

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 14 April 2022 in the Boardroom -  
Municipal Building, Widnes*

Present: Councillors Wharton (Chair), Harris, M. Lloyd Jones, T. McInerney,  
Nelson, Nolan, Thompson and Wright

Apologies for Absence: Councillors Dennett and J. Lowe

Absence declared on Council business: None

Officers present: G. Cook, S. Young, I. Leivesley, M. Vasic, E. Dawson,  
S. Wallace-Bonner, A. Jones and W. Rourke

Also in attendance: None

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

*Action*

#### EXB89 MINUTES

The Minutes of the meeting held on 17 March 2022 were taken as read and signed as a correct record.

#### LEADER'S PORTFOLIO

#### EXB90 URGENT DECISIONS

The Executive Board received a report from the Chief Executive, which provided information on the urgent decisions taken since the last meeting of the Board and during the COVID-19 Pandemic.

It was noted that the Council's Constitution gave authority to the Chief Executive to take urgent decisions, in consultation with the Leader of the Council and the Operational Director Finance and/or the Operational Director Legal and Democratic Services, where necessary.

One urgent decision had been made since the last meeting of the Board and full details were published on the Council's website.

RESOLVED: That the urgent decision taken since the last meeting of the Executive Board be noted.

## DEPUTY LEADER'S PORTFOLIO

### EXB91 RUNCORN OLD TOWN INVESTMENT PLAN IMPLEMENTATION

The Board received a report from the Strategic Director – Enterprise, Community and Resources, which updated Members on the different stages of the Runcorn Old Town Investment Plan (ROTIP) and the approvals required going forward.

Runcorn was one of 101 towns invited by Government to develop proposals for a 'Town Deal' and following submission of the Town Investment Plan, had been offered an award of up to £23.6m. The objective of the Towns Fund Programme was to drive the sustainable economic regeneration of towns to support long term economic and productivity growth. A Town Deal was a three way agreement in principle between Government, the Local Authority and the Town Deal Board.

The report set out the next steps required to progress and implement the Town Deal for Runcorn and authority was sought to progress the Town Deal in the Council's capacity as the 'Accountable Body' to the Department for Levelling Up, Housing and Communities (DLUHC) and as part of the Council's role on the Town Deal Board. Attached to the report was Appendix 1 – Heads of Terms for the Town Deal offered by Government, which included the list of projects, and Appendix 2 – the Local Assurance Framework document for the Runcorn Town Deal for which approval was sought, so that the business cases could be developed and signed off.

RESOLVED: That the Board

- 1) approves the Local Assurance Framework for the development and signing off on project business cases;
- 2) delegates authority to the Operational Director for Resources (Section 151 Officer) in consultation with the Operational Director – Economy, Enterprise and Property and Portfolio Holders for Major Projects and Corporate Services, to approve the Town Deal Business Cases in the Council's capacity as the Accountable Body, to be developed and submitted to Government by 4 August 2022;
- 3) in consultation with the Town Deal Board and Deputy

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Leader and the Portfolio Holder for Corporate Services, authority be delegated to the Operational Director – Economy, Enterprise and Property, and Section 151 Officer, to authorise the expenditure of the 5% Towns Fund advance in line with the agreed Towns Fund priorities; and

- 4) delegate authority to the Operational Director Economy, Enterprise and Property and Section 151 Officer, to agree and complete Funding Agreements with partners that will deliver Town Deal projects on behalf of the Council, as the Accountable body for the Towns Fund Programme.

### **CORPORATE SERVICES PORTFOLIO**

#### **EXB92 SEN SCHOOL NAYLOR ROAD, INVASIVE SPECIES REMOVAL CONTRACT WAIVER REQUEST**

The Board received a report requesting approval for a waiver of Part 3 of Procurement Standing Orders (non-emergency procedures – exceeding a value threshold of £100,000) by virtue of Procurement Standing Order 1.14.4 (v). The request was to enable the Council to enter into an 'enabling contract' with Bowmer and Kirkland, the contractor who would be delivering the new Special Educational Needs (SEN) School, Raise Academy.

The Department for Education (DfE) were leading on the delivery of the new SEN Free School, to serve both Halton and St Helens Councils; the site selected is on Naylor Road, Widnes. The report described the investigation works carried out on the site where the invasive species Horsetail was discovered. The enabling contract would consist of the removal of the invasive species Horsetail from the site, in advance of the commencement of building works.

**RESOLVED:** That the Board approves the waiver of Part 3 of Procurement Standing Orders (non-emergency procedures – exceeding a value threshold of £100,000) by virtue of Procurement Standing Order 1.14.4 (v) and the contract be awarded directly to Bowmer and Kirkland, to carry out an enablement contract consisting of the removal from site of the invasive species, Horsetail.

