

Minutes

**For Presentation to the Council
At the meeting to be held on**

Wednesday, 6 March 2019

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COUNCIL

At a meeting of the Council on Wednesday, 6 February 2019 in the Council Chamber, Runcorn Town Hall

Present: Councillors J. Bradshaw, Baker, M. Bradshaw, D. Cargill, E. Cargill, Carlin, Dennett, Dourley, Gilligan, Harris, P. Hignett, R. Hignett, S. Hill, V. Hill, Horabin, Howard, Jones, Leck, M. Lloyd Jones, P. Lloyd Jones, C. Loftus, K. Loftus, Logan, A. Lowe, J. Lowe, MacManus, McDermott, A. McInerney, T. McInerney, Nelson, Polhill, C. Plumpton Walsh, N. Plumpton Walsh, Joe Roberts, June Roberts, Rowe, Sinnott, G. Stockton, J. Stockton, Teeling, Thompson, Wainwright, Wall, Wallace, Wharton, Whitley, Woolfall, Wright and Zygadlo

Apologies for Absence: Councillors Abbott, Cassidy, Fry, Morley, Nolan and Philbin

Absence declared on Council business: None

Officers present: D. Parr, I. Leivesley, M. Reaney, A. Scott and K. Mackenzie

Also in attendance: One member of the press

*Action***COU58 COUNCIL MINUTES**

The minutes of the meeting of Council held on 12 December 2018, were taken as read and signed as a correct record.

COU59 WARD BOUNDARY REVIEW

Council considered a report of the Strategic Director, Enterprise, Community and Resources, on the Council's response to the draft warding arrangements made by the Local Government Boundary Commission for England (the Commission).

An Electoral Review had been undertaken by the Commission which had been triggered by a significant increase in the average electorate in the Farnworth Ward in Widnes. The review process was undertaken in four stages, as detailed in the report. The Council's response, attached to the report, was a response to Stage 3 of the consultation process on the Commission's draft recommendations on warding patterns.

RESOLVED: That

Strategic Director

- 1) the Council endorses the response, attached to the report, and that it be forwarded to the Local Government Boundary Commission for England; and
- 2) the Chief Executive, in consultation with the Leader, be authorised to make minor drafting amendments to the response prior to forwarding it to the Commission.

- Enterprise,
Community and
Resources

COU60 MEMBERS' ALLOWANCE SCHEME - TRI-ANNUAL REVIEW

Council considered a report of the Chief Executive, on the Tri-annual review of the Members' Allowance Scheme.

Under the Local Authority's (Members' Allowances) Regulations 2003, the Scheme of Members' Allowances in Halton was due for review.

In consultation with the Leader, the Chief Executive reported that he had invited three independent and respected private sector representatives to sit as an Independent Panel to review the Council's Scheme of Members' Allowances.

The Panel's findings would be reported to the meeting of Council on 6 March 2019.

RESOLVED: That Council note the process for review, as set out in the report.

Meeting ended at 6.33 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 13 December 2018 in The Boardroom, Municipal Building

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

Apologies for Absence: Councillor S. Hill

Absence declared on Council business: None

Officers present: A. Scott, G. Cook, D. Parr, I. Leivesley, M. Vasic, M. Reaney, E. Dawson, T. Gibbs, E. O'Meara and S. McDonald

Also in attendance: One member of the press and Audrey Williamson, Independent Chair of the Halton Safeguarding Adults Board

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

EXB62 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

Action

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB 76 refers), therefore, pursuant to Section 100 B (4) and 100 E, and in order to safeguard the land at HBC Field for the developer, the Board ruled that this item would be considered at this meeting.

EXB63 MINUTES

The Minutes of the meeting held on 18 October 2018 were taken as read and signed as a correct record.

CHILDREN EDUCATION AND SOCIAL CARE PORTFOLIO

EXB64 HALTON SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2017 -2018

The Board received the Halton Safeguarding Adults Board (HSAB) Annual Report for 1 April 2017 to 31 March

2018, which was attached at Appendix A. The report was presented by Audrey Williamson, Chair of the HSAB.

It was noted that the Annual Report fulfilled one of the Safeguarding Adults Board's three core statutory duties.

It was reported that all safeguarding partners had been invited to submit an annual summary of their work activity. The focus of work activity addressed HSAB's priorities as identified from the 2016/17 Annual Report, Performance Framework and Strategic Plan (2016/2018), in addition to acknowledging local and national safeguarding adults emerging issues / trends / policies throughout the year.

The report provided a summary analysis of the data gathered from Halton Borough Council's Safeguarding Adults Collection and highlighted what this information meant for informing the work priorities for 2018/19.

RESOLVED: That the report be noted.

EXB65 SHARED LIVES

The Board considered a report of the Strategic Director, People, on a new approach to the delivery of the Adult Placement Service in Halton, called Shared Lives.

The Board was advised that Shared Lives offered people an alternative and highly flexible form of accommodation and/or care or support. The care and accommodation was provided by individuals, couples or families in the local community. Shared Lives schemes were an alternative to traditional kinds of care, such as care homes.

It was noted that the funding model set out in the report, was based on guidance and was designed to ensure that Shared Lives Carers providing long term accommodation and support, were fairly and appropriately remunerated so as to ensure service sustainability.

RESOLVED: That the Board

- 1) notes the contents of the report; and
- 2) approves the proposed scheme.

Strategic Director
- People

HEALTH AND WELLBEING PORTFOLIO

EXB66 2017 - 2018 PUBLIC HEALTH ANNUAL REPORT - KEEPING HAPPY AND HEALTHY IN SCHOOL

The Board considered a report of the Director of Public Health, on the development of the Public Health Annual Report (PHAR) 2018 for Halton.

The Board was advised that the PHAR was the Director of Public Health's independent assessment on the health of the local population. It was reported that for 2017/18 the PHAR focused on Keeping Happy and Healthy in School. This topic highlighted the key priority of Improved Child Development, in particular, tackling social, emotional and physical activity. The report included a short video film which examined how these issues were approached within two local schools through Halton's Healthy Schools Programme.

RESOLVED: That the contents of the report be noted and recommendations supported.

(N.B. Councillor Ron Hignett declared that he was a member of the Town Team, and as such, to avoid any perception of bias, he took no part in the debate or decision on the following item of business)

RESOURCES PORTFOLIO

EXB67 DISCRETIONARY NON DOMESTIC RATE RELIEF

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

The Board was advised that the Council became responsible for meeting the full cost of all mandatory and discretionary rate relief from 1 April 2017, as part of the Liverpool City Region 100% Business Rates Retention Pilot Scheme.

Details of two applications received were set out in the report. One was from a not-for-profit organisation that worked with young people in the community, based in Widnes. The second was from a registered charity also based in Widnes, which automatically received 80% mandatory relief with a 15% discretionary top-up rate relief

from the Council. Members considered and discussed the individual merits of each application.

RESOLVED: That

- 1) Discretionary Rate Relief of 90% be awarded to Power in Partnership Ltd, from 4 January 2016 until 31 March 2022; and
- 2) the application for an additional 5% Discretionary Rate Relief from Widnes Sea Cadet Corps in respect of their premises in Cliffe Street, Widnes, be refused.

Strategic Director
- Enterprise,
Community and
Resources

EXB68 COUNCIL TAX SECTION 13A DISCOUNT POLICY

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on a proposed amendment to the Council Tax Section 13A Discount Policy.

It was reported that over recent years, the Council had experienced a significant increase in the number of children coming into care, resulting in pressures on availability of foster care placements in the Borough. It was reported that a key objective was to increase the number of Foster Carers in the Borough.

At its meeting on 6 November 2018, the Corporate Policy and Performance Board (PPB) considered a report proposing a change to the Council Tax Section 13A Discount Policy, in respect of Foster Carers, to provide a 100% discretionary council tax discount, as detailed in Appendix 1, attached to the report. In addition, the PPB also recommended that Executive Board consider whether to provide a 100% discretionary council tax discount for all Special Guardians resident within the Borough who had responsibility for Halton children.

RESOLVED: That

- 1) the amendment to the Council Tax Section 13A Discount Policy, outlined in paragraph 3.4 of the report, in respect of Foster Carers, be approved;
- 2) Council Tax Relief to Special Guardians, as outlined in paragraph 3.6 of the report be not

Strategic Director
- Enterprise,
Community and
Resources

approved; and

- 3) the Council Tax Section 13A Discount Policy presented within Appendix 1, attached to the report, be approved.

EXB69 CHANGE TO THE RATE OF COUNCIL TAX EMPTY HOMES PREMIUM

The Board considered a report of the Operational Director, Finance, on proposed changes to the rate of Council Tax Empty Homes Premium.

The Board was advised that the Local Government Finance Act 2012 allowed billing authorities to levy an empty homes premium of up to 50% in addition to the full council tax on dwellings unoccupied and unfurnished for more than two years.

Since 1 April 2013, Halton Borough Council had levied the maximum 50% on all such properties which did not fall into any statutory exemptions. It was reported that additional legislation gave billing authorities further powers to increase the level of empty homes premium, as detailed in the report. Since the introduction of the Empty Homes Premium, the number of properties in Halton empty for more than two years had reduced from 250 to 157, as at 1 November 2018.

RESOLVED: That the level of Empty Homes Premium on dwellings that have been unoccupied for more than two years, be applied as follows:

- 1) from 1 April 2019, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished for more than two years;
- 2) from 1 April 2020, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished between two and five years, and 200% premium for dwellings unoccupied for more than five years; and
- 3) from 1 April 2021, 100% premium in addition to

Operational
Director - Finance

the full council tax charge for each dwelling unoccupied and unfurnished between two and five years, 200% for dwellings unoccupied between five and ten years, and 300% for properties unoccupied for more than ten years.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB70 BUILDING CONTROL JOINT SERVICE - KEY DECISION

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on a Joint Building Control Service.

It was reported that a Collaboration Agreement had been in place between Halton and Knowsley Councils since July 2015, with the aim of exploring the potential for a shared Building Control service. In January 2018, the Leaders and Chief Executives of both Councils, endorsed the undertaking of work to examine the potential establishment of a Regulation 12 company, as detailed in the report, on the basis that the Company would be jointly and equally owned by both Councils.

The Board was advised that in order to complete the work, approval was required to formalise an interim shared service agreement until 31 March 2020 with Halton, for the provision of Building Control services.

Reason(s) for Decision

The Building Control Service required sufficient resource and capacity to continue to provide high quality advice to residents, developers and investors. Following the departure of all Building Control Officers in November 2017, temporary arrangements had been in place to provide service continuity. The reason for the decision was to place the Service on a sustainable footing for future service delivery.

Alternative Options Considered and Rejected

Do nothing – The current temporary arrangements (the use of an agency member of staff) were not cost effective, nor efficient, and the current team lacked capacity to offer a high quality service and generate income.

Outsourcing – A higher quality, more cost effective service could be offered through a joint shared service. An in-house

service was far more responsive in terms of support for public services (for example, public safety at events) and did not rely upon commercial contracts as the basis for delivery. The preferred approach retained local control over service delivery.

Implementation Date

1 January 2019.

RESOLVED: That

- 1) a shared service arrangement for Building Control services for Halton and Knowsley Councils be approved on the basis set out in the report and with a joint structure to be hosted by Knowsley Council for a period until March 2020;
- 2) the Strategic Director, Enterprise, Community and Resources be authorised to execute all relevant documentation required for the establishment of a shared service agreement for Building Control services for Knowsley and Halton Council, as set out in the report; and
- 3) the proposal to explore the establishment of a Building Control Regulation 12 company be endorsed, which would be the subject of a future report to Executive Board.

Strategic Director
- Enterprise,
Community and
Resources

EXB71 A STRATEGY FOR HALTON'S TREES AND WOODLANDS

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the adoption of a policy for Halton's Trees and Woodlands.

In March 2016, the Environment and Urban Renewal Policy and Performance Board considered a report of the Tree and Woodlands Working Group which had proposed the development of a Tree Strategy for Halton. Attached to the report at Appendix 1, was a proposed Strategy which followed the principles developed by the Member-led Tree and Woodland Working Group, as detailed in the report.

The Board was advised that the intention of the Strategy was to clearly articulate how the Council managed its trees and woodlands and help to identify priorities for its work programme.

RESOLVED: That Executive Board adopt the document '*A Strategy for Halton's Trees and Woodlands*', attached to the report at Appendix 1, as the Council's policy with regards to the management of its trees and woodland assets.

