

Public Document Pack



Executive Board Sub Committee

Thursday, 27 May 2010 10.00 a.m.
Marketing Suite, 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
1. MINUTES	
2. DECLARATION OF INTEREST	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
3. CORPORATE SERVICES PORTFOLIO	
(A) TREASURY MANAGEMENT 2009/10 4TH QUARTER: JANUARY TO MARCH	1 - 6

*Please contact Gill Ferguson on 0151 471 7395 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Thursday, 17 June 2010*

Item	Page No
4. ENVIRONMENT, LEISURE AND SPORT PORTFOLIO	
(A) CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005: INTRODUCTION OF DOG CONTROL ORDERS	7 - 30
5. COMMUNITY PORTFOLIO	
(A) TRAVELLER TRANSIT SITE	31 - 34

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.

REPORT TO: Executive Board Sub-Committee

DATE: 27th May 2010

REPORTING OFFICER: Operational Director – Finance

SUBJECT: Treasury Management 2009/10
4th Quarter: January - March

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to update the Sub-Committee about activities undertaken on the money market as required by the Treasury Management Policy.

2.0 RECOMMENDED: That the report be noted:

3.0 SUPPORTING INFORMATION

3.1 Economic Background

The fourth quarter of 2009/10 saw:

- Activity indicators suggest that a double-dip recession has so far been avoided;
- Household spending was hit by the rise in VAT and the bad weather;
- The recovery continued to fail to create new jobs;
- The UK's trade position deteriorated, despite the weak pound;
- The Chancellor revised down his forecast for public sector borrowing in the Budget;
- The Monetary Policy Committee paused QE and kept official interest rates on hold at 0.5%;
- CPI Inflation increased to above 3%, but measures of core inflation fell;

The first official estimate of UK GDP for 2010 suggested that the economy managed to avoid a 'double-dip' recession and expand at a fairly decent rate in the fourth quarter of the financial year.

The recovery continued to fail to create jobs. Employment fell by 54,000 in the three months to January. Pay growth also remained weak.

The UK's trade position continued to deteriorate at the start of the last quarter, despite the weak pound. However, the continued strengthening of the export orders suggested that export volumes may pick up soon.

Public finances continued to deteriorate during the quarter, albeit at a slower pace than had been widely expected.

Temporary factors such as the rise in the rate of VAT in January and the rebound in oil prices pushed up the headline measures of inflation. Consumer Price Inflation (CPI) rose from 2.8% to 3.5% in January before falling to 3.0% in February. Inflation is forecast to fall due to spare capacity still available within the UK economy.

The Monetary Policy Committee (MPC) voted to keep official interest rates on hold at 0.5% and to pause its programme of Quantitative Easing (QE) at its key meeting in February, maintaining its stance in March.

House prices edged up. However, the recent recovery in the housing market petered out during the quarter, with the Bank of England's measure of mortgage approvals falling both in January and February.

3.2 Economic Forecast

The Council's Treasury Advisors, Sector, provides the following forecast:

	Jun-10	Sep-10	Dec-10	Mar-11	Jun-11	Sep-11	Dec-11	Mar-12	Jun-12	Sep-12	Dec-12	Mar-13
Bank rate	0.50%	0.50%	0.50%	1.00%	1.50%	2.00%	2.50%	3.00%	3.25%	3.75%	4.25%	4.50%
5yr PWLB rate	3.10%	3.15%	3.20%	3.40%	3.65%	4.00%	4.30%	4.50%	4.65%	4.75%	4.80%	4.85%
10yr PWLB rate	4.35%	4.45%	4.50%	4.60%	4.70%	4.75%	4.90%	4.95%	5.10%	5.10%	5.15%	5.15%
25yr PWLB rate	4.75%	4.80%	4.85%	4.90%	5.00%	5.05%	5.10%	5.20%	5.30%	5.35%	5.35%	5.35%
50yr PWLB rate	4.75%	4.80%	4.85%	4.90%	5.05%	5.10%	5.15%	5.15%	5.30%	5.30%	5.30%	5.30%

- The forecast is based on moderate economic recovery and MPC inflation forecast being below target in two years' time.
- The first Bank Rate increase is expected to be 2011; and to reach 4.5% by March 2013.
- Long term PWLB rates are expected to steadily increase to reach 5.3% by early 2013 due to huge gilt issuance, reversal of QE and investor concerns over inflation.
- There is considerable uncertainty in all forecasts due to the difficulties of forecasting the timing and amounts of QE reversal, the fiscal effect of a general election, speed of recovery of banks profitability and balance sheet position, changes in the consumer saving ratio, rebalancing of the UK economy in terms of export and import etc.
- The balance of risks is weighted to the downside.
- There is still some risk of a "double-dip" recession.