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#### **EXB93 LIVERPOOL CITY REGION FREEPORT**

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

sought approval for Halton to become part of the Liverpool City Region (LCR) Freeport. This would include Tax and Customs Sites within the Borough; the administration of the Business Rates Relief and Tax Increment Financing (TIF) opportunities as they arose; and the identification of a series of projects that could be funded through the Business Rates income.

The LCR Freeport Management Board would be submitting a final Business case to Government in April 2022 to establish a LCR Freeport. If successful, it would be one of eight new Freeports set up by Government. Three Tax sites were permitted within each Freeport area along with an unlimited number of custom sites. The LCR Freeport Tax Sites proposed were Parkside in St Helens, Wirral Waters and the 3MG in Halton. Members were advised that Halton had proposed two customs sites, one at 3MG (Stobart Rail Terminal) and one at the Port of Weston.

If the LCR Freeport bid was approved, the Tax Sites would enable new businesses operating within the sites to access tax measures; these were described in the report.

RESOLVED: That the Board

- 1) approves the Council entering into a Memorandum of Understanding to become part of the LCR Freeport;
- 2) gives delegated authority to the Chief Executive, in consultation with the Leader and the Portfolio Holder for Corporate Services, to take all reasonable steps to participate in the LCR Freeport; and
- 3) authorises the Operational Director – Finance, to set up the required processes to facilitate the Business Rates and TIF associated with the Freeport operations.

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#### EXB94 ANNUAL REVIEW OF CONSTITUTION 2022

The Board received a report of the Strategic Director – Enterprise, Community and Resources, which sought the approval of Council to a small number of changes to the Constitution.

The revised version of the Constitution picked up the changes to the Council's working arrangements that had taken place during the year, as well as other changes which were intended to assist the Council to operate more effectively.

Members were referred to Appendix one where the proposed amendments were listed; these had been considered by the Chief Executive and the Executive Board Member for Corporate Services, in accordance with Article 15.02.

RESOLVED: That Executive Board recommends Council to approve the changes to the Constitution including the matters set out in Appendix one.

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#### EXB95 ENERGY BILLS REBATE SCHEME

The Board considered a report of the Strategic Director – Enterprise, Economy and Resources, which provided details of the proposed implementation of the Government’s Energy Bills Rebate Scheme and sought approval for proposed eligibility criteria to be applied for awards under the discretionary part of the Energy Bills Rebate Scheme.

On 3 February 2022, Government announced a package of support known as the Energy Bills Rebate Scheme to help households with rising energy bills. This included a £150 non-repayable grant payment for households in council tax bands A to D – known as the Council Tax Rebate Grant; and £144m of discretionary funding for billing authorities to support households who were in need but were not eligible for the Council Tax Rebate Grant – known as the Discretionary Fund.

RESOLVED: That

- 1) the proposals for implementation of the Energy Bills Rebate Scheme set out in the report be approved; and
- 2) the proposed eligibility criteria for awards under the discretionary part of the Scheme, as set out in Section 5 of the report, be approved.

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#### **CHILDREN AND YOUNG PEOPLE PORTFOLIO**

#### EXB96 SERVICES FOR MISSING FROM HOME AND CARE FOR YOUNG PEOPLE ACROSS CHESHIRE FOR HALTON, CHESHIRE EAST, CHESHIRE WEST & CHESTER AND WARRINGTON: REQUEST FOR WAIVER OF STANDING ORDERS

The Board received a request for a waiver of Parts 3.1 and 3.2 of Procurement Standing Orders (non-

emergency procedures – exceeding a value threshold of £100,000) by virtue of Procurement Standing Order 1.14.4 (v), to allow the continuation of a contract with ‘We are With You’ to deliver, on behalf of the Council, the Pan Cheshire Missing from Home and Care Service, for a period of one year from 1 July 2022 to 30 June 2023.

We are With You had been commissioned to deliver this service in July 2018. It worked across all of the four local authority areas with clear links to Cheshire Constabulary’s missing from home co-ordinators. The rationale for the waiver request was provided in the report together with the value of the contract extension and the agreed funding commitments from each of the participants – Cheshire West and Chester Borough Council, Cheshire East Council, Warrington Council and Halton.

RESOLVED: That the Board approves the waiver of Parts 3.1 and 3.2 of Procurement Standing Orders (non-emergency procedures – exceeding a value threshold of £100,000) by virtue of Procurement Standing Order 1.14.4 (v) and the contract with ‘We are With You’ be extended for a further 12 months.

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EXB97 CHILDREN AND YOUNG PEOPLE’S SPEECH AND LANGUAGE THERAPY: WAIVER REQUEST

The Board considered a request to waive Parts 3.1 and 3.2 of Procurement Standing Orders, by virtue of Procurement Standing Order 1.14.4 (iv), to extend the contract for Children and Young People’s Speech and Language Therapy for a period of 11.5 months.

