

Minutes & Reports

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

Wednesday, 22 April 2009

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COUNCIL

At a meeting of the Council on Wednesday, 11 February 2009 in the Council Chamber, Runcorn Town Hall

Present: Councillors Loftus (Chairman), Austin, Balmer, M. Bradshaw, Browne, P. Blackmore, J. Bradshaw, Bryant, D. Cargill, E. Cargill, Dennett, Drakeley, Fraser, Gerrard, Gilligan, Harris, Hignett, Hodgkinson, Horabin, Howard, D. Inch, Jones, Lloyd Jones, A. Lowe, J. Lowe, McDermott, McInerney, Morley, Murray, Nelson, Nolan, Norddahl, Osborne, Parker, Philbin, Polhill, Redhead, Rowan, Rowe, Shepherd, Stockton, Swain, Swift, Thompson, Wallace, Wharton, Worrall and Wright

Apologies for Absence: Councillors S. Blackmore, Edge, Higginson, Leadbetter, E. Ratcliffe, M. Ratcliffe and Wainwright

Absence declared on Council business: None

Officers present: L. Cairns, M. Reaney, C. Halpin, D. Johnson, I. Leivesley, G. Meehan, D. Parr, M. Simpson, D. Tregaea and J. Whittaker

Also in attendance: 2 members of public.

Action

COU66 COUNCIL MINUTES

The minutes of the Council meeting held on 17th December 2008, having been printed and circulated, were taken as read and signed as a correct record, subject to one amendment that it be recorded that there was one additional member of the public present at the previous Council meeting.

COU67 THE MAYOR'S ANNOUNCEMENTS

It was reported that there were no Mayor's announcements.

COU68 LEADER'S REPORT

The Leader reported on the following issues:-

- The current economic climate was having an effect on the Borough in that three plants at Ineos Chlor had closed down. However, local authorities had always

performed at the time of crisis and £1.5m of Working Neighbourhood Funds had been provided in order to produce 100 apprenticeships which would have a positive impact on the Borough when the economy came out of the recession;

- Reference was made to a leaflet claiming that there were intentions to toll the Silver Jubilee Bridge regardless of whether the Mersey Gateway was built. The Leader confirmed that this was not the case.
- 3MG was progressing positively despite the economic downturn, which was a sign of a commitment to the future;
- Riverside College had recently published an Ofsted report, which had caused concerns. It was noted that the relevant agencies were currently working to address the issues. Members were referred to Minute EXB79 which noted that Halton Borough Council would discharge its future statutory responsibilities for planning and commissioning for 16 to 18 years in April 2010, for learning. This was part of the transfer of responsibilities from the Learning and Skills Council;
- There had been suggestions for a direct election for two Police Authorities. It was noted that this idea had now been dropped by the Government and a review had been taken with the outcome that people elected councillors, not for specific expertise but as people they trust and know in order to look after their interests including political ones; and
- As from April 2009 Cheshire County Council would be disbanded to form two new local authorities named Cheshire West and Cheshire East. The two new unitaries and Warrington were setting up a successor association and Halton would remain associate members of it.

COU69 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board from meetings held on 4th December, 18th December 2008 and 15th January 2009.

RESOLVED: That the minutes be received.

COU70 MINUTES OF THE EXECUTIVE BOARD SUB-COMMITTEE

The Council considered the minutes of the Executive Board Sub-Committee from meetings held on 4th December, 18th December, 23rd December 2008 and 15th January 2009.

RESOLVED: That the minutes be received.

COU71 QUESTIONS ASKED UNDER STANDING ORDER NO. 8

Councillor Inch asked the following question in accordance with Standing Order No. 8:

“Has there been a formal resolution of either the Executive Board of the Council, authorising the Council Leader to sign up to the Liverpool City Region Multi Area Agreement? If so when?”

In response it was advised that the MAA established an arrangement for joint working to deliver better outcomes for Halton and the City Region and economies of scale delivering better value for money. It did not cede any powers from Halton. It is not a formal contract, does not bear the signature of the Council’s Solicitor or the Council’s Seal and as such did not require specific authorisation before its completion.

(NB:The following declared personal interest in the following item due to being school Governors in the Borough: Browne, E Cargill, D Cargill, Dennett, Gerrard, Hignett, Hodgkinson, Horabin, Jones, Lloyd Jones, Loftus, A Lowe, J. Lowe, McInerney, Nelson, Norddahl, Philhin, Rowan, Stockton, Swain, Thompson, Wallace and Wright)

(Councillor Wharton declared a personal interest in the following item as his son attends Fairfield High School.)

COU72 CAPITAL PROGRAMME - 2009/2010 - EXECUTIVE BOARD 29TH JANUARY 2009 - KEY DECISION

The Executive Board had considered a report of the Strategic Director – Children and Young People which provided a summary of the funding available for the Schools Capital Programme 2009/10. In addition, the report outlined the Access Initiative Funding for 2009/10, the Early Years Children’s Centre Capital and Childcare Capital 2009/10, Playbuilder Capital, Primary Capital, Diploma Exemplar Funding and Youth Capital Fund and Youth Capital Fund

Plus.

RESOLVED: That the Capital Funding allocation detailed in paragraph 3.1 of the report for 2009/10 be approved.

COU73 CALENDAR OF MEETINGS 2009-2010 - EXECUTIVE BOARD 29TH JANUARY 2009

Members considered the calendar of meetings for 2009-2010. It was noted that on occasion Policy and Performance Board meetings did not align with performance monitoring reports. It was reported that as there were 5 PPB's a year it was difficult to accommodate this, however Members were advised that the information was made available immediately and discussions could be held at any time with the discretion of the Chair by way of Special meetings.

RESOLVED: That the Calendar of Meetings for the 2009-2010 Municipal Year, attached in Appendix 1 to the report, be approved.

COU74 MERSEY GATEWAY: FUNDING FOR ADVANCED LAND ACQUISITION - MERSEY GATEWAY EXECUTIVE BOARD 29TH JANUARY 2009

The Mersey Gateway Executive Board had considered a report of the Strategic Director – Environment which provided an update of the information reported to the Mersey Gateway Executive Board on 15th November 2007 in relation to funding required to support the acquisition of land, including the interests of tenants and freeholders prior to receiving Government Grant.

It was advised that there was a funding gap and options to manage this for land acquisition had been assessed in some detail.

In relation to where funds would come from to cover the costs, a number of avenues were being explored. It was reported that a number of factors depended on the date and outcome of the planning inquiry which was to be announced in the near future.

The Council was advised that it was a good time to invest in land and borrowing money in terms of interest rates etc.

RESOLVED: That the Capital Programme be amended as outlined in the report.

COU75 LOCAL CODE OF CORPORATE GOVERNANCE

The Council considered a report of the Strategic Director – Corporate and Policy. It was noted that CIPFA and SOLACE (the Society of Local Authority Chief Executives and Senior Managers) had published an updated governance framework for local authorities – “Delivering Good Governance in Local Government”. This draft Local Code of Corporate Governance had been developed in response to that publication.

In relation to page 42 paragraph 4.2 Members discussed the function of effective scrutiny arrangements.

RESOLVED: That the draft Local Code of Corporate Governance be approved and included in the Constitution.

COU76 PROCEDURE FOR APPROVING LOCAL AREA AGREEMENTS

The Council received a report of the Strategic Director – Corporate and Policy in which it was advised that the current Local Area Agreement (LAA) was approved in June 2008 covering the period April 2008 to March 2011. It was noted it would be reviewed and refreshed annually. It was advised that the LAA draft version went to all Boards and Members for scrutiny before it was submitted.

RESOLVED: That

(1) the approval of Local Area Agreements for Halton be delegated to the Executive Board; and

(2) the Constitution be amended accordingly.

COU77 MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

The Council considered the reports on the work of the following Boards in the period since the meeting of the Council on 17th December 2008:-

Children and Young People
Employment, Learning and Skills

Healthy Halton
Safer Halton
Urban Renewal
Corporate Services
Business Efficiency Board

In receiving the minutes the Chair of the Children and Young People Policy and Performance Board brought to attention the good work of the Joint Working Oral Health Group, in terms of the good practice and scrutiny and it was noted that all children in the Borough had received free toothbrushes and toothpaste as a result.

COU78 COMMITTEE MINUTES

The Council considered the reports on the works of the following Committees in the period since the meeting of the Council on 17th December 2008:-

Development Control
Standards
Regulatory

COU79 MOTION SO6 - "PROVISION OF INFORMATION TO COUNCILLORS"

The following motion was moved and seconded by Redhead and Hodgkinson respectively:

"Elected Members should be informed of all important decision or events involving the Council no later than the time when the information is released to the press."

The Motion related to the signing of the Liverpool City Region Multi Area Agreement. The local press received a briefing on this event in time to meet their deadline the following Thursday. It was felt that if Members had been advised in advance of this it would have prepared them better to inform the public.

Council was advised that the Leader had not been involved in the signing of the agreement, if this had been the case all Members would have been informed in advance. It was reported that the Council did not have any control over the Daily Post and Echo in terms of what they publish.

After discussion, Council agreed move the proposed Motion.

RESOLVED: That the Motion be agreed.

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Meeting ended at 7.20 p.m.

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COUNCIL

At a meeting of the Council on Wednesday, 4 March 2009 in the Council Chamber, Runcorn Town Hall

Present: Councillors Loftus (Chairman), Austin, Balmer, M. Bradshaw, Browne, Shepherd, Hodgkinson, P. Blackmore, S. Blackmore, J. Bradshaw, Bryant, D. Cargill, E. Cargill, Dennett, Drakeley, Edge, Findon, Fraser, Gilligan, Harris, Higginson, Hignett, Horabin, Howard, D. Inch, Jones, Leadbetter, Lloyd Jones, A. Lowe, J. Lowe, McDermott, McInerney, Morley, Murray, Nolan, Norddahl, Osborne, Parker, Philbin, Polhill, E. Ratcliffe, Redhead, Rowe, Stockton, Swain, Swift, Thompson, Wainwright, Wallace, Wharton, Worrall and Wright

Apologies for Absence: Councillors Gerrard, Nelson, M. Ratcliffe and Rowan

Absence declared on Council business: None

Officers present: G. Cook, B. Dodd, D. Johnson, I. Leivesley, G. Meehan, D. Parr, M. Simpson, D. Tregoe and J. Whittaker

Also in attendance: 3 members of the public

Action

The Leader reported that the Council had secured £2.5million from the Big Lottery Fund to transform the former Kingsway Health Centre into a youth facility called "Buzz", and would be a fantastic facility for the young people of the Borough.

(NB The Councillors shown below declared personal interests in the following item of business due reasons described

*Bryant – wife being employed by Halton Borough Council;
Murray – wife being employed by Halton Borough Council;
Nolan – wife being employed by Halton Borough Council;
Howard – wife being employed by Halton Borough Council;
Osborne – wife being employed by Halton Borough Council;
Wright – daughter-in-law employed by Halton Borough Council;
Polhill – daughter being employed by Halton Borough Council; and
Hignett – due to being employed by Community Integrated Care.*

COU80 BUDGET, CAPITAL PROGRAMME AND COUNCIL TAX FOR 2009/10 - KEY DECISION

The Executive Board had considered a report setting out a

recommendation to Council in respect of the Budget, Capital Programme and Council Tax for 2009/10. Since then the Cheshire Police and Fire Authorities had set their budgets and council tax precepts and an updated report had been circulated for Members' attention providing information in respect of:

- medium term financial strategy;
- the Budget consultation;
- review of the 2008/09 Budget;
- the Budget 2009/10;
- the Budget outlook;
- the Local Government Financial Settlement;
- Halton's Council Tax;
- Parish Precepts;
- Average Council Tax;
- Police Precept;
- Fire Precept;
- Total Council Tax;
- Capital Programme;
- the Prudential Code; and
- School Budgets.

The Executive Board had recommended that Council adopt the resolution set out in Appendix A of the report, which included setting the budget at £105.467m and the Band D for Council Tax for Halton (before Parish, Police and Fire precepts) of £1,116.69.

The Corporate Services Portfolio Holder thanked Officers and Members for all their support in producing this budget.

The following motion was moved and seconded by Councillors Wharton and McDermott respectively:

That:

1. The policies outlined in this paper be adopted, including the Budget for 2009/10, the growth and savings set out in Appendix B, the Capital Programme set out in Appendix C, and Prudential Indicators set out in Appendix D.
2. That it be noted that at the meeting on 17th December 2008 the Council agreed the following:
 - (a) For 2009/10, in accordance with the Local Government Act 2003 and with regulations made under Section 33(5) of the Local Government Finance Act 1992, a Council Tax Base of 38,200 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its

Council Tax Base for the year, and

- (b) For the Parishes, the Council Tax base for each Parish for the year 2009/10 be set as follows:

Parish	Tax Base
Hale	729
Daresbury	141
Moore	345
Preston Brook	347
Halebank	569
Sandymoor	913

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which special items relate.

3. In accordance with the relevant provisions of the Local Government Finance Act 1992 (Sections 32 to 36), the following amounts be now calculated by the Council for the year 2009/10 and agreed as follows:
- (a) £309,420,856 – being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the said Act.
- (b) £204,260,250 – being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the said Act.
- (c) £105,160,606 – being the amount calculated by the Council for the year 2008/09 in accordance with Section 32(4) of the Local Government Finance Act 1992 as its budget requirement for the year.
- (d) £62,459,271 – being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates (£50,746,357) and Revenue Support Grant (£11,712,914).
- (e) £1,117.84 – being the amount at 3(c) above less the amount at 3(d) above all divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 33(1) of the Local Government Finance Act 1992, as the basic amount of its Council Tax for the year.
- (f) £43,776 – being the aggregate amount of all special items

referred to in Section 34(1) of the Local Government Finance Act 1992, each individual Parish precept being:

	£
Hale	15,412
Daresbury	3,000
Moore	4,200
Preston Brook	4,164
Halebank	7,000
Sandymoor	10,000

(g) £1,116.69 Local Government Finance Act 1992, as the basic amount of Council Tax for the year for dwellings in those parts of its area to which no special item relates.

(h) Part of the Council's Area

	£
Hale	1,137.83
Daresbury	1,137.97
Moore	1,128.86
Preston Brook	1,128.69
Halebank	1,128.99
Sandymoor	1,127.64

being the amounts given by adding to the amounts at 3(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Local Government Finance Act 1992, as the basic amounts of its Council Tax for the year for dwellings of its area to which one or more special items relate.

(i) Part of the Council's Area

Band	Hale	Daresbury	Moore	Preston Brook	Halebank	Sandymoor	All other Parts of the Council's Area
	£	£	£	£	£	£	£
A	758.55	758.65	752.57	752.46	752.66	751.76	744.46
B	884.98	885.09	878.01	877.87	878.11	877.06	868.54
C	1,011.40	1,011.53	1,003.43	1,003.28	1,003.54	1,002.34	992.61
D	1,137.83	1,137.97	1,128.86	1,128.69	1,128.99	1,127.64	1,116.69
E	1,390.68	1,390.85	1,379.71	1,379.51	1,379.87	1,378.22	1,364.84

F	1,643.54	1,643.74	1,630.58	1,630.33	1,630.77	1,628.82	1,613.00
G	1,896.38	1,896.62	1,881.43	1,881.15	1,881.65	1,879.40	1,861.15
H	2,275.66	2,275.94	2,257.72	2,257.38	2,257.98	2,255.28	2,233.38

being the amounts given by multiplying the amounts at 3(g) and 3(h) above by the number which, in the proportion set out in Section 5(1) of the Local Government Finance Act 1992, is applicable to dwellings listed in a particular band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Local Government Finance Act 1992, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. It was further noted that for the year 2009/10 the Police Authority have stated the following amounts in precepts issued to the Authority, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below:

	£
A	93.80
B	109.43
C	125.07
D	140.70
E	171.97
F	203.23
G	234.50
H	281.40

5. It was further noted that for the year 2009/10 the Fire Authority have stated the following amounts in precepts issued to the Authority, in accordance with the Local Government Act 2003 for each of the categories of dwellings shown below:

	£
A	43.02
B	50.19
C	57.36
D	64.53
E	78.87
F	93.21
G	107.55
H	129.06

6. That, having calculated the aggregate in each case of the

amounts at 3(i), 4 and 5 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2009/10 for each of the categories of dwellings shown below:

Band	Hale	Daresbury	Moore	Preston Brook	Halebank	Sandymoor	All other Parts of the Council's Area
	£	£	£	£	£	£	£
A	895.37	895.47	889.39	889.28	889.48	888.58	881.28
B	1,044.60	1,044.71	1,037.63	1,037.49	1,037.73	1,036.68	1,028.16
C	1,193.83	1,193.96	1,185.86	1,185.71	1,185.97	1,184.77	1,175.04
D	1,343.06	1,343.20	1,334.09	1,333.92	1,334.22	1,332.87	1,321.92
E	1,641.52	1,641.69	1,630.55	1,630.35	1,630.71	1,629.06	1,615.68
F	1,939.98	1,940.18	1,927.02	1,926.77	1,927.21	1,925.26	1,909.44
G	2,238.43	2,238.67	2,223.48	2,223.20	2,223.70	2,221.45	2,203.20
H	2,686.12	2,686.40	2,668.18	2,667.84	2,668.44	2,665.74	2,643.84

being satisfied that:

- (a) The total amount yielded by its Council Taxes for the said financial year will be sufficient, so far as is practicable, to provide for items mentioned at 3(a) to (d) above; and, to the extent that they are not, to be provided for by any other means.
 - (b) Those amounts which relate to a part only of its area will secure, so far as is practicable, that the precept or portion of a precept relating to such part will be provided for only by the amount yielded by such of its Council Taxes as relate to that part.
7. The Operational Director – Financial Services be authorised at any time during the financial year 2009/10 to borrow on behalf of the Council by way of gross bank overdraft such sums as he shall deem necessary for the purposes of this paragraph, but not such that in any event the said overdraft at any time exceeds £10m (£1.5m net) as the Council may temporarily require.

COU81 DEPARTMENTAL SERVICE PLANS 2009-2012 - KEY DECISION

The Executive Board had considered a report seeking to progress the adoption of the Council's Departmental Service Plans for 2009-2012 as a basis for action and performance monitoring. A copy of the Service

Plans had been circulated to Council Members in CD Rom format for information.

Councillor Hodgkinson asked the following question in relation to the service plans;

“Improving health is a major priority for Halton and Key Area of Focus No 5 in the Corporate Plan states that we are ‘actively managing the environmental factors detrimental to health.”

“This action is addressed in the Environmental and Regulatory Services Plan, but only contaminated land issues are mentioned. Air pollution which can cause lung and other diseases is not mentioned. Although visible air pollution has decreased significantly in recent decades, problems associated with industry and traffic remain.”

“How is Halton actively managing air pollution?”

In response it was advised that the Local Authority had been required to carry out an investigation regarding the potential effects from air pollution and DEFFRA had published the findings from this on their website.

It was noted that air quality objectives had been achieved and a more detailed assessment was underway in the area of Widnes Town Centre. It was also reported that emission monitoring was the responsibility of the specific plant operators.

RESOLVED: That

- (1) this set of advanced draft Service Plans be received; and
- (2) the decision of the Executive Board to delegate to the Chief Executive, in consultation with the Leader, authority to make any final amendments and adjustments that may be required, and to approve the final service plans, be supported.

Meeting ended at 7.05 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 29 January 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Nelson, Polhill, Swain, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: L. Cairns, G. Cook, B. Dodd, D. Johnson, I. Leivesley, A. McIntyre, G. Meehan, D. Parr, M. Reaney and D. Tregear

Also in attendance: None

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

EXB95 MINUTES

Action

The Minutes of the meeting held on 15th January 2009 were taken as read and signed as correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

(NB The Councillors below declared personal interests in the following item of business for the reasons shown:

Councillor Gerrard – governor of Simms Cross Primary and Ditton Nursery Schools

Councillor Nelson – governor of the Grange School

Councillor Swain – governor of Pewithall and IEB at Simms Cross

Councillor Wharton – son attends Fairfield High School)

EXB96 CAPITAL PROGRAMME 2009/2010 - KEY DECISION

The Board considered a report of the Strategic Director – Children and Young People providing a summary of the capital programme for 2009/10 for the Children and Young People Directorate.

The total capital funding of £6,138,001, and how it

was made up, was outlined within the report for Members' information, together with details of the works to be funded and any requirements, or opportunities to submit bids, in relation to this. In addition, it was noted that all local authorities had been provided with the opportunity to bid for capital projects up to £5m that created world class facilities for diploma lines of learning. Consideration was to be given to the projects that represented the best use of limited funding. The Council had made a bid, details of which were within the report, and it was noted that the Department for Children, Schools and Families (DCSF) would be advising on which projects would receive funding at the end of March 2009.

All local authorities had also been provided with additional funds to invest in youth facilities with a further 50 local authorities receiving funding to target work and resources "to increase young people's participation in activities, provide facilities and bring young people and the community together" (Youth Taskforce Action Plan 2008). Additionally, Halton had submitted a My Place bid proposing the refurbishment of the Kingsway Health Centre. Approval had been granted by DCSF to carry forward the Youth Capital Fund plus Grant (£452k) to contribute towards the refurbishment costs of the centre if the bid was successful. If the bid was unsuccessful the grant would fund improvements at Upton Community Centre to enhance the facilities of young people there.

Reason for Decision

To deliver and implement the capital programmes.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

Capital Programmes to be implemented with effect from 1 April 2009.

RESOLVED: That

- (1) the capital funding available for 2009/10 be noted; and
- (2) Full Council be recommended to approve the Schools Capital Programme 2009/10.

Strategic Director-
Children & Young
People

(NB Councillor Gerrard declared a personal interest in the following item of business due to being a governor at Simms Cross Primary and Ditton Nursery Schools)

EXB97 PRIMARY ORGANISATION - KEY DECISION

The Board considered a report of the Strategic Director – Children and Young People providing a summary of the current primary school organisation, the number of primary places, and the current and projected primary school numbers in Halton. In addition, the report updated Members on the Primary Capital Strategy including the drivers for prioritising future investment and process for revising and resubmitting the Strategy to the Department for Children, Schools and Families (DCSF).

It was noted that the Audit Commission and DCSF guidance recommended that there should be no more than 10% surplus provision across an authority and that schools should not have more than 25% surplus places. In Halton the level of surplus capacity in primary schools had varied over the last few years. Following revisions to the net capacity of a number of primary schools, there were 1400 surplus places across the Borough, representing a 12.6% surplus, and 8 schools had surplus capacity in excess of 25%.

Predicting the likely level of future primary provision using PCT live birth data and applying the previous rate of school admission to births, the future primary numbers were estimated to be on average 1462 per year, equating to 8% surplus capacity. Although this figure was below the recommended 10%, it was predicted that there would still be schools within the Borough with over 25% surplus capacity. In addition, although there were surplus places in some areas, in others there was a shortage of provision and so increases in school places to meet needs required exploration.

The Board was advised that the DCSF had set a target for Halton that 15% of primary schools in the worst condition should be rebuilt or taken out of use and that a further 35% should be remodelled to bring them up to 21st century standards. A range of key drivers, to be included in an investment matrix, had therefore been identified to support the delivery of the national targets and allow Halton to meet its local priorities, details of which were provided within the report.

In addition, the Authority would consider the suitability of its primary provision in relation to special educational needs and disabilities, unmet extended and community services need, health through improved dining and play provision, and access to ICT. Priority would also be given to removing temporary accommodation, increasing specialist accommodation and providing more flexible learning spaces.

The Board was advised that the outcome of the assessment of the Primary Capital Programme (PCP), undertaken by Capita on behalf of the DCSF, had identified that further work was needed on the Strategy before any funding could be confirmed, and details of work to be undertaken to strengthen the Strategy was outlined within the report. However, it was noted that the vision and context of the Strategy had been assessed as sound.

Members were advised that the revisions to the Primary Capital Strategy must be submitted to the DCSF by the end of January 2009 along with the matrix for prioritisation and the priorities for the first four years of investment. Following further analysis of pupil places and projected numbers a detailed report was to be presented to the Board on the opportunities and options for future primary re-organisation.

Reason(s) for Decision

Following further evaluation of Halton's PCP it had been suggested that revisions be made to the original submission to strengthen this document prior to funding being approved.

Alternative Options Considered and Rejected

This was a DCSF requirement.

Implementation Date

The Primary Capital Strategy must be submitted to the DCSF by 31st January 2009.

RESOLVED: That

- (1) the current and proposed level of primary surplus places across the Authority be noted and a further more detailed report on the current and predicted capacity of each school be provided;
- (2) the key drivers for an investment priorities matrix as

Strategic Director-
Children & Young
People

outlined in paragraph 3.5 of the report be agreed; and

- (3) the Strategic Director – Children and Young People be authorised, in consultation with the Executive Board Member for Children and Young People, to make the revision to the Primary Capital Strategy required by the DCSF and resubmit the revised Strategy to the DCSF by the deadline of 31st January 2009.

CORPORATE SERVICES PORTFOLIO

EXB98 CALENDAR OF MEETINGS 2009/10

The Board considered a report of the Strategic Director – Corporate and Policy outlining the proposed Calendar of meetings for the 2009-2010 Municipal Year.

RESOLVED: That Council be recommended to approve the Calendar of Meetings for the 2009-2010 Municipal Year outlined in Appendix 1 to the report.

Strategic Director
- Corporate and
Policy

HEALTH AND SOCIAL CARE PORTFOLIO

EXB99 CARE STANDARDS COMMISSION PERFORMANCE RATING

The Board considered a report of the Strategic Director – Health and Community advising of the further improvements in the performance rating of the Health and Community Directorate, and of the impending changes in the way the performance of Social Care services would be assessed commencing 2008/09.

It was noted that the Directorate had its performance rated annually by the Care Standards Commission (CSCI). The performance rating was linked to how well the Directorate provided social care services to all adults and the rating received fed into the Comprehensive Performance Assessment (CPA) rating for Halton Borough Council.

In September 2006 CSCI announced that, as well as looking at quantitative data, they would also be judging performance based on the outcomes that were delivered for people. Seven new outcomes and two new domains were announced against which performance would be judged: details were outlined within the report for Members' information.

Performance for 2007/08, announced on 27th

November 2008, had been rated by CSCI as being three star. The actual performance judgement based on the new performance ratings was:

- Delivering Outcomes – excellent; and
- Capacity for Improvement – excellent.

A copy of the performance judgement letter and summary report received from CSCI were attached at Appendix 1 to the report. The Council's key strengths that had been identified were outlined in the report for Members' information, together with details of how the Directorate had previously been rated.

The Board was advised that this was the last year that the Star Ratings and Performance Judgements would be used as a new system was to be implemented next year. The Council had finished at the highest level within the existing performance assessment framework, one of only 25 Local Authorities in England in this position, and all staff and Members involved were congratulated on this achievement.

At this stage it was not clear how the new performance system would operate as CSCI was being reformed with other Commissions into a new Care Standards Commission. However, the indicators were that any performance judgement for 2008/09 would continue to focus on the results that people who used the services advised had been delivered.

RESOLVED: That

- (1) the improved performance of the Directorate be noted; and
- (2) it be noted that the performance assessment framework is undergoing a period of continuous change and that the framework will change again in 2008/09.

LEADER'S PORTFOLIO

EXB100 REGIONAL FUNDING ALLOCATIONS (2)

The Board considered a report of the Strategic Director – Environment providing a brief summary of the Regional Funding Allocations (RFA) Advice document and setting out a number of initial comments in response to the consultation.

It was noted that the Government had invited the North West and other English Regions to submit its advice on regional investment priorities by the end of February 2009. The advice covered regional funding allocations for transport, housing and regeneration, and economic development for the period up to 2011. The advice would also present planning assumptions for these funding streams up to 2018.

A draft North West Advice had been produced by the North West Development Agency (NWDA) and 4 North West (4NW) and responses to the document were required by 30th January 2009. Although the Merseyside Police Unit and The Merseyside Partnership were co-ordinating a sub-regional response, colleagues across the Council had raised a number of important points and it was therefore proposed that a separate response be submitted on behalf of Halton Borough Council.

The Board was advised that, in summary, the Advice document used the NWDA's Corporate Plan, the ERDF Programme, and Regional Housing Strategy HCA investment plan as a reference point. It recognised that the Single Regional Strategy (SRS) was in development and, as a result, it did not propose any significant changes to future priorities at this point as an in-depth review through the SRS process in 2009 was anticipated.

The Advice recognised that testing economic conditions would require actions in the short-term to support businesses and individuals to manage the impact of the global slow-down, but there were major long-term challenges facing the region in regard to structural weaknesses in the housing market, high levels of transport congestion, and poor transport infrastructure. The draft Advice therefore set out four priority areas, which were outlined within the report for Members' information.

Priority areas were further broken down into "Economic Development and Skills", "Housing and Regeneration", and "Transport" action points. Further details, together with views from respective Council departments, were provided within the report.

It was noted that officers were broadly comfortable with the document, although the level of detail provided varied across the respective themes. In particular, it was considered that there should be greater cross-referencing to the Regional Spatial Strategy, especially in regard to the designation of priority areas, in order to avoid unnecessary

confusion and a dilution of any messages the region would wish to present to Government. It was also noted that focus on such designations was not helpful to Halton. It was intended that further representation be made in this respect pointing out that, were the towns of Widnes and Runcorn not separated by the Mersey, they would be included in the designation.

RESOLVED: That the development of a Halton response to the regional consultation on Regional Funding Allocations be agreed.

MINUTES ISSUED: 6th February 2009

CALL IN: 13th February 2009

Any matter decided by the Executive Board may be called in no later than 13th February 2009

Meeting ended at 2.15 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 12 February 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Nelson, Polhill, Swain, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: L. Cairns, M. Reaney, G. Cook, D. Johnson, G. Meehan, D. Parr, D. Tregea, B. Dodd and I. Leivesley

Also in attendance: Councillors Hodgkinson and Redhead

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

EXB101 MINUTES

Action

The Minutes of the meeting held on 28th January 2009 were taken as read and signed as a correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

(NB: Councillors Gerrard, Harris and Nelson declared personal interests in the following item of business due to being Governors of Simms Cross Primary School, The Grange School and Bankfield High School respectively).

EXB102 SPECIAL EDUCATION NEEDS REVIEW WITHIN
SECONDARY SCHOOLS - KEY DECISION

The Board considered a report of the Strategic Director – Children and Young People providing a summary of the progress of the review of Special Educational Needs (SEN) in secondary schools. It was noted that the local authority had been undertaking a review of SEN provision within the Borough. Views were now being sought on the location of the proposed secondary unit provision.

The review of SEN provision within secondary schools “units” was only one part of the broader range of provision available to young people with special education needs within the Borough: the Council was committed to providing a range of SEN services that could meet the individual needs of particular children and their families. This started with mainstream inclusive services within all schools and was then complemented by SEN Unit provision within particular secondary schools. The Council also had a range of special education needs schools.

The proposals contained within the report for SEN units in secondary schools had been developed on the basis of an analysis of need. Needs changed over time, which was reflected in the number of surplus places there were at the moment. The SEN Units Review was therefore intended to bring need into line with the provision the Authority had within the mainstream schools.

The reasons for the review, together with the stages of the review that had already taken place, were outlined within the report for Members’ information, and the present position of units in primary and secondary mainstream schools was described in Appendix 1. It was noted that the responses to the first stage of informal consultation on secondary resource position had been received and analysed. The majority of those who had responded were in full support of the change of provision proposed; however, it was suggested that the distribution of the secondary unit provision across the Borough needed further consideration and that, although the numbers would remain the same, the unit provision for autism and speech and language should be offered in both Widnes and Runcorn.

Consultation was now taking place on a proposal for future provision as outlined in the report, and information was also provided in relation to the schools that had expressed an interest in developing particular specialisms in line with this.

It was noted that when it had been shown, through assessment, that a pupil’s needs could not be met in a mainstream school, alternative provision would be sought. Prior to this decision there would be an expectation that “reasonable adjustments”, i.e. the application of the Disability Discrimination Act, would be made using the totality of resources made available to the mainstream school. On closure of the informal consultation period, and pending no adverse feedback, it was proposed that the formal consultation process commence leading to Statutory

Notice if required.

Reason for Decision

At present there were surplus places within mainstream units. Mainstream SEN units were not matching the present and future requirements of the Borough. This was also required as part of the developing Building Schools for the Future (BSF).

Alternative Options Considered and Rejected

An alternative option was to leave provision as it was; however, this would potentially leave the Council vulnerable to challenge.

Implementation Date

The proposals for secondary SEN resourced provision had to be agreed by April 2009 and implemented by September 2011 in line with plans for BSF.

RESOLVED: That

- (1) the proposals and recommendations within the report be ratified; and
- (2) approval be given to proceed to formal consultation of the secondary school SEN review leading to Statutory Notice if appropriate.

CORPORATE SERVICES PORTFOLIO

(NB: The Councillors below declared personal and prejudicial interests in relation to the "Environment" element of the following item of business, and left the room during consideration of this part of the item:

Councillor Gerrard – due to her husband working in Landscape Services

Councillor Nelson – due to a member of his family, and also a friend, working in the department.)

EXB103 DRAFT BUDGET 2009/10 - KEY DECISION

The Board considered a report of the Operational Director – Financial Services, which outlined a recommendation to Council in respect of the Budget, Capital Programme and Council Tax for 2009/10.

It was noted that, at the time of writing the report, the Cheshire Police and Fire Authorities had not set their budgets and Council Tax precepts. However the Board were informed that the Fire Authority had now confirmed that its precept was 2.9% and it was advised that the Police Authority was to meet on 24th February to make a decision on its precepts.

The Board was advised that the Medium Term Financial Strategy, approved on 20th November 2008, had identified a funding gap of around £6m in each of the next three years. The Strategy had the following objectives:

- to prioritise investments in the five priority areas;
- to avoid excessive Council Tax rises;
- to deliver a balanced and sustainable budget; and
- to achieve significant cashable efficiency savings to enable this to happen.

As part of the Budget Strategy each Directorate had managed its budget to generate underspend of £500,000 each. This had generated £2m to be transferred to the Invest to Save Fund. The Board noted that it was anticipated that balances at 31st March 2009 would be around £6.6m broadly as planned when the budget had been set the previous year.

In order to close the £6 m funding gap a number of proposed savings had been identified. A list of the proposed savings was outlined in Appendix C to the report. The Policy and Performance Boards had been consulted on these proposals, and comments made in relation to the following items were noted:

- relocating Murdishaw and Woodlands Play Centre Services;
- Transport Services for Children's Services – it was noted that this saving was a reflection of the lower demand for the service;
- reorganise litter picking in Neighbourhood areas – it was reported that the current standard would be maintained by deploying staff in a more flexible way;
- revised arrangements for pest control;
- street lighting pilot – the proposal related to turning off lights on the Daresbury Expressway, A56 and Watkinson Way. However, an alternative for making equivalent savings within the Highways Department had been found from Street Lighting Efficiencies and

following consideration of the feedback received this proposal was withdrawn; and

- delete attendants' posts at Widnes Town Centre toilets – it was noted that the toilets would still be cleaned but would no longer be staffed, and the situation would be monitored.

In relation to the item headed "Cease Trade Waste" it was noted that, although the Council was to cease providing this service directly, trade waste would continue to be collected by the private sector.

In addition, the Board noted that the Area Forums had been provided with the opportunity to feed into the consultation process and a list of comments made at the recent Area Forum meetings was provided for Members' consideration.

The Departmental analysis of the budget was shown in Appendix D to the report and the major reasons for change from the current budget were outlined for Members' information. It was noted that, after taking account of the windfall gain arising from the commutation adjustment in 2004/05 (the last year the Council could do this), the budget requirement was £105.117m.

Further information was provided in respect of the Local Government Finance Settlement, Halton's Council Tax, Parish Precepts, the Capital Programme, the Prudential Code and school budgets. In relation to the Council Tax, it was expected that Halton's total Council Tax would continue to be amongst the lowest in the North West, with residents in Band D experiencing a weekly rise of 71p per week and residents in Band A, ie half the properties in the Borough, experiencing a weekly rise of 47p.

RESOLVED: That the Council be recommended to adopt the resolution set out in Appendix A of the report, which includes setting the budget at £105.467m and the Band D Council Tax for Halton (before Parish, Police and Fire Precepts) of £1,116.69.

EXB104 TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2009/10

The Board considered a report of the Operational Director – Financial Services proposing the Treasury Management Strategy for 2009/10.

The Treasury Management Strategy Statement was

shown in Appendix A to the report and detailed the expected activities of the Treasury function in the forthcoming financial year (2009/10).

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 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.

Members noted that a new requirement for 2009/10 was the production of a minimum revenue provision policy statement: there was a detailed explanation of why this was required within the Strategy, together with a formal statement for approval.

RESOLVED: That

- (1) the Council adopt the policies, strategies and statements outlined in the Treasury Management Strategy; and
- (2) delegated authority be given to the Operational Director – Financial Services, in consultation with the Corporate Services Portfolio Holder, to set the Minimum Revenue Provision repayment periods.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

EXB105 LOCAL DEVELOPMENT SCHEME 2009 - KEY DECISION

The Board considered a report of the Strategic Director – Environment, seeking approval of the Local Development Scheme (LDS) attached as Appendix 1 to the report.

It was noted that the LDS was a public statement of Halton Borough Council’s three-year work programme for producing the Local Development Framework (LDF): all Councils were required by the Planning and Compulsory Purchase Act (2004) to produce an LDS.

This LDS formed the 5th LDS that had been prepared by Halton Borough Council and moved the preparation of the LDF forward to the 2009/2010 period. The LDS had

been reviewed at this stage following the issues highlighted in the Annual Monitoring Report and to ensure that the requirements of PPS12 had been met.

The Board was advised that Government Office for the North West (GONW) was keen for LDSs to become definitive programme management documents and, from 1st April 2009, would only expect them to be departed from in exceptional circumstances or as agreed in response to annual monitoring. The process for the LDS' production was outlined within the report for Members' information and it was noted that this new LDS involved the production and adoption of further Supplementary Planning Documents (SPDs), the next stage of consultation on the Core Strategy Development Plan Documents (DPD), and the second stage of consultation on the Waste DPD.

Requirements of the LDS were outlined within the report for Members consideration, together with the questions that GONW would be considering when assessing whether the LDS was "fit for purpose". Following approval by the Executive Board, the LDS had to be submitted to GONW. It should then come into effect four weeks after being submitted to GONW unless the Secretary of State intervened in this period or requested more time.

Reason for Decision

As required by the Planning and Compulsory Purchase Act 2004 and Part 3 Section 10 of the Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Development) (England) Regulations 2008.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

The Local Development Scheme 2009 to be implemented with effect from 1 April 2009.

RESOLVED: That

- (1) the revision to the Local Development Scheme, appended to the report, shall come into effect from 31st March 2009, or from the date on which the Council receives notification from the Secretary of State in accordance with Regulation 11 (2) of the

Town and Country Planning (Local Development) (England) Regulations 2008, whichever is earlier;

- (2) the Operational Director – Environmental and Regulatory Services, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, be authorised to make any changes to this document as required by the Planning Inspectorate or the Government Office for the North West; and
- (3) further editorial and technical changes and/or correction of printing errors that do not affect the content be agreed by the Operational Director - Environmental and Regulatory Services before the document is published.

EXB106 LOCAL EMPLOYMENT PARTNERSHIP

The Board considered a report of the Strategic Director – Corporate and Policy outlining an opportunity to sign up to the Local Employment Partnership (LEP) Initiative with Jobcentre Plus.

It was noted that LEP's had been introduced in 2007 by the Government as a way of tackling the increasing recruitment and skills challenges of the labour market and economy. The Partnership was between employers and Jobcentre Plus and was a way of building on existing approaches to recruitment and developing a skilled workforce from within the local community.

By signing up to a LEP, employers were demonstrating a commitment to looking at the untapped potential of working age people claiming benefits by opening up employment and training opportunities to disadvantaged job seekers and, in particular, those from economically deprived wards.

The advice received from Jobcentre Plus was that the Council was already meeting the LEP recruitment standards as all job seekers were signposted to any advertised vacancies by Jobcentre staff and there was a well-established Apprenticeship Scheme in place.

The Board was advised that, following discussion with Jobcentre Plus, it would appear that by signing up to a LEP the Council would be re-confirming, in a more public arena, the commitment to work it was already undertaking. The signing of the LEP would be publicised by Jobcentre Plus to

encourage other employers in the Borough to take advantage of what was available.

RESOLVED: That

- (1) the report be received; and
- (2) the commitment to the LEP be supported.

QUALITY AND PERFORMANCE PORTFOLIO

EXB107 DEPARTMENTAL SERVICE PLANS 2008-11 - KEY DECISION

The Board considered a report of the Strategic Director – Corporate and Policy regarding the adoption of the Council’s Departmental Service Plans for 2009-2012 as a basis for action and performance monitoring.

It was noted that Departmental Service Plans sat within an established planning framework and were central to the Council’s Performance Management arrangements. They provided a clear statement on what individual services were planning to achieve, particularly in terms of service objectives and performance indicators, and how this contributed to the corporate priorities of the Council. They were an essential tool for making key decisions about future service provision and the level of resources required.

It was noted that, as final year-end performance information became available, future targets for both national and local performance indicators may require some revision. Following the approval of the budget by full Council in March, budgetary statements would be inserted into plans. Any revisions that were necessary as a result of this approval would be incorporated before plans were finalised. In addition, service plans were subject to ongoing discussion to ensure that they were of the highest quality and met organisational requirements. This may result in some minor refinement, for example of “Smart” target/key milestone data.

Reasons for Decision

Departmental Service Plans were central to the Council’s Performance Management arrangements. As such, it was necessary for them to be approved before the start of the new financial year in order that the effective monitoring of progress could take place.

Alternative Options Considered and Rejected

None.

Implementation Date

1st April 2009.