Strategic Director
- Enterprise,
Community and
Resources

EXB72 MASTERPLAN STRATEGY FOR IMPROVEMENTS AT TOWN PARK, RUNCORN

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on a proposed Masterplan Strategy for improvements to Town Park, Runcorn.

The Board was advised that Town Park was created as an integral part of the original Runcorn New Town development. The Park currently fulfilled the original concept as a substantial continuous open space central to the New Town character and retained many features of the original layout and design.

It was reported that the aim of the Town Park Masterplan was to preserve a strong landscape identity for the future as well as to provide a setting for sustainable leisure and recreational needs for Halton residents. A key element of the proposals were noted as being the development of three visitor/ activity hubs, as detailed in the report. The Masterplan approach allowed for the proposed infrastructure improvements to the wider park area and hub facilities to be undertaken either separately or in combination with each other.

RESOLVED: That the Board

- 1) approves the Masterplan; and
- 2) gives delegated authority to the Strategic Director, Enterprise, Community and Resources, in consultation with the Executive Board Member for Physical Environment, to progress the Town Park project and prepare all necessary information for suitable grant applications.

Strategic Director
- Enterprise,
Community and
Resources

EXB73 STATEMENT OF COMMUNITY INVOLVEMENT (SCI)
LOCAL PLAN DOCUMENT

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval to publish the Statement of Community Involvement (SCI) Local Development Document.

The Board was advised that the SCI document set out how councils would engage with local communities and other interested parties in producing their Local Plan and determining planning applications. It was reported that the Council's first SCI was adopted in 2007, revised in 2013, and was now being updated due to legislative changes in the way that planning documents were prepared.

It was noted that at its meeting on 14 November 2018, the Environment and Urban Renewal Policy and Performance Board had considered the document and recommended that it be adopted by the Executive Board for public consultation. A final version of the SCI would then be presented to the Board for formal adoption by the Council.

RESOLVED: That the draft Statement of Community Involvement, attached to the report at Appendix A, be approved for the purposes of a six week public consultation.

Strategic Director
- Enterprise,
Community and
Resources

EXB74 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 Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972; and
- 2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the

public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

TRANSPORTATION PORTFOLIO

EXB75 STREET LIGHTING CONTRACT – KEY DECISION

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the Street Lighting Maintenance Contract for the Borough.

It was reported that the current contractor had given notice that they would not extend the existing contract, which ended on 24 November 2018. Therefore, it was necessary to procure an alternative provider to ensure service continuity and to comply with the Council's legal duty to deal with damaged and dangerous equipment on the highway.

Reason(s) For Decision

It was necessary to take this decision at this stage in order to ensure continuity for this important service. It was unlikely that the Council would be able to reach a satisfactory conclusion with the existing contract and therefore, a new arrangement was necessary.

Alternative Options Considered and Rejected

Two alternative arrangements had been considered. One to remain with the existing contractor, which had been rejected for the reasons outlined in the report. The second was to go out to a full tender exercise, which had been rejected for the following reasons:

- The need for continuity of service;
- The time and resources it would take; and
- The fact that a recently tendered contract existed that

the Council could utilise.

Implementation Date

This would be determined by the Strategic Director, Enterprise, Community and Resources, in consultation with the Transportation Portfolio Holder, following the process outlined in the report.

RESOLVED: That the Strategic Director, Enterprise, Community and Resources, be authorised, in consultation with the Portfolio Holder for Transportation, to take the necessary actions to ensure value for money through an appropriate procurement route for the Council.

Strategic Director
- Enterprise,
Community and
Resources

PHYSICAL ENVIRONMENT PORTFOLIO

EXB76 3MG HBC FIELD

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which updated Members on the disposal of part of HBC Field.

It was reported that the Chief Executive had used his delegated powers, in consultation with the Leader and the Portfolio Holders for Physical Environment, Transportation and Resources, as detailed in the report.

RESOLVED: That Executive Board endorses the use of delegated powers by the Chief Executive.

Strategic Director
- Enterprise,
Community and
Resources

MINUTES ISSUED: 18 December 2018

CALL-IN: 3 January 2019

With the exception of Minute EXB 75, which is exempt due to the need to issue the contract, any matter decided by the Executive Board may be called in no later than 5.00pm on 3 January 2019.

Meeting ended at 12.10 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 17 January 2019 in The Boardroom, Municipal Building

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

Apologies for Absence: None

Absence declared on Council business: None

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

Also in attendance: One member of the press

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

Action

EXB77 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB 89 refers), therefore, pursuant to Section 100 B (4) and 100 E and due to the timing of the decision needed to be taken, the Chair ruled that this item would be considered at this meeting.

EXB78 MINUTES

The Minutes of the meeting held on 13 December 2018 were taken as read and signed as a correct record.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB79 HALTON HOUSING TRUST (HHT) ANNUAL REPORT

The Board received the annual report of Halton Housing Trust (HHT), which provided an update on progress in the past twelve months.

A verbal update was provided for the Board by Nick Atkin, Chief Executive of HHT, and Ingrid Fife, Chair of HHT

Board. They reported on progress to date in delivering some key achievements, partnerships and strategic priorities.

The Board noted some of the key organisational achievements which included continued investment to improve homes and neighbourhoods; completion of the construction of new homes; secured funding to deliver a growth strategy to build an additional 1,200 homes for rent, shared ownership or sale over the next five years; achieved 88% of all customer generated transactions delivered through on-line self-serve routes; and retained the highest possible regulatory rating. It was noted that the roll out of Universal Credit and Welfare Reform in general, continued to be one of the most significant risks for the Trust. The Digital First Programme had freed up resources to focus on debt recovery and provided support to those customers who were most vulnerable.

Members had the opportunity to ask questions and clarify information contained in the presentation before Mr Atkin and Ms Fife were thanked for attending. As this was the final meeting which Mr Atkin would attend, the Board wished him well in his new position at Yorkshire Housing.

RESOLVED: That the progress report be noted.

CHILDREN EDUCATION AND SOCIAL CARE PORTFOLIO

EXB80 CAPITAL PROGRAMME – 2019/20 - KEY DECISION

The Board considered a report of the Strategic Director, People, which provided a summary of the Capital Programmes for 2019/20 for the People Directorate.

The Board was advised that the Department for Education (DfE) had not yet announced the Capital Grant Allocation for 2019/20 at the time of writing the report. However, given the timescales for some of the capital projects, the report used the 2018/19 allocation as the basis for presenting this report to the Board.

In addition, it was reported that the DfE had announced the Special Provision Capital Funding for local authorities to invest in provision for children and young people with Special Educational Needs and Disabilities, aged 0-25, to improve the quality and range of provision

available. It had been confirmed that the Local Authority would receive an additional amount, which took the total allocation over a three year period to £616,279.

The Board was reminded that at its meeting on 20 September 2018, works to create Foundation/Key Stage 1 Social Emotional and Mental Health Resource bases at Beechwood Primary School and Halton Lodge Primary School, were approved. It was noted that the Local Authority would therefore be allocating an element of its School Condition Allocation Funding towards this scheme.

Reason(s) for Decision

To deliver and implement the Capital Programmes.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

Capital Programmes for 2019/20 would be implemented with effect from 1 April 2019.

RESOLVED: That

- 1) the position regarding capital funding from the Department for Education for 2019/20, be noted;
- 2) the proposals to be funded from the School Condition Capital Allocation, be approved; and
- 3) Council be recommended to approve the Capital Allocations for inclusion in the Budget report.

Strategic Director
- People

EXB81 SCHOOL ADMISSION ARRANGEMENTS 2020 - KEY DECISION

The Board considered a report of the Strategic Director, People, on School Admission Arrangements for 2020.

The Board was advised that in October 2018, Halton Local Authority issued a statutorily required consultation on the proposed admission arrangements and co-ordinated admission schemes for the September 2020 intake. It was

noted that the consultation ran until 9 November 2018, with no changes proposed to the current oversubscription criteria for admission to Local Authority maintained community and voluntary controlled primary schools. No responses to the consultation were received.

It was further noted that reference to all Halton community secondary schools had been removed, as all were either academies, free schools or voluntary aided and were therefore their own admission authorities, with responsibility for consulting on proposed changes.

Reason(s) for Decision

The decision was statutorily required and any revision to the proposed arrangements may adversely affect school place planning as detailed in the report.

Alternative Options Considered and Rejected

Other options considered and rejected included the allocation of places through random allocation (lottery), as this method could be seen as arbitrary and random.

Implementation Date

The Policy and co-ordinated schemes would apply for the September 2020 academic intake.

RESOLVED: That the Board approves the School Admissions Policy, Admission Arrangements and Co-ordinated Schemes for admission to primary and secondary schools for the 2020/21 academic year.

Strategic Director
- People

EXB82 APPLICATION FOR THE DEVELOPMENT OF A SPECIAL FREE SCHOOL FOR PUPILS WITH SOCIAL EMOTIONAL AND MENTAL HEALTH NEEDS (SEMH) - KEY DECISION

The Board considered a report of the Strategic Director, People, on the proposal to develop a special free school for pupils with Social, Education and Mental Health Needs (SEMH) in Halton.

At its meeting on 18 October 2018, Executive Board had approved an application to establish a special free school in Halton, shared with St Helens Borough Council. It was reported that the Department for Education (DfE) had requested the final submission of the specification as a

matter of urgency, on 16 December 2018. Due to the urgent nature of the submission and the schedule of meeting dates, the Chief Executive, in consultation with the Leader and the Portfolio Holder for Children, Education and Social Care, approved the final submission, using his delegated powers. Therefore, the report to the Board set out retrospectively the details of the proposed location of the special free school for Members' information.

Reason(s) for Decision

To provide a more inclusive offer for pupils with SEMH giving them the opportunity to be educated with support alongside their peers.

Alternative Options Considered and Rejected

Not submitting an application for a joint free school. However, lack of provision had an impact on the educational outcomes of pupils that need this support.

Implementation Date

Notification as to whether the bid was successful would be announced by the DfE in Spring 2019.

RESOLVED: That the decision of the Chief Executive, acting under delegated powers, to develop a free school provision on the Naylor Road, Widnes, site, be noted.

RESOURCES PORTFOLIO

(N.B. Councillor Ron Hignett declared a Disclosable Other Interest in the following item of business as he was a member of the Sci-Tech Public Sector Joint Venture Board)

EXB83 DISCRETIONARY NON-DOMESTIC RATE RELIEF

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

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

City Region 100% Business Rates Retention Pilot Scheme.

The report set out details of an application for 80% discretionary rate relief in respect of two business premises at the Sci-Tech, Daresbury campus.

RESOLVED: That the request for 80% discretionary rate relief from United Kingdom Research and Innovation (UKRI) for their premises at Daresbury Laboratory and Building Two, Daresbury Innovation Centre, Keckwick Lane, Daresbury, be refused.

Strategic Director
- Enterprise,
Community and
Resources

EXB84 WAIVER TO PROCUREMENT STANDING ORDERS:
INTEGRATED HR AND PAYROLL SYSTEM

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought a waiver of Procurement Standing Orders in respect of the award of a new contract for the Council's Integrated HR and Payroll system.

The Board was advised that the Council used an integrated HR and payroll system known as iTrent. The system was used for a number of payroll processes including those traded under service level agreements to external clients. It was reported that those external customers had tailored and established processes which were compatible with the iTrent systems.

The current contract ended on 17 November 2018. Consideration had been given to market testing for a change of systems, although the iTrent system was so firmly established within the Council and with its external customers, there would need to be either a replacement or re-engineering of systems, which could be time and resource intensive.

The Board noted that by making a direct award under the Light Touch Regime, the financial benefit to the Council, as a result of the waiver of Procurement Standing Orders, would be £38,587.

RESOLVED: That

- 1) the report be noted; and
- 2) the Board approves the waiving of Part 3 of

Strategic Director
- Enterprise,
Community and
Resources

Procurement Standing Orders relying on numbers 1.14.4 (iii), 1.14.4 (iv) and 1.14.4 (v).

EXB85 WAIVER TO PROCUREMENT STANDING ORDERS:
MBA/MSC SENIOR LEADER MASTERS
APPRENTICESHIP

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought a waiver of Procurement Standing Orders to award a contract for the provision of a MBA/MSc Senior Leader Masters Apprenticeship.

The Board was advised that since 2010/11, the Council had rationalised its management structures and now operated within a more commercial environment and in new collaborations across the public sector. A need had been identified for succession planning to enable strategic leadership capability in the future.

It was reported that Liverpool John Moores University (LJMU) had created a range of leadership and management qualifications at Masters Level 7, available through the national Apprenticeship Framework and funded by the Apprenticeship Levy. It was noted that LJMU had demonstrated that they could deliver and provide the content of the qualifications which met the Council's needs.