3.3 Short Term Investment Rates

The bank base rate remained at 0.5% throughout the quarter. Investment rates continued to be historically poor.

	Start	January		February		March	
		Mid	End	Mid	End	Mid	End
	%	%	%	%	%	%	%
Call Money (Market)	0.5	0.5	0.5	0.5	0.5	0.5	0.5
1 Month (Market)	0.5	0.6	0.6	0.6	0.6	0.6	0.6
3 Month (Market)	0.6	0.7	0.7	0.7	0.7	0.7	0.7

3.4 Longer Term Investment Rates

	Start	January		February		March	
		Mid	End	Mid	End	Mid	End
	%	%	%	%	%	%	%
1 Year (Market)	1.30	1.40	1.40	1.40	1.40	1.40	1.40
10 Year (PWLB)	4.30	4.27	4.25	4.33	4.27	4.34	4.26
25 Year (PWLB)	4.64	4.56	4.56	4.66	4.71	4.77	4.67

3.5 Temporary Borrowing/Investments

Turnover during period

	No. Of Deals Struck	Turnover £m
Short Term Borrowing	3	3.0
Short Term Investments	40	56.1

Position at Month End

	January £m	February £m	March £m
Short Term Borrowing	0	1.0	2.0
Short Term Investments	26.50	25.60	16.10

3.6 Investment Income Forecast

The forecast income and outturn for the quarter is as follows:

	Cumulative Budget £'000	Cumulative Actual £'000	Cumulative Target Rate %	Cumulative Actual Rate %
Quarter 1	500	578	0.49	5.56
Quarter 2	940	1,105	0.45	5.00
Quarter 3	1,180	1,417	0.43	4.47
Quarter 4	1,335	1,617	0.42	4.27

As previously reported, the investment income return for the period exceeds the target. This reflects the action taken last year to lock a

large proportion of the investment portfolio into longer dated fixed rate investments. However as these deals unwind and current advice and practice is to keep investments of a much shorter duration, the lower replacement rates has seen the average rate of return decrease dramatically during the latter part of the financial year. Since short term rates are forecast to remain at historic lows for some time the investment income in 2010/11 will be considerably lower.

3.7 Longer Term Borrowing/Investments

The authority did not borrow any new long term money. Due to the economic climate and interest rates available, the authority did not enter into any long term investments and has continued with the policy of funding the effect of the 2009/10 year capital programme by running down its investments.

3.8 Policy Guidelines

Interest Rate Exposure – complied with.

Approved Counterparty List – complied with.

Borrowing Instruments – complied with.

Prudential Indicators – complied with:

- Operational Boundary for external debt;
- Upper limit on interest rate exposure on fixed rate debt;
- Upper limit on interest rate exposure on variable rate debt;
- Maturity structure of borrowing as a percentage of fixed rate borrowing;
- Total principal sums invested for periods longer than 364 days;
- Maturity structure of new fixed rate borrowing

The Council continues to update its approved counterparty list to reflect the changes in credit worthiness of the organisations it lends to in line with its Treasury Management Practices. Following the sovereign downgrading of Spain, Santander UK PLC have issued a statement confirming that a majority of its UK business is done within the UK domestic market. It does not expect the Spanish downgrade to effect its UK business or deposits it receives from UK customers.

Halton Borough Council does not have any deposits with non UK banks.

The fluctuating nature of the world economy has meant a large number of financial organisations have had their credit worthiness reduced. This gives the council the added difficulty in choosing suitable counterparty's from its approved lend list. A formal review of the Counterparty list will be undertaken before the end of the year.