RESOLVED: That

- (1) this set of advanced draft service plans be received;
and
- (2) authority be delegated to the Chief Executive, in consultation with the Leader, to make any final amendments and adjustments that may be required and to approve the final Service Plans.

EXB108 PUBLIC ART - KEY DECISION

The Board considered a report of the Strategic Director – Health and Community seeking endorsement of a Public Art Strategy for Halton.

It was noted that the Employment, Learning and Skills Policy and Performance Board had recognised the value of Public Art at a meeting in November 2008 and had supported the proposal to develop a strategic approach for its development in Halton. The Arts Council had agreed to fund consultants to help develop an approach to Public Art in Halton. Their brief was to produce a practical, working document, which concentrated on planning issues, recognising opportunities for the short to medium term.

The National Public Art Think Tank Definition of Public Art was outlined within the report for Members' consideration, together with potential for the community. It was noted that the Strategy suggested the creation of a post to kick-start the development of Public Art and it was proposed that the post sit within the Planning Department within the Environment Directorate. The Arts Council had indicated that they would fund a part time post for two years, and as such, there was no financial risk to the Council. All other actions and opportunities were dependent on funding being identified, but at no extra cost to the Council.

Reason for Decision

To develop a strategic and informed approach to public art

work in Halton.

Alternative Options Considered and Rejected

An alternative option would be to not adopt a strategic approach but to continue to add piecemeal pieces of public artwork across the Borough.

Implementation Date

This was dependent upon drawing up a brief for the post with the partners involved and then advertising.

RESOLVED: That

- (1) the proposed strategy identified at Appendix 1 be noted; and
- (2) the Strategy for Halton be endorsed.

MINUTES ISSUED: 24 February 2009

CALL IN: 3 March 2009

Any matter decided by the Executive Board may be called in no later than 3rd March 2009.

Meeting ended at 3.10 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 5 March 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Harris, McInerney, Polhill, Swain and Wharton

Apologies for Absence: Councillor Gerrard, Nelson and Wright

Absence declared on Council business: None

Officers present: M. Reaney, G. Cook, B. Dodd, J. Downes, D. Johnson, I. Leivesley, A. McNamara, S. Nicholson, D. Parr, G. Meehan, M. Simpson and D. Tregoe

Also in attendance: Councillor Hodgkinson

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

Action

EXB109 MINUTES

The Minutes of the meeting held on 12th February 2009 were taken as read and signed as correct record.

EXB110 CHOICE BASED LETTINGS - KEY DECISION

The Board received a report of the Strategic Director, Health and Community which outlined the Government's five year Housing Plan Sustainable Communities: Homes for All, published in January 2005, which set out its plans for taking forward its Choice Based Lettings (CBL) policy. The aim was for all Councils to implement CBL by 2010, and there was a national policy objective to develop sub regional/regional schemes.

It was noted that even though the Council no longer managed any dwellings, it was required to have an allocations policy to ensure that reasonable housing preference was given to households in certain categories of need through its nomination agreements with Registered Social Landlords (RSLs). Currently Halton Housing Trust

(HHT) managed a joint Council/HHT Housing Register and operated in what most respects was a common allocations policy.

The Board was advised that following on from a Member seminar held on the 27th November 2008 to agree the key elements of the CBL, this now sought the Board's agreement to work in partnership with a number of Councils and RSLs across Merseyside to develop a sub-regional CBL scheme.

Members were advised that, traditionally, anyone needing a social rented tenancy applied to a Council or RSL to join a housing register. Priority was determined by a number of means, but typically by date order or the award of points to reflect varying degrees of need. Applicants were invited to indicate their preferred neighbourhoods, but the Council or RSL determined which particular property they would be offered. The applicant's choice was limited to accepting or refusing the offer.

CBL originated in Holland and, whilst acknowledging that CBL did nothing to solve the housing shortage, it did offer a much more customer focused approach. There were any number of scheme variants but, in essence, they all featured common elements and these elements were outlined in detail in the report.

Members were advised that the most recent data provided by Government suggested that 36% of Councils had already introduced CBL, with a further 59% planning to do so. The Government was also keen to develop CBL schemes on a regional or sub-regional basis, recognising that housing markets did not follow local authority boundaries, and had awarded funding to a number of Councils that had sought support in doing this.

The Board was advised that research showed that applicants welcomed the choice, control and transparency of CBL. They also considered that the extra effort required to take part in CBL, by looking through vacancies and bidding for suitable properties, was worth it.

From a landlord's perspective there had been sustainability related savings and efficiency savings through improved ICT, reduced refusal rates, quicker relets, and demand generated for properties previously considered hard to let. From the Council's perspective, the existing of one housing register avoided duplication and provided a more accurate indication of housing needs and trends.

The Board was advised that over the last 18 months Officers of the Council and HHT had, in consultation with the larger RSLs in the Borough, undertaken an appraisal of the various CBL options. Those considered were outlined in the report in detail and it was noted that in conclusion, whilst it was not a statutory requirement, the Council could ignore it, but pressure to adopt CLB was likely to be applied through future comprehensive area assessments (CAAs) and Audit Commission inspections. CBL was a very clear Government policy target which was part of the general Government drive to improve choice in the Public Sector. A copy of the policy was attached as an appendix to the report.

Reason(s) for Decision:

To address the Government's policy objective of introducing CBL in all Councils by 2010 in the most cost effective manner.

Alternative Options Considered and Rejected:

The various options considered for delivering CBL were described in sections 4 and 5 of the report, together with the rationale for the option recommended.

Implementation Date:

The target date for implementation of the Merseyside Sub-Regional CBL Scheme was 2010.

RESOLVED: That

1. the Board agree to the Council's participation in the development of the Merseyside Sub-Regional CBL Scheme; and
2. and that the Council would wish to include some form of local connection criteria in any choice based letting scheme.

COMMUNITY PORTFOLIO

EXB111 ARTS POLICY AND STRATEGY REVIEW - KEY DECISION

The Board received a report of the Strategic Director, Health and Community which sought to endorse the draft Arts Policy and Strategy Review which was appended to the report.

Members were advised that the Council had produced its Cultural Strategy in 2001. At the time it was one of the first in the Country and held up as an example of good practice.

Subsequently it became a requirement to produce a Cultural Strategy as part of the Best Value process, but this requirement was removed in 2006, accepting that Culture should be embedded in the Community Strategy.

It was further noted that in 2007, Culture and Leisure Services undertook an assessment Towards an Excellent Service (TAES) that was externally validated by the IDeA.

During this assessment TAES highlighted that the Cultural Strategy had not been refreshed since 2001. As the Authority had developed a separate Sports Strategy, and given that there was no longer a Best Value requirement, TAES suggested that an Arts Strategy be developed.

Members were advised that Culture and Leisure Services were able to employ a Consultant, funded by the Arts Council to help produce an Arts Strategy. The brief for the consultation was to produce a practical working document, with action plans that would be constantly reviewed and updated.

Members were advised that the Employment, Learning and Skills Policy and Performance Board had discussed the Policy and Review and had recommended it to the Executive Board for approval.

Alternatives considered:

To have no strategy, but this would be contrary to IDEA advice.

Reason for decision:

To comply with good practice.

Implementation date:

1st April 2009

RESOLVED: That the Arts Policy and Strategy Review be endorsed.

EXB112 LOCAL AREA AGREEMENT ACTION PLANS

The Board received a report of the Strategic Director Corporate and Policy which proposed the updating of the Action Plans for each of the five strategic priorities in order to deliver Halton's Local Area Agreement (LAA) and the approval of the funding allocations contained within them.

It was noted that Halton had in place an established mechanism for managing its neighbourhood renewal programme. Since 2002, the Halton Strategic Partnership Board had ensure that there was a Specialist Strategic Partnership (SSP) for each of the priorities. These partnerships were commissioned to produce the original Strategies and Action Plans and had produced updated Action Plans setting out their activities and investment proposals for 2009/10. They set out a programme of activity to deliver the thematic elements of the Community Strategy and the LAA for Halton and, in particular, to address the key measurable outcomes. The Action Plans were expected to meet a number of proposals which were outlined in detail in the report.

It was further noted that the Action Plans used Working Neighbourhood Fund (WNF), and in the case of the Safer Halton Partnership, Safer and Stronger Communities Fund (SFCCF) as well. In addition, the Council had committed a substantial amount of resources through the Priorities Fund (PF). The Council monies were aimed at supporting neighbourhood renewal activity by match funding initiatives within the Action Plans. The revised Action Plans were appended to the report for information.

Each Action Plan had been put forward by the relevant SSP and were approved by the Halton Strategic Partnership Board on the 18th February 2009, insofar as they related to Working Neighbourhoods Fund and Safer and Stronger Communities Fund.

Members were advised that the Council was the accountable body for Working Neighbourhoods Fund and Safer and Stronger Community Fund allocations, and it was incumbent upon the Executive Board to formally approve any allocations.

Members were further advised that the report set out the funding implications for each of the Action Plans attached to the report.

It was noted that the SSPs would be responsible for

regular and careful monitoring of expenditure and progress would be reported to the Halton Strategic Partnership Board. The position would be reviewed in October 2009 and any necessary adjustments made then.

Members were further advised that before individual projects contained within the Action Plans could proceed, a service agreement must be entered into with the relevant SSP and the Halton Strategic Partnership Board. These service agreements set out the expected outcomes and outputs together with quarterly expenditure forecasts. The SSPs were responsible for monitoring progress on a quarterly basis and progress was reported to the Halton Strategic Partnership Board.

RESOLVED: That

- (1) the five Action Plans accompanying the report be approved;
- (2) the allocation of the Working Neighbourhood Fund and Safer and Stronger Communities Fund for 2009/10, and the indicative allocations for 2010/11 referred to in this report and contained in the Action Plans, be approved;
- (3) the allocation of the Council's Priority Funds referred to in this report including that contained in the Action Plans, be approved; and
- (4) delegated authority be given to the Chief Executive, in consultation with the Leader and Deputy Leader of the Council to approve amendments to the Action Plans as necessary.

QUALITY AND PERFORMANCE PORTFOLIO

EXB113 STATE OF BOROUGH REPORT 2009 AND REVIEW OF COMMUNITY STRATEGY

The Board received a report of the Strategic Director Corporate and Policy which presented the findings of the 2009 State of the Borough Report and its implications for the mid-term review of the Sustainable Community Strategy.

The Sustainable Community Strategy was adopted by 2006. It contained a long-term vision and objectives with targets for the period 2006-2011. Since it was prepared:

- (1) A national indicator set and local area

agreements had been introduced;

- (2) Statutory Guidance under the Local Government and Public Health Act had been issued; and
- (3) There had been revisions to underpinning policies and strategies such as the Children and Young People's Plan.

The Board was therefore advised that it was necessary to conduct a mid-term review of the Sustainable Community Strategy. It was intended that this would be an update, not a complete revision. Surveys to date confirmed that the underlying vision and priorities remain relevant. The main areas for the review were outlined in the report.

Members were advised that the five Specialist Strategic Partnerships had been consulted and work had commenced on the mid-term review. A consultation draft would be available for consideration by partners, SSPs and PPBs with a view to a final version being approved at the Halton Strategic Partnership Board in May and by the Council in July 2009.

It was noted that as part of the preparation for the mid-term review of the State of the Borough report had been updated. It was important to note that much of the data reflected the situation before the current economic downturn due to the time lag in the availability of statistics.

Members were advised that the final "scorecard" as set out in the report assessed the state of Halton in terms of three main dimensions of sustainable development. There had been no significant changes since the last report. The scores represented the quintile where the district fell on each of the measures and this was further outlined in the report in relation to Economic Development, Social Development and Environment.

The report also set out the most significant changes since 2008 and these were outlined in detail in the report.

Members were advised that the opportunities and challenges faced by Halton were well-known. The Sustainable Community Strategy set out the steps we needed to take to bring improvement and how we would measure progress. The LAA was a set of targets agreed with the Government which reflected the Community Strategy. The mid-term review was an opportunity to bring these together in a single coherent document.

The State of the Borough report provided further evidence to support our priorities. It did not, however, fully reflect the impact of the economic downturn. The recession should not deflect us from our long-term ambitions but may affect the pace at which we could move forward.

The Board discussed the crime rate that appeared high, in response it was reported that Halton's crime rate was consistent in comparison to other authorities in the same "demographic family", figures were above the National Crime Rate and were currently decreasing.

RESOLVED: That

- (1) the revised State of the Borough report be noted; and
- (2) the Policy and Performance Boards be consulted on a mid-term review of the Sustainable Community Strategy.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

EXB114 MERSEY GATEWAY - SUSTAINABLE TRANSPORT STRATEGY - KEY DECISION

The Board received a report of the Strategic Director, Environment which sought approval of the Mersey Gateway Sustainable Transport Strategy (MGSTS), which set out how the proposed Mersey Gateway Project (The Project) could enable improvements in integrated transport across the Borough that would further the economic, transport and sustainability objectives of the Council. By adopting this report as Council policy, the document would have significant weight in the consideration of the various planning applications for Mersey Gate Project that were now with the Government.

Members were advised that the Project was central to the achievements of the environmental and economic regeneration aspirations of Halton and was key to those of the sub-region.

It was further noted that at the local level The Project would bring about a step change in improvements to the transportation connections between Runcorn and Widnes via the Silver Jubilee Bridge (SJB). By transferring around 80% of the traffic from SJB to the new crossing, the existing

SJB would be available for local transport services and facilities. The Project would also deliver amendments to the SJB carriageway and approach roads that were intended to improve the integrity of the bus network by reducing journey times, improving reliability and supporting and underpinning improved bus services across the Mersey between Runcorn and Widnes.

Members were advised that although the key changes to the road system in Halton would be delivered through the Mersey Gateway scheme, as submitted to the Secretary of State for planning approval, to take full advantage of the opportunity presented by these changes would require co-ordinated intervention in the form of better connecting bus services and improved facilities for cycling and walking.

It was noted that the combined programme within the MGSTS would also address existing concerns over accessibility and connectivity as part of the wider sustainable transport and sustainability agenda for all residents of Halton, particularly those living in the most deprived wards in the Borough.

The MGSTS and the Mersey Gateway Regeneration Strategy (MGRS) were integrated initiatives by the Council to support the delivery of the Project objectives and together set out a rigorous and clear approach to maximising the benefits across the Borough. The Project had seven high level strategic objectives, two of which related directly to sustainable transport.

The MGSTS aimed to deliver the following key vision of the sustainable travel options within Halton:

To identify and promote a network of high quality, safe, affordable, accessible and environmentally friendly travel measures for local residents, businesses and visitors to Halton, which supported the key objectives of the Local Transport Plan and the Project.

Members were advised that the full strategy comprised of five key sections:

- (1) Setting the Scene;
- (2) Halton's Story of Place and its Existing Transport Network;
- (3) National, Regional and Local Policy Context;
- (4) Mersey Gateway Sustainable Transport Strategy; and
- (5) Measuring progress for the Sustainable Transport

Strategy.

Each of the key sections was outlined in further detail in the report along with Phase 1 for implementation between 2014/2015 to 2024/25.

The Board held a wide ranging discussion in relation to the following:

- transport improvements in the most deprived areas;
- inclusion of cycle paths to main council buildings;
- cycle storage had been greatly improved at Council buildings including the provision of showers at Runcorn Town Hall, and
- the possibility of opening locks on the Runcorn side of the Mersey.

Reason for Decision:

By adopting this report as Council policy, the document would have significant weight in the consideration of the various planning applications for Mersey Gateway that were now with the Government.

Alternative Options Considered and Rejected:

The recommended strategy embraced a range of transport interventions and initiatives, which had been prioritised based on funding projects and assumptions. Implementation would be flexible, taking into account a more detailed assessment of specific projects and options prior to committing proposals.

Implementation Date:

MGSTS was designed to deliver integrated transport improvements facilitated by the new crossing due to open in late 2014.

RESOLVED: That the Mersey Gateway Sustainable Transport Strategy be approved to support the delivery of the Mersey Gateway Project, subject to any minor amendments being delegated to the Strategic Director, Environment, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal.

CORPORATE SERVICES PORTFOLIO

EXB115 COUNCIL INTERNAL GOVERNANCE

The Board considered a report of the Strategic Director, Corporate and Policy which considered the way forward for the Council's internal Governance arrangements in light of the Government's latest Consultation document.

The Board was advised that on the 30th December 2007 Section 64 and Schedule 4 of the Local Government and Public Involvement in Health Act 2007 came into force. This inserted new provisions into the Local Government Act 2000. These compelled Councils to adopt one of the two new governance models. In Halton's case this decision must be taken by no later than 31st December 2010.

Members were advised that the two new governance models were as follows:

- (1) New-style Leader and Cabinet Executive OR
- (2) Mayor and Cabinet Executive.

No change was not an option and those were the only two models allowed. The report set out the key features of these two new models along with outlining a provisional timetable assuming final Government guidance was issued in May 2009.

The Board discussed both models in depth and noted that a most models that had an elected Mayor did not have a Ceremonial Mayor also.

RESOLVED: That

- (1) the Council noted the Consultation Paper and deferred a decision on the consultation and on the choice between the two models for internal governance until the Government had published the final version of its guidance; and
- (2) the Strategic Director Corporate and Policy be authorised to determine the Council's response to the Consultation Paper on the basis set out in paragraph 3.10 of the report.

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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

ENVIRONMENT, LEISURE AND SPORT PORTFOLIO

EXB116 CEMETERY PROVISION FOR 2015 AND BEYOND - KEY DECISION

The Board received a report of the Strategic Director, Health and Community which presented a cost-benefit analysis of the main options available to the Council to address the issue of there being no new grave space available in the Council's three existing cemeteries post 2014.

Reason for Decision:

There was approximately 6 – 7 years worth of new grave space available in each of the Council's two main cemeteries. A decision therefore needed to be made on

whether, and how the Council planned to provide for a new grave availability for 2015 and beyond.

Alterative Options Considered and Rejected:

All of the alterative options considered were outlined in Section 3.0 of the report.

Implementation Date:

The decision to extend Widnes Cemetery should be implemented as soon as is practically possible.

The implementation of the decision to extend Runcorn Cemetery could be deferred until 2013, during which time the need for this extension may be reviewed as the Council develops its policy on the re-use of old graves.

RESOLVED: That subject to available capital

- a) Option 3 be approved;
- b) Option 4 be approved on the basis that the land was not inappropriately expensive and was not within the timescales;
- c) As a contingency, concurrently pursue Option 5 if the principles of Option 4 were not met; and
- d) Authorise all ancillary actions to be undertaken by the Strategic Director, Health and Community, in consultation with the Executive Board Member for Environment, Leisure and Sport.

MINUTES ISSUED: 18 March 2009

CALL IN: 25 March 2009

Any matter decided by the Executive Board may be called in no later than 25th March 2009.

Meeting ended at 3.02 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 19 March 2009 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Vice-Chair, in the Chair), D. Cargill, Gerrard, Harris, McInerney, Nelson, Swain, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: Councillor McDermott

Officers present: M. Reaney, C. Halpin, B. Dodd, D. Johnson, I. Leivesley, D. Parr, D. Tregoe and M. Platts

Also in attendance: Councillor Hodgkinson

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

EXB117 MINUTES

The Minutes of the meeting held on 5th March 2009 were taken as read and signed as correct record.

HEALTH AND SOCIAL CARE PORTFOLIO

EXB118 AMENDMENTS TO STANDING ORDERS RELATING TO CHANGES IN MENTAL HEALTH LEGISLATION

The Board received a report of the Strategic Director, Health and Community which described changes to mental health law that required amendments to delegated powers contained within the Council's Constitution.

The report set out a number of amendments that had been made to the Mental Health Act 1983, the implementation of the Deprivation of Liberty Standards Safeguards (DoLS) which would act as an amendment to the 2005 Mental Capacity Act and which were to be implemented from 1st April 2009.

Members were advised that the DoLS were

Action

introduced to fill a gap in the legislation, which had been highlighted by a number of significant cases, some of which went to the European Court of Human Rights. The DoLS applied to people who lacked capacity to make their own decisions about their care and treatment, who were either in hospital or in residential or nursing care.

Members were further advised that, on occasion, there was a need to provide a level of care and protection to people which amounted to a restriction on their liberty. This might involve preventing somebody who had abused them from visiting them, or providing a security system on the entrance door of an establishment which prevented people from leaving.

Members were further advised that caselaw decided that, if these restrictions of liberty were added together in individual cases, this might amount or an actual deprivation of their liberty, without any scope for appeal to an external authority who could oversee this. This was deemed to be against their Human Rights and contracted with the position of people who were detained under the 1983 Mental Health Act, who could appeal for a review of their case to a legal Tribunal.

It was noted that a new, and very complex legal process had been established which required Local Authorities to consider any potential Deprivation of Liberty under these circumstances, and to issue a time-limited authorisation for this as appropriate. In addition, a new staff role was established, known as Bests Interests Assessor, who was required to complete at least one of the six assessments required as part of the authorisation process.

These two new levels of decision-making – authorising the Deprivation of Liberty and Best Interests Assessor – would need to be included in the Scheme of Delegation. Along with the approval of Approved Mental Health Professionals (AMHP's), it was recommended that this was delegated to the Operational Director level, with the expectation that the roles themselves would be further delegated on as appropriate.

RESOLVED: That

(1) the content of the report be noted and approved;
and

(2) the additions and amendments to the Scheme of Delegation, as proposed in paragraphs 3.1.4 and

3.2.6, be agreed.

LEADERS PORTFOLIO

EXB119 UPDATED LOCAL AREA AGREEMENT - KEY DECISION

The Board received a report of the Strategic Director Corporate and Policy which set out the annual review and refresh of the Local Area Agreement (LAA).

Members were advised that in 2008-11 LAA was undergoing its first annual refresh. The focus of this refresh was to:

- Agree targets for those indicators for which no baseline information was available last May. This included all those indicators measured by surveys conducted in the autumn of 2008;
- Review a number of targets for which local baseline information was used and which now needed to be updated in light of new national data sets; and
- taken the opportunity to review a number of indicators with local partners for which targets set nationally for Halton were clearly unachievable.

Members were advised that the Government had acknowledged that the ability to meet employment related targets would be affected by the recession. It had been agreed that these would be reviewed next year. Members were further advised of the timetable for the finalisation of the agreement with Government, as set out in the report.

It was noted that the Council had delegated to this Board, the approval of the LAA. Given the timetable set out in the report and that as there was not another Board meeting until 2nd April 2009 it was recommended that delegated powers be granted for any further amendments to be made as a result of feedback from Government.

It was noted that a copy of the revised outcomes framework was attached to the report as an appendix and set out those targets which had changed since the LAA was originally approved in 2008.

Members were advised that two indicators had been deleted from the LAA. The first, NI 124 related to patients with long term conditions who were supported to live

independently and the second indicator removed was NI173, people falling out of work and onto incapacity benefits.

The Sustainable Community Strategy had a longer term vision and also contained other local indicators and targets in addition to those negotiated with the Government through the LAA.

REASON (S) FOR DECISION

Under the Local Government Act (2007) there is a statutory duty on all local authorities to produce a Local Area Agreement to the format and timetable set down by Government.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

No other options were pursued. The Agreement process is a prescriptive one and Halton has followed Government guidance.

IMPLEMENTATION DATE

The Local Area Agreement will come into force when the Agreement in its final form is agreed and signed by the Minister for Local Government. This is expected to take place in April 2009.

RESOLVED: That

(1) the revised Local Area Agreement be adopted;
and

(2) that the Chief Executive be given delegated authority in consultation with the Leader and the relevant Portfolio-holder to make final amendments to the Local Area Agreement during the course of negotiation and approval by the Government.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

EXB120 REVIEW OF STRATEGIC REGIONAL SITES: CONSULTATION

The Board received a report of the Strategic Director, Environment which sought authority to formally respond to the North West Development Agency (NWDA) consultation on the review of Strategic Regional Sites.

Members were advised that in 2005, the NWDA designated 25 sites within the North West as Strategic Regional Sites. The sites were identified on the basis of a number of points, as set out in the report.

Members were further advised that designation was important in terms of site profile, development and ability to access resources to bring them to fruition. Indeed, the consultation letter specifically stated that such sites would have priority, where necessary, for implementation in terms of all Agency resources and in Agency support for bids for other sources. Within Halton, two sites were identified – Ditton Widnes and Daresbury. With reference to Ditton, since the original designation this location was now known as 3MG and it would be recommended to the Agency that this was used in future.

It was noted that the NWDA was now reviewing the list of sites and the closing date for comments was the 27th March 2009.

The purpose of the review was to ensure sites fitted the criteria as outlined in the Regional Spatial Strategy reflected the changing nature of policy and the market context including the Stern (Review on the Economics of Climate Change) and Eddington (Transport) reports.

Members were advised that of the 25 previous sites, 7 were proposed for deletion and 15 were proposed for addition. Both Halton sites remained on the list. The sites themselves were identified in broad terms on plans with the exact boundaries to be decided at a later date. Each site had been identified with primary purpose and these were set out in the report.

Members were asked to note that of particular importance was that the new designation for Daresbury had expanded the site to take in both Daresbury Park and the Daresbury Science and Innovation Campus (DSIC) which reflected the ongoing master plan work that the Council was involved with in partnership with the DSIC.

Members were advised that the list of proposed sites made for interesting consideration. They were not all big traditional inward investor sites and included town/city centre and older industrial areas. As such, it was considered appropriate that this Council should seek through its consultation response to have an additional site designated. Looking at the substantial regeneration opportunities that

existed within the Widnes Waterfront and the town centres of Widnes and Runcorn and the development opportunities arising from the Mersey Gateway as detailed in the Mersey Gateway Regeneration Strategy, there was clear scope to bring all these together under one designation. Such an area had significant employment opportunities, was close to areas of need, was sustainably accessible and would contribute to the ongoing economic restructuring of this part of the region through assisting in a continued diversification of the local economy. Together, these provided a scale of regeneration opportunities comparable to many defined Strategic Regional Sites.

RESOLVED: That

- (1) the designation of both 3MG (Ditton) and Daresbury be supported;
- (2) the NWDA be requested to designate an additional site incorporating Widnes Waterfront, Widnes and Runcorn town centres and the area detailed in the Mersey Gateway Regeneration Strategy; and
- (3) the Executive Board authorise the Strategic Director, Environment in consultation with the Portfolio holder for Planning, Transportation, Regeneration and Renewal to formally respond to the North West Development Agency consultation on the Review of Strategic Regional Sites.

EXB121 TRANSPORT CAPITAL IMPLEMENTATION PROGRAMME 2009/10

The Board received a report of the Strategic Director, Environment, which sought approval to the inclusion of the 2009/10 Transport Capital Implementation Programme into the 2009/10 Capital Programme and the carry over of £1,608,000 of 2008/09 Local Transport Plan (LTP) Maintenance Block Borrowing Approval to 2009/10.

Members were advised that the second LTP had brought with a much less rigorous reporting requirement, based on a collaborative approach between DfT and the local authorities, to enable weaknesses in progress to be jointly addressed and strengths to be built upon.

They were further advised that this new approach required the de-coupling of the link between funding and performance, which resulted in the DfT, in its November 2007 Settlement Letter confirming the Integrated Transport

Capital block allocations for the period 2008/09 – 2010/11. The Integrated Transport allocation for 2009/10 was £1,831,000.

Similarly, three year allocations for the Highways Capital Maintenance Block, which were based on a new formula, were also notified and which were set out in the report. The Road Maintenance element of the Highways Block allocation had been reviewed in the context of Performance Indicators for highway maintenance. This led to a prioritisation of non Primary Route Network (PRN) footway reconstruction for the next two years, after which the position would be reassessed. This, in conjunction with a similar review of priorities in the revenue road maintenance programme, would provide an overall budget, for the 2009/10 and 2010/11, which would enable around a doubling in the length of footway reconstruction to be carried out each year. Over £450,000 would be available for carriageway structural maintenance, and this would continue to be supplemented by revenue funding. Performance on the principal and classified road condition indicators were not expected to fall below the top quartile during this period, as a result of re-profiling over this two year period. The Highways Capital Maintenance allocation for 2009/10 was £2,023,000.

Members were further advised that the individual schemes for the Integrated Transport and Highway Maintenance Block would be drawn from the programmes included in LTP2, which were outlined in Appendix A to the report.

It was further noted that in addition to the LTP Capital Maintenance Block, Halton was also allocated £14,288,000 of additional funding for use between 2008/09 and 2010/11. This was from the National PRN Bridge Strengthening and Maintenance allocation to enable much needed maintenance and inspection work on the Silver Jubilee Bridge. This funding replaced some of that identified in the SJB Major Maintenance Scheme bid, which was submitted to Government in March 2006 and on which a decision was still awaited. The PRN Bridge Strengthening and Maintenance allocation for 2009/10 was £4,906,000.

In order to increase the efficiency in the procurement and delivery of all bridge maintenance works in the Borough, a single partnering contractor approach had been pursued. Due to the timescales involved in developing this partnership, there was need to defer £1,608,00 of the PRB Bridge Strengthening and Maintenance allocation, from

2008/08 to 2009/10. The DfT were happy to support the principle of this proposal, but had indicated that Section 31 Grant could not be carried over from one year to the next. Instead, it was agreed for the Council to spend £1,608,000 of unallocated "Supporting Borrowing Powers" to be carried over into 2009/10 to fund the "additional" PRN Bridge Strengthening and Maintenance works and hence facilitate the revised expenditure profile. It was therefore proposed to carry over £1,608,000 of LTP Highways Capital Maintenance "Supported Borrowing Power" approvals from 2008/09 to 2010/11. The total PRN Bridge Strengthening and Maintenance programme for 2009/10 was in the sum of £6,514,000 and a list of the provisional programme was appended to the report.

Members were advised that during 2009/10, the Council had allocated the sum of £100,000 of capital funding to enable a programme of works to be implemented to bring unadopted roads up to adoptable standards – the "Adoptions Programme". A report was to be presented to the Urban Renewal Policy and Performance Board in March setting out a proposed policy and procedure for the identification and approval of schemes and how the funding arrangements for each proposal would be determined. In addition, it was noted that the Council's Flood Defence programme comprised a range of maintenance and improvement schemes. Work would also continue to de-silt culverts and highway/land drainage systems at known flooding hotspots throughout the Borough. The Council capital Flood Defence Programme for 2009/10 was in the sum of £100,000.

Further to this, the Council's Street Lighting capital programme for 2009/10 was in the sum of £200,000. This allocation would be used for the renewal of street lighting equipment (lighting columns, lanterns, signs, bollards, etc.) and would address the replacement of age expired equipment and enable improvements to save energy.

It was proposed that the authority agree details of the programmes of work for: PRN Bridge Strengthening and Maintenance; the Adoptions; Flood Defence; and Street Lighting, for the periods 2009/10 and 2010/11, be delegated to the Strategic Director, Environment, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal.

In addition, Halton's Road Safety Grant, which was the funding used to help support the Cheshire Safer Roads Partnership was also confirmed in the November 2007

Settlement Letter. The revenue element of this grant was incorporated into the area based grant. The capital element of the Road Safety Grant for 2009/10, which would be paid as a direct capital grant, was in the sum of £72,167.

Members were advised that the final Transport Capital Implementation Programme for 2009/10 would be in line with the capital budget to be agreed by the Council. This programme would be included in the Highways, Transportation and Logistics Department's Service Plan. It was noted that Halton continued to be allocated an element of De-trunked Roads Maintenance Grant, which was used to maintain the Widnes Eastern Relief Road. The De-trunked Roads Maintenance Revenue Grant for 2009/10 was £213,830 which would also be included in the area based grant allocation.

RESOLVED: That the Executive Board recommend the Council to approve:

- (1) the incorporation of the Transport Implementation Programme for 2009/10, in the sum of £10,840,200, into the Council's 2009/10 Capital Programme;
- (2) the carrying forward of £1,608,000 of the Local Transport Plan's Highways Maintenance Borrowing Power approvals for 2008/09 into 2009/10, to facilitate the re-profiling of works associated with the Primary Route Network Bridge Strengthening and Maintenance allocation; and
- (3) the authority to agree the detail of the programmes of work for: Primary Route Network Bridge Strengthening and Maintenance; Adoptions; Food Defence; and Street Lighting, for the period 2009/10 and 2010/11, be delegated to the Strategic Director, Environment, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal.

**EXB122 PARTIAL REVIEW OF REGIONAL SPATIAL STRATEGY:
PROVISION OF PERMANENT AND TRANSIT PITCHES
FOR GYPSIES AND TRAVELLERS IN HALTON**

The Board received a report of the Strategic Director, Environment which outlined the proposed formal response to the consultation being run by 4NW on the topic of Gypsy and Traveller accommodation needs as part of the Partial

Review of the Regional Spatial Strategy. The consultation closed on the 27th March 2009.

Members were advised that 4NW, formerly the North West Regional Assembly, was the designated regional planning body for the North West of England. They had been asked by the Government to prepare, monitor and review the Regional Spatial Strategy (RSS) in partnership with others. The RSS was a regional plan that had to be taken into account when decisions were being made about planning applications. It provided a spatial framework for development in the region and for other regional strategies and it promoted the sustainable development of the North West.

Members were advised that currently a Partial Review of the RSS was underway due to the need to complete unfinished policy work within the RSS. This Partial Review covered three key subject areas of Gypsies and Travellers, Travelling Show People and Car Parking Standards.

It was noted that the Council currently provided 23 pitches at Riverview Residential Caravan Site in Widnes. A new local authority run site was opened in January 2009 in Warrington Road, Runcorn, next to the existing private site. This new site provided 4 permanent pitches and 10 transit pitches. There were two private sites in Runcorn at Windmill Street and Warrington Road; these two sites provided 13 pitches. In total there were 40 permanent pitches and 10 transit pitches currently provided in Halton.

It was further noted that the accommodation for Gypsies and Travellers was dealt with by an Interim Draft Policy L6 – Scale and Distribution of Gypsy and Traveller Pitch Provision. It was this policy that was the subject of the consultation. This policy had a policy start date of 2007, therefore all accommodation provision since made from 2007 would be counted towards policy target for pitch numbers.

Within Policy L6 was a table of pitch provision to be achieved by each individual North West authority by 2016. Policy L6 indicated that Halton should provide by 2016 an additional minimum of 60 permanent pitches. The policy also indicated that a further 3% compound increase on an annual basis should be achieved to 2021 and for Halton this would be a further 15 permanent pitches. The policy therefore suggested that by 2021 Halton should provide a total of 111 permanent pitches. The policy made a

distinction between permanent and transit pitches and the policy indicated that 5 additional transit pitches should be provided by Halton by 2016. However, as Halton's new site at Warrington Road provided 10 transit pitches, Halton would have already met its allocation apportionment under the draft policy.

The Board was advised that the Council must respond to the consultation using a structured and formatted response form. This consultation response form asked a series of questions with regard to the Interim Draft Policy L6. The first question to deal with the issues of concern asked for a yes or a no response to whether the Council supports policy L6. Question 4 asked for the reasoning behind the response to Question 3. It was recommended that the response to Question 3 would be given as "No". This response was justified on the basis that the policy did not adequately address the issue of distribution in the policy wording. Currently, there was no acknowledgement of the fact that the last round of consultation in July 2008 concluded that provision for Gypsies and Travellers should be undertaken by way of a more balanced share of provision across districts. This approach sought to seek pitch provision distributed to meet the requirements of the Gypsies and Travellers. During the July 2008 consultation this approach was known as Option 3. For the purposes of clarity and avoidance of doubt, the policy text should acknowledge that this was the basis upon which pitch provision would be made and monitored.

It was further noted that question 5 on the consultation response form dealt with the main issue of contention, notably the provisional figure for Halton to provide an additional 60 permanent pitches in the Borough. It was recommended that the response to Question 5 be given as "No". In question 6 we were asked to justify this response, the response to question 6 was outlined in detail in the report.

It was advised that the draft RSS policy figure of 300 across the Cheshire Sub-regional Partnership had then been apportioned, by a no scientific method, to all those authorities in the Cheshire Partnership. The results of this were set out in the report.

In Interim Policy L6 the Halton apportionment figure had been given as 60 pitches. This represented 20% of the sub-regional apportionment. This represented a fifth of the requirement, yet there were nine authorities in the Cheshire Partnership. Halton was the smallest of these nine partners

in terms of geographical area and had little land available to accommodate further provision. Some account should also therefore be taken of provision in the context of the geographical size of Councils, which would result in neighbouring authorities' targets being increase relative to Halton. There was little land available in Halton upon which to accommodate such large numbers of pitches. In terms of current pitch provision, only Congleton and St. Helens provided more pitches than Halton. In terms of equity and choice, greater provision should be made in other districts where the Gypsy and Traveller community wished to settle to ensure sustainability, but not to the extend that some Council's had to do nothing.

It was further advised that some attempt should be made to redistribute the assessed need for pitches to ensure a more even provision between Councils, particularly to those who have little or no existing provision and should also focus on those Councils with no Council-owned sites.

Any provision for Halton should be reduced by the number of pitches included in the new development in Runcorn that comprised 4 permanent pitches and 10 transit sites. Consequently, the assessed need should reduce accordingly. It was accepted that this development occurred after the needs assessment that informed RSS figures. It was understood that, as the Interim Draft RSS Policy L6 had a starting date of 2007 this provision would be taken into account in considering Halton's apportionment.

Members were advised that for the above reasons, Halton did not feel that the evidence produced to support the Interim Draft Policy L6 substantiated the pitch provision figures for Halton. The greatest provision should be made in the areas highlighted by the Gypsy and Traveller communities and those authorities currently offering no local authority run sites.

RESOLVED: That

- (1) the content of the report be formalised as the response from this Council to the consultation being run by 4 NW on Gypsy and Traveller accommodation needs;
- (2) Halton's evidence be enhanced via research into the waiting list held for Riverview Caravan Site to see how many people were still actively seeking accommodation in Halton; and

- (3) the Council strongly object to the proposals in RSS Interim Draft Policy L6 for Halton to provide 60 additional permanent pitches.

NEIGHBOURHOOD MANAGEMENT DEVELOPMENT PORTFOLIO

EXB123 VOLUNTARY SECTOR FUNDING GRANT ALLOCATION 2009-10

The Board received a report of the Strategic Director, Health and Community which recommended Voluntary Sector Grant Awards for 2009/10.

It was noted that in a report to Executive Board on 3rd January 2002 the expectations for voluntary sector funding were established. It was agreed that awards be judged against agreed criteria and actual targets be negotiated prior to signing a service level agreement. Targets were now linked to both departmental and corporate priorities reflecting a more targeted approach to funding.

It was further noted that applications were assessed and recommendations agreed by a Members Panel consisting of the Executive Board Member with portfolio responsibility for the Voluntary Sector and the Chair and Vice Chair of the Employment, Learning and Skills Policy and Performance Board.

The monitoring arrangements for grants was set out in the report and a list of recommended grants were also set out; the recommendations were in the context of the budget allocation and the Panel's assessment. These recommendations were for an annual allocation for the financial year 2009/10. The budget available was £262,150.

	2008/09	2009/10
Cheshire Asbestos Victims Support	£13,300	£13,300
Cheshire Racial Equality Council	£6,000	£6,000
Cheshire Victim Support	£7,400	£7,400
Halton Citizens Advice Bureaux	£139,000	£139,000

Halton Voluntary Action *	£57,000	£55,903
Halton Talking Newspapers**	£600	£0
Rape and Sexual Abuse Centre	£3,200	£3,200
Relate	£9,200	£9,200
Runcorn & Frodsham Mencap	£2,400	£2,400
Samaritans	£4,000	£4,000
Vision Support	£8,200	£8,200
Warrington Law Centre ***	0	0
Widnes & Runcorn Cancer Support Group	£11,848	£11,848
TOTAL	£262,148	£260,451

*** Organisation requested less for next financial year - 09/10 :-**

- Halton Voluntary Action requested a lesser amount in their application.

**** Organisation did not apply for funding for 2009/10**

- Halton Talking Newspapers did not submit an application for funding for 2009/10

***** Application not recommended to receive funding: -**

- Warrington Law Centre - £16,000

This organisation previously received a grant in 2007/8 the cases being dealt with were debt and welfare rights as opposed to special housing advice. The Panel recommended not to fund in 2008/09 and wished to uphold this recommendation for 2009/10. Warrington Law Centre continued to provide assistance at Runcorn Court through their Legal Services Commission contract and Halton

residents could also be referred to Shelter for specialist housing advice.

RESOLVED: That

- (1) Members of the Executive Board approve the recommended grant allocations; and
- (2) further applications be approved by the Strategic Director, Health and Community, in consultation with the Neighbourhood Management Development Portfolio Holder.

CORPORATE SERVICES PORTFOLIO

EXB124 POLICY FOR THE TRANSFER OF ASSETS TO THE THIRD SECTOR

The Board received a report of the Strategic Director Corporate and Policy which sought the Board's approval to an Asset Transfer Policy to be applied in circumstances where the transfer of land or property to the third sector could be seen to be addressing Community Strategy priorities and making financial sense to the authority.

It was noted that the Council had over many years supported organisations in the third sector in a variety of ways that provided support to the Council's priorities. This support had included the letting of surplus properties to such organisations. These arrangements had, however, been on an ad-hoc basis.

Following the publication of the Quirk Review (commissioned by the Government) in 2007 through which local community groups were encouraged to approach their local Councils to see if the local authority had any surplus assets capable of being used to support the delivery of their services, more requests were being made for the Council to transfer their assets to the third sector.

It was felt that in order to address such request, a more formal approach was needed to deal with them. The Corporate Services Policy and Performance Board included this topic in its 2008/09 work programme and had developed such a policy for consideration by the Executive Board. The Board had recommended the attached policy for adoption.

It was further noted that the first consideration in all cases would be whether the Council considered the land/

building to be surplus in the first place. This would precede any further application of the policy. This would need to be undertaken by balancing the potential commercial value of the asset against any potential use, always taking into account the wider financial implications for the Council. In particular, the need to generate capital receipts to support the Council's Capital Programme.