Members were asked to waive the Council's Procurement Standing Orders to allow the awarding of the contract for the provision of a MBA/MSc Senior Leader Masters Apprenticeship, to be fully funded through the existing Apprenticeship Levy, which the Council was required by statute to contribute to.

RESOLVED: That the Board, in compliance with Procurement Standing Orders 1.14.4 and 1.14.5, approve a waiver to award a contract to Liverpool John Moores University, for the following reasons:-

- (i) Standing Order 1.14.4 (iii), where compliance would result in a clear financial or commercial detriment to the Council;
- (ii) Standing Order 1.14.4 (iv) where compliance would result in the Council having to forego a clear financial or commercial benefit.

Strategic Director
- Enterprise,
Community and
Resources

EXB86 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 Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 3 of Schedule 12A of the Local Government Act 1972; and
- 2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB87 THE HIVE LEISURE COMPLEX - KEY DECISION

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on proposals for the future development of The Hive Leisure Complex, Widnes.

The report set out details of a proposal to develop and invest in the site for Members' consideration.

Reason(s) for Decision

To consider the proposal set out in the report.

Alternative Options Considered and Rejected

There were effectively four options available to the Council in relation to The Hive development, as detailed in the report.

Implementation Date

January 2019.

RESOLVED: That, having considered all of the options set out in the report, the Board decline the proposal.

Chief Executive

EXB88 RUNCORN STATION QUARTER - APPOINTMENT OF PREFERRED DEVELOPMENT PARTNER

The Board considered a report of the Strategic Director, Enterprise, Community and Development on the appointment of the preferred Development Partner for the Runcorn Station Quarter Masterplan.

In November 2018, the Board approved a Runcorn Station Quarter Masterplan with an accompanying Delivery Strategy. It was proposed that a private sector developer be appointed to increase capacity and support to the Council, so as to take forward the development as quickly as possible.

The report set out details of the process undertaken to identify a suitable Development Partner, following advice and guidance from the Council's Procurement Team.

RESOLVED: That

- 1) Members approve the appointment of the preferred Development Partner, as outlined in section 3.8 of the report; and
- 2) the completion of the final terms of a contract to appoint a developer, is delegated to the Operational Director, Legal and Democratic Services and the Operational Director, Economy, Enterprise and Property, in consultation with the Portfolio Holder for Physical Environment.

Strategic Director
- Enterprise,
Community and
Resources

EXB89 WIDNES VIKINGS

The Board considered a report of the Chief Executive which provided an update on the arrangements between the Council and Widnes Vikings.

RESOLVED: That

- 1) the Chief Executive exercise delegated powers, in consultation with the Leader and such Portfolio holders as the Leader considers appropriate, to revise the agreement and financial arrangements with the Widnes Vikings for the use of the Stadium and other Council facilities, on the terms set out in the report; and to take such reasonable steps as may be necessary to achieve this; and
- 2) the Council continue to support Widnes Vikings, help them to continue to develop their on-field and off-field community-based activities and to retain a strong professional rugby league presence in the Borough.

Chief Executive

MINUTES ISSUED: 22 January 2019

CALL-IN: 29 January 2019

Any matter decided by the Executive Board may be called in no later than 5.00pm on 29 January 2019.

Meeting ended at 2.58 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 21 February 2019 in The Boardroom, Municipal Building

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, G. Cook, D. Parr, I. Leivesley, E. Dawson and S. Wallace-Bonner

Also in attendance: One member of the press

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

EXB90 MINUTES

The Minutes of the meeting held on 17 January 2019, were taken as read and signed as a correct record.

**CHILDREN, EDUCATION AND SOCIAL CARE
PORTFOLIO**

EXB91 HIGH NEEDS REVIEW

The Board considered a report of the Strategic Director, People, which provided a summary of the High Needs Strategic Planning Review.

The Board was advised that the 2014 Children and Families Act introduced some of the most far reaching and significant changes to the way the needs of children with Special Educational Needs and/or Disabilities (SEND) were identified, assessed and addressed.

It was reported that over the same period of time, local authorities had experienced a rise in demand for SEND services, whilst the system of funding had changed. Support had been extended to children and young people aged 0 to

Action

25 years. In Halton, High Needs Budget costs were outstripping available funding and therefore the current system was unsustainable.

Halton had commissioned an independent review of SEND by Peopletoo in 2018; the first phase of the work was complete, with three key findings, as set out in the report. Members noted that to address these key findings, five high level recommendations had been made, and it was proposed that the next steps would be to share this with all partners across the Borough, including those in health, schools and colleges, Parents, Carers and all Officers involved in SEND provision.

It was further noted that a second piece of work to set out the actions needed to implement the main recommendations would be required; it was proposed that Peopletoo be commissioned to undertake the implementation phase of the review.

RESOLVED: That Executive Board

- 1) agree the five recommendations identified by the Review; and
- 2) agree to commission Peopletoo to undertake the implementation phase of the review.

Strategic Director
- People

RESOURCES PORTFOLIO

EXB92 BUDGET 2019/20 - KEY DECISION

The Board considered a report of the Operational Director, Finance, which outlined a recommendation to Council in respect of the Budget, Capital Programme and Council Tax for 2019/20.

It was noted that at the time of writing, the Cheshire Fire Authority had not set its budget and Council Tax Precept. However, final figures would be reported to Council when the information was available.

The Board was advised that the Medium Term Financial Strategy (MTFS), approved at its meeting on 15 November 2018, had identified funding gaps of around £9.8m in 2019/20, £8.2m in 2020/21 and £3.3m in 2021/22. The Strategy had the following objectives:

- Deliver a balanced and sustainable budget;
- Prioritise spending towards the Council's priority areas;
- Avoid excessive Council Tax rises;
- Achieve significant cashable efficiency gains;
- Protect essential front line services and vulnerable members of the community; and
- Deliver improved procurement.

In terms of consultation, it was noted that the Council used various methods to listen to the views of the public and Members' own experiences through their Ward work was an important part of that process. Individual consultations had taken place in respect of specific budget proposals and equality impact assessments would be completed where necessary.

On 12 December 2018, the Council approved initial budget savings totalling £4.653m and further proposed savings were shown at Appendix B. The departmental analysis of the budget was shown at Appendix C and the major reasons for change from the current budget were outlined for Members' information in Appendix D. It was noted that the proposed budget total was £108,621m.

The Board was advised that the proposed budget incorporated grant figures announced in the Local Government Grant Settlement, and included £2.381m for the New Homes Bonus 2019/20 grant and £5.233m for Improved Better Care Funding, paid to councils for the third year. Also announced in the Government's 2018 Autumn Budget, was additional funding for both Adults and Children's Social Care.

Further information was provided on the budget outlook, Halton's Council Tax, Precepts for Parishes, Police, Fire and Liverpool City Region Mayor, the Capital Programme, Prudential Code and School Budgets.

Reason(s) for Decision

To seek approval for the Council's revenue budget, Capital

Programme and Council Tax for 2019/20.

Alternative Options Considered and Rejected

In arriving at the budget saving proposals set out in Appendix B, numerous proposals had been considered, some of which had been deferred pending further information or rejected.

Implementation Date

6 March 2019.

RESOLVED: That

- 1) Council be recommended to adopt the resolution set out in Appendix A, which includes setting the budget at £108.621m, the Council Tax requirement of £49.597m (before Parish, Police, Fire and LCR Combined Authority precepts) and the Band D Council Tax for Halton of £1,419.08; and
- 2) From 1 April 2019 the level of Empty Homes Premium on dwellings that have been unoccupied for more than 2 years be increased to 100%.

Operational
Director - Finance

EXB93 TREASURY MANAGEMENT STRATEGY STATEMENT
2019/20

The Board considered a report of the Operational Director, Finance, proposing the Treasury Management Strategy Statement (TMSS) which incorporated the Annual Investment Strategy and the Minimum Revenue Provision Strategy for 2019/20.

The TMSS was attached to the report and detailed the expected activities of the treasury function in the forthcoming financial year (2019/20).

The Local Government Act 2003 required the Council to “have regard to” the Prudential Code and to set Prudential Indicators for the next three years, to ensure that the Council’s capital investment plans were affordable, prudent and sustainable. The Act therefore required the Council to set out its treasury strategy for borrowing as well as an Annual Investment Strategy, which set out the Council’s

policies for managing its investments and for giving priority to the security and liquidity of those investments. However, Government guidance stated that authorities could combine the statement and the strategy into one report, and the Council had adopted this approach.

Members noted that the provision of a Minimum Revenue Provision Policy Statement was required and a formal statement for approval was contained within the report at paragraph 2.3, with Appendix A detailing the full policy.

RESOLVED: That Council be recommended to adopt the policies, strategies, statements, prudential and treasury indicators outlined in the report.

Operational
Director - Finance

EXB94 CAPITAL STRATEGY 2019/20

The Board considered a report of the Operational Director, Finance, on the Council's Capital Strategy for 2019/20.

It was reported that all councils were required to produce a Capital Strategy annually, the aim of which was to ensure that the Council understood the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.

Members were advised that the Capital Strategy should be read in conjunction with the Treasury Management Statement, included on the same agenda. It was noted that the successful delivery of the Capital Strategy would assist the Council in planning and funding its capital expenditure over the next three years.

RESOLVED: That Council be recommended to approve the 2019/20 Capital Strategy, as presented in the Appendix attached to the report.

Operational
Director - Finance

(N.B. Councillor Ron Hignett declared a Disclosable Other Interest in the following item of business, as he was on the Board of the Sci-Tech Daresbury Private Sector Joint Venture Board)

EXB95 2018/19 QUARTER 3 SPENDING

The Board considered a report of the Operational Director, Finance, which reported on the 2018/19 Quarter 3

Spending as at 31 December 2018.

A summary of spending against revenue budget up to 31 December 2018 was attached to the report at Appendix 1. This provided individual statements for each department. The Board was advised that, in overall terms, revenue expenditure was £3,142m above the budget profile. Whilst the overspend position had increased since Quarter 2, the pace of increase had steadied.

The report contained details of the main budget pressure within the Children and Families Department with Out-of-Borough Residential Placements and Fostering dominating the overspend position. However, initiatives were in place for the Council to increase the number of in-house foster carers, by joining a collaborative fostering service with neighbouring authorities.

The report also provided details of other services which had experienced overspent budget profiles including the Community and Environment Department; the Complex Care Pool; the Education, Inclusion and Provision Department. Also, details of underspends in Planning and Transportation Department; and Corporate and Democracy.

The Capital Programme had been revised to reflect a number of changes in spending profiles as schemes had developed, and these were detailed in the report.

RESOLVED: That

- 1) All spending continues to be limited to the absolutely essential;
- 2) Strategic Directors take appropriate action to ensure overall spending is contained as far as possible within their total operational budget by year-end; and
- 3) Council be recommended to approve the revised Capital Programme as set out in Appendix 2, attached to the report.

Operational
Director - Finance

EXB96 CALENDAR OF MEETINGS 2019/20

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which set out the proposed Calendar of Meetings for the 2019/20 Municipal Year, which was appended to the report for

information.

RESOLVED: That Council be recommended to approve the Calendar of Meetings for the 2019/20 Municipal Year, as appended to the report.

Strategic Director
- Enterprise,
Community and
Resources

EXB97 UNISON'S END VIOLENCE AT WORK CHARTER

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which set out details of Unison's End Violence at Work Charter.

The Board was advised that the Council had been approached by Unison seeking support and to adopt their Violence at Work Charter. A copy of the ten standards set within the Charter were attached to the report as an Appendix. Any employer seeking to sign up to the Charter, would be asked for evidence of their compliance with these ten points.

It was reported that the Council had established policies and practices in place to protect its employees, which it kept under constant review in the light of experiences and changes in legislation. It was noted that the Charter reflected the Council's own philosophy and existing practices.

RESOLVED: That Council be recommended to adopt the Unison "End Violence at Work Charter" and works with Unison representatives to ensure the standards within the Charter are adhered to.

Strategic Director
- Enterprise,
Community and
Resources

EXB98 INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTI-SEMITISM

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the adoption of the International Holocaust Remembrance Alliance (IHRA) and working definition of Anti-Semitism.

The Board was advised that the IHRA was an intergovernmental organisation which strengthened, advanced and promoted Holocaust education, research and remembrance worldwide. It also upheld the commitments of the Declaration of the Stockholm International Forum on the Holocaust. The IHRA working definition of Anti-Semitism was set out in the report. It was reported that the Council

had been approached by the Jewish Leadership Council to adopt this definition.