3.9 Treasury Management Strategy Statement

The Treasury Management Strategy Statement (TMSS) for 2009/10 was approved by full Council on 4th March 2009. The Council's Annual Investment Strategy, which is incorporated into the TMSS outlines the Council's investment priorities as follows:

- Security of Capital
- Liquidity

The Council will aim to achieve a return on investments commensurate with the proper levels of security and liquidity. In the current economic climate, it is considered appropriate to keep investments short, and only invest with highly credit rated financial institutions, using Sectors suggested credit worthiness approach.

3.10 Professional Services

The Council has a long and well established professional relationship with Sector. Sector provides a range of quality treasury services to a number of local authorities throughout the country. The Council's contract with Sector has recently been extended for a further 3 years and looks forward to working with Sector in the challenging times ahead.

In addition, the Council has extended its contract for Banking Services with Natwest for a further 3 years.

4.0 POLICY IMPLICATIONS

4.1 None

5.0 OTHER IMPLICATIONS

5.1 None

6.0 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

7.0 RISK ANALYSIS

7.1 The main risks associated with Treasury Management are security of investment and volatility of return. To combat this, the Authority operated within a clearly defined Treasury Management Policy and an annual borrowing and investment strategy, which set out the control framework

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no issues under this heading.

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

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

REPORT TO: Executive Board Sub-Committee

DATE: 27th May 2010

REPORTING OFFICER: Strategic Director, Environment and Economy

SUBJECT: Clean Neighbourhoods and Environment Act 2005 –: introduction of Dog Control Orders

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 The Clean Neighbourhoods and Environment Act 2005 brought in new powers for local authorities to be able to deal with problems associated with irresponsible dog ownership. Dog Control Orders (DCO's) replace the previous system of byelaws for the control of dogs as well as the Dogs (Fouling of Land) Act 1996, the powers of, which, are repealed upon adoption of Dog Control Orders.

1.2 To advise the Board of progress in the process of declaring Dog Control Orders within the Borough and the findings of the previously undertaken public consultation exercise.

1.3 To share with the Board, of comments from the Safer Halton Policy & Performance Board.

2.0 RECOMMENDATION: That the Board approves:

1. The making and implementation of dog control orders, for the following offences:

- **The removal of dog faeces on all land within Halton, which is open to the public.**
- **Exclusion of dogs from selected areas.**
- **The keeping of dogs on leads in selected areas.**
- **Keeping of dogs on leads by direction of an authorised officer in selected areas.**

The Orders proposed are listed in Appendix 1

2. The Operational Director E&RS in consultation with the Operational Director Legal Services, Organisation Development & Human Resources be authorised to complete the implementation.

3.0 SUPPORTING INFORMATION

3.1. The Clean Neighbourhoods and Environment Act 2005 (CNEA 2005) introduced new powers and fixed penalties for local authorities to counter and reduce environmental crime across the public realm. Local authorities are required to carry out statutory public consultation when proposing the making of a Dog Control Order as outlined in The Dog Control Orders (Procedures) Regulations 2006.

3.2 Consultation commenced on 22nd October 2009 and finished on 23rd November 2009. The consultation procedure involved consultation with any other primary or secondary authority within the area in which, the order is being made. Authorities consulted included the Parish Councils, Cheshire Local Access Forum, English Nature, Knowsley Borough Council (rights of way) and Registrar of registered common land. One response was received from English Nature stating they had no objection to the Orders.

3.3 A copy of the draft order was posted in local newspapers on the 22nd October 2009, inviting representations. No responses were received. A copy of the draft order was also displayed on the Halton Borough Council website throughout the consultation period. Copies of the proposed Orders were left at all the Halton Direct Links. Again, no responses were received.

3.4 It can be taken that the lack of objection at the consultation stage, indicates support for the proposed Dog Control Order as described above.

3.5 Anyone who commits an offence under any of the provisions of the Dog Control Orders may be liable to conviction in the Magistrates Court to a fine up to £1000. A fixed penalty notice may as an alternative be offered and paid. This would be £75. Anyone who fails to pay a fixed penalty may be liable for a fine up to £1,000.

3.6 The Regulations also state that, before it can make a Dog Control Order, an authority must at the end of the notice period, consider representations and give a 14 day notice period before the Order comes into force. Once the Order has been made, the Authority must publish another notice in a local newspaper giving 7 days' notice that it will be coming into force. This should state:

- a) That the Order has been made
- b) Where the Order may be inspected and copies obtained.
- c) A copy must be put on the authority's website.