RESOLVED: That

- (1) the work done by the Corporate Services Working Party be received;
- (2) the Asset Transfer Policy be formally adopted, subject to any final amendments; and
- (3) delegated authority be given to the Strategic Director, Corporate and Policy, in consultation with the relevant portfolio holder to approve final amendments as necessary.

EXB125 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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of

business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

CORPORATE SERVICES PORTFOLIO

EXB126 EFFICIENCY PARTNER - CONTRACT ARRANGEMENTS

The Board received a report of the Strategic Director, Corporate and Policy which advised Members of the contract arrangements with the Council's Efficiency Partner (KPMG), in accordance with the Executive Board Minute No. EXB74/2008 and to provide an update on progress.

RESOLVED: That the report be noted.

MINUTES ISSUED: 30 March 2009

CALL IN: 6th April 2009

Any matter decided by the Executive Board may be called in no later than 6th April 2009.

Meeting ended at 2.30 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 2 April 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Nelson, Polhill, Swain, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: G. Cook, B. Dodd, D. Johnson, I. Leivesley, A. McIntyre, G. Meehan, M. Noone, D. Parr, M. Reaney and M. Simpson

Also in attendance: Cllrs Hodgkinson, Osborne and E Cargill and F. Johnstone – PCT, B Pilkington and S Barber – 5 Borough's Partnership NHS Trust.

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

Action

EXB127 MINUTES

The Minutes of 19th March 2009 were taken as read and signed as correct record.

EXB128 ANNUAL AUDIT AND INSPECTION LETTER 2007/08

The Board received a presentation from the Council's Auditors on the Annual Audit and Inspection Letter. It was advised that the Annual Audit and Inspection Letter provided an overall summary of the Audit Commission's assessment of the Council, drawing on audit inspections and performance assessment work. Appended to the report was a copy of the annual letter for Members' consideration.

The Board's attention was drawn to the key messages, purpose, responsibilities and scope, how the council was performing and the audit of the accounts and value for money from the annual audit document.

Members queried whether IRFS would be implemented in this authority. In response it was noted that

it would be implemented in phased stages from 2010 onwards and the finance team were currently planning for it.

The Executive Board noted their thanks to Mike Thomas and the team for the hard work and the positive report produced.

EXB129 ANNUAL REVIEW OF THE CONSTITUTION

The Board considered a report of the Strategic Director, Corporate and Policy which sought the approval of the Council to a number of changes to the Constitution.

Members had received a revised version of the Constitution, it was advised that this amended version picked up the changes to the Council's working arrangements that had taken place during the year, as well as other changes which were intended to assist the Council to operate more effectively.

It was advised that the proposals for change had been considered by the Chief Executive and the Executive Board Member for Corporate Services in accordance with Article 16.02. It was reported that apart from the purely technical changes, the proposed amendments that were considered to be of particular significance were listed as an appendix to the report.

The Board was informed of one change to the appendix which related to Citizen's Right's of Access to Information in terms of amending the acceptability of questions put to Area Forums. It was proposed that questions put to Area Forums should be the responsibility of the Lead Officer in Consultation with Members, rather than in consultation with the chair as not all Area Forums have a standing Chairman.

RESOLVED: That Council be recommended to approve the changes to the Constitution as set out in the amended version detailed as follows.

Local Code of Corporate Governance

National Standard document which Council needs to adopt. Further enhances the Council's integrity framework.

Warrington BC Trading Standards arrangements

Delegated powers changed to reflect joint working with Warrington BC

- (i) Mental Health functions – officer delegation

A separate report seeking additional officer delegations in relation to the council's Mental Health functions. To the extent approved by Council these will be added to the final printed version of the 2009 Constitution.

(ii) Urgent Decisions

It is important that the Council is able to respond promptly within an accountable framework. For this reason an urgent measures delegation is proposed for approval in the Scheme of Delegation.

(iii) Procurement Standing Orders

Improvements have also been proposed to the Procurement Standing Orders to ensure that the reasons for decisions are documented. This will enhance accountability and transparency.

(iv) Call-In

Changes have also been made to the Call-In Procedure to allow withdrawal where Members initiating the Call-In wish to discontinue the process.

Citizen's Right's of Access to Information, meetings etc, Number 7.

Acceptability of questions put to Area Forums should be the responsibility of the Lead Officer in consultation with Members rather than the responsibility of the Chair since not all Area Forums have a Standing Chairman.

EXB130 SUSTAINABLE COMMUNITIES ACT 2007

The Board received a report of the Strategic Director, Corporate and Policy which informed Members of the provisions of the Sustainable Communities Act 2007 and reported on a consultation on local spending reports pursuant to the Act.

It was advised that the Sustainable Communities Act 2007 was introduced to parliament as a Private Bill. In summary –

- 1) Local authorities were invited to make suggestions to the Secretary of State for Communities and Local Government aimed at improving the sustainability of local communities. Suggestions must promote economic, social and environmental well-being.
- 2) Local authorities would be able to request Local Spending Reports to help them to prioritise actions.

These reports would show all of the Government spending in their communities from Government Departments and their agencies.

- 3) The Act formally changed the name "Community Strategies" (as set out in the Local Government Act 2000) to "Sustainable Community Strategies".

The Board was advised that under the provisions of the Act, the Secretary of State had invited Local Authorities to make proposals which they considered would contribute to promoting the sustainability of local communities. It was advised that the expectation was that most proposals would originate from community organisations, parties and town councils, neighbourhood forums, residents and tenants associations, local strategic partnerships and other partnership bodies. It was further noted that proposals could also be developed by Councils themselves.

The Board was informed that there was no limit on the types of proposals that local authorities could make to the Secretary of State. It was noted that they could include a request for a transfer of functions from one body to another (for example from a national to a local body or from one local body to another). This could be accompanied by a request for transfer of funding linked to that function. In making such a proposal a local authority would have first to consult with both bodies concerned. It was noted there was no specific budget associated with this Act and proposals could be made requiring new funding but generally they would need to be resourced from existing public funds.

The Board was further advised that before submitting a proposal to the Government for consideration, the local authority must first establish and consult with a panel of "representatives of local persons". Statutory guidance required that persons from under-represented groups were included on such a panel. It was noted that for the purposes of the Act "representatives of local persons" meant a balanced selection of individuals, groups or organisations likely to be affected by or have an interest in the proposal. It did not refer to formally elected or nominated members of the community.

It was advised that the deadline for submission of proposals to the LGA was 31st July 2009. It was noted the LGA planned to consult on some draft criteria for short listing proposals in March 2009 and to publish a final proposal form in April allowing three months for local consultation and decision making before the submission deadline. It was

further noted that there would be further rounds for submission on proposals but no timetable had yet been set.

The Board also considered that the Act required the Secretary of State to make arrangements for the production of Local Spending Reports. These reports provided information about public spending in relation to a particular area. It was noted that this was intended to “promote the sustainability of local communities by providing access to high quality information about the public funding that was spent in the area”. The Government expected this provision to provide greater transparency and accountability.

It was reported that the Government had recently published a consultation on proposals for local spending reports. The consultation period would end on 15th May 2009. The consultation pointed out that the statutory requirement was potentially complex and expensive and suggested that the “first arrangement” would make use of information currently available and through the consultation it could be assessed how reports should be developed over time.

It was advised that the Government proposed that the first arrangement should comprise a list of items of expenditure for all local authorities, police authorities, fire and rescue authorities and primary care trusts. It was proposed that the items of expenditure would be broken down into more detailed tables as currently set out in the revenue out-turn returns made to Central Government.

The Board was advised of a response that would be sent to the consultation indicating that to be of any use, the reports must set out what was spent by agencies and Government departments. The proposed responses to the consultation questions were appended to the report for Members’ consideration.

RESOLVED: That

- 1) a seminar be held for all Members to consider how the Council might respond to promoting sustainability within the framework of the Act;
- 2) the matter be discussed at the Halton Strategic Partnership Board; and
- 3) the draft response to the consultation on local spending reports set out in the in appendix be agreed.

EXB131 PREPARATION FOR COMPREHENSIVE AREA ASSESSMENT - CAA

The Board considered a report of the Strategic Director, Corporate and Policy which outlined the key features of the new CAA framework that would take effect on 1st April, 2009. Appended to the report were signposts and specific information on the following aspects of the CAA for Members' consideration:

- a) The scope and architecture of CAA
- b) The Area Assessment
- c) The Organisational Assessment
- d) Timetable for Assessment
- e) Actions being taken to prepare for CAA

It was advised that a version of this report would be circulated to all members of the Halton Strategic Partnership Board, Specialist Strategic Partnerships and Sector Based Partnerships in the near future.

RESOLVED: That

- 1) the Board approves the initial actions to prepare for the Comprehensive Area Assessment set out in Section (e) of Annex 1 to the report; and
- 2) the Board supports and engages with the activities to prepare for CAA, across relevant areas of the Council and the Halton Strategic Partnership.

EXB132 EQUALITY & DIVERSITY PROGRESS REPORT

The Board received a report of the Strategic Director, Health and Community which provided an update on the current position on the equality and diversity agenda in Halton.

It was reported that the Council was making progress towards creating a culture whereby equality and diversity were part of the mainstream planning and service provision process. It was noted that the Council had developed a specific structure around equality and diversity duties. At its core was the Corporate Equality and Diversity Group, currently chaired by the Strategic Director of Health and Community. It was advised that this had representation from officers from across the Council and underpinning this were Directorate groups. In addition, it was reported that there

was a Members' Equality and Diversity Group chaired by Councillor Wharton, Executive Board Member, Corporate Services. Its role was to give a strong political foundation, champion equalities issues and provide the necessary degree of monitoring and challenge on the Council's pursuit of its equalities aspirations. It was reported that these groups now interlinked with the Local Strategic Partnership, Equality, Community Cohesion and Engagement Group.

It was further advised that equalities were a dynamic area of public policy. There had been major recent legislative changes in this area. The Equality Bill, A Framework for a Fairer Future, was presented to Parliament in June 2008 and would be launched in April 2009. Details of what the Bill provided for were outlined in the report for Members' consideration. It was reported that the Council was currently at Level 3 of the Equality Standard for Local Government. However, in April 2009 the Equality Standard would be replaced by the Equality Framework for Local Government. Set out in the report were the current five levels of the Standard which would be simplified by consolidation into three levels.

The Board was also advised of progress that had been made to support the process in Moving towards Excellence.

RESOLVED: That the Executive Board note the report and endorse the actions outlined in section 4 in order for the Council to move forward to Excellent Status within the new Equality Framework for Local Government.

EXB133 REVIEW OF SAFEGUARDING CHILDREN AND YOUNG PEOPLE IN HALTON - KEY DECISION

The Board received a report of the Strategic Director, Children and Young People which outlined the findings of the Joint Area Review of Haringey Council and their statutory partners. In addition, the report set out an analysis of current strengths in Safeguarding and Child Protection Services in Halton and the report also identified service trends in Safeguarding and Child Protection Services in Halton along with a Development Plan.

It was reported that the significant weaknesses identified by the recent Joint Area Review (JAR) of Haringey Council and its statutory partners services to vulnerable people had caused a waive of both political and public concern about the protection of children in our society. It

was noted that it also had a significant impact on those who delivered Safeguarding services.

The Haringey JAR in November judged the Borough as “inadequate” and gave a damning verdict of the management and application of Child Protection Services across much of the public sector. Lead Statutory responsibility for Child Protection Services rested with the Director of Children’s Services and the Lead Member for Children and Young People.

It was further reported that Halton Council and its partners were judged in April 2009 by the OfSTED Joint Area Review as “Outstanding” in its Safeguarding and Child Protection Practice. That “Outstanding” judgement was confirmed in the Annual Performance Assessment by OfSTED public on the 17/12/08 of the Council’s Children and Young People Directorate. It was noted that this was one of only a few “Outstanding” ratings, nationally.

Also detailed in the report was the findings from Haringey’s JAR. In addition the report set out Halton’s strengths, Halton’s context and challenge, development plan and financial implications. It was further advised that safeguarding children well required the Council to routinely evaluate the effectiveness, capacity and safety of the current system. The report brought together the full range of issues impacted on the Council in its principal objective of keeping children safe.

REASON FOR DECISION

To ensure that children and young people are effectively safeguarded and the Council is compliant with the requirement set out in Lord Lamings Review of Progress Report

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None applicable

IMPLEMENTATION DATE

2nd April 2009

RESOLVED: That the Executive Board endorses the ‘Development Plan’ enclosed as section 4 to the report.

EXB134 ACCELERATED CAPITAL - KEY DECISION

The Board received a report of the Strategic Director, Children and Young People which provided an update on

the capital programme for 2009/10 following the offer to local authorities by the DCSF to accelerate capital funding.

It was advised that in November the DCSF offered to release in 2009/10 some of the capital grant programmed for release in 2010/11 with the aim of stimulating the local economy, especially for small and medium sized enterprises. It was noted that in order to support this initiative the Directorate had confirmed to the DCSF that it wished to bring forward £500,000 from the grant scheduled to be released in 2010/11. In addition, £120,000 of LCVAP had been brought forward for use on schools in Shrewsbury Diocese. It was proposed the accelerated capital funding available to Halton would fund the following works:

- Moore Primary School – removal of mobile classroom and provision of new build classroom.
- Lunts Heath Primary School – re-roofing.
- West Bank Primary School – new boiler.
- Hillview Primary School – new boiler.
- Cavendish School – furniture and equipment required to complete the building project at the school.

Detailed descriptions of the projects including the estimated cost of works were outlined in the report for Members' consideration.

REASON FOR DECISION

To deliver and implement the capital programmes.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

IMPLEMENTATION DATE

Capital programmes to be implemented with effect from 1st April 2009.

RESOLVED: That the Executive Board

- 1) notes the additional capital funding available for 2009/10; and
- 2) recommends submission to full Council for approval of the additional works to be carried out from the capital programme 2009/10.

EXB135 SCHOOLS ADMISSION ARRANGEMENTS 2010

The Board considered a report of the Strategic Director, Children and Young People which fulfilled the requirement under the School Standards and Framework Act, 1998, the Education Act 2001, the Education and Inspections Act 2006, and associated regulations, to determine Halton Local Authority's (LAs) Schools Admissions Policy for LA maintained community and voluntary controlled schools and co-ordinated admission schemes for all primary and secondary schools for September 2010 following statutory consultation. The LA also consulted on the admission arrangements to its maintained nursery schools for the September 2010 intake.

It was reported that in January 2009 Halton LA issued a statutorily required consultation paper on the proposed admission arrangements and co-ordinated admissions schemes for the September 2010 intake which was appended to the report for information.

Details of the consultation were published in the local press, made available on the Council's website and issued to the head teachers and governing bodies of all nursery, infant, junior, primary and secondary schools, the four Diocesan Authorities responsible for voluntary aided schools in Halton and neighbouring authorities. It was noted that following prior consultation and agreement with the four Diocesan Authorities, the LA also facilitated an on-line admissions consultation process for all Church of England and Catholic Voluntary Aided Schools, which enabled them to consult on their proposed admission arrangements for the 2010 academic year along with the LA's proposed arrangements.

It was advised that the consultation paper proposed no changes to the current over subscription criteria for admission to LA maintained community and voluntary controlled primary schools and no change to the current over subscription criteria for admission to LA maintained community schools in Runcorn. However, changes were proposed to the allocation of places at LA maintained community secondary schools in Widnes through the introduction of catchment zones as detailed in an Appendix to the report. The Board was advised the consultation commenced on 5th January 2009 and closed on 28th February 2009. 22 responses were received to the consultation and were outlined in the report for Members' consideration. The Halton Admissions Forum met on 3rd

March 2009 to consider the Admissions Policy, co-ordinated schemes, proposed catchment zones and the responses to the consultation. It was reported that the Admissions Forum approved the policy and co-ordinated and secondary schemes, considered the catchment zone options proposed by the LA and considered the responses received to the consultation, including the responses from the Governing Body at Waste Deacon High School who made representations about the LA's proposals. The Board was advised that the consensus from the Admissions Forum was that both Options 1 and 2 proposed by the LA should be put to the Executive Board for consideration.

It was further reported that the LA as commissioner of school places must ensure that the admission arrangements were fair, not complex and fully complied with all statutory requirements. In considering the introduction of catchment zones the LA wished to reflect the diversity of the community served by both The Bankfield School and Wade Deacon High School and did not wish to exclude particular housing estates or addresses in a way that might disadvantage particular social groups. It was advised that in the LA's view Option 2 best met those needs.

REASONS FOR DECISION

The decision was statutorily required and any revision to the proposed arrangement may adversely affect school place planning as detailed in 7.1 of the report.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

As detailed in paragraph 3.3 of the report if the LA remained with the current over subscription criteria for admission to Widnes Community High Schools i.e Children in Care, Siblings and then straight line distance measurement, some pupils living on the East side of Widnes would be required to circumvent two high schools to access educational provision, therefore this option was rejected. The representations submitted by the Governing Body at Wade Deacon High School were considered by the Halton Admissions Forum and rejected and the LA would support that view. 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 applied for the September 2010 academic intake and would apply for 3 years unless further Central or Local Government changes were required.

RESOLVED: That the Board approve the School

Admissions Policy, Admission Arrangements and co-ordinated schemes for admission to primary and secondary schools including the adoption of catchment zones for admission to Widnes Community High Schools, and admission arrangements to nursery schools and LA nursery classes. All of which applied to the 2010/11 academic year.

EXB136 CHILDREN'S ORAL HEALTH SCRUTINY

The Board received a report of the Strategic Director, Children and Young People which outlined Children's Oral Health in Halton recently endorsed by both the Children and Young People and Healthy Halton Policy and Performance Boards. It was reported that on 27th November 2007 the Children and Young People's PPB agreed that children and young people's oral health should provide the focus for scrutiny during 2008. It was advised that the Council's Annual performance Assessment of services for children and young people in Halton reported that "The Local Authority's performance on oral health was weaker than national and remained an area of development". It recommended that the Local Authority should "accelerate plans to improve oral health".

The Board were informed that the Oral Health Scrutiny Group was a joint scrutiny topic comprising of Members from the Healthy Halton and Children and Young People's PPB. The Board was advised that the Scrutiny Group would:

- Receive and consider evidence presented on the state of children's oral health in the Borough; and
- Consider the information in relation to statistical neighbours and national and regional benchmarks; and consider for securing improvement.

It was reported that dental health in Halton was poor and using data from epidemiological studies of child dental health, it was evident that 16 of the 21 electoral wards that comprised Halton Local Authority, dental health of five year olds was worse than the national average. This position was similar amongst the 12 year old population. It was noted that against this background Halton and St. Helens PCT had developed a dental commissioning strategy the aims of this were outlined in the report.

It was reported that the dental commissioning strategy was accepted by the PCT Board in March 2008 and funding was provided to ensure that key dental health

objectives identified within the strategy were addressed. In 2008-09 the PCT elected to focus on the priority issues:

1. Improving child dental health and reducing dental health inequality.
2. Improving access to primary dental care.

The background to each of these and details of how they would be achieved was outlined in the report for Members' consideration.

The Chair of Healthy Halton PPB addressed the Board and noted in particular the importance of 'Lancashire Trial' as it was reported that 30% of children in the Borough did not visit a dentist therefore the treatment to take place in school settings would benefit a wider range of children.

RESOLVED: That

- (1) the Executive Board be requested to approve the recommendations contained in 2.1 to 2.3 below;
- (2) Halton and St. Helens PCT should, subject to parental consent and outcomes of the "Lancashire Trial", support the administering of fluoride varnish to children, to take place in school settings;
- (3) Halton and St. Helens PCT should take steps to support the take up dental services by vulnerable young people who may not have regular access to dental services or be registered with a dentist; and
- (4) the Children and Young People's Policy and Performance Board should keep under review the implementation of the Oral Health Strategy.

EXB137 CONSULTATION ON APPLICATION FOR NHS FOUNDATION TRUST STATUS

The Board received a report of the Strategic Director Health and Community which provided an update on the Five Borough's Partnership NHS Trust's consultation regarding its application for Foundation Trust status and its organisational proposals.

It was reported that the NHS Foundation Trusts were established under the Health and Social Care (Community Health and Standards Act) 2003 ("the 2003 Act"). It was noted that they had grown out of the wider NHS reform

programme, offering greater autonomy and freedoms for NHS organisations within a national framework of standards and inspections.

The Board was advised that all NHS Provider Trusts had been tasked with achieving the position at which they could be considered as potential Foundation Trusts. A Foundation Trust was an NHS organisation that operated on the principle of working with its members for public benefit. It was noted that a Foundation Trust remained part of the NHS and maintained the principles and standards of the NHS such as delivering services without charge.

It was further advised that Foundation Trusts were subject to NHS standards, performance measures and inspection processes. Foundation Trusts were overseen by an independent regulator, Monitor and inspected by the Healthcare Commission (to be replaced by the Care Quality Commission in April 2009), which was the body that ensured that Foundation Trusts met their obligations. Detailed in the report was a description of what NHS Foundation Trusts were and what they must be able to demonstrate.

It was reported that the Trust's consultation document described its proposals for the future organisational arrangements for governance and comprised of three main components which were set out in the report for Members' consideration. A copy of the consultation document was appended to the report for information.

RESOLVED: That the Executive Board support the application for Foundation Status and the opportunities this would bring to the people of Halton.

EXB138 HEALTH & COMMUNITY CAPITAL PROGRAMME 2009-10

The Board considered a report of the Strategic Director, Health and Community which advised the likely provisional carry forward to 2009/210 and sought approval for the draft 2009/10 capital programme.

Detailed in the report was the provisional outturn for Health and Community's 2008/9 capital programme, the provisional carry forward to 2009/10 and the draft programme for 2009/10. The below provided details of the 2009/10 allocations from grants.

	£
Provisional Housing Grant	622,000

Disabled Facilities Grant	453,000
Mental Health SCP	101,000
Social Care SCP	60,000
(b) Total	1,236,000

The provisional outturn for Health and Community's 2008/09 capital programme was appended to the report for Members' consideration. It was noted that a further report would be presented to the Board when the final outturn was available.

It was further reported that the carry figures were subject to variations and would not be finalised until year end. In addition, at the time of writing there had been no formal announcement of the 2009/10 housing capital allocation and therefore, an estimated figure had been used in order to get a budget approved in time for the new financial year.

RESOLVED: That the Board recommend that the Council approve the proposed capital programme for 2009/10 as set out in Appendix 1 to the report.

EXB139 SCRUTINY REVIEW OF SAFEGUARDING VULNERABLE ADULTS SERVICE

The Board considered a report of the Strategic Director, Health and Community which advised the follow up recommendations of the Scrutiny Review of the Safeguarding Vulnerable Adults service, carried out in 2008.

It was advised that a review of Halton's Safeguarding Vulnerable Adults Service was commissioned as a joint scrutiny topic between the Safer Halton and Health Halton PPB. It was carried out during 2008. The full report with recommendations highlighted was appended to the report for Members' consideration.

The Board was advised that the report was commissioned because referrals of alleged abuse of vulnerable adults in the category of "older people" received by Halton Borough Council had risen year on year, with Halton having the highest levels of referrals in the North West. The PPBs wished to understand the reasons for this and consider if appropriate procedures were in place to safeguard vulnerable adults.

It was further noted that the scrutiny review addressed a comprehensive range of safeguarding arrangements, addressing policies, systems and processes

and both Policy and Performance Board had endorsed the recommendations of the scrutiny review.

It was reported that the group concluded that although the Halton figure for referrals seemed high in comparison to other local authorities, this could not be relied upon as a true like-with-like comparison and therefore could not be validated. No evidence was found to suggest that levels of abuse were higher in Halton than other areas.

Members were advised that currently there were no provisions within the existing residential and nursing care contracts for Elected Members to undertake lay assessments of residential and nursing care homes. It was reported that the Council was currently reviewing its residential and nursing care contracts and it was anticipated that this would provide an opportunity to consider recommendation 5.4.3.

The Board was informed that since the final scrutiny report was presented to the Policy and Performance Boards, a number of National reviews and investigations had been undertaken. Council anticipated changes to existing guidelines and, in this context, it was recommended that recommendation 5.6.1 would be put on hold. It was further noted that Halton Borough Council officers were responsible for the Safeguarding service and had followed up on other recommendations made in the report and progress would be reported within the Annual Report of the Safeguarding Adults Board and updates to the Safer Halton Partnership, as well as the two Policy and Performance Boards would be provided.

The Chair of Safer Halton PPB addressed the Board and reported that an adult abuse awareness day had taken place which was well attended with 21 Councillors who attended and there would be another one scheduled in the near future.

RESOLVED: That

- 1) the Executive Board endorse the recommendations of the Scrutiny Board, with the exception of 5.4.3 and 5.6.1 of the appendix to the report; and
- 2) the Board receives a further report on the two recommendations identified above.

The Board received a report of the Strategic Director of Health and Community which provided information on the key messages arising from the visit by the National Support Team (NST) for Health Inequalities during the week beginning 9th February 2009. The report also outlined the proposals for the next steps that the PCT and its partners needed to take in response to the recommendations arising from the visit.

It was reported that NSTs had, in the past, provided tailored support to local NHS organisations facing the greatest challenge to achieve key deliver areas. The Department of Health determined that such a process may be beneficial for public health and had set up 7 public health NSTs as follows, sexual health, tobacco control, health inequalities, teenage pregnancy, childhood obesity, alcohol harm reduction and infant mortality.

It was advised that the NST for Health Inequalities was one of a number of support teams established by the Department of Health to help PCTs and Local Authorities designated as spearhead areas deliver on public health priorities and targets. It was noted that the NST for Health Inequalities focused on the public service agreement (PSA) targets aimed at reducing the gap in life expectancy and mortality from the major causes of death. The Board was informed that the visit was not an audit nor was it part of performance management but it was designed to support the local health economy to improve performance.

The NST had provided a report based on the findings of the interviews and the workshops. The report outlined the key strengths of the local health economy and other areas with potential for improvement. It was noted that the NST had also identified areas where support could be provided.

The Board was advised that the visit focused on the Halton and St. Helens Primary Care Trust and local authority areas and took place over four days. A team of reviewing officers conducted a series of one to one interviews with selected individuals and various agencies. It was reported that in addition to the Community Engagement Focus Group, six workshops were also facilitated which covered various diseases detailed in the report. It was noted these workshop themes were areas that had been identified nationally as they offered the greatest opportunity for change and positive impact on health and life expectancy in the short term. The Board was advised that feedback was provided at a plenary session and a follow-up meeting was

scheduled for June 2009 for reflection and a discussion of proposed actions in response to the findings.

The Board were informed that the NST had commented that they had found the visit to be a very positive experience and some of the strengths highlighted were set out in the report for Members' consideration.

In addition, detailed within the report were the main recommendations and implementation of the recommendations plus next steps.

RESOLVED: That

- 1) the Executive Board receive the feedback reports from the NST Health Inequalities Team;
- 2) the Executive Board approve the next steps in responding to the recommendations as outlined in section 7; and
- 3) the Board receive a further report in July 2009.

EXB141 EXTENSION OF CONTRACTS FOR THE PROVISION OF MINOR ADAPTATIONS AND STAIR LIFTS

The Board received a report of the Strategic Director, Health and Community which advised the Board of the decision by the Chief Executive in awarding two contracts as a matter of urgency due to unforeseen circumstances. In addition, the report sought authorisation from the Board for further extension of the two contracts in the light of the exceptional circumstances and urgency of the situation.

It was reported that the powers of the Chief Executive had had to be utilised for a period of 48 hours between the contract expiry (31st March 2009) and date of the Board meeting (2nd April 2009). It was noted that this had occurred because the Department of Communities and Local Government notification of the successful bids for funding for the Handyperson Service was delayed. In addition, it was attributable to capacity issues within the service and the team having to prioritise the domiciliary care and residential care contracts.

The Board was advised that a contract for the provision of minor adaptations had existed between Halton Borough Council and J. C. Construction Limited since April 2006. It was noted that the awarding of the contract followed a full tendering process and a contract awarded for £52,000

per annum. The Board were informed that the contract was due to expire on 31st March 2009.

It was further advised that since the contract had been placed a responsive service had been provided for disabled people requiring minor adaptations, negating the need to obtain prices for individual jobs and improving service performance for the provision of minor adaptations within 7 days.

It was reported that the service provided an average of 1,500 minor adaptations per year at an average unit cost of £35. The Board was advised that feedback from people using the service had been extremely positive with comments about the speed of provision, the courtesy of the provider, satisfaction with the work carried out and the improvement that had been made to independence. It was further noted that over the last three years J. C. Construction Limited had provided additional services to the value of a maximum of £20,000 per annum. As part of the tendering process the new specification for the provision of minor adaptations would be expanded to provide a more comprehensive services and would include external adaptations such as half steps and external rails. It was notified that the proposed new contract would last for a period 3 years and would offer an option to extend beyond that for a further two years, subject to specified outcomes being delivered and specified targets being met. The Board was informed that the cost of the contract 2009/10 and subsequent years would be met from existing available budgetary provision.

It was also noted that the absence of a contract would delay provision of minor adaptations and have a detrimental impact on service performance.

The Board was advised that a contract of the provision of stair lifts had existed between Halton Borough Council and Lift Able Limited since 1st April 2008. The awarding of the contract followed a full tendering process. The contract was due to expire on 31st March 2009. This contract was on a non-exclusive basis. If required for flexibility purposes it was noted that the Council could go to other suppliers if for example Lift Able were not able to provide a lift. It was reported that since the contract had been in place a responsive, timely service had been provided for disabled people requiring stair lifts which had improved the service for users including those with palliative care needs.

The service had provided 73 stair lifts to date in 2009 and feedback from people using the service had been positive with comments about the speed of provision and the helpfulness of the Lift Able representative. Furthermore it was reported that the new contract would last for a period of 3 years and would offer an option to extend beyond that for a further two years, subject to specified outcomes being delivered and specified targets being met.

The cost of the contract for 2009/10 and subsequent years would be met from existing available budgetary provision and the absence of a contract for the provision of stair lifts would result in those being provided through the Disabled Facilities Grant process with the associated delays of that system.

Detailed in the report was the business case for waiving standing orders which set out value for money, transparency, propriety and security, accountability and position of the contracts under the Public Contracts Regulations 2006.

RESOLVED: That

- 1) it be noted that on 18th March 2009, the Chief Executive under Standing Order 1.7 Procurement Standing Orders authorised:
 - a. the extension of contractual arrangements with JC Construction Limited until 2nd April 2009 in order that a report could be submitted to the Executive Board requesting an extension until 31st March 2010 to enable the Council to complete a competitive tendering exercise for the Minor Adaptations Service contract commencing 1st April 2010.
 - b. the extension of contractual arrangements with Lift Able Limited until 2nd April 2009 in order that a report could be submitted to the Executive Board requesting an extension until 31st March 2010 to enable the Council to compete a competitive tendering exercise for the stair lift service with the new contract commencing no later than 1st April 2010;
- 2) with effect from and including 2nd April 2009 and for the purposes of Standing Order 1.6:
 - a. in the exceptional circumstances – namely the

need to allow time to explore the extent to which this and other contracts could be combined with other low level preventative services to improve economy, efficiency and effectiveness – set out below, Procurement Standing Orders 3.1 – 3.7 be waived to allow the existing contractual arrangements with JC Construction Limited to be extended until 31st March 2010 in order that during the period of extension the Council was able to complete a competitive tendering exercise for the Minor Adaptations Service contract commencing 1st April 2010;

b. in the exceptional circumstances – namely the need to explore and finalise the central purchasing arrangement for this service with Northern Housing Consortium, Procurement Standing Orders 3.1. – 3.7 be waived to allow the existing contractual arrangements with Lift Able Limited to be extended until 31st March 2010 so that during the period of extension the Council was able to complete a competitive tendering exercise for the stair lift service with the new contract commencing no later than 1st April 2010;

3) the Operational Director (Older People and Independent Living Services) in consultation with the relevant portfolio-holder be authorised to take such actions in respect of the above contracts as may be necessary to consolidate arrangements with other low level preventative services, to tender and to award the above contracts individually or on a consolidated basis; and

4) in relation to the above it be resolved that these matters require immediate action.

EXB142 LIVERPOOL CITY REGION TRANSPORT GOVERNANCE REVIEW AND THE DRAFT LIVERPOOL CITY REGION MULTI AREA AGREEMENT

The Board received a report of the Strategic Director, Environment which provided an update on the current status of the Liverpool City Region Transport Governance Review and the development of the Liverpool City Region Multi Area Agreement (MAA), Transport Platform.

The Board was advised that the Local Transport Act

(LTA) was given Royal Assent on the 26th November 2008 and subsequently became the Local Transport Act 2008. It was noted that the Act was a co-ordinating and enabling Act designed to provide additional powers relating to buses, transport governance and delivery and Road User Charging (RUC).

It was reported that on the 9th February 2009, the existing six Passenger Transport Authorities (PTA) in England, were re-named Integrated Transport Authorities (ITA). Once such PTA was Merseytravel and the responsibilities that the ITA immediately assumed were detailed in the report for consideration.

It was reported that the ITA could also work with local authorities to put forward proposals to Government to extend its boundaries, extend its influence over the highway network (subject to Governance review), extend its powers over the local heavy rail network and change its name.

It was further advised that a draft Governance study which was appended to the report had been developed by the Transport Working Group (TWG) and it was intended that this would be issued to Transport Consultants Atkins when all necessary approvals were in place. The study would be concluded in three stages details of which were outlined in the report.

It was noted that work already completed by the Transport Working Group had identified 7 possible options (the Discussion Model which were also detailed in the report. It was advised that there was a very strong emphasis on wide stakeholder involvement within the process and it would need particularly strong Member engagement.

The Board was notified of issues concerning governance of the LCR which were actively under consideration. It was reported that to help inform this process and with advice from the Department of Transport (DfT) the TWG had proposed that the Merseyside authorities and Halton would work together to produce a joint Local Transport Plan (LTP3) to ensure that transport issues across the LCR were effectively and efficiently addressed. Members were recommended to note that the Transport Working Group intended to explore the issues and potential for preparing a Joint Local Transport Plan in the future with any final recommendation being brought back to Members for their consideration.

It was further reported that a LCR Multi Area

Agreement (MAA) was in preparation which would create a framework within which the six city region local authorities, Merseytravel government and its agencies and other partners could co-operate to deliver improved economic performance. The Board was advised of the first stage of the MAA incorporating the “Story of Place” and Employment and Skills Platform had been agreed and was now being developed to include Housing, Economic development Transport Platforms. The Transport Platform of the MAA, Platform 4 – “Transport for a Growing City Region”, had the overall aim which was detailed in the report.

The Board was informed that some very helpful discussions had been held with GONW in developing the MAA and there had been some key messages over and above the previous guideline not to seek additional funding or to promote particular schemes which were set out in the report.

It was further advised that the MAA proposals were designed to integrate the key LCR priorities with responsibilities for delivering the shared national transport priorities. In addition the proposals would help to deliver against appropriate Public Service Agreements (PSA) target and would link with Local Area Agreements (LAA) to help deliver their transport targets.

Members were advised that the Transport Platform of the MAA was still in the development stage and it was intended for it to be incorporated into the full LCR MAA in early summer. It was noted that the key components of the document were “Asks” of the Government which, if agreed, would enable barriers to the implementation of transport strategies to be addressed. The current proposed Asks were detailed in the report in addition to a package which outlined what the proposals would deliver. It was further advised that GONW had commented positively on the draft Transport Platform but had suggested a number of areas that required improvement. Members were notified that these comments were now in the process of being addressed and would inform the next draft of the MAA.

RESOLVED: That

- 1) the proposal to engage transport consultants Atkins to carry out the study on the Liverpool City Region Transport Governance be endorsed;
- 2) Members endorse the intention of the Transport Working Group to explore the potential for producing

a joint Local Transport Plan for Merseyside and Halton i.e. the Liverpool City Region; and

- 3) work to continue to develop the draft Liverpool City Region MAA; Platform 4 – “Transport for a Growing City Region” and the “Asks” of Government contained therein, be endorsed.

EXB143 PART II

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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

EXB144 ST MICHAEL'S GOLF COURSE: AMENDMENT TO THE EXISTING CONTRACT FOR THE REMEDIATION OF THE GOLF COURSE

The Board received a report of the Strategic Director,

Environment which sought to gain approval from the Board to amend the existing contract for the remediation of St Michael's Golf Course.

It was advised that due to the urgent requirement for action, this item would be excluded from the "call in" procedures.

RESOLVED: That

- 1) having regard to the balancing risks, and the need to expedite the procedure, the Operational Director, Major Projects be authorised to amend the existing contract for the remediation of St Michael's Golf Course to suite the revised scope and cost of work and to include a performance bond to reduce any risk to the Council; and
- 2) that the item be excluded from the "call in" procedures due to the emergency involved.

MINUTES ISSUED: 8 April 2009

CALL IN: 17 April 2009

Any matter decided by the Executive Board may be called in no later than 17th April 2009.

Meeting ended at 4.00 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 9 April 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Nelson, Swain, Wharton and Wright

Apologies for Absence: Councillors Polhill

Absence declared on Council business: None

Officers present: G. Cook, R. Barnett, B. Dodd, D. Hennessy, I. Leivesley, A. McIntyre, G. Meehan, M. Simpson and D. Tregoe

Also in attendance: None

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

EXB145 MINUTES

The Minutes of the meeting held on 2 April 2009 were taken as read and signed as correct record.

(NB: Councillor Nelson declared a personal interest in the following item due to being a Chair of Governors at the Grange Schools.)

(Councillor Harris declared a personal interest in the following item due to being a Governor at The Bankfield School.)

EXB146 APPROVAL OF BSF OUTLINE BUSINESS CASE - KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People which detailed the Outline Business Case (OBC) and sought approval for the submission of the OBC to the DCSF by 22 April 2009.

It was reported that Halton submitted its Strategy for Change Part 1 in July 2008, which had now been agreed. The Strategy for Change Part 2 was submitted on 19 November 2008. It was noted that conditional approval was granted on the basis that additional information was

Action

provided by 27 February 2009 and the Authority was given permission to develop its OBCase. It was reported that notification had now been received which confirmed that the outstanding requirements from Strategy for Change Part 2 had now been met.

The Board was advised that the OBC consisted of the following key sections plus associated appendices:

- executive summary;
- background;
- the project within the programme;
- value for money;
- affordability;
- readiness to deliver; and
- managing change.

Explanations of each section were set out in the report for Members' consideration.

It was reported that the current Funding Allocation Model adjusted for Private Finance Initiative (PFI) credits was £175 million. Members were advised that this figure would cover the costs of Halton's BSF Programme.

It was noted that the estimated costs to deliver ICT solution for the BSF Programme was £23.5 million and included a 0.5 million contingency. The available funding was a combination of the BSF funding and a contribution of £200 per secondary pupil per annum, which would be secured for each secondary pupil.

It was reported that for the OBC cases the authority must also confirm that sufficient resources were available to meet the procurement and BSF team costs. It was noted that the total resources available would meet the £4 million requirement for the Authority.

In addition the Board was informed that revenue affordability of the Programme must be confirmed at OBC and in the Halton BSF Programme the building programme was being supported produced in two ways; through PFI where there was more than 70% new build and through the conventional funding solution for Design and Build.

Detailed in the report was a table that set out all the additional contributions which would be made to the BSF Programme. It was noted that the one off (single) contributions had been used to reduce the ongoing annual costs of the PFI schools. In addition, the funding to reduce

the annual affordability gap had been identified.

The Board considered the affordability section and noted the four key issues as follows;

- is the capital expenditure affordable?
- are revenue consequences affordable?
- are the costs of the team affordable? and
- are the costs of IT affordable?

Members were advised all the key issues above were affordable based on the model outlined in the report.

Arising from discussion Members requested that a breakdown of costs and plans of each site be circulated and presented in the near future.

REASON FOR DECISION

The Outline Business Case must be completed as part of the BSF Programme.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable

IMPLEMENTATION DATE

The Outline Business Case must be submitted to the DCSF and PfS by 22nd April 2009.

RESOLVED: That

- 1) The Executive Board note the progress made in the development of the Outline Business Case due for submission on 22nd April 2009;
- 2) The Executive Board delegate responsibility to make any changes to the BSF Outline Business Case to the Chief Executive in consultation with the Leader of the Council, Member for Children and Young People, Operational Director Financial Services and Operational Director Legal, Organisational Development and Human Resources;
- 3) The Executive Board requests the Strategic Director for Children and Young People to submit the Final Outline Business Case to the Department for Children Schools and Families in the form agreed by the Chief Executive in consultation with the Leader of the Council Member for Children and Young People, Operational Director Financial Services and

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Operational Director Legal, Organisational Development and Human Resources; and

- 4) The Executive Board request a full report on the outcome of the DCSF assessment of the Outline Business Case in June / July 2009.

(NB: Councillor Nelson declared a personal interest in the following item due to being a Chair of Governors at the Grange Schools.)

(Councillor Harris declared a personal interest in the following item due to being a Governor at The Bankfield School.)

(Councillor Swain declared a personal interest in the following item due to being a Governor at Halton High School.)

EXB147 BSF SECONDARY RE-ORGANISATION - KEY DECISION

The Board received a report of the Strategic Director, Children and Young People which summarised the response to the statutory consultation undertaken on secondary Special Educational Needs (SEN) unit provision in Halton. An outline of the decision making process was also included for Members' consideration. A further update on the outcome of the statutory consultation was circulated at the meeting following the end of the representation period on 2nd April 2009.

Members were also advised of the school organisation proposals required in Runcorn for The Heath Specialist Technology College, The Grange Comprehensive, The Grange Junior, The Grange Infant, The Grange Nursery and Halton High School.

It was reported that the proposals recommended the discontinuance of the 7 place EBD Unit at Halton High (Community School) and the discontinuance of the 14 place EBD Unit at The Grange Comprehensive (Community School). The proposals also recommended the reduction in the provision at Wade Deacon for Hearing Impaired pupils from 8 to 6 pupils.