RESOLVED: That Council be recommended to adopt the IHRA working definition of Anti-Semitism.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB99 TOWN CENTRES AND FUNDING

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on Town Centre funding.

The Board was advised that two major town centre funding streams had been announced. The Liverpool City Region (LCR) had launched its Strategic Investment Fund, with an allocation to support town centres; and the Government-launched Future High Streets Fund, which provided co-funding towards innovative capital projects that brought transformative change and supported wider economic growth.

The report set out details of the context, process and objectives for each funding stream for Members' consideration, and a recommendation on the proposed approach for the Council.

RESOLVED: That Members approve the proposals set out in Sections 4 and 7 of the report.

EXB100 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) whether the disclosure of information was in the

Strategic Director
- Enterprise,
Community and
Resources

Strategic Director
- Enterprise,
Community and
Resources

public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

RESOURCES PORTFOLIO

EXB101 LAND PURCHASE AT CROW WOOD LANE, WIDNES

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval for the purchase of land at Crow Wood Lane, Widnes.

The Board was advised that the Council had been successful in a bid for funding for the purchase and adaptation of properties which provided suitable accommodation for those that required a supported living environment.

It was reported that there was a lack of suitable properties in the Borough, and so a decision had been made to purchase land at Crow Wood Lane, Widnes, and to develop it with high quality, bespoke new-build accommodation.

RESOLVED: That Executive Board

- 1) approves the purchase of land at Crow Wood Lane, Widnes; and
- 2) authorises the Operational Director, Legal and Democratic Services and the Operational Director, Economy, Enterprise and Property, to conclude all necessary documentation required to complete the sale.

Strategic Director
- Enterprise,
Community and
Resources

MINUTES ISSUED: 26 February 2019

CALL-IN: 5 March 2019

Any matter decided by the Executive Board may be called in no later than 5.00pm on 5 March 2019.

Meeting ended at 2.35 p.m.

CHILDREN YOUNG PEOPLE AND FAMILIES POLICY AND PERFORMANCE BOARD

At a meeting of the Children Young People and Families Policy and Performance Board on Monday, 28 January 2019 in the Civic Suite - Town Hall, Runcorn

Present: Councillors Dennett (Chair), Logan (Vice-Chair), Carlin, Cassidy, P. Hignett, Leck, P. Lloyd Jones, Rowe, J. Stockton and Whitley

Apologies for Absence: Councillor Horabin

Absence declared on Council business: None

Officers present: A. McIntyre, A. Jones, T. Coffey, J. Farrell, C. Johnson and S. Williams

Also in attendance: One member of the press

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

| | <i>Action</i> |
|---|---------------|
| CYP28 MINUTES | |
| <p>The Minutes of the meeting held on 12 November 2018 were taken as read and signed as a correct record.</p> | |
| CYP29 PUBLIC QUESTION TIME | |
| <p>The Board was advised that no public questions had been received.</p> | |
| CYP30 EXECUTIVE BOARD MINUTES | |
| <p>The minutes relating to the Children, Education and Social Care Portfolio that had been considered by the Executive Board since the last meeting of this Board, were attached at Appendix 1 for information.</p> | |
| <p><u>EXB42 – Land Acquisition for a Special Free School Bid for Pupils with Social, Emotional and Mental Health Needs – Key Decision</u></p> | |
| <p>Members advised that the land identified for the proposal was on Naylor Road opposite Warrington Road Children’s Centre in Widnes and the outcome of the bid still unknown. The budget for the High Needs funding for 2019-20 was explained.</p> | |

RESOLVED: That the minutes are noted.

CYP31 SSP MINUTES

The draft minutes relating to the Halton Children's Trust meeting held on 6 December 2018 were presented to the Board for information.

Members requested to know if there was any update on the future arrangements of the Halton Safeguarding Children Board (HSCB). Officers advised that the recommendations from the consultation events had now been sent to the HSCB. The Strategic Leads would be the Chief Officers from the Local Authority, Halton CCG and the Police. An Executive Group would then form the main Board, consisting of 3 sub-groups (as detailed in 2.1 of the minutes).

It was hoped that the new structure and multi-agency arrangements would be published in June 2019 and be in place by September 2019.

RESOLVED: That the draft minutes be noted.

CYP32 BUSINESS PLANNING 2019-20

The Board received the final draft of the Children's Services contribution to the Council's Business Plan for the coming financial year. As this document was tabled it would be published following the meeting.

It was reported that in 2016 Management Team endorsed the annual preparation and production of a unified Council Business Plan, which was structured as a series of extracts which were themed around the 6 strategic priorities of the Council. Each of these extracts contained details of objectives / milestones and key measures / targets which were most relevant to that particular priority.

In respect of the Children Services Business Plan 2019-20, this focussed upon the key medium-term issues as opposed to providing an extensive narrative on the work of each Department.

The Chair requested that the Business Plan be sent out electronically to Members, so that they were given the opportunity to make any final comments prior to its submission to the Executive Board.

Operational
Director
Education,

-

RESOLVED: That the Children and Young Peoples Services Business Plan for 2019-20 be accepted.

Inclusion and Provision

CYP33 ANNUAL HEADTEACHER'S REPORT OF THE ATTAINMENT AND PROGRESS OF HALTON'S CHILDREN IN CARE

The Board received the annual update of the education outcomes for Halton's Children in Care 2017-18. Appended to the report was the paper *End of Key Stage Attainment and Progress Report for Halton Children in Care 2017-18*, which provided detailed data, analysis and impacts for the following groups and officers provided supporting commentary to explain the attainment results for each one:

- Reception;
- Phonics;
- Key Stage 1;
- Key Stage 2;
- Key Stage 4;
- Attendance and Exclusions; and
- Education, Employment and Training

Members raised the following queries / comments:

The phonics results were low is it because the cohort is predominantly boys?

The data does say that boys in care struggled at this stage. The speech and language development of the pupils was being looked at.

What support is available for teachers dealing with disruptive behaviour due to social, emotional and mental health issues of CIC?

Training was provided to teachers of CIC to help them understand the issues faced by them. The Pupil Premium Plus factor funding was used to fund this.

It was clarified that the outcomes referred to in the covering report (paragraph 3.3) were the statutory outcomes the Authority had to use. However, with regards to an individual's education targets (GCSE's for example), a Personal Education Plan (PEP) was compiled in a meeting with the pupil at school and then assessed by the Virtual School to check its appropriateness for the pupil.

The Chair thanked the Officer for the detailed report and explanations.

RESOLVED: That the Board notes the report.

CYP34 OFSTED - VERBAL UPDATE

The Board received updates from the Operational Director – Education, Inclusion and Provision and the Operational Director of Children’s Services, on a recent meeting with OFSTED.

The meeting was held to discuss Children’s Social Care, Education and SEN issues in the Borough and regionally. It was noted that based on the discussions, it was unknown if Children’s Social Care services would receive a focussed visit or a full inspection in the near future as these were unannounced.

RESOLVED: That the update be noted.

CYP35 PERFORMANCE MANAGEMENT REPORTS - QUARTER 2 2018-19

The Board received the Performance Management reports for quarter 2 of 2018-19 (1 July 2018 to 30 September 2018) and were requested to consider and raise any questions or points of clarification in respect of these. The reports had been forwarded to Members in advance of the agenda on 29 November 2018, after they were finalised.

It was noted that the key priorities for development or improvement in 2017-18 were agreed by Members and included in the Local Authority’s Business Plan, for the various functional areas reported to the Board as follows:

- Education, Inclusion and Provision Services; and
- Children and Families Services.

The reports detailed progress made against objectives and milestones and performance targets and provided information relating to key developments and emerging issues that had arisen during the period.

Members discussed:

- the increasing demands on Children’s Social Care;
- out of Borough fostering placements and fostering marketing activities in Halton;
- the announcement by Liverpool City Council of their recruitment drive for 160 social workers and social care staff over the next 2 years; the implications were discussed and Halton’s response to this; and

- clarity around Residence Orders and Special Guardianship Orders was provided.

The Chair requested an agenda item on child neglect in the Borough for the next meeting.

RESOLVED: That the quarter 2 performance management reports be received.

Director of
Children's
Services

Meeting ended at 8.25 p.m.

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**EMPLOYMENT, LEARNING AND SKILLS, AND COMMUNITY POLICY AND
PERFORMANCE BOARD**

At a meeting of the Employment, Learning and Skills, and Community Policy and Performance Board on Monday, 18 February 2019 in the Civic Suite - Town Hall, Runcorn

Present: Councillors MacManus (Chair), Cassidy, Leck, Logan, June Roberts, Rowe, Teeling, Wallace and Whitley

Apologies for Absence: Councillors C. Plumpton Walsh and Gerrard

Absence declared on Council business: None

Officers present: A. Jones, J. Griffiths, C. Patino, S. Saunders and S. Bartlett

Also in attendance: One member of the press

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

| | <i>Action</i> |
|---|---------------|
| <p>ELS26 MINUTES</p> <p>The Minutes from the meeting held on 19 November 2018, were taken as read and signed as a correct record.</p> | |
| <p>ELS27 PUBLIC QUESTION TIME</p> <p>The Board was advised that no public questions had been received.</p> | |
| <p>ELS28 PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 3 OF 2018-19</p> <p>The Board received the performance management reports for Quarter 3 of 2018-19 (1 October 2018 to 31 December 2018) and were requested to consider and raise any questions or points of clarification in respect of these.</p> <p>It was noted that the key priorities for development of improvement in 2017-18 were agreed by Members and included in Directorate Plans for the various function areas reported to the Board as follows:</p> <ul style="list-style-type: none"> • Enterprise, Employment and Skills; and • Community and Environment. | |

The report detailed progress against service objectives and milestones and performance targets and provided information relating to key developments and emerging issues that had arisen during the period.

Further to Members queries, the following was noted:

- Ref EEP LI 11 and 12 – the actual figures for quarter 3 were low but this was due to the DWP Work Programmes coming to an end in March this year. The newly introduced DWP Work and Health Programme had seen increased referrals;
- Community and Environment Budgets – reasons for the budget overspend were outlined in the report and the challenges faced were discussed;
- The Stadium would welcome and encourage any organisations or businesses who wish to hire the pitch;
- The men's gymnasium was closing in May 2019 but the ladies would remain open;
- The Siemens-Alstom proposed merger negotiations were still ongoing.

RESOLVED: That the performance management reports for Quarter 3 be received.

ELS29 UPDATE SCRUTINY TOPIC GROUP - BETTER JOBS

The Board received an update on the work of the 'Better Jobs' Scrutiny Topic Group. This was established as the Scrutiny Topic for the Municipal Year 2018-19 and considered how local residents could be encouraged to access the better paid jobs being created in the Borough.

It was reported that the Topic Group used aspects of the Six Sigma methodology to manage the process. This approach was known as DMAIC; Define, Measure; Analyse; Design; Improve; Control.

Members were updated with the progress the Group had made to date as described in the report. The dichotomy presented was explained with regards to those jobs in the Borough described by employers as 'difficult to fill' and the purpose of the topic group; leading to the conclusion that other questions should be looked at.

It was reported that at the last topic group meeting, Members made a number of points regarding behaviour change; and the feasibility of identifying determinants in relation to data held by Public Health professionals and whether 'nurture or nature' played a role in determining a person's future job prospects and how influences in early life would have a bearing on this.

The next steps of the Topic Group were outlined and Members were referred to further research carried out in different areas, as shown via the website links provided. Members also noted the suggestion for a future topic group to focus on whether the Borough's residents who held higher level qualifications and skills were accessing the Borough's job opportunities being created.

The Board discussed:

- the demise of the careers advice service *Connexions* and the expectation that schools should provide this service (which some did). The importance of parents' advice at this stage of a child's life was noted;
- the suggestion that the Board invites students from local schools and colleges to a future meeting, so that they could present their experiences of careers guidance;
- the suggestion that the careers advice is provided from the age of 13 instead of 14; this would be referred to the relevant officer for a response; and
- the Gatsby Career Benchmarks.

Officers referred to the upcoming Halton Skills Show which would take place on 20 March 2019 in the Heath Business Park; further details would be sent to the Board, together with information on the LCR Schools Hub Pilot.

The Chair reminded the Board that the next meeting of the Scrutiny Topic Group would be on Monday 25 February 2019.

RESOLVED: That Members acknowledge the work undertaken to date and proposed next steps.

ELS30 LIBRARY SERVICE

The Board received a presentation from the Library Strategy and Development Manager which provided an

Operational
Director -
Economy,
Enterprise &
Property

overview of the activities undertaken by the library service over the past 12 months.