3.7 The Safer Halton Policy and Performance Board was advised of the outcome of the consultation and the next steps in the procedure. The Board supported the move towards implementation of the Orders.

3.8 In reaching that position the PPB discussed a number of points and also asked numerous questions. These included :-

- that allotments could be better addressed via the tenancy agreement rather than via a Dog Control Order. It was pointed out that the allotment holders and allotment manager had suggested this be included in the order to give the most effective means of control.
- that one of the greatest risk for young people was from dog faeces on playing fields and that dogs should be excluded from these areas and that this be included in the schedule. Whilst this fact is accepted many playing fields are not sufficiently fenced to allow exclusion to be a practicality but all playing fields will be subject to the dog fouling order.
- that the report listed all children's playgrounds etc, and that not all playing fields in the Borough were designated play areas and some were not fenced off. It was suggested that consideration be given to excluding dogs from these areas. This current list was produced following consultation with Open Space Services and Parks and Countryside Services but will be reviewed in the light of practical experience in the following 12 months.
- that there were areas such as Palacefields Ball Park that were on one schedule (Dog on a lead) and not on another and it was highlighted that a ball park was a children's leisure facility and it was hoped that dogs would be excluded from such areas. It was requested that the legal department look at the risk particularly to young people from dog faeces and adjust some of the schedules accordingly. This issue will be part of the proposed review within the next 12 months.
- that a charge for dog licences should be re-introduced. This is a national issue outside the remit of this procedure or within the power of local authorities.

3.9 The Board were advised that all comments would be considered and the schedule would be reviewed in twelve months time. The review will also take into account any comments received from the public and will be brought back to the Board for further comment.

4.0 POLICY IMPLICATIONS

4.1 Enforcement will be undertaken in accordance with existing enforcement policies and good enforcement practice.

4.2 Fixed penalties for offences under dog control orders may be issued by authorised officers under section 59(1) and (2). Section 59(11) defines who are 'authorised officers' including employees of primary and secondary authorities who are authorised for this purpose. In accordance with the Constitution and the delegated powers afforded to the Operational Director E&RS officers with suitable and sufficient training and competency will be authorised to enforce the control orders

5.0 OTHER IMPLICATIONS

5.1 Enforcement can be accommodated from existing resources.

5.2 There is currently no additional budget allocation for these costs. Existing resources – financial and time- will need to be reallocated to meet these additional requirements. In order to minimise the impact on core services, signs and other costs will be kept to a minimum and enforcement action taken in accordance with the Divisions Enforcement Policy. There will be a financial cost of updating and replacing all existing signage. It is anticipated that any additional cost will be accommodated within existing budgets. Receipts from the fixed penalty notices issued may also offset any costs.

5.3 If additional dog exclusion areas are to be created in recreation areas there will be a new financial cost of fencing, gating and maintaining these. The cost can only be estimated when the overview is complete and the extent of these areas agreed. This matter was subject to discussion in the internal consultations.

5.4 Regulations provide that the receipts from the issue of Fixed Penalty Notices are to be used by the Authority for certain specified functions. However, authorities that are “excellent” or “good” under Comprehensive Performance Assessment (CPA) can use the receipts for any functions.

6.0 IMPLICATIONS FOR THE COUNCIL’S PRIORITIES

6.1 Children and Young People in Halton

None as a direct result of this report.

6.2 Employment, Learning and Skills in Halton

None as a direct result of this report

6.3 A Healthy Halton

The main purpose of the law requiring people to pick up dog faeces are because it is unhygienic and a health hazard.

6.4 A Safer Halton

The approval of the Dog Control Order will assist with the Council’s regulatory practices and better assist Council officers to carry out their duties more effectively in relation to irresponsible dog ownership and associated anti-social activity. There have also been complaints about the inability of some dog walkers to control their dogs. In some cases this has led to dogs attacking passers by or other dogs and to some people being frightened to use some sites when dogs are present.