Detailed in the report were the proposals to establish the secondary SEN resources provision as follows:

The Grange Comprehensive (Community School) – The school would provide resource provision for 11 pupils with a

diagnosis of Autistic Spectrum Disorder (ASD), 5 of these places would be reserved for outreach support for pupils in other high schools within the borough. In addition, there would be resource provision for 10 pupils with speech and language and communication needs.

Saints Peter and Paul Catholic College (Voluntary Aided Catholic) - The school would provide resource provision for 11 pupils with a diagnosis of Autistic Spectrum Disorder (ASD), 5 of these places would be reserved for outreach support for pupils in other high schools within the borough.

The Bankfield (Community School) - The School would provide resource provision for 10 pupils with speech and language and communication needs.

Wade Deacon High (Community School) The school would provide resource provision for 6 pupils with hearing impairment and Specific Learning Difficulties.

REASONS FOR DECISION

The proposals for secondary and secondary special provision must be agreed prior to the submission of the Outline Business Case.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Alternative options have been considered and assessed during the consultation process.

IMPLEMENTATION DATE

The proposals for SEN unit provision must be agreed by 9th April 2009 and will be implemented by September 2011.

The proposal to commence the consultation on Runcorn secondary provision must be agreed by 9th April 2009, however, the increase in numbers at The Heath Specialist Technology College are not scheduled to be implemented until the school has been rebuilt as part of the BSF Programme (2012/2013). The proposals for the re-organisation of The Grange Comprehensive, Junior, Infant and Nursery are scheduled to be implemented in April 2010. The date for the establishment of the Academy to replace Halton High is September 2010.

RESOLVED: That

- 1) Approval be given to commence the informal consultation process to expand the Heath Specialist Technology College to 1350 11-16 places;

- 2) Approval be given to commence the statutory consultation to alter the age range of The Grange Comprehensive to 0 – 16 years with 60 full time equivalent nursery places, 420 primary places and 900 secondary places and to discontinue (close) the Grange Nursery, Infant and Junior School;
- 3) Approval be given to commence the informal consultation process to discontinue (close) Halton High School followed by the formal consultation to close Halton High School by the authority and consultation to establish the Academy by the Sponsors;
- 4) The proposals to discontinue SEN provision and Halton High School and The Grange Comprehensive as set out in paragraph 3.2 of the tabled report be approved and implemented on 31st August 2011; and
- 5) The proposals to establish SEN Resource provision at The Grange Comprehensive, The Bankfield and St Peter and Paul Catholic College (Voluntary Aided Catholic) and to continue to offer provision at Wade Deacon High School as set out in paragraph 3.3 of the tabled report be approved and implemented by 1st September 2011.

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EXB148 DECISION ON BSF FUNDING AND PROCUREMENT - KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People which set out the range of Procurement Standard Documents and Standard Form Agreements, that were required to be submitted on 22 April 2009 as part of the BSF Programme.

The Board was advised of the range of Procurement Standard Documents as follows:

- The Official Journal of the European Union (OJEU);
- Pre-Qualification Questionnaire;
- Pre-Qualification Evaluation Matrix;
- Descriptive Document;
- Invitation to Participate in Dialogue Volume 1 (IPD);
and
- Invitation to Submit Final Bids.

It was reported that templates were available for the documents above which needed personalising in line with

each Programme requirements. The documents must then be agreed with Partnerships for schools.

It was further advised that there was a suite of Standard Form Agreements which must be approved by Partnerships for Schools, detailed as follows:

- Shareholders' Agreements;
- Strategic Partnering Agreements;
- PFI Project Agreement;
- PFI Payment Mechanism;
- Funder's Direct Agreement;
- Management Services Agreement;
- ICT Services Contract;
- ICT Payment Mechanism; and
- Design and Build Contract Lump Sum Option.

REASON FOR DECISION

The procurement Standard Documents and Standard Form Agreements must be agreed and submitted with the Outline Business Case on 22 April 2009.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

IMPLEMENTATION DATE

The Outline Business Case and supporting documents must be submitted to the DCSF and PfS by 22 April 2009.

RESOLVED: That

- 1) the Chief Executive be authorised to agree the supporting Procurement Standard documents and Standard Form Agreements prior to the submission of the business case to Partnerships for Schools and DCSF; and
- 2) the procurement process to be applied to the BSF Programme is that which is set out in the Partnerships for School guidance.

Chief Executive

EXB149 PROCUREMENT OF A JOINT LOCAL EDUCATION PARTNERSHIP WITH WARRINGTON COUNCIL - KEY DECISION

- The Board received a report of the Strategic Director, Children and Young People which outlined the proposals and gain approval to establish a joint Local Education

Partnership (LEP) with Warrington Borough Council.

It was reported that a LEP was a public private partnership between the LA, BSF for the Future Investments LLP (BSFI) and a private sector partner selected in open competition under the European procurement rules. The LEP was therefore a joint venture company whose primary purpose was to ensure that BSF investment was efficiently and effectively used to deliver transformation. The key aims of the LEP were outlined in the report for Members consideration.

The Board was advised of the proposal of a joint LEP be procured between Halton and Warrington Borough Council. It was noted that this would allow both Councils to have a joint BSF team that would manage the business cases and procurement preparation. It was further noted that this would strengthen both BSF teams and allow for revenue savings from both Councils. Members were informed that approval in principle was being considered by Warrington Council in April with formal consideration in May 2009.

It was further reported that approval by both Councils would be subject to the agreement of a Memorandum of Understanding (MoU) which would outline the operational and revenue implications, role of external commissioned services, the scope of the LEP and the governance arrangements for the Board. Appended to the report was a summary of the style, type and provision of the MoU. It was noted that a full copy of the MoU could be made available on request.

REASON FOR DECISION

A decision is required on the position in terms of the Joint LEP prior to the submission of Outline Business Case on 22 April 2009.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

IMPLEMENTATION DATE

The Outline Business Case must be submitted to the DCSF and PfS by 22 April 2009.

RESOLVED: That

- 1) Approval be given to enter into collaborative arrangements with Warrington Borough Council for the purposes of procuring a Private Sector Partner to participate and invest in a Local Education

Strategic Director-

- Partnership (LEP);
- 2) The arrangements in 2.1 of the report be subject of an agreed and signed Memorandum of Understanding (MoU) between both Councils;
 - 3) The scope of services to be obtained through joint procurement and the governance arrangements to be set out in the MoU; and
 - 4) The Chief Executive, in consultation with the Leader and the Executive Board Member for Children and Young People, be authorised to approve the final MoU and take whatever actions necessary to give effect to this decision.

(NB: Councillor Harris declared a personal interest in the following item due to being a Governor at All Saints Upton CE Primary School.)

EXB150 CHILDREN'S CENTRE PHASE 3 CAPITAL - KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People which identified the availability of Phase 3 capital funding for children's centres and proposed deployment of this resource to maximise access to children's centre services.

It was reported that since April 2006, local authorities have had strategic responsibility for delivering children's centres, to reflect the mainstreaming of children's centres as a universal, national programme. Children's centre services were planned and delivered in partnership with the NHS, Jobcentre Plus and a wide range of voluntary, private and community organisations based on local need.

Members were advised that children's centres were not currently recognised in legislation, although the integrated services which they offered to children and families had a statutory basis in the local authority duties under the Childcare Act 2006 to provide integrated early childhood services. However, it was noted that the Government's current proposals contained within The Apprenticeships, Skills, Children and Learning Bill, to establish children's centres as a recognised part of children's services infrastructure that had direct bearing on the future developments of the centres.

It was further advised that the proposed legislation would mean that in future, whether or not an establishment

was described as a children's centre would be a matter of law. It was reported that the Government proposed to use the Act to establish that all children's centres in existence at the date of the Royal Assent were captured as children's centres for the purpose of the statutory requirements.

It was reported that Local Authorities, working with their statutory partners, would be required to assess the need for children's centres in their area, and to establish and maintain sufficient children's centres to meet that need. The purpose of the proposed legislation was to provide children's centres with a statutory footing, so that their provision was not seen as the outcome of time-limited funding regime, but became a long term statutory commitment and part of the established landscape of early years provision.

The Board was advised that the intention was to reflect in the legislation and associated statutory guidance practice in localities which was outlined in the report for information.

It was further noted that under phase 1 and 2 of the programme, twelve children's centres had been established in Halton. Each children's centre was intended to serve a "reach" of between 800 and 1200 children under 5 years within the locality. All twelve centres had been formally designated as children's centres by Government.

The Board was informed that Government required Phase 3 children's centres (2008-11) to be situated outside the most disadvantaged areas and would therefore offer a less intensive level of support than those phase 1 and 2 centres serving families in the 30% most disadvantaged areas.

It was reported that Phase 3 was supported by capital funding of £521,866. It was proposed that this funding is used to enhance the facilities at existing children's centres which were outlined in the report for Members consideration.

REASON FOR DECISION

The Local Authority had been notified that it would receive capital funding to develop two further children's centres in the Borough. Subsequent advice received has indicated that the capital provision could be used to enhance existing stock if locally it is determined that further centres are not required.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Consideration was given to developing further children's

centres, however, following analysis of reach figures it was recognised that further centres were not necessary.

IMPLEMENTATION DATE

This should be confirmed immediately with Together for Children. Work can then progress on developing the existing provisions at Windmill Hill Children's Centre and Upton All Saints Children's Centre and Primary School.

RESOLVED: That

- 1) The Executive Board recommend the Council to approve the recommendation that the Phase 3 capital funding be made available to Halton for the enhancement and maintenance of current children centre stock; and
- 2) The Executive Board note the positive developments at Windmill Hill Children's Centre and Primary School and approve a lease for up to 5 years to the Primary Care Trust to establish a temporary health facility on the school site.

Strategic Director-
Children & Young
People

Meeting ended at 2.35 p.m.

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EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 29 January 2009 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, C. Halpin, L. Butcher, P. Cornthwaite, B. Dodd, N. Martin and A. Williamson

Also in attendance: Councillor Hodgkinson

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

Action

ES70 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 No 75 refers). Therefore, pursuant to Section 100 B (4) and 100 E and due to resulting financial implications, the Chairman ruled that the item be considered as a matter of urgency.

ES71 MINUTES

The Minutes of the meeting held on 15th January 2009 were taken as read and signed as a correct record.

CORPORATE SERVICES PORTFOLIO

ES72 TREASURY MANAGEMENT 2008/09 3RD QUARTER: OCTOBER - DECEMBER

The Sub Committee received a report of the Operational Director, Financial Services which updated Members on the activities undertaken on the money market as required by the Treasury Management Policy. It was

noted that all the activities, including prudential indicators, complied with the policy guidelines.

The Sub Committee expressed its thanks to the Treasury Team for their hard work.

RESOLVED: That

- (1) That the report be noted; and
- (2) That the amendments to the counterparty list shown in Appendix A be approved.

Operational
Director -
Financial Services

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES73 REVIEW OF DIRECT PAYMENTS POLICY AND PROCEDURE

The Sub Committee received a report of the Strategic Director, Health and Community with an update on consultation events held across the Borough and which sought approval for the proposed changes to the draft Direct Payments Policy and Procedure for Adult Social Care.

It was noted that following a presentation to the Healthy Halton Policy and Performance Board (PPB) on 10th June 2008, Executive Board Sub Committee approved a number of changes to the Direct Payment Policy & Procedure on 25th July 2008 and agreed that these should be subject to public consultation. These were outlined in detail in the appendix to the report.

Members were advised that the Healthy Halton Policy and Performance Board received a further report on 13th January 2009 and considered the options set out in the report. There was a consensus of support for Option 3, implementation of proposed changes by October 2009. The PPB noted that this would also offer a reasonable period of time for officers and people affected by the changes to work together to implement any necessary changes.

Members were further advised that Halton Borough Council's Direct Payment rates for 2008/9 were:

2008/9 RATES	AGENCY	Personal Assistant (PA)
Standard	£10.70	£9.35
Complex	£11.36	£11.36

Currently, there were no criteria for assessing which level of hourly rate service users should be receiving. Therefore, a review was undertaken to establish current best practice, aiming for a greater degree of equity and consistency in how rates were applied across all service user groups.

Members were further advised that implementation of the criteria would introduce consistency both in relation to all community care packages arranged by Care Managers and those purchased via DP's, as well as ensuring FACS criteria eligibility would be applied. Additionally, comparability would be maintained against our nearest neighbour Local Authorities.

In addition consultation on changes to the policy for Direct Payment Service users had been undertaken in October and November 2008 for existing and potential future Direct Payment service users and residents of Halton. All current direct payment service users were sent a copy of a survey form to complete and seven presentations/ open forums were held in locations across the Borough so that people could come to talk to officers about the proposals and make their views known.

The appendix to the report summarised the comments made by Direct Payment service users, their carers and potential future recipients of Direct Payments.

The results of the survey were considered as regards to the impact and the introduction of the proposed eligibility criteria would have on new and existing service users and the direct payment rate paid now for new service users and for existing service users. A number of options for Members to consider were outlined in the report.

RESOLVED: That

- (1) the findings of the consultation process held on Direct Payments Policy and Procedural changes for Adult Social Care (Appendix 1) be noted;
- (2) the Direct Payments policy and procedure (Appendix 2) be amended as follows as set out below to: -
 - (a) to introduce eligibility criteria to determine the rate at which Direct Payments (DP) will be set, based on current good practice (Appendix 3);

Strategic Director
- Health and
Community

- (b) to reflect the changes introduced by the Mental Capacity Act 2005, with additional detail on capacity;
 - (c) to reflect the growth in Personal Assistants (PAs) and, if required, include payroll charges in the set-up costs, and annually thereafter as a supplement to be paid to the service user if required, when employing a PAs from 01.04.2009.
- (3) Option 3 as set out in section 5.2 of the report be approved.

ES74 ACCEPTANCE OF TENDER FOR HALTON LEA LIBRARY

The Sub Committee received a report of the Strategic Director, Corporate and Policy which informed Members of the acceptance of a tender relating to the refurbishment of Halton Lea Library and a contract had been entered into with the successful contractor.

Members were advised that an application to the Big Lottery Community Libraries Programme was made by the Library Service in March 2007 and that this had been successful with a grant being awarded. Additional funding from the capital programme and maintenance budgets further enhanced this funding.

It was noted that six contractors had been invited for interview prior to tender documents being sent out. Tenders were then invited in the traditional manner and the results were set out in the report.

Following a careful analysis of the tenders submitted, Globe Management Services Limited were recommended for acceptance, their tender being the lowest received conforming to the specified tender documents for the project.

Members were advised that the accepted tender sum of £1,351,188.00 was within the budget allowance outlined in the report.

RESOLVED: That it be noted that the tender submitted by Globe Management Services Ltd has been accepted by the Strategic Director, Corporate and Policy, and a contract has been entered into, with a contract sum of £1,351,188.00.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

ES75 CONNEXIONS - WAIVER OF PROCUREMENT STANDING ORDER

The Sub Committee received a report of the Strategic Director, Children and Young People which sought a waiver of the tendering section of Part 3 of Standing Orders.

Members were advised that on 25th March 2008 the Secretary of State for Children, Schools and Families wrote to Local Authorities notifying them of interim arrangements for the delivery of 'connexions services' and assessments for young people with learning difficulties from 1st April 2008. The Education and Skills Bill, currently before Parliament, proposed that legal responsibilities be brought into line by affecting the transfer to Local Authorities of the statutory responsibility of 'connexions services'.

In preparing for implementation of these arrangements in November 2007 the Executive Board agreed a number of actions, as outlined in the report.

It was noted that progress towards the arrangements had been overseen by a Transition Steering Group which comprised of the Chief Executives of Halton, Liverpool and St Helens, the Directors of Children's Services at Knowsley, Sefton and Wirral and the Chair was the Chief Executive of Halton Borough Council. The work of the Transition Group received the support of the Liverpool City Leaders Group.

It was further noted that in 2008 legal advice received by the participating Local Authorities indicated that the commissioning of Greater Merseyside Connexions Partnership could only occur for 2008/2009 and that EU procurement regulations would need to be followed from 2009 onwards. As a consequence work had been underway to secure the commissioning of 'connexions services' from 2009 – 2011.

In order to assist in this work support had been secured from the Merseyside Improvement Partnership (MEIP) which had funded consultants Mott MacDonald to advise on the details of the specification and procurement process. The next stage would lead into procurement through a process of open competitive dialogue.

Members were advised that in December 2008 Executive Board had agreed a number of recommendations in relation to this complex project, as outlined in the report.

Members were further advised that due the size of the potential contract (over 3 years potentially approximately £50m) and the complexity of commissioning the services across 6 Local Authorities, it had been agreed that dedicated project management was needed to steer the process through open competitive dialogue and to the point of awarding the contract.

It was noted that in order to fund this work a further bid had been made to the North West Efficiency and Improvement Partnership. A decision was awaited on this bid but was expected by the end of the month. In the event of the bid being unsuccessful, the 6 Local Authorities had agreed to underwrite the costs of the project management equally.

All 6 Local Authorities had considered whether they have the specialist capacity available internally to project manage this work and if so to second a dedicated worker to this role. No capacity was available within the 6 participating Local Authorities.

As a consequence of the above it was considered appropriate to return to the previous consultants Mott MacDonald, who had provided consultancy for phase one of the project. They had indicated that they could undertake the work at a cost of £56,000. The benefits to them of undertaking this work were the prior knowledge and intelligence acquired on the subject in undertaking Phase one of the work.

Members were advised that the Operational Director, Preventative Services (CPYD) would remain accountable for this contract and its implementation would be monitored via the Transition Steering Group.

RESOLVED: That the Operational Director, Preventative Services (CYPD) be authorised to award the contract for additional procurement support to the contractor Mott MacDonald Ltd in the sum of £56,000 (inclusive of expenses and Catalist discount but exclusive of VAT) and that in the light of the exceptional circumstances namely the specialist nature of the services and the knowledge already acquired by the firm under previous Halton contracts and that in accordance with Procurement SO 1.6(b,c) Standing Orders 3.1 – 3.7 and 3.10 be waived on this occasion in view of the matters set in the Business Case.

Strategic Director-
Children & Young
People

(NB: Councillor Wharton declared a personal interest in the following

items of business due to being a Member of Halton Transport Board and Chairman of the Friends of Hale Park respectively and left the meeting during consideration of this business.)

COUNCILLOR HARRIS IN THE CHAIR

ES76 LOCAL SUPPORTED BUS SERVICE CONTRACT - 232
WIDNES TO WARRINGTON

The Sub Committee received a report of the Strategic Director, Environment of the decision taken by the Operational Director (Highways, Transportation and Logistics) to award local supported bus Contract Number 232 to a non lowest price tenderer in line with the requirements of Procurement Standing Order 4.2.

It was noted that Halton Borough Council was empowered under the Transport Act 1985 to provide supported local bus services, serving communities which were not served adequately by commercially operated bus services.

Members were advised that the Council had set aside £789,340 from the corporate revenue budget for the provision of socially necessary bus services, which were typically procured through the standard competitive tendering approach.

It was noted that included within the network of supported local bus services, was a long established contract jointly funded by both Halton Borough Council and Warrington Borough Council for the provision of an hourly Monday to Saturday evening service between Widnes Town Centre and Warrington Town Centre via Halton View and Penketh. The costs of the contract were shared by both authorities in proportion to the share of operated mileage of the contract through each local authority area. In this instance the share of costs attributable to Halton Borough Council was 38%. Also in the case of this contract, Halton Borough Council was the lead tendering authority, and was responsible for managing the tendering process and contract quality assurance.

Members were further advised that as the existing Contract number 232 was due to expire on the 31st January 2009, tenders were invited from local bus companies on a standing list of bus operators, who had previously expressed their interest in undertaking local supported bus contracts. Within the tender documentation it was made clear to the tenderer that the Council would not be obliged to accept the

lowest cost tender, but would also consider other quality criteria, such as – age, make and type of vehicle when assessing tenders.

The Council received valid returned tenders from eight separate bus companies. Having reviewed the tenders received, the Operational Director (Highways, Transportation and Logistics) decided to award Contract Number 232 for a period of five calendar years to Halton Borough Transport Ltd on the basis that its tender included the operation of a fully accessible low floor bus. One of the tenders who submitted a lower price than the accepted tender was disqualified, due to reported problems of vehicle maintenance and operational difficulties, when operating supported bus service contracts on behalf of a neighbouring local authority. These issues only came to light during the tendering exercise. The second lowest tenderer only offered the provision of a high step entrance bus within its submission.

In addition a summary of the costs of the submitted tenders were outlined in the report and it was noted that Halton Borough Transport had submitted the third lowest tender.

This therefore meant that the cost of the new replacement Contract Number 232 was £36,443 per year. The current cost of the contract with the incumbent operator was £34,048. Although there had been a small increase in the contract cost as a result of the tendering exercise, the new contract, which would take effect from 2nd February 2009, would include the provision of a new low floor fully accessible bus which was fitted with CCTV for passenger safety and security. These features were not provided by the existing operator.

There would be a small change to the route of the supported 110 service, which operates Monday to Saturday evenings within Warrington Town Centre as a result of this re-tendering exercise. Due to the increased size of the vehicle to be used, by the successful tenderer, the new contract would have to operate via Priestley Street and Froghall Lane in Warrington Town Centre (serving Warrington General Hospital's Guardian Street entrance), instead of the existing route which serves the Hospital via Lovely lane. This change in route would be publicised extensively to existing passengers.

RESOLVED: That the decision by the Operational Director (Highways, Transportation and Logistics) to award

local supported bus Contract Number 232 to a 'non lowest' price tenderer (Halton Borough Transport Ltd), in line with the requirements of Procurement Standing Order 4.2 be endorsed.

ENVIRONMENT, LEISURE AND SPORT PORTFOLIO

ES77 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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

ES78 HALE PARK RESTORATION

The Sub Committee received a report of the Strategic Director, Environment which outlined the progress made to date with the Hale Park Restoration scheme.

RESOLVED: That

- (1) the progress on the restoration scheme be welcomed;
- (2) the Council enter into a lease or other instrument with the Hale Estate for the land necessary for the main path through Hale Park and related accommodation works and that the lease/instrument be on such terms as the Strategic Director Corporate and Policy approves; and
- (3) the Council exchanges the land identified on the attached plan and referred to in paragraph 3.8.

Strategic Director
- Environment

MINUTES ISSUED: 6th February 2009

CALL IN: 13th February 2009

Any matter decided by the Executive Board Sub Committee may be called in no later than 13th February 2009

Meeting ended at 10.40 a.m.

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 12 February 2009 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, M. Noone, C. Halpin, I. Bisset, S. Eastwood, M Mahmood and B. Dodd

Also in attendance: Councillor Hodgkinson

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

ES79 MINUTES

Action

The Minutes of the meeting held on 29th January 2009 were taken as read and signed as a correct record.

CORPORATE SERVICES PORTFOLIO

ES80 SPENDING AS AT 31ST DECEMBER 2008

The Sub-Committee received a report of the Operational Director – Financial Services, which gave details of the Council's overall Revenue and Capital spending position as at 31st December 2008.

Members were advised of the spending against the revenue budget for each Department, up to the 31st December 2008 and it was noted that, in overall terms, revenue expenditure was below the budget profile. Areas of concern were outlined in detail within the report.

Members were advised of capital spending to the 30th December 2008, which totalled £25.3m, and which was 70% of the planned spending of £36.1m at this stage. However, this represented only 52% of the total capital programme of

£48.3m, although the Department for Transport had approved the carry forward of £1.6m in respect of the Local Transport Plan expenditure.

It was noted that although, historically, capital expenditure was significantly higher in the latter part of the financial year, it was important that project managers maintained pressure to keep projects and spending on schedule and in particular to ensure that all external funding was maximised.

RESOLVED: That the report be noted.

HEALTH AND SOCIAL CARE PORTFOLIO

ES81 ONE YEAR EXTENSION TO CURRENT DRUG SERVICE CONTRACT

The Sub-Committee received a report of the Strategic Director, Health and Community, which sought authority to increase and extend the contracts of ARCH Initiatives and Addaction until 31st March 2010.

It was noted in May 2008, the Strategic Director, Health and Community was authorised to proceed with the open tendering and procurement of a community based Drug Service. The planned start date for this service was April 2009. As a consequence current service providers were issued with notices of termination of contracts. The notice was to expire on 31st March 2009.

It was further noted that following discussions in November 2008 with the Chief Executive, Strategic Director Health and Community, Deputy Director of Public Health and Operational Director for Partnership Commissioning (Halton and St. Helens Primary Care Trust (PCT)) the decision was taken to halt this tender process.

During this process, Halton and St. Helens PCT indicated that significant additional resources would be made available for the provision of alcohol treatment from April 2009. In the interests of economy, efficiency and effectiveness, the Council and the PCT were now discussing how the alcohol and drugs resources could be combined with a view to tendering for a combined substance misuse service, commencing April 2010. Therefore to prevent any gaps in service it was necessary to withdraw termination notices and extend contracts for a further year with both ARCH Initiatives and Addaction.

Members were advised that ARCH Initiatives currently provided the screening and assessment functions for the single point of access at Ashley House. They also provided time-limited support to individuals that used stimulant drugs. The contract value to provide these services in 2009/10 would be £144,000. However, it was the intention of the Drug Action Team to invest a further £80,000 to also provide an improved service for Carers and increase referrals from local hospitals. The total contract value for 2009/10 would therefore be £224,000.

Members were further advised that Addaction currently provided the Outreach Service and Drug Intervention Programme targeted at drug using offenders. The contract for 2009/10 would be £304,000. However, in order to provide additional capacity to support the Prolific Offender team and establish an increased presence at the police custody suite at Manor Park, the Drug Action Team intended to invest a further £36,000. Therefore the total contract value for 2009/10 would be £340,000.

RESOLVED: That for the purposes of Standing Order 1.6b, authority be delegated to the Operational Director, Culture and Leisure Services in consultation with the Executive Board Member for Health and Social Care to extend the contracts of ARCH initiatives and Addaction until 31st March 2010 without competitive tendering and at the additional cost of £80,000 and £36,000 respectively.

ES82 PERSONALISATION AGENDA AND INDIVIDUAL BUDGETS – WAIVER OF PROCUREMENT TENDERING STANDING ORDERS

The Sub-Committee received a report of the Strategic Director – Health and Community which requested the waiving of Procurement Standing Orders 3.1 – 3.7 which placed a requirement on the Council to tender for contracts set up with external providers of services.

Members were advised that long-term demographic changes meant that the current systems of delivering social care needed to be fundamentally changed and modernised if they were to respond to pressures of increased expectations and substantial culture change. Any changes would have to recognise the need to explore options for the long-term funding of the care and support system.

It was noted that the Government's approach to

personalisation could be summarised as “the way in which services were tailored to the needs and preferences of citizens. The overall vision that the state should empower citizens to shape their own lives and the services they received.”

It was further noted that the Government was clear that everybody received social care support in any setting, regardless of their level of need, would have choice and control over how this support was delivered. The intention was that people would be able to live their own lives, as they wished, confident that services were of high quality, were safe and promoted their own individual requirements for independence, well-being and dignity.

Members were advised that at the core of self-directed services was a change in process that intended to give those people involved new initiatives and power to shape services and get better value for money and, as such, there were many associated workforce issues that would need to be addressed via an appropriate Workforce and Training Programme.

Members were further advised that the proposed provider, Helen Sanderson Associates were market experts in providing training, workforce development and associated support, advice and guidance on Personalisation and Person Centred Planning and, as such, had worked with a number of local authorities, as outlined in the report. The Operational Director for Health and Partnerships was satisfied that the cost of £129,100, for 116 training days to a wide variety of employees, Service users, Carers and Contracted Providers, was a fair price for value for money.

A number of further options had been investigated, however these had been rejected due to a lack of expertise, skills and knowledge of the staff identified.

The Workforce and Training Programme was designed to create a truly personalised care system and would deliver those outcomes identified in Halton Borough Council’s Self-Directed Support Project Plan.

RESOLVED: That Procurement Standing Orders 3.1 – 3.7 be waived in accordance with Standing Order 1.6 and the Operational Director Health and Partnerships be authorised to award the contract for the Personalisation Workforce Development and Training Programme to Helen Sanderson Associates Limited, for the sum of £129,100 in light of the exceptional circumstances outlined within the report, due to

there being only one possible contractor.

ES83 REVIEW OF FEES & CHARGES 2009-10 FOR HEALTH & COMMUNITY SERVICES

The Sub-Committee were presented with a report which proposed increases in fees and charges for Health and Community Care services.

Members' attention was drawn to Appendix 1 which showed the current charges for social care services and the proposed charges for 2009/10. The recommended increased fees and charges for social care services listed for 2009/10 had been inflated by 3%.

Members were advised that fees and charges for Health and Community Care would be increased with effect from 6th April 2009 to coincide with the annual increase in Welfare Benefit rates.

It was noted that current 08/09 Direct Payment rates were detailed within the report. It was proposed that these remained unchanged pending the outcome of consultation with key stakeholders about how resources should be calculated and allocated to Individual Budget holders. The results of the consultation and proposed outcomes would be reported to the Executive Board Sub-Committee for approval.

RESOLVED: That

- (1) the proposed changes in fees and charges outlined in Appendix 1, be approved with effect from 6th April 2009 which was the date on which Welfare Benefits were increased; and
- (2) that Direct Payment rates remain unchanged until the outcome of the impending consultation with key stakeholders on the new resource allocation system for Direct Payments/Individual Budgets was completed. Any new resource allocated proposals would be submitted to the Executive Board Sub-Committee for approval.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES84 STREET LIGHTING ENERGY PROCUREMENT

The Sub-Committee was presented with a report which detailed the acceptance of an extension of the current un-metered electricity supply contract for street lighting with Scottish and Southern Electricity, by the Operational Director – Highways, Transportation and Logistics.

The report also sought approval to the waiving of standing orders and to inform Members that the anticipated expenditure was likely to be over £1m per annum.

Members were advised that since October 2001 un-metered electricity had been procured through UPG (Utilities Procurement Group), with the first contract beginning in April 2002. Initially, the contract was awarded to Eon and then in April 2007 it was awarded to Scottish and Southern Electricity for a period of two years.

The current contracts which included an Option to Extend (OTE) expired in April 2009. UPG had been monitoring the situation and recommended that we take up the Option to Extend rather than re-tender due to the market being volatile.

Members were advised that the current contract had a rate of 8.090p per kwh and the annual cost was about £900,000. The revised contract rates were 9.160p/kwh, which equated to an annual cost of about £1,150,000 and the unit rate was fixed for two years. If any electrical equipment was installed or removed, then the total amount payable will be adjusted accordingly.

It was noted that the total amount payable was determined from an itemised listing of our equipment which was submitted to Scottish Power, who in turn issued a Certificate of Estimated Annual Consumption. This certificate was updated every month therefore any equipment removed or added was included within a relatively short period of time.

Members were advised that the Street Lighting Energy contract needed to be accepted within a very short timescale, sometimes within a day as happened on this occasion, due to the rapid changes in the prices charged for electricity, which could result in an offer being withdrawn at short notice. Hence the need to waive standing orders to enable the offer to be accepted.

It was noted that this was done after consultation with the Council's Finance and Internal Audit Sections who

supported our acceptance of the contract. The process had recently been reviewed by Internal Audit, who were satisfied that the system represented good value for money for the Council.

RESOLVED: That

- (1) the extension to the existing supply contract for un-metered electricity be endorsed;
- (2) procurement Standing Orders 2.2 to 2.11 be waived for the purpose of un-metered electricity; and
- (3) it be recorded that the expenditure was anticipated to be in excess of £1m per annum.

ES85 CONFIRMATION OF AWARD OF HALTON BOROUGH COUNCIL BRIDGE MAINTENANCE PARTNERSHIP

The Sub-Committee received a report of the Strategic Director – Environment, which reported the circumstances of the award of the HBC Bridge Maintenance Partnership Contract to Wrekin Construction Company Limited.

Members were advised that on the 4th December 2008 the Strategic Director, Environment, in consultation with the Executive Board Member for Planning, Transportation Regeneration and Renewal, was given delegated authority to accept the most advantageous tender for the HBC Bridge Maintenance Partnership Contract.

The Sub-Committee was advised that six tenders had been received and had been evaluated based upon quality and price. The overall quality score contributed to a maximum of 60% of the points available and the overall price score contributed to a maximum 40% of the points available.

Following a rigorous evaluation and scoring process, the bids were ranked as follows:

1. Wrekin Construction Company Limited
2. Balvac Limited
3. A. E. Yates Limited
4. Nuttall BAM Limited
5. AMCO Limited
6. Interserve Project Services Limited

Members were advised that as a result, following

Strategic Director and Board Member approval, Wrekin Construction had been awarded the HBC Bridge Maintenance Partnership Contract.

Following initial meetings to establish the structure of the partnership and its processes and procedures, Wrekin had also commenced formalisation of their supply chain.

Members were advised that it was anticipated that major maintenance work on the Silver Jubilee Bridge, in particular, would be underway before the end of the financial year.

RESOLVED: That the circumstances of the award of the HBC Bridge Maintenance Partnership contract be noted.

ES86 PROMOTIONS & TOURISM FEES AND CHARGES 2009/10

The Sub-Committee received a report of the Strategic Director, Environment, which set out the proposed fees and charges to be applied by the Promotions and Tourism service for the financial year 2009/2010.

Members were advised that the fees and charges applied to the activities of the Promotions and Tourism service. This covered the charges for the exhibition unit, small marquees and items such as small public address systems and road cones.

The proposal was to increase the current fees and charges by 3% in 2009/10, which was consistent with guidance received from financial services. The proposed fees and charges were set out in Appendix 1 to the report. Members were advised that these were based on the same fees structures as 2008/09 which had previously been approved by the Sub-Committee.

It was noted that to ensure that fees and charges offered a degree of flexibility, to enable discounted and special offers to be made for bulk purchasing etc. it was proposed that the Promotions and Tourism Manager agreed any such offers in advance with the Operational Director for Regeneration and that a record be maintained for audit purposes.

RESOLVED: That the proposed fees and charges for 2009/10, as set out in Appendix 1 to the minutes be approved.

ES87 SELECTION OF COMPANY TO PROVIDE TOURISM KIOSKS

The Sub-committee received a report of the Strategic Director – Environment which set out the way in which a list was derived for the supply of Kiosks of the provision of tourist and other travel information at main transport interchanges within the Borough.

The Sub-committee was advised that the report had been brought under Section 3.2 of the Procurement Standing Orders; less than three quotations for goods or services should be reported through the Executive Board Sub-Committee for approval.

Members were advised that a proposal was approved in the 2008/09 Capital Programme to spend up to £50,000 for the provision of tourism kiosks at main transport interchanges. This figure was based upon the known facts at the time regarding costs and installation charges.

It was noted that the current provision of electronic tourism information was via a system provided through The Mersey Partnership. MERVIN (MERseyside Visitor Information Network) provided the information for web sites and database driven kiosks across the Merseyside region. To enable the kiosks in Halton to benefit from the information already captured within MERVIN the provider of the system was approached to identify companies already using the database as a direct source of information.

From the information provided, only two companies were able to supply kiosk solutions. These companies were asked to attend meetings to discuss the requirements of the Halton provision and invited to submit quotations. The results of the quotations supplied were outlined in Appendix 1 to the report.

Members were advised that it was proposed to use Contractor A to provide, install and maintain kiosks in this particular instance. The reasons for this was one of cost per kiosk, information provided within the kiosk for users and the maintenance prospectus provided by the company concerned.

In addition, it was noted that this company had a track record in the use of the MERVIN system for information provision. They also had in place licences for use of other

information which would be provided on the kiosks at no further cost to Halton Borough Council. This included Journeyplanner, BBC Newsfeed, Local Area Maps in addition to features such as free e-postcards or video to e-mail services.

Members were advised that the proposed location of the kiosks was originally Runcorn Mainline Railway Station with the possible provision dependent upon costs in Widnes Railway Station. The agreement of Virgin Trains had been secured in the provision in Runcorn. However, Northern Rail, the operations of Widnes Railway Station, had suggested that due to passenger traffic, staff availability and opening times that Hough Green Station would be a better proposal.

RESOLVED: That the Operational Director – Economic Regeneration be authorised to award the contract for the supply, maintenance and installation to contractor A in the sum of less than £50,000 and that in light of the exceptional circumstances, namely the need to utilise data already contained in The Mersey Partnership Mervin Database and in accordance with Procurement Standing Order 1.6, Standing Orders 3.1 to 3.7 and 3.10 be waived on this occasion in view of there being a limited number of suppliers in that the data will need to be uploaded by a supplier already working with the data holder.

MINUTES ISSUED: 24 February 2009

CALL IN: 3 March 2009

Any matter decided by the Executive Board may be called in no later than 3rd March 2009.

Meeting ended at 11.00 a.m.

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 5 March 2009 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman) and Harris

Apologies for Absence: Councillor Nelson

Absence declared on Council business: None

Officers present: M. Reaney, R. Apter, R. Dart, J. Hatton, J. Hughes, A. Jones, N. MacFarlane, R. Mackenzie and A. McNamara

Also in attendance: None

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

	<i>Action</i>
ES88 MINUTES	
<p>The Minutes of the meeting held on 12th February 2009 were taken as read and signed as a correct record.</p> <p><i>(Councillor Wharton declared a Personal and Prejudicial interest in item number 3 (a) as his son plays for the Hale Juniors).</i></p>	
ES89 NON-DOMESTIC DISCRETIONARY RATE RELIEF	
<p>The Sub-Committee received a report of the Strategic Director, Corporate and Policy which sought Members' consideration of an application for discretionary non-domestic rate relief and to review all of the current recipients, under the provisions of the Local Government Finance Act 1988.</p> <p>The Sub-Committee was advised that under the provisions of Section 47 of the Local Government Finance Act 1988, the Authority was allowed to grant discretionary rate relief to organisations that were either a charity or a non-profit making organisation. This relief may also be awarded to Community Amateur Sports Clubs. A summary of the application was outlined within the report and a list of</p>	

associated figures was attached as Appendix 1. Organisations currently receiving the relief were listed in Appendix 2 to the report.

It was reported that further information regarding three organisations was still required, namely Birchfield Park Sports & Social Club Ltd, Moorfield Sports & Social Club and Pavillions Arena Ltd. It was requested that these be deferred.

It was noted that there was an anomaly between the current awards of Discretionary Relief granted to the two 'Help the Aged' Charity Shops in the Borough.

RESOLVED: That

- 1) under the provisions of Section 47, Local Government Finance Act 1988, discretionary rate relief be granted to the following organisation at the percentage indicated, for the period from 1st April 2008 or the commencement of liability, whichever was the later, to 31st March 2013:

Halton Haven Hospice	20%
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- 2) A decision on the award of Discretionary Relief to Birchfield Park Sports & Social Club Ltd, Moorfield Sports & Social Club and Pavillions Arena Ltd be deferred;
- 3) Help the Aged, 34A Albert Square, Widnes be awarded 20% Discretionary Relief from 1st April 2009 to 31st March 2013; and
- 4) All other current recipients of discretionary rate relief still satisfying the appropriate criteria, were re-awarded the relief from 1st April 2009 to 31st March 2013.

(Councillor Mike Wharton declared a Personal and Prejudicial interest in Item 3 (B) as he is Treasurer of the Hale Youth Club).

ES90 CORPORATE SECURITY CONTRACT

The Sub-Committee received a report of the Strategic Director, Corporate and Policy which notified Members of the intention to go out to tender with regards to procuring a new corporate security contract in line with the Council's

procurement strategy. There were currently two security contracts in place, the smaller one of which would require a short extension granting in order to bring it in line with the timescales of the larger contract, as such a waiver of standing orders was requested in respect of this process.

The Committee was advised that there were two main security contracts in place. The larger contract which related to buildings was procured via Property Services and expired on 31st May 2009. The current service provider for this contract were Select Security who took over the contract when they bought out Druants in November 2008. The second security contract which related to parks and the operation of playing fields was procured via Leisure Services. This was due to expire on 31st March 2009 the current service providers for this contract were Athena Global.

As the existing contracts expire at different times it was necessary to extend the smaller contract in order to bring it in line with the timescales of the larger contract.

Members were advised that the new corporate contract would bring the services currently being provided under the two separate contracts together, in addition, to which it would also allow for other departments to purchase any necessary future security provision that may be required during the life of the contract.

It was further noted that it was intended to have the new contract in place for 1st June 2009 and it was envisaged that the new contract would be set up for a three year period with the possibility of a one year extension subject to satisfactory performance, ensuring the maximum timeframe was four years, in line with EU procurement rules.

Members were advised that the likely value of the contract over the three-year period would be in the region of £2.5m. Whilst this was above the EU procurement thresholds, security services were exempt from the full EU procurement process and, as such, the contract did not have to be advertised under OJEU notice.

Athena Global had been contacted and they had agreed to continue delivering the existing services in line with their contract until such time as the new contract was in place.

Funding for the contract came from a variety of sources and would be contained within existing budgets.

Members queried what the contract included. In response it was noted that it included the security provision for all parks and that the contract tender would be advertised in the wider North West area rather than just locally.

It was further confirmed that Councillor Wharton would oversee the procurement from the Members side and that the item would come back to the Executive Board Sub Committee for approval once the process was complete.

RESOLVED: That

- 1) in line with Procurement Standing Order 1.6 the Executive Board Sub Committee waive Standing Orders 3.1 to 3.7 in order to allow for the Operational Director Culture and Leisure Services to grant an extension to the existing security contract with Athena Global from 1st April 2009 until such time as the new contract was in place, which was envisaged to be 1st June 2009; and
- 2) the intention to procure a new corporate security contract in line with the procurement strategy be noted.

ES91 THE DIGITAL INCLUSION PILOT

The Sub-Committee received a report of the Strategic Director, Corporate and Policy which requested the waiving of Procurement Standing Orders 3.1 to 3.7 which placed a requirement of the Council to tender for contracts with a value greater than £50,000 but not exceeding £1,000,000.