Members were presented with the Halton Libraries Events booklet, January to April 2019 and information on the Public Library Universal Health Offer (a partnership offer delivered by the SCL and The Reading Agency).

Members welcomed the news from the Libraries and congratulated the staff involved. It was commented that the service had strived to continue to provide numerous activities for the public despite cuts to funding. The importance of the Libraries was discussed within the community and they were considered to be a warm, safe, friendly environments.

It was reported that a consultation was taking place to find out what more the Libraries could offer.

In response to members queries regarding the Libraries working with primary schools to improve their English Language standards; it was noted that some work was already done with schools but the Child Development Officer at the Council would be contacted with regards to this in particular and a response provided later. Also with regards to the delivery of the activities offered in the Libraries, it was stated that the library staff were facilitators of the events, not teachers. There were some activities however that were required to be run by qualified people.

RESOLVED: That the presentation and comments made be noted.

ELS31 COMMUNITY LEARNING MENTAL HEALTH RESEARCH

The Board received a presentation from the Head of Curriculum and Learner Services (Halton Adult Learning Services), which provided an overview of the Halton element of the Greater Merseyside Community Learning Mental Health Research project.

It was reported that the project aimed to assess the potential for adult and community learning courses to help people develop strategies and a tool kit to manage and aid recovery from mild to moderate mental health problems. In total 51 learning providers took part covering 57 local authorities over a two year period.

The presentation outlined the purpose of the project; its aims and focus; the statistics and figures; the partners

being worked with; outcomes and learner feedback.

In response to Members queries, the following was noted:

- The data being collected was compiled through tracking the learner;
- The Programmes were delivered in Kingsway Learning Centre in Widnes and the Acorn Learning Centre in Runcorn; and
- The project was able and prepared to engage with third parties and was already working in some schools, where for example parental engagement challenges existed.

So Members could access the video links at their leisure, the presentation would be forwarded to them.

RESOLVED: That the report is noted.

Councillor Whitley declared a Disclosable Other Interest in the following item as she was a Member of the Liverpool City Region Combined Authority's Overview and Scrutiny Committee.

ELS32 UPDATE ON LIVERPOOL CITY REGION ACTIVITIES

Members received a report from the Strategic Director – Enterprise, Community and Resources, on employment, learning and skills activities in the Liverpool City Region (LCR).

It was reported that the Council contributed to a number of initiatives and actions that were taking place in the LCR as follows:

- Local Industrial Strategy for the LCR;
- Apprenticeships Hub;
- LCR Apprentice Graduation Ceremony;
- School Careers Hub;
- Devolution of the Adult Education Budget (AEB);
- Skills for Growth Action Plans and Careers Materials; and
- National Apprenticeship Week

Further to Members queries the following comments were made:

- The Adult Education Budget (AEB) would receive an additional £150k funding for Test and Learn pilots;
- The Halton Tomorrow Strategy would link in with the

LCR Local Industrial Strategy;

- The apprenticeship levy was discussed and the potential for its misuse by employers; Officers advised that they promoted quality and progression for those on apprenticeships;
- The LCR Apprentice and Employer Ambassador Network had been launched and to date four of Halton's employers had signed up to be Ambassadors; it was hoped that the list would increase in numbers; and
- The Open Your Door Theatre Company had delivered a short play to local secondary schools around apprenticeships.

RESOLVED: That Members note the progress being made to deliver employment, learning and skills activities across the Liverpool City Region and recognises the role Halton Council and its partners play in supporting these activities.

Meeting ended at 8.05 p.m.

SAFER POLICY AND PERFORMANCE BOARD

At a meeting of the Safer Policy and Performance Board on Tuesday, 19 February 2019 at the Council Chamber - Town Hall, Runcorn

Present: Councillors Thompson (Chair), Baker, E. Cargill, Dourley, V. Hill, P. Lloyd Jones, K. Loftus, Logan and Zygadlo

Apologies for Absence: Councillor N. Plumpton Walsh and G Stockton

Absence declared on Council business: None

Officers present: J. Unsworth, M. Andrews and G. Ferguson.

Also in attendance: Councillor D. Cargill under Standing Order 33. Three members of the public, one member of the press and two representatives from Cheshire Police.

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

| | <i>Action</i> |
|---|---------------|
| SAF25 CHAIR'S ANNOUNCEMENTS | |
| <p>The Chair announced that the Cheshire Police and Crime Panel had recently assisted with the appointment of the new Chief Constable and to set the precept for 2019/20.</p> | |
| SAF26 MINUTES | |
| <p>The Minutes of the meeting held on 20th November 2018 were taken as read and signed as a correct record.</p> | |
| SAF27 PUBLIC QUESTION TIME | |
| <p>It was confirmed that one public question had been received and would be submitted and addressed as part of Minute No 30.</p> | |
| SAF28 EMERGENCY PLANNING | |
| <p>The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on the work undertaken by the Emergency Planning team during the last year.</p> | |

Members received a presentation which highlighted the teams statutory duties to comply with the following legislation:

- the Civil Contingencies Act 2004;
- Control of Major Accident Hazard Regulations (COMAH) 2015; and
- Major Accident Hazard Pipeline (MAHP) Regulations 1996

Members noted that key plans were in place to ensure resilience within Halton and were regularly tested. Full details of the exercises that took place at COMAH sites in the Borough, information on Emergency Centres and the work the Emergency Planning team carried out with partner agencies both within Cheshire and Cross-Border were discussed and noted.

RESOLVED: That the report be noted.

SAF29 MULTI AGENCY INITIATIVES KICKOFF

The Board considered a report which provided an update on recent initiatives the Council, the Police and other partners were doing to make Halton safer. In particular in response to the recent events in Runcorn and other trends that were emerging across the Borough (and Nationally) with regard to crime and violence against the person by young people.

In addition, Members were advised on KickOff@3, a national initiative set up to engage young people, using sport, music and funds for a range of charities that promote health and wellbeing in young people.

Arising from the discussion it was agreed that a further report would be brought to a future meeting on schemes such as the one in Glasgow; which had proven successful at reducing knife crime.

RESOLVED: That the report be noted.

SAF30 PUBLIC SPACES PROTECTION ORDER - DOG CONTROL

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided Members with the results of a public consultation exercise that was undertaken in respect of the Council's

proposal to introduce a new Public Spaces Protection Order (PSPO). The Order would help tackle dog fouling and other forms of irresponsible dog ownership and the Board was requested to make recommendations to the Executive Board in that respect.

The new PSPO would be in the form of a single Order that would include the control measures contained within the existing Orders, as well as new requirements that those in control of dogs must comply with. The specified locations where some existing control measures applied would also be extended under the new PSPO.

Members noted that the proposed PSPO had been subject to a public consultation exercise which ran from 6th July to 28th September 2018. As a result, 922 responses were received and details of these, in respect of the following, were outlined in the report:

- Exclusion of dogs;
- Dogs on leads;
- Dog fouling;
- Restriction on the number of dogs walked at a time; and
- Fixed penalty notices.

In accordance with Standing Order No. 34 (9), a public question had been submitted to the Board.

Question – Helen Taylor

“Are the Board concerned that the reference to the Countryside and Rights Of Way Act (CROW) in the consultation may have affected the responses received by suggesting a legitimacy to the proposal regarding lead length that it does not warrant? CROW applies to “mountain, moors, Heath or down” and registered common land - it specifically does not apply to parks and gardens. Also the CROW restriction on lead length only relates to the period from 1 March to 31 July, but this has not been reflected in the PSPO.”

Response

In response, Mr Unsworth advised the Board that the Council’s proposals were that dogs should be kept on a lead under certain circumstances for the purposes of ensuring that owners had them under control in order to reduce the risk of the dog causing nuisance or injury to members of the public or other animals. In this context, referencing the

CROW Act was intended only as guidance and using the definition of a short lead contained within it was seen as a reasonable and sound basis for individuals to consider their response to the consultation. The CROW Act would not be used for the purposes of the proposed PSPO.

Ms Taylor submitted the following supplementary public question:

“90% of people use a 5 metre retractable lead for their dog which is a better experience for the dog than the proposed 2 metre lead. It is not just about the length of the lead to control the dog but about the competency of the person holding the lead.”

In response, Mr Unsworth advised that the proposal for a 2 metre lead for the dog only applied in specific circumstances where Officers believed extra control was needed by the person walking the dog.

Members discussed the ways in which the proposed PSPO would be enforced, the need for appropriate signage outlining the new restrictions, dog fouling and the disposal of dog faeces.

Following the responses to the public question provided by Mr Unsworth and the subsequent discussion that took place on this item, Members of the Board determined that the reference to the CROW Act in the consultation had not affected the responses received.

RESOLVED: That

1. a report be presented to the Executive Board recommending that a new Dog Control Public Spaces Protection Order be made containing the provisions set out within the report;
2. the Fixed Penalty Notice amount for breaching a Dog Control Public Spaces Protection Order be set at £100; and
3. the Fixed Penalty Notice amount for breaching a Dog Control Public Spaces Protection Order be reduced to £75 if paid within 10 days.

Strategic Director
Enterprise,
Community and
Resources

SAF31 TRANSFER OF CHANNEL COORDINATION FROM POLICE TO LOCAL AUTHORITIES

The Board considered a report of the Strategic

Director, Enterprise, Community and Resources, which provided an update on the transfer of Channel and Prevent responsibilities from the Police to Local Authority responsibility. In 2016, the Home Office initiated the Dovetail pilot to assess the feasibility of transferring the resources and responsibility for administering the process and case management aspects of Channel from the Police to local authorities, trialled initially in nine areas.

It was noted that in addition to the nine local authority Dovetail sites already operational, the North West region would be going live in January 2019. All Supervisors and Channel Coordinator staff had been recruited and had received a five-day training package in November. The new staff would be based in Liverpool City Council, Manchester City Council and Blackburn with Darwen Council, responsible for Merseyside & Cheshire, Greater Manchester and Lancashire & Cumbria respectively.

With regard to training, the Prevent training team was to launch two new Prevent training products: a dedicated referral awareness eLearning package and a package that explained in depth the Channel process. They enable users to flexibly navigate their way through the content and gain greater insight, knowledge and skills to confidently carry out their functions to support people vulnerable to being drawn into terrorism.

It was agreed that representatives from the Channel Coordinator Team would be invited to a future meeting.

RESOLVED: That the report be noted.

SAF32 MODERN SLAVERY AND TRAFFICKING

The Board received an update report on the work to combat Modern Day Slavery (MDS) across Halton and Cheshire. In July 2018, the Safer Halton Partnership received a presentation from the Chair of the Cheshire Anti-Slavery Network (CASN), and following the group's discussion, there had been ongoing activity to ensure that Halton played its part, both within the Borough and across the Pan-Cheshire footprint. These included:-

- Halton were represented at the CASN, both strategically and operationally;
- Halton was providing support to the CASN, who had been asked by the Pan-Cheshire Protecting Vulnerable People Group to develop a Pan-Cheshire

MDS Charter, which all four local authorities would be asked to endorse;

- Officers were part of the task and finish group developing an Adult Pan-Cheshire Victim Pathway based on the Government model and similar to the one already in place for Children;
- Officers were developing a protocol between the Local Authority, Cheshire Police and the Social Landlords, which would formalise ways of working, sharing of information and confirmation of who provided what support during the victim's service journey;
- a Halton MDS group was in place which was used to share best practice, disseminate information and improve reporting systems for the National Referral Mechanism (NRM), including a better understanding of what happened to victims once they left the NRM; and
- A Single Point of Contact had been identified as the Housing Solutions Manager in the first instance, followed by the Community Safety Manager and the Partnership Officer.

RESOLVED: That the report be noted.

SAF33 UPDATE ON MULTI AGENCY WORK TO TACKLE OFF ROAD MOTORBIKES

The Board considered an update report from Officers from Cheshire Police regarding the multi-agency response to the illegal and anti-social use of off road motorcycles. Initiatives recently undertaken included:

- Operation Scrambler had been launched for the summer period to deal with illegal and anti-social use of off road motorcycles, mini motos and quad bikes. As part of this a new DNA spray was used which was funded by the Council, Halton Housing Trust and the Halton Community Safety team;
- A UK week of action ran from Monday 27 August to Sunday 2 September aimed at reducing the number of serious and fatal collisions involving motorcyclists;
- Officers were stopping and engaging with motorcyclists who committed moving traffic offences such as speeding and dangerous riding as well as anti-social offences such as excessive noise. They

would also be encouraging motorcyclists to enhance their skills, knowledge and check their person protective equipment; and

- In addition to motorcyclists, Officers would be targeting all road users who endangered the lives of themselves and others.

