

# **Minutes & Reports**

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

**Wednesday, 10 February  
2010**

# Minutes & Reports

For Presentation to the Council  
At the meeting to be held on  
**Wednesday, 10 February 2010**

<b>Committee/Board</b>	<b>Page Ref</b>
<b>COUNCIL MINUTES</b>	469 - 482
<b>MINUTES OF THE EXECUTIVE BOARD</b> 28 January 2010	483 - 492
<b>MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE</b> 17 December 2009 14 January 2010 28 January 2010	493 - 494 495 - 498 499 - 500
<b>MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD</b> 28 January 2010	501 - 504
<b>MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD</b> Children and Young People - cream pages Employment, Learning and Skills - yellow pages Healthy Halton - blue pages Safer Halton -pink pages Urban Renewal - green pages Business Efficiency Board - white pages	505 - 514 515 - 522 523 - 530 531 - 542 543 - 548 549 - 554
<b>COMMITTEE MINUTES</b> Appointments Committee - white pages Development Control - pink pages Regulatory Committee - blue pages	555 - 560 561 - 582 583 - 592

**COUNCIL**

*At a meeting of the Council on Wednesday, 16 December 2009 in the Council Chamber, Runcorn Town Hall*

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

Apologies for Absence: Councillors Drakeley, Gerrard, A. Lowe, J. Lowe, Nolan, E. Ratcliffe, M. Ratcliffe and Rowe

Absence declared on Council business: None

Officers present: D. Johnson, D. Parr, G. Meehan, M. Reaney, D. Tregaea and L. Derbyshire

Also in attendance: None

*Action***COU48 COUNCILLOR MRS SUE BLACKMORE**

The Mayor reported on the sad passing of Councillor Mrs Sue Blackmore. He expressed the Council's deepest sympathy at this time. He took the opportunity to pay tribute to Councillor Blackmore and in particular her dedication to representing the community as a Mersey Ward Councillor, and her role of Scrutiny Co-ordinator.

The funeral would take place on Friday, 18 December 2009, at 1.30 pm in Walton Lea Crematorium. The Civic reception to commemorate Councillor Blackmore's life would commence at 2.30 pm in the Stobart Stadium, Widnes. All Members and officers were invited to attend.

The Council stood in silence as a mark of respect.

**COU49 COUNCIL MINUTES**

The minutes of the Council meeting held on 21 October 2009, having been printed and circulated, were taken as read and signed as a correct record.

**RESOLVED:** That the minutes of the meeting be confirmed and adopted.

## COU50 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:-

- School Medals – Mr Kenneth Griffiths – presented his fathers school awards which had been given to him by Liverpool School Board. He requested that Halton Borough Council keep them with other awards that had been received for good attendance at schools in Widnes from 1892;
- Bronze Plaque – Presented to the Mayor Councillor Frank Fraser and delegation from Halton on their visit to Tongling. The plaque was engraved as follows: “Tongling City total solar eclipse observes the grand ceremony souvenir 22/7/2009”; and
- Acrylic Stand – Presented by the Rugby League to Halton Borough Council for the appreciation of the support for the England Community Lions Under 18's Vs Australian Institute of Sport.

## COU51 LEADER'S REPORT

The Leader reported on the following issues:-

- CAA - The Comprehensive Area Assessment had been published last week on the Oneplace website. It was a good report and the overall verdict was one of a good Council improving well. The Audit Commission's accompanying report also highlighted that Halton Borough Council and the Fire & Rescue services had performed well.

It was reported that the new assessment represented a snap shot of Halton. There were areas where the Council had been marked down - mainly concerning health i.e. mortality rates. However, it was highlighted that the Council had marginal influence in these areas. Teenage pregnancies had also been highlighted as a problem, but this had improved since the assessment had taken place. It was emphasised that the assessment did not recognise the excellent achievements that were taking place in the Borough such as the improvements in GCSE results, the reduction in young people in NEETS (Not in

education, employment and training), the outstanding Youth Offending Service, My Place, Playbuilder and that £167m had been secured for the Building Schools for the Future Programme;

- Mersey Gateway – The Authority was still awaiting the Inspector’s report on the public Inquiry, which was unfortunately late. Nevertheless, preparation was continuing for delivering the project on the assumption of a favourable verdict;
- Budget Planning – The Government had announced their pre-budget plans last week. There was very little information on how the spending cuts would impact on Halton Borough Council. However, if education, health and the Police were to be ring fenced then there was likely to be an even heavier burden on the remainder of local authority spending. It was highlighted that the Authority’s preparations for 2010/11 were well underway. The Executive Board and Policy and Performance Board Chairs had also undertaken a workshop on the subject and the Budget Working Group would be bringing this year’s work to a conclusion very soon. There would be a series of meetings in January and February prior to the publication of the recommended budget in mid February and the budget setting Council meeting in March;
- The Efficiency Review – The savings from the efficiency review would feed into the budget process. This had reached the stage where staff had been sent letters telling them of procedures in the New Year, which should result in the process being accomplished by the end of March 2010. The overall aim was to ensure that there was a job in the Council for those employees who wanted to stay; and
- Other Issues for discussion included:
  - Building Schools for the Future - particularly plans for Halton High;
  - 16-19 Collegiate Plans;
  - Magistrates’ Court;
  - Audit Letter; and
  - Village Green.

The Council considered the Minutes of the Executive Board meetings held on 15 October 2009, 5 November 2009, 19 November 2009 and 3 December 2009.

In receiving the Minutes, in respect of EXB68 – The redesign of day services for people with physical and sensory disabilities and older people with additional needs it was noted that the Authority had given consideration to buildings and the issues surrounding compliance with the Disability Discrimination Act.

RESOLVED: That the Minutes be received.

COU53 MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE

The Council considered the Minutes of the Executive Sub-Board Committee meetings held on 15 October 2009, 5 November 2009, 19 November 2009 and 3 December 2009.

RESOLVED: That the Minutes be received

COU54 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the Minutes of the Mersey Gateway Executive Board meeting held on 19 November 2009.

RESOLVED: That the Minutes be received

COU55 MINUTES OF THE 3MG EXECUTIVE SUB BOARD

The Council considered the Minutes of the 3MG Executive Board meeting held on 15 October 2009.

RESOLVED: That the Minutes be received

COU56 QUESTIONS ASKED UNDER STANDING ORDER 8

It was noted that no questions had been submitted under Standing Order No. 8.

COU57 AMENDMENT TO CAPITAL PROGRAMME TO REFLECT GROWTH FUND CAPITAL AWARD (MINUTE NO: EXB48 REFERS)

The Executive Board received a report of the Strategic Director, Environment, on the Amendment to the Capital Programme to reflect the Growth Fund Capital Award.

The Growth Point Status had been awarded jointly with Halton, St Helens and Warrington in July 2008 by the Department for Communities and Local Government (DCLG). Halton, acting as the “responsible authority”, led on the formation of a Growth Point Partnership Board and on the production and submission of bids for funding from the Community Infrastructure Fund (CIF2) and the Growth Fund.

The report outlined the initial priorities for capital funding during 2009/10 which included Affordable Housing Subsidy and General Capital Improvement Fund projects.

RESOLVED: That

- (1) the funding allocation from the DCLG’s Growth Fund be noted; and
- (2) the Capital Programme be amended to reflect the Growth Fund award and facilitate Halton’s position as the ‘Responsible Authority’ for the Growth Point Partnership.

COU58 REVIEW OF SPATIAL STRATEGY (MINUTE NO: EXB49 REFERS)

The Executive Board considered a report of the Strategic Director, Environment, on the Regional Spatial Strategy Partial Review Consultation Response.

4NW (formerly the North West Regional Assembly) had been tasked 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 made about planning applications. It provided a spatial framework for development in the region and for other regional strategies and promoted sustainable development in the North West.

A partial review of the RSS was underway, due to the need to complete unfinished policy work within the RSS in response to recommendations of the RSS Examination in Public Panel. The Partial Review covered three key subject areas:

- New Draft Policy L6 – Gypsies and Travellers
- New Draft Policy L7 – Travelling Show People
- Revised Policy RT2 – Car Parking Standards

and consultation was open until 19 October 2009.

Draft Policy L6 specifically dealt with the scale and distribution of Gypsy and Traveller pitch provision across the North West Region. The policy made a distinction between permanent and transit pitches. In Halton, an additional 45 permanent and 5 transit pitches would be required by 2016; however ten new transit pitches recently provided at the Warrington Road site would meet and exceed the allocated apportionment under the draft policy.

Draft Policy L7 dealt with accommodation for Travelling Show People. At the present time, Members were advised that there was no provision or demand from these communities in Halton and the draft policy target figure did not require any future provision to be made.

Draft Policy RT2 dealt with the revision of an existing RSS policy and as such there was only an opportunity to comment on the specific minor revisions rather than the policy as a whole.

In response to a question relating to accessibility and car parking charges at railway stations, it was noted that the Chief Executive was in discussions with Network/Virgin Rail to address these issues.

RESOLVED: That:

- (1) the content of the report as the formal response to the consultation on the North West Plan Partial Review be agreed;
- (2) the Council strongly objects to the proposals in draft policy L6 for Halton to provide 45 additional pitches for Gypsies and Travellers by 2016, rising to 58 by 2021;
- (3) the draft policy L7 detailing the Scale and Distribution of Travelling Show People Plot Provision be supported; and
- (4) the principles of the proposed revisions to Regional Parking Standards (Policy RT2) and suggests some minor amendments to the draft text in the interests of policy clarity be supported.

COU59 GAMBLING ACT 2005 POLICY STATEMENT OF GAMBLING POLICY (MINUTE NO: EXB57 REFERS)

The Executive Board received a report which set out the Gambling Act 2005 Statement of Gambling Policy.

Under Section 349 of the Gambling Act 2005, the Council were required to adopt a three-year licensing policy. At its meeting on 9 September 2009, the Board approved a draft Statement of Gambling Policy for consultation. A public consultation exercise was undertaken and one response received from the British Beer and Pub Association. Details of the response were attached to the report at Appendix 1.

RESOLVED: That the Statement of Gambling Policy as attached to the report be adopted.

COU60 DETERMINATION OF COUNCIL TAX BASE - KEY DECISION (MINUTE NO: EXB63 REFERS)

The Executive Board considered a report of the Strategic Director, Corporate and Policy regarding the "Tax Base" for the area and the tax base for each of the Parishes. It was noted that the Council was required to notify the figure to the Cheshire Fire Authority, the Cheshire Police Authority and the Environment Agency by 31<sup>st</sup> January 2010. In addition, the Council was required to calculate and advise, if requested, the Parish Councils of their relevant tax bases.

The Tax Base was the measure used for calculating the council tax and was used by both the billing authority (the Council) and the major precepting authorities (the Cheshire Fire Authority and the Cheshire Police Authority) in the calculation of their council tax requirements. It was arrived at in accordance with a prescribed formula representing the estimated full year number of chargeable dwellings in the Borough expressed in terms of the equivalent of Band "D" dwellings. Taking account of all the relevant information and applying a 99% collection rate, the calculation for 2010/11 gave a tax base figure of 38,200 for the Borough as a whole.

RESOLVED: That

- (1) the 2010/11 Council Tax Base be set at 38,200 for the Borough, and that the Cheshire Fire Authority, the Cheshire Police Authority, and the Environment Agency be so notified; and
- (2) the Council Tax Base for each of the Parishes be set as follows:

Parish	Tax Base
Hale	729
Halebank	594
Daresbury	142
Moore	343
Preston Brook	352
Sandymoor	938

COU61 PROPOSED CLOSURE OF WIDNES MAGISTRATES COURT - RESULTS OF CONSULTATION (MINUTE NO: EXB64)

The Executive Board considered a report of the Chief Executive which contained a summary of responses received following the consultation exercise on the proposed closure of Widnes Magistrates Court.

The Ministry of Justice had consulted the Borough Council on their proposals to close Widnes Magistrates Court. The period of formal consultation would end on 5 January 2010. At its meeting on 15 October 2009, Executive Board resolved the following:

- The Consultation Document be sent to all Council Members and relevant external partners inviting comments or views on the proposal by 30 November 2009;
- The Chief Executive be asked to present a Report to the Executive Board in December 2009 with a summary of comments and a recommendation for the Council's response to the Ministry of Justice; and
- The Chief Executive be requested to meet with the Court Service to discuss the proposal and the possible future use of the building.

The Leader and Chief Executive had met with the Court Service Staff on 10 November 2009; they expressed the view that, should the proposal to close take effect, they would wish to see the site utilised for the benefit of the Community.

**RESOLVED:** That the Chief Executive, in consultation with the Portfolio Holder for Corporate Services be authorised to finalise and despatch the Council's response to the consultation.

*(NB Councillors Morley, Wainwright, Wharton, Philbin and Wallace declared a Personal and Prejudicial Interest in the following item of business relating to EXB65 due to being Members of Halton Transport Board and left the room during consideration of this item; and*

*Councillor Worrall declared a Personal and Prejudicial Interest in the following item of business as a Director of Halton Transport Board and left the room during consideration of this item).*

COU62 CHANGES TO THE CONSTITUTION (MINUTE NO: EXB65 REFERS)

The Executive Board considered a report of the Strategic Director, Corporate and Policy, on proposed changes to the constitution in respect of the exercise of powers in relation to Halton Transport.

Under the Council's constitution all matters relating to Halton Transport were reserved to the Council, and the exercise of voting rights as a major shareholder was delegated to the Chief Executive.

Halton Transport wanted to make a fuel hedging arrangement for which the bank required a guarantee from the Council. Under the Constitution, this decision would be reserved to Council, and given the calendar of meetings, any delay in such a decision could result in a financial loss to Halton Transport.

The proposed change in wording was as follows:

"To exercise voting rights on behalf of the Council where the Council is the shareholder of a company and to take action up to £250,000 which may be considered appropriate from time to time."

RESOLVED: That the Constitution, be amended to reflect the change of wording as set out above.

COU63 CORPORATE PLAN MID- TERM REVIEW (MINUTE NO: EXB66 REFERS)

The Executive Board considered a report of the Strategic Director, Corporate and Policy on the Council's Corporate Plan mid-term review.

The purpose of the Corporate Plan was to outline key actions that the Council would undertake during the five year period 2006 to 2011. It also contributed to the Borough's

Sustainable Community Strategy (SCS) and Local Area Agreement outcomes.

As implementation of the Plan was half way through the five year period, it would be appropriate to consider and reflect on changes that had taken place since the Plan had been written in 2006.

The principle amendments to the Plan were outlined in the report and included

- The need to reflect the updated shared partnership vision, priorities, objectives and targets adopted in July 2009 as part of the mid term review of the Sustainable Community Strategy; and
- How the Council would contribute to achieving these shared priorities and objectives.

RESOLVED: That

- (1) the Corporate Plan mid-term review be noted; and
- (2) the mid term review of the Corporate Plan be approved.

#### COU64 VILLAGE GREEN APPLICATION

The Council considered a report of the Strategic Director, Corporate and Policy which provided background to the determination of the application made under the Commons Act 2006 by Florence Hurley that land at Halebank be designated village green.

RESOLVED: That in respect of the Second Application made under the Commons Act 2006 by Mrs. Florence Hurley that land at Halebank be designated village green, the statutory advertisement now be placed and a further report be brought to Council following the period allowed for objections, and any comments which may be made by the Applicant on any objections received.

#### COU65 MINUTES OF POLICY AND PERFORMANCE BOARDS AND 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 21 October 2009:-

Children and Young People  
Employment, Learning and Skills  
Healthy Halton  
Safer Halton  
Urban Renewal  
Corporate Services  
Business Efficiency Board

In receiving the minutes of the Healthy Halton Policy and Performance Board a concern was expressed in respect of HEA32 – Stroke Strategy regarding the thrombolysis for stroke service only being available 9 am – 5 pm Monday to Friday and that there were no plans for an Acute Stroke Unit in Halton. It was reported that a written response would be provided to Councillor Norddahl.

Strategic Director,  
Health and  
Community

In receiving the minutes, the Chairs, Deputy Chairs and all Councillors on the Boards were thanked for their work and assistance throughout the year.

*(NB The Councillors shown below declared a Personal Interest in the following item of business relating to DEV41 09/00320/HBCFUL of the Development Control Committee meeting held on 12 October 2009 due to being governors of the schools described:-*

*Councillors Harris and Wainwright – All Saints School; and Councillor Norddahl – Halton Lea School.*

#### COU66 COMMITTEE MINUTES

The Council considered the reports on the works of the following Committees in the period since the meeting of the Council on 21 October 2009:-

Development Control  
Standards  
Regulatory.

#### COU67 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Council considered:-

- (1) whether members of the press and public should be excluded from the meeting of the Council 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 was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

*(NB Councillors Polhill and McDermott declared a Personal and Prejudicial Interest in the following item of business as a Director and a Member of Widnes Regeneration Ltd and left the room during consideration of this item).*

#### COU68 THE HIVE VENTURE FIELDS, WIDNES

The Council considered a report of the Chief Executive which facilitated the development in the current economic climate of a multi-use family leisure facility to be known as The Hive at Venture Field, Widnes.

RESOLVED: That the Council:-

- (1) agree to acquire The Hive Leisure Development Venture Fields Widnes on completion of the development, on the terms set out in the report;
- (2) authorise Prudential Borrowing in the sum of not more than £5 million pounds to facilitate the acquisition of The Hive Leisure Development Venture Fields Widnes on completion of the development, on the terms set out in this report and amend the capital programme accordingly;

Chief Executive

and

- (3) the Council's land holding at Venture Fields is made available to facilitate The Hive development, on the terms set out in the report.