Members were advised that the Halton Strategic Partnership had approved a project to digitally enable around 120 households in an area with low levels of computer ownership and broadband uptake. It was a pilot project to establish that it could be successfully delivered. Households would be provided with a keyboard, mouse, flat screen and lightweight computing device (known as a thin client) connected to a managed computing service hosted at a central data centre. The service provided access to standard software such as Microsoft Office as well as to the Internet (which could be filtered if necessary). In the absence of existing Broadband connections, a wireless connection would be provided.

It was further noted that the service to be procured would be the provision of a robust infrastructure with low

running costs. The supplier would provide basic training on how to use the device, and a free connection for 12 months. Thereafter there may be a small charge (around £2 per month).

The partnership plan to build on this provision and develop local skills and to provide access to local services such as Job Centre Plus through a local portal.

Members were advised that residents in our deprived areas suffered from many forms of exclusion, one of which could be the lack of access to services provided over the internet. This project would address that, and also help to provide local residents with IT and other skills that may help in the job market. The pilot was to be located in part of Windmill Hill. This area had been selected because it was the most deprived area of the Borough and was relatively isolated. The proximity to the Daresbury Science facility was also a possible future benefit.

AIMES was a Community Interest Company. It was established by Liverpool University with funding from North West Development Agency and ERDF. It had established similar digital inclusion schemes in St. Helens, Liverpool and Wirral. It also provided commercial services, the profits from which were re-invested back into the social enterprise. The combination of the social objectives, specific expertise, technical solutions and experience in similar projects was believed to be unique in the region. The company had a local employment policy and a commitment to work with local partners on engagement and training provision. It was therefore recommended that for the purposes of this pilot, AIMES were engaged.

The contract would be for £200,000 and would provide approximately 120 households with a managed computer service, filtered internet access and access to other hosted applications, all the required equipment and connections, a user guide, and a free service for 12 months, and thereafter at a low cost.

Members were advised that there was no market in the provision of this service to enable value for money to be established through competition. However, AIMES would be procuring the equipment via competitive process. Thus although the co-ordination and management would not be market tested, much of the costs related to equipment which would be procured on a competitive basis, and so there was reasonable comfort that the costs represented value for money.

Members were further advised that the procurement process was transparent by virtue of this report and the availability of information via the Freedom of Information Act. The project would be subject to the Council's normal internal and external audit and scrutiny procedures.

It was noted that to ensure propriety and security the usual integrity clauses would be built into the contract document and only staff with a need to know would have information about the contract.

It was further noted that accountability for the project would remain with the Operational Director Policy and Performance. Progress would be scrutinised through the Corporate Services Policy and Performance Board and the Halton Neighbourhood Management Board.

Given the social aims of this initiative this would be a Part B contract as, as such was exempt from the tendering requirements of the Contract Regulations 2006. However, there was still a requirement to place Contract Award Notice in OJEU within 42 days of the award of the contract (supports transparency) and all other contracts including Part B were subject to the overarching EU Principles of Transparency and Non-Distortion of Competition.

Members raised concerns over the fact that this had not gone to tender and the need to waive standing orders to complete the project. In response it was noted that there was only one known supplier, and that due to the time scale involved for the use of Working Neighbourhood Fund money, there was no time to test this through a tender process.

Having expressed their views regarding the choice of ward selected to do the pilot project, Members offered their support. It was noted that officers would report back to the Employment Learning and Skills PPB with an update.

RESOLVED: That the Operational Director, Policy and Performance be authorised to award the contract for the provision of a Digital Inclusion Pilot to the contractor AIME Grid Services CIC Limited in the sum of £200,000 and that in light of the exceptional circumstances and in accordance with Procurement Standing Order 1.6, Standing Orders 3.1 to 3.7 and 3.10 be waived on this occasion because the requirements can only be delivered by this particular supplier in that it can provide a technical solution, can host this solution and has successfully delivered similar projects.

ES92 HISTORIC ENVIRONMENT SERVICE LEVEL AGREEMENT

The Sub-Committee received a report of the Strategic Director, Environment which sought approval of a one-year renewal of the existing Service Level Agreement between Halton Borough Council and Cheshire County Council (and its successor authorities) in respect of Historic Environment Services.

Members were advised that on 14th September 2004, the Executive Board Sub Committee resolved that the Service Level Agreement (SLA) for the provision of Archaeological Service be entered into for a period of five years until March 2009. In 2004, the cost of this service was £5,995 per annum, subject to an adjustment for annual inflation.

On the 16th May 2005, the Executive Board Sub Committee resolved that the SLA be extended to include the provision of Listed Building and Conservation Area advice, with a combined annual cost of £13,523, subject to an adjustment for annual inflation. This renamed Historic Environment SLA, currently in place expired at the end of March 2009. Hence, it was recommended that this SLA be renewed.

Members were asked to recall the contents of the earlier reports of 14th September 2004 and 16th May 2005. There were several reasons as to why the Historic Environment SLA was an advantageous arrangement for the Council and these reasons were outlined within the report.

Members were advised that the report recommended that the Historic Environment SLA be renewed for a period of one year only. This was due to two factors, both of which would mean that the SLA would probably be subject to change during 2010. The first factor was that the Heritage Protection Bill may be enacted in 2010 and this would require the SLA to be revised in the light of new responsibilities for Local Authorities. Colleagues at Cheshire County Council had indicated that these new responsibilities would not prohibit the continued provision of the Historic Environment SLA, but its scope and remit would necessary change.

It was noted that the second factor behind the recommendation that the SLA be renewed for a period of one year only was the Local Government Reorganisation in

Cheshire. On 1st April 2009, some of the functions of the existing Cheshire County Council would automatically move to one of the two new Unitary Authorities. It was currently anticipated that the Historic Environment SLA would be delivered in Halton from the Cheshire West and Chester Unitary Authority, with accompanying advice from the new Shared Archaeology Service. However, this currently could not be confirmed. Therefore, the preferred course of action would be to renew the SLA with Cheshire County Council for the period of April 2009 to March 2010. Once the new delivery authorities could be formally confirmed, the SLA could be renewed.

With the above in mind, a further report would be brought to the Executive Board Sub Committee in late 2009, with a recommendation for the SLA to be renewed in an updated form, in line with the two factors outlined within the report. It was anticipated that this paper would recommend that the SLA be renewed for a three or five year period commencing in April 2010.

Members were advised that as the cost of the Historic Environment SLA exceeded £10,000, it should be noted that the Council's procedures for Standing Orders would have to be complied with. In this case, the Council's Solicitor had agreed that the three written quotations for the order were not required.

RESOLVED: That

- 1) the Service Level Agreement between Halton Borough Council and Cheshire County Council (and its successor authorities) for the provision of Historic Environment Services be renewed for a period of one year only from the 1st April 2009, to 31st March 2010 at a cost of £14,335.36 for the year; and
- 2) Procurement Standing Order 4.2 be waived to allow Cheshire County Council or its successor authority to supply the services within the Historic Environment Service Legal Agreement without the need for competitive tender.

ES93 COMMUNITY MEALS TENDER

The Sub Committee received a report of the Strategic Director – Health and Community which requested the waiving of Procurement Standing Orders 3.1 to 3.7 which placed a requirement on the Council to tender for contracts

with a value greater than £50,000 but not exceeding £1m.

Members were advised that the current Community Meals contract had been in operation for three years following a re-tendering process that took place in 2006 and was due to end on 31st March 2009.

Members were further advised that the service provided an average of 58,000 hot meals and 17,628 tea time packs to residents across the Borough on an annual basis. The cost of providing a hot meal was currently £4.50 per meal. A continued overall reduction on costs of a meal was to some extent dependent on the continued development and expansion of alternative service options, with an overall aim of ensuring this service was cost neutral i.e. no subsidy required from the Council.

It was noted that feedback from people using this service was good and the current service was performing well. The report sought approval to extend the existing contractual arrangements until 31st March 2010 and to commence a competitive tendering exercise for this service in September 2009, with a view to awarding a new contract from April 2010.

It was noted that the new specification for the provision of meals would require the meals provider to continue to use the in-house Council transport service for the delivery of meals.

The business case supporting the proposal to waive standing orders was outlined in the report and detailed – value for money, transparency, propriety and security and accountability.

It was noted that the estimated cost of the 12 month extension to the existing service was £156,948. Following a tendering exercise, the estimated contract value over five years (three years with an option to extend by two years) was £845,595.

Concerns raised by Members over the use of packaging for the meal services was noted and that efforts would be made to reduce unnecessary packaging and replacing it with recyclable containers in order to adhere to the Council's principles on recycling to reduce land fill.

RESOLVED: That in the exceptional circumstances set out in the report, for the purposes of Standing Order 1.6, Procurement Standing Orders 3.1 to 3.8 be waived in order

for the existing contractual arrangements to be extended until 31st March 2010 and in order that during the period of the extension the Council would complete a competitive tendering exercise for the Community Meals Service.

ES94 CULTURE & LEISURE SCALE OF CHARGES

The Sub Committee received a report of the Strategic Director, Health and Community which set out the proposed administration charges for 2009/10 for the Council Libraries, The Kingsway Learning Centre, Leisure Centres, Parks and Playing Pitches, Community Centres, Bereavement Services, Registration Services and the Brindley Arts Centre.

Members were advised that no major changes were proposed in the structure of charges for 2009/10. The levels of charges had been set as part of the Council's response in setting an overall budget. Charges had generally followed the corporate guidelines for a 3% rise across the board.

It was noted that the Brindley had proposed increases of 11% for commercial hirers Monday to Thursday in order to decrease the differential between weekend hire charges. It was also proposed to show the charge for rehearsals as an all-inclusive rate to reflect staffing costs that were previously charged separately.

The proposed charges for the new athletics facility were tabled at the meeting for the Board's consideration and the proposed charges for 2009/10 were attached to the report as an appendix. It was noted that the charges for the hire of the athletics track were set at a level that reflects the costs associated with operating and maintaining the facility.

RESOLVED: That the charges, as proposed be approved.

ES95 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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

ES96 REQUEST TO EXTEND CONTRACTS FOR SPECIALIST LEARNING DISABILITY RESIDENTIAL CARE AND ACTIVITY SERVICES

The Executive Board Sub Committee received a report from the Strategic Director, Health and Community to request that the existing contracts for residential care at Wide Cove and Smithy Forge be extended to 31st March 2010 and the contract with M-Power Activity Services be extended to no later than 30th September 2009, to allow sufficient time for the actions outlined to be completed.

It was noted that the uplift percentage on the report should be amended from 3% to 2½%.

RESOLVED: That the Executive Board Sub Committee agree:

- 1) in the exceptional circumstances set out below, for the purpose of standing order 1.6, procurement standing orders 3.1 to 3.9 be waived on this occasion on the basis that the residential services offered by Wide Cove and Smithy Forge do not meet with current Government policy and reconfiguration to a supported living model is required. In addition, the

existing contract for these services be extended to 31st March 2010 in line with the contracted rate previously agreed by Executive Board Sub Committee; and

- 2) in order to ensure sufficient time to fully comply with standing order 3.1 to 3.9, the existing contract with M-Power Activity Services be extended to 30th September 2009 at the current price set through the tendering process in 2004.

Meeting ended at 11.20 a.m.

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 19 March 2009 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: R. Barnett, Duncan, G. Henry, A. McNamara, P Murphy, A. Plant, S. Rimmer and M. Simpson

Also in attendance: None

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

ES97 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that two matters had arisen which required immediate attention by the Board (Minute Nos 106 and 107 refer). Therefore, pursuant to Section 100 B (4) and 100 E and due to resulting financial implications, the Chairman ruled that the item be considered as a matter of urgency.

ES98 REQUEST TO WAIVE STANDING ORDERS

The Board received a report of the Strategic Director Health and Community which sought a waiver of finance standing orders for the Strategic Director of Health and Community.

It was reported that providers of both residential and domiciliary care services were currently paid 6 weekly in arrears for the service they provided to Halton residents. It was noted that the Council now required all invoices to be paid within 10 days of receipt so that businesses were not adversely affected by the "credit crunch". It was noted that

Action

provider invoices were submitted and were checked before payment to ensure that the services listed had been provided before service users were invoiced for the care they had received.

The Board was advised that the volatility of the care market was well documented and there was a need to ensure that providers had sufficient cash flow so services were not suddenly withdrawn from the most vulnerable and needy people.

The report set out what Finance Standing Order 8.3 required and it was noted that standing orders therefore precluded the Strategic Directors from being able to make any payments in advance to providers.

It was reported that payments to Supporting People providers had to be made four weeks in advance as required under the Supporting People Contract Framework issued on 1st April 2003. This framework was being re-issued in April 2009 and the Council would no longer be statutorily required to make payments in advance to these providers. To maintain market stability it was proposed that the Council pay Supporting People providers four weeks in advance and make adjustments when their invoices were presented for payment.

The Board was informed that to ensure providers had sufficient cash flow available and to avoid unnecessary termination of services, it was proposed that, with effect from March 2009, providers be paid in advance for services. Advance payments would be based on 90% of the average payment made to them by the Council in the previous 36 weeks. Any adjustments plus or minus to the amount paid in advance would be made when the provider submitted their next actual monthly invoice four weeks later. It was further noted that failure to provide an invoice for the actual service delivered would result in immediate termination of the facility for payment of advance fees.

RESOLVED: That Finance Standing Orders 8.3, 8.3.1 and 8.3.2 be waived to allow the Strategic Director to pay all providers of community care and supporting people services four weeks in advance with effect from 6th April 2009.

Strategic Director
- Health and
Community

ES99 RESIDENTIAL CARE CONTRACTS 2009 - 2015

The Board received a report of the Strategic Director,

Strategic Director

Health and Community which requested suspension of the relevant procurement Standing Orders 3.1 – 3.9 under the exceptional circumstances set out in this report, to enter into new contracts for the provision of Residential and Nursing Care.

- Health and
Community

It was reported that Halton's current contract for the provision of Residential and Nursing Care expired at the end of March 2009. The Authority had a statutory duty to meet the needs of physically frail and vulnerable people that were assessed as requiring residential and nursing care. The provision of this care was delivered within residential establishments (services that provided both accommodation and care) registered with the Commission for Social Care Inspectorate (CSCI). CSCI were the statutory regulators of residential and nursing care and all residential establishments must be built and operated to CSCI standards. It was advised that this report related to purchasing arrangements for the provision of residential and nursing care for clients to whom the local authority owed a statutory duty of care.

It was further advised that as commissioners of nursing and residential care, Halton Borough Council could enter into two different types of purchasing arrangements, with registered homes in the borough as follows:
Block purchase arrangement and Spot purchase arrangement. Details of these were outlined in the report.

It was proposed that Halton continued with the existing method of "spot purchase" based on the rationale which was outlined in the report for Members' consideration.

The Board was advised that suspension of standing orders was therefore requested due to the particular circumstances set out in sections 3.1 – 3.2 of the report, in that compliance with standing orders relating to procurement was not practicable, in that placing a limitation on our arrangements to purchase beyond the requirements to meet CSCI standards, would restrict clients choice on where they could live and ending current arrangements with homes could mean that extremely frail and vulnerable older people would be asked to leave their existing homes in order to transfer to an alternative homes under contract with the Authority.

It was advised that moving frail and vulnerable people could cause the individual to experience considerable distress and could pose a significant risk to their health. Waiving Standing Orders also allowed the Authority to reach

informed decisions regarding a fair rate for the purchase of registered care that was applied to all homes operating across Halton.

It was reported that the proposed contractual arrangements would be for a period of three years, with an option to extend a further three years, subject to annual approval of the Strategic Director, Health and Community in conjunction with the Portfolio Holder for Health and Social Care. The Board was informed that the draft strategy had now been completed and the findings were set out in the report.

In addition, a regional comparison of fees had been carried out as part of the work undertaken to inform the development of the Residential Care Strategy. It was reported this comparison bore out commissioner and provider concerns that current fee levels in Halton were lower than that paid within neighbouring authorities. Fees across the region were detailed in the report for consideration.

The Board was advised of a proposal for a 4.95% increase on existing fees impacting on community care budgets. Arising from the discussion, Members considered the business case for waiving standing orders in terms of:

- Value for money and competition;
- Transparency;
- Propriety and security;
- Accountability; and
- Position of the contract under the Public Contract Regulations 2006.

The proposed changes including the percentage increase from the rates currently paid to the proposed rates were as follows –

Current Rate	£	Proposed Rate	£	% Increase
Basic Residential	334.33	Basic Residential	350.88	4.95
Dementia Residential	394.20	Higher Dependency level	413.71	4.95
Basic Nursing	357.25	Basic Nursing	374.93 +*FNC	4.95

EMI Nursing	378.2 3	EMI Nursing	*431.1 8 +*FNC	14
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* All costs paid by PCT

Arising from the discussion, members felt it would be useful to be kept up to date and suggested a presentation be provided to all elected Members around the subject.

RESOLVED That:

(1) in the exceptional circumstances set out below for the purposes of Standing Order 1.6, Procurement Standing Orders 3.1 – 3.9 be waived on this occasion to permit the Strategic Director, Health and Community to enter into contracts on an individual “spot purchase” basis with providers of registered residential establishments that met the Council’s quality criteria; and

(2) the Strategic Director, Health and Community be authorised, in consultation with the portfolio holder for Health, to enter into “spot purchase” contract arrangements at the Borough-wide rates for each type of service provision as set out in Section 6.1 of the report, for the contract period of three years from April 2009 to the end of March 2012, with an option to extend for up to a further three years from April 2012 to the end of March 2015, and that these purchasing arrangements be reviewed on an annual basis by the Strategic Director, Health and Community, in consultation with the Portfolio Holder for Health and Social Care

ES100 EXTENSION OF RESIDENTIAL CARE CONTRACTS FOR PEOPLE WITH MENTAL HEALTH NEEDS

The Board considered a report of the Strategic Director, Health and Community which requested that the existing contract for residential care at Leahurst and Woodcrofts be extended to no later than 31st March 2010.

Strategic Director
- Health and
Community

It was reported that the focus of all mental health services was recovery and social inclusion for people with mental health problems, by supporting the individual to live as independent a life as possible, empowering them to take control of their lives and helping to develop or maintain the life skills necessary to do so.

It was further advised that Halton Borough Council was performing well in supporting adults with mental health problems to live in their own homes rather than being admitted to long-term residential care. However, there were still two residential homes in the Borough providing care to people with mental health problems. At times, residential care was the most appropriate place for people to recover from a significant episode of mental illness but with the improvements in mental health treatment and care in the community, it should no longer be seen as a long-term support solution. It was noted that the people currently resident in these homes should be offered choices in how they lived and provided with the necessary support to retain or regain their independent living skills, if at all possible.

The Board were advised that Leahurst had 26 places whilst Woodcrofts had 21, both provided services for adults with mental health problems and were owned by two different providers. At present, Leahurst had 13 Halton Borough Council residents and Woodcrofts had 12 Halton Borough Council residents. Commission for Social Care Inspectorate completed unannounced inspections during 2007 and both homes were rated as "good".

It was reported that fees were paid under the existing residential contract rate agreed by Executive Board Sub-Committee in June 2005 plus annual inflation uplifts. The current fee level in respect of Leahurst and Woodcrofts was £378.23.

It was further reported that a review of the current and future needs of those people with mental health needs living in residential care would be undertaken this year and a report detailing the outcomes of the review would be submitted to the Health Policy and Performance Board by the end of 2009.

Arising from the discussion, the Board noted that accurate quarterly standards were provided resulting from internal inspections carried out locally that provided an up to date picture of the standards in Halton at the current time.

RESOLVED: That

(1) in the exceptional circumstances set out below, for the purpose of Standing Order 1.6, the tendering requirements of Procurement Standing Orders be waived on this occasion on the basis that residential services offered by Hilton Residential Homes Limited

and Woodcrofts Residential Homes Limited should be reviewed in light of the changing needs of people with severe and enduring mental health problems, the proposed amendments to residential care contracts aligning funding scales to levels of dependency. In addition, the existing contract for these services be extended to 31st March 2010 in line with the contracted rate previously agreed by the Board, plus an inflationary uplift of 2.5% to allow a full review to take place; and

(2) a report outlining the current and future residential needs for people with severe and enduring mental health problems be presented to the Health Policy and Performance Board by the end of 2009.

ES101 FOSTER CARE CHARGES

The Board received a report of the Strategic Director, Children and Young People which, in accordance with the annual budget review sought the Board's approval of the proposed increases in fees and charges for the rates paid to foster carers.

The Board considered details appended to the report outlining the current and proposed fees and charges for Children's Services foster carer rates. It was proposed that the basic foster care allowances for 2009-10 were increased in line with the recommended minimum allowance proposed by the Fostering Network.

It was further advised for those circumstances where the Fostering Network did not make a recommendation it was proposed that the rates were increased by 2.45% as per Appendix 2 to the report. It was advised that the basic allowances for foster carers included a weekly allowance plus birthday, Christmas and holiday allowances. It advised that fees would need to be increased with effect from 1st April 2009.

The Board held a wide-ranging discussion in terms of the shortage of foster carers nationally. It was noted that the current figure of foster carers in Halton was the lowest it had been for quite some time. There was a shortage of at least 20 foster carers in the Borough which caused a significant problem. There were various factors contributing to this, for example, competition from independent foster caring companies and significant changes to families lifestyles in terms of full time employment.

The Board was advised of a new marketing campaign which aimed to attract new foster carers within the Borough.

RESOLVED: That the proposed fees and charges outlined in Appendix 1 to the report be approved.

Strategic Director-
Children & Young
People

ES102 PLAY SERVICE CHARGES

The Board received a report of the Strategic Director, Children and Young People which outlined proposals for increasing Play Service charges for childcare, building hire (Windmill Hill Play Centre) and Holiday Playschemes.

It was reported that childcare fees were last increased in 2006/07 and were detailed in the report for Members' consideration. The proposed fees from April 2009 were set out as follows:

Breakfast Club	£3.25
After School	£4.00 to 4 pm £6.00 to 5 pm £7.50 to 6pm
Holiday Care	£16.00 full day £10.00 half a day

It was further advised that increases were largely in line with annual inflation at 3% - 4% pa except for "to 4pm"; after school and half day holidays where the increase also included the need to reflect in charges the way that delivery costs included the following regardless of length of provision:

- a. Collected from school and
- b. Provided with a snack.

These increases would also keep charges in line with the sector norm (Childcare Audit).

In relation to room hire in addition to delivering open access play and childcare service, Windmill Hill Play Centre was a multi-use building extremely well used by both CYPAN 5 team for the delivery of their services and by the local community. CYPAN services, as part of the Children's Families and Extended Services Division, did not pay a room hire fee.

Detailed in the report for consideration were the charges for community use that were currently imposed.

In addition, the proposed charges for room hire were set out as follows:

Community Groups	£5.75 per hour
Commercial/Private	£10.00 per hour
Community Use Weekends	£10.00 per hour
Commercial/Private	£17.50 per hour

It was reported that these revised charges would bring Windmill Hill Centre in line with charges levied at the Authority's and other Community Centres operated through Culture and Leisure.

It was further advised that to reflect the developing partnership approach to the delivering holiday (sessional) play activities, Halton Play Council would increase its sessional playscheme charge to £1 per session (session = 2.5 hours) to bring those charges in line with charges for similar sessional holiday activities delivered through extended schools.

RESOLVED: That the proposed charges are agreed and implemented from 1st April 2009.

Strategic Director-
Children & Young
People

ES103 DESIGN OF NEW RESIDENTIAL DEVELOPMENT SPD - APPROVAL FOR STATUTORY PERIOD OF CONSULTATION

The Board received a report of the Strategic Director, Environment which sought approval for the publication of the draft Supplementary Planning Document (SPD) on Design of New Residential Development for the purposes of statutory public consultation in April and May 2009.

Strategic Director
- Environment

The report set out the purpose of the Design of New Residential Development, the Stakeholder Consultation stage, the Scoping Stage and Sustainability Appraisal, and the final stage after the public consultation process.

Arising from the discussion, Members queried what form the public consultation would take. In response, it was noted that press notices would be publicised and the developers and architects would contact people who had

been taken from the core strategy database. It was suggested that this should be publicised further and people should be entitled to have a say on the SPD. It was agreed that discussions would be held with the Marketing Team in relation the form of public consultation.

RESOLVED: That

(1) the draft Supplementary Planning Document (SPD) Design of New Residential Development be approved for the purposes of statutory public consultation;

(2) the comments received at the stakeholder consultation stage, as set out in the Statement of Consultation and responses to them are noted;

(3) further editorial and technical amendments that do not materially affect the content of the SPD be agreed by the Operational Director, Environmental and Regulatory Services in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, as necessary, before the document is published for public consultation;

(4) the results of the public consultation exercise and consequent recommended modifications to the draft SPD be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document; and

(5) options be considered in terms of expanding the public consultation process in consultation with the Halton Borough Council's Marketing Team.

ES104 REVIEW OF FEES AND CHARGES

The Board received a report of the Strategic Director, Environment which, in conjunction with the annual budget review, proposed to increase the charges under the control of the Executive Board in accordance with the schedules shown in the Appendix to the report, for the following: Environmental Information, Requests for Information Regarding Potentially Contaminated Land, Requests for Environmental Information, Environmental Health Services charges, Hackney Carriage and Private Hire Vehicle Charges, Licence fees, Road Traffic Regulation Act 1984

and Miscellaneous.

The Board was advised that the charges for road closures had increased by more than inflation due to the costs that had risen in terms of advertising in the local press.

The Board were provided with an update of the figures for the new Roads and Street Works Act 1991 as follows:

- (1) Unit of Inspection (30% of total)
Statutory Fee Proposed Cost
£50.00

- (2) Defective Reinstatements Per Inspection (maximum 3 No.)
Statutory Fee
£47.50

Additional single inspection Statutory Fee
£68.00

- (3) Section 50 Street Works Income
 - (i) New apparatus – Inspection 3 No.
Statutory Fee
£150.00
 - (ii) Existing apparatus Inspection
Charges (Statutory Fee)
£150.00

RESOLVED: That the proposed fees and charges be agreed and referred to the relevant Policy and Performance Boards for information.

Strategic Director
- Environment

ES105 2009-10 CHARGES FOR RIVERVIEW GYPSY SITE

The Board received a report of the Strategic Director, Health and Community which sought approval for revised site charges for Riverview Gypsy site for the financial year 2009/10.

The report set out the existing weekly charges levied for pitch rental and water/sewerage for 2008/09, and the proposed charges for 2009 which applied to a 48 week year, as set out in the following table:-

	2008/09	2009/10 (proposed)	Difference

Pitch Rental	21 @ £46.66 1@ £54.44	21 @ £48.99 1 @ £57.16	+ 5% + 5%
Water and Sewerage	23 @ £8.78	23 @ £9.59	+ 9%

The Board was advised that the Council's inflation allowance for general income for the coming year was 3%. The allowance for water and sewerage charges was 7% as there was a significant increase in charges introduced by the Utility companies during 2008/09. It was further noted that an above-inflation increase was being proposed in order to move towards a balanced budget and increases of 5% and 9% respectively for pitch rental and water rate, 2% above the Council's general inflation allowances, were proposed.

RESOLVED: That the proposed 5% increase to pitch rental and 9% increase in water charges set out in the report be approved with effect from 6th April 2009.

Strategic Director
- Health and
Community

(NB: Councillor Wharton declared a personal and prejudicial interest in the following item due to his son being a member of Hale Junior Football Club and left the room during its consideration)

ES106 DISCRETIONARY RATE RELIEF

The Board considered a report of the Strategic Director, Corporate and Policy which reviewed the five applications for discretionary non-domestic rate relief, under the provisions of the Local Government Finance Act 1988. It was noted that the Executive Board Sub-Committee deferred these decisions to this meeting on the 5th March 2009.

The Board was advised that, under the provisions of Section 47 of the Local Government Finance Act, 1988, the Authority was allowed to grant discretionary rate relief to organisations that were either a charity or a non-profit making organisation. It was reported that this relief may be also be awarded to community amateur sports clubs. It was noted that a full summary was provided in the item submitted on 5th March 2009.

It was further advised that if a decision was taken to terminate or reduce the award of discretionary rate relief to any organisation currently in receipt of discretionary rate relief and were still satisfying the appropriate criteria, legislation dictated that one year's notice of the amendment must be given to that group. This would result in any such

alteration becoming effective from 1st April 2010, following the appropriate period of notice.

Arising from the discussion it was agreed that Hale Junior Football Club, Hale Village Hall Management Committee and Moorfield Sports and Social Club be awarded the discretionary non-domestic rate relief.

The Board discussed the application from Birchfield Sports and Social Club and agreed that they could have the award subject to proof being provided to Halton Borough Council that they were established as a "not for profit" organisation. It was agreed that the decision for this could be delegated to the Operational Director – Exchequer Services and the Portfolio Holder for Corporate Services. It was also advised that Pavillions Arena Ltd had provided documentation to the Council that the company was limited by guarantee and had no share capital.

RESOLVED: That

- 1) Hale Junior Football Club, Hale Village Hall Management Committee, Moorfield Sports and Social Club and Pavillions Arena Ltd be awarded award the discretionary non-domestic rate relief; and
- 2) Authority be delegated to the Operational Director – Exchequer Services and the relevant Portfolio Holder for Corporate Services to approve the award once the documentation had been received from Birchfield Sports and Social Club.

Strategic Director
- Corporate and
Policy

ES107 VOLUNTARY SECTOR

The Board considered a report of the Operational Director, Health and Partnerships which requested the suspension of the procurement standing orders 3.1 to 3.7 under the exceptional circumstances set out in the report, which placed a requirement on the Council to tender or obtain quotes for contracts set up with external providers in the voluntary and independent sector.

Strategic Director
- Health and
Community

It was advised that agreements on standard service specifications had been put in place for each of these voluntary sector contracts so that there was a consistent level of service delivery and contract monitoring for all organisations.

It was reported that significant work had been carried

out to support the development of the voluntary sector through our commissioning and contracting arrangements over the previous three years. This had resulted in a diminishing number of voluntary sector contracts being dependent on this particular form of funding. It was noted that a number had received three year contractors or alternative methods of more secure funding.

The Board was advised that in 2008 a Policy and Performance Board Scrutiny Group was set up to review two of the services described in an appendix to the report for Members' consideration. Vision Support and Deafness Support Network were both reviewed and were seen to be clearly delivering on key performance targets. In the case of Deafness Support Network it was clear that their specific assessment work linked to Carefirst and was vital to support people with a hearing impairment.

RESOLVED: That the Operational Director, Health and Partnerships be authorised to award the contracts for HIV and AIDS Support, Making Space, Vision Support, MIND and Vision Support as identified in Appendices 1 and 2 which were outlined in the report and that in light of the exceptional circumstances namely that the current contracts offer value for money and are performing well in meeting the needs of service users and in accordance with Procurement Standing Order 1.6:

- i) Standing Orders 4.1 and 4.3 be waived in respect of contracts listed in Appendix 1 whose value was less than £50,000 and that contracts and specifications are improved and linked to a standard process;
- ii) Standing Orders 3.1 to 3.8 be waived in respect of contracts listed in Appendix 2 whose value was in excess of £50,000 or more but not exceeding £1m and that contracts and specifications were improved and linked to a standard process; and
- iii) re-tendering takes place on each of the contracts listed in Appendix 3 to the report.

MINUTES ISSUED: 2 April 2009

CALL IN: 9 April 2009

Any matter decided by the Executive Board may be called in no later than 9 April 2009.

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Meeting ended at 11.45 a.m.

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EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 2 April 2009 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman), Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Noone, C. Halpin, I. Leivesley, A. McIntyre, A. McNamara, A. Pannell, J. Unsworth and J. Jones

Also in attendance: Councillor Hodgkinson

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

ES108 MINUTES

Action

The Minutes of the meeting held on 19th March 2009 were taken as read and signed as a correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

ES109 TO SEEK A WAIVER OF CONTRACT STANDING ORDERS

The Sub-Committee received a report of the Strategic Director, Children and Young People which sought a waiver of Contract standing Orders to permit the extension of the contract of the BSF Programme Director (Daniel Hennessy) from MD Consultants until the 31st March 2011.

It was noted that the current arrangements for the BSF Programme Director were approved at the Executive Board Sub-Committee on 19th July 2008 and a two-year contract was agreed until September 2009. However, prior to submission of the Outline Business Case on the 22nd April 2009 Partnerships for Schools required confirmation of the future Programme Director arrangements so that they could assess whether the Authority was sufficiently prepared to enter competitive dialogue.

It was further noted that the BSF Programme Director role was crucial as it provided the Strategic Direction for the Programme. The current Programme Director had provided leadership, direction and focus to the programme and had ensured that the Programme had met all the key milestones and objectives to date. The Programme Director had extensive experience as a 4PS adviser and Gateway Reviewer for BSG and his advice was often sought nationally and by other authorities.

Members were advised that as the DCSF prepared to announce the next wave of BSF Programme, many authorities were now looking for experienced BSF Programme Directors and Managers to lead their Programmes.

It was there proposed that the current BSF Programme Director contract be extended so that he could provide 217 days support to Halton per annum and that the daily rate of pay be £786 from September 2009 until 31st March 2011. The BSF Framework provided information on the Programme Director rates across the country with the North West, North East and Midlands rates varying from £745 to £1074 per day.

It was essential that as Halton moved into Programme Delivery, there was sufficient appropriately qualified staff. Interim arrangements still existed for the Programme Manager's post as it did not prove possible to recruit to this position initially. This post had now been advertised and interviews would take place on 1st April 2009.

RESOLVED: That

- (1) the Strategic Director, Children and Young People be authorised to agree a contract for 217 days per annum at £786 per day for a period from September 2009 until 31st March 2011; and
- (2) Legal Services be requested to revise the current contract for the BSF Project Director's role.

Strategic Director-
Children & Young
People

ES110 CONTRACT EXTENSION FOR THE PROVISION OF PERSONAL ADVISOR SERVICE FOR CARE LEAVERS

The Sub-Committee received a report which sought the waiving of Procurement Standing Orders 3.1 to 3.8 which placed a requirement on the Council to tender for contracts with a greater value than £50,000 but not

exceeding £1m.

Members were advised that the current personal Advisor for Care Leavers contract had been in operation for five years and would terminate on 31st March 2009. The current cost of the service delivery was £168,000.

Members were further advised that the Service fulfilled the requirements placed on the Local Authority by the Children (Leaving Care) Act, 2000, Regulations and Guidance Chapter 6 Regulation 12: Personal Advisors. The Personal Advisor Service supported young people in making the transition from being in care to living self sustaining and fulfilled lives as independent members of the community.

It was noted that following a competitive tendering process in March 2009, the Panel who considered the proposals from a number of organisations were unable to make a contract award to a single provider. This was primarily on the basis of service continuity for existing users, with no new provider able to meet the terms of the contract due to the length of the contract lead-in period.

Therefore, approval to extend the existing contractual arrangements until 31st March 2010 and to recommence a competitive tendering exercise for this service in September 2009, with a view to awarding a new contract from April 2010 was sought.

The proposed tender process would enable the Council to update the service specification and to include improved outcomes nationally and locally for this vulnerable cohort. In addition, it was proposed that the revised specification would ensure that the service provider continually delivered a service that met identified needs.

It proposed that the new contract would last for a period of three years and would offer an option to extend beyond that for a further two years, subject to specified outcomes being delivered and specified targets being met.

In considering the request to waive Standing Orders and due to the issues outlined in the report, the Sub-Committee felt that performance monitoring of the service provider by Members was necessary and agreed that a further report be submitted to the Sub-Committee detailing this information.

RESOLVED: That

Strategic Director-
Children & Young

- (1) in the exceptional circumstances set out below, for the purposes of Standing Order 1.6, Procurement Standing Orders 3.1 – 3.8 be waived in order for the existing contractual arrangements to be extended until 31st March 2010. During the period of extension, the Council would complete a competitive tendering exercise for the Personal Advisor Service for Care Leavers;
- (2) delegated powers be approved to enable the Strategic Director Children and Young People in consultation with the relevant Executive Portfolio Holder, subject to an evaluation of value for money in an open tender process, to award a contract to an external provider inclusive of the provision of management and administration; and
- (3) a further report be submitted to the Sub-Committee detailing performance monitoring of the service provider.

People

HEALTH AND SOCIAL CARE PORTFOLIO

ES111 2009/10 INFLATIONARY UPLIFT FOR THE SUPPORTING PEOPLE CONTRACTS

The Sub-Committee received a report of the Strategic Director, Health and Community which sought approval for the inflationary uplift of the Supporting People contracts for the financial year 2009/10. The suggested inflationary uplift for all Supporting People contracts was within the 2.5% inflationary allowance allocated by the Council.

Members were advised that the proposed inflationary uplift of 2.5% was equivalent to the increase awarded to the Adult Social Care budget 2009/10.

The projected expenditure after the 2.5% inflationary uplift had been added for 2009/10 and was detailed in the report.

The proposed 2.5% inflationary increase would result in an estimated increase in expenditure of £175,705. The Supporting People Programme currently funded 113 services across Halton. Of this, 92 were existing contracts across 14 client groups, and a further 21 services were short-term services.

As of the 18th February 2009 there were approximately 1,968 people in receipt of Supporting People

services in Halton.

The increased fees would enable the Providers the ability to plan their businesses to ensure stability and drive up the quality of provision for the service users of Halton.

From 1st April 2009 the CLG and SITRA were implementing a new Quality Assessment Framework, which all Providers would be expected to carry out. The new Framework would have an additional impact on the work undertaken by SP providers. The new Quality Assessment Framework would not incorporate Children Protection, under "Every Child Matters" and additional safeguarding legislation. Further training, documentation and a change in practice would be required.

RESOLVED: That the proposed 2.5% increase as set out in the report be approved with effect from Monday 6th April 2009.

Strategic Director
- Health and
Community

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES112 DRAFT SOUTHERN WIDNES SPD APPROVAL FOR STATUTORY PERIOD OF PUBLIC CONSULTATION - KEY DECISION

The Sub-Committee received a report of the Strategic Director, Environment which sought approval for the publication of the draft Southern Widnes Supplementary Planning Document (SPD) for the purposes of Statutory Public Consultation.

Members were advised that the Mersey Gateway Regeneration Strategy was an important element of the Mersey Gateway Project that built upon the adopted vision that it was "more than just a bridge" but the "catalyst" for regeneration and investment throughout Halton, Cheshire, the Liverpool City Region and the North West.

The Regeneration Strategy was concerned with how the bridge could deliver a new context for place-shaping, set the agenda for a sustained economic, social, physical and environmental regeneration programme over the next 20 to 30 years and re-connect the communities of Runcorn and Widnes.

The Regeneration Strategy covered an area in excess of 20 square kilometres within the Borough of Halton, including the Southern Widnes SPD area. The area

was agreed with the Council to provide a statutory planning basis for policy development due to its influence on the Local Development Framework.

Several key elements of this SPD had been informed by the Mersey Gateway Regeneration Strategy, building upon some of the principles, objectives and development opportunities set out within the document. A number of proposals described in this SPD were therefore based upon the preferred option as expressed in the Mersey Gateway Regeneration Strategy agreed by the Council's Executive Board on 19th June 2008.

Members were advised that Southern Widnes had been identified within the Halton Unitary Development Plan (UDP) as one of the six Action Areas in the Borough that required significant development or redevelopment in order to secure their regeneration. This SPD was therefore supplementary to Policy RG1 (Action Area 1 Southern Widnes) in the Halton UDP.

The purpose of the Southern Widnes SPD was therefore to establish and identify potential development or improvement opportunities within the area that arose from the existing context and the proposals of the Mersey Gateway Project in order to help sustain the existing community and deliver regeneration benefits to the area. This current draft had been prepared by GVA Grimley for the formal stages of public consultation.

The Southern Widnes SPD was specifically designed to:

- Ensure a suitable standard of development;
- Improve the visual and environment quality of the area;
- Create a "sense of place";
- Improve accessibility particularly to the Silver Jubilee Bridge and Widnes Waterfront; and
- Improve sustainability of the West Bank community by introducing new employment, housing and a neighbourhood centre.

Members were advised that Sustainability Appraisal, Habitat Regulations Assessment and Statement of Consultation were all set out in detail in the report and it was noted that they would be available for public consultation, alongside the draft Southern Widnes SPD.

Once the formal public consultation exercise had

been conducted, the responses would be recorded and taken into account. It was intended that a further report would then be taken to the Executive Board, seeking formal adoption of the revised Southern Widnes SPD.

RESOLVED: That

- (1) the draft Southern Widnes SPD be approved for the purposes of statutory public consultation for a six week period;
- (2) the comments received at the stakeholder consultation stage, as set out in the Statement of Consultation and responses to them be noted;
- (3) further editorial and technical amendments that did not materially affect the content of the SPD be agreed by the Operational Director – Environmental and Regulatory Services, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, as necessary, before the document is published for public consultation; and
- (4) the results of the public consultation exercise and consequent recommended modifications to the draft document be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document.

Strategic Director
- Environment

ES113 DRAFT RUNCORN TOWN CENTRE SPD - APPROVAL FOR STATUTORY PERIOD OF PUBLIC CONSULTATION - KEY DECISION

The Sub-Committee received a report of the Strategic Director, Environment which sought approval for the publication of the draft Runcorn Town Centre Supplementary Planning Document (SPD) for the purposes of statutory public consultation.

The Mersey Gateway Regeneration Strategy was an important element of the Mersey Gateway Project that built upon the adopted vision that it was more than just a bridge but the catalyst for regeneration and investment throughout Halton, Cheshire, the Liverpool City Region and the North West.

The Regeneration Strategy was concerned with how the bridge could deliver a new context for place-shaping, set the agenda for a sustained economic, social, physical and

environmental regeneration programme over the next 20 to 30 years and reconnect the communities of Runcorn and Widnes.