Members were advised that the waiver request was to allow a comprehensive review and reshaping of the provision to be undertaken, which would focus upon current and emerging needs and demands on the service, particularly regarding the impact of Covid-19 on children’s development and learning.

The report discussed the contract value relating to the waiver and gave further details on the requirement for a review of the provision. The contract was jointly commissioned by Halton Borough Council and Halton Clinical Commissioning Group (HCCG) and both partners were in support of the waiver request.

RESOLVED: That the Board approves the waiver of Parts 3.1 and 3.2 of Procurement Standing Orders by virtue of Procurement Standing Order 1.14.4 (iv), to extend the

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contract for Children and Young People's Speech and Language Therapy, for a period of 11.5 months.

### **ADULT SOCIAL CARE PORTFOLIO**

#### **EXB98 COMMUNITY MEALS: DIRECT AWARD OF CONTRACT TO APETITO**

The Board considered a waiver request of Part 3 Procurement Standing Orders by virtue of Procurement Standing Order 1.14.4 (v), to grant a direct award to 'Apetito' for the supply of pre-prepared meals for the period 1 April 2022 to 31 March 2023.

The Community Meals Service was provided to eligible adults within Halton who were unable to shop or prepare a meal for themselves due to age, illness or disability. Following an internal audit of the Service a number of recommendations were made, one of them being to award an interim contract with the existing supplier, so consideration could be given to alternative community meals service delivery options, supply of the meals and charging levels.

RESOLVED: That the Board approves the waiver of Part 3 of Procurement Standing Orders by virtue of Procurement Standing Order 1.14.4 (v), for the direct award of a contract to 'Apetito', for a period of 12 months.

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### **ENVIRONMENT AND URBAN RENEWAL PORTFOLIO**

#### **EXB99 HIGHWAYS CAPITAL IMPROVEMENT TERM CONTRACT TENDER**

The Board received a report of the Strategic Director – Enterprise, Community and Resources, informing of the commencement of a procurement process for the provision of a Term Maintenance Contract, for the implementation of works and projects to deliver reactive, routine and planned highway works across the Borough.

It was noted that given the value of the contract, the Council's Constitution required that the Executive Board be informed at the beginning that such a tendering process is about to commence. The tendering of the contract would allow Halton Borough Council, as the Highway Authority, to deliver its current and future revenue and capital highway maintenance works from May 2023, when the current contract ends.

RESOLVED: That the Board note the intention to undertake a procurement exercise via The Chest with the purpose of securing an NEC4 Term Services Contract for the delivery of routine, reactive and planned highway improvement works across the Borough.

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## **CLIMATE CHANGE PORTFOLIO**

### **EXB100 CLIMATE CHANGE STRATEGY & ACTION PLAN**

The Board received a report of the Strategic Director – Enterprise, Community and Resources, which sought approval of a Climate Change Strategy and Action Plan for the Council's operations and activities.

Further to the Executive Board meeting on 9 December 2021, the Board agreed that the Council sets a target to be carbon neutral by 2040 and that an Action Plan be developed to support the objective of becoming carbon neutral by 2040. Members were presented with the Action Plan, appended to the report.

It was noted that there were two key considerations with regards to the Action Plan – having the necessary resources and the development of technologies to help deliver it, further detail was outlined in the report.

RESOLVED: That

- 1) the attached Strategy and Action Plan be approved; and
- 2) further reports be brought to the Board as and when funding decisions arose to finance the actions identified.

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### **EXB101 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 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, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

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### **EXB102 FOUNDRY LANE RESIDENTIAL**

The Board considered a report of the Strategic Director – Enterprise, Community and Resources, which gave an update on the progress of the regeneration project for residential development at Foundry Lane, Widnes.

RESOLVED: That

- 1) Council be asked to include the Foundry Lane regeneration project in the Capital Programme, to be funded as outlined in sections 3.2 and 5.0 of the report; and
- 2) the Board subsequently authorises the Operational Director for Economy, Enterprise and Property, in consultation with the Portfolio Holder for Environment and Urban Renewal, to finalise the Development Agreement discussions.

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### **EXB103 ASTMOOR REGENERATION PROGRAMME**

The Board considered a report of the Strategic Director – Enterprise, Community and Resources, which gave an update on the progress of the Astmoor Regeneration Project and sought approval to formally

appoint a Joint Venture partner following a full, open and competitive procurement procedure, in order to implement the Astmoor Regeneration Masterplan.

RESOLVED: That the Board approves the formal appointment of the Council's Joint Venture partner, as part of the wider Astmoor Regeneration Project.

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**MINUTES ISSUED: 19 April 2022**

**CALL- IN: 26 April 2022 at 5.00 pm**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 26 April 2022.**

*Meeting ended at 2.35 p.m.*