*Meeting ended at 7.40 p.m.*

This page is intentionally left blank

**EXECUTIVE BOARD**

*At a meeting of the Executive Board on Thursday, 28 January 2010 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: D. Parr, D. Johnson, I. Leivesley, G. Meehan, D. Tregoe, M. Reaney and A. Scott

Also in attendance: G. Cook, T. Gibbs and A. McIntyre and 14 members of the public

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

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

*Action*

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB83 refers), therefore, pursuant to Section 100 B(4) and 100 E and as notification of the changes came after the agenda had been published, and the appointments cannot take place until they had been considered by the Board, the Chairman ruled that the item be considered as a matter of urgency.

EXB78 MINUTES

The Minutes of 3 December 2009 were taken as read and signed as a correct record.

**CHILDREN AND YOUNG PEOPLE PORTFOLIO**

*(Councillor Swain declared a personal interest in the following item of business as he is a Governor at Halton High School)*

EXB79 DECISION ON THE STATUTORY CONSULTATION TO  
CLOSE HALTON HIGH SCHOOL -KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People, on the outcome of the consultation on the closure of Halton High School.

The Board were reminded that, during consultation on future secondary provision in Halton, it was agreed that Halton High School be developed as an Academy. The proposal would mean that, subject to the successful completion of the current feasibility project and agreement of the Secretary of State, Halton Academy would open on 1 September 2010. The Lead sponsor and Co-sponsor were the Ormiston Trust and the University of Chester respectively.

Following the decision of the Board on 3 December 2009, Statutory Consultation commenced on 10 December 2009 and the representation period ended on 21 January 2010. A total of nine responses were received to the statutory consultation and all were in support of the proposal. Copies of the notes of consultation meetings which took place on 16 December 2009 and 12 January 2010 were available at the meeting together with notes on each of the pre-statutory meetings and responses received to the consultation.

Reason(s) for Decision

To provide more choice and diversity and retain pupils within the Borough.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

31 August 2010

RESOLVED: That Proposals having been published in pursuance of the powers set out in section 15 and Part 2 of the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 as amended, and having had regard to the statutory guidance and to responses to consultation the following proposals be

approved:-

- (1) with effect from 31<sup>st</sup> August 2010 Halton High School be closed subject to the Secretary of State's approval for an Academy to replace the school on 1<sup>st</sup> September 2010;
- (2) all pupils in Halton High at the time of closure on 31<sup>st</sup> August 2010 transfer to the Academy on 1<sup>st</sup> September 2010; and
- (3) the capital development of the Academy continues as part of the BSF Programme.

Strategic Director-  
Children & Young  
People

*(Councillor Nelson declared a personal interest in the following item of business as he is the Chair of Governors for the Grange Nursery)*

*(Councillor Swain declared a personal interest in the following item of business as he is a Governor of Pewithall CP School and Chair of IEB at Farnworth Primary School)*

*(Councillor Harris declared a personal interest in the following item of business as he is a Governor of All Saints (Upton) C of E Primary School)*

#### EXB80 CAPITAL PROGRAMME FOR CHILDREN AND YOUNG PEOPLE DIRECTORATE 2010-11 - KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People, providing a summary of the Capital Programme 2010/11 for the Children and Young People Directorate.

The total capital funding of £8,680,102, and how it was made up, was outlined within the report for Members' information, together with details of the works to be funded. In addition, it was noted that the Department for Children, Schools and Families (DCSF) had approved a further advance of £500,000 from 2010/11 schools capital grant funding as an initiative to stimulate the economy. An overview of the Schools Capital Programme for 2010/11 was included for Members' consideration.

Halton had obtained funding from the Big Lottery Fund to deliver MyPlace on behalf of the DCSF. This was a discrete project unrelated to general Lottery funding. Funding had been allocated by DCSF to support personalisation, closing the attainment gap and the move towards universal access to technology. In addition, £49,661

had been allocated to enhance the existing children's centre at Warrington Road, in order to integrate PCT services with children's centre services.

Details of other funding allocations included in the report were:

- £197,999 Access Initiative Funding to address access issues within school curriculum and buildings
- £545,573 for further Early Years Childcare Capital to improve the quality of the environment in various early years and childcare settings
- £437,885 for Playbuilder Capital to provide new and the remodelling of existing playgrounds and equipment
- £116,880 to develop and deliver the core offer of Extended Schools services at Palace Fields Primary School

Reason(s) 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 2010.

RESOLVED: That

- (1) the capital funding available for 2010/11, including those programmes where funding had been carried forward, be noted;
- (2) Council be recommended to approve the Capital Programme for 2010/11; and
- (3) the Revenue implications associated with the Big Lottery Fund be noted.

Strategic Director-  
Children & Young  
People

**HEALTH AND SOCIAL CARE PORTFOLIO**

The Board received a report of the Strategic Director, Health and Community on the Care Quality Commission (CQC) Performance Rating 2008/09.

The Board was advised that the Health and Community Directorate have their performance rated annually by the CQC, and was linked to how well the Directorate provided social care services to adults. The rating fed into the Comprehensive Area Assessment rating for Halton Borough Council.

Since September 2006 in addition to quantitative data, performance was also judged on the outcomes that were delivered to people. Seven new outcomes and two new domains were announced against which performance would be judged, details of which were given in the report. Members were advised that the performance for 2008/09 had been given an overall grade rating for delivery of outcomes as excellent, classified by the CQC as 'overall delivering well above the minimum requirements for people'.

The CQC looked at how well the Directorate performed on leadership and identified that in order for the Council to improve, it needed to continue with transformation to achieve the personalisation of social care services, but did not identify any areas in need of improvement in terms of the commissioning and use of resources.

The Board wished to place on record their thanks to all staff involved in the provision of social care services to adults.

RESOLVED: That the continuing improved performance of the Health and Community Directorate be noted.

## **PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO**

*(Councillor Harris declared a personal and prejudicial interest in the following item of business as he is the Halton Borough Council representative on the Merseyside Waste Disposal Authority, and remained in the meeting)*

EXB82 APPROVAL FOR PUBLIC CONSULTATION:  
MERSEYSIDE JOINT WASTE DEVELOPMENT PLAN  
DOCUMENT - PREFERRED OPTIONS REPORT - KEY  
DECISION

The Board considered a report of the Strategic Director, Environment on the approval for Public Consultation: Merseyside Joint Waste Development Plan Document – Preferred Options Report.

The Board were advised that the Waste Development Plan Document (Waste DPD) had been produced by the Merseyside Environmental Advisory Services (MEAS) on behalf of the six greater Merseyside districts (which included Halton). The process was led by a Steering Group and overseen by the City Region Cabinet. Two public consultation stages had already been completed in 2007 and 2009, the results of which had all been used to inform the preparation of the third public consultation stage – Preferred Options.

The Preferred Options Report outlined the overarching strategy for waste management referred to as the Resource Recovery-led Strategy, and sets out site allocations for waste management together with a supportive policy framework. Key issues covered in the report included:

- Needs assessment and sites requirements;
- Proposed site allocations for built facilities for waste uses;
- Proposed landfill site allocations;
- Policy on energy from waste; and
- Development of management policies.

Members were advised that a six –week public consultation period would start on 18 February and end on 31 March 2010. In addition, the process would include statutory press notices and press releases, email and letter communication with all individuals and organisations on the Waste DPD database, together with copies of the report made available for public inspection at Council offices and public libraries. All responses, once evaluated, would feed into a Submission Document to be published early in 2011 and eventually submitted to Government for formal consideration and scrutiny in March 2011. The final stage of the process would result in the adoption of the Waste DPD by each of the Merseyside districts as its statutory spatial plan for waste scheduled for 2012.

Three sites had been identified within Halton and the locations detailed in paragraph 4.8 of the report. Members sought to reassure the public in attendance at the meeting that at this stage no decisions had been made about these locations and that the public consultation process would give

everyone an opportunity to make their views known.

Reason(s ) for Decision:

The Regional Spatial Strategy and government policy (PPS10) required that waste must be dealt with in a sustainable way. The Council was involved in producing a Joint Waste Development Plan Document (DPD) for the Merseyside sub-region. Drafting of the Plan had reached the stage where the policy framework contained in the Waste DPD needed to be subject to public scrutiny.

Alternative Options Considered and Rejected:

The Waste DPD had been prepared through a multi-stage process. Two public consultation stages had been completed:

- Issues and Options took place in March and April 2007.
- Spatial Strategy and Sites stage took place between December 2008 and January 2009.

These reports document the evolution of the Plan and the options for policies and sites that had been considered and rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and, detailed technical assessments had all been used to inform the preparation of this Report, forming a third public consultation stage. The Preferred Options Report set out the alternative options considered.

Implementation Date:

The Joint Merseyside Waste DPD was scheduled to be adopted by all the six partner Districts in April 2012.

RESOLVED: That Council be recommended that:-

- (1) subject to the detailed comment in paragraph 4.20 to 4.26 of the report, the Preferred Options Report be approved and endorsed for public consultation purposes; and

Strategic Director  
- Environment

- (2) the commencement of the six-week public consultation process on the Waste DPD Preferred Options Report during February 2010 be agreed.

### **CORPORATE SERVICES PORTFOLIO**

#### **EXB83 MEMBER APPOINTMENT TO DEVELOPMENT CONTROL COMMITTEE AND SCRUTINY CO-ORDINATOR ROLE**

The Board received a report of the Chief Executive on the nominations for Member Appointments to the Development Control Committee and the Scrutiny Co-ordinator Role.

The Board were advised that under Standing Order 30 (3) a vacancy occurring on any Panel, Board or Committee of the Council shall be reported to Council by the Executive Board, together with a recommendation by the Board as to the name of the Member(s) proposed to fill any vacancy.

In addition, the Board were advised that notification of a change of representation had been received in writing for the Healthy Halton Policy and Performance Board and that this would be reported to Council for information under Standing Order 30 (4).

RESOLVED: That Council be advised

- (1) that vacancies had occurred following the untimely death of Councillor Sue Blackmore; and
- (2) that the Executive Board recommends the following Member Appointments be approved for the remainder of the 2009/10 Municipal Year:-
  - (a) Councillor Ernest Ratcliffe be appointed to the Liberal Democrat vacancy on the Development Control Committee; and
  - (b) Councillor Mrs Margaret Ratcliffe be appointed to the Scrutiny Co-ordinator Role.

#### **EXB84 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.

#### EXB85 ACCOMMODATION

The Board received a report of the Strategic Director, Corporate and Policy, on Accommodation.

In October 2009, Council had approved a number of accommodation proposals aimed at ensuring that Catalyst House was vacated by 1 April 2011 to facilitate the construction of the Mersey Gateway. In addition, refurbishment of the Municipal Building and consideration of other office accommodation solutions were agreed.

The report outlined details of alternative accommodation which had become available in Widnes since October 2009. It contained an appraisal of the benefits of leasing the premises identified, and explained how this course of action would help in the delivery of the Mersey Gateway project timetable. It was agreed that an update report on the progress of negotiations would be brought to a future meeting of the Executive Board.

RESOLVED: That

- (1) the approach outlined in the report to vacate Catalyst House by 1 April 2011 be approved; and
- (2) the Strategic Director, Corporate and Policy, in consultation with the Corporate Services Portfolio Holder, be authorised to conclude negotiations to lease part of Kingsway House on the most advantageous terms available to the Council.

Strategic Director  
- Corporate and  
Policy

**MINUTES ISSUED: 1 February 2010**

**CALL IN: 9 February 2010**

**Any matter decided by the Executive Board may be called in no later than 9 February 2010**

*Meeting ended at 2.35 p.m.*

**EXECUTIVE BOARD SUB COMMITTEE**

*At a meeting of the Executive Board Sub Committee on Thursday, 17 December 2009  
in the Marketing Suite, Municipal Building*

Present: Councillors Wharton (Chairman) and Nelson

Apologies for Absence: Councillor Harris

Absence declared on Council business: None

Officers present: M. Reaney, G. Ferguson and S. Munikwa

Also in attendance: None

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

	<i>Action</i>
ES46 MINUTES	
<p>The Minutes of the meeting held on 3<sup>rd</sup> December 2009 were taken as read and signed as a correct record.</p>	
ES47 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	
<p>The Board considered:</p>	
<p>(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</p>	
<p>(2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the</p>	

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.

**PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO**

ES48 AWARD OF CONTRACT FOR WIDNES FUTURE FLOWER

The Sub Committee considered a report of the Strategic Director Environment which advised on the tender process for the award of a contract to fabricate and construct the landmark public art piece, Widnes Future Flower, to Cheetham Hill Construction Ltd.

RESOLVED: That the award of the Widnes Future Flower Contract to Cheetham Hill Construction Ltd be noted.

**MINUTES ISSUED: 18<sup>th</sup> December 2009**

**CALL IN: 30<sup>th</sup> December 2009**

**Any matter decided by the Executive Board Sub Committee may be called in no later than 30<sup>th</sup> December 2009.**

*Meeting ended at 10.17 a.m.*

**EXECUTIVE BOARD SUB COMMITTEE**

*At a meeting of the Executive Board Sub Committee on Thursday, 14 January 2010 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, G. Ferguson, J. Hughes and J. Keogh

Also in attendance: None

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

	<i>Action</i>
ES49 MINUTES	
<p>The Minutes of the meeting held on 17<sup>th</sup> December 2009 were taken as read and signed as a correct record.</p>	
<p><b>CORPORATE SERVICES PORTFOLIO</b></p>	
ES50 ACCEPTANCE OF TENDER FOR KINGSWAY HEALTH CENTRE	
<p>The Sub-Committee considered a report of the Strategic Director, Corporate and Policy regarding the tendering process relating to the refurbishment and extension of Kingsway Health Centre to form a new centre for youth services.</p>	
<p>The Council had previously been informed in February 2009 from the My Place Committee on behalf of the Department for Children Schools and Families that a bid to extend and refurbish the Kingsway Health Centre in Widnes to provide a world-class facility for youth services in Halton had been successful. A grant of £2,500,000 had been awarded. Additional funding had been provided for this scheme from the Youth Capital budget £452,000, the DCSF Extended School budget £17,000 and a £35,000</p>	

contribution from the Primary Care Trust. Therefore the total budget available was £3,004,000.

Tenders were invited from six contractors in a two stage process, designed to ensure that the contractor offering best value was appointed to carry out the project. Following analysis of the stage 1 bids, which were assessed on both price and quality, four contractors were chosen to progress to stage 2.

At stage 2 a detailed presentation and rigorous interview of each of the four contractors was undertaken by an appointed panel to establish quality levels as part of the overall review. The aggregate of both price and quality from this two stage process resulted in a preferred contractor, Globe Management Services Limited, being chosen for this project.

In order to provide part of occupation of the building in March 2010, with the completion of the remaining work in September 2010 and to expend the Youth Capital Plus Fund of £452,00 by the end of March 2010, phase 1 was started in October 2009.

A further report outlining the revenue implications for the project would be presented to the Executive Board on 28<sup>th</sup> January 2010.

RESOLVED: That Members note that the tender submitted by Globe Management Services Limited had been accepted by the Strategic Director, Corporate and Policy and a contract had been entered into, with a contract sum of £2,508,643.00.

Strategic Director  
Corporate  
Services

*(NB: Councillor Nelson declared a personal and prejudicial interest in the following item due to being a board member of Halton Housing Trust and left the meeting during its consideration)*

#### **CORPORATE SERVICES PORTFOLIO**

##### **ES51 SALE OF LAND AT AVONDALE DRIVE, WIDNES**

The Sub-Committee considered a report which sought approval for the sale of land forming part of the site of the former Our Lady of Perpetual Succour Roman Catholic Infants School, Avondale Drive, Widnes.

RESOLVED: That

(1) the report be noted; and

(2) approval be given for the sale of the site of the former Our Lady of Perpetual Succour Infants School, Avondale Drive, Widnes to McInerney Homes, subject to full planning consent being given.

Strategic Director  
Corporate  
Services

**MINUTES ISSUED: 19<sup>th</sup> January 2010**

**CALL IN: 27<sup>th</sup> January 2010**

**Any matter decided by the Executive Board Sub Committee may be called in no later than 27<sup>th</sup> January 2010.**

*Meeting ended at 10.14 a.m.*

This page is intentionally left blank

**EXECUTIVE BOARD SUB COMMITTEE**

*At a meeting of the Executive Board Sub Committee on Thursday, 28 January 2010 in the Marketing Suite, Municipal Building*

Present: Councillors Wharton (Chairman) and Nelson

Apologies for Absence: Councillor Harris

Absence declared on Council business: None

Officers present: M. Reaney, G. Ferguson and B. Dodd

Also in attendance: None

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

	<i>Action</i>
ES52 MINUTES	
<p>The Minutes of the meeting held on 14<sup>th</sup> January 2010 were taken as read and signed as a correct record.</p>	
<p><b>CORPORATE SERVICES PORTFOLIO</b></p>	
ES53 TREASURY MANAGEMENT 2009/10 3RD QUARTER OCTOBER TO DECEMBER	
<p>The Sub-Committee received a report from the Operational Director – Financial Services on the Treasury Management 2009/10 3<sup>rd</sup> Quarter (October to December) which updated the Sub-Committee on activities undertaken on the Money Market as required by the Treasury Management Policy (TMP). The Operational Director reported on the current economic background based upon information supplied by the Council's treasury management advisors, Sector.</p>	
<p>The report provided supporting information on the short-term rates, longer-term rates, temporary borrowing/investments, longer-term borrowing/investments and policy guidelines. It was noted that all the policy guidelines in the TMP had been complied with.</p>	

It was also reported that a members' seminar on Treasury Management had been arranged for 17<sup>th</sup> February 2010 in the Stobart Stadium.