The Regeneration Strategy covered an area in excess of 20 square kilometres within the Borough of Halton, including the Runcorn SPD area. The area was agreed with the Council to provide a statutory planning basis for policy development due to its influence on the Local Development Framework.

Several key elements of this SPD had been informed by the Mersey Gateway Regeneration Strategy, building upon some of the principles, objectives and development opportunities set out within the document. A number of proposals described in this SPD were therefore based upon the preferred option as expressed in the Merseyside Gateway Regeneration Strategy, agreed by the Council's Executive Board on 19th June 2008. This was especially relevant for the de-linking arrangements for the Silver Jubilee Bridge adjoining Runcorn Town Centre as described below and in more detail in the draft SPD.

This SPD updated and built upon the Council's previous 1997 Runcorn Town Centre Strategy and the draft Runcorn Old Town SPD drafted in 2007.

In light of the opportunities presented by the Mersey Gateway Project and the identification of Runcorn Town Centre as an Action Area for regeneration and development in the Mersey Gateway Regeneration Strategy, the Runcorn Town Centre SPD had been revisited. This current draft had been prepared by GVA Grimley for the formal stages of public consultation.

Members were advised that for the purposes of the Runcorn SPD was therefore to establish and identify potential development or improvement opportunities within the area that arose from the existing context and the proposals within the Mersey Gateway Regeneration Strategy in order to help sustain the existing community and deliver regeneration benefits to the area.

The proposals set out in the Runcorn Town Centre SPD were specifically designed to:

- Enable Runcorn Town Centre to prosper without damaging the health of any other centres;
- Safeguard and strengthen the centre's role as a safe and accessible place to shop, work and enjoy;

- Co-ordinate public and private investment decisions;
- Improve the economic prosperity of the Borough through the creation of new employment opportunities; and
- Ensure the highest standards of design and architecture.

The report set out the sustainability appraisal habitat regulations Habitat Regulations Assessment and the Statement of Consultation and it was noted that these would be made available during the six weeks formal period of public consultation alongside the draft Runcorn Town Centre PSD.

Once the formal public consultation exercise had been conducted, the responses would be recorded and taken into account. It was intended that a further report would then be taken to Executive Board, seeking formal adoption of the revised Runcorn Town Centre SPD.

RESOLVED: That

- (1) the draft Southern Runcorn SPD be approved for the purposes of statutory public consultation for a six week period;
- (2) the comments received at the stakeholder consultation stage, as set out in the Statement of Consultation and responses to them be noted;
- (3) further editorial and technical amendments that did not materially affect the content of the SPD be agreed by the Operational Director – Environmental and Regulatory Services, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, as necessary before the document is published for public consultation; and
- (4) the results of the public consultation exercise and consequent recommended modifications to the draft document be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document.

Strategic Director
- Environment

ES114 HIGHWAYS TERM MAINTENANCE CONTRACT
EXTENSION

The Sub-Committee received a report of the Strategic Director, Environment which sought consideration of the extension of the current Highway Maintenance Term

Contract with Amey LG beyond 2010, as conceived in the original tender documents.

At its meeting of 24th January 2005, the Executive Board Sub-Committee resolved to award the Highway Maintenance Term Contract (HMTc) for an initial period of five years to Amey Infrastructure Services Limited (now Amey LG). The report noted that the tender document had identified the option to extend the duration of the Contract by five years by agreement of the parties. This procurement strategy was identified in the Original European Journal OJEU notice and was designed to maximise value for money from the contract by offering a reasonable term over which contract set up, overhead and operational costs could be recovered.

The HMTc had now operated for four years and a decision was now required on whether the contract was extended in accordance with the original strategy or whether a new contract was procured. Amey LG had written to us formally, confirming their desire to extend the current contract and to continue to develop the partnership with the Council. Members were advised that the HMTc was based upon the Engineering and Construction contract (ECC), one of the modern forms of contracts and took the form of a schedule of rates covering most typical highway operations, principally:

- Reactive maintenance and repair of all highway features;
- Gully emptying and drainage repairs;
- Footway and carriageway structural reconstruction; and
- The winter maintenance function

The indicative value of the contract was £1.6m per annum, although typically around £2.5m worth of work was undertaken by Amey LG each year. The HMTc was designed to ensure that the Contractor could sustain sufficient resources to deliver not only the core highway maintenance operations but also an emergency response facility 24 hours per day, 7 days a week.

Rates contained in the contract were reviewed and adjusted annually to allow for inflation using standardised construction price and cost indices published by the Government. This mechanism ensured that variations of prices used across the Contract term were applied fairly and reflected actual cost changes in the industry.

The HMTC contained a number of performance indicators against which the contractor was measured on a monthly basis, as set out in the report.

Amey LG provided a workforce comprising approximately 25 operatives plus administrative and support staff operating from a dedicated depot located in Widnes. They were a national company with resources that could deliver all necessary labour, plant and equipment. Health and safety performance was reviewed monthly by the Contract Administrator as part of the Contract progress meeting. Amey's performance had been excellent in terms of reportable accidents and a continual programme of training and updating of operatives skills aimed to continue this trend.

Members were advised that if the option to extend the current contract was not taken up, then the Council would have to find an alternative way of delivering the highway maintenance service. A number of options had been considered:

- Collaboration with neighbouring authorities;
- Inviting "Spot" Tenders;
- Procuring a new Term Contract; and
- Extension of the current Contract.

In considering the request to extend the Highway Term Maintenance Contract to 2010, it was agreed that an update report be submitted to Members.

RESOLVED: That

- (1) the Highway Term Maintenance Contract 2005 to 2010 with Amey LG (formerly Amey Infrastructure Services Ltd.) be extended for a period of three years to 31st March 2013 with the option to extend the contract for up to a further two-year period by agreement and subject to continuing satisfactory performance; and
- (2) an update report be submitted to the Sub-Committee.

ENVIRONMENT, SPORT AND LEISURE PORTFOLIO

ES115 WASTE MANAGEMENT & RECYCLING CONTRACT

The Sub-Committee received a report of the Strategic

Strategic Director
- Environment

Director, Environment which sought to update Members regarding the procurement of a Waste Management and Recycling Contract (WMRC) for Merseyside and Halton.

Members were advised at the meeting of the Executive Board on the 29th March 2007 it was approved that a Contract Procurement Strategy with Mersey Waste Disposal Authority (MWDA) for the provision of services and facilities for the recycling and treatment of waste for Merseyside and Halton was approved.

Members were further advised that in order to secure Halton's involvement in contractual arrangements required to meet recycling and waste diversion targets, Executive Board Members, at their meeting on the 19th July 2007, approved the delegation of defined aspects of the Council's waste disposal functions to allow the MWDA to procure two principal waste contracts on behalf of itself and Halton, a Waste Management and Recycling Contract and a Resource Recovery Contract.

The arrangement approved by the Executive Board authorised the MWDA to enter into both contracts on behalf of Halton Borough Council and the purpose of this report was to advise members of the current stage of the procurement process in relation to the Waste Management and Recycling Contract. It was noted that the WMRC included the operation and management of Household Waste Recycling Centres, the provision and management of Materials Recycling Facilities, the management of Waste Transfer Stations and the option for the provision of facilities for the treatment of kitchen waste. The contract was for a period of 20 years.

Members were advised that for Halton, this contract would provide for the management of the two Household Waste Recycling Centres at Picow Farm Road in Runcorn and Johnson's Lane in Widnes, together with the Haddocks Wood composting facility for the receipt and composting of green waste. It would also see the provision of a Materials Recycling Facility (MRF) services for the receipt and processing of recyclable materials collected through Halton's Kerbside Recycling Services. Halton would have opportunities to deliver other waste streams to this contract, such as street cleansing waste, by arrangement with the MWDA and the appointed contractor.

The procurement of the WMRC had been through a competitive dialogue process and had involved a number of steps, as outlined in the report.

From a provisional list of 45 potential bidders, 9 companies returned Pre-Qualification Questionnaires for the Waste Management and Recycling Contract. Following an invitation to Submit Outline Solutions (ISOS) Evaluation, four companies were selected to go forward to the next stage and were issued with an invitation to Submit Detailed Solutions (ISDS). These were:

- Shanks
- SITA UK
- Veolia
- Waste Recycling Group

Only three companies, SITA, Veolia and Waste Recycling Group responded to ISDS. Following further evaluation, SITA and Veolia were identified as the final two bidders and both had completed the Call for Final Tender stage.

Following final evaluation of technical, legal and financial submissions a preferred bidder would be announced following consideration of a report by the MWDA. The forecasted timetable was set out in the report.

The MWDA had delegated authority to enter into the WMRC on behalf of Halton Borough Council and the decision would be made by MWDA Board Members on 15th April 2009 and would secure Halton's inclusion in that contract for a period of 20 years.

Members were advised that a further report, outlining the specific service delivery plans for Halton, together with financial and other information, would be provided to Members following the award of the contract.

RESOVLED: That

- (1) the progress made with the of a Waste Management and Recycling Contract for Merseyside and Halton be noted; and
- (2) the MWDA Board at their meeting on 15th April 2009, be expected to determine the bidder which had submitted the most economically advantageous tender in response to the MWDA's Call for Final Tenders in the WMRC procurement and would enter into the WMRC with that bidder on behalf of itself and Halton, be noted.

Strategic Director
- Environment

CORPORATE SERVICES PORTFOLIO

ES116 MARKET RENTS

The Sub-Committee received a report of the Strategic Director, Corporate and Policy which asked members to consider a request from Widnes Market Traders' Association to reduce stall rental at the Market for 2009/10, in light of current trading trends.

Members were advised that the Council had received a formal request from the Widnes market Traders' Association for stall rentals to be reduced at the market for 2009/10, given the current trading trends. The Traders' Association had asked that the Council considers reducing rents by 50%, given what they describe as "extraordinary" times.

It was noted that the Market was experiencing its first decrease in occupancy levels since it opened in 1995. The concern is that if more stall holders were forced to leave the Market, then its overall viability would be threatened. Whilst some new traders had tried to establish a business in recent times, three had had to cease trading within a six month period.

It was further noted that the Market, as a business, had made a significant financial contribution to the Council over many years and had played an important part in the shopping offer within the Borough, employing many local people and attracting visitors from nearby towns.

Members were further advised that there was a fine balance to be struck in circumstances such as this and rent levels were already a key component of running a commercial operation such as a market. If they were too high for traders to sustain a healthy business and they therefore moved on, this had an impact on the view potential users of the Market and could lead to a downward spiral. However, any reduction had to be reviewed against the overall financial picture the Council was facing. Reducing rents in turn reduced income to the Council at a time when other sources of income were also reducing. Overall reductions in income required further efficiencies/savings to be found from elsewhere in the Council's budget.

Members were advised that in view of the above it was considered a 50% reduction, as requested, was too great a level to support at the current time, given that it

would lead to a significant reduction in income to the Council, taking into account the wider responsibilities of the Council. However, the situation faced by traders was real and was recognised and the potential impact in the long term on the Market was fully appreciated. In all the circumstances, it was suggested that a 10% reduction be introduced for 2009/10 and the inflationary rise that was due to be applied for that year no longer be applied.

The Sub-Committee noted that the Council had a greater responsibility to ensure Widnes Market continued to be successful, as it was a Council run facility for the Borough. It was agreed that a further report be submitted detailing the business case for both markets in Runcorn and Widnes, and to include information on where the loss in revenue would be offset within the Directorate's budget.

RESOLVED: That

- (1) no inflationary uplift be applied to 2009/10 rents; and
- (2) a 10% rent reduction be applied for 2009/10 and be subject to a further review before being applied beyond 2009/10.

Strategic Director
- Corporate and
Policy

ES117 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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

HEALTH AND SOCIAL CARE PORTFOLIO

ES118 SPECIAL CARE NEEDS CLIENTS A AND B: REQUEST TO WAIVE STANDING ORDERS RELATING TO CONTRACTS EXCEEDING £50,000 BUT LESS THAN £1,000,000

The Sub-Committee received a report of the Strategic Director, Health and Community which requested a waiver of Procurement Standing Orders 3.1 to 3.9 which placed a requirement on the Council to invite tenders for contracts with a value greater than £50,000 but not exceeding £1m in respect of a contract for Special Needs Clients A and B for the period January 2009 – January 2012.

RESOLVED: That

- (1) in the exceptional circumstances set out in the report, for the purposes of Standing Order 1.6, Procurement Standing Order 3.1 to 3.9 be waived on this occasion in respect of Client A and Client B on the basis that the current provider D. and M/ Premier Care Agency offered value for money and is performing well and meeting the needs of vulnerable service-users with complex mental health problems;
- (2) the Operational Director, Adults of Working Age be authorised, in consultation with the relevant Executive Portfolio Holder, to negotiate and conclude a three-year contract(s) from January 2009 with D. and M. Premier Care Agency, for the provision of care and support to Client A and Client B;
- (3) after two years the contract(s) be reviewed taking into account the personal circumstances of the Clients (including their capacity to administer their own personal budgets to meet their care needs) and the

Strategic Director
- Health and
Community

housing options that might be available. If it was concluded at that point that the services were still likely to be needed, these services be re-contracted following an open tender exercise; and

- (4) the Operational Director, Adults of Working Age be authorised, in consultation with the relevant Executive Portfolio Holder, to negotiate the amount of funding received from Halton and St Helens Primary Care Trust with a view to securing 80% of the costs from the PCT.

CORPORATE SERVICES PORTFOLIO

ES119 FORMER INFORMATION CENTRE, CHURCH STREET, RUNCORN

The Sub-Committee received a report of the Strategic Director, Corporate and Policy which drew Members' attention to a request received from Halton Credit Union to utilise the building formally occupied by the Information Centre in Church Street, Runcorn.

The Sub-Committee was updated on the current situation in respect of the Former Information Centre, Runcorn and it was agreed that the report be deferred pending further information being made available.

RESOLVED: That the report be deferred, following information on the current situation in respect of the Former Information Centre, Runcorn and brought before the Board again, if appropriate.

Strategic Director
- Corporate and
Policy

Meeting ended at 11.35 a.m.

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3MG EXECUTIVE SUB BOARD

At a meeting of the 3MG Executive Sub Board on Thursday, 2 April 2009 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman), Nelson and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, S. McDonald, B. Dodd and A. Jones

Also in attendance: None

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

	<i>Action</i>
ESB1 MINUTES	
<p>The Minutes of the meeting held on 16th October 2008 were taken as read and signed as a correct record.</p>	
ESB2 NWDA FUNDING 3MG PHASE 2	
<p>The Board considered a report from the Strategic Director, Corporate and Policy seeking authority to enter into a Legal Agreement with the North West Development Agency (NWDA) for funding 3MG Phase 2.</p> <p>The Board was informed that on 9th December 2004 (EXB162) the Executive Board adopted the Ditton Strategic Rail Freight Park Masterplan, now known as 3MG (the Mersey Multimodal Gateway). The NWDA supported the 3MG Masterplan and had proposed an 'in principle' allocation of £4.5m towards its delivery. This latest funding agreement was for 3MG Phase 2 works: an agreed qualifying expenditure of approximately £2,206,142 at an intervention rate of 82%, making the proposed North West Development Agency grant funding equal to £1.74m.</p> <p>The Council adopted the 3MG Masterplan in December 2004. The 3MG programme was included in the</p>	

council's Corporate Plan, the Halton Partnership and Halton Borough Council Urban Renewal Strategy and Action Plan, and supports the Council's Urban Renewal corporate priority. The NWDA funding was essential to facilitate the delivery of 3MG.

The NWDA had offered £1.74m to progress 3MG. These funds were offered on condition that the Council enters into a NWDA Funding Agreement. As usual with such arrangements, the NWDA placed the balance of risk with the Accountable Body, in this case Halton Borough Council (HBC). Although some had been negotiated away, the Board was advised that the most prominent risks for the Council remain:

- 1) That minor technical breaches could trigger (a) clawback of grant already paid to the Council and (b) withholding from the Council of grant funding held ready to be drawn down; and
- 2) A duty of utmost good faith owed by HBC to NWDA to inform the Agency of anything which might conceivably adversely affect NWDA's interests under the Agreement.

It was noted that these risks were similar to those previously accepted by Members in connection with other projects.

Furthermore it was noted that the NWDA funding referred to in the report supported the Council's commitment to secure as much external funding as possible to support the delivery of 3MG.

Following the clarification of queries, Members agreed to support the proposal to enter in to a Legal Agreement with the NWDA for funding 3MG Phase 2.

RESOLVED: That delegated authority be given to the Strategic Director for Environment, in consultation with the Operational Director and Monitoring Officer (Legal, Organisation Development and Human Resources) and the Portfolio Holder for Planning Transportation Regeneration and Renewal, to negotiate and conclude funding arrangements with the North West Development Agency for 3MG Phase 2, not to exceed £1.74 million.

MINUTES ISSUED:

CALL IN:

Any matter decided by the Executive Board may be call in no later than *****

Meeting ended at 4.21 p.m.

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MERSEY GATEWAY EXECUTIVE BOARD

At a meeting of the Mersey Gateway Executive Board on Thursday, 29 January 2009 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), Polhill, Wharton, Findon and Redhead

Apologies for Absence: None

Absence declared on Council business: None

Officers present: B. Dodd, D. Parr, M. Reaney, D. Tregaea, S. Nicholson, M. Noone and M. Simpson

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

Action

MGEB13MINUTES

The Minutes of the meeting held on 20 November 2008, having been printed and circulated, were taken as read and signed as a correct record.

MGEB14PREPARATIONS FOR THE MERSEY GATEWAY PUBLIC INQUIRY

The Board received a report of the Mersey Gateway Project Director, which updated Members of the progress made in preparing for the public inquiry, which had now been announced.

The Board was advised that the Department for Transport (DfT) were to issue the formal Statement of Matters for the public inquiry, which in effect would set the terms of reference for the inquiry. It was noted that the deadline for the DfT to issue the Statement of Matters had been extended to the 23 February 2009 in order to allow the tolling proposals in the Transport and Works Act Application (that would apply to the new crossing), to be reviewed against the road user charging scheme as defined in the made Road User Charging order for Silver Jubilee Bridge (SJB).

It was reported that the extended period up to the issuing the Statement of Matters would still enable an Inquiry to commence this spring. The additional time would be used to resolve as many objections as possible leading to a shorter Inquiry and potentially earlier decision.

It was reported that preparations were in place for the inquiry to be held in May 2009 rather than March 2009. However should the Council be in a position to hold it earlier this would be arranged.

RESOLVED: That the progress made be noted.

MGEB15RELOCATING BUSINESSES AFFECTED BY MERSEY GATEWAY

The Board received a report of the Mersey Gateway Project Director which provided an update of the progress made in negotiating land acquisition with those parties affected by the published Compulsory Purchase Orders and Applications.

It was reported that all businesses affected by Mersey Gateway had been contacted and invited to discuss acquisition in advance of exercising any Compulsory Purchase powers, should such powers be confirmed in due course by the Secretary of State. It was advised that these negotiations were applying the advanced land acquisition and relocation policy agreed with the Mersey Gateway Executive Board.

Detailed in the report for Members consideration was the breakdown of the businesses who had expressed an interest in relocation.

The Board was advised of the successful agreement reached with Thermo Fisher to relocate to Manor Park. It was noted that a small number of other businesses had been identified as having exceptional needs and negotiations were currently ongoing with those businesses with the aim to reach a similar satisfactory conclusion in the near future.

Members queried whether any businesses were

planning to locate outside of the Borough. In response it was noted that so far only one business was considering this as an option.

RESOLVED: That the progress made be noted.

MGEB16MERSEY GATEWAY FUNDING FOR ADVANCED LAND ACQUISITION

The Board considered a report of the Strategic Director – Environment which provided an update of the information reported to the Mersey Gateway Executive Board on 15 November 2007 in relation to funding required to support the acquisition of land, including the interests of tenants and freeholders prior to receiving Government grant.

It was proposed that the land acquisition budget was reviewed annually at this time of year so that any changes could be considered as part of the Council's budget deliberations.

It was advised that there was a funding gap and options to manage this for land acquisition had been assessed in some detail. Seven options for meeting the short term funding gap had been identified and evaluated and were detailed in the report for Members consideration.

The Board was advised that the most favourable option for the Council would be the acceleration of the RFA grant as it would minimise the gap in funding land assembly, therefore avoiding any significant external finance. However due to the constraints on the funding provided by DfT and by the North West Region this option may prove to be undeliverable.

Members raised concerns in relation to RFA getting into financial difficulties during this economic climate. In response it was noted that as Mersey Gateway has Programme Entry the RFA funding is secure at present. Schemes without Programme Entry were more at risk in the event of a wholesale review of RFA.

RESOLVED: That

- 1) The revised budget for Advanced Land Acquisition and Negotiations be approved;
- 2) The Council amend the Capital Programme

accordingly; and

- 3) The potential call on the Council Priorities Fund be noted.

COMMENTS FROM COUNCILLORS FINDON AND REDHEAD

Councillors Findon and Redhead took the opportunity at the invitation of the chair to reaffirm their complete support for the Mersey Gateway bridge project.

MINUTES ISSUED: 18 February 2009

CALL IN: 25 February 2009

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 25 February 2009

Meeting ended at 3.40 p.m.

MERSEY GATEWAY EXECUTIVE BOARD

At a meeting of the Mersey Gateway Executive Board on Thursday, 19 March 2009 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman) and Wharton

Apologies for Absence: None

Absence declared on Council business: Councillor Tony McDermott Councillor

Officers present: B. Dodd, D. Parr, M. Reaney, D. Tregaea, S. Nicholson, P. Oldfield and M. Simpson

Also in attendance: Cllrs Hodgkinson and Redhead

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

Action

MGEB17PREPARATIONS FOR THE MERSEY GATEWAY PUBLIC INQUIRY

The Board considered a report of the Strategic Director – Environment which advised Members of the progress made in preparing for the Public Inquiry which was due to commence on the 19 May 2009.

It was reported that on 20 February 2009 the Department for Transport (DfT) wrote to the Mersey Gateway Project Team advising that arrangements for the Public Inquiry had been made. The proposals were outlined as follows:

- 1) The Public Inquiry would commence on 19 May 2009 at Stobart Stadium;
- 2) The appointed Inspector was Mr Alan T Gray, MRICS Dip TP MRTPII; and
- 3) To assist the Inspector to develop a timetable for the Inquiry, a Pre-Inquiry meeting would take place on 24 March 2009 at the Brindley Arts Theatre, Runcorn.

The Board was informed that the Council had been instructed by the DfT to administer certain rules for Inquiries

providing public notices in local newspapers and posting notices on site. Inquiry notices would be published for planning applications relating to MG which have been called in and would be dealt with at the same Inquiry.

It was noted that the Inquiry was expected to be completed within 40 days, which would result in completion by late July. Members were advised that although it was not possible to guarantee that the Inquiry would be completed within this period, it was expected that the current level of objections and representations could be dealt with, within the time allowed.

It was advised that the announcement of the Inquiry arrangements included a Statement of Matters that provided the Inspector with terms of reference, and which was appended to the report for the Boards consideration.

RESOLVED: That the progress made be noted.

MGEB18 MEMORANDUM OF UNDERSTANDING WITH
WARRINGTON BOROUGH COUNCIL

The Board received a report of the Strategic Director, Environment which advised Members of progress made by Council officers in discussions with Warrington Borough Council (WBC) with regard to their statutory representation made in response to the published applications and orders for the Mersey Gateway.

It was reported that a draft Memorandum of Understanding (MoU) had been agreed with WBC officers, that would provide the basis of a partnership that would address their concerns over the risk that traffic would divert to routes through Warrington to avoid paying tolls in Halton.

The Board was advised that WBC had reaffirmed their support for Mersey Gateway but this support was conditional on measures being agreed to mitigate the adverse effects of traffic diverting to river crossings in Warrington in order to avoid tolls in Halton. Last summer, WBC instigated discussions with the Mersey Gateway Project Team to explore how their concern over the diversion could be addressed.

It was noted that although the two Councils had a different view over the significance of the risk that traffic would divert to Warrington, the Mersey Gateway Project Team recognised that this was a substantive concern of

WBC, and therefore proposed that it should be addressed by establishing a partnering agreement through a MoU agreement between the two Councils. The MoU was attached to the report for Members' consideration and had been agreed by officials at each Council and WBC Executives had met to consider the approval of this MoU on 9th march 2009. In addition, set out in the report was an extract from a report on Mersey Gateway to be considered by the WBC Executive.

The Board discussed the outcome if tolls were higher than the Mersey Tunnels and it was noted that if WBC could demonstrate that there was an increase in traffic through Warrington, which was directly attributable to Mersey Gateway, then mitigation measures could be investigated in the form of some funding provided by Halton Borough Council. However, it was noted that after five years this would cease. The Board was advised that traffic models had suggested that the maximum diversions would increase in a 4% figure which was equivalent to the increase of current traffic on a rainy day.

Having discussed the recommendation the Board agreed to remove the word "minor" from the wording so that it read as follows.

RESOLVED: That the Mersey Gateway Executive Board approve the MoU with Warrington Borough Council that would establish partnering arrangements and obligations to apply in the delivery of the Mersey Gateway project and during its operation, subject to any amendments being delegated to the Chief Executive, in consultation with the Leader.

Strategic Director
- Environment

MGEB19MEMORANDUM OF UNDERSTANDING WITH HIGHWAYS AGENCY

The Board received a report of the Strategic Director, Environment which advised Members of progress made by the Mersey Gateway Project Team in discussions with the Highways Agency with regard to identifying a common interest in the promotion and operation of Mersey Gateway in the context of the Strategic Road Network.

It was reported that a draft Memorandum of Understanding (MoU) had been agreed with Highways Agency officials in Manchester that would provide the basis of a partnership designed to capture the benefits that the New Crossing offered to the operation of the Strategic Road Network.

It was reported that the Highways Agency had submitted a holding objection to the planning application that covered the proposed improvements to Junction 12 which required minor alterations to the motorway link road connecting with the roundabout on the south side of the junction. These minor alterations were the only works required for the project which lay outside the boundary of Halton Borough Council as Highway Authority. As such, the Council was required to complete certain procedures to permit the proposed alterations to trunk roads and the Highways Agency had advised that they would withdraw their objections once the procedures had been completed to their satisfaction. It was noted that work was in hand to achieve this to enable the objection to be withdrawn before the Inquiry commenced on 19 May 2009.

It was further advised that this holding objection contrasted with the substantive expressions of support for Mersey Gateway by Highways Agency officials. It was noted to capture the basis of this support and to provide a partnership with the Highways Agency designed to further both the objectives of Mersey Gateway and the future management of the Strategic Road Network, a draft MoU had been prepared by the Mersey Gateway Project Team and was appended to the report for Members' consideration. It was further advised that the proposed partnering arrangements would reinforce the effectiveness of Mersey Gateway in providing much improved connectivity to the Liverpool City Region. The clear support for Mersey Gateway by the Highways Agency would support the Council in presenting its case to the forthcoming Public Inquiry.

After discussing the recommendation the Board agreed to remove the word "minor" from the recommendation.

RESOLVED: That the Mersey Gateway Executive Board approve the MoU with the Highways Agency that would establish partnering arrangements and obligations to apply in the delivery of the Mersey Gateway project and during its operation, subject to any amendments being delegated to the Chief Executive, consultation with the Leader.

Strategic Director
- Environment

MGEB20TO ESTABLISH AN ENVIRONMENT TRUST FOR THE
LONG TERM NATURE CONSERVATION PLAN FOR THE
MERSEY GATEWAY PROJECT AND THE UPPER

MERSEY ESTUARY

The Board received a report of the Strategic Director, Environment which proposed the establishment of a Mersey Gateway Environmental Trust under the Charities Act 2006 as an efficient vehicle for the procurement process to deliver the long-term mitigation nature conservation plan required under the terms of the planning agreement. The report also considered how the Trust could integrate the delivery of the Mersey Gateway with other Council strategic objectives towards the long term management, maintenance and promotion of the estuary.

The Board was advised that an ecological management plan for the Mersey Gateway was required before the construction phase when a contract would be in place with the private sector (the Concessionaire) to deliver the long-term mitigation covering the length of the contract. It was noted that the plan proposed specific salt marsh management for the nature conservation purposes, including grassland management by livestock grazing and cutting, pool and creek management and annual maintenance work. The Board were informed that management was needed to increase overall diversity of botanical and invertebrate species. These in turn would provide feeding, breeding and roosting areas for a variety of wading birds, waterfowl and ground nesting birds. The plan was being progressed to achieve the approval of the statutory agencies Natural England and the Environment Agency to allow objections to be removed prior to Public Inquiry.

In addition, the report set out the use of Trust set up set up under the guidelines of the Charities Act 2006, and detailed a number of advantages for Members' consideration.

RESOLVED: That

- 1) the setting up of a Mersey Gateway Environmental Trust be established as the long-term vehicle for the nature conservation mitigation plan to deliver lasting benefits associated with the Mersey Gateway and related environmental initiatives;
- 2) Halton Borough Council establish the environmental trust prior to the appointment of the Concessionaire; and
- 3) Councillor representation on the Board of Trustees be

sought.

MINUTES ISSUED: 8 April 2009

CALL IN: 17 April 2009

Any matter decided by the Executive Board may be called in no later than 17th April 2009.

Meeting ended at 3.24 p.m.

CHILDREN AND YOUNG PEOPLE POLICY AND PERFORMANCE BOARD

At a meeting of the Children and Young People Policy and Performance Board on Monday, 23 February 2009 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Dennett (Chairman), Horabin (Vice-Chairman), Browne, Drakeley, Fraser, Gilligan, J. Lowe, Parker and Stockton

Apologies for Absence: Councillor Higginson

Absence declared on Council business: None

Officers present: J. Kirk, L. Butcher, A. McIntyre, G. Meehan and M. Simpson

Also in attendance: 2 Members of the Youth Parliament, V. Shaw – Connexions, C. Pollard – Parent and Carers Forum representative and Councillor McInerney (in accordance with Standing Order 33)

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

CYP39 MINUTES

Action

The Minutes of the meeting held on 26th November 2008 and 5th January 2009 having been printed and circulated were taken as read and signed as a correct record.

CYP40 PUBLIC QUESTION TIME

In relation to agenda item number 10 – Integrated Youth Support, it was reported that a public question had been received from Halton Youth Cabinet as follows:-

“As some of you may be aware the Youth Cabinet have been in full support of an ongoing national campaign known as “buzz off” aimed at removing all mosquito devices, a device to keep young people away from certain shops etc. from all public places. The Cabinet had been informed that there were still a number of these devices operating in the Borough. Is the Council aware of this and do we have the Council’s support to help us remove them?”

In response, it was noted that the Council did not advocate the use of mosquitoes and the Community Safety Team were not aware of any devices on any of the Council's buildings or in the Borough.

Private enterprises may use the devices and the Council would not necessarily be aware of this. It would appear that there were no regulations around their use and there did not appear to be a requirement to have devices registered.

At present, the devices did not appear to be illegal and were not subject to regulations therefore the Council would not have any enforcement powers in terms of taking legal action to have them removed. The Board was informed that there was one device in the Windmill Hill area and allegedly one in Grangeway. The Youth Cabinet were asked to investigate further the exact locations of these mosquitoes and it was suggested that they e-mail the relevant Ward Councillors with an aim to approach the shops involved in order to discourage them.

RESOLVED: That the public question be noted.

CYP41 EXECUTIVE BOARD MINUTES

The minutes of the Executive Board and Executive Board Sub-Committee relating to the work of the Children and Young People Policy and Performance Board were submitted for information.

In respect of EXB83 Connexions Transition, clarity was sought in relation to Halton Borough Council becoming the Contract Holding Authority on behalf of the six Merseyside Local Authorities. In response, it was noted that Halton would lead the Contract with the providers and the five other local authorities would fund their part of the contract through Halton.

In relation to EXB97 Primary Organisation, it was reported that there were currently eight schools in the Borough with more than 25% surplus capacity which was above the Audit Commission's recommendation.

RESOLVED: That the minutes be noted.

CYP42 SPECIALIST STRATEGIC PARTNERSHIP BOARD MINUTES

The Board considered the minutes of the meeting held on 26th November 2008.

RESOLVED: That the minutes be received.

CYP43 REGULATION 33 VISITS AND CLIMBIÉ AUDITS

The Board received a report of the Strategic Director, Children and Young People which provided an update on the conduct of Regulation 33 Visits and Climbié Audits and set out proposals to strengthen reporting, scrutiny and Member involvement.

It was reported that Regulation 33 of the Children's Home Regulations 2001 required the Local Authority to carry out Children's Home Visits in order to:

- Interview with consent children, their parents and relatives and carers in the Children's Home;
- Inspect the premises;
- Review daily logs of events and records of any complaints; and
- Prepare a report on the conduct of the Home and the quality of care provided.

It was reported a large group of Members was required to carry out these visits and training would be offered on Regulation 33 Visits and Climbié Audits, to all PPB Members. The Board discussed the templates for visit report writing and agreed that it would be beneficial to have a field added to the forms with the title of "Previous Actions from Previous Visit".

It was also noted that it would be helpful if a plan of action was produced which set out what would happen within the next hours or days etc in the event of an issue arising.

Members were advised that training would be provided before the next two consecutive Children and Young People PPB meetings on both Regulation 33 Visits and Climbié Audits - being June and September and all Policy and PBB Members would be notified nearer the time.

RESOLVED: That

- 1) training was provided to all PPB Members on Regulation 33 Visits and Climbié Audits. This training should take place in a Pre-Meeting, dates would be

Strategic Director-
Children & Young
People

agreed and circulated;

- 2) following training and CRB checks a new and extended list of Members available to carry out visits and audits should be put together and a rota be agreed;
- 3) following all visits, reports provided and the responses made by relevant Managers should be reported to PPB and scrutinised twice a year;
- 4) this reporting and scrutiny be lead by the relevant Managers in Children and Young People's Directorate to strengthen accountability;
- 5) all templates for auditing should be made available to Members electronically – with the additional field added providing an update from previous visits - and responses to the audit should be recorded electronically;
- 6) the Board receives a regular monitoring report on the progress made in respect of recommendations 2.3 and 2.5 above; and
- 7) all the Chairs of the other PPBs be contacted in order to advise their Members of the training opportunities available and training be held before the next two scheduled PPB meetings.

CYP44 WORK PROGRAMME 2009/10

The Board considered a report from the Strategic Director, Corporate and Policy regarding the Work Programme for 2009/10 regarding possible topics for inclusion in the next Municipal Year. It was advised that the Board would consider children's health, starting with a special PPB session designed to provide an overview and initial audit of the state of health of children in the Borough. From this, several priority areas for consideration could be identified that would form the focus of Topic work for the remainder of the year and several areas could be formed from for this to focus on. The June PPB meeting would consider issues around narrowing the gap.

RESOLVED: That the Policy and Performance Board's work programme would comprise an overview of children's health and more focussed Topic work on priority areas identified from the overview's conclusions.

CYP45 EMPLOYMENT OPPORTUNITIES FOR CARE LEAVERS

The Board considered a report of the Strategic Director, Children and Young People which provided Members with an update on the current employment situation for Care Leavers and information about proposals for the future.

It was advised that there had been some improvement in this area, however, it had been known for some time that young people who left care were over represented in the NEET (Not in Education, Employment or Training) figures in Halton.

Connexions data showed that in November 2006 only 20% of 19 year old care leavers were in some form of education, employment or training. In November 2007 the figure was 39% and by November 2008 it was almost 45%. It was advised that in the past 12 months 7 care leavers had received employment training experience. One of those went on to become an Administration Apprentice with the Children and Young People Directorate.

The Board was advised that in order to improve the situation in Halton, a dedicated Apprenticeship scheme for care leavers had been agreed. It was reported that this would involve 10 apprenticeships being made available within the Council and partner agencies involving a range of employment areas. Members considered that care leavers required additional support: emotional support and mentoring being the key elements called for.

Arising from the discussion it was noted that job opportunities could be made available through various departments in the Council. As a corporate parent Halton Borough Council would respond and provide support to care leavers. Members suggested that a performance indicator be established in order to prioritise this target and some form of monitoring would help in terms of delivering the outcomes.

It was also noted that this item would feed into the Corporate Services PPB and the Employment Learning and Skills PPB in the June cycle of meetings.

RESOLVED: That

- 1) the Board provide support for the proposals regarding apprenticeships and other job opportunities and

Strategic Director-
Children & Young

additional support for care leavers entering work;

People

2) the item be submitted to the Corporate Services and Employment Learning and Skills PPBs for consideration in the June cycle of meetings; and

3) a performance indicator be established to prioritise the career opportunities made available to children leaving care and be monitored regularly by the CYP and Corporate Services PPB.

CYP46 STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE) ANNUAL REPORT

The Board received a report of the Strategic Director Children and Young People which detailed the Annual Report of the Standing Advisory Council on Religious Education (SACRE) 2007/08.

It was advised that it was a requirement of each SACRE to submit an Annual Report to The Qualifications and Curriculum Authority (QCA). The report detailed findings of the 2007/08 Annual Return from Halton's schools. The hard work and dedication of all our schools in Halton to maintain and further the high standards reached in Religious Education was acknowledged by the Board.

The report outlined and examined the findings by which Halton and their partners met the needs of young people in the Borough for Religious Education during 2007/2008.

RESOLVED: That the report be received.

(NB: COUNCILLORS BROWNE, HORABIN AND LOWE DECLARED A PERSONAL INTEREST DUE TO BEING GOVERNORS AT THE SCHOOLS MENTIONED UNDER N189)

CYP47 PERFORMANCE MANAGEMENT REPORTS FOR 2008/09

The Board considered a report of the Chief Executive on progress against service plan objectives and performance targets, performance trends/comparisons and factors affecting the services for:

- Specialist Services;
- Universal and Learning Services;
- Preventative Services; and

- Business Planning and Resources.

RESOLVED: That the 3rd quarter performance monitoring reports be received.

Meeting ended at 8.55 p.m.

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EMPLOYMENT, LEARNING AND SKILLS POLICY AND PERFORMANCE BOARD

At a meeting of the Employment, Learning and Skills Policy and Performance Board on Monday, 9 March 2009 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Jones (Chairman), Fraser (Vice-Chairman), Austin, Edge, Findon, Howard, Parker, Rowe and Worrall

Apologies for Absence: Councillor M. Bradshaw and Stockton

Absence declared on Council business: None

Officers present: H. Cockcroft, G. Collins, N. Goodwin, D. Owen, M. Simpson and A. Villiers

Also in attendance: None

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

ELS41 MINUTES

The Minutes from the meeting held on 14th January 2009 were taken as read and signed as a correct record.

ELS42 PUBLIC QUESTION TIME

It was reported that no public questions had been received.

ELS43 EXECUTIVE BOARD MINUTES

The minutes of the Executive Board relating to the work of the Employment Learning and Skills Policy and Performance Board were submitted for information.

RESOLVED: That the minutes be noted.

ELS44 SSP MINUTES

It was reported that there had not been an SSP since the last meeting of the Board.

Action

ELS45 COMMUNITY GRANTS

The Board considered a report of the Strategic Director, Health and Community which provided a brief on the criteria and assessment for accessing community grants. Community grants administered by the Community Involvement Team were reported as follows:

- Starter Grants, maximum £150;
- Community Development Grants, maximum £400;
- Voluntary Youth Group Grants; and
- Voluntary Youth Bursary Grants.

It was advised that grants were delivered as a rolling programme throughout the year. They would not reimburse monies already spent on routine overheads or running costs for established groups. It was noted that applications for grants must be from groups resident in the Borough and contribute to Halton's strategic objectives.

It was further advised that applicants must declare applications for grants from other sources and must be non-party political and operate non-discriminatory activity. It was reported that all grants were submitted to the Executive Board Member for approval and were required to acknowledge the Council's contribution in publicity leaflets etc. It was further advised that grants were monitored regularly with proof of expenditure required.

Arising from the discussion the following points were noted:

- corporately, a data base was being developed around the voluntary sector arrangements;
- as from 1st April 2009 there would be slight changes to the coding in relation to the financial management system. This would enable accurate reporting of funding to the voluntary and community sector;
- members discussed the possibility of duplication and it was noted that people were asked to declare if they were currently receiving funding or applying for funding from elsewhere; and
- the issue of CRB checks for voluntary staff was also discussed, and it was noted that all voluntary groups would have their own CRB checking procedures in place and would ensure that the correct people were working with young people.

RESOLVED: That the report be noted.

ELS46 COMMUNITY COHESION

The Board received a report of the Strategic Director, Health and Community which provided an update on cohesion matters since the PPB Topic Group Report in September 2007. It was advised that the Topic Group examined cohesion issues in Halton which resulted in a report which concluded Halton's key cohesion issues centred around poverty, equality of opportunity, intergenerational issues aligned with community safety concerns and increasing migrant workers and international students in the Borough.

It was further advised that, in tandem with the PPB Topic Group the Audit Commission also undertook a self-assessment with the Council on cohesion and concurred with the Council's findings. As part of the process the Audit Commission provided a data set of performance indicators for tension monitoring around four themes:-

- Inequalities and competition;
- Isolation and participation;
- Safer communities; and
- Coping with change.

This concluded Halton was a fairly cohesive place.

The report outlined the developments around cohesion for Members' consideration.

The Board was advised of a Cohesion Officers' Group which was a tactical group required by the Contingency Plan. The Cohesion Officers' Group would report to the Local Strategic Partnership Sub-Group for Equality and Diversity. It was noted that this was an evolving piece of work and Members' input was essential.

Arising from the discussion the Board felt that the reporting element should still be maintained by the Board and future reports from the Community Cohesion Officers Group should come to the Employment Learning and Skills PPB.

RESOLVED: That the Board Members agree that future reports would also be received by the Corporate Services and Employment Learning and Skills PPB.