Members noted that from August to the present time 36 off road motorcycles had been seized by Police Officers in Runcorn. Arising from the discussion, a Member highlighted problems with off road motorcyclists using the footbridge between Beechwood and Hallwood Park and it was agreed that possible solutions to stop those motorcycles accessing the bridge should be explored.

RESOLVED: That the report be noted.

Meeting ended at 8.22 p.m.

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CORPORATE POLICY AND PERFORMANCE BOARD

At a meeting of the Corporate Policy and Performance Board on Tuesday, 29 January 2019 in the Civic Suite - Town Hall, Runcorn

Present: Councillors Gilligan (Chair), Philbin (Vice-Chair), Abbott, M. Lloyd Jones, C. Loftus, A. Lowe, A. McInerney, N. Plumpton Walsh and Wainwright

Apologies for Absence: Councillor Joe Roberts

Absence declared on Council business: None

Officers present: M. Reaney, I. Leivesley, S. Riley, E. Dawson, G. Ferguson and W. Rourke

Also in attendance: One member of the press.

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

| | <i>Action</i> |
|--|---------------|
| CS26 MINUTES | |
| <p>The Minutes from the meeting held on 6th November 2018 were taken as read and signed as a correct record.</p> <p>Arising from the Minutes, Members noted that discussions were ongoing with the Widnes Vikings. In respect of Area Forums, a Member commented on the difficulties Forums occasionally experienced acquiring three quotes to support their bid for funding. It was agreed that this would be looked into.</p> | |
| CS27 PUBLIC QUESTION TIME | |
| <p>The Board was advised that no public questions had been received.</p> | |
| CS28 EXECUTIVE BOARD MINUTES | |
| <p>The Board was presented with the Minutes relating to the Corporate Services Portfolio which had been considered by the Executive Board since the last meeting of the Board.</p> | |

Under Minute No EXB44 the Board requested an update on the outcome of the re-tendering of insurance contracts. It was agreed that this would be provided.

RESOLVED: That the minutes be noted.

CS29 MEMBER DEVELOPMENT GROUP NOTES

The Board considered the minutes of the Member Development Group meetings held on 22nd March 2018 and 6th September 2018.

Members requested that the meetings be held at a later time.

RESOLVED: That the minutes be noted.

CS30 ICT & SUPPORT SERVICES - SERVICE UPDATE

The Board received a presentation from the Operational Director ICT & Support Services, which provided Members with an overview of the make up of the department in order to highlight the number of service delivery teams within the department and the breadth of services delivered through these teams.

It was noted that over the last 10 years the ICT department had reduced staffing numbers by over half. However, the efficiencies delivered through the effective use of technology and the dedication of those working within the specialist areas had allowed the authority to change in line with its efficiency targets. The department had also taken the opportunity to offer similar innovative platforms to external organisations raising levels of income and additional opportunity for growth through:

- the Halton Cloud;
- the Records Management Unit; and
- the Agresso Collaboration.

The departments commercial opportunities continued to expand through the growth and development of School Clients. In addition the authority had developed hundreds of internally written and supported applications removing the need for expensive and often inferior support systems. Examples of those currently in development or recently released were:

- the transport co-ordination and route planning systems;

- the in house cemeteries system which had been sold externally to a commercial operator of crematoria;
- interfaces of external partners' systems; and
- the continued development of the Halton CRM and Web based systems.

RESOLVED: That the Board supports the ongoing efforts of the department within the key project areas.

(N.B. Councillor M. Lloyd Jones declared a disclosable other interest in the following item of business as she was a Governor at Beechwood Primary Schools)

CS31 PROPERTY SERVICES UPDATE

The Board considered a report that provided Members with an update on initiatives and actions delivered by the following teams within Property Services during the past 12 months and included those that would be prioritised over the next 12 months:

- Property Services – Asset Management;
- Property Operations;
- Facilities Management; and
- Technical Support & Markets Team.

The report also detailed current Market arrears and debt management and proposals for reviewing the Market opening/closing times, encroachment, new trader applications and request for new commodities. Arising from the discussion the following comments were noted:

- the new roof was now complete. As a result the heating and air conditioning system was now accessible therefore improvements to the system would be considered in the next financial year;
- it was hoped to get a consensus from the Market Traders on future opening and closing times;
- Market occupancy rates had improved over the past 12 months;
- further details would be provided to Members on the £1.9 m generated in capital receipts;
- a number of proposals were being considered for the Broseley House site;
- discussions were ongoing with Mersey Gateway regarding the handover of land near Wigg Island;
- Members discussed ways in how they would like to be involved in the decision making process and the role of the Corporate Policy and Performance Board.

RESOLVED: That Members note the content of the report and welcome the progress being made on a wide variety of Property related matters.

CS32 PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 3 OF 2018/19

The Board received a report from the Strategic Director, Enterprise, Community and Resources, which presented the Performance Monitoring Reports for Quarter 3 of 2018/19.

The reports related to the following functional areas which reported to the Board and detailed progress against service objectives and milestones, and performance targets and provided information relating to key developments and emerging issues that had arisen during the period:

- Finance;
- Human Resources and Organisational Development;
- ICT and Administrative Support;
- Legal and Democracy;
- Policy and Performance;
- Property Services; and
- Catering, Stadium and Registration Services.

The Board discussed Housing Policy and were advised that the responsibility for scrutiny was within the Environment Policy and Performance Board (PPB). Councillor Gilligan agreed to raise the issue discussed with the Chair of the Environment PPB. In addition, a Member commented that in respect of the percentage figures provided detailing Council Tax collected and Business rates received, it would be beneficial to include financial figures in future reports to support this information.

RESOLVED: That the third quarter performance monitoring reports be received and noted.

Meeting ended at 8.40 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 7 January 2019 at Civic Suite - Town Hall, Runcorn

Present: Councillors Nolan (Chair), Morley (Vice-Chair), Carlin, R. Hignett, V. Hill, J. Lowe, C. Plumpton Walsh, June Roberts, Thompson, Woolfall and Zygadlo

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, G. Henry and P. Peak

Also in attendance: Councillor Joe Roberts and 10 Members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

DEV21 MINUTES

The Minutes of the meeting held on 5 November 2019, having been circulated, were taken as read and signed as a correct record.

DEV22 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.

DEV23 - 18/00285/WST - PROPOSED CHANGE OF USE TO WASTE TRANSFER AND TREATMENT FACILITY, CONSTRUCTION OF WASTE TRANSFER BUILDING AND ANCILLARY DEVELOPMENT INCLUDING WEIGHBRIDGE, WELFARE FACILITIES, STORAGE BAYS AND FENCING AT FORMER J BRYAN (VICTORIA) LTD, PICKERINGS ROAD, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Action

Since the publication of the agenda Officers advised the Committee of the following updates:

- A further two letters of objection had been received raising concerns already addressed in the report;
- Safeguarding issues and suggested conditions had been discussed with Liverpool Airport, who were satisfied that the issues relating to bird hazard management and construction cranes could be adequately addressed by informative attached to any planning permission;
- With reference to objections made by Halebank Parish Council (HBPC), it was confirmed that the proposal was in accordance with Waste Policy WM5 as the site was within the vicinity of the area for search;
- The Council's retained adviser had confirmed that they considered that sufficient information had been provided to demonstrate compliance with the Waste Local Plan;
- Further to the claims made by HBPC that the proposals contradicted Waste Plan Policy S06; Members were referred to their comments and the Policy extract on page 17 of the report. It was noted that the proposals were considered consistent with the Policy and that the issues and impacts identified for consideration within the Policy were addressed in the report ;
- The Environmental Health Officer had confirmed that they raised no objections; and
- By way of clarification, the reference within the highways considerations to comparisons with the site being brought back into lawful use was an error, and the comparisons were made with a general industrial use; the results of these comparisons and advice of the Highways Officer were as stated within the report.

The Committee was addressed by Mr Bain, a Halebank resident since the 1960's, who spoke in objection to the application. He commented that Halebank was now thriving with successful industries and commercial facilities; however he stated that this application would not be good for Halebank. He argued that this type of industry would affect residents in the area and asked the Committee to consider the children and future of the area; referring to a quote from the World Health Organisation.

A further objector then addressed the Committee, Mr John Anderton, a Halebank Parish Councillor, who had been a resident in the area since birth. His objections relating to

noise, odour, pollution and traffic were addressed in the report. He argued that the application was not in an allocated site (referring to Policy WM1 of the Joint Waste Management Plan) and was not a site within an area of search; both of these matters were addressed in the report. He also commented that the site would be accessed through a residential area using heavy industrial vehicles which would impact on the residents. He advised the Committee that if a decision was made to approve the application the HBPC would challenge this.

Mr Bridgewood then addressed the Committee on behalf of the applicant and addressed the objectors' concerns relating to noise, odour and traffic. He stated that this site would be one of 350 sites all over the UK, which were run very effectively by the applicant.

Councillor Joe Roberts, a Ward Councillor for Ditton, then addressed the Committee in support of the objectors and also on behalf of his Ward colleagues. He raised concerns over the application as there were similar sites in Halton that had problems relating to odour, dust, noise, infestation due to food waste, and increased traffic. He stated that Hale Road was already polluted by traffic and this application would only add to the problems. He had concerns over the proximity of the site to a housing estate and that it would have a negative effect on future house building in the area. He urged the Committee to refuse the application.

Members discussed the application and requested clarification of the objectors' comments with regards to noise and odour; increased traffic into the area; suitability of the site in Ditton and how the figure of 85,000 tonnes was derived.

As stated in the report it was noted that the application had been determined in accordance with the Halton Unitary Development Plan, Halton Core Strategy Local Plan and the Joint Waste Local Plan (JWLP). Officers advised that Policy WM5 within the JWLP addressed areas of search, (which included areas within the vicinity of the industrial areas of Ditton). In relation to noise and odour, it was reported that the Environmental Health Advisor had stated this would be minimal so raised no objections. Officers advised that the tonnage of 85,000 was not large in comparison with larger sites, so this amount was consistent with a smaller sized operation as this was, so was considered acceptable.

In response to traffic and highway concerns, the Highways Officer explained the breakdown of movements of vehicles resulting from the 85,000 tonnes and advised that the increase in traffic on Hale Road would not be significant enough to have an impact, so they raised no objections to the application.

Members requested the advice of the Council's Legal Advisor in relation to potential legal challenges made by HBPC should the application be approved; and made by the applicant should the application be refused. He advised that a judicial review in the instance of a challenge made by HBPC made on the ground put forward that evening (namely, that Policy WM5 of the JLWMP did not apply because the application site was not in the vicinity of an area of search and that it was an unallocated site) was unlikely to be successful. If the Council was to refuse the application on the basis of the issues discussed during the debate, a public inquiry would most certainly go in favour of the applicant – no evidence having been put forward to dispute the technical evidence included within the agenda.

After taking into consideration the application before them including updates and after hearing the speakers' objections and comments and responses provided, the Committee voted on the application which was approved by majority, subject to the conditions listed below.

RESOLVED: That the application be approved subject to conditions relating to the following:

1. Standard 3 year timescale for commencement of development;
2. Specifying approved and amended plans;
3. Requiring submission and agreement of a Construction Environmental Management Plan to include wheel wash and construction hours;
4. Materials condition(s), requiring submission and agreement of building external finishing materials (BE2);
5. Condition requiring submission and agreement of details of weighbridge office;
6. Boundary treatment condition(s) requiring replacement entrance gates/fencing to be colour coated with colour to be agreed (BE2);
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/commencement of use (BE1);
8. Grampian style condition relating to off-site highway works to facilitate parking provision (TP12);

9. Requiring submission and agreement of cycle parking details (TP6);
10. Condition restricting waste throughput to 85,000 tonnes per annum;
11. Condition restricting waste types accepted/processed;
12. Condition restricting hours of waste delivery, processing and export;
13. Condition(s) restricting external storage locations, height and processing;
14. Condition(s) requiring waste to be delivered/exported in sealed/covered wagons (BE1);
15. Condition relating to contamination/requiring development be carried out in accordance with the approved plan for unexpected contamination (PR14/15);
16. Conditions relating to/requiring submission and agreement of detailed surface water / highway drainage scheme including attenuation / interceptors (BE1/PR5); and
17. Submission and agreement of Site Waste Management Plan (WM8).