6.5 Halton's Urban Renewal

Dog fouling is an environmental concern that is a result of irresponsible dog owners and has a negative impact on the image of the borough. In partnership with other Council departments, the enforcement of these powers when needed will contribute to the maintenance and improvement of town centres

7.0 RISK ANALYSIS

7.1 This is an opportunity to clarify and consolidate into a single unified enforcement power the various regulatory powers around responsible dog ownership. Any risk of widespread public disapproval has not materialised and with sensible and proportionate enforcement this should remain the case. There are potentially serious health issues associated with *Toxicara canis* including damage or loss of eyesight and other potentially serious health problems.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 Dog control is a key concern of many local residents, particularly with respect to dog fouling. Dog fouling has a particular impact on wheelchair users, participants in sports and small children, because they are more likely to come into direct contact with dog faeces.

Exemption for the disabled is inherent within the CNEA 2005. Failing to remove dog faeces Offence does not apply to a person who is registered as a blind person or to a person who has a disability, which affects their mobility, manual dexterity or physical co-ordination. Authorized officers will use discretion when dealing with enforcement in all groups.

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

Document	Place of Inspection	Contact Officer
DEFRA Guidance – Sections 55-67 CN&E Act 2005	Environmental Health Division Rutland House Halton Lea, Runcorn WA7 2GW (Further information can be found on the DEFRA website www.defra.gov.uk)	Mrs W.K. Salisbury Principal Officer- Environmental Protection.

THE FOULING OF LAND BY DOGS
(THE BOROUGH OF HALTON) ORDER 2009

Date of Making Order:

Date of Order Coming into Force:

Halton Borough Council
Corporate & Policy
Municipal Building
Kingsway
Widnes
Cheshire
WA8 7QF

The Clean Neighbourhoods and Environment Act 2005

**The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (S.I.2006/1059)**

The Fouling of Land by Dogs
(The Borough Council of Halton) Order 2009

The Borough Council of Halton hereby makes the following Order:

1. This Order comes into force on
2. This Order applies to the land specified in the Schedule.

Offence

3. – (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless—

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this article applies to a person who—

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purposes of this article —

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- (d) each of the following is a "prescribed charity"—
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this day of 20.....

EXECUTED as a DEED by hereunto
affixing the **COMMON SEAL** of
THE BOROUGH COUNCIL OF HALTON
in the presence of:-

Authorised Signatory

SCHEDULE

1. Any land within the administrative area of The Borough Council of Halton, which is open to the air, including covered land which is open to the air on at

least one side, and to which the public are entitled or permitted to have access with or without payment. (shown delineated in black on the Fouling of Land by Dogs Order plan).

2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

THE DOGS EXCLUSION (THE BOROUGH OF HALTON)
ORDER 2009

Date of Making Order:
Date of Order Coming into Force:

Halton Borough Council
Corporate & Policy
Municipal Building
Kingsway
Widnes
Cheshire
WA8 7QF

The Clean Neighbourhoods and Environment Act 2005

**The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (S.I.2006/1059)**

The Dogs Exclusion (The Borough Council of Halton) Order 2009

The Borough Council of Halton hereby makes the following Order:

1. This Order comes into force on
2. This Order applies to the land specified in the Schedule.

Offence

3. — (1) A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless —

- (a) he has a reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

(2) Nothing in this article applies to a person who—

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purposes of this article—

(a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and

(b) each of the following is a "prescribed charity"—

- (i) Dogs for the Disabled (registered charity number 700454);
- (ii) Support Dogs (registered charity number 1088281);
- (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this day of 20....

EXECUTED as a DEED by hereunto
affixing the **COMMON SEAL** of
THE BOROUGH COUNCIL OF HALTON
in the presence of:-

Authorised Signatory

SCHEDULE

1. Cemeteries

Runcorn Cemetery, Greenway Road Runcorn
Halton Cemetery, East Lane, Halton Lea, Runcorn.

Widnes Cemetery Birchfield Road Widnes

2. Formal Gardens

Chinese Friendship Garden Town Hall Runcorn, Heath Road Runcorn.