ELS47 SKILLS TOPIC ACTION PLAN UPDATE

The Board considered a report of the Strategic Director, Environment which provided a brief on the progress of the Skills Topic Group Action Plan. It was noted that as part of the topic work of the former Life Chances and Employment PPB, it established a topic group looking at skills issues in the Borough. It was noted that as part of the final reports from the topic group to the PPB a number of recommendations for improvements to the service were developed and put into an action. Details of this action plan were outlined as an appendix to the report for Members' consideration. In addition, the appendix provided an update on progress to date.

The Board was advised that the most notable development recently in terms of capacity and capability was the establishment of the Halton Employment Partnership. It was advised this new team funded through Working Neighbourhood Funds had a core element of designers and trainers. These trainers would deliver a core employment skills training and assist in the delivery of the bespoke package, supplemented by specialist trainers being brought in when required.

It was reported that in terms of strategic developments, the work on the logistics sector was well advanced. There had been work to identify the future needs of the logistics and distribution sector, the skill training that existed had been mapped out and partners had been engaged to resource implementation. It was further noted the next sector to be brought forward was science and technology.

The Board was advised the existing Skills and Workforce Development Strategy was due for updating in 2009/10. It was reported at that point a new action plan would be developed.

Arising from the discussion, the Board enquired whether the Council could deliver courses direct into the community in relation to the action on page 20 of the appendix. Members asked whether the LSC would consider Halton Borough Council being a provider. In response, it was noted that certain budgets had to go through the further education route, whereas other areas were more likely to be tendered out. It was advised, however, that the Council was starting to build itself a reputation as a provider in its own sense. Members noted that the Borough was delivering what was required in terms of Level 2 education, however, it was felt that more work could be carried out in this area.

RESOLVED: That the progress on the Action Plan be noted.

ELS48 SKILLS: IDENTIFYING THE EXISTING AND FUTURE NEEDS OF BUSINESSES

The Board considered a report of the Strategic Director, Environment which detailed the outcomes from the Skills Topic Scrutiny process that was undertaken between September 2007 and September 2008. Set out in the report were a number of final recommendations resulting from the outcomes.

It was reported that the Board established the “Skills: Identifying the existing and future needs of businesses” topic as a means for identifying whether existing activity would meet those needs, including the identification of opportunities for improved performance. It was noted that a survey of business perceptions in relation to skills and employment had been undertaken in early 2008 and provided a good foundation in the development of the topic group work.

In the first meeting the Topic Group identified a number of issues that should be included within the scope of the topic which were outlined in the report for consideration. Also outlined in the report for consideration were the major conclusions of the Topic Group.

It was advised that having taken all the evidence into account the Topic Group devised a list of recommendations which are appended to these minutes.

Arising from the discussions the Board felt that the Director of the College should be invited to the PPB in order to listen to the concerns of the local councillors and express their views on the Riverside College issues. In addition, the Board also raised concerns in relation to the cancellation of courses when minimum numbers were not reached.

RESOLVED: That

- 1) the Board agree the recommendations set out in appendix 1 to the minutes; and
- 2) forward the recommendations to Executive Board for consideration.

Strategic Director
- Environment

ELS49 MERSEY GATEWAY PROJECT - EMPLOYMENT OPPORTUNITIES UPDATE

The Board received a report which provided progress on the establishing measures relating to employment to ensure that local residents and businesses benefited from the Mersey Gateway (MG) and other capital projects.

It was noted that on 11th September 2008 the Executive Board accepted a series of recommendations arising from the ELS Scrutiny Panel Topic Group that explored the role of the Council's procurement policy in developing local employment. The Executive Board's acceptance of the recommendations was subject to consideration of the budget implications as part of the budget setting process.

The Board was informed that one of the recommendations that "progress on issues relating to employment in respect of the MG and other related capital projects be reported to ELS PPB on a half yearly basis". It was further noted that this report was the first half-yearly report and provided a summary of the MG procurement timetable, details of the potential job opportunities during construction phase and proposals to develop a Council wide policy designed to encourage the use of local labour and businesses in Council led construction projects was outlined for consideration. Key stages for the Mersey Gateway procurement timetable were set out as follows:-

- Stage 1 – Planning and Initial Preparation
- Stage 2 – OJEU Contract Notice to Shortlist Bidders via PQQ
- Stage 3 – Selection of bidders
- Stage 4 – The Dialogue
- Stage 5 – Post Dialogue
- Stage 6 – Bid Clarification
- Stage 7 – Award of Contract

The Board was advised of the job opportunities during the construction phase and it was noted a study of the wider economic impact of the MG project had been undertaken. The purpose of the study was to assess the effect of the project on the Local and sub-regional economy, employment within specific Regeneration Areas and Local regeneration using the project as a catalyst for regeneration and to attract inward investment.

Detailed in the report was a table which illustrated the types of construction related employment opportunities that

would arise from the MG project defined as “specialist” and “general”. It was advised jobs were likely to be filled from local, regional, wider UK or even the international labour market. In the context of the study local was defined as Halton and regional as North West England.

Members were advised that it was anticipated that the specialist jobs would generally be imported by contractors and that the more general jobs would be recruited locally. Evidence from other major construction projects suggested that a third of the jobs would be drawn from the local area, a further third from the wider region and the remaining third from elsewhere. However, depending on the availability of people with the necessary skills locally, this could rise to half the construction jobs being recruited locally.

The Board suggested that local companies could be involved in sub contracting, for example supplying materials required for construction of the MG. The Board also proposed that further consideration of the rules of governing the employment of unemployed people on the project be undertaken. It was suggested that a further report on MG progress be brought back to the Board in September.

RESOLVED That:

- (1) the Mersey Gateway Procurement timetable be noted;
- (2) the proposal to establish a Council-wide employment policy be accepted; and
- (3) a further report on MG be brought back to the September meeting of the Board

Strategic Director
- Environment

ELS50 ELS PPB WORK PROGRAMME 2009/10

The Board received a report of the Strategic Director, Environment which sought to establish a work programme of topics for the Board to examine in 2009/10, bearing in mind the Council’s agreed selection criteria which was appended to the report for members’ consideration.

It was noted that at the previous Board meeting, Members identified a number of potential topics for consideration during in 2009/10 including:

- Workforce and skills for science and technology focusing on Daresbury (this would be a joint group

- with the Urban Renewal PPB);
- Financial inclusion including employment and debt support through the economic climate;
 - Libraries and the possible increase of mobile libraries including examination of options such as libraries in schools and satellite libraries; and
 - Identification of potential and encouragement of elite sports performance in the Borough.

It was reported that in relation to the sports performance in the Borough, a paper would be brought to a future PPB meeting detailing were the identification of elite sports performance was up to. This would be looked at in more detail after that meeting and assessed after a certain period of time. An e-mail would be sent to all Members including the ones not present at the meeting, asking them for nominations to be on Work Topic Groups.

Membership for the Libraries Work Topic Group was decided as follows:

Councillors: Findon, Austin and Howard.

Membership for the Finance Working Group was:

Councillors Parker, Findon, Fraser and Worrall.

RESOLVED That:

- (1) the Board agree the Topics to be examined in 2009/10; and
- (2) all Members of the Board be contacted requesting which Topics Groups they would like to be a member of.

Strategic Director
- Environment

ELS51 STANDING ORDER 51

The Board was reminded that Standing Order 51 of the Council's Constitution stated that meetings should not continue beyond 9 p.m.

RESOLVED: That Standing Order 51 be waived until the business was concluded.

ELS52 QUARTERLY MONITORING REPORTS

The Board considered a report of the Chief Executive

on progress against Service Plan Objectives and Performance Targets, Performance Trends/Comparisons and factors affecting services for Economic Regeneration and Culture and Leisure for the 3rd Quarter.

Arising from the discussion, the following points were noted:-

- clarification was provided in relation to the business start up figures, in that the way in which companies registered tax has been changed. This was expected to be a one off peak;
- Members queried the performance indicators that were currently listed as a red light and reasons why were provided.

In addition it was suggested that at future meetings the Performance Monitoring items be put at the beginning of the agenda.

RESOLVED: That the report be received.

ELS53 PART II

SCHEDULE 12 A 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 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 outweighs the public interest in disclosing the information,

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

ELS54 FAIRFIELD HIGH SCHOOL - ALL WEATHER PITCH

The Board received a report of the Strategic Director, Health and Community, the purpose of which was to respond to a request from the Federated Governing Body of Wade Deacon High School and Fairfield High School for funding to bring the all weather pitch from the Fairfield Campus back into use.

RESOLVED: That, at this current time, no funding options were available.

APPENDIX 1

Meeting ended at 9.50 p.m.

HEALTHY HALTON POLICY AND PERFORMANCE BOARD

At a meeting of the Healthy Halton Policy and Performance Board held on Monday, 26 January 2009 in the Civic Suite, Town Hall, Runcorn

Present: Councillors E. Cargill (Chairman), J. Lowe (Vice-Chairman), Austin, Higginson, Horabin, Lloyd Jones, E. Ratcliffe, Swift and Wallace

Apologies for Absence: Councillor Gilligan and Philbin

Absence declared on Council business: None

Officers present: M. Simpson, A. Villiers and A. Williamson

Also in attendance: Councillor Bryant and 1 Member of the public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

HEA53 SERVICE PLANS 2009 - 2012

Action

The Board received a report of the Strategic Director, Health and Community covering Service Plans for Adults of Working Age, Health and Partnerships, Older People and Independent Living Services and Culture and Leisure, which enabled Members to consider objectives and targets for services over the next three years.

It was reported that Members have had access to the Service Plans over the past few weeks and were still able to make comment regarding Service Plans to the relevant Operational Director before the 31st January 2009.

Members were advised that as the plans were still under development at the time of distribution two omissions were noted as follows:

- Personalisation; and
- Valuing people now – as per new guidance received for services to adults with learning disabilities.

It was noted these would be added to the revised plans for “Adults of Working Age”. Members discussed the key milestones for this area and agreed that the work to

support adults and children with Autistic Spectrum Disorder was valuable. It was advised that a report regarding this would be brought to a future meeting of the Board.

In relation to Older People it was reported that there was a need to focus on specialist housing for older people with higher levels of need. The Board was informed of a pilot scheme where Community Matrons, Nurses, Pharmacy Staff, Doctors and Social Care staff formed a team who looked after older people with higher levels of need within the client's own homes.

Arsing from the discussion the Board raised concerns in terms of the reduction of acute beds resulting in hospital discharges being brought forward. In response it was noted that the PCT had recognised this and was actively looking to increase those gaps and address the issue of greater demand on community care workers. It was further advised that the criteria had been reduced to enable younger people to receive intermediate care.

In relation to Culture and Leisure service plans Members discussed the need to increase participation in sport and physical activity, the use of libraries and parks and open spaces. The Board enquired the current number of participants and the area they came from. It was advised that this information could be sought and provided.

RESOLVED: That the Service Plans be accepted and any further suggestions or comments be forwarded to the relevant Operational Director by 31 January 2009.

Meeting ended at 6.40 p.m.

HEALTHY HALTON POLICY AND PERFORMANCE BOARD

At a meeting of the Healthy Halton Policy and Performance Board held on Tuesday, 10 March 2009 at Council Chamber, Runcorn Town Hall

Present: Councillors E. Cargill (Chairman), J. Lowe (Vice-Chairman), Austin, Gilligan, Horabin, Lloyd Jones, Swift and Wallace

Apologies for Absence: Councillor Higginson, Philbin and E. Ratcliffe

Absence declared on Council business: None

Officers present: A. Villiers, A. Williamson, G. Fitzpatrick, C. Halpin and L Wilson

Also in attendance: Councillor Gerrard (in accordance with Standing Order No.33) and 1 Member of public

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

Action

HEA54 MINUTES

The Minutes of the meetings held on 13th January 2009 and 26th January 2009 were taken as read and were signed as a correct record.

HEA55 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

HEA56 EXECUTIVE BOARD MINUTES

The Board considered the Minutes of the meetings of the Executive Board and the Executive Board Sub Committee relevant to the Healthy Halton Policy and Performance Board.

RESOLVED: That the minutes be noted.

HEA57 SSP MINUTES

The Minutes of the meeting of the Halton Health Partnership Board from 13th November 2008 were submitted for information.

Members were advised that following concerns raised with regard to a comment about Area Forums in the last set of minutes, these minutes had now been amended.

RESOLVED: That the Halton Health Partnership Board Minutes be noted.

HEA58 CONSULTATION ON TRUST STATUS REPORT FOR 5 BOROUGH PARTNERSHIP TRUST (5BPT)

The Board received a presentation from Mr. R. Walker, 5 Boroughs Partnership NHS Trust (the Trust) on its consultation regarding its application for Foundation Trust Status and its organisational proposals.

Mr. Walker's presentation set out:

- who the Trust was and what they did;
- what the Trust was consulting on;
- the required content of the application for Foundation Trust status;
- the process that would now take place, including public consultation, engagement events etc;
- what a Foundation Trust was and what it would mean in terms of benefits; and
- the proposed governance structure, constitution of the Council of Members and how the public constituencies and partners would be appointed.

Members were further advised that Foundation Trusts were subject to NHS Standards, Performance Measures and Inspection Processes. Foundation Trusts were overseen by an independent regulator, Monitor, and inspected by the Health Care Commission, which was the body that ensured that Foundation Trusts meet their obligations. The report set out what Foundation Trusts were along with what they must demonstrate.

It was noted that the 5 Boroughs Partnership NHS Trust was now ready to be considered for Foundation Trust Status. Significant improvements had been made over the last 12 months in managing finances and improving services. During the last year the 5 Boroughs Partnership NHS Trust had been successful in achieving Level 2 as the NHS Litigation Authority's assessment of its ability to

manage risk.

In addition it was noted that the Trust was one of only four Mental Health Trusts to have achieved this position and the Trust's submission for the Annual Health check was assessed by the Healthcare Commission as achieving a rating of excellent for the quality of services.

Arising from Members' comments and concerns the following was noted:

- that Membership would be from the age of 14+ and support would be provided to ensure members were able to fully carry out this role; and
- that it was expected that Local Authorities would be represented by Officers, however, this was being looked at as part of the consultation process.

The Board thanked Mr Walker for his presentation.

RESOLVED: That

- (1) the Board endorses the Trust's proposals, as contained within the Consultation Document; and
- (2) any comments arising from its deliberations be provided to the Trust, within the Consultation Period which commenced on 26th January 2009 and ends on 19th April 2009.

(NB: Councillor Lloyd Jones declared a personal interest in the following item of business due to her husband being a non-executive director of Halton and St Helens Primary Care Trust)

HEA59 THE ANNUAL HEALTHCARE CHECKS

The Board received a report which described the progress made with the self-assessment against the Standards for Better Health during the period April 2008 – March 2009 within the following organisations:

- Halton and St. Helens PCT;
- North Cheshire Hospitals NHS Trust; and
- The 5 Boroughs Partnership NHS Trust.

The Board was advised that the Annual Health Check in 2008/09 would assess how well NHS Trusts performed during the financial year from 1st April 2008 to 31st March 2009.

It was further advised that the Health Care Commission published the Annual Health Check 2008/09 assessing and rating the NHS in June 2008. The guidance set out:

- Proposals for the annual health check in 2008/09 and related processes;
- How the annual health check focused on the issues that were most important to patients; and
- How the annual health check could be better tailored to different types of trust.

The Commission had also published the criteria for assessing performance against the Core Standards. There were different sets of criteria, one for each type of trust; Acute Services, Mental Health Services and Learning Disabilities Services, Ambulance Services and Primary Care Trusts.

The Board received a presentation on the results of the Annual Healthcare Checks from each Trust. It was noted that each of the Trusts was expecting to declare full compliance with the core standards.

The Board considered each presentation and raised a number of queries, to which responses were given.

RESOLVED: That a Third Party commentary to accompany the submissions of the Annual Healthcare Declarations for each of the NHS Trusts would be sent on behalf of the Board.

HEA60 TERMS OF REFERENCE FOR WORK TOPIC GROUPS

The Board received a report of the Strategic Director, Health and Community which proposed forthcoming work topics for 2009/10 for the Board's consideration as outlined in detail in Appendix 1 to the report.

Members were advised that topics for inclusion in the work programme for 2009/10 were as follows:

- Employment opportunities for people with learning, physical or sensory disability and mental health issues;
- Review of Disability facilities grant

Members were further advised that the Board may be invited to participate in other topics to be progressed jointly with other Policy and Performance Boards for example – Children’s Health.

RESOLVED: That the Board agreed the proposed work topics for 2009/10 with the following membership:

Topic Group	Membership
Employment opportunities for people with learning, physical or sensory disability and mental health issues	Councillors E. Cargill, Horabin, Lloyd Jones and Wallace
Review of Disability facilities grant	Councillors E. Cargill, Austin, Gilligan and Lowe

HEA61 PERFORMANCE MANAGEMENT REPORT 2008/09

The Board considered a report of the Strategic Director, Corporate and Policy regarding the Third Quarter Monitoring Report for:

- Older People and Physical and Sensory Impairment Services;
- Adults of a working age; and
- Health and Partnerships.

Members were advised that changes to the Mental Health Act would be reported to the Executive Board and would require amendments to the Constitution, that the project board and work streams for personalisation were now setup and that the majority of targets were on course.

Arising from Members’ comments and questions the following points were noted:

- an update on Oak Meadow was requested and it was agreed that the responsible officer would contact Councillors direct;
- that some caution should be used in relation to indicator NI36, as it was a new indicator and was expected to improve;
- it would be more efficient for the Council and other organisations to use the same system, as it would reduce officer time on inputting information;
- that the budget profile was expected to be

underspent at year end and congratulations be passed on to the relevant teams.

RESOLVED: That the Third Quarter Monitoring Reports be received and the actions outlined above be noted.

Meeting ended at 8.10 p.m.

SAFER HALTON POLICY AND PERFORMANCE BOARD

At a meeting of the Safer Halton Policy and Performance Board on Tuesday, 17 March 2009 at the Council Chamber, Runcorn Town Hall

Present: Councillors Osborne (Chairman), Stockton (Vice-Chairman), Edge, Morley, Redhead, Rowan, Shepherd and Thompson

Apologies for Absence: Councillors M. Bradshaw, Lloyd Jones and M. Ratcliffe

Absence declared on Council business: None

Officers present: M. Noone, M. Andrews, H. Cockcroft, C. Halpin, J. Unsworth, P. Carr, M. Clayton and A. Villiers

Also in attendance: Councillor Wright (in accordance with Standing Order No.33) and S. Milner, Halton and St Helens PCT

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

	<i>Action</i>
SAF46 MINUTES	
<p>The Minutes of the two meetings held on 20th January 2009 were taken as read and signed as a correct record.</p>	
SAF47 PUBLIC QUESTION TIME	
<p>It was confirmed that no public questions had been received.</p>	
SAF48 SSP MINUTES	
<p>The Board was advised that since the last meeting of the Policy and Performance Board there had not been a meeting of the Safer Halton Partnership.</p> <p>It was noted that the next meeting of the Safer Halton Partnership would be held on 24th February 2009, however, the minutes would not be available in time to comply with the Access to Information Act 1985.</p>	

RESOLVED: That the report be noted.

SAF49 THIRD QUARTER MONITORING REPORTS

The Board received a report of the Chief Executive in respect of the third quarter performance management reports on progress against service plan objectives and performance targets, performance trends/comparisons, factors affecting the services etc. for:

- Health and Partnerships;
- Highways and Transportation;
- Environmental and Regulatory services; and
- Culture and Leisure

Arising from Members' comments and concerns the following was noted:

- that there had been an increase in domestic burglaries nationally and this was reflected in Halton. A number of prolific offenders had recently been arrested and a number of strategies were in place to try to combat this trend.
- It was noted that there was a cross border issue with burglaries in Widnes, which made organised gangs more difficult to track. This was being addressed by Cheshire Police and Merseyside Police working in partnership;
- that the survey results for the percentage of adults in Halton participating in at least 30 minutes of exercise, on 3 or more days a week, was disappointing. It was noted that the survey was 500 compared to 1000 in 2006. Locally collected data showed that use of facilities and gym membership was higher and there was a concern about the sample size used, therefore a Citizens 2000 Panel report had been commissioned;
- it was noted that some projects/expenditure showed no spend against the budget and it was noted that the majority of these were due to being one off yearly transfer between departments; and
- whether it would be beneficial to have a Performance Monitoring Sub Committee be considered.

RESOLVED: That the third quarter reports be received and the actions as outlined above be noted.

SAF50 APPROACHES TO ALCOHOL TREATMENT

The Board received a report of the Strategic Director, Health and Community which introduced a presentation from Halton and St. Helens Primary Care Trust on its approach to alcohol treatment services in Halton.

The Board received a presentation from Professor Sue Milner, Deputy Director of Public Health and Strategic Lead from the Alcohol Programme across Halton and St. Helens, which set out:

- the local picture in Halton;
- the Alcohol Strategy for Halton and St. Helens;
- other key documents including the CYP Substance Misuse Treatment Plan and Commissioning Strategy for the PCT;
- the review of health related alcohol services;
- the alcohol programme which had been commissioned by an Alcohol Commissioning Group;
- the impact of reducing per capita consumption of alcohol;
- adult framework for future pathways;
- the children's framework; and
- the projected costs of the project.

Arising from Members' comments and concerns the following was noted:

- the number of young people effected by hazardous drinking was in the low 100's and that generally speaking fewer young people were drinking, the problem was that those who do drink, drink more than the 4-8 units recommended, which was technically binge drinking.
- whether GP's carry out blood tests to check for alcohol levels. In response it was noted that this would not be effective, as alcohol levels in blood tests only show if the person had been drinking the night before the test. GP's were contractually obliged to ask new patients to complete questionnaires, which included questions regarding alcohol intake levels. However, there was a need to roll this out across all patients;
- whether a minimum price on alcohol would make a difference to drinking levels. In response it was noted that in Countries where alcohol was not readily

available and enforcement levels were high, there were lower drinking rates than the UK. It was therefore felt that it would be advantageous to remove high alcohol content drinks out of the system. This did not mean people could not drink the same volume of drink but that would have a lower alcohol content level.

Mr D. Parr, Chief Executive, attended the meeting and gave Members an update on a (insert name of meeting?) meeting between Government Office North West, the Strategic Health Authority, Police, retailers and local authorities, which had been held to open a dialogue between the trade and responsible authorities.

It was noted that this was a particular issue in Halton, as mortality rates were higher in Halton than neighbouring authorities and it had the highest alcohol related admissions in the Country, for men into hospital and the second highest for women.

Members were advised that Halton had committed to taking part in a number of interventions which would enable the Council to look at alternative methods of maintaining the night time economy while reducing levels of hazardous drinking in the Borough.

The Board thanked Ms Milner for her presentation and her work in the Borough and wished her well for the future.

RESOLVED: That

- (1) the presentation be received; and
- (2) the comments on the PCT on its approach to alcohol treatment in Halton be noted.

SAF51 POLICING OBJECTIVES 2009/10

The Board received a report of the Strategic, Health and Community which presented Cheshire Police Authority's proposed Policing Objectives for 2009/10 to the Board. Inspector Cleworth attended the meeting and distributed a copy of the Policing Pledge.

Members were advised that the Police Authority had recently consulted with over 2,500 members of the public about their priorities for policing. Consultation had been carried out in a variety of ways as set out in the appendix to the report.

Members were advised that the results showed that the main priorities were:

- responding to emergency calls;
- targeting organised crime and terrorism;
- targeting drug dealers;
- tackling domestic and child abuse;
- detecting crime and arresting offenders; and
- protecting witnesses.

Members were further advised that the Police Authority had balanced these public concerns with the national priorities set by the Home Secretary, Policing Intelligence, CDRP priorities and the local priorities discussed at Community Action meetings. The Police Authority then used this breadth of opinion and intelligence to prepare the following policing objectives for the Cheshire Constable for 2009/10:

- Increase public confidence in policing;
- Respond effectively to the public when in need;
- Work in partnership to create strong and vibrant communities;
- Prevent and investigate crime and disorder;
- Protect vulnerable people;
- Protect the public from Serious and Organised Crime and Terrorism.

The Appendix to the report set out the six objectives in detail. It was noted that the Police Authority would welcome any comments from the Policy and Performance Board on the proposed Policing Objectives. The Police Authority would be finalising the objectives and the associated targets and measures on the 24th February 2009.

The Board noted the change in attitude of the Police in recent years towards Partnership working and the benefits this had had on the performance against indicators.

RESOLVED: That the proposed Policing Objectives for 2009/10 as set out in Appendix 1 be endorsed.

SAF52 FIXED PENALTY NOTICES UPDATE

The Board received a report from the Strategic Director, Environment which updated the Board on the issuing of Fixed Penalty Notices for environmental crime. It also included information on the current and future environmental nuisance prevention and enforcement

activities.

The presentation, from Mr Clayton and Mr Carr, provided information to Members on the current and future environmental nuisance and prevention and enforcement work, including;

- the issuing of fixed penalty notices for litter;
- joint working initiatives undertaken between Council Officers and Police Community Support Officers to tackle environmental crime
- the delivery of planned future enforcement and nuisance prevention activities;
- planned education, media and promotional campaigns to raise awareness of waste issues, including the use of signs warning of prosecution for environmental crime; and
- other support work programmes such as the use of formal litter control notices and joint working initiatives with other external agencies.

Arising from Members' comments and concerns the following was noted:

- 'hotspot' areas to target would be Town Centres, main through routes, local centres, Ashley Way and the walkways of the canal;
- that education supported by high profile punishments would enable the Council to change people's perceptions of littering, dog fouling etc;
- how the appeals process would work and the level of evidence needed prior to a penalty being issued; and
- that there was a need for more signage in the Town Centres and that there was an issue with takeaway restaurants taking more responsibility for their customers litter.

RESOLVED: That

- (1) the presentation be received;
- (2) the programme of nuisance prevention and enforcement work as detailed in the presentation be endorsed;
- (3) information on the number of penalties issued be included in quarterly monitoring reports.

The Board received a report of the Strategic Director, Health and Community which updated Members on the latest structures as a response to the MAPS proposals from the Safer Halton PPB Topic Group.

The Board was advised that the Topic Group had been formed in 2006 to consider proposals to move to a multi agency approach for community safety. This was a significant piece of work and continued into the work programme of the Board in 2008/9.

Following on from the recommendations of the Topic Report, the Community Safety Team had undergone a major reorganisation. It was noted that there were a number of new funding sources and pieces of legislation and guidance that had also been considered since the original report was compiled. These legislative changes had helped to shape the foundation of the current structure and allowed for the inclusion of new partners into co-located team.

Members were advised that recent changes in relation to the national target setting had also had an impact on the delivery of the service and that this meant the new team must further develop the capacity to change delivery direction flexibility to meet these targets.

Members were further advised that consideration had also been given to the delivering 'Safer Communities: A Guide to Effective Partnership Working' document which contained a more detailed approach to applying the hallmarks of effective practice in partnership models which was the overall aim of the Safer Halton Partnership.

It was noted that a new structure had been developed that recognised the scope and membership of the Team and identified the developing priority areas of business that the Multi-Agency Community Safety Team delivered.

The membership of the Team had expanded to include a number of additional partners that were originally highlighted in the MAP report. These organisations were either co-located or part of the virtual network and further details of these partners were set out in the report.

In order to manage the new partnership, Government and community targets a robust performance management framework was now in place to monitor each of the key themes. These themes had been identified by the Strategic Needs Assessment, Local Area Agreement and the assessment of Policing and Community Safety targets. The

Community Safety Team had also identified new co-located office space and was due to move to the Widnes Waterfront development on 1st May 2009.

An invitation was extended to the Board to visit the new office space, once the Team had relocated.

It was suggested that the Topic Group be reconvened to scrutinise the new arrangements and make sure results were being produced. It was noted that much of the work of the Team was as a result of alcohol related issues, and as the Council had committed itself to involvement in a number of interventions it would be prudent to wait for confirmation of these and to look at a wider focus of outcomes for the review.

RESOLVED: That

- (1) the reported be noted and continued support be given for the future development of a multi-agency approach to community safety;
- (2) the Policy and Performance Board note the wider operating landscape of community safety and performance management criteria;
- (3) a working party be reconvened once confirmation of alcohol interventions had been confirmed, to look at a wider focus of outcomes.

SAF54 CONFIRMATION OF WORK PROGRAMME 2009/10

The Board received a report of the Strategic Director, Health and Community which asked Members to confirm a work programme of 2 or 3 topics to be undertaken in the 2009/10 Municipal Year.

Members confirmed that following topics were agreed for the 2009/10 Work Programme:

- Waste Management
- Cemetery Provision
- Enclosure of Footbridges
- Community Safety – Anti Social Behaviour
- Domestic abuse and violence relating to alcohol
- MAPS

RESOLVED: That the Policy and Performance Board agree the topics set out above for the Board's 2009/10 work programme.

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Meeting ended at 8.50 p.m.

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URBAN RENEWAL POLICY AND PERFORMANCE BOARD

At a meeting of the Urban Renewal Policy and Performance Board held on Wednesday, 18 March 2009 at Civic Suite, Town Hall, Runcorn

Present: Councillors Hignett (Chairman), Morley (Vice-Chairman), Balmer, P. Blackmore, E. Cargill, Hodgkinson, Murray, Nolan, Rowe and Thompson

Apologies for Absence: Councillor Leadbetter

Absence declared on Council business: None

Officers present: G. Collins, S. Munikwa, M. Noone, M. Simpson, D. Sutton, D. Tregga, A. Villiers and P. Watts

Also in attendance: Councillor Polhill (in accordance with Standing Order 33) and 1 member of public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

URB96 MINUTES

The Minutes of the meeting held on 21 January 2009, having been printed and circulated were signed as a correct record.

URB97 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

URB98 EXECUTIVE BOARD MINUTES

The Board considered the Minutes of the meetings of the Executive Board and Executive Board Sub Committee relevant to the Urban Renewal Policy and Performance Board.

In relation to EXB93 the Board discussed the nominations to serve on the Ineos Local Liaison Forum and felt that membership of this group should be cross party.

RESOLVED: That the Minutes be received.

URB99 SSP MINUTES

It was confirmed that there had not been a meeting of the Urban Renewal Specialist Strategic Partnership (SSP) since the last meeting. The Board was advised that a Monitoring Sub-Group had been formed to deal with all monitoring matters. As it had proved difficult to bring together the relevant partners, it had been agreed that the date scheduled for the SSP be used for the Sub-Group to meet.

URB100 QUARTERLY MONITORING REPORTS

The Board considered a report regarding the Third Quarter Monitoring Reports for the Highways & Transportation and Logistics, Environment & Regulatory Services, Cultural & Leisure, Major Projects, Economic Regeneration and Health and Partnerships Services.

Arising from the discussion the following issues were raised:

- clarity was sought regarding the figures for the central administration in terms of re-allocation. In response it was noted that this information would be circulated to Members when available;
- the board discussed the town centre improvement budget; and
- the current site underneath Silver Jubilee Bridge was being used by railway improvement contractors, Members considered the idea of the Council charging Network Rail for use of this land.

RESOLVED: That the Third Quarter Monitoring Reports be received.

URB101 WIDNES WATERFRONT NWDA PERFORMANCE PLAN

The Board received a presentation from the EDZ Programme Manager, which outlined the North West Development Association funded projects completed in 2008/9, and those which had been identified for funding in 2009/10. In addition the report sought agreement from the Policy and Performance Board to the Widnes Waterfront Northwest Development Agency (NWDA) Performance Plan for the financial year 2009/10.

The Board was advised that for NWDA schemes that

last more than one year it was a requirement of the scheme approval that the delivery organisation, in this case HBC, to prepare an Annual Performance Plan.

It was reported that in the 2008/9 financial year it was likely that £1,597, 000 of NWDA funding would be claimed which was only a slight change from the figure originally anticipated. The main NWDA funded achievements from April 2008 to March 2009 were outlined in the report for Members' consideration.

The presentation set out achievements to date as follows:

- Widnes Trade Park;
- Turnstone Business Park;
- Heron Business Park – Phases 1 and 2;
- Forward Group – Forward Point office development;
- Moss Bank Park; and
- Tan House Lane Landscaping;

The Board was also advised of other projects including the Employers Steering Group, highways and sustainable transport, marketing, the Hive leisure development, Carter House Bridge replacement, landmark public art such as the Future Flower, land acquisitions and the funding breakdown for 2002 to 2010.

Arising from discussion the Board noted that developments at Astmoor would be improved once the Mersey Gateway preparations were underway. Developments to the canal were also discussed in terms of dredging in addition to the planting schemes along Watkinson Way.

The Board received an update from the Strategic Director, Environment regarding other developments in the Borough as follows:

- 3MG;
- Widnes Town Centre;
- Runcorn Docks;
- Manor Park;
- Daresbury Science and Innovation Campus;
- Castlefields;
- Halton Lea; and
- Mersey Gateway,

The Board agreed that a tour of the Widnes

Waterfront and other strategic sites in conjunction with the Development Control Committee Members would be useful. The Major Projects Team were thanked for the hard work and effort given in helping to achieve the many developments in the Borough.

RESOLVED: That

- 1) the Widnes Waterfront NWDA Performance Plan for the financial year 2009/10 be received and ratified; and
- 2) Members of the Board be contacted with information regarding a tour of the strategic development sites.

Strategic Director
- Environment

Meeting ended at 7.55 p.m.

CORPORATE SERVICES POLICY AND PERFORMANCE BOARD

At a meeting of the Corporate Services Policy and Performance Board on Tuesday, 10 February 2009 in the River Suite, Stobart Stadium Halton

Present: Councillors Gilligan (Chairman), A. Lowe (Vice-Chairman), Browne, E. Cargill, D. Inch, Nolan, Norddahl and Wainwright

Apologies for Absence: Councillors J. Bradshaw, Edge and Dennett

Absence declared on Council business: None

Officers present: C. Halpin, M. Reaney, M. Cooil, I. Leivesley, R. Mackenzie, N. Mannion, A. Villiers and R. Richardson

Also in attendance: Councillor Swain (in accordance with Standing Order No.33)

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

CS38 NEIGHBOURHOOD MANAGEMENT

Action

The Board received a report of the Strategic Director – Corporate and Policy on Neighbourhood Management.

Members were advised that since 2006 Halton had received Government funding to develop neighbourhood management in those areas of the Borough that fell within the 3% most deprived under the 2004 Index of Multiple Deprivation. Since April 2008 this had been part of Halton's area based grant allocation, and was to continue until March 2010.

The Board received a presentation from Councillor Swain, Executive Member for Quality and Performance Portfolio and Mr N. Mannion, Neighbourhood Director which detailed:

- a brief overview of the Government's expectations and key objectives, and that emphasised that neighbourhood management was designed to help close the gap between the most deprived neighbourhoods and the rest of the Borough, with regard to health, education, employment and

- crime;
- how and why the three 'pilot' neighbourhoods were chosen. The three pilot areas were Central Widnes, Hallwood Park and Palacefields and Castlefields and Windmill Hill;
- how the Halton Neighbourhood Management Partnership was structured and operated;
- Halton's approach to developing Neighbourhood Management including how the Government funding had been used;
- the key tools and techniques being utilised. A number of examples of how using these had worked in the pilot areas, including the Men's health project, Runcorn Subways and Hallwood Park Bingo Sessions; and
- the future challenges and opportunities for Neighbourhood Management.

In particular Members were advised of the funding profile over the four years of the project and that the guidance issued by the Government on the use of funding suggested that the majority of funding should be utilised on the employment of a Neighbourhood Management Team with a relatively small proportion remaining to be used to fund a local Community Chest for small grants for local community groups.

It was noted that Halton had only employed a small team of five staff in comparison with other neighbouring authorities who had used in the region of 80% of their budget on staffing costs. About 55% of the funding had been utilised for staffing costs with the rest being used to buy in services from partners by way of service level agreements, to fund a small portfolio of larger interventions and the Neighbourhood Quick Response Fund.

Members were advised that the next steps of the Initiative would be to complete an evaluation of the impact of larger interventions, negotiate the inclusion of local targets in Halton's LAA, explore options as part of a business case to sustain Neighbourhood Management beyond 2010 and continue to increase residents' involvement.

Members raised a number of questions, which were answered as follows:

- what the cost implications of extending and expanding neighbourhood management to the next most deprived wards and what the exit strategy would be. It was noted that a strong

business case would need to be developed and options would be submitted to the Board for scrutiny before a final decision would be made on future arrangements;

- if any other companies, as well as the Co-op had provided any match funding for projects. In response it was noted that a number of businesses had been and continued to support neighbourhood management initiatives;
- what action had been taken to improve public transportation in Windmill Hill? In response it was noted that improvement works had been undertaken on accessibility of bus stops and to the Route 66 services. In addition a door to door taxi service was being piloted in Windmill Hill;
- the differences in roles and operation between the Community Development Teams in both the Council and local Registered Social Landlords and the Neighbourhood Management Team; and
- that there was a lack of play facilities in the Halton Lea and Beechwood wards of the Borough.

Members made a number of observations on a number of other initiatives with which the Neighbourhood Management Team had been involved.

The Board thanked Councillor Swain and Mr Mannion for an informative presentation.

RESOLVED: That

- (1) the presentation be received; and
- (2) further reports be brought to the Board regarding the development of the business case for neighbourhood management in Halton.

Meeting ended at 8.10 p.m.

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CORPORATE SERVICES POLICY AND PERFORMANCE BOARD

At a meeting of the Corporate Services Policy and Performance Board on Tuesday, 24 February 2009 in the River Suite, Halton Stadium

Present: Councillors Gilligan (Chairman), A. Lowe (Vice-Chairman), J. Bradshaw, Browne, E. Cargill, Dennett, Edge, D. Inch, Nolan, Norddahl and Wainwright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, A. Jones, R. Mackenzie and A. Villiers

Also in attendance: None

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

Action

CS39 MINUTES

The Minutes from the meeting held on 10 February 2009, were taken as read and signed as a correct record.

CS40 PUBLIC QUESTION TIME

It was reported that no public questions had been received.

CS41 EXECUTIVE BOARD MINUTES

The Minutes of the Executive Board and the Executive Sub-Committee relating to the work of the Corporate Services Policy and Performance Board since its last meeting were submitted for information.

RESOLVED: That the minutes be noted.

CS42 SSP MINUTES

The Minutes relating to the Corporate Services Portfolio which had been considered by the Halton Strategic Partnership Board were normally submitted to the Board for consideration.

Further to the report submitted by the Chief Executive, as the next Halton Strategic Partnership meeting was scheduled for 18 February 2009, the minutes would not be available in time to comply with the Access to Information Act 1985, so they could not be included on this Agenda.

RESOLVED: That the report be noted.

CS43 THIRD QUARTER MONITORING REPORTS

The Board considered a report from the Chief Executive on the Performance Management Reports for 2008/09 which asked them to consider and raise any questions or points of clarification in respect of the 3rd quarter performance management reports on progress against service plan objectives and performance targets, performance trends/comparisons, factors affecting the services etc. for the following services:

- Exchequer and Customer Services;
- Financial Services;
- ICT Services;
- Legal and Member Services, Organisational Development and Human Resources;
- Policy and Performance;
- Property Services; and
- Stadium and Hospitality Services

The Board, in considering these reports, identified areas of interest or concern as detailed below:

ICT Services – It was noted that since the report was issued, the red light indicators had now progressed to green.

Legal and Member Services, Organisational Development & HR – Members requested more information on the job evaluation appeals process. Further, Members enquired as to whether there were sufficient funds included in the HR budget to cover payments resulting from successful appeals. A report would be included on the Agenda of the June meeting.

Members also raised concerns about the fact that quality staff appeared to be leaving the Council for other Councils offering better compensation.

Policy and Performance – Queries were raised with regards to the percentage of departmental working days lost

due to sickness absence and how rates in one part of the organisation compared with others and the possible reasons why. Members discussed sickness absence for the Council as a whole and it was confirmed that a report would be compiled to show more detailed information on Council sickness statistics and submitted on the Agenda of the June meeting of the PPB. A query was raised asking whether or not the job evaluations had affected the sickness levels. It was noted that this information was not available at the meeting and therefore no comment could be made at the time. Members also queried the type of HR system used. In response to a comment from a member of the Board, members were advised that if a member had any evidence of staff faking sickness it should be passed on to the relevant Director.

Stadium and Hospitality – Income from the Social Club was considerably less on previous years and all agreed that ideas for the generation of income for the Club were needed. Income from gym membership had also declined but it was also noted that both situations could be due to the current economic climate.

RESOLVED: That:

- 1) the Board received the 3rd quarter performance management reports; and
- 2) reports regarding the job evaluation appeals process and sickness absence statistics would be submitted at the next meeting of the PPB for further clarification.

Strategic Director
- Corporate and
Policy

CS44 CONFIRMATION OF 2009/10 TOPIC WORK PROGRAMMES

The Board considered a report from Strategic Director Corporate and Policy regarding the work programme for 2009/10 that asked Members to decide on a work programme of between 2 and 4 topics to be undertaken in the next municipal year.

Following the Board's suggestions to the Operational Director Legal, Organisational Development and H R, regarding possible topics for inclusion in the 2009/10 work programme, a presentation was given on the topic examining the carbon management issue, and the possibility of broadening this to include natural resources more generally.

In brief the presentation covered:

- CAA – Use of Resources 2009 – and in particular the Key Line of Enquiry (KLOE) 3.1 relating to whether the organisation is making effective use of natural resources.
- What the Audit Commission will be looking for in making its assessment of KLOE 3.1 and what sort of resources are included (energy, water, clean air, land and soil and materials).
- The case for broadening the Board's initial Carbon Management Topic proposal to include natural resources more generally.

Following discussions on the topic it was agreed that the Board should firstly establish a baseline of how green the Borough was presently and then use this overview as a basis for selecting areas of priority for closer examination by Members, dividing the task into manageable pieces that would also provide Members with choices, so they could contribute according to their individual interest and expertise.

RESOLVED: That the Policy and Performance Board confirms that the broad, natural resources topic outlined above be undertaken in the next municipal year.