DEV24 MISCELLANEOUS ITEMS

The following Appeals had been received / were in progress:

- 18/00282/FUL** Proposed new boundary wall to front and side at 112 Lunts Heath Road, Widnes, Cheshire, WA8 5BA.
- 18/00363/OUT** 18/00363/OUT Application for outline planning permission with appearance, landscaping and scale reserved for single two storey dwelling in side garden area at 3 Nickleford Hall Drive Widnes.

The following Appeals had been determined:

- 18/00005/REFUSE** 18/00001/FUL Proposed single storey rear extension with rear /side facing balcony over at 6 Walsingham Drive Runcorn.

Appeal Dismissed

18/00008/REFUSE 18/00282/FUL Proposed new boundary wall to front and side at 112 Lunts Heath Road Widnes.

Appeal Dismissed

17/00548/FUL Proposed demolition of existing stables building and construction of 1 no. single storey detached dwelling with access from Chester Road at land to the North of Junction between Keckwick Lane and Chester Road, Daresbury, Warrington, Cheshire.

Appeal allowed

The following Appeals had been withdrawn:

16/00495/OUTEIA Resubmission of outline planning application 15/00266/OUTEIA by application for Outline planning permission (with all matters other than access reserved) for mixed-use development comprising: up to 550 residential dwellings; up to 15,000 sq m of employment floorspace (Use Class B1); new local centre of up to 3,000 sq m (Use Classes A1 - A5 and D1 - dual use); provision of infrastructure including a new junction on to A558 Daresbury Expressway and details of access at Land Adjacent To Delph Lane.

17/00406/FULEIA Resubmission of application 14/00539/FULEIA for the erection of 295 residential dwellings with associated landscaping and site infrastructure, construction of a new road junction onto Daresbury Expressway (A558), installation of a signalised junction to Delph Lane, provision of public open space and play facilities and associated works on Land adjacent to Delph Lane.

17/00407/OUTEIA Resubmission of application 13/00206/OUTEIA hybrid planning application for up to 300 residential dwellings comprising: full planning

application for 122 residential dwellings (mix of 2, 3 and 4 bedroom houses), new spine road, turning head to the east of Delph Lane canal bridge, new junction between the proposed spine road and the A56, pedestrian/cycle routes and associated works (Phase A); and outline planning application for up to 178 residential dwellings (all matters are reserved) (Phase B) at land adjacent to Delph Lane West.

The following Applications had been withdrawn:

- 16/00347/S73** Application under Section 73 of the Town and Country Planning Act to vary Condition 1 of permission 15/00286/FUL to amend the house design in respect of Plot 1 by the inclusion of a new drawing RG-PL-001.1 on land between the Old Post Office and Rock Garth, Chester Road, Daresbury, Warrington, Cheshire.
- 17/00606/FUL** Proposed erection of substation at Fresenius Kabi, Cestrian Court, Eastgate Way, Runcorn, Cheshire, WA7 1NT.
- 18/00482/S73** Application under Section 73 of the Town and Country Planning Act to vary condition 2 of permission 15/00430/FUL substituting approved plans BHNW/028-01G, 028-11F and 028-13B for 028-O1L, 028-11F and 028-13F to amend the layout at The Former Marley Eternit Site, Derby Road, Widnes, Cheshire, WA8 9NQ.
- 18/00495/FUL** Proposed extension to side, replacement of roof with higher roof to incorporate bedroom with Juliette balcony to rear elevation at 33 Swynnerton Way, Widnes, Cheshire, WA8 9RX.
- 18/00497/PDE** Proposed single storey rear extension projecting from the rear wall by 3.8 metres the extension has a maximum height of 2.9 metres and an eaves

height of 2.1 metres at 19 Catford Close, Widnes, Cheshire, WA8 4GG.

New Listed Building

Council had been notified that Pius X Church had been listed at Grade II. The reasons for designation are set out below.

Reasons for Designation

The former Roman Catholic Church of St Pius X, including the attached campanile, is listed at Grade II for the following principal reasons:

Architectural interest:

- * it is an architecturally bold example of a relatively small-scale mid-C20 Roman Catholic Church;
- * the Church and campanile have a well-executed overall design, to create a successful stripped-back and free interpretation of a traditional architectural style;
- * internally the main worship space demonstrates an impressive simplicity and is unified through the dramatic full-height pointed arches to the nave which are echoed in the side windows, niches for the altars and the entrances to the confessionals.

Historic interest:

- * FA Kelly was part of Jones and Kelly, a prominent Irish architectural firm responsible for several ecclesiastical buildings in the C20; this Church is one the few identified examples of the firm's work in England.

DEV25 ENVIRONMENTAL FUND MANAGEMENT MINUTES

The minutes from the Environmental Fund Management Board's meeting held on 25 July 2018 were submitted to the Committee for information.

RESOLVED: That the minutes be noted.

Meeting ended at 7.17 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 4 February 2019 at Civic Suite - Town Hall, Runcorn

Present: Councillors Nolan (Chair), Morley (Vice-Chair), Carlin, R. Hignett, J. Lowe, C. Plumpton Walsh, June Roberts, Thompson, Woolfall and Zygodllo

Apologies for Absence: Councillor V. Hill

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Plant, J. Eaton, G. Henry, J. Farmer and I. Mason

Also in attendance: 28 Members of the public, one member of the press and Councillors Rowe and G. Stockton

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

| | <i>Action</i> |
|---|---------------|
| DEV26 MINUTES | |
| The Minutes of the meeting held on 7 January 2019 having been circulated, were taken as read and signed as a correct record. | |
| DEV27 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE | |
| The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below. | |
| <i>To avoid any allegations of bias, Councillors Woolfall and R. Hignett did not participate in any debate or vote on the following item as they are Members of the Environmental Fund Management Board.</i> | |
| DEV28 - 18/00417/S73 - APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO AMEND CONDITION 1 OF THE PLANNING INSPECTORATE DECISION DATED 5/3/14 (APP/D0650/A/13/220120) WHICH RESTRICTS THE | |

AMOUNT OF FUEL DELIVERD BY ROAD TO 480,000 TONNES IN ANY 12 MONTH PERIOD TO READ AS FOLLOWS: THE TOTAL NUMBER OF HGV'S ASSOCIATED WITH THE OPERATION OF THE PERMITTED ENERGY RECOVERY FACILITY (WASTE IMPORTATION AND THE EXPORTATION OF INCINERATOR BOTTOM ASH AIR POLLUTION CONTROL RESIDUES) SHALL NOT EXCEED 1930 MOVEMENTS (965 IN AND 965 OUT) IN ANY CALENDAR WEEK AND SHALL NOT EXCEED A MAXIMUM OF 386 MOVEMENTS (193 IN AND 193 OUT) IN ANY SINGLE DAY - AT RUNCORN ENERGY FROM WASTE FACILITY, BARLOW WAY, OFF PICOW FARM ROAD, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

As part of the Officer's presentation of the application Members were advised that following the publication of the agenda an additional twelve representations had been received. As set out in the published update list, a number of these related to the Development Control Committee speaking procedure, to which clarification was provided prior to the meeting. It was noted that details of all further representations received had been provided to Members via email together with the Officers' responses.

The Committee was addressed by Mr Butler, a local resident who objected to the application on behalf of himself and nearby residents. He questioned *inter alia* the validity of the transport assessment, the air quality monitor on Picow Farm Road being fit for purpose and whether the national Planning Policy Framework (NPPF) requirements had been met by the applicant. He also referred to persistent complaints being made from residents regarding the amount of odour and steam being emitted from the plant.

Mr Chris Herbert then addressed the Committee on behalf of the applicant. He explained *inter alia* that the application had been made to make more efficient use of the plant. He commented that the plant had capacity to increase its intake of refuse and therefore divert more waste from landfill and increase with a beneficial impact on carbon emissions. He stated that the number of vehicles would not be increased beyond the numbers previously assessed and stated that the number of vehicles could not be increased further without the permission of the Council.

Finally the Committee was addressed by Councillor

Chris Rowe, Ward Councillor for The Heath, who spoke on behalf of residents objecting to the application. He outlined to Members the many reasons for the objections to the application made by local residents and tabled several diaries kept by them with regards to the alleged nuisances experienced from the site over the years. Councillor Rowe made a wide ranging number of comments including *inter alia* the significant amount of capacity for Energy from Waste facilities already available and that Halton would become a dumping ground for the rest of the country; the type of fuel processed at the plant; and the removal of conditions put in place by the Secretary of State to protect residents. He argued that the application should be refused or at least deferred pending a decision from the Public Health Ombudsman on their current investigations.

Officers provided responses to clarify the points made by speakers in relation to the tonnage, traffic assessment, air quality and type of fuel and explained the implications of the application being made under Section 73 of the Town and Country Planning Act 1990.

Members then debated the application and considered a wide range of matters. They also took advice from the Council’s Legal Advisor in respect of the potential outcome of an appeal, should the application be refused. It was noted that technically there were no grounds to turn the application down.

After consideration of the report, speakers’ comments, updates and advice provided by Officers, the Committee agreed that the application be approved, subject to the conditions stated below.

RESOLVED: That the application be approved subject to the conditions set out below.

1. Condition Number 1 – Operational Noise

The specific noise generated by the normal commercial operation of the development shall not exceed the levels provided in the table below, when measured in accordance with BS4142 (2014), as calculated at a height of 1.5 metres and at a distance of 1 metre from the façade of the residential premises below.

| Time | LAeq,T(dB) |
|------|------------|
|------|------------|

| Period (T) | Clarks Terrace | Sandy Lane (west of Picow Farm Road) (and receptors to the South) | Sandy Lane (east of Picow Farm Road) (and receptors to the South) | Russel Road (and receptors to the east) |
|--------------------|----------------|--|--|--|
| 0700 to 2300 hours | 55 | 54 | 65 | 67 |
| 2300 to 0700 hours | 52 | 50 | 50 | 53 |

Reason – To ensure the proper control of noise during the operation of the development.

2. Condition Number 2 – Operational Noise

Except in an emergency, the applicant shall give at least 2 working days written notice to the Council of any proposed operation of emergency pressure valves or similar equipment and steam purging.

Any such operation shall not take place on any Saturday, Sunday or Bank Holiday or any other day except between the following hours:

Monday to Friday – 0900 – 1700 hours.

Reason – To ensure the proper control of noise during the operation of the Development and to give advance warning of the timing of exceptionally noisy events.

3. Condition Number 3 – Storage

No waste, fuel materials and / or containers stored, stacked externally on the site shall exceed a height of 10 metres.

Reason – To ensure environmental protection and safe working.

4. Condition Number 4 – Storage

Waste or fuel materials brought to the site for use in the operations of the development shall be under cover at all times.

Reason – To ensure environmental protection and safe working.

5. Condition Number 5 – HGV Movements

The total number of HGV's associated with the operation of the permitted energy recovery facility (waste importation and the exportation of incinerator bottom ash and air pollution control residues) shall not exceed 1930 movements (965 in and 965 out) in any calendar week and shall not exceed a maximum of 386 movements (193 in and 193 out) in any single day.

Reason – To minimise road traffic movements in the locality and ensure that the most sustainable modes of transportation are considered for the delivery of refuse derived fuel.

6. Condition Number 6 – Delivery of Refuse Derived Fuel

Where the transportation of refuse derived fuel to the site by rail occurs between 2300 and 0700 hours, noise levels shall not exceed the levels provided below, when measured in accordance with BS 7445 2003 at the boundary of the residential properties below.

| Time Period (T) | LAeq,6h(dB) | |
|--------------------|-----------------|---------------|
| | Picow Farm Road | Percival Lane |
| 2300 to 0700 hours | 55.2 | 51.2 |

Reason – To ensure the proper control of noise for the delivery of refuse derived fuel by rail.

7. Condition Number 7 – Materials, Waste and Residual Material following Incineration

Materials, waste and residual material following incineration shall be handled under cover at all times.

Reason – To prevent the release of ash and other residual material to the environment.

8. Condition Number 8 – Materials, Waste and Residual Material following Incineration

Air Pollution Control Residue (APCr) shall be transported from the site in sealed vessels and bottom ash shall be transported from the site under cover.

Reason – To prevent the release of ash and other

residual material to the environment.

9. Condition Number 9 – Cessation of works and restoration of the site

Within 12 months of the site ceasing to be used for the purposes of electricity generation, the applicant shall submit a scheme for the demolition and removal of the development from the site to the Council as Local Planning Authority for approval.

The scheme shall include:

- Details of all structures and buildings which are to be demolished;
- Details of the means of removal of materials resulting from the demolition;
- The phasing of the demolition and removal;
- Details of the restoration works; and
- The phasing of the restoration works.