RESOLVED: That the report be noted.

**MINUTES ISSUED: 29<sup>th</sup> January 2010**

**CALL IN: 8<sup>th</sup> February 2010**

**Any matter decided by the Executive Board Sub Committee may be called in no later than 8<sup>th</sup> February 2010.**

*Meeting ended at 10.10 a.m.*

**MERSEY GATEWAY EXECUTIVE BOARD**

*At a meeting of the Mersey Gateway Executive Board on Thursday, 28 January 2010 in the Marketing Suite, Municipal Building*

Present: Councillors McDermott (Chairman), Polhill, Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: B. Dodd, D. Parr, M. Reaney, D. Tregaea, S. Nicholson and L. Derbyshire

Also In Attendance: Councillor Redhead

Apologies: Councillor Findon

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

MGEB10MINUTES

The Minutes of the meeting held on 19 November 2009 were taken as read and signed as a correct record.

MGEB11PROGRESS TOWARDS A SECRETARY OF STATE DECISION ON THE PLANNING APPLICATIONS AND THE COUNCIL'S PREPARATION FOR PROCUREMENT.

The Board considered a report of the Strategic Director, Environment which advised Members of the progress made towards securing the authority required to commence the procurement process since the last meeting of the Board in November 2009.

The Board was advised that at the meeting of the last Mersey Gateway Executive Board on 19 November, Members had been advised that the formal procurement process for a Mersey Gateway concession contract could only commence once the Council had secured the planning decision by the Secretaries of State and for Ministers to grant Conditional Funding Approval.

The Board was further advised that towards the end of December the project team had contacted the Planning

*Action*

Inspectorate (PINS) to determine if the report had been forwarded to the Department. The team had been advised that it was envisaged that the Department would not receive the report until the end of January 2010.

It was reported that the Authority were optimistic that the Secretary of State would announce a decision before a General Election in May but this may not be the case. Consequently, the authority had raised concerns with senior officials at the Department over the impact of such a delay and a modified programme had been agreed based on the decision being announced by the end of May with contingency arrangements should this not take place until later in 2010.

The Authority had also agreed the procedure for considering the Conditional Funding Approval. This agreed procedure was reflected in the programme set out in Appendix 1 to the report.

In addition, the first draft of the Outline Business Case had been submitted to the Department and discussed with the DfT Major Projects Team at the progress meeting on 19 November. The key issues emerging from the progress meeting were then considered. The main issue to be agreed with the Department over the next few weeks was the revised procurement approach that could be expected to secure best value from the proposed tolling regime. Options under consideration would require the PFI Credits to be increased in return for a greater public sector financial interest in the toll revenue which overall could result in a better deal for the public sector. Draft proposals were due to be put to the Department for Transport Internal Investment Committee in February and the outcome was expected to be available and reported to members at the next meeting of the Board in March.

RESOLVED: That

- (1) the progress made and the revised outlook for commencing procurement later this year be noted; and
- (2) the development budget estimated to be required to deliver the Conditional Funding submission to the Department for Transport and to undertake all necessary preparation to enable procurement to commence as soon as Conditional Approval is granted by Ministers be noted.

MGEB12SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT  
1972 AND THE LOCAL GOVERNMENT (ACCESS TO  
INFORMATION) ACT 1985

The Board considered:

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

MGEB13LAND ASSEMBLY PROGRESS AND LAND ACQUISITION  
CAPITAL EXPENDITURE BUDGET FORECAST 2010/11

The Board considered a report of the Strategic Director, Environment which advised Members of progress to date with the advanced acquisition of land required for the Mersey Gateway in advance of CPO/TWA and the land acquisition capital expenditure requirement for 2010/11.

RESOLVED: That

- (1) the progress made in assembling the land required for the Mersey Gateway be noted;

Strategic Director  
- Environment

and

- (2) the requested land acquisition capital expenditure budget for 2010/11 as outlined at Paragraph 3.14 of the report be approved.

**MINUTES ISSUED: 29 January 2010**

**CALL IN: 8 February 2010**

**Any matter decided by the Executive Board may be called in no later than 8 February 2010**

*Meeting ended at 3.15 pm*

**CHILDREN AND YOUNG PEOPLE POLICY AND PERFORMANCE BOARD**

*At a meeting of the Children and Young People Policy and Performance Board on Monday, 4 January 2010 in the Civic Suite, Town Hall, Runcorn*

Present: Councillors Dennett (Chairman), Horabin (Vice-Chairman), Browne, Drakeley, Gilligan, Higginson, Loftus, J. Lowe, Parker, M. Ratcliffe and Stockton

Apologies for Absence: Councillor McInerney (in accordance with Standing Order No. 33) and C. Pollard.

Absence declared on Council business: None

Officers present: C. Halpin, C. Johnson, A. McIntyre, G. Meehan, N. Moorhouse, A. Villiers and G. Bennett

Also in attendance: John Mackie and Christine Pluger, Halton YMCA

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

	<i>Action</i>
<p>CYP31 COUNCILLOR SUE BLACKMORE</p> <p>The Chairman reported on the sad passing of Councillor Mrs Sue Blackmore. As a mark of respect, all present stood for two minutes silence.</p>	
<p>CYP32 MINUTES</p> <p>The minutes of the meeting held on 2<sup>nd</sup> November 2009 were taken as read and signed as a correct record, subject to Councillor McInerney being added to the attendance list.</p> <p style="text-align: center;">RESOLVED: That the minutes be noted.</p>	
<p>CYP33 PUBLIC QUESTION TIME</p> <p>It was noted that no public questions had been received.</p> <p><i>(NB: Councillor Stockton declared a personal interest in the following item of business due to being a Governor at The Grange School).</i></p>	

CYP34 EXECUTIVE BOARD MINUTES

The Board received a report which contained the minutes relating to the Children and Young People Portfolio which had been considered by the Executive Board and the Executive Board Sub-Committee since the last meeting.

RESOLVED: That the minutes be noted.

CYP35 SSP MINUTES

The Board received the minutes of the Halton Children's Trust Specialist Strategic Partnership held on the 20<sup>th</sup> October 2009.

RESOLVED: That the minutes be noted.

*(NB: Councillor J. Lowe declared a personal interest in the following item of business due to being a Board Member of Halton YMCA*

*Councillor Loftus declared a personal interest in the following item of business due to being employed by Riverside College).*

CYP36 SERVICES FOR YOUNG HOMELESS PEOPLE

The Board considered a presentation from John Mackie and Kristine Plugger, Halton YMCA on the most appropriate factors raised by the young people on services provided for Young Homeless People.

The Board was advised that over the last year Halton YMCA Foyer and other homeless accommodation projects in Halton, had experienced a significant increase in the number of applications for housing from homeless young people. These had come from referral agencies, such as Housing Solutions, Young People's Team, the Youth Offending Team and self referrals.

Another significant impact on the increase in young homeless referrals had been due to the newly established Halton YMCA Night Stop Project, a project developed to address the prevention of homelessness among young people most at risk. With this new homeless provision, young people were placed with volunteer "hosts" for up to 3 weeks, during which time, suitable safe and appropriate accommodation to meet the needs of the young people (including mediation for home returns, where possible) are identified. Halton YMCA Foyer received around 50% of these referrals.

From Halton YMCA's experience, the main reasons why young people in Halton were finding themselves becoming homeless were:

- Family relationship breakdown;
- Alcohol and drug misuse;
- Mental health issues such as, anxiety, depression, self harm etc. these are also often linked to the above issues; and
- Financial problems and stress within the family unit.

These factors have remained the most common reasons for youth homelessness for the last 20 years.

The Board was advised that Halton YMCA agreed, following a number of meetings with Council officers and Councillors, to consult with the young homeless people living at Belvedere, YMCA, Orchard House and Halton Goals, to establish what concerns they have relating to the Council services offered to them as a homeless person, living in temporary accommodation and what improvements they would like to be made.

The Board was advised that a consultation meeting was organised at the YMCA at which over 20 young people attended. At this meeting, the young people were very vocal and expressed the improvements in services they would like to see in Halton. Also at the meeting, the young people nominated two representatives to sit on the Scrutiny Group, however due to the departure of Dave Williams, the group never met or functioned. The only outcome from this exercise was that the young people organised a youth homeless conference in 2008.

From the consultation and Homeless Conference a number of issues were raised and suggestions made by those who participated, which they felt could have a positive impact on the quality of their lives if implemented. These were as follows:

- Public transport – need for free bus passes to attend college/leisure centres etc;
- Dentists – difficulty in accessing a local dentist;
- 16 hour rule – being a barrier to college/training;
- Training programmes not flexible enough to enable homeless young people with social problems to complete the statutory courses; and
- Communication problems with JSA Claims / Crisis Loans leading to delayed income.

It was noted that Halton YMCA had continued to consult with our young people to establish from above, two or three key issues that they would like the Council to look at, which they believed would make a significant difference to them if they could be implemented in the near future.

The 2 key issues identified were barriers to training courses as it was felt that mainstream courses were not suitable for homeless young people, along with aspects of public transport. The latter was due to high costs and unreliable day and evening services.

Arising from Members comments and questions the following was noted:

- that the YMCA tailor made training in relation to confidence, self esteem etc to get people interested in studying again;
- that Riverside college ran a number of pre-entry short courses that could be helpful;
- to refer the matter to the 14-19 Partnership for consideration in terms of appropriately tailored funding; and
- these young people were core to the Borough's NEET figures

RESOLVED: That

- (1) the presentation be received;
- (2) a proposal for funding for costs of public transport be submitted to the 14-19 Partnership;
- (3) an update report be submitted to the June meeting of the Board;
- (4) Working Neighbourhood funding for relevant courses be explored.

Strategic Director,  
Children and  
Young People

#### CYP37 PLACEMENT STRATEGY REVIEW

The Board received a report of the Strategic Director, Children and Young People which sought to review the current position regarding the Halton Children in Care (CIC) population and the arrangements for placing children. It also proposed a revised strategy where all children in care had improved choice of placements to suit their needs.

The Board was advised that there had been significant difficulty in recent years in recruiting sufficient

Foster Carers to meet both the demand for placements and to provide a choice of placement. Currently, there were 69 approved carers, approximately 20 of whom were kinship carers. It was projected that at least an additional 20 carers were needed to provide for the current CIC population, which as at 9<sup>th</sup> October 2009, was 158.

It was noted that whilst the recent Ofsted inspection of the Foster Care Service in Halton judged the service to be good with some outstanding features, the Inspector did make a formal recommendation in respect of National Minimum Standard 17. This standard required fostering providers to have a sufficient number of foster carers to allow for placement choice. Halton was currently unable to fully meet this standard.

The Board was advised that in addition to foster care, the Borough had 6 residential beds for young people, with 4 at Edinburgh Road and 2 at Littlebourne. It was noted that, in Halton, the average age of children in residential care was 13.2 years. The young people who were placed presented with increasingly complex emotional, behavioural and mental health issues and an analysis of placements had highlighted some key issues for Halton, which were set out in the report.

The Board was further advised that in order to meet the variety of assessed needs of young people, Halton would need to provide a range of provision for Children in Care. This would include provision for:

- less complex needs
- more complex needs
- extensive complex needs
- preparing for independence

It was noted that, under this proposal, Halton's existing children's homes would need to change their purpose. The lack of capacity within the foster care service needed to be urgently addressed.

There were a number of barriers to the recruitment of carers, some of which were reflected nationally and some of which appeared more specific to the Halton area, and these were set out in detail in the report.

In order to address the shortfall of foster carers it was proposed that:

- allowances paid to carers were increased to reflect

not only the cost of caring for a child but to represent a payment for their professional task;

- consideration was given to building the capacity of the Foster Service Team through the introduction of Support Assistants with a specific remit to provide placement support;
- the integration of services continued so that an increasing range of partners and essential support services were available to the children and foster carers; and
- using some of these proposed changes, the marketing campaign to recruit more carers would need to be revised and intensified.

The Board was advised that a similar 'Invest to Save' approach to developing foster care provision had been undertaken by St. Helens Council in recent years and had proved extremely successful. They had seen their number of foster carers rise from 59 in March 2006 to 103 in September 2009, with a corresponding rise in the number of Kinship carers from 52 to 65. This had significantly reduced their use of expensive purchased placements and had improved their retention of existing carers.

It was noted that an 'Invest to Save' bid had been approved by the Executive Board on 5 November 2009, for £250,000 to enable the changes detailed above to be undertaken.

Arising from Members comments and questions the following was noted:

- that the proposals set out would hopefully solve issues around how appropriate placements were for the young people;
- that Independent Placement Agencies were required to complete the same checks and assessments that the Council makes when placing a child;
- that the Council had various ways of improving 'incentive' packages, i.e. reducing leisure facilities costs, that could not be provided by smaller independent agencies; and
- that staff at the Children's Centres did an excellent job and the Board's appreciation be passed on.

RESOLVED: That the approach identified in the Strategy be endorsed and further work be undertaken to

Strategic Director,

develop it further.

Children and  
Young People

#### CYP38 YOUNG CARERS DEVELOPMENTS

The Board received a report of the Strategic Director, Children and Young People which updated Members regarding recent developments both nationally and locally for Young Carers.

The Board was advised that a new 'Locality' structure which would focus on a family centred approach to early intervention and prevention for Children in Need. Assessment for vulnerable children would be mainstreamed at a Locality level and the service would operate in a new way, without a reduction in the level of service. There would be two Localities one in Runcorn and one in Widnes.

It was noted that there was a considerable difference in the number of known carers and the anticipated actual figures and that this was a national issue. It was suggested that further work be undertaken in this area and that the developments outlined be considered as a topic for the Board's work programme for 2010/11.

RESOLVED: That the developments outlined be considered as a topic for the Board's work programme for 2010/11.

#### CYP39 SERVICE PLANNING

The Board received a report of the Strategic Director, Children and Young People which provided an update on service planning in the Children's Services for the period 2009/2012 and which allowed Members the opportunity to consider the suggested Directorate's priorities for this period.

The Board was advised that a Directorate Service Plan was currently being developed for the Children and Young People Directorate. Due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities a combined plan would be published rather than individual Departmental Service Plans as in previous years. The Children's Directorate from April 2010 would reduce from 4 to 3 Departments.

It was noted that the draft Service Plans would be produced during January and would go to the Council's Executive Board and Full Council during February and

March for approval.

Members suggested the following areas be considered with setting the directorate's priorities:

- continuing to monitor schools carefully to prevent schools causing concern being placed in special measures;
- the effectiveness of family education services;
- utilising outreach workers in homeless shelters;
- immunisations being behind schedule;
- having a similar initiative to 'The BIG read' for mathematics;
- making adult learning more socially inclusive by having more courses available at schools;
- having a more specific health perspective in the proposed objectives; and
- transport issues arising from the BSF programme.

In response the Board was advised that there was a robust system in place monitoring schools causing concern and a pro-active proportionate approach was being taken to support schools while challenging them to improve.

The Board was further advised that the PCT had a detailed service plan which could be made available to Members.

RESOLVED: That

- (1) Members be provided with copies of the PCT's detailed service plan, in relation to health of Children and Young People; and
- (2) the views of the Board be incorporated through the service planning process.

Strategic Director,  
Children and  
Young People

#### CYP40 WORK PROGRAMME FOR 2010/11

The Board considered a report from the Strategic Director, Children and Young People regarding the work programme for 2010/11 regarding possible Topics for inclusion in the next Municipal Year.

Arising from the discussion two topics were highlighted, Young Carers and Enhancing Services for Disabled Young People within the Borough.

It was agreed that any other suggestions be forwarded to the Chairman of the Board and Lead Officer -

Operational Director, Preventative Services.

RESOLVED: That

- (1) Members e-mail suggestions to the Chair and Lead Officer; and
- (2) a shortlist of topics be submitted to the next meeting of the Board for approval.

Strategic Director,  
Children and  
Young People

#### CYP41 LOCAL AREA AGREEMENT PERFORMANCE REPORT

The Board considered a report of the Strategic Director, Corporate and Policy which provided information on the progress towards meeting Halton's Local Area Agreement (LAA) targets to September 2009.

It was noted that the revised LAA was signed off by the Secretary of State in June 2008. The LAA contained a set of measures and targets agreed between the Council, local partner agencies and the Government. There were 32 indicators within the LAA along with statutory and education and early years targets. The current agreement covered the period April 2008 to March 2011.

It was further noted that the Agreement had been refreshed in March 2009 following a review with Government Office North West. It was not expected that there would be many significant changes to the agreement, except those areas affected by the downturn in the national economy. Of this the Government had identified a list of factors for which targets would be reviewed before the end of March 2010.

The Board was advised that attached as Appendix 1 was a report on progress to the 2009 – 2010 mid year which included those indicators and targets that fell within the remit of this Board.

RESOLVED: That the report be noted.

#### CYP42 QUARTER 2 2009-10 PERFORMANCE UPDATE

The Board received a report of the Strategic Director, Children and Young People which provided a performance update for the Quarter 2 period, 1<sup>st</sup> July 2009 to September 2009. This was a follow on report from the Performance Dashboard that was tabled at the meeting on 2<sup>nd</sup> November 2009. A revised version of the Performance Dashboard was attached.

The report set out performance against the four priority areas in detail.

RESOLVED: That the progress against the priorities set out in the Children and Young People Plan through the Quarter 2 Children's Trust Report Card be noted.

CYP43 QUARTERLY MONITORING REPORTS FOR 2009/10

The Board considered a report of the Strategic Director, Children and Young People on progress against service plan objectives and performance targets, performance trends/ comparisons and factors affecting the services for:

- Specialist Services;
- Universal and Learning;
- Preventative Services; and
- Business Planning and Resources.