3. All land within the Council's administrative area comprising any fenced (and/or hedged and/or walled) Children's Play Areas, Multi – Sport Areas listed below;

Widnes Playgrounds

Caldwell Road, Caldwell Road, Widnes, WA8 7EA

Crow Wood Park, Bancroft Road, Widnes, Cheshire, WA8 3LL

Hale Park Play Area, Hale Park, Town Lane, Hale Village, Liverpool L24

Halebank Recreation Ground, Blackburne Avenue, Widnes

Hough Green Park , Royal Avenue, Widnes, Cheshire WA8 8HL

King Georges Park, Dundalk Road, Widnes

Plumbley Gardens, off Liverpool Road, Widnes

Stewards Avenue, Widnes

St. Marie's Community Park, Ann Street, West Widnes

Upton Playground, Bechers, Upton, Widnes

Upton Rocks Park (Junior), Queensbury Way, Upton Rocks, Widnes

Upton Rocks Park (Toddler), Queensbury Way, Upton Rocks, Widnes

Victoria Park (Toddler), North End of Victoria Park, Near Lockett Road, Widnes.

Victoria Park (Junior), North End of Victoria Park, Near Lockett Road, Widnes.

West Bank Promenade St Mary's Road West Bank Widnes

Widnes Multi-Use Games Areas

Crow Wood Park Bancroft Road Widnes Cheshire WA8 3LL

Derwent Road - Royal Avenue Widnes

Grizedale Ball Play Grizedale Widnes

Halebank Recreation Ground, Clapgate Crescent, Widnes

Hale Park Town Lane Hale Village Liverpool L24

Hough Green Park (Tennis) Royal Avenue Widnes Cheshire WA8 8HL

Kingsway Wavertree Avenue and Squires Avenue Widnes
King Georges Park Games Area Dundalk Road Widnes
St. Marie's Community Park Ann Street West Widnes
Upton Rocks Park Queensbury Way Upton Rocks Widnes
Victoria Park Wheel Play Birchfield Avenue Widnes Cheshire WA8 6PX
Victoria Park Basketball Birchfield Avenue Widnes Cheshire WA8 6PX
Victoria Park Tennis Birchfield Avenue Widnes Cheshire WA8 6PX
Victoria Park Interactive Water Feature North End of Victoria Park Near Lockett Road Widnes.

Runcorn Playgrounds

Castle Rise Playground, off Halton Road, Runcorn
Castner Avenue, Weston Point, Runcorn
Cavendish Street, Cavendish Street, Runcorn
Coronation Road, Preston Brook, Runcorn
Hale View – Beaconsfield, Hale View, Runcorn
Leinster Gardens, Runcorn, WA7 1EG
Murdishaw Play Centre (1 - Old), Barnfield Avenue, Runcorn
Murdishaw Play Centre (2 - New), Barnfield Avenue, Runcorn
Newmoore Lane, Sandymoor, Runcorn
Norton Cross, Broadfields, Runcorn
Park Road, Runcorn
Phoenix Park Play Area, Castlefields Avenue East, Castlefields, Runcorn.
Pitts Heath Lane, Sandymoor, Runcorn
Rock Park Play Area, Union Street, Runcorn, WA7 5SX
Six Acre Lane, Moore
Town Hall Grounds, Heath Road, Widnes
Trinity Park, Parker Street, Runcorn
Walsingham Drive, Sandymoor, Runcorn
Weaver Road, Weston Village, Runcorn
Woodlands Play Centre, Castlefields Runcorn

Runcorn Multi-Use Games Areas

Castle Rise Youth Activity Park off Halton Road Runcorn

Egerton Street Ball Play Egerton Street Runcorn

Phoenix Park, Youth Activity Park (T), Castlefields Avenue East, Castlefields
Runcorn.

Rock Park Ball Play Rock Park Union Street Runcorn Cheshire WA7 5SX

Russell Road Wheel Play Russell Road Runcorn WA7 4BG

THE DOGS ON LEADS (THE BOROUGH OF HALTON)
ORDER 2009

Date of Making Order:
Date of Order Coming into Force:

Halton Borough Council
Corporate & Policy
Municipal Building
Kingsway
Widnes
Cheshire
WA8 7QF

The Clean Neighbourhoods and Environment Act 2005

**The Dog Control Orders (Prescribed Offences and Penalties, etc.)
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The Dogs on Leads (The Borough Council of Halton) Order 2009

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2. This Order applies to the land specified in the Schedule.

Offence

3. – (1) A person in charge of a dog shall be guilty of an offence if, at any time on any land to which this Order applies, he does not keep the dog on a lead of not more than 6 feet in length, unless —

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) For the purposes of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this day of 20....

