revision to the capital spending programme at Appendix 3 and monitoring of the Council's balance sheet.

RESOLVED: That

- 1) all spending continues to be limited to the absolutely essential;
- 2) Strategic Directors ensure overall spending at year-end is within the total operational budget; and
- 3) Council be recommended to approve the revised

Operational
Director - Finance

Capital programme as set out in Appendix 3.

EXB156 TREASURY MANAGEMENT 2013/14, 3RD QUARTER:
OCTOBER – DECEMBER

The Board considered a report of the Operational Director, Finance, which updated them on activities undertaken on the money market as required by the Treasury Management Statement.

The report provided supporting information on the economic background, economic forecast, short term rates, longer term rates, temporary borrowing/investments and new borrowing. It was noted that no debt rescheduling had been undertaken during the quarter.

RESOLVED: That the report be noted.

EXB157 DISCRETIONARY HOUSING BENEFIT SCHEME
GUIDANCE

The Board considered a report of the Strategic Director, Policy and Resources, on the Discretionary Housing Benefit Scheme Guidance (the Guidance).

The Board was advised that Discretionary Housing Payment (DHP) provided claimants with financial assistance, in addition to any welfare benefits, when the Council considered that help with housing costs was required.

Members were referred to the draft Guidance document which was appended to the report. They were advised that, due to the significant changes in welfare provision that were taking place, it was considered helpful to provide further guidance to staff who administered DHPs. The Guidance was intended to give Officers a framework to work to when assessing claims, thus ensuring an equitable treatment of applications for what was a limited sum of money.

It was noted that notwithstanding the Guidance, each case would still be looked at on its individual merits. Additionally there was an appeal process to Members which was already in existence, which provided a further test to the fairness of the application of the Policy.

At its meeting on 22 January 2014, the Corporate Policy and Performance Board had considered the

Guidance and recommended that Executive Board approve its adoption.

RESOLVED: That the Discretionary Housing Benefit Scheme Guidance document be approved.

Strategic Director
- Policy &
Resources

EXB158 BUSINESS RATES RETAIL RELIEF SCHEME

The Board considered a report of the Strategic Director, Policy and Resources, on the adoption of a local Business Rates Relief Scheme.

The Board was advised that the Government had announced in its Autumn Statement on 5 December 2013, plans to provide a relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less in the years 2014/15 and 2015/16.

Local Billing Authorities would adopt a local scheme and decide in each individual case when to grant relief under Section 47 of the Local Government Finance Act 1988 (as amended). Government would reimburse local authorities that used their discretionary relief powers. The report set out details of the types of property that would benefit from the relief and how much would be available. It was noted that within Halton, 850 businesses could be affected by the Scheme, although approximately 400 of these already received Small Business Rate Relief and so would not benefit from this Scheme. For the 450 businesses that would be eligible, the relief would be worth in the region of £440,000, which would be fully refunded from Government grant.

RESOLVED: That

- 1) the Scheme for the award of Business Rates Retail Relief in Halton, as detailed in the report be approved; and
- 2) the granting of Business Rates Relief for any properties which meet the eligibility criteria set out within the report, be approved.

Strategic Director
- Policy &
Resources

**COMMUNITY AND SPORT PORTFOLIO,
ENVIRONMENTAL SERVICES PORTFOLIO AND
PHYSICAL ENVIRONMENT PORTFOLIO**

**EXB159 REVIEW OF FEES AND CHARGES - COMMUNITY &
ENVIRONMENT**

The Board considered a report of the Strategic Director, Communities, on a review of fees and charges within the Community and Environment Services for 2014/15.

The Board was advised that the review of fees and charges within the Communities Directorate had been carried out as part of the budget preparations for 2014/15. It was reported that the existing fees and charges would be increased generally in line with inflation. However, some, such as Cemeteries and Crematoria had been increased by more to ensure full cost recovery. It was noted that others had been increased to reflect the charges in other local authority areas.

RESOLVED: That the proposed fees and charges as set out in Appendix 1 attached to the report be approved for 2014/15.

Strategic Director
- Communities

**EXB160 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 items 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 outweighed the public interest 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 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, 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 YOUNG PEOPLE AND FAMILIES PORTFOLIO

EXB161 THE ENTERPRISE GAME - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which updated them on progress on The Enterprise Game Business Plan.

The Board was advised that The Enterprise Game was an educational resource which assisted educational professionals in the teaching and training of employability, business and enterprise, and also supported and enriched a number of other areas within the national curriculum.

In January 2012, The Enterprise Game Business Plan agreed a rigorous procurement period to identify suppliers that could redesign, manufacture, store and distribute the product. The report set out the details of a proposed reseller agreement for Members' consideration.

Reason(s) For Decision

To continue with the implementation of The Enterprise Game Business Plan and generate income for Halton Borough Council to contribute to Council savings.

Alternative Options Considered and Rejected

The Enterprise Game Steering Group considered using internal Borough Council services to deliver the sales and marketing aspects of The Enterprise Game Business Plan. This option was rejected as it would result in significant costs to the Council in relation to the recruitment of a dedicated sales officer, time spent on website development, development and running of a web based shop, storage, packaging and distribution, marketing and attending

promotional events.

Implementation Date

1 April 2014.

RESOLVED: That Halton Borough Council enter into a reseller agreement with the company named in the report, to progress The Enterprise Game Business Plan from April 2014.

Strategic Director
- Children and
Enterprise

ENVIRONMENTAL SERVICES PORTFOLIO

EXB162 WASTE TREATMENT SERVICES TENDER - KEY DECISION

The Board considered a report of the Strategic Director, Communities, on the provision of interim waste treatment services.

The Board was reminded that at its meeting on 24 May 2012, it had considered a report on the Council's current and proposed future contractual arrangements for dealing with residual household waste. In partnership with the Merseyside Recycling and Waste Disposal Authority (MRWA), the Council was involved in the procurement of a Resource Recovery Contract (RRC) for the diversion of residual waste from landfill, which was due to commence in 2016.

Officers undertook two procurement exercises, previously reported to the Board, to try to establish whether there was a more cost effective alternative to the Council's current landfill disposal arrangements during the interim period up to the commencement of the RRC. As these had proved unsuccessful, a further procurement exercise was undertaken in December 2013 and the details of that exercise were set out in the report for Members' consideration.

Reason(s) For Decision

In order for the Council to fulfil its statutory obligations as a Waste Disposal Authority, it must have in place arrangements for the treatment or disposal of residual household waste. It was important to ensure that any arrangements that were in place continued to represent the most cost effective and value for money solution available to the Council.

Alternative Options Considered and Rejected

By undertaking a procurement exercise for the provision of waste treatment services through an 'open' process, the Council had sought to consider the widest range of options that were currently available. The outcome of the procurement exercise had determined the most cost effective waste management solution available.

Implementation Date

The Waste Treatment Services Contract was expected to commence in April 2014.

RESOLVED: That

- 1) the award of the Waste Treatment Services Contract to the company named in the report, be approved; and
- 2) the Strategic Director, Communities, be authorised, in consultation with the Portfolio Holder for Environmental Services and the Operational Director, Legal and Democratic Services, to finalise all matters relating to the Waste Treatment Services Contract.

Strategic Director
- Communities

MINUTES ISSUED: 4 March 2014

CALL-IN: 11 March 2014

Any matter decided by the Executive Board may be called in no later than 5.00pm on 11 March 2014

Meeting ended at 2.45 p.m.