RESOLVED: That

- (1) the second Quarter Performance Management Reports be received;
- (2) an update on BSF and primary capital be submitted to the next meeting of the Board; and
- (3) an update on staff retention and management be submitted to the June meeting of the Board.

Strategic Director,  
Children and  
Young People

*Meeting ended at 8.45 p.m.*

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

*At a meeting of the Employment, Learning and Skills Policy and Performance Board on Wednesday, 13 January 2010 in the Civic Suite, Town Hall, Runcorn*

Present: Councillors Jones (Chairman), Austin, M. Bradshaw, Findon, Howard, Loftus, Parker and Stockton

Apologies for Absence: Councillor Edge and Worrall

Absence declared on Council business: Councillor None

Officers present: M. Simpson, H. Cockcroft, G. Fitzpatrick, N. Goodwin, J. Hatton, A. Villiers and W Rourke

Also in attendance: C Billingsley and S. Nixon – Job Centre Plus

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

*Action*

At the start of the meeting the Chairman introduced and welcomed Wesley Rourke who had been appointed as Lead Officer to the ELS PPB, as a result of the ongoing re-structure of the Council. The Board wished to place on record their thanks and appreciation for the input and expertise Gary Collins contributed to the Board over the past few years.

**ELS35 MINUTES**

The minutes from the meeting held on Monday 16<sup>th</sup> November 2009, having been printed and circulated were taken as read and signed as a correct record.

**ELS36 EXECUTIVE BOARD MINUTES**

The Board considered the minutes of the meeting of the Executive Board and the Executive Board Sub-Committee relevant to the Employment learning and Skills Policy and Performance Board.

**RESOLVED:** That that the minutes be received.

ELS37 SSP MINUTES

The Board received the minutes of the Employment Learning and Skills Specialist Strategic Partnership Meeting held on 3<sup>rd</sup> December 2009.

In receiving the minutes the Board showed interest in the World EXPO Shanghai event and requested a report be brought back to the next meeting providing details of the event.

RESOLVED: That

- 1) the minutes be noted; and
- 2) a report providing details of the XPO Shanghai event, be brought back to the next Board meeting.

ELS38 PRESENTATION: JOB CENTRE PLUS

The Board received a presentation from Colin Billingsley – External Relations and Sue Nixon – Operations Manager of Job Centre Plus, which outlined the following:

- priorities for 2010;
- targets;
- delivery from Runcorn and Widnes Jobcentres;
- services and schemes provided for 18-24 and over 25's'
- young persons guarantee;
- the partnership offer;
- employer's offer;
- response to the economic situation;
- Halton Job Seeker's Allowance (JSA) Count for under 25's
- Halton JSA Count per ward; and
- breakdown of Halton's working age benefit recipients.

Arising from the presentation the Board asked the following questions:

- how were customers assessed to establish if basic skills training was required and who provided it?
- were there specific advisors who dealt with disabled people and specialised in work programmes for disabled people;

Strategic Director  
- Health and  
Community

Strategic Director  
- Health and  
Community

- how closely did JCP staff work with connexions and where the numbers of young people 16-18 increasing; and
- was support provided in terms of transport for customers?

In response the following was noted:

- advisors had been trained to identify whether basic skills training was required then the customer was given a test, following this depending on the result training would be arranged. Members requested that linkages be established in this process with the Council's specialist basic skills teams and staff in adult learning.
- there were trained disability advisors who offered various pathways to work programmes to disabled customers;
- a lot of work was carried out alongside Connexions and there was a dedicated Connexions advisor working with youngsters. Statistically the NEET figures were improving; and
- travel to interview schemes were in place and depending on individual situations travel support could be offered in order to help customers attend training and meetings with their advisors.

The Board discussed further issues around the need for Job Centre Plus (JCP) to reach further into the community and the importance of partnership working and engaging with local employers. The Board also considered the Future Jobs Fund and it was reported that the latest figures showed that there were now 255 people eligible for jobs from the Future Jobs Fund. Members were invited to visit the Job Centre Plus at any time they wished.

The Chairman thanked Colin and Sue for an informative presentation.

RESOLVED: That

- 1) The presentation be noted; and
- 2) Co-working be investigated with the Council's adult learning and basic skills team with the Job Centre Plus advisors.

The Board considered a report of the Strategic Director, Health and Community which provided information for the Mid-Year Monitoring Report for Voluntary Sector Core Funding in 2009/10.

It was reported that the Council had awarded eleven Core Grants in 2009/10 which were outlined in the report for information. It was noted that those organisations who were awarded over £5,000 were subject to a Service Level Agreement and had to provide quarterly monitoring. Those organisations who received under £5,000 provided six monthly performance monitoring information.

Appended to the report was the performance breakdown for the individual organisations for the period 1<sup>st</sup> April to 30<sup>th</sup> September 2009.

It was further noted that all but one organisation were forecast to meet expected targets and fulfil their Service Level Agreements. Cheshire Victims Support performance had dipped and a meeting had been scheduled in December 2009 to discuss the issue.

RESOLVED: That the report be noted.

#### ELS40 PUBLIC LIBRARY REVIEW

The Board received a presentation of the Strategic Director, Health and Community which required the Board to consider how the Council might wish to respond to the national review of public libraries.

It was reported that on 1<sup>st</sup> December 2009 the Culture Minister, Margaret Hodge launched a two month consultation seeking the views of a wide range of people on the future of public libraries. The consultation document took the form of 29 "think pieces" (short essays) from invited thinkers commentators and leaders in library services as well as individuals working in retail, digital media, education, publishing and local government on how to make libraries fit for the 21<sup>st</sup> century.

The five significant challenges to be addressed were set out in the report for information. In addition, appended to the report was a consultation paper which included 23 questions.

It was further noted that the paper and the questions

Strategic Director  
- Health and  
Community

had had a mixed review from the industry". There seemed little new information since the last review of libraries (Framework for the Future 10<sup>th</sup> February 2003) in which a vision for a national library service was set out. It was noted that it did not attempt to define any national standards which remained a weakness since the removal of the national performance indicators.

The Board was asked to consider the questions posed and recommend how, if at all, the authority could respond.

It was reported that a response from Merseyside was currently being drafted and Members agreed that a Merseyside response would be more beneficial. The Board also agreed that the library service should remain statutory to the Council.

Members were asked to forward any suggestions they had regarding questions from the survey to Howard Cockcroft by Thursday 21<sup>st</sup> January 2010.

RESOLVED: That

- (1) the Board recommend a Merseyside response to the Government's national consultation on the public library service be formulated; and
- (2) the Board forward any suggestions regarding the nature of the questions posed in the consultation paper to Howard Cockcroft by 21<sup>st</sup> January 2010.

ELS41 EMPLOYMENT LEARNING AND SKILLS PPB WORK PROGRAMME 2010/11

The Board considered a report of the Strategic Director, Environment which was the first step in developing a work programme of topics for the Board to examine in 2010/11.

It was reported that the key tasks for Board members were:

- to suggest and gather Topic ideas on issues relevant to the Board's remit;
- to develop and prioritise a shortlist of possible Topics for examination in 2010/11, bearing in mind the Council's

agreed selection criteria (Annex 1); and

- to decide on a work programme of 2 or 3 Topics to be undertaken in the next Municipal Year.

The Board was advised that prior to determining their preferred Topics, the Board may wish to take soundings from relevant Executive board portfolio holders, the SSP and other key partners. It was further noted that the Board would shortly be concluding a number of existing topics including "Barriers to Work" the planned topic on "Financial Inclusion" was yet to commence and it may be sensible to carry this over into 2010/11.

Arising from the discussion Members noted that in view of the economic downturn, a focus on the increase in un-employment after 2 years, and what the Council could do should be considered. The Board also discussed the forthcoming take over of Connexions and the possibility of a Topic Group could look at in terms of providing education and opportunities to young people.

Members were requested to send any suggestions to the Chairman by the 28<sup>th</sup> January 2010.

RESOLVED: That

(1) the Policy and Performance Board Members forward any Topic suggestions to the Chairman by 28<sup>th</sup> January 2010; and

(2) decide at its 8<sup>th</sup> March meeting on a work programme of 2 or 3 Topics to be examined in 2010/11.

#### ELS42 STANDING ORDER 51

The Board was reminded that Standing Order 51 of the Council's Constitution stated that meetings should not continue beyond 9.00 pm.

RESOLVED: That Standing Order 51 be waived for 15 minutes.

#### ELS43 LOCAL AREA AGREEMENT PERFORMANCE

The Board received a report of the Strategic Director, Corporate and Policy which provided information on the progress towards meeting Halton's Local Area Agreement (LAA) targets to September 2009.

It was reported that the revised LAA was signed off by the Secretary of State in June 2008. The LAA contained a set of measures and targets agreed between the Council, local partner agencies and government. There were 32 indicators within the LAA along with statutory and education and early years targets. The current Agreement covered the period April 2008 to March 2011.

It was noted that the LAA was refreshed in March 2009 following a review with Government Office North West. It was not expected that there would be many significant changes to the Agreement, excepting those areas affected by the downturn in the national economy, such as measures relating to the local economy and house-building. As a consequence of this the government had identified a list of indicators for which targets would be reviewed before the end of March 2010.

Appended to the report was information on progress to 2009/10 mid-year which included those indicators and targets that fell within the remit of the Policy and Performance Board.

It was reported that the Sustainable Community Strategy for Halton and the LAA contained within it was the main mechanism through which Government would performance manage local areas. It was therefore important that the Council monitor progress and that Members were satisfied that adequate plans were in place to ensure that the Council and its partners achieved the improvement targets that had been agreed.

RESOLVED: That the report be received.

#### ELS44 PERFORMANCE 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 first quarter were outlined in the report.

Members discussed the under-spend in the Local Strategic Partnership outcomes and it was noted that these were expected to even out as they were just becoming established. It was further reported that the possibility was being explored of a performance group that would sit below the Specialist Strategic Partnerships to look at the detail of outcomes and to ensure that targets initially set were being achieved. It was agreed that a report regarding this would be brought to a future meeting.

The Board noted their congratulations to Ditton and Grangeway Community Centres for receiving the most improved performer award.

RESOLVED: That the second quarter Performance Management Reports be received.

ELS45 MINUTES OF THE PERFORMANCE MONITORING GROUP

The Board considered the notes of the Employment, Learning and Skills Performance Group which outlined the monitoring processes and procedures. It was noted that Members had set out issues they had with the present arrangements and indicated the kind of features they would like to see in an improved system, details of which were outlined in the Minutes for information.

RESOLVED: That the notes of the Employment, Learning and Skills Performance Group be noted.

*Meeting ended at 9.15 p.m.*

**HEALTHY HALTON POLICY AND PERFORMANCE BOARD**

*At a meeting of the Healthy Halton Policy and Performance Board held on Tuesday, 12 January 2010 at Council Chamber, Runcorn Town Hall*

Present: Councillors E. Cargill (Chairman), J. Lowe (Vice-Chairman), Austin, Gilligan, Higginson, Lloyd Jones, Philbin, E. Ratcliffe, Swift and Mr P. Cooke

Apologies for Absence: Councillor Horabin and Wallace

Absence declared on Council business: None

Officers present: S. Wallace-Bonner, L. Derbyshire, M Holt, A. McNamara, A. Villiers and A. Williamson

Also in attendance: Councillor Gerrard, In accordance with Standing Order 33 Portfolio Holder Health and Social Care and 1 Member of the Public

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

	<i>Action</i>
HEA41 COUNCILLOR MRS SUE BLACKMORE	
The Board stood in silence as a mark of respect for the sad passing of Councillor Mrs Sue Blackmore.	
HEA42 MINUTES	
The Minutes of the meeting held 10 November 2009 having been printed and circulated were signed as a correct record.	
HEA43 PUBLIC QUESTION TIME	
The Board was advised that no public questions had been received.	
HEA44 EXECUTIVE BOARD MINUTES	
The Board considered the Minutes of the meetings of the Executive Board Sub Committee relevant to the Healthy Halton Policy and Performance Board.	
RESOLVED: That the minutes be noted.	

HEA45 SSP MINUTES

The Minutes of the meeting of the Halton Health Partnership Board from 17 September 2009 were submitted for information.

RESOLVED: That the Halton Health Partnership Board Minutes be noted.

*(NB: Councillor Lloyd Jones declared a Personal Interest in the following two items of business as her husband is a Non Executive Director of Halton and St Helens Primary Care Trust).*

HEA46 JOINT STRATEGIC NEEDS ASSESSMENT (JSNA) – HEALTH & WELLBEING

The Board considered a report of the Strategic Director, Health and Community which updated the Members on the Joint Strategic Needs Assessment (JSNA) document attached to the report at Appendix 1.

The Board was advised that the Director of Adult Social Services, Public Health and Children and Young People's (CYP) Services in every Local Authority and Primary Care Trust (PCT) had a statutory duty from April 2008 to work together to develop a JSNA for their area.

The Board was further advised that over the past few months, work had taken place with colleagues in the NHS Halton & St Helens, Commissioning Managers, colleagues within the Children & Young People's Directorate and the Resources Directorate to undertake the task.

The JSNA collated information regarding the current and future health and well being needs of the local population. It provided an opportunity to look into the future to establish plans for likely changes in needs. It represented one of the major influences in directing commissioning priorities and planning service development.

The following points arose from the discussion:-

- Members requested an update in respect of the action taken on dental health in the Borough;

In response, it was reported that this information would be circulated to all Members of the Board.

- In respect of Cancer screening and Widnes GP's

being given information about the number of people on their patient lists who had not benefited from cancer screening – clarity was sought on when Runcorn GP's would be sent this information; and

In response, it was reported that the timescale for the PCT to role this information out across the Borough would be circulated to Members of the Board.

- In respect of there not being an Acute Stroke Unit in Halton and the facility for scanning stroke victims in Warrington only being available from 9 am – 5 pm Monday to Friday, Members requested that Janet Dunne, Primary Care Trust (PCT) be invited to a future meeting of the Board to present an update on this matter.

Strategic Director  
– Health &  
Community

RESOLVED: That

- (1) the report and comments made be noted;
- (2) Janet Dunne (PCT) be invited to a future of the Board to update the Members on the situation regarding the Acute Stroke Unit.

*(NB: Councillor Higginson declared a Personal Interest in the following item of business and left the room during consideration of the item.)*

#### HEA47 PROGRESS IN RESPONDING TO THE OMBUDSMAN REPORT

The Board considered a report of the Strategic Director, Health and Community in response to a recommendation made in the joint Health Service and Local Government Ombudsman report regarding complaints made by Mencap on behalf of families of six people with learning disabilities who died between 2003-5 whilst in NHS or local authority care.

The Board was advised that in March 2009 the Health Service Ombudsman and Local Government Ombudsman published a joint report Six Lives: the provision of public services to people with learning disabilities, based on findings from their investigations in response to complaints brought by Mencap following publication of their report Death by Indifference (2007). This report outlined case studies of six people with learning disabilities who Mencap believed died unnecessarily as a result of receiving a lower

standard of healthcare than afforded to the general public and prompted the independent inquiry, chaired by Sir Jonathon Michael, into access to healthcare for people with learning disabilities. These findings were reported in Healthcare for All (DH 2008).

The Board was further advised that the national changes had given the authority the opportunity to review procedures and build on processes to further improve people's experience of the complaints system in Halton. Initiatives developed included:

- The introduction of a triage system to assess timely and proportionate action in response to complaints;
- Early personal contact to clarify the complaint, desired outcomes and to agree timescales for the investigation;
- Cross organisational cooperation to provide a coordinated response where appropriate;
- The development of best practice for investigations and resulting reports;
- Scrutiny of responses to complaints to assure quality;
- Monitoring of any resulting actions, to ensure compliance with recommended actions;
- Feedback system to measure satisfaction with how a complaint had been handled; and
- Reporting mechanisms to ensure learning from complaints was shared and used to develop improvements in services

In addition, Halton was also involved in developing ongoing improvements in complaints handling, including:-

- The Development of National Complaint Standards by the National Complaints Managers Group, commissioned by the Association of Adult Directors of Social Services (ADSS);
- The exploration, within the North West Complaints Managers Group, of alternative methods of complaint resolution (e.g. mediation); and

- Training programmes through these groups to improve the skills of those handling and investigating complaints.

Copies of the Ombudsman report were circulated at the meeting.

RESOLVED: That the report be noted.

HEA48 HEALTHY HALTON POLICY AND PERFORMANCE BOARD WORK PROGRAMME 2010/11

The Board considered a report of the Strategic Director, Health and Community which sought to develop a work programme of topics for the Board to examine in 2010/11.

The Board was advised that the Aids and Adaptations topic group was due to be completed in March 2010. The Employment and Disabled People Topic Group was currently ongoing and it was suggested and agreed that the Board establish a further topic group for 2010/11 – Dignity in Care. It was agreed that the Terms of Reference would identify specific areas to be reviewed.

The Board noted the possible implications of people opting out of care packages and discussed how this could be monitored in the future.

RESOLVED: That a Dignity in Care topic group be established as part of the 2010/11 work plan.

*(NB: Councillor Lloyd Jones declared a Personal Interest in the following item of business as her husband is a Non Executive Director of Halton and St Helens Primary Care Trust).*

HEA49 LOCAL DEMENTIA STRATEGY & DEMENTIA BUSINESS CASE

The Board considered a report of the Strategic Director, Health and Community which presented the local dementia strategy and business case, and clearly defined the key priorities within the local dementia strategy.

The Board was advised that the National Dementia Strategy – Living Well with dementia had been published in February 2009 and outlined 17 objectives designed to deliver on the three overarching aims:

- Improved public and professional awareness of

dementia;

- Early diagnosis and intervention; and
- High quality care and support.