CS45 LOCAL AREA AGREEMENT UPDATE

The Board considered a report from Strategic Director Corporate and Policy showing the progress being made to meet the Government's deadline for a refreshed 2008-11 Local Area Agreement (LAA) (2nd March), and to report on the findings of the Government Office Annual Review of progress to date in delivering the LAA.

A presentation was given on the 'Halton LAA Annual Review' which outlined the following:

- a) The aims of the review and scope for refresh;
- b) Reward elements;
- c) Performance overview;
- d) Explanation of items working well and development issues for:
 - Healthier Communities and Older People;
 - Safer and Stronger Communities;
 - Children and Young People; and

- Economy and Infrastructure.

Members enquired as to progress with LPSA2 (the Local Public Service Agreement entered into in 2007) and the likely amount of reward grant that would be earned. This information would be provided by e-mail.

RESOLVED: That

- 1) the progress with the refresh of the LAA be noted;
and
- 2) the outcome of the Annual Review of Halton's LAA be noted.

Strategic Director
- Corporate and
Policy

Meeting ended at 7.50 p.m.

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BUSINESS EFFICIENCY BOARD

At a meeting of the Business Efficiency Board held on Wednesday, 25 February 2009 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Lloyd Jones (Vice-Chairman), D. Inch, Jones, A. Lowe, Murray, Norddahl, Osborne, Philbin, Swift and Worrall

Apologies for Absence: Councillor Leadbetter

Absence declared on Council business: None

Officers present: C. Halpin, I. Leivesley and M. Murphy

Also in attendance: None

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

BEB18 MINUTES

The Minutes of the meeting held on 7th January 2009 having been printed and circulated, were taken as read and signed as a correct record.

BEB19 FLEXIBLE FRAMEWORK ON SUSTAINABLE PROCUREMENT

The Board received a report of the Strategic Director – Corporate and Policy which outlined the Government's plans for introducing "Flexible Framework on Sustainable Procurement", and to identify the actions that should be taken to ensure Halton was able to meet their expectations of the role expected of local authorities.

It was noted that the aim of the Framework was to ensure goods, services, works and utilities procured by the Council were designed, procured, used, managed and disposed of in an environmentally and socially responsible way. Action would be needed to further embed sustainability into the Council's procurement processes.

It was further noted that Sustainable Procurement took into account the social, economic and environmental

Action

impact that such purchasing had on people and communities whilst still achieving value for money. It meant improving the efficiency of public procurement whilst at the same time using public market power to bring about major environmental and social benefits locally and globally.

Members were advised of the background to introducing the Flexible Framework on Sustainable Procurement, particularly the Governments' approach and relevant publications from the Local Government Association that set out the new Local Government Performance Framework which included National indicators 185, 186 and 188, which recognised local authorities' role to lead on efforts to both reduce carbon dioxide emissions and consider climate change adaptation.

In addition it was noted that the Sustainable Procurement Task Force was established in May 2005, and developed an action plan to bring about a step-change in sustainable procurement with the aim of being a leading EU nation on sustainable procurement by 2009. Whilst the strategy was aimed at the Government estate, it set out a benchmark for all public authorities.

In 2007 the Task Force agreed a National Sustainable Procurement Action Plan. This introduced The Flexible Framework on Sustainable Procurement, which set out targets across five topic areas and to five levels. The Framework and levels were outlined in detail in the report.

The Board was advised that by April 2009 all public sector organisations were expected to reach level 3 (or above) of the flexible framework with leadership (level 5) in at least one area by December 2009. To date, some of the requirements had partially been achieved.

Members were further advised that in order to achieve the foundation level Halton must identify sustainable procurement champions at Member and Executive level and, to identify the key officers with a role to play in sustainable procurement to focus attention on the Council's commitment to sustainability. A simple sustainable procurement policy had been prepared and was attached to the report.

Members were advised that it would be necessary to address initial training issues on sustainability with targeted refresher courses at appropriate intervals. The cost to commissioning external training would need to be met but it was not envisaged that this would be a significant sum.

The report further outlined the flexible framework, where Halton was now and the next steps.

Arising from Members' comments it was noted that the Employment, Learning and Skills Policy and Performance Board had recently completed a scrutiny topic on using procurement to enhance employment and jobs and that some of the principles of the report could be utilised.

RESOLVED: That

the Board recommends that the Council endorses the Sustainable Procurement Policy and approves the actions necessary to enable Halton to meet the challenge of the Flexible Framework in that,

- Sustainable Procurement Champions were identified at both member and executive level;
- Key Procurement Officers were identified and trained at senior level to act as mentors to other procurement staff in their directorates; and
- Progress on the Flexible Framework be monitored by the Procurement and Commissioning Group and regular reports on progress be made to the Business Efficiency Board.

Strategic Director
- Corporate and
Policy

BEB20 ROLE AS AUDIT COMMITTEE

The Board received a report of the Strategic Director – Corporate and Policy which reported on the activity of the Business Efficiency Board in regard to its role as the Council's Audit Committee and to recommend an amendment to its terms of reference to ensure that it was consistent with CIPFA guidance.

It was noted that the Business Efficiency Board came into being in May 2006 and included within its remit was to act as the Council's Audit Committee. In its role as the Audit Committee, the Board had:

- approved the draft abstract for submission to the External Auditor;
- received the External Auditor's Annual Governance Report;
- approved the Council's Annual Governance Statement (formerly the Statement on Internal Control);
- approved the Internal Audit Strategy and Annual Plan; and

- received and approved quarterly and annual reports from Internal Audit.

It was noted the Board had provided a robust challenge across a range of internal and external audit reports and had sought explanations from Officers, where considered necessary, on risk and control issues.

The core functions of an Audit Committee as set out by CIPFA guidance was outlined within the report and to bring the Business Efficiency Board's terms of reference into line with this guidance it was recommended that some minor amendments were made to its responsibilities. Specifically, this included making it more explicit the Board's responsibilities in respect of:

- Risk Management;
- Counter fraud and corruption; and
- Receiving reports from External Audit and inspection agencies.

In this respect, a revised terms of reference was attached to the report.

RESOLVED: That

- (1) the role and activities of the Board as an Audit Committee be noted; and
- (2) the proposal to submit a revised terms of reference to Council as part of the annual review of the Constitution be approved.

Strategic Director
- Corporate and
Policy

BEB21 INTERNAL AUDIT STRATEGY AND PLAN

The Board considered a report of the Operational Director – Financial Services which asked the Board to consider and endorse the proposed Internal Audit Strategy and Audit Plan for 2009/10.

It was noted that the Audit Strategy was a high level statement of how the Internal Audit Service was to be delivered and developed and how it linked to the organisations objectives and priorities. The production of an Internal Audit Strategy was a specific requirement of the CIPFA Code of Practice for Internal Audit in Local Government in the United Kingdom (The Code),

The Audit Strategy was reviewed annually as part of the departmental service planning audit and planning

processes.

It was noted that in order to comply with the Code, Internal Audit was also required to produce a programme of work (the Audit Plan) which outlined the likely areas of activity for the coming year.

The draft Audit Strategy and 2009/10 Audit Plan were appended to the report for Members' consideration.

RESOLVED: That the proposed Internal Audit Strategy and Plan for 2009/10, be endorsed.

BEB22 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 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 outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

BEB23 INTERNAL AUDIT PLAN - QUARTER 3

The Board considered a report of the Operational Director, Financial Services which provided a summary of Internal Audit work for the period October to December 2008.

The report set out the Internal Audit Reports finalised since the last progress report, key issues and recommendation arising from the Audit Reports issued and the results of the work undertaken following up the implementation of previous Internal Audit recommendations.

RESOLVED: That the Internal Audit work completed in Quarter 3 be noted.

Meeting ended at 7.55 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 16 March 2009 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, S. Blackmore, Hignett, Hodgkinson, Morley, Osborne and Polhill

Apologies for Absence: Councillors J. Bradshaw and Leadbetter

Absence declared on Council business: None

Officers present: P. Watts, L. Capper, J. Farmer, A. Jones and A. Plant

Also in attendance: None

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

	<i>Action</i>
DEV70 MINUTES	
<p>The Minutes of the meetings held on 12th January 2009, having been printed and circulated, were taken as read and signed as a correct record.</p>	
DEV71 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE -	
<p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
DEV72 - 09/00020/FUL - PROPOSED NEW PETROL FILLING STATION, SALES BUILDING, CANOPY, PUMP ISLANDS, UNDERGROUND STORAGE TANKS, ATM, CAR WASH FACILITY, A/C UNITS, FLOOD LIGHTS AND PARKING	
<p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	
<p>It was noted that with regards to condition number (9) relating to approval of external lighting, this would be</p>	

amended to 'prior to occupation' as it is not necessary prior to commencement. Furthermore, the lighting would be required round the clock due to a 24-hour service being provided so the condition should reflect this.

RESOLVED: That application number 09/0020/FUL be approved subject to conditions relating to the following:

1. Amended Plans (BE2);
2. Materials samples condition, requiring implementation in accordance with the approved details (BE2);
3. Details of proposed retaining wall, including full structural calculations required and agreed in writing prior to commencement of development (BE1);
4. Landscaping condition, requiring the submission of both hard and soft landscaping, including bin storage screening, and approval prior to commencement of development (BE2);
5. Details of boundary treatments prior to commencement of development (BE22);
6. Ground Investigations and remediation proposal prior to commencement of development (PR14);
7. Wheel cleansing facilities to be submitted and approved in writing and used during construction prior to commencement of development (BE1);
8. Restriction of construction and construction delivery hours (BE1);
9. Details of luminance levels of all external lighting including canopy lighting to be submitted and approved prior to occupation of development (BE1);
10. Details of vehicle circulation signage to be submitted to and approved prior to commencement of development (BE1);
11. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use (BE1);
12. Agreement and implementation of cycle parking provision prior to occupation and use (TP6);
13. Restricting external lighting (BE1);
14. Restricted Delivery Times to between 07.30hrs to 20.00hrs (BE1);
15. Restricted hours of operation of A3 Café to between 07.00hrs and 22.00hrs (BE1); and
16. Deliveries to the retail unit shall take place from the main forecourt and at no time shall delivery vehicles park on the public highway adjacent to the site for the purposes of servicing the retail unit (BE1).

EXISTING FACTORY TO PROVIDE ADDITIONAL WAREHOUSE SPACE, PROVISION OF 2.4M HIGH PALADIN FENCING WITH 2 NO. SETS OF GATES TO FRONT ELEVATION, INSTALLATION OF 4 NO. ADDITIONAL WINDOWS T FIRST FLOOR (FACING TUDOR ROAD) AND CONSTRUCTION OF EUROPEAN DATA CENTRE TO REAR.

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

It was noted that no amendments or revisions had been received following the submission of the application.

RESOLVED: That application number 09/00032/FUL be approved subject to conditions relating to the following:

1. Materials condition, requiring implementation in accordance with the approved details (BE2);
2. Landscaping condition, requiring the submission of both hard and soft landscaping (BE2);
3. Submission, agreement and implementation of habitat management plan (GE19);
4. Protection of SINC during construction through erection of protective fencing in accordance with details to be agreed (GE19);
5. Wheel cleansing facilities to be submitted and approved in writing and used during construction (BE1);
6. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use (BE1);
7. Agreement and implementation of cycle parking provision (TP6);
8. Restricting external lighting (BE1);
9. Conditions relating to protection of trees (BE1); and
10. Submission and agreement of additional details relating to screening to external plant and refuse and recycling areas.

DEV74 - 09/00049/REM - RESERVED MATTERS APPLICATION (WITH ALL MATTERS FOR CONSIDERATION) RELATING TO 07/00526/OUT FOR PROPOSED SINGLE STOREY WAREHOUSING (2 NO.UNITS) WITH ASSOCIATED CAR PARKING AND LANDSCAPING

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

of the site.

Since the application had been submitted, an amended plan had been received amending the car parking layout to retain existing landscaping/trees, which provides an existing screen to the site. An additional relevant condition was recommended to retain and protect these trees.

Amended recommendation to approve subject to conditions only, no legal agreement was required.

RESOLVED: That application number 09/00049/REM be approved subject to a legal agreement and conditions relating to the following:

1. Conditions on the time limits on submission of reserved matters;
2. Requiring submission and agreement of materials (BE2);
3. Requiring submission and agreement of boundary treatments (BE22);
4. Requiring approval of detailed soft and hard landscape works (BE2);
5. Vehicle access, parking, servicing etc to be constructed prior to occupation / commencement of use and retained;
6. Prior to commencement details of ground investigations condition;
7. Prior to commencement details of external lighting;
8. Submission and agreement of finished ground/ floor levels (BE1);
9. Provision of cycle parking (TP6);
10. Requiring wheel cleansing facilities throughout construction phase (BE1);
11. Condition(s) restricting construction and delivery hours (BE1); and
12. Approval of details of bin storage, prior to occupation (BE2).

DEV75 MISCELLANEOUS ITEMS

It was noted that an appeal had been received following the Council's refusal of the following application:-

08/00531/FUL - Proposed conversion of existing building to a single dwelling at Place Farm, Warrington Road, Rainhill, Widnes, Cheshire.

It was noted that the following applications had been withdrawn: -

- | | |
|--------------|---|
| 07/00063/HSC | Application for Hazardous Substances Consent to store 44 tonnes of Isobutylene at Aroma Fine Chemicals Ltd, Dans Road, Widnes, Cheshire; |
| 08/00362/FUL | Proposed erection of 3 No. temporary commercial units (incorporating a Post Office, a Betting Shop and a Chemist) to house existing shops from the current shopping centre whilst the building is being demolished and site is being redeveloped on Land At Chester Close, Runcorn, Cheshire; |
| 08/00439/HSC | Application for Hazardous Substances Consent to store and use propylene oxide at Dans Road, Widnes, Cheshire; |
| 08/00459/FUL | Proposed development of 75 No. new dwellings for rent and shared ownership comprising a mix of apartments, bungalows and 2,3 + 4 bed houses on Land Opposite Murdishaw Play Building, Barnfield Avenue, Murdishaw, Runcorn, WA7 6EP; |
| 08/00573/FUL | Proposed first floor extension above existing garage and part garage conversion at 20 Clanfield Avenue, Widnes, Cheshire, WA8 4LY; and |
| 08/00589/FUL | Proposed erection of 1 No. detached house with integral garage at 5 Weston Road, Runcorn, Cheshire, WA7 4JU. |

The Planning Briefs offering guidance for the redevelopment of the below schools where considered by the Committee, which agreed to their adoption for development control purposes:

1. St Peter & Paul Catholic College, located at Highfield Road, Widnes;
2. The Bankfield, located at Liverpool Road, Widnes;

3. Wade Deacon High School, located at Birchfield Road, Widnes;
4. Halton High School, located at Barnfield Avenue, Murdishaw, Runcorn;
5. St Chads Catholic High School, located at Grangeway, Halton Lodge, Runcorn;
6. The Bridge/KS4 Gateway, located at Chadwick Road, Astmoor, Runcorn;
7. The Grange Comprehensive , located at Latham Avenue, Runcorn;
8. The Heath, located at Clifton Road, Runcorn; and
9. Cavendish School, located at Lincoln Close, Runcorn.

RESOLVED: That

1. the information be noted; and
2. the Committee agreed to the adoption of the 'Building Schools for the Future' Planning Briefs for development control purposes.

Meeting ended at 6.41 p.m.

STANDARDS COMMITTEE

At a meeting of the Standards Committee on Wednesday, 25 February 2009 in Committee Room 1, Runcorn Town Hall

Present: R. Garner, T. Luxton (in the Chair) and Councillors Balmer, Parker, Redhead and Wharton

Apologies for Absence: B. Badrock, Parish Councillors Crawford and D. Felix and Councillor Wainwright

Absence declared on Council business: None

Officers present: M. Reaney and C. Halpin

Also in attendance: None

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

STC18 MINUTES

Action

The minutes of the meeting held on 7th January 2009 having been printed and circulated, were taken as a correct record.

Arising from the discussion it was noted that the Standards Committee would now produce an annual report along similar lines to the Policy and Performance Boards and this would be submitted to Council for information.

STC19 STANDARDS BOARD INFORMATION ROUND-UP

The Committee considered a report of the Strategic Director, Corporate and Policy which updated them with the latest news from the Standards Board.

It was noted that the Standards Board for England's website had recently included a new feature in an attempt to make it more user friendly. This was by way of a new A to Z list of functions carried out by the Standards Board.

It was further noted that the Standards Board for

England produced a monthly Bulletin. Issue 42 was due to be published during February 2009, but was not yet available.

RESOLVED: That the report be noted.

STC20 STANDARDS COMMITTEE ACTION LIST

The Committee considered a report of the Strategic Director – Corporate and Policy which provided Members with an updated version of the action list and which sought items for the work programme for the next Municipal Year.

Members were advised that at the last meeting of the Committee, they asked for the Action List to be pruned down with the removal of all items that had been completed. Having completed this, the revised Action List was submitted to the Committee for consideration.

It was noted that the Standards Board Annual Conference information had not yet been issued. However, an expression of interest in registering for two places would be undertaken and two places would be booked when the event information became available.

The Committee considered the training event undertaken at Warrington Borough Council and it was noted that the role-play element had been found to be useful by Members. It was therefore agreed that the Code of Conduct training would be revised to include a role-play section on receiving complaints.

The Committee also considered how Members' training was monitored and it was noted that this was done through the Member Development Working Party. It was noted that the percentage of Members with Development Plans had been significantly improved and the percentage of Members attending at least one course per year was 100%.

Members considered additional items for next year's Action Plan and it was agreed that a report be submitted to the next meeting with some suggested topics.

RESOLVED: That

- (1) the Action List be noted; and
- (2) a further report be submitted to the Committee, detailing suggested topics.

Strategic Director
- Corporate and
Policy

|

Meeting ended at 3.30 p.m.

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REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Thursday, 12 February 2009 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Drakeley, D. Inch, A. Lowe and Murray

Apologies for Absence: Councillors Howard, E. Ratcliffe, Wainwright and Wharton

Absence declared on Council business: None

Officers present: C. Halpin, K. Cleary, J. Findlow, J. Tully, S. Baxter, W. Salisbury and Y. Sung

Also in attendance: Inspectors Dodd and Pierce (Cheshire Police), R. Ramsden (Warrington BC) and 4 Members of the Public.

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

REG24 MINUTES

The minutes of the meeting held on 21st January 2009 were taken as read and signed as a correct record.

REG25 CREAMFIELDS 2008

The Committee considered a report from the responsible authorities on issues arising from carrying out the Creamfields Event 2008.

The Committee was advised that the Creamfields Events had taken place in August 2006 and 2007 and feedback on the events was presented to Members at the November 2008 meeting of the Regulatory Committee.

Members were advised that the purpose of the report was to present the facts from the viewpoint of the responsible authorities who had now had the opportunity of dealing with the three events.

It was noted that reports on the event had been

Action

received from Cheshire Police, Halton Borough Council Environmental Health – Noise Control Department, Halton Borough Council Environmental Health – Health and Safety Department and Warrington Borough Council Environmental Health Department.

The reports from the responsible authorities were set out in Appendix A to the report and the responsible authorities had been invited to attend the Committee.

Inspector Dodd and Inspector Pierce of Cheshire Police attended the meeting and summarised the views of Cheshire Constabulary in providing the planning and operation of the Creamfields 2008 Music Festival.

Mr. S. Baxter of Halton Borough Council's Environmental Health Department gave an update on the Environmental Health aspects of the festival including noise, health and safety, food safety and standards.

Mr. P. Ramsden of Warrington Borough Council's Environmental Health Department also attended the meeting to give an update on the operation of the festival from Warrington Borough Council's viewpoint.

RESOLVED: That the reports from the responsible authorities be noted.

REG26 LEGAL SERVICES LICENSING IN TABLES

The Committee received a report which updated Members on the changes made to the Legal Services Licensing in Tables currently on the Council's internet.

It was noted that at the Committee meeting on 18th September 2006 Members were advised of a document relating to the various licences dealt with by Legal Services and resolved that the information as outlined be published on the Council's website.

It was further noted that this document was updated and presented to Members at the meeting on 21st January 2008 and had now been further updated again to reflect more recent changes.

The amended version of the Legal Services Licensing in Tables was presented to Members for consideration.

RESOLVED: That the amended information contained in the Legal Services Licensing in Tables be

noted.

REG27 VEHICLE LICENCE CONDITIONS

The Committee received a report which provided details of the outcome of a further consultation and provided options for the Committee to consider in relation to the review of the Council's Qualifying Vehicles conditions in respect of Hackney Carriage and Private Hire Vehicles.

It was noted that on 16th June 2008 the Committee resolved to undertake a review of the Council's Qualifying Vehicles conditions in respect of Hackney Carriage and Private Hire Vehicles. The Taxi Consultative Group was consulted at its meeting on 10th July 2008. The Group was briefed on the nature of Qualifying Vehicle conditions and asked for any recommendations to be produced by 31st July 2008.

Representations relevant to the review were received from two members of the taxi trade. The representations were reported back to the Regulatory Committee on 24th September 2008 and were set out at Appendix 1 to the report.

At the meeting on the 24th September the Members resolved to accept the amendments (see Council Minute 13/2008) and requested that a number of issues be referred back to the Taxi Consultative Group for further consultation.

The issues for further consultation were front bench seats, seat configuration, passenger numbers and privacy glass. Arising out of the further consultations two representations were received and details were set out in the Appendix to the report.

It was noted that the challenge for the Committee was to approve a policy that was logically defensible. This would involve identifying the underlying principles on which any policy was to be based.

In the context of the issues there were two basic conflicting sets of principles for the Committee to consider. The first set was passenger comfort. The second set comprised of keeping travelling costs to a minimum, carbon footprint reduction and the general principle that if a vehicle was rated, using national standards, for a particular number of passengers they should be allowed to be used as taxis and private hire vehicles for those numbers of passengers (which was called the national standards principle).

The reason why these two sets of principles were contradictory was that the first set implied fewer passenger per vehicle whereas the second set implied more passengers per vehicle.

The report also outlined principles which were relevant to the privacy glass issue.

The Committee considered that the optimum larger vehicle was the MPV type which did not have all forward facing seats. The advantage for the trade in choosing such vehicles were (1) that longer vehicle age limits applied and (2) a larger number of passengers would be permitted.

RESOLVED: That

- (1) there should be no restrictions as to the use of front bench seats except where the use of front bench seats meant that the minimum standards set out in the vehicle licence conditions could not be met (e.g. where transmission tunnels obstructed passengers);
- (2) conditions relating to passenger numbers and seat configuration shall be those set out at paragraph 2.3 of Appendix 1 for Hackney Carriage Vehicles and Private Hire Vehicles respectively;
- (3) conditions relating to privacy glass shall be those set out at paragraph 2.6 of Appendix 1 for Hackney Carriage Vehicles and Private Hire Vehicles respectively;
- (4) the conditions relating to qualifying vehicles for both Hackney Carriage Vehicles and Private Hire Vehicles arising out of the consultation exercise shall be those set out in Appendix 1 to reflect the decision of the Committee taken in the context of this report as well as with Minute 13 of the 24th September 2008; and
- (5) the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources) be authorised to update the Council's rules, regulations and conditions relating to taxis and private hire as may be deemed appropriate from time to time.

APPENDIX 1

HACKNEY CARRIAGE VEHICLE CONDITIONS	PRIVATE HIRE VEHICLE CONDITIONS
<p>NOTE: These Conditions contain qualifying requirements for a licence to be issued as well as requirements which must be complied with while any vehicle licence remains in force.</p>	<p>NOTE: These Conditions contain qualifying requirements for a licence to be issued as well as requirements which must be complied with while any vehicle licence remains in force.</p>
<p style="text-align: center;">(a) 2. Qualifying Vehicles</p>	<p style="text-align: center;">(b) 2. Qualifying Vehicles</p>
<p>2.1 Definitions</p> <p>In these conditions:</p> <p>“MPV” means an multi-purpose vehicle (that is, a vehicle in which the seats may be removed or reconfigured and be fully wheelchair accessible);</p> <p>“MSV” means a multi-seat vehicle (that is, a vehicle which is fitted with a number of fixed position seats for in excess of 5 passengers and not exceeding 8 passengers).</p> <p>“Minimum usable luggage space” means minimum <u>internal</u> usable luggage space which must be calculated with reference to the comfort and needs of passengers and may result in less passengers being carried at any particular time than the permitted maximum allowed under the licence.</p> <p>“vehicle” means the vehicle which is the subject of a Hackney Carriage Vehicle Licence</p> <p>“Wheelchair accessible” means capable of carrying a wheel chair in a folded and stored condition with the wheelchair passenger seated in a standard seat.</p> <p>“Fully wheelchair accessible” means capable of carrying a wheel chair in a</p>	<p>2.1 Definitions</p> <p>In these conditions:</p> <p>“MPV” means an multi-purpose vehicle (that is, a vehicle in which the seats may be removed or reconfigured and fully wheelchair accessible);</p> <p>“MSV” means a multi-seat vehicle (that is, a vehicle which is fitted with a number of fixed position seats for in excess of 5 passengers and not exceeding 8 passengers).</p> <p>“Minimum usable luggage space” means minimum <u>internal</u> usable luggage space which must be calculated with reference to the comfort and needs of passengers and may result in less passengers being carried at any particular time than the permitted maximum allowed under the licence.</p> <p>“ vehicle” means the vehicle which is the subject of a Private Hire Vehicle Licence</p> <p>“Wheelchair accessible” means capable of carrying a wheel chair in a folded and stored condition with the wheelchair passenger seated in a standard seat.</p> <p>“Fully wheelchair accessible” means capable of carrying a wheel chair in a folded and stored condition with the wheelchair</p>

<p>folded and stored condition with the wheelchair passenger seated in a standard seat or at the election of the wheelchair passenger capable of carrying the passenger while sitting in the wheelchair provided that vehicles with rear access for wheelchair passengers shall not be deemed to be fully wheelchair compatible.</p> <p>2.1 General Conditions</p> <p>Wheel chair accessibility</p> <p>2.1.2 All vehicles without exception shall be wheelchair accessible.</p> <p>Colour</p> <p>2.1.3 All vehicles must be painted manufacturer's black except that purpose built hackney carriages may be painted in any manufacturer's colour</p> <p>Section 1.022.2 To qualify for a Hackney Carriage Vehicle Licence the vehicle must:</p> <p>Purpose built hackney carriages</p> <p>2.2.1 be purpose-built as a hackney carriage (which means that it must be type approved by the Public Carriage Office,</p> <p>2.2.2 be under sixteen years old (This will be calculated on the basis of the expiry of the vehicle licence which falls within the sixteenth anniversary of first registration of that vehicle),</p> <p>2.2.3 be fully wheelchair accessible OR</p> <p>i) Saloon, estate</p>	<p>passenger seated in a standard seat or at the election of the wheelchair passenger capable of carrying the passenger while sitting in the wheelchair provided that vehicles with rear access for wheelchair passengers shall not be deemed to be fully wheelchair compatible.</p> <p>2.1 General Condition</p> <p>Wheel chair accessibility</p> <p>2.1.2 All vehicles without exception shall be wheelchair accessible.</p> <p>Colour</p> <p>2.1.3 All vehicles may be painted in any colour other than manufacturer's black.</p> <p>Section 1.03</p> <p>Section 1.042.2 To qualify for a Private Hire Vehicle Licence the vehicle must:</p> <p>i) Saloon, estate vehicles and MSVs</p> <p>2.2.1 be a saloon, estate vehicle or MSV with the following characteristics –</p> <ul style="list-style-type: none"> • under eight years old (This will be calculated on the basis of the expiry of the vehicle licence which falls within the eighth anniversary of first registration of that vehicle). • 4/5 doors • minimum useable luggage space of 353 litres (12.5 cubic feet) • minimum rear knee room spacing (the distance between the front surface of all seat backs and the back(s) in front): 650mm (25.61") • minimum front knee room spacing (the distance between the front surface of the front seat back(s) and the surface of the front console): 650mm (25.61") • minimum foot space (the clear space in front of the seat): 300mm long, 250mm wide and 80mm high (11.82" x 9.85" x
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<p style="text-align: center;">vehicles and MSVs</p> <p>2.2.4 be a saloon, estate vehicle or MSV with the following characteristics –</p> <ul style="list-style-type: none"> • be under eight years old (This will be calculated on the basis of the expiry of the vehicle licence which falls within the eighth anniversary of first registration of that vehicle. • 4/5 doors • minimum useable luggage space of 353 litres (12.5 cubic feet) • minimum rear knee room spacing (the distance between the front surface of all seat backs and the back(s) in front): 650mm (25.61") • minimum front knee room spacing (the distance between the front surface of the front seat back(s) and the surface of the front console): 650mm (25.61") • minimum foot space (the clear space in front of the seat): 300mm long, 250mm wide and 80mm high (11.82" x 9.85" x 3.15") • minimum rear cabin width: 1346mm (53") • minimum of 4 (usable) wheels OR <p>MPV style vehicles</p> <p>2.2.5 be a MPV style vehicle with the following characteristics;</p> <ul style="list-style-type: none"> • full M1 type approval or Small Volume Production Certificate • be under twelve years old (This will be calculated on the basis of the expiry of the vehicle licence which falls within the twelfth anniversary of first registration of that vehicle) . • painted manufacturer's black • minimum useable luggage space 353 litres (12.5 cubic feet) • fully wheelchair accessible 	<p>3.15")</p> <ul style="list-style-type: none"> • minimum rear cabin width: 1346mm (53") • minimum of 4 (usable) wheels <p>MPV style vehicles</p> <p>2.2.2 be a MPV style vehicle with the following characteristics;</p> <ul style="list-style-type: none"> • full M1 type approval or Small Volume Production Certificate • under twelve years old (This will be calculated on the basis of the expiry of the vehicle licence which falls within the twelfth anniversary of first registration of that vehicle). • painted any colour other than manufacturer's black • minimum useable luggage space 353 litres (12.5 cubic feet) • fully wheelchair accessible <p>2.2.3 Calculation of Age (For the avoidance of doubt) - Vehicle ages shall be calculated using the following principles;</p> <ul style="list-style-type: none"> ▪ Ages shall be calculated from the date of first registration of the vehicle. ▪ The maximum ages specified in these conditions relate to the date when the <u>first application</u> is made in respect of the vehicle or (as the case may be) the date when the current licence applicable to a vehicle <u>is due to expire</u>; ▪ Where a vehicle has not reached its maximum age when the <u>first application</u> is made in respect of the vehicle a licence granted in respect of such vehicle shall continue for a period of 12 months notwithstanding that the vehicle shall have exceeded its maximum age by the date of expiry of such licence; ▪ Where a vehicle has not reached its maximum age
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2.2.6 Calculation of Age (For the avoidance of doubt) -Vehicle ages shall be calculated using the following principles;

- Ages shall be calculated from the date of first registration of the vehicle.
- The maximum ages specified in these conditions relate to the date when the first application is made in respect of the vehicle or (as the case may be) the date when the current licence applicable to a vehicle is due to expire;
- Where a vehicle has not reached its maximum age when the first application is made in respect of the vehicle a licence granted in respect of such vehicle shall continue for a period of 12 months notwithstanding that the vehicle shall have exceeded its maximum age by the date of expiry of such licence;
- Where a vehicle has not reached its maximum age when the date when the current licence applicable to such vehicle is due to expire a licence granted in respect of such vehicle shall continue for a period of 12 months notwithstanding that the vehicle shall have exceeded its maximum age by the date of expiry of such licence provided that no renewal licence shall be granted in respect of such vehicle if the vehicle shall not have qualified for renewal by such date of expiry

Other types of vehicle

when the date when the current licence applicable to such vehicle is due to expire a licence granted in respect of such vehicle shall continue for a period of 12 months notwithstanding that the vehicle shall have exceeded its maximum age by the date of expiry of such licence provided that no renewal licence shall be granted in respect of such vehicle if the vehicle shall not have qualified for renewal by such date of expiry

ii) Other types of vehicle

2.2.4 be any other type of motor vehicle, such as a limousine, which may be approved by the Council from time to time subject to any special requirements deemed appropriate to such vehicle

2.3 Passenger numbers and Seat configuration

2.3.1 The permitted number of passengers shall be one passenger per permitted passenger seat and the number of permitted passenger seats shall be calculated in accordance with the following rules:

- in **saloon and estate** vehicles the permitted passenger seats shall be in accordance with manufacturers' specifications;
- in **MSVs** the permitted passenger

- 2.2.6 be any other type of vehicle, such as a limousine, which may be approved by the Council from time to time subject to any special requirements deemed appropriate to such vehicle
- 2.2.7 Horse drawn vehicles are subject to special conditions

2.3 Passenger numbers, and Seat configuration

2.3.1 The permitted number of passengers shall be one passenger per permitted passenger seat and the number of permitted passenger seats shall be calculated in accordance with the following rules:

- in **purpose built hackney carriages** the permitted passenger seats shall be in accordance with manufacturers' specifications;
- in **saloon and estate** vehicles the permitted passenger seats shall be in accordance with manufacturers' specifications;
- in **MSVs** the permitted passenger seats shall be in accordance with manufacturers' specifications

seats shall be in accordance with manufacturers' specifications except that the nearside seat on the middle row of the vehicle shall be removed;

- in **MPVs which have all forward facing seats** the permitted passenger seats shall be in accordance with manufacturers' specifications except that the nearside seat on the middle row of the vehicle shall be removed;;
- in **MPVs which do not have all forward facing seats** the permitted passenger seats shall be in accordance with manufacturers' specifications;

2.3.2 In all cases the above rules are subject to (1) the right of proprietors to request fewer passenger numbers to be licensed and (2) to the minimum sizes specified elsewhere in these Conditions.

2.4 Trailers

<p>except that the nearside seat on the middle row of the vehicle shall be removed;</p> <ul style="list-style-type: none"> • in MPVs which have all forward facing seats the permitted passenger seats shall be in accordance with manufacturers' specifications except that the nearside seat on the middle row of the vehicle shall be removed;; • in MPVs which do not have all forward facing seats the permitted passenger seats shall be in accordance with manufacturers' specifications; <p>2.3.2 In all cases the above rules are subject to (1) the right of proprietors to request fewer passenger numbers to be licensed and (2) to the minimum sizes specified elsewhere in these Conditions.</p> <p>2.4 Trailers</p> <p>2.4.1 Trailers shall be subject to prior approval by the Council.</p> <p>2.4.2 Trailers shall be painted the same</p>	<p>2.4.1 Trailers shall be subject to prior approval by the Council.</p> <p>2.4.2 Trailers shall be painted the same colour as the towing vehicle.</p> <p>2.4.3 An identity plate supplied by the Council shall be affixed to the rear of the trailer.</p> <p>2.4.4 A trailer shall only be used in conjunction with one licensed vehicle.</p> <p>2.4.5 Trailers shall be tested initially before use at the Council's testing facility and thereafter shall be tested annually at the same time as the towing vehicle.</p> <p>2.4.6 Trailers shall not be used while the towing vehicle is standing or plying for hire.</p> <p>2.5 Roof Pods</p> <p>2.5.1 Roof pods shall be subject to individual prior approval</p> <p>2.6 Privacy glass</p> <p>Privacy glass shall be permitted subject to the following rules:</p> <ul style="list-style-type: none"> • Blackout glass shall be banned in Halton; • The permitted degree of tinting of glass in front of the vehicles' "B-Pillar" shall be in accordance with national standards; • The permitted degree
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<p>colour as the towing vehicle.</p> <p>2.4.3 An identity plate supplied by the Council shall be affixed to the rear of the trailer.</p> <p>2.4.4 A trailer shall only be used in conjunction with one licensed vehicle.</p> <p>2.4.5 Trailers shall be tested initially before use at the Council's testing facility and thereafter shall be tested annually at the same time as the towing vehicle.</p> <p>2.4.6 Trailers shall not be used while the towing vehicle is standing or plying for hire.</p>	<p>of tinting of glass behind the vehicles' "B-Pillar" shall be in accordance with rules to be determined from time to time by the Council.</p>
<p>2.5 Roof Pods</p>	
<p>2.5.1 Roof pods shall be subject to individual prior approval</p>	
<p>2.6 Privacy glass</p>	
<p>Privacy glass shall be permitted subject to the following rules:</p>	
<ul style="list-style-type: none"> • Blackout glass shall be banned in Halton; • The permitted degree of tinting of glass in front of the vehicles' "B-Pillar" shall be in accordance with national standards; • The permitted degree of tinting of glass behind 	

<p>the vehicles' "B-Pillar" shall be in accordance with rules to be determined from time to time by the Council.</p>	
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Meeting ended at 9.15 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 18 February 2009 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, D. Inch, A. Lowe, Murray, E. Ratcliffe and Wainwright

Apologies for Absence: Councillors Drakeley, Howard and Wharton

Absence declared on Council business: None

Officers present: K. Cleary and J. Tully

Also in attendance: Four Members of the Public

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

REG28 APPLICATION TO VARY DESIGNATED PREMISES SUPERVISOR AT THE DOCKSIDE INN 27 SOUTH ROAD WESTON POINT

Action

The Committee considered an application to vary the Designated Premises Supervisor ("DPS") at the Dockside Inn, 27 South Road, Weston Point, Runcorn.

The applicant Angela Yee Love Yu and the proposed DPS Alison Watson were represented by June Clarke of JMC Licensing Consultants. The Police who made representation to the application were represented by Ian Seville, Police Licensing Officer.

At the hearing Ian Seville called Sgt Chris Byrne to expand on the evidence submitted to the applicant and the Committee.

After explaining the procedure to be adopted at the hearing the Legal Advisor stated that the application was to vary the DPS at the Dockside Inn, Weston Point, under Section 37 Licensing Act 2003. The application included a request that the variation have immediate interim effect.

The Chief Officer of Police had notified the Council

that “the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective”. The hearing was held to consider that notice. There was a duty on the Committee under Section 39(3) of the 2003 Act, “having regard to the notice, [to] reject the application if it considers it necessary for the promotion of the crime prevention objective to do so.”

Before the Police representative was asked to address the Committee the Legal Officer made the following statements regarding the Police Objection set out in Appendix A of the Committee Report:

Regarding paragraph 1: The police were asked to include in their submission a comment on how two visits to the premises 10 months apart could constitute “frequently”. [The police later confirmed that the first visit on 9th February 2008 was not relevant to the case].

Regarding paragraphs 1, 2, 3, and 4: all references to “the applicant” were in error. The applicant was Angela YU. However, it was clear to all that the Police were referring to Alison WATSON and the hearing would continue on that basis.

Regarding paragraph 2: The Police were asked to confirm that references to “subsequent police visits” were to those on 21st December 2008 and 9th January 2009. [The police later confirmed that this was correct].

Regarding paragraph 2: the statement that “the venue has been trading during this time in breach of the mandatory condition that requires a DPS” was incorrect. Until 9th January 2009 Penny HOUGHTON was the DPS.

Regarding paragraph 5: the whole of this paragraph was irrelevant to the case and must not be taken into account.

To assist in understanding the sequence of events the Legal Officer gave the following additional information to the Committee:

- Alison WATSON had been granted a personal licence on 7th January 2009;
- Penny HOUGHTON ceased to be the DPS on Friday 9th January 2009 (at 4.35 PM) and had asked for her section 41 notice to be backdated to 17th October 2008 (this request having been refused as being contrary to the 2003 Act); and

- The application to vary the DPS was made on 12th January 2009.

The police put forward their case in support of their notice of objection. The representative of the applicant then put forward her case in support of the application. The applicant admitted that she had been acting as "DPS" in error since October 2008 for which she apologised. However, the applicant gave evidence that at the police visit on 21st December 2008 the premises was only being used for a private staff Christmas party and at the police visit on 31st January 2009 she was off duty and simply meeting with friends at the premises. The applicant denied that she was drunk on either occasion. The applicant's evidence was disputed by the police.

The Committee asked a number of questions of the parties and retired to consider the matter.

RESOLVED: That having considered the notice from the police (and all other relevant considerations) the Committee resolved that the application be rejected and that the reasons for the rejection of the application be set out below.

The Committee found that it was necessary for the promotion of the crime prevention objective to reject the application and consequently was under a duty to do so by virtue of section 39(3) Licensing Act 2003.

Meeting ended at 9.15 a.m.

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REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Monday, 23 March 2009 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Drakeley, Howard, D. Inch, A. Lowe, Murray, E. Ratcliffe, Wainwright and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: L. Capper, K. Cleary and J. Tully

Also in attendance: Two Police Licensing Officers

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

REG1 APPLICATION TO REVIEW PIZZA DE ACTION, UNIT 17
OLDGATE, ST MICHAELS INDUSTRIAL ESTATE,
WIDNES

Action

The Committee met to consider an application for the review of the premises licence at Pizza de Action Unit 17 Oldgate St Michaels Industrial Estate Widnes.

The applicant Cheshire Police were represented by Ian Seville, Police Licensing Officer.

The premises Licence Holder Muayed Saied did not attend the hearing and was not represented. Therefore in accordance with the hearings regulation the Committee resolved to continue with the hearing in the absence of the Premises Licence Holder.

Ian Seville made reference to a witness statement made by Michelle Livesley, Immigration officer dated 30 January 2009.

The procedure to be followed was explained and the police put their case in accordance with it. The Committee asked a number of questions of the police and considered

the matter.

RESOLVED: That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations the Committee made the following determination.

The Committee must act with a view to promoting the relevant licensing objective, in this case: the prevention of crime and disorder; and

The Committee must also have regard to-

- (a) the Council's Statement of Licensing Policy, and
- (b) the Statutory Guidance issued by the Secretary of State.

The Committee find that the allegation that crime and disorder exists arising from late night refreshment carried out at the premises has been proven to its satisfaction.

The circumstances of the case are such that the Committee has no option available to it other than to revoke the premises licence.

Reason for the determination:

For the reasons stated above this determination is considered necessary for the promotion of the Licensing Objectives specifically the prevention of crime and disorder.

Meeting ended at 6.55 p.m.