EXECUTED as a DEED by hereunto
affixing the **COMMON SEAL** of
THE BOROUGH COUNCIL OF HALTON
in the presence of:-

Authorised Signatory

SCHEDULE

This order applies to all land which is within the administrative area of Halton Borough Council and which are the parks listed below;

Parks

Crow Wood Park Bancroft Road Widnes Cheshire WA8 3LL.

Hough Green Park Royal Avenue Widnes Cheshire WA8 8HL.

Palacefields Ball Play, Palacefields Avenue, Runcorn.

Victoria Park Victoria Park Birchfield Avenue Widnes Cheshire WA8 6PX
except in the fenced dog exercise area.

Gardens

Birchfield Gardens, Birchfield Road, Widnes.

West Bank Promenade St Mary's Road West Bank Widnes

Runcorn Allotments

Clifton Road, Beechwood, Avenue, Runcorn WA7 4SB

Dukesfield, Leinster Road, Runcorn WA7 1ER

Haddocks Wood Off Warrington Road, Runcorn WA7 1RE

Heath Road, Runcorn WA7 5TA

Oak Drive, Runcorn WA7 5HE

Weston Road, Runcorn WA7 4JU

Widnes Allotments

Avondale, alongside 4 Birtley Court, Widnes WA8 7WA

Rear of 5 Cunningham Road, Widnes WA8 8EE

Deansway, Between 128-130 Hale Road, Widnes WA8 8SY

Derby Road, Rear of 12 Factory Lane, Widnes WA8 9FW

Dykin Road, at the side of garage at 36 Hilary Close, Widnes WA8 3HT

Hale Bank, at the side of 31 Halebank Road, Widnes WA8 8NA

Hale Road, to rear of 253 – 269 Hale Road, Widnes WA8 8QB

Halton View, at the side of 1 Halton View Road, Widnes WA8 OTS

Lancaster Road, at the side of 2 Lancaster Road, Widnes WA8 9TY

Side of 14 Laurel Bank, Widnes WA8 6QB

THE DOGS ON LEADS BY DIRECTION
(THE BOROUGH OF HALTON) ORDER 2009

Date of Making Order:

Date of Order Coming into Force:

Halton Borough Council
Corporate & Policy
Municipal Building
Kingsway
Widnes
Cheshire
WA8 7QF

The Clean Neighbourhoods and Environment Act 2005

**The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (S.I.2006/1059)**

**The Dogs on Leads by Direction
(The Borough Council of Halton) Order 2009**

The Borough Council of Halton (in this Order called "the Authority") hereby makes the following Order:

1. This Order comes into force on
- .
2. This Order applies to the land specified in the Schedule.
3. In this Order "an authorised officer of the Authority" means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this Order.

Offence 4. – (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies, he does not comply with a direction given him by an authorised officer of the Authority to put and keep the dog on a lead of not more than 6 feet in length, unless —

- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) For the purposes of this article—

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (b) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

Penalty 5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this day of 20.....

EXECUTED as a DEED by hereunto
affixing the **COMMON SEAL** of
THE BOROUGH COUNCIL OF HALTON
in the presence of:-

Authorised Signatory

SCHEDULE

Any land within the administrative area of Halton Borough Council, which is open to the air, including covered land which is open to the air on at least one side, and to which the public are entitled or permitted to have access with or without payment (shown delineated in black on the Dogs on Lead by Direction Order plan).

REPORT TO: Executive Board Sub Committee
DATE: 27th May 2010
REPORTING OFFICER: Strategic Director, Adults and Community
SUBJECT: Traveller Transit Site
WARD(S): Daresbury

1.0 PURPOSE OF REPORT

- 1.1 To advise the Board of the budget outturn for the Traveller transit site at Warrington Rd, Runcorn following its first full year of operation, and in turn to inform a review of the present charging levels.