The Board was further advised that the Joint Commissioning Strategy for dementia had been developed across Halton & St Helens to outline the current service position and identify gaps in provision that would be central to commissioning plans in the future.

In addition, it was reported that by improving the efficiency as described in the business case the authority would have a more planned approach to service delivery, which should result in a reduction in the financial resources required. This would be further enhanced by the completion of a service review and the redesign of the current Community Mental Health Team.

The Board noted the current level of people who had been diagnosed with dementia in Halton (1075) and the projected number for 2030 (1957). However, it was also noted that the Government had suggested that 35% of people with dementia had not been diagnosed, therefore the figure could be much higher.

The following points arose from the discussion:-

- The relationship between alcohol abuse and dementia was noted. It was suggested that the relationship between drug abuse and dementia be included in the strategy;
- The importance of early diagnosis was noted; and
- The challenges in respect of resources and training requirements to implement the strategy was noted. It was reported that joint funding had been identified and some of the services would be re-designed and funding re-invested to ensure a more effective and efficient service was delivered in the community.

RESOLVED: That the report and comments made be noted.

#### HEA50 LOCAL AREA AGREEMENT

The Board considered a report of the Strategic Director, Corporate and Policy which provided information

on the progress towards meeting Halton's Local Area Agreements (LAA's) targets to September 2009.

The Board was advised that Appendix 1 to the report outlined the progress to the 2009 – 10 mid-year which included those indicators and targets that fell within the remit of the Board.

The Board was further advised that in considering the report Members needed to be aware that:-

- All of the measures within the National Indicator Set were monitored through Quarterly Departmental Service Plan Monitoring Reports. The purpose of the report was to consolidate information on all measures and targets relevant to the PPB in order to provide a clear picture of progress; and
- In some cases outturn data could not be made available at the mid-year point and there were also some Place Survey based indicators for which information would not become available until 2010 i.e. the next date the survey was due to be undertaken

In respect of NI 120 – All age all cause mortality – The Board agreed that Fiona Johnstone, Director of Public Health be invited to a future meeting of the Board to give the Board an update on this matter.

RESOLVED: That

- (1) the report and comments made be noted; and
- (2) the Director of Public Health be invited to a future meeting to give an update on NI 120 - mortality rates in the Borough.

Strategic Director  
- Health &  
Community

#### HEA51 PERFORMANCE MONITORING REPORTS

The Board considered a report of the Strategic Director, Corporate and Policy regarding the Second Quarter Monitoring Reports for:

- Older People and Physical and Sensory Impairment Services;
- Adults of a working age; and

- Health and Partnerships.

The following points/comments arose from the discussion:-

- NI 133 – Timeless of Social Care packages – the reasons for this target not expected to be achieved was noted. However, the overall target for the Directorate would be met;
- Page 198 - The Capital Budget as at 30 September 2009, it was suggested that an additional column be added outlining what funding had been committed;

In response, it was reported that consideration would be given to the suggestion.

- Page 217 – NI 39 – The PCT had secured the support of the Regional Alcohol Improvement Programme who have now re-branded as 'Drink Wise North West' and who are funded by the Department of Health, They have agreed to .....  
- the sentence needed to be completed; and

In response, it was reported that this information would be circulated to all Members of the Board.

- The success of the intergenerational events were noted.

RESOLVED: That the report and comments made be noted.

Strategic Director  
– Health &  
Community

*Meeting ended at 7.45 p.m.*

**SAFER HALTON POLICY AND PERFORMANCE BOARD**

*At a meeting of the Safer Halton Policy and Performance Board on Tuesday, 19 January 2010 at the Council Chamber, Runcorn Town Hall*

Present: Councillors Osborne (Chairman), Stockton (Vice-Chairman), M. Bradshaw, Lloyd Jones, Morley, M. Ratcliffe, Redhead, Rowan, Shepherd and Thompson

Apologies for Absence: Councillor Edge

Absence declared on Council business: None

Officers present: M. Andrews, S. Baxter, S. Burrows, H. Cockcroft, L. Derbyshire, S. Eastwood, R. Mackenzie, A. Villiers and P. Watts

Also in attendance: None

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

	<i>Action</i>
SAF32 MINUTES	
The Minutes of the meeting held on 17 November 2009 were taken as read and signed as a correct record.	
SAF33 PUBLIC QUESTION TIME	
The Board was advised that no questions had been submitted.	
SAF34 SSP MINUTES	
The minutes from the Safer Halton Partnership (SHP) meeting held on Tuesday, 12 September 2009 were presented to the Board for information.	
RESOLVED: That the minutes be noted.	
SAF35 MINUTES OF THE WORKING GROUPS	
The Board received the Safer Community Working Party minutes of its 1 December 2009 meeting for information.	

It was reported that Rosie Lyden, The Domestic Abuse Co-ordinator was now in post and currently reviewing what was being done in Halton and looking at the service gaps.

Members were thanked for their attendance and contributions to the Working Group to date.

RESOLVED: That the minutes be noted.

#### SAF36 PERFORMANCE MONITORING REPORTS

The Board received a report from the Chief Executive on the Performance Management Reports for Quarter 2, 2009/10.

Members were requested to consider and raise any questions or points of clarification in respect of the 2nd quarter performance management reports on progress against service plan objectives and performance targets, performance trends/comparisons, factors affecting the services etc. for:-

- Health & Partnerships;
- Highways & Transportation;
- Environmental & Regulatory Services; and
- Culture & Leisure.

The following points arose from the discussion:-

- It was noted that there were some errors in the performance monitoring reports in that some areas that had been highlighted as within the remit of the Board were not and vice versa. Members requested that Officers ensure that information within the remit of the Board be accurately and clearly identified in future reports;
- It was noted that it was too early to assess the implications of budget restraints on Directorates;
- It was noted that due to the timing of committee cycles there was a considerable time-lag between the completion of the reports and their consideration by the Board. The Members asked that a letter be sent to the Chief Executive requesting that the Board receive up to date performance monitoring reports whenever possible and wherever this was not possible the Board receive a summary of the current performance;

- The Board discussed the issues and financial implications in relation to the replacement of a wheelie bin. It was agreed that the Board request that the Budget Working Group re-consider the decision not to establish the facility to charge for a replacement bin as an ultimate sanction.

RESOLVED: That

- (1) the report and comments made be noted;
- (2) a letter be sent to the Chief Executive requesting that the Board receive up to date performance monitoring reports whenever possible and wherever this was not possible the Board receive a summary of the current performance;
- (3) information that was relevant to the Board on future performance reports be accurately and clearly highlighted; and
- (4) the Board request that the Budget Working Group reconsider their decision not to introduce the facility to charge for a replacement wheelie bin as an ultimate sanction.

Strategic Director  
– Health and  
Community

#### SAF37 LOCAL AREA AGREEMENT

The Board considered a report of the Strategic Director, Corporate and Policy which provided information on the progress towards meeting Halton's Local Area Agreement's (LAA's) targets to September 2009.

The Board was advised that Appendix 1 to the report outlined the progress to the 2009 – 10 mid-year which included those indicators and targets that fell within the remit of the Policy and Performance Board.

The Board was further advised that in considering the report Members needed to be aware that:-

- A of the measures within the National Indicator Set were monitored through Quarterly Departmental Service Plan Monitoring Reports. The purpose of the report was to consolidate information on all measures and targets relevant to the PPB in order to provide a clear picture of progress; and
- In some cases outturn data could not be made

available at the mid-year point and there were also some Place Survey based indicators for which information would not become available until 2010 i.e. the next date the survey was due to be undertaken.

During the debate clarity was sought in respect of the actions reported in the commentary on NI 7, namely that volunteers were being trained to become Crime Prevention experts within the community and to carry out crime prevention assessments, give support and refer into the Safer Homes Partnership.

In response it was reported that this was a Cheshire Police initiative who were training volunteers to become champions in the community and would give advice on such things as safety in the home, which it was hoped would help to reduce crime. The Board requested that a report on this initiative be presented to the next meeting.

RESOLVED: That

- (1) the report and comments made be noted; and
- (2) the Board receive an update report on the Cheshire Police Initiative on Crime Prevention Champions in the Borough.

Strategic Director  
– Health &  
Community

#### SAF38 PRESENTATION: DRUG TREATMENT PLAN

The Board received a presentation from Steve Eastwood, Health and Community on the development of a Drug Treatment Plan for submission to the National Treatment Agency.

The presentation:-

- Outlined the timetable for the Treatment Plan;
- Explained the NTA approach to Needs Assessment;
- Highlighted what an assessment sought to identify;
- Outlined the stakeholders involved in developing The Treatment Plan 2010/11;
- Set out the data resources that had been utilised;

- Outlined the achievements against 09/10 strategic priorities;
- Highlighted the findings of a profile of service users at Ashley House and services users and carers;
- Detailed Halton's Recovery Oriented Integrated System; and
- Set out the findings in respect of the Treatment System at Ashley House and the strategic priorities for 2010/11.

The following points arose from the discussion:-

- the Members of the Board congratulated the staff at Ashley House for the excellent work that had been undertaken to date;
- The year on year improvements in respect of the service provision in Ashley House and the excellent support individuals received was noted;
- It was reported that if any Member wished to visit Ashley House they could contact Steve Eastwood;
- The challenges in respect of the number of community pharmacies offering observed consumption and/or needle exchange and the progress made to date was noted;
- The issue of alcohol abuse in Halton and the associated affect it had on drug abuse was noted;
- The joint initiatives that had taken place in the community to reduce drug and alcohol abuse in Halton was noted;
- The challenges in respect of receiving information on offenders released from prison early was noted. It was also noted that work was being undertaken with the Probation Service to address this issue and wherever possible an Integrated Offender Management Plan was established;

- It was suggested that the major issue in Halton was alcohol abuse; and
- It was requested that a copy of the presentation be circulated to all Members of the Board.

RESOLVED: That

- (1) the presentation and comments made be noted;
- (2) Steve Eastwood be thanked for his informative presentation;
- (3) A letter be sent on behalf of the Board to the staff at Ashley House for the excellent work that had been undertaken to date; and
- (4) The presentation be circulated to all Members of the Board.

Strategic Director  
– Health and  
Community

#### SAF39 PRESENTATION: FOOD SAFETY IN HALTON

The Board considered a report of the Strategic Director, Environment which gave Members an update on the work of the Food Safety and Standards Team.

The Board was advised that the Food Safety and Standards Service within the Environment and Regulatory Services Department was responsible for enforcing food safety and standards legislation in the borough's 1062 plus food premises. These included large manufacturers, restaurants, café's, canteens, public houses, takeaways, schools and other public buildings. The overall objective of the service was to ensure compliance with food law and thereby prevent incidents of food borne illness and ensure food complied with compositional and labelling standards. The work of the team was monitored by the Food Standards Agency a non-ministerial Government body who set statutory service standards.

The Board was further advised that the Service used a variety of interventions to monitor and control the standards of food safety in food premises. The most common intervention was to carry out a full inspection. However, other interventions may include sampling and analysis of food stuffs and advisory visits.

In addition, each year the food service carried out

approximately 950 interventions in food businesses. Some higher risk businesses would receive more than one intervention in a year as full inspections at higher risk premises were frequently supplemented with regular monitoring visits. In total 574 full inspections were carried out in 2008-2009.

The Board also received a presentation from Mr Stephen Burrows, Environmental Health which:-

- Outlined the role of the Environmental Health Food Safety and Standards Team in respect of food hygiene – safety of food, hygiene of premises, food standards – composition, labelling and marketing of food and infectious disease control;
- Gave details Halton's Food Businesses;
- Explained and showed photos of the teams key functions in respect of inspections, complaint investigation, food sampling, training, advice and guidance and food alerts;
- Set out and explained the percentages in Halton in respect of National Indicator NI 184 – the percentage of premises compliant with food law;
- Outlined the enforcement challenges and enforcement action that had been taken in the last five years;
- Gave details of collaboration that had taken place with other agencies to address these matters; and
- Set out future opportunities.

The following points arose from the discussion:-

- the extensive work the team undertook to ensure food safety and standards in the Borough was noted. The Board also took the opportunity to congratulate the team for the excellent work they had undertaken in the Borough to date;
- it was noted that there were five people in the team, one for food standards and four undertaking food safety duties;
- the increase in the number of people having food delivered to the home was noted;

- the difficulties and challenges in identifying and communicating with long distance landlords of properties of food outlets was noted. The difficulties incurred by the high business and management turnover of the take away food sector was also noted;
- it was noted that the Authority had achieved 90% in categories A, B and C in respect of food safety in the Borough;
- clarity was sought on the amount of the fine from a prosecution; and

In response, it was reported that this information would be circulated to Members of the Board.

- It was suggested that the Board receive a presentation at a future meeting on the role of the Health and Safety Team.

RESOLVED: That

- (1) the report and comments made be noted;
- (2) the Food Service initiatives to improve the quality of food sold in the Borough and to combat obesity by making it easier for consumers to make healthy choices be supported;
- (3) the transition to the national 'scores on the doors' scheme be supported;
- (4) that the Board receive a presentation at a future meeting on the role of the Health and Safety Team;
- (5) Mr Stephen Burrows be thanked for his informative presentation; and
- (6) The Board congratulate the Environmental Health – Food Safety and Standards Team for the excellent work that had been undertaken to date in the Borough.

Strategic Director  
- Environment

SAF40 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT  
2006 INTRODUCTION OF DOG CONTROL ORDERS

The Board considered a report of the Strategic

Director, Environment which advised that the Clean Neighbourhoods and Environment Act 2005 had brought in new powers for local authorities to be able to deal with problems associated with irresponsible dog ownership. Dog Control Orders replaced the previous system of byelaws for the control of dogs as well as the Dogs (Fouling of Land) Act 1996, the powers of which were repealed upon adoption of dog control orders. These powers enabled local authorities to deal with the minority of irresponsible dog owners.

The Board was further advised of the progress in determining the nature and extent of orders to be declared and the result of internal and external consultations.

The following points arose from the discussion:-

- It was suggested that the allotments could be better addressed via the tenancy agreement rather than via a Dog Control Order;
- It was highlighted that one of the greatest risk for young people was from dog faeces on playing fields and that dogs should be excluded from these areas and that this be included in the schedule;
- It was highlighted that the report listed all children's playgrounds etc, and that not all playing fields in the Borough were designated play areas and some were not fenced off. It was suggested that consideration be given to excluding dogs from these areas;
- It was reported that there were areas such as Palacefield's Ball Park that were on one schedule (Dog on a lead) and not on another and it was highlighted that a ball park was a children's leisure facility and it was hoped that dogs would be excluded from such areas. It was requested that the legal department look at the risk particularly to young people from dog faeces and adjust some of the schedules accordingly.

In response, it was reported that all comments would be considered and the schedule would be reviewed in twelve months time. In addition, legal advice would be sought if anything could be added to the schedule at this present time without going out to further consultation.

- It was suggested that a charge for dog licences

should be re-introduced; and

- It was noted that restrictions signs would be placed in Dog Control Order areas.

In conclusion, the Chairman reported that it would be Stuart Baxter's last meeting before he retired from the Authority in March 2010 after 36 years service. He took the opportunity to thank Mr Baxter for all the support he had given to Members during his time with Halton Borough Council.

RESOLVED: That

- (1) The move towards the implementation of dog control orders for:-

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

be supported;

- (2) the Boards comments in respect of these matters outlined above be forwarded to the Executive Board Sub Committee for consideration; and
- (3) the Board place on record their thanks to Stuart Baxter and extend their best wishes to him for the future.

*(Note :Councillors M Ratcliffe and Redhead, left the meeting at the end of this item).*

#### SAF41 WORK PROGRAMME 2010/11

The Board considered a report of the Strategic Director, Health and Community which sought to develop a work programme of Topics for the Board to examine in 2010/11.

After discussion, the Board agreed the following Work Programme for 2010/11:-

Strategic Director  
- Environment

- Alcohol and its Influences (to include Anti Social Behaviour, Domestic Violence and Crime) – Lead Councillor - Councillor Stockton
- The Bereavement Working Party in respect of ongoing issues in relation to future land acquisition Lead Councillor – Councillor Morley;
- Waste (to include Recycling, Enforcement and Litter) currently looking at the Waste and Recycling Plans – Lead Councillor - Councillor Thomson
- Smoking (to include Trading Standards, Issues relating to cold calling, loan sharks, bogus calling and No Smoking Enforcement) – Lead Councillors - Councillors Morley and Thomson; and
- Noise Nuisance (to include Air Pollution and Smell Pollution) to specifically look at noise from traffic i.e. the new bridge – Lead Councillor - Councillor Osborne.

RESOLVED: That the work programme for 2010/11, as set out above be approved.

SAF42 SAFETY OF FOOTPATHS IN THE BOROUGH

The Chairman, advised the Board that the Chief Executive had requested this item be considered by the Urban Renewal Policy and Performance Board and a subsequent report may be submitted.

Strategic Director  
– Health &  
Community

*Meeting ended at 8.40 p.m.*

This page is intentionally left blank

## URBAN RENEWAL POLICY AND PERFORMANCE BOARD

*At a meeting of the Urban Renewal Policy and Performance Board held on Wednesday, 6 January 2010 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Hignett (Chairman), Morley (Vice-Chairman), Balmer, P. Blackmore, E. Cargill, Hodgkinson, Leadbetter, Nolan and Rowe

Apologies for Absence: Councillor Murray

Absence declared on Council business: None

Officers present: D. Sutton, M. Noone, C. Halpin, R. Mackenzie and P. Wright

Also in attendance: Councillor Polhill (in accordance with Standing Order No. 33)

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

#### *Action*

The Chair asked for a statement on the effects of the winter weather on the Borough's highways. It was agreed that a full report be brought to the next meeting of the Board

Strategic Director,  
Environment

#### URB41 MINUTES

The minutes of the meeting held on 25<sup>th</sup> November 2009 having been printed and circulated were signed as a correct record.