The demolition and removal of the development and subsequent restoration of the site shall thereafter be implemented in accordance with the approved scheme.

Reason – To ensure the site is not allowed to become derelict after the cessation of electricity generation.

DEV29 MISCELLANEOUS ITEMS

The following Appeals had been received / were in progress:

Enforcement Notice

Without planning permission, the change of use of an incidental residential annex to 256 Birchfield Road, Widnes, to a separate dwelling.

18/00363/OUT

Application for outline planning permission with appearance, landscaping and scale reserved for single two storey dwelling in side garden area a 3 Nickleford Hall Drive, Widnes.

The following Appeals had been determined:

18/00282/FUL

Proposed new boundary wall to front and side at 112 Lunts Heath Road, Widnes, Cheshire, WA8 5BA.

Appeal dismissed.

18/00001/FUL

Proposed single storey rear extension with rear/side facing balcony at 6 Walsingham Drive, Runcorn.

Appeal dismissed.

17/00548/FUL

Proposed demolition of existing stables building and construction of 1 no single storey detached dwelling with access from Chester Road at land to the North of junction between Keckwick Lane and Chester Road, Daresbury, Cheshire.

Appeal allowed.

Judicial review of the following decision had commenced:

18/00289/FUL

Proposed erection of dwelling with access from Moss Lane, within the rear garden of Ivy cottage, 106 Runcorn Road, Moore, Cheshire.

Meeting ended at 7.38 p.m.

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REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 28 November 2018 in the Council Chamber - Town Hall, Runcorn

Present: Councillors Wallace (Chair), Abbott (Vice-Chair), Fry, K. Loftus, A. McInerney, Nelson, Wainwright and Wall

Apologies for Absence: Councillors P. Hignett, McDermott and G. Stockton

Absence declared on Council business: None

Officers present: K. Cleary, J. Tully, N. Wheeler and S.Thornett

Also in attendance: 20 members of the public.

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

| | <i>Action</i> |
|--|---------------|
| REG14 MINUTES | |
| <p>The Minutes of the meeting held on 3rd October 2018 having been circulated were signed as a correct record.</p> | |
| REG15 RESTRICTION OF HACKNEY CARRIAGE VEHICLE NUMBERS IN THE BOROUGH | |
| <p>The Committee were requested to consider issuing additional hackney carriage vehicle licenses in addition to the current limits.</p> <p>Applications were received from John Roberts, Lee Barks and Darren Dickson. Mr Roberts requested 14 plates (reduced to 13) and Mr Barks and Mr Dickson made single applications.</p> <p>Mr Roberts was represented at the Committee meeting by Mr Angus Gloag Counsel Kings View Chambers. Mr Barks and Mr Dickson were not represented.</p> <p>At the beginning of the hearing the Chair introduced the members of the Committee and the officers present, and asked the applicants to introduce themselves.</p> | |

Mr Tully outlined the procedure which would be followed at the hearing and Mr Wheeler summarised the details set out in the agenda. He also reminded those present that the report was produced whilst having regard to the following documents:

- Department of Transport Circulars 3/85 and 4/87
- Department for Transport Best Practice Guidance 2006 with March 2010 revision
- The Competition and Marketing Authority statement issued in April 2017

Mr Barks had prepared a written statement which was read out to Members. This made the following points:

1. The Council was legally bound to undertake an unmet demand survey every three to five years.
2. The Council had not done this.
3. The population had risen since 1985.
4. The Council had refused applications for hackney carriage licences in 2017 and 2018.
5. New companies such as Delta and Abba operating in the Borough demonstrated unmet demand.
6. District Taxis were taking many wheelchair user bookings every week.
7. There were only 21 (or 19) fully wheelchair accessible vehicles licensed in Halton.
8. Sure Start had repeatedly informed the Council about the massive shortages of fully wheelchair accessible vehicles.
9. The world has changed over 30 years and we now have an aging population.

Mr Gloag presented his case on behalf of his client Mr Roberts and made the following points:

1. He disagreed with paragraphs 2.4, 4.5, 6.1 and 6.2 of the printed agenda.
2. He commented on the allegedly non-existing policy limiting the number of hackney carriages.
3. There was no audit trail for the last unmet demand survey.
4. He went through the text of section 16 Transport Act 1985 and stated that the only way that the applications could be removed was if the Committee were satisfied that there was no unmet demand.
5. He did not agree with paragraphs 1 and 2 of Appendix A of the printed agenda as referred to at paragraphs 2.6.2 of the agenda.

6. Taking up the point made by Mr Barks about Sure Start he referred to an email of 1 June 2017.
7. He claimed that paragraphs 2.1, 2.2 and 2.6.3 of the agenda were deliberately foggy and that Appendix A paragraph 5 was a vague summary.

Mr Roberts claimed in the last 2 years he had 2000 calls per week from people who cannot get a wheelchair vehicle. He had 75 vehicles of which 36 are fully wheelchair accessible.

Mr Dickson was asked if he wished to address the Committee and he said he agreed with Mr Roberts that there is a lack of wheelchair accessible vehicles in Halton. He also confirmed that the statement read out by Mr Barks should be taken as a joint statement on behalf of Mr Barks and Mr Dickson.

The Committee asked a number of questions throughout the hearing. Mr Wheeler was asked about the email from Sure Start. He could not remember specifically this email and had been given no notice of it.

Mr Tully confirmed that the legal advice was that there was no legal obligation to carry out an unmet demand survey notwithstanding the circular advice to do this. The original policy of limiting the number of hackney carriages could no longer be challenged and the last unmet demand survey was presumably destroyed many years ago. Its findings were no longer relevant since the test in section 16 of the Transport Act 1985 had to be applied as at the date of the hearing.

Mr Gloag summed up their representations following which the Committee retired to consider the applications. At the conclusion of the Committee's considerations the parties re-assembled and the Chairman directed Mr Tully to read out the decision of the Committee.

RESOLVED: That

1. For the reasons set out in the report as amplified during the hearing the Committee was satisfied that there was no significant demand for the services of hackney carriages in the Borough which is unmet.
2. Nothing put forward by the applicants justified a different conclusion; and
3. Consequently, the applications were refused.

Strategic Director
Enterprise,
Community and
Resources

REG16 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee 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 that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REG17 TAXI MATTER

Case No: 719

RESOLVED: A warning was issued and will be held on file for 2 years.

Strategic Director
Enterprise,
Community and
Resources

Meeting ended at 8.30 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 16 January 2019 in the Council Chamber - Town Hall, Runcorn

Present: Councillors Wallace (Chair), Abbott (Vice-Chair), Fry, P. Hignett, K. Loftus, McDermott, A. McInerney, Nelson, G. Stockton, Wainwright and Wall

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Cleary, J. Tully and N. Wheeler

Also in attendance: Three members of the public and one member of the press.

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

REG18 CREAMFIELDS EVENT 2018

Action

The Committee considered an information report from two of the responsible authorities on issues arising from the carrying out of the Creamfields Event in August 2018. The reports were from Cheshire Constabulary and the Council's Environmental Health section.

Members were advised that the purpose of the report was to present the facts from the viewpoint of these responsible authorities who have now dealt with a number of events.

It was previously agreed by the Chairman of the Committee that neither the Police nor Environmental Health would need to attend the meeting.

RESOLVED: That the report be noted.

Although not having an interest in the following item, in order to avoid any allegation of bias, Cllr S Nelson took no part in the debate or the decision and left the Chamber.

REG19 TAXI LICENSING MATTER

Michael Pile who is the holder of the Private Hire Operator Licence for Airport Transfer Widnes attended the Committee to request that one of the pre-conditions for a Single Status Drivers Licence namely the requirement for the 'Local Area' section of the Taxi Knowledge Test (Section 1) would not apply to their drivers.

Mr Pile advised the Committee that the type of business they were undertaking was airport transfers type of work only and that the drivers of his vehicles would never be just a 'taxi driver'.

All work would be booked well in advance rather than the immediate response work associated with ordinary private hire work.

It was considered that Section 1 of the Taxi Knowledge Test (Local Area) was necessary for all standard taxi work.

RESOLVED: That

- (1) the request be granted in that drivers employed by Airport Transfers Widnes would not be required to undertake Part 1 of the Taxi Knowledge Test (Local area); and
- (2) in future any similar applications be approved in principle and be determined by the Licensing Manager.

Strategic Director
Enterprise,
Community and
Resources

REG20 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee 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 that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REG21 TAXI LICENSING MATTER

Case: No 720

RESOLVED: That the Single Status Drivers Licence be granted subject to the application process being completed.

Strategic Director
Enterprise,
Community and
Resources

Meeting ended at 7.35 p.m.

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STANDARDS COMMITTEE

At a meeting of the Standards Committee Wednesday, 6 February 2019 Boardroom - Municipal Building, Widnes

Present: Councillors P. Lloyd Jones (Chair), M. Bradshaw, Howard, J. Lowe, Sinnott, Wainwright, Wharton, Zygadlo, Mr A. Luxton (Independent Co-optee) and Reverend D. Felix (Parish Council Co-optee), Professor D. Norman (Independent Person) and Mr R. Radley (Independent Person)

Apologies for Absence: Councillor McDermott and Mrs D. Howard (Independent Person)

Absence declared on Council business: None

Officers present: M. Reaney and A. Scott

Also in attendance: One member of the press

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

| | <i>Action</i> |
|--|---------------|
| STC1 MINUTES | |
| <p>The minutes of the meeting held on 7 February 2018, having been circulated, were signed as a correct record.</p> | |
| STC2 RESIGNATION OF INDEPENDENT CO-OPTEE | |
| <p>The Operational Director, Legal and Democratic Services/Monitoring Officer reported that he had received a letter of resignation from Mrs Anita Morris, Independent Co-optee.</p> <p>Mrs Morris had served on the Committee for a number of years, but had been unable to attend recent meetings due to conflicting demands. The Committee understood the situation and reluctantly accepted her resignation. The Chair expressed his thanks for her contribution to the work of the Committee.</p> <p>RESOLVED: That the resignation of Mrs Morris, Independent Co-optee, be accepted.</p> | |
| STC3 STANDARDS COMMITTEE ANNUAL REPORT | |
| <p>The Committee considered a report of the</p> | |

Operational Director, Legal and Democratic Services/Monitoring Officer, which summarised the work of the Committee in the last Municipal Year.

At the meeting in February 2018, Members had considered the Annual Report, which summarised the work of the Committee. There had been an update on issues that had arisen in other parts of the country, which provided an insight into the nature of matters raised and how they were dealt with elsewhere.

A verbal update was given on local matters which had been considered since the previous meeting.

RESOLVED: That the report be noted and referred to Council for information.

Operational
Director, Legal
and Democratic
Services/Monitoring
Officer

STC4 STANDARDS COMMITTEE UPDATE REPORT

The Operational Director, Legal and Democratic Services/Monitoring Officer provided the Committee with an update on issues which had arisen in other parts of the country, which provided an insight into the kind of issues faced and the manner in which they had been proceeded.

Details on recent cases were given from a range of locations which included the following:-

- Rochdale;
- Stoke on Trent;
- Wigan;
- Devon;
- Northamptonshire;
- East Riding;
- Leicestershire;
- Sheffield;
- Coventry; and
- Staffordshire.

A verbal update was given on three local matters that had been considered since the last meeting. It was reported that one of the Committees' Independent Persons had been consulted on one of the cases.

RESOLVED: That the report and verbal update be noted.

STC5 COMMITTEE ON STANDARDS IN PUBLIC LIFE

The Operational Director, Legal and Democratic Services/Monitoring Officer provided the Committee with a verbal update on the publication of a report into local government standards, by the Committee on Standards in Public Life.

It was reported that the independent Committee on Standards in Public Life advised the Prime Minister on ethical standards across the whole of public life in the UK. Their report and recommendations on ethical standards in local government, followed a year-long review and wide consultation, was published on 30 January 2019. Key recommendations included:-

- A new power for local authorities to suspend Councillors without allowances for up to six months;
- Revised rules on declaring interests, gifts and hospitality;
- Local authorities to retain ownership of their own Codes of Conduct;
- A right of appeal for suspended Councillors to the Local Government Ombudsman;
- A strengthened role for the Independent Person; and
- Greater transparency about the number and nature of Code complaints.

The review covered all 353 principal authorities in England, and its remit was to review the effectiveness of the current arrangements for standards in local government, particularly in light of the changes made by the Localism Act 2011.

It was agreed that a link to the publication would be sent to all members of the Committee as well as to all Borough Councillors.

RESOLVED: That the verbal report be noted.

Meeting ended at 2.38 p.m.

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