2.0 RECOMMENDED: That

- 1) the Board agree to maintain the current daily pitch charge at £11.00, to be reviewed with other Council fees/charges in March 2011, and**
- 2) any decision to increase pitch provision be deferred pending the outcome of the Partial Review of the NW Regional Spatial Strategy.**

3.0 SUPPORTING INFORMATION

- 3.1 At its meeting on the 24th September 2009 the Board received a report setting out the running costs for the transit site after the first six months of operation, so that the Board could determine whether or not the daily charge rate was appropriate. Given there was still some uncertainty about some of the costs the Board resolved:
- (1) to review the current charging arrangements in respect of the transit site;
 - (2) a feasibility study to extend the site be undertaken;
 - (3) a further financial report be submitted to the Sub-Committee when the winter data was available; and
 - (4) a further update report be submitted to the relevant Policy and Performance Board.
- 3.2 After a full financial year of operation there is now greater clarity about the running costs for the site, although there will always be variations year to year due to fluctuations in occupancy rates. For the year 2009/10 an overall occupancy rate of 69% was achieved (excluding the

Warden's pitch), and the resulting budget outturn is shown in the Appendix.

3.3 The column headed 'budget' includes the revised budget estimate reported to Board on the 24th September 2009, which at that time was based on an anticipated occupancy rate of 60% and forecast a deficit of £1,723. This is compared to the actual for the year, which shows a small surplus of £1,451. It is therefore proposed that the charge rate remain at £11 per day for the coming year.

3.4 In accordance with the Board's wishes, the feasibility and cost of extending the current site has been explored, and it is considered there is potential to create a further 4 pitches at an estimated cost of £170,000. However it is suggested that any decision to expand the site be deferred for the present due to the following:

a) As a transit site the present facility is meeting demand, with occupancy of the transit pitches averaging 62% during 2009/10. There is therefore no need for additional transit pitches. The facility is also breaking even financially.

b) As provision for permanent residential occupation, the present site lacks adequate provision for individual washing/bathing facilities, and extra cost would be incurred over and above the figure quoted in 3.5 to provide these, in the region of £30,000.

c) The draft proposed target for Halton was to provide 45 new pitches between now and 2016, although the partial review of the NW Regional Spatial Strategy has not yet finalised the targets for new residential pitch provision for each local authority. If the finally determined target is anything approaching this figure, then larger sites will be needed.

3.6 A report will be submitted to the next meeting of the Urban Renewal Policy and Performance Board highlighting the contents of this report by way of a progress update.

4.0 POLICY IMPLICATIONS

4.1 There are no implications arising from this report.

5.0 OTHER IMPLICATIONS

5.1 Since the site opened in February 2009 there have been just 4 very short term unauthorised encampments, the last being in November 2009. This represents a significant saving to the Council in staff time and eviction/clean up costs compared to previous years. The improving position has been welcomed by local businesses on the industrial estates that were historically most affected, and Halton's approach has been praised by the Police and neighbouring authorities.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

The Council's Traveller Education Consultant regularly visits the site to arrange temporary local schooling, helping to maintain an educational environment for the children of families using the site.

6.2 Employment, Learning and Skills in Halton

None.

6.3 A Healthy Halton

Arrangements are now in place for families using the transit site to access dental and medical services, with visiting health staff and temporary registrations at local GP surgeries. These services will help to reduce the inequality of service access that Travellers normally encounter.

6.4 A Safer Halton

Roadside encampments are inherently unsafe, and the reduction in unlawful encampments achieved through the provision of the transit site has reduced that risk.

6.5 Halton's Urban Renewal

None.

7.0 RISK ANALYSIS

7.1 N/A.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 The provision of a well managed, safe, sanitary site to accommodate transient Travellers is consistent with the Council's equality and diversity policy.

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

<u>Document</u>	<u>Place of inspection</u>	<u>Contact Officer</u>
Not applicable		

APPENDIX

	<u>Budget</u> <u>2009/10</u>	<u>Actual</u> <u>2009/10</u>
EXPENDITURE		
Electricity	6,963	6,536
NNDR 2009/10	2,595	2,595
Warden	13,000	13,000
Cleaning Materials	250	475
Empty Septic Tank	4,900	3,500
Water	2,844	8,002
Maintenance	1,000	239
Refuse Collection	3,076	3,076
Annual electrical safety check	500	0
Insurance	71	71
Telephone	100	146
TOTAL	<u>35,299</u>	<u>37,640</u>
INCOME		
Rent	31,636	36,532
Electric prepay cards	1,940	2,559
TOTAL	<u>33,576</u>	<u>39,091</u>
<u>NET EXPENDITURE</u>	<u>1,723</u>	<u>-1,451</u>