#### URB42 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

#### URB43 EXECUTIVE BOARD MINUTES

The Board considered the Minutes of the meetings of the Executive Board, Executive Board Sub Committee, 3MG Executive Sub-Board and Mersey Gateway Executive Board.

RESOLVED: That the Minutes be noted.

#### URB44 SSP MINUTES

The last meeting of the Urban Renewal SSP was on 7<sup>th</sup> November 2009. However, these minutes would not be approved as a correct record until the next meeting of the SSP, therefore were no minutes to consider at present.

#### URB45 LOCAL AREA AGREEMENT PERFORMANCE REPORT

The Board considered a report of the Strategic Director, Corporate and Policy which provided information on the progress towards meeting Halton Local Area Agreement (LAA) targets to September 2009.

It was noted that the revised LAA was signed off by the Secretary of State in June 2008. The LAA contained a set of measures and targets agreed between the Council, local partner agencies and the Government. There were 32 indicators within the LAA, along with statutory and education and early years targets. The current Agreement covered the period April 2008 to March 2011.

It was further noted that the Agreement had been refreshed in March 2009 following a review of Government Office North West. It was not expected that there would be many significant changes to the Agreement, except those areas affected by the downturn in the national economy. Of this the Government had identified a list of factors for which targets would be reviewed before the end of March 2010.

The Board was advised that attached as Appendix 1 was a report on progress to the 2009-10 mid years which included those indicators and targets that fell within the remit of the Board.

Arising from the discussion reference was made to how the full impact of the recession on housing development would impact on targets within the LAA and other key documents such as the Core Strategy and it was noted that this was expected to be addressed through the review process.

RESOLVED: That the report be noted.

*(NB: Councillor Hignett declared a personal interest in the following item of business due to him being employed by CIC (Community Integrated Care)).*

#### URB46 QUARTERLY MONITORING REPORTS

The Board received a report of the Chief Executive

which detailed the 2<sup>nd</sup> quarter performance management report on progress against service plan objectives and performance targets, performance trends/comparisons and factors affecting the services for:

- Highways Transportation and Logistics;
- Environment and Regulatory Services;
- Health and Partnerships;
- Culture and Leisure;
- Economic Regeneration; and
- Major Projects.

RESOLVED: That the 2<sup>nd</sup> quarter monitoring report be noted.

URB47 SUGGESTED IMPROVEMENTS TO VICTORIA ROAD, WIDNES

This item was deferred.

URB48 APSE PERFORMANCE NETWORKS YEAR 11 (2008/9) ANNUAL REPORT (PARKS, OPEN SPACES, HORTICULTURAL SERVICES)

The Board considered a report of the Strategic Director, Environment which demonstrated how the Landscape Services Division and The Parks and Countryside Service performed during Year 11 of the APSE Performance Network's Benchmarking process in relation to Parks, Open Spaces and Horticultural Services.

It was noted that the Association for Public Sector Excellence (APSE) was the UK's largest benchmarking club. Benchmarking was carried out through APSE Performance Networks using criteria that was deemed to be consistent and reliable by the Audit Commission.

The Board was advised that the Landscape Services Division joined the APSE Performance Networks Benchmarking group in year 2 of its existence (2000/1). Since that time the Division had submitted data, which had been used to compare its performance against other Local authorities. From year 8 data had also been gathered from the Parks and Countryside Service and submitted to APSE.

It was further noted that Council's were grouped into Families so that they could be compared on a more equal basis. Halton currently sat in Family Group H2/3.

The year 11 (2008/9) data was submitted to APSE in July 2009. Following a validation process a report was received by the Divisional Manager for Landscape Services in November 2009.

The Board was further advised that based on the year 11 data submitted which demonstrated an overall improvement, Halton was nominated for 'Best Performing Council' and 'Most Improved Performer' in relation to its delivery of Parks, Open Spaces and Horticultural Services. It was a finalist in both categories having previously been a winner for Most Improved Performer in 2007 and in 2008.

The report further set out how Halton's Landscape Services had compared with other local authorities in year 11.

The Board expressed its congratulations to the team for their hard work.

RESOLVED: That The APSE Performance Networks report be accepted.

#### URB49 SERVICE PLANS 2010-13

The Board was advised that at its meeting on 25<sup>th</sup> November 2009 Members received presentations from Operational Directors which set out the key issues and challenges for their Department's services over the coming three years. The details of these presentations had subsequently been circulated to Members of the Board in December 2009 to enable more detailed consideration of the matters presented.

Arising from Members comments and questions the following was noted:

- more detailed information on specific areas of interest could be requested from Officers;
- the difficulties new housing developments were having with surface water management and how these and other issues were being looked by the surface water management plan;
- the implications of the Gullicksen report on registered social landlords and how this could on impact the Council. It was requested that a further report be submitted to the Board.

RESOLVED: That

Strategic Director,

Environment

- (1) the views of the Board be considered through the service planning process; and
- (2) a report be submitted to a future meeting in relation to the Gullicksen rule.

URB50 PPB WORK PROGRAMME 2010/11

The Board considered a report from the Strategic Director, Environment regarding the work programme for 2010/11 regarding possible topics for inclusion in the next Municipal Year.

Arising from the discussion two topics were highlighted for inclusion in the 2010/11 work programme, Town Centres and Delinking of the Silver Jubilee Bridge. It was further agreed an update report on the effectiveness of Town Centre advertising 'rotunda' posts be submitted to a future meeting

RESOLVED: That

- (1) the suggestions made be noted, but only the Town Centres and (if appropriate) the Delinking of the Silver Jubilee Bridge topics be actioned;
- (2) terms of reference be submitted to the next meeting of the Board; and
- (3) an update report on the effectiveness of Town Centre advertising 'rotunda' posts be submitted to a future meeting

Strategic Director,  
Environment

URB51 REVISION TO DFT'S SPEED LIMIT CIRCULAR: CALL FOR COMMENTS

The Board received a report of the Strategic Director, Environment which informed Members of the DfT's proposals to revise its speed limits circular and to seek the Board's comments on the proposals.

The Board was advised that in December 2009, the Department for Transport (DfT) wrote to Highway Authorities, Road Safety Partnerships and Road Safety organisations seeking their views on proposed changes to its speed limit circular. The changes were focused on the advice relating to 20 mph zones and speed limits and on rural A and B single carriageway roads.

The Board was advised of the benefits of 20 mph speed limits in residential areas could potentially bring, particularly with regard to road safety, vehicle emissions and quality of life were noted. The Executive Board Member for Planning, Transportation, Regeneration and Renewal in consultation with the Chairman had requested that the Board consider the DfT's proposals. This was to enable a view to be developed on the future implementation of 20 mph zones and limits within the Borough. It was noted that these proposals would have resource implications, which would have to be considered in the development of any new policy.

Arising from Members comments and questions the following was noted:

- that repeater signs would be beneficial for estates/roads with blanket 20mph zones;
- that there was a need for greater discretion for Councils' in locations and types of signs;
- that there were currently problems with enforcement by the police, but, it had been shown that traffic did reduce in speed in 20mph zones even without enforcement;
- that if an area had 20mph signs it meant that a traffic regulation order had been made and therefore these areas were enforceable; and
- that 20mph zones around schools would be beneficial.

RESOLVED: That

- (1) the comments made by the Board be submitted to DfT by 5 February 2010; and
- (2) the 20mph speed limit traffic order for Castlefields Avenue South, next to St Mary's school be checked.

Strategic Director,  
Environment

*Meeting ended at 7.10 p.m.*

**BUSINESS EFFICIENCY BOARD**

*At a meeting of the Business Efficiency Board held on Wednesday, 20 January 2010 at the Civic Suite, Town Hall, Runcorn*

Present: Councillors Leadbetter (Chairman), Lloyd Jones (Vice-Chairman), D. Inch, Jones, A. Lowe, Osborne, Swift and Worrall

Apologies for Absence: Councillors Murray, Norddahl and Philbin

Absence declared on Council business: None

Officers present: I. Leivesley, M. Murphy, C. Halpin and B. Dodd

Also in attendance: None

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

*Action*

**BEB19 COUNCILLOR SUE BLACKMORE**

The Chairman reported on the sad passing of Councillor Mrs Sue Blackmore. As a mark of respect, all present stood for one minutes silence.

**BEB20 MINUTES**

The minutes of the meeting held on 11 November 2009 having been printed and circulated were agreed as a correct record.

**BEB21 INTERNATIONAL FINANCIAL REPORTING STANDARDS**

The Board received a report of the Operational Director, Financial Services which provided the Board with an overview of the requirements and implications for the Council arising from the implementation of International Financial Reporting Standards (IFRS), including a summary implementation plan.

The Board was advised that the Council would be required to prepare its statutory Statement of Accounts (The Abstract) for the year ending the 31<sup>st</sup> March 2011, on the basis of IFRS in compliance with the IFRS Accounting Code

of Practice (IFRS Code).

The Board was further advised that in order to prepare the 2010/11 year end accounts on this basis, it would be necessary to restate the 2009/10 accounts in order to provide comparative figures and also to restate the 2008/9 balance sheet to provide the opening balances.

It was noted that, in addition, it would be necessary to review a number of the Council's systems to ensure they were able to provide adequate financial and non-financial information to meet the requirements of IFRS.

It was further noted that the implications of compliance with IFRS were wide-ranging, both financial and non-financial, and would affect all areas of the Council, not just Finance. In order to assess the implications for the Council, an IFRS specialist had been commissioned to undertake a Baseline Review of the Council's current practices and to compare these with the requirements of IFRS. They had provided a Summary Implementation Plan to assist the Council in bringing about the necessary changes to ensure compliance with the Code.

The Board was provided with the Summary Implementation Plan and it was noted that a Detailed Implementation Plan was currently being developed which would provide the detailed tasks, responsibilities and timescales required in order to achieve each of the Key Actions set out in the Summary Plan.

It was noted that a Cross-Directorate IFRS Working Group had been established chaired by the Chief Accountant, in order to oversee the transition to IFRS and to take forward the key actions set out in the Implementation Plan. The Group had an important role to play in addressing the actions required in respect of leases, employee benefits, information disclosures, property, plant and equipment.

The Board was further advised that the implementation project would be monitored by the IFRS Working Group using key milestones and targets included within the Detailed Implementation Plan. Progress reports would be presented to the Board at appropriate times throughout the implementation period.

Arising from Member's comments and questions the following was noted:

- that where there may be changes to the bottom line

finances of the Council, these were expected to be mitigated by the introduction of new regulations by the Government, although it was unclear how effective this would be in practice at present; and

- that in relation to employee benefits that would need to be calculated in the future, it was noted that changing the start date of leave to a different system than the current one would cause more difficulties in calculating and allocating costs to untaken and flexi leave.

RESOLVED: That

- (1) the report be noted; and
- (2) progress reports be presented at appropriate times throughout the IFRS implementation period.

#### BEB22 EFFICIENCY PROGRAMME UPDATE

The Board received a report of the Strategic Director, Corporate and Policy which informed Members of progress made to date with the Efficiency Programme.

The Board was advised that the Efficiency Programme was designed to improve the effectiveness of services across the Authority and reduce costs associated with service delivery.

The Board was given a general overview of the Efficiency Programme including workstreams currently underway as part of Wave 1 of the programme for:

- Management Structures
- Transactional Support Services
- Non-Transactional Support Services
- Service Delivery Option (Pilot – Open Spaces)
- Customer and ICT improvement
- Property

The Board was further advised of the progress made to date on the Wave 2 workstreams.

Arising from Members comments and questions the following was noted:

- that there were concerns about the loss of expertise across the Council due to Officers retiring early through the Programme. In response it was noted that a detailed individual assessment of impacts was

undertaken and that every effort would be made to disseminate knowledge before staff left; and

- that there was a number of outstanding equal pay claims, some of which were expected to be settled in the near future and job evaluation appeals were on target to be completed by the end of March. After which an update report would be submitted to future meeting of the Board

RESOLVED: That the report be noted.

BEB23 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.

BEB24 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 2009.

The report set out the Internal Audit reports finalised since the last progress report, key issues and recommendations arising from the audits completed and the results of the work undertaken following up the implementation of previous Internal Audit recommendations.

Arising from Members comments regarding pre-employment checks, it was noted that a future audit report would provide an update on progress made in this respect and that a report would be submitted to the Safer Halton Policy and Performance Board addressing the safeguarding issues raised.

RESOLVED: That

- (1) the Internal Audit work completed in the quarter be noted; and
- (2) a report would be submitted to the Safer Halton Policy and Performance Board on pre-employment checks.

Strategic Director,  
Corporate and  
Policy

*Meeting ended at 8.00 p.m.*

This page is intentionally left blank

**APPOINTMENTS COMMITTEE**

*At a meeting of the Appointments Committee held on Thursday, 29 October 2009 at the Marketing Suite, Municipal Building*

Present: Councillors McDermott, Gilligan, Murray, Polhill, Wharton and Hodgkinson

Apologies for Absence: Councillor Redhead

Absence declared on Council business: None

Officers present: None

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

	<i>Action</i>
<p>APC3 MINUTES</p> <p>The minutes of the meeting held on 21 September 2009, having been printed and circulated, were taken as read and agreed as a correct record.</p>	
<p>APC4 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985</p> <p>The Committee considered:</p> <p>(1) whether members of the press and public should be excluded from the meeting of the Committee 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</p> <p>(2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public</p>	

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

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

#### APC5 MANAGEMENT STRUCTURES

Members were reminded that, the Council's Efficiency Programme, had the objective of achieving savings of between £6-8 million every year for the next three years. One of the streams of work within that programme was a reduction in the number of management posts within the authority to realise sustained revenue savings. The report outlined proposals for the retention of four Directorates but with a reduction of four Operational Director posts.

The Staffing Protocol, agreed on 21 September 2009 by the Appointments Committee, outlined the procedures that would be used to manage the transition to the new structure and would ensure that the handling of assimilation, ring-fencing, re-deployment and competition for posts from 'At Risk' candidates was consistent, transparent and best protected the Council from claims for unfair selection for redundancy or unfair dismissal.

Attached to the report were the details of the proposed revised management structures. The appointment to posts at Operational Director level, where existing Operational Directors' roles remained largely unchanged and in line with their generic job descriptions, would be by assimilation to the new structure. Any new posts, which were comprised of merged posts, would be advertised in accordance with the recruitment process referred to in the Staffing Protocol and ring fenced to current Operational Director and Divisional Manager level post holders.

RESOLVED: That

- (1) the transition arrangements to the new structures be approved;
- (2) the Chief Executive, in consultation with the Corporate Services Portfolio Holder and the relevant Portfolio Holder, and following consultation with Members of the Appointments Committee, be authorised to make appointments to the vacant Operational Director positions from within the internal ring fence; and
- (3) delegated authority be given to the Chief Executive, in consultation with the Executive Board Member for Corporate Services, to resolve any redundancy/voluntary early retirement situations that arise as a result of the revised management structures, in accordance with the Staffing Protocol.

*Meeting ended at 4.00 p.m.*

This page is intentionally left blank

**APPOINTMENTS COMMITTEE**

*At a meeting of the Appointments Committee held on Thursday, 10 December 2009 at the Marketing Suite, Municipal Building*

Present: Councillors McDermott (Chairman), Gilligan, Murray, Polhill, Redhead and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: D. Parr, H. Jones and D. Tregoe

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

APC6	SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	<i>Action</i>
	The Committee considered:	
	<p>(1) whether members of the press and public should be excluded from the meeting of the Committee 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 2 of Schedule 12A of the Local Government Act 1972; and</p> <p>(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.</p>	
	RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption	

outweighed the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 2 of Schedule 12A of the Local Government Act 1972.

APC7 APPOINTMENT TO OPERATIONAL DIRECTOR POST

The Committee interviewed two candidates for the post and –

RESOLVED: That Mr Wesley Rourke be appointed Operational Director - Employment, Economic Regeneration and Business Development on the terms and conditions agreed by the Committee with effect from 1 April 2010.

*Meeting ended at 6.05 p.m.*

**DEVELOPMENT CONTROL COMMITTEE**

*At a meeting of the Development Control Committee on Monday, 7 December 2009 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, J. Bradshaw, Hignett, Hodgkinson, Leadbetter, Morley, Osborne and Polhill

Absence declared on Council business: None

Officers present: P. Watts, A. Cross, A. Pannell, A. Plant, A. Scott, J. Tully and R. Wakefield

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

*Action*

DEV46 COUNCILLOR SUE BLACKMORE

The Chairman, Councillor Paul Nolan, informed the Members of the Committee of the very sad news that Councillor Sue Blackmore had died earlier that day. On behalf of himself and all the Members of the Committee he wished to pass on their condolences to her family.

As a mark of respect, all present stood for a minute's silence.

DEV47 MINUTES

The Minutes of the meeting held on 12 October 2009, having been printed and circulated, were taken as read and signed as a correct record.

DEV48 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

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

DEV49 09/00404/OUT - OUTLINE APPLICATION (WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE

MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT UP TO 5 NO. DWELLINGS ON LAND TO REAR OF 8 MOUGHLAND LANE, RUNCORN

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

The Committee were advised that in addition to the twenty-three separate representations referred to in the report, an additional four letters of objection had been received since the report was written and printed. Local residents had raised a number of concerns with the proposals, the details of which were listed in the report.

Local resident, Mrs Shone and Ward Councillor C Rowe both addressed the Committee expressing the views of local residents.

RESOLVED: That the application be deferred for a site visit and be brought to the next meeting of the Committee in January 2010.

DEV50 09/00446/FUL - PROPOSED CONSTRUCTION OF A CONTROL KIOSK, PRESSURE RELIEF COLUMN, BOLLARDS AND TEMPORARY CONSTRUCTION ACCESS JUNCTIONS AS PART OF A LARGER SEWER UPGRADE SCHEME TO REMOVE PROPERTIES FROM THE DG5 FLOODING REGISTER AT BIRCHFIELD SPORTS AND SOCIAL CLUB, WIDNES

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

The Committee were advised that Sport England had been consulted and had no objection subject to a condition for the restoration and reinstatement of the playing field following the cessation of the works. In addition, three representations had been received relating to a number of issues including car parking and the permanent reduction in parking at the site, the impact on the sports club through disruption, the unsightly nature of the works and the need for removal or pruning of trees.

The Committee heard representations from Mr Highton (Planning consultant representing Birchfield Sports and Social Club), Mathew Buckley (Environmental Planner for United Utilities) and Ward Councillor David Findon, representing the concerns of the local residents.

RESOLVED: That

(1) the application be approved subject to the following conditions:

1. Standard time limit on commencement;
2. Condition specifying the temporary time period for the access and car parking area;
3. Highways condition for the reinstatement of the footway on Birchfield Road;
4. Condition for reinstatement of fencing on Birchfield Road (BE22);
5. Condition for the restoration and reinstatement of the temporary car parking area and compound and working area (GE12);
6. Conditions for landscaping and replacement planting scheme;
7. Conditions for tree protection measures (GE27);
8. Conditions specifying the colour of the kiosk and pressure relief column; and

(2) an undertaking be given that officers facilitate discussions with all interested parties in an effort to resolve outstanding issues relating to the proposals.

DEV51 09/00101/OUT- OUTLINE APPLICATION (WITH LANDSCAPE MATTER RESERVED) FOR A PROPOSED FOODSTORE (CLASS A1 TOTAL FLOORSPACE 10,885 SQ.M) PETROL FILLING STATION, ASSOCIATED PARKING AND SERVICING FACILITIES AT ASHLEY RETAIL PARK, LUGSDALE ROAD, WIDNES

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

The Committee were advised that a number of comments and objections to the proposal had been received; this included comments from two neighbouring local authorities, two adjacent businesses and Stadium Developments, owners of the Widnes Retail Park, as well as

an objection from Morrison Supermarkets Plc, the details of which were contained in the report. Three objections had been received from residents all relating to traffic problems in terms of volume and issues of lorries accessing and leaving the site.

The Committee heard representations from Mr Parr of Morbaine Developments Limited.

RESOLVED: That

- (1) Delegated Authority be given to the Operational Director Environmental and Regulatory Services, in consultation with the Chair and Vice Chair, to take into consideration any additional representations following the end of the consultation period on amended plans, and to approve subject to conditions (including the need to add additional if necessary following consultation) and legal agreement and the application not being called in by the Secretary Of State; and
- (2) the application be approved subject to conditions relating to the following:
  1. Outline time limits;
  2. Submission of reserved matters;
  3. Wheel cleansing facilities to be submitted and approved in writing and used during construction;
  4. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use;
  5. Requiring implementation of Travel Plan;
  6. External lighting;
  7. Conditions relating to drainage details including oil interceptor;
  8. Submission and implementation of landscaping details;
  9. Details of carbon reduction measures for

- the store and delivery vehicles;
- 10. Modifications to the Lugsdale Road / Greenoaks Way roundabout;
- 11. Cycle, motorcycle, disabled parking and taxi rank provision;
- 12. Travel Plan;
- 13. Parking management plan including commitment to Parking Partnership;
- 14. Monitoring and alteration to service access if appropriate;
- 15. Induction loops to signal approach outside of highway boundary;
- 16. Retaining walls;
- 17. Submission of a construction management plan;
- 18. Construction and delivery traffic to access routes to be agreed;
- 19. Details of materials.

DEV52 09/00412/ADJ - ADJOINING AUTHORITY CONSULTATION BY WARRINGTON BOROUGH COUNCIL FOR ENGINEERING OPERATIONS COMPRISING INFILLING OF SITE TO PREVIOUS LEVELS, RE-INSTATEMENT OF RAIL FREIGHT SIDING, EXTENSION TO EXISTING CANALSIDE BERTH, PROVISION OF EMERGENCY ACCESS ROAD, FENCING AND LIGHTING IN CONJUNCTION WITH USE OF THE SITE/ADJOINING PREMISES FOR A MULTI-MODAL PORT FACILITY AT ACTON GRANGE, BIRCHWOOD LANE, WARRINGTON

The Committee were advised that an adjoining authority consultation had been received from Warrington Borough Council on the proposal by the Manchester Ship Canal Company, for planning permission for a multi-modal port facility with an existing berth facility to be extended together with new rail access to the West Coast Main Line.

The site was immediately adjacent to an existing warehouse facility operated entirely through road haulage.

The proposal was for an extension of the site and provision of rail access and berth extension to develop the site as a multi –modal port facility and encourage the transfer of freight from road to rail to ship.

Members were advised that as part of an Environmental Impact Assessment, significant environmental effects on the proposed development had been considered; this addressed Biodiversity, Water Resources and Transport. The report gave details of the background information in respect of the site.

RESOLVED: That a letter of be sent to Warrington Borough Council, expressing Halton Borough Councils' concerns, in relation to the information in the Transport Assessment, potential impact on highway safety at Moore Lane and Runcorn Road junction and sustainable access by employees.

#### DEV53 MISCELLANEOUS ITEMS

It was reported that an appeal had been received following the Council's refusal of the following application:-

09/00197/FUL Proposed erection of 2 No. three storey detached dwellings (resubmission of 08/00611/FUL) on Land Adjacent to 1 Norton Tower Cottage Norton Lane Runcorn

The Committee were also advised that the following applications had been withdrawn:-

08/00374/FUL Proposed two storey side and first floor rear extension at 9 Neptune Close Runcorn

08/00388/FUL Proposed two storey rear and single storey kitchen extension at 101 Runcorn Road Moore

09/00348/FUL Proposed detached garden room at 4 Sandringham Road Widnes

09/00361/COU Proposed change of vacant land to garden area and erection of 2m boundary fence at 23 Southway Widnes

09/00367/FUL Proposed construction of 2 No. apartments on Land at Clarendon

	House Clarendon Close Runcorn
09/00395/FUL	Proposed single storey rear extension at 15 Embleton Grove Runcorn
09/00402/FUL	Proposed loft conversion and rear first floor terrace at 21 Peelhouse Lane Widnes

*Meeting ended at 7.46 p.m.*

This page is intentionally left blank

**DEVELOPMENT CONTROL COMMITTEE**

*At a meeting of the Development Control Committee on Monday, 11 January 2010 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, J. Bradshaw, Hignett, Hodgkinson, Leadbetter, Morley, Osborne and Polhill

Apologies for Absence: Councillors None

Absence declared on Council business: None

Officers present: P. Watts, G. Cook, R. Cooper, G. Henry, A. Pannell, A. Plant, J. Tully, R. Wakefield, W. Watson and M. Simpson

Also in attendance: Cllr Jones, Philbin, Murray, Balmer, 1 Member of press and 52 Members of public.

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

	<i>Action</i>
DEV54 MINUTES	
The Minutes of the meeting held on 7 December 2009, having been printed and circulated, were taken as read and signed as a correct record.	
DEV55 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
The Committee considered the following applications for planning permission, and in accordance with its powers and duties made the decisions described below.	
DEV56 - 09/00358/EIA PROPOSED DEVELOPMENT AND OPERATION OF WASTE RESOURCE PARK TO ENABLE THE RECYCLING AND SORTING OF WASTE MATERIALS, THE PRODUCTION OF COMPOST AND THE PRODUCTION OF REFUSE DERIVED FUEL AT WIDNES WATERFRONT, SOUTH OF MOSS BANK ROAD, WIDNES	
The Committee was advised that this item had been	

deferred at the request of the applicant.

DEV57 - 09/00406/OUT PROPOSED CONSTRUCTION OF INDUSTRIAL UNITS (USE CLASS B1 AND B2) AND HOTEL (USE CLASS C1) UP TO 9350 SQ M. WITH ASSOCIATED ROADS PARKING AND SERVICE AREAS AND LANDSCAPING, 09/00407/FUL - PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 116 NO. RESIDENTIAL DWELLINGS, ROADS OPEN SPACE AND ALL ASSOCIATED WORKS, AND 09/00493/FUL PROPOSED REMEDIATION OF LAND BY DEMOLITION OF EXISTING BUILDINGS AND OTHER STRUCTURES AND INFILLING WITH INERT AND NON-INERT WASTE MATERIAL, TOGETHER WITH THE FORMA

The Committee was advised that on page 21 of the agenda, in the third paragraph there was reference to Cllr Polhill requesting residents concerns were considered. However it should have read that Cllr Parker requested concerns of residents be considered.

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

It was reported that 27 representations had been formally registered against the applications for residential and commercial development, and 21 representations had been acknowledged regarding the enabling works.

Since publication of the report it was reported that a petition of 105 signatures had also been received from the Derby Road Residents Association relating to issues detailed in the report. The Committee was advised that the additional objections did not raise issues that hadn't previously been outlined in the report.

It was further reported that United Utilities had confirmed that they raised no objection in relation to application 09/009493/FUL

The Committee was advised that the applications were supported by a traffic impact assessment and amended plans had been received. On that basis the Council's Highways department had confirmed that they raised no objections. The landowner had agreed to enter into a legal agreement to cover the costs of the highway works required to mitigate problems at the Derby Road / Farnworth Street junction.

Members were informed of the detailed assessment that had taken place by Council Officers and third party specialist consultants regarding detailed site investigation, materials management and methods for the safe remediation of the site with particular regards to asbestos containing material. It was suggested that Officers were now satisfied that the development could be carried out without undue risk to workers, adjoining residents and the environment although an ongoing process of further investigation, agreement of methodologies and monitoring and review would be undertaken throughout the course of the development. It was considered that this could now be secured through appropriate conditions and that other legislative controls through the Environment Agency and Health and Safety Executive would further act to ensure that the process was undertaken without undue risk.

Members were also informed that a wide and ongoing process of public consultation had been undertaken with a relatively wide number of residents and that all information associated with the applications had been placed at Council Offices in Widnes for public inspection.

It was suggested to Members that additional conditions be included to allow for agreement of details for the routing of HGVs and plant entering and leaving the site and containment of waste within HGVs.

It was also requested that authority be delegated to the Operational Director, Environmental and Regulatory Services and the Chair and Vice Chair of the Committee, to allow appropriate conditions to be attached in relation to the detailed ground investigation and remediation, materials management and monitoring review.

Mr Addy addressed the Committee on behalf of the Residents Association and spoke against the application raising concerns such as the significant amount of harm that has been caused to people working on the site in the past, the extent of the dust fall out up until the 1960's and the standard of the testing that would be carried out to identify the dangerous substances. Mr Addy also raised concerns about the potential harm to local residents and the environment, the lack of environmental assessment and the availability and accessibility of information to the public. He therefore requested that the Committee defer the application in order to ensure more detailed assessment and testing methods be more robust.

Mr Matthews addressed the Committee on behalf of

the applicants and spoke in favour of the application identifying the team of experienced and qualified experts that were working with the developer, including third party consultants to look specifically at issues around asbestos and the control measures. Mr Matthews also identified a wide range of other legislative controls which would be in place to fibres as only white asbestos was at a shallow depth. He explained that whilst there would be an ongoing process of testing, it was only envisaged that white asbestos would be encountered during works as records indicated that blue and brown asbestos was buried at such depth that it would not be uncovered.

Ward Councillor Balmer addressed the Committee and raised concerns in relation to the removal of potentially hazardous materials and traffic problems at Derby Road / Farnworth Street junction. He suggested however that, providing the development could be carried out safely as advised by specialists, that the proposals would be of significant benefit to the area and that to leave the site derelict would potentially cause greater problems in the future and housing was the best option for it.

Cllr Balmer suggested 6 additional conditions and circulated a paper copy of them to the Committee which suggested a panel including residents representatives which should be formed to meet weekly throughout the removal phase to be updated and discuss any problems. Cllr Balmer also felt the proposals for a hotel should be removed and replaced with an office development and other measures relating to safety aspects.

The Operational Director Environment and Regulatory Service responded to inform Members that in planning terms accepting the proposed additional conditions put forward could be considered illegal, however he suggested that officers could work with the developer in attempt to secure assurances in these regards.

Members held a wide ranging discussion and raised concerns regarding the potential for production of asbestos dust particularly relating to the crushing of material, the risk to workers and surrounding residents. Questions were also raised in relation to the site levels and method of foundations, provision for underground services and the well on site, to ensure that these could be accommodated by the current proposals without further potential of release of asbestos and impact on the environment and human health.

The Contaminated Land Officer responded by giving

an overview of the information and assessment that had been carried out to date and the wider controls available to the Council and other organisations. It was suggested that the residential site would be completely cleared of asbestos and any other contamination remediated accordingly. The commercial site would be levelled to create a development platform and a capping membrane and layer put down. It was also explained that piling methods did exist which would not result in new arisings, that the services would sit in clean trenches and that these could be controlled through conditions. The new well would be drilled in line with Environmental Agency guidelines.

The Committee agreed that although a panel of residents could not be established by way of condition, Members would encourage and support the introduction of a local forum.

RESOLVED: That

**09/00406/OUT –**

The application be approved subject to the following:

- a) the site owner/ applicant entering into a legal or other appropriate agreement relating to financial contributions towards off site highway improvements, requirement for demolish of redundant buildings on the site as agreed, requiring that the reclamation of both the residential land and commercial land are carried out in accordance with an agreed timescale, re-painting and/ or re-cladding of poor areas of cladding of the main manufacturing building in accordance with an agreed scheme and timetable, to market the commercial land in accordance with an agreed strategy and timescale and to relocate and encase the Redler extraction plant in accordance with the agreed noise assessment.
- b) Conditions relating to the following:
  1. Conditions on the time limits for submission of reserved matters
  2. Conditions relating to ground investigation and mitigation (PR14)
  3. Conditions requiring that the development, including ground works, site preparation and remediation be carried out in strict accordance with an agreed remediation strategy and materials management plan (PR14)

4. Conditions relating to site traffic management including routeing for HGV and Plant and containment of waste being moved by HGV on and off site.
5. Requiring agreement of piling design (PR14)
6. Restricting scale and floorspace of development in accordance with approved details (BE1)
7. Materials condition, requiring the submission and approval of the materials to be used (BE2)
8. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
9. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
10. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
11. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
12. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
13. Conditions relating to the agreement and implementation of bin stores cycle parking provision (TP6)
14. Submission and agreement of finished floor and site levels. (BE1)
15. Conditions relating to tree protection (on adjoining land) during construction (BE1)
16. Requiring Development be carried out in accordance with the approved FRA and mitigation measures (PR16)
17. Requiring submission, and agreement of a surface water regulation system to be installed (PR16)
18. Conditions to ensure protection of underlying culverted watercourse (PR15)
19. Conditions requiring submission and agreement of details relating to treatment of surface water run-off during construction, disposal of foul and surface water and oil, petrol interceptors or trapped gullies (PR5)
20. Controlling external lighting (PR4)
21. Restricting the approved uses to B1, B2 and C1 (hotel)
22. Restricting the area forward of the front elevation of the adjoining Eternit production building toward Derby Road to use classes B1 and or C1 (hotel) unless otherwise agreed (E5 and PR2)
23. Restricting external working and storage (E5)
24. Grampian conditions relating to off-site works to footway to frontages to Derby Road (TP9)

- 25. Condition relating to ground nesting birds (GE21)
  - 26. Submission and agreement of ecology/ habitat enhancement features including bird/ bat boxes (GE21)
  - 27. Submission and agreement of an Energy Strategy to secure energy requirements from decentralised, renewable and low carbon sources and/ or reduce carbon footprint (EM18)
- c) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it fails to comply with Policy S25 (Planning Obligations).

**09/00407/FUL**

The application be approved subject to the following:

- d) a legal or other appropriate agreement relating to financial contributions towards off site highway improvements, requirement for demolish of redundant buildings on the site as agreed, requiring that the reclamation of both the residential land and commercial land are carried out in accordance with an agreed timescale, re-painting and/ or re-cladding of poor areas of cladding of the main manufacturing building in accordance with an agreed scheme and timetable, to market the commercial land in accordance with an agreed strategy and timescale and to relocate and encase the Redler extraction plant in accordance with the agreed noise assessment.
- e) Conditions relating to the following:
  - 1. Specifying amended plan.
  - 2. Conditions relating to ground investigation and mitigation (PR14)
  - 3. Conditions requiring that the development, including ground works, site preparation and remediation be carried out in strict accordance with an agreed remediation strategy and materials management plan (PR14)
  - 4. Conditions relating to site traffic management including routeing for HGV and Plant and containment of waste being moved by HGV on

- and off site.
5. Materials condition, requiring the submission and approval of the materials to be used (BE2)
  6. Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2)
  7. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
  8. Requiring detail relating to sound attenuation fencing to boundary with Eternit works including landscaping, pump station, new footpath/ cycleway and LAP and timetable for implementation (BE1, H3, TP9 and PR2)
  9. Requiring submission and agreement of improved specification glazing/ acoustic ventilation in accordance with the submitted noise report.
  10. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
  11. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
  12. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
  13. Submission and agreement of finished floor and site levels. (BE1)
  14. Conditions relating to tree protection during construction (BE1)
  15. Requiring Development be carried out in accordance with the approved FRA and mitigation measures (PR16)
  16. Requiring submission, and agreement of a surface water regulation system to be installed (PR16)
  17. Conditions to ensure protection of underlying culverted watercourse (PR15)
  18. Conditions requiring submission and agreement of details relating to treatment of surface water run-off during construction, disposal of foul and surface water and oil, petrol interceptors or trapped gullies (PR5)
  19. Grampian conditions relating to off-site works to footway to frontages to Derby Road (TP9)
  20. Requiring that the development be carried out in strict accordance with all approved documents and associated supporting information submitted in support of the application unless otherwise agreed (BE1).
  21. Condition relating to ground nesting birds

- (GE21)
22. Requiring agreement of a developer funded watching brief (BE6)
  23. Submission and agreement of ecology/ habitat enhancement features including bird/ bat boxes (GE21)
  24. Requiring properties be supplied with appropriate bins and recycling bins prior to occupation (BE1)
  25. Submission and agreement of an Energy Strategy to secure energy requirements from decentralised, renewable and low carbon sources and/ or reduce carbon footprint (EM18)
- f) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman of the Committee to refuse the application on the grounds that it fails to comply with Policy S25 (Planning Obligations).

**09/00493/FUL**

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

1. Conditions relating to ground investigation and mitigation (PR14)
2. Conditions requiring that the development, including ground works, site preparation and remediation be carried out in strict accordance with the an agreed remediation strategy and materials management plan (PR14)
3. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
4. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
5. That finished site levels be in accordance with the approved drawings unless otherwise approved. (BE1)
6. Conditions relating to tree protection (on adjoining land) during construction (BE1)
7. Requiring Development be carried out in accordance with the approved FRA and mitigation measures (PR16)
8. Conditions requiring submission and agreement of details relating to treatment of surface water run-off during construction, (PR5)

9. Condition relating to ground nesting birds (GE21)

DEV58 - 09/00404/OUT - OUTLINE APPLICATION (WITH APPEARANCE, LANDSCAPING LAYOUT AND SCALE MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT UP TO 5 NO. DWELLINGS ON THE LAND TO THE REAR OF NO. 8 MOUGHLAND LANE, RUNCORN.

The Committee was advised of an error on the report regarding the plan no should have read 09/00404/OUT rather than 09/00414/OUT.

It was reported that the item was deferred for a site visit, Members visited the site on 15 December and further amendments were discussed with the applicant including:

- Reducing the number of units;
- Moving the access north;
- Traffic calming;
- Improving visibility on Moughland Lane by removing a tree.

It was noted that the applicant had considered the requested amendments and felt that the number of dwellings and density were in keeping with the area, therefore had not reduced the numbers.

The applicant would be happy to move the access north but felt that this would still result in a ransom strip so had not amended the access. It was noted that the applicant was satisfied that if the Highways Department requested traffic calming then that could be conditioned. It was further noted that the applicant did not feel that it was necessary to remove the tree on the corner of Tree Bank, as other alterations were agreed with the Highways Department to improve visibility. Therefore Members were advised that no amendments had been made.

The Committee was advised that at 5.00pm that evening a report had been submitted from the Operational Director Highways and Transportation which required further analysis and a more detailed appraisal of the situation therefore it was recommended that this item be deferred.

**RESOLVED:** That the application be deferred in order to analyse and carry out a more detailed appraisal in light of the new report received at late notice.

DEV59 - 09/00430/FUL PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 18 NO. (2, 3 AND 4 BEDROOM) HOUSES AND 8 NO. (2 BEDROOM) APARTMENTS WITH PRIVATE AREAS OF HARDSTANDING FOR ACCESS, PARKING AND SERVICING, SECURED PRIVATE GARDENS AND LANDSCAPED AREAS TO THE LAND OFF BRACKENDALE, HALTON BROOK, RUNCORN

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

The Committee was advised that United Utilities and Council's Highways Engineers had confirmed that they raised no objections in principle.

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

1. Condition specifying amended plans (BE1)
2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
3. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
4. Submission and agreement of landscaping (BE2)
5. Conditions relating to restriction of permitted development rights relating to extensions and outbuildings and boundary fences etc. (BE1)
6. Wheel cleansing facilities to be submitted and approved in writing. (BE1)
7. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
9. Agreement and implementation of stores/ cycle parking provision (BE1)
10. Submission and agreement of finished floor and site levels. (BE1)
11. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
12. Requiring provision of bin and recycling facilities prior to occupation. (BE1)

DEV60 - 09/00511/COU - PROPOSED CHANGE OF USE OF GROUND FLOOR OFFICE TO 3 NO. RESIDENTIAL CARE

BEDSITS AT NUMBER 1 PEEL HOUSE LANE, WIDNES  
WA8 6TN

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

It was reported that one representation had been received from the residents of 3 Greenway Road in relation to the works already being carried out and as such should not be approved. Reference was also made to the potential for the introduction of more anti-social behaviour noise and disruption.

It was further noted that the Community Safety Team had been consulted on the previous application and made comments, which were detailed in the report for information.

Mrs Tierney addressed the Committee on behalf of the applicants and spoke in favour of the application. Reference was made to the services to be provided by the company. It was reported that the client group would consist of young people from the looked after area and had proven competent in a number of key areas.

It was further noted that the young people had to complete a formal contract as to what was expected from the service and any breach of that contract would result in a formal warning, then to eviction. Members were informed that the service provided an opportunity to develop and lead an independent life and would be monitored and guided by skilled workers having a positive impact on young people.

Arising from the discussion Members felt that the concerns around anti-social behaviour outweighed the benefit provided to the young people and recommended that the application be refused.

RESOLVED: That the application be refused due to the reasons previously expressed as follows:- due to the proposed use being inappropriate for the area because it would:

- Create an environment in which anti-social behaviour would result;
- Create an environment where there is a genuine perception of fear and concern because of the likelihood of increased crime and disorder;

The proposal is therefore contrary to policy BE1 of

the Halton Unitary Development Plan and the Council has paid particular consideration to the requirements of Section 17 of the Crime and Disorder Act.

DEV61 MISCELLANEOUS ITEMS

It was reported that appeals had been received following the Council's refusal of the following applications:-

The Committee was advised that decisions had been received as follows :-

09/00123/FUL Proposed rear conservatory at 288 Liverpool Road Widnes

It was reported that this appeal had been allowed.

09/00295/FUL Proposed two storey side extension at 9 Hambleton Close Widnes

It was noted that this appeal was dismissed.

The Committee was further advised that the following applications had been withdrawn: -

09/00429/FUL Proposed single storey rear extension at 20 Poolside Road Runcorn

09/00455/OUT Outline application (with appearance, landscaping, layout and scale matters reserved) for 32 dwellings at Cock & Trumpet Public House Halebank Road Widnes

09/00465/COU Proposed change of use from Use Class B1 (offices) to Use Class A1 at 4 Taylors Row Runcorn

09/00471/HBCFUL Proposed erection of 2m high vehicular access gate and fencing at Alley to side/rear of 1-9 Ball Pathway and to

rear of 174-185 Liverpool Road Widnes

*Meeting ended at 7.30 p.m.*

**REGULATORY COMMITTEE**

*At a special meeting of the Regulatory Committee on Monday, 21 December 2009 in the Council Chamber, Runcorn Town Hall*

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman) and A. Lowe

Apologies for Absence: None

Absence declared on Council business: None

Officers present: L. Capper, K. Cleary and J. Tully

Also in attendance: Paul Draycott Police Licensing Officer, Martin Stafford DWF Solicitors, Sean Kelly, Peter Kelly, Lee Kelly and Suzanne Kelly.

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

REG13 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER SECTION 53A OF THE LICENSING ACT 2003 BAR REEF 98 VICTORIA ROAD, WIDNES

*Action*

The review hearing was held consequent upon an application for review made under section 53A Licensing Act 2003 as detailed in the agenda item.

At the interim consideration which took place on 1<sup>st</sup> December 2009 the Sub Committee resolved that the following interim conditions be imposed and shall take effect at 23.00 on 1 December 2009

- 1 The Company providing door staff at the premises (Athena) shall not provide door staff in the future
- 2 Any company appointed to provide door staff at the premises shall be subject to the prior approval of the police.
- 3 No door staff appointed at the premises during the last 12 months shall be used in the future.

- 4 The designated premises supervisor Lee Anthony Kelly shall be removed.
- 5 Any new Designated Premises Supervisor shall be independent of the Kelly family and shall be subject to the prior approval of the police.

**Section 53C(1) of the Licensing Act 2003 states that the Council must, having regard to the application and any relevant representations, take such of the steps (if any) listed in section 53C(3) as it considers necessary for the promotion of the Licensing Objectives.**

**The steps referred to above which are relevant to this type of application are:**

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the Designated Premises Supervisor
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence.

**Note that the above reference to modifying conditions includes any alteration, omission or the addition of any new condition.**

**There is also a requirement under this subsection to secure that any interim steps having effect pending the determination cease to have effect (except so far as they are comprised in steps referred to above).**

The Sub-Committee was addressed by Mr Paul Draycott on behalf of the Chief Officer of Police and by Mr Martin Stafford on behalf of the premises licence holder.

An agreed set of conditions was presented to the Sub-Committee.

**RESOLVED:** The Sub Committee determined to modify the conditions on the premises licence in accord with the agreed set of conditions as follows:-

1. The company providing door supervisors at the premises on 1<sup>st</sup> December 2009 (Athena) shall not provide door supervisors in the future.
2. Any door company appointed to provide door supervisors at the premises, which does not have

'approved contractor' status (with the SIA) shall be subject to prior approval by the police.

3. No door supervisor who worked at these premises between 1<sup>st</sup> January 2009 and 1<sup>st</sup> December 2009 shall be employed at the premises in the future.

**In all three cases the reason for imposing the conditions is that they are required in the interests of the licensing objective of prevention of crime and disorder.**

**This determination shall have immediate effect.**

FOR THE AVOIDANCE OF DOUBT the impact of this determination on the interim steps imposed by the Sub-Committee on 1<sup>st</sup> December 2009 is as follows:

1. Interim steps numbers 4 and 5 shall cease to have effect;
2. Interim steps numbers 1, 2 and 3 shall continue in effect to the extent that they are comprised in the modified conditions numbered 1, 2 and 3 above. This means that section 53C(11) does not apply to these modified conditions.

REG14 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER SECTION 53A OF THE LICENSING ACT 2003 CORNERHOUSE, 1 ALFORDE STREET, WIDNES

The review hearing was held consequent upon an application for review made under section 53A Licensing Act 2003 as detailed in the agenda item.

At the interim consideration which took place on 1<sup>st</sup> December 2009 the Sub Committee resolved that the following interim conditions be imposed and shall take effect at 23.00 on 1 December 2009

- 1 The Company providing door staff at the premises (Athena) shall not provide door staff in the future
- 2 Any company appointed to provide door staff at the premises shall be subject to the prior approval of the police.
- 3 No door staff appointed at the premises during the last 12 months shall be used in the future.
- 4 The designated premises supervisor Sean Daniel Kelly shall be removed.

Any new Designated Premises Supervisor shall be independent of the Kelly family and shall be subject to the prior approval of the police.

**Section 53C(1) of the Licensing Act 2003 states that the Council must, having regard to the application and any relevant representations, take such of the steps (if any) listed in section 53C(3) as it considers necessary for the promotion of the Licensing Objectives.**

**The steps referred to above which are relevant to this type of application are:**

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the Designated Premises Supervisor
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence.

**Note that the above reference to modifying conditions includes any alteration, omission or the addition of any new condition.**

**There is also a requirement under this subsection to secure that any interim steps having effect pending the determination cease to have effect (except so far as they are comprised in steps referred to above).**

The Sub Committee was addressed by Mr Paul Draycott on behalf of the Chief Officer of Police and by Mr Martin Stafford on behalf of the premises licence holder.

An agreed set of conditions was presented to the Sub-Committee.

RESOLVED: The Sub Committee determined to modify the conditions on the premises licence in accord with the agreed set of conditions as follows:-

1. The company providing door supervisors at the premises on 1<sup>st</sup> December 2009 (Athena) shall not provide door supervisors in the future;
2. Any door company appointed to provide door supervisors at the premises, which does not have 'approved contractor' status (with the SIA) shall be subject to prior approval by the police; and
3. No door supervisor who worked at these premises

between 1<sup>st</sup> January 2009 and 1<sup>st</sup> December 2009 shall be employed at the premises in the future.

**In all three cases the reason for imposing the conditions is that they are required in the interests of the licensing objective of prevention of crime and disorder.**

**This determination shall have immediate effect.**

FOR THE AVOIDANCE OF DOUBT the impact of this determination on the interim steps imposed by the Sub-Committee on 1<sup>st</sup> December 2009 is as follows:

Interim steps numbers 4 and 5 shall cease to have effect; Interim steps numbers 1, 2 and 3 shall continue in effect to the extent that they are comprised in the modified conditions numbered 1, 2 and 3 above. This means that section 53C(11) does not apply to these modified conditions.

*Meeting ended at 6.35 p.m.*

This page is intentionally left blank

**REGULATORY COMMITTEE**

*At a meeting of the Regulatory Committee on Monday, 18 January 2010 in the Council Chamber, Runcorn Town Hall*

Present: Councillors Philbin (Chairman), Bryant, Drakeley, Howard, D. Inch, A. Lowe, E. Ratcliffe and Nelson

Apologies for Absence: Councillors Wallace, Murray and Wainwright

Absence declared on Council business: None

Officers present: G. Ferguson, S. Baxter, L. Capper, K. Cleary, Y. Sung, J. Tully and K Pope

Also in attendance: Councillors Dennett, J. Lowe and Swain, Inspector Pearce, P Ramsden (Warrington Borough Council) and 10 Members of the public

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

*Action*

REG15 MINUTES

The minutes of the meetings held on 23<sup>rd</sup> November 2009 were taken as read and signed as a correct record.

(To avoid any allegation of bias, Councillor A Lowe declared an interest in the following item and left the room during its consideration as his wife Councillor J Lowe was attending the meeting in support of the objectors to the application.)

REG16 APPLICATION FOR A PREMISES LICENCE – LANGDALE NEWS 52 LANGDALE ROAD RUNCORN

The Committee considered an application which had been made under Section 17 of the Licensing Act 2003 for a premises licence in relation to the above property.

The hearing was held in accordance with the provisions of Section 18 Licensing Act 2003 and the Licensing act 2003 (Hearings) Regulations 2005.

At the beginning of the hearing it was confirmed that the applicant had accepted the conditions proposed by the

Police in their representations (as set out in the Committee item) and consequently the Police had not attended the hearing.

At the hearing, the Committee were addressed by the applicant Baljinder Singh Dhillon and his representative Robert Jordan. Mr Silcock together with Mrs Foster and Councillor John Swain who spoke on behalf of Mrs Foster also addressed the Committee. The representations received from Mr & Mrs Brown of 77 Oxford Road, Runcorn were not accepted as relevant representations on the basis that the address was not within the vicinity of the premises and no justification had been provided to demonstrate that the address was in the vicinity.

In addition when addressing the Committee the applicant Mr Dhillon voluntarily agreed to reduce the hours for the supply of alcohol from the premises from 08.00 to 22.00 to 08.00 to 21.00 each day.

Following the hearing the Committee retired to consider the application and all the relevant representations.

**RESOLVED:** That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations it is decided that the application be granted subject to the voluntary condition of the hours the premises shall be opened for the supply of alcohol shall be 08.00 to 21.00.

### **Reason**

It is considered that the application is consistent with the licensing objectives.

For the avoidance of doubt it is now recorded that the applicant agreed to the following conditions with the Cheshire Constabulary, which shall be deemed to be added to the operating schedule and be conditions of the licence:

#### **1 CCTV**

a) An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. It must also include a colour monitor not less than 24" screen size clearly visible to customers showing them as they enter.

b) The Designated Premises Supervisor will need to demonstrate that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers before hand over of the system and activation of the premises licence. The commissioning test will need to demonstrate the following:

- Recordings are fit for their intended purpose.
- Good quality images are presented are presented to the officer in a format that can be relayed on a standard computer.
- The supervisor has an understanding of the equipment / training
- Management records are kept
- Maintenance agreements and records are maintained
- Data protection principles and signage are in place.
- There are enough staff trained to be able to operate and download images when required by a relevant person

2 The sale of spirits shall be by counter service only.

Following the announcement of the Committee decision the Chairman of the Committee advised the local residents that the Committee had sympathy with them regarding the problems they have encountered in the immediate locality of the premises but that they did not provide any evidence that the grant of the premises licence would undermine any of the four licensing objectives. However the local residents were advised of the review process which is part of the Licensing Act 2003. The residents were further advised that the review process was evidence based and that any evidence must be specific to the premises and demonstrate that the use of the premises for a licensable activity undermines one or more of the four licensing objectives.

#### REG17 CREAMFIELDS EVENT 2009

The Committee began by expressing their thanks for the years of work put in by Stuart Baxter since this was the last meeting that he would be attending before retiring.

The Committee considered a report from the responsible authorities on issues arising from carrying out the Creamfields Event 2009.

The Committee was advised that the Creamfields Events had taken place in August 2006, 2007 and 2008 and

feedback on the events was presented to Members 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 four events.

It was noted that reports on the event had been 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 Pierce of Cheshire Police attended the meeting and summarised the views of Cheshire Constabulary in providing the planning and operation of the Creamfields 2009 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.

*Meeting ended at 9.22 p.m.*