

Minutes & Reports

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

**Wednesday, 9 February
2011**

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COUNCIL

At a meeting of the Council on Wednesday, 15 December 2010 in the Council Chamber, Runcorn Town Hall

Present: Councillors Wright, Austin, Balmer, P. Blackmore, M. Bradshaw, J. Bradshaw, Browne, Bryant, E. Cargill, Carlin, Dennett, Findon, Fry, A. Gerrard, J. Gerrard, Hignett, Hodge, Hodgkinson, Horabin, Howard, Inch, Leadbetter, M Lloyd Jones, P. Lloyd Jones, Loftus, J. Lowe, Macmanus, McDermott, McInerney, Morley, Nelson, Nolan, Norddahl, Philbin, Polhill, E. Ratcliffe, M. Ratcliffe, Redhead, Roberts, Rowe, Stockton, Swain, Thompson, Wainwright, Wallace and Wharton

Apologies for Absence: Councillors Edge, Harris, A. Lowe, Murray, Osborne and Parker

Absence declared on Council business: Councillor Dave Cargill

Officers present: M. Reaney, G. Ferguson, D. Johnson, I. Leivesley, D. Parr, D. Tregea, G. Meehan and J. Whittaker

Also in attendance: 2 Members of the public

*Action***COU49 COUNCIL MINUTES**

The minutes of the Council meetings held on 20 October 2010, having been printed and circulated, were taken as read and signed as a correct record.

RESOLVED: That the minutes of the meetings be confirmed and adopted.

COU50 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:

1. **Telecare Award** – awarded to Halton Borough Council from the Telecare Service Association. The award recognised the work the service had undertaken in meeting set standards for the industry in relation to service user tailoring (assessment), installation, response and monitoring. The Mayor congratulated Community Alarm Service in receiving the national coveted accreditation with the Telecare Services Association. The accreditation recognised

the Council as an excellent provider of Telecare and Community alarms, and one of only 63 member organisations (of 226 members) in the country to be accredited to the new 2009 Code of Practice. The staff had demonstrated a significant achievement and showed tremendous dedication in achieving the award, and help keeping over 2000 residents safe in their homes. The service was now looking to be accredited to the new European Standard.

2. "Working in Partnership with Halton Housing" Award.
3. Framed photograph of Expo 2010 in China, in which Ashley School participated.
4. Excellent rating for Adult Social Care in Halton.

The Care Quality Commission (CQC) visited Halton in September 2010 to find out how well the Council and its partners were delivering adult social care. To do this, the inspection team looked at how well Halton was:

- Safeguarding adults whose circumstances made them vulnerable,
- Improving the health and wellbeing of older people, and
- Increasing choice and control for older people.

In respect of the three areas outlined above CQC concluded that Halton was:-

- performing **excellently** in safeguarding adults;
- performing **well** in supporting improved health and wellbeing of older people; and
- performing **excellently** in supporting increased choice and control for older people.

COU51 LEADER'S REPORT

The Leader reported on the following issues:

- The Council had been advised that the County Court in Runcorn would be closed in the near future;
- Adult Services had received an excellent rating following a recent inspection;
- Children and Young People had received a performing well rating following a recent

- inspection;
- Safeguarding had received an outstanding rating following a recent inspection;
- The Audit Commission report had found that the Council was performing well; and
- The Council's challenge for the coming financial year with Halton's grant settlement being reduced by Central Government by 8.9%. In comparison Cheshire West and Chester and Cheshire East received grant settlement reductions of 2.96% and 1.63% respectively. Consequently the Council needed to find £20m this year to offset the grant settlement reduction. This was in addition to the loss of Working Neighbourhoods Funding and other additional in year Central Government budget cuts. The Council would continue to try to protect frontline services.

COU52 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board from meetings held on 14 October 2010, 4 November 2010, 18 November 2010 and 2 December 2010.

RESOLVED: That the minutes be received.

COU53 MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE

The Council considered the minutes of the Executive Board Sub-Committee from meetings held 14 October 2010, 4 November 2010, 18 November 2010 and 2 December 2010.

In seconding the minutes Councillor Nelson reported that every household would have a recycle bin by the end of June 2011.

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 from 18 November 2010.

RESOLVED: That the minutes be received.

COU55 QUESTIONS ASKED UNDER STANDING ORDER 8

The following questions had been submitted under Standing Order No. 8 from Councillor Shepherd:

“Due to the policies of the ConDem alliance and the education cuts they have put in place. How will the youth of Halton be affected by these cuts and how will it impact on their ability to engage in further education in this borough. Education in whatever form is the future of this country and any attack on its availability is an attack on the future prospects of this country and should be judged as such.”

In response Councillor Polhill replied that:

“Our recent performance in education has been fantastic, the Council and its schools have achieved unprecedented levels of performance improvement over the past 4 years across all key stages. Standards have been significantly enhanced, with Halton now performing at, or well above, the national average.

The Council has also performed well in reducing NEETs, the numbers of young people not in Education, Employment and Training in Halton has shown a steady decrease over recent years; this is due to a range of targeted investments in education and training opportunities for young people 14-19.

What this Government propose is not good for children and young people in Halton – Why? Because the Coalition Government has announced the ending of a number of grants that will affect the education services the Council has previously provided to schools. Grants relating to School Improvement Services are to end in April 2011. The Council is exploring other viable ways of delivering these services which are the subject of a report to Executive Board (16th November 2010).

The Coalition Government proposes that ‘School Improvement’ should be provided through school to school support, along with a diverse market of providers.

In terms of young people’s access to further education, the Coalition Government is to end the Education Maintenance Allowance (EMA).

The Coalition Government has stated that it plans to replace the EMA with a more targeted support for pupils who face genuine financial barriers to participation?

And a reminder that the EMA in Halton has enabled an

increasing number of young people to take part in Further Education.

What the future now holds is the cuts now imposed by this heartless Coalition Government will have a serious impact on the ability of Halton Council, Halton's schools and Riverside College to continue to deliver improved educational opportunity for children and young people in Halton.

This is a disgrace and every Tory in this Chamber should be ashamed. But not as ashamed as the Lib/Dems who have made all this possible by:

- opting for a place in the Government at the expense of giving up their integrity.

My Christmas message to our Lib/Dems is this

- remember a lap dog is for life not just for Christmas"

COU56 CONTROL OF SEX ESTABLISHMENTS (MINUTE EXB 57 REFERS)

The Executive Board had considered a report of the Strategic Director, Resources on the adoption of controls relating to sex establishments

RESOLVED: That

- (1) Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 – Control of Sex Establishments be adopted; and
- (2) the consequential amendments to the Council's Constitution as set out in Appendix 2 attached to the report be adopted.

Chief Executive

COU57 LICENSING ACT 2003 STATEMENT OF LICENSING POLICY (MINUTE EXB 64 REFERS)

The Executive Board had considered a report of the Chief Executive on the adoption of a Statement of Licensing Policy.

The Council had a duty to adopt a Statement of

Licensing Policy by 7 January 2011, which would remain in place for a three year period unless amended before that time.

RESOLVED: That

- 1) the Statement of Licensing Policy attached to the report be adopted; and
- 2) consideration of the Cumulative Impact Special Policy as proposed by Cheshire Constabulary be deferred.

Chief Executive

COU58 MEMBERSHIP OF OUTSIDE BODIES (MINUTE EXB 71 REFERS)

The Executive Board had considered a report of the Strategic Director, Resources, which advised them of changes to the membership of Outside Bodies.

The 2010/11 list of Outside Bodies had been approved at Council on 21 July 2010. Since then a review had revealed a number of additional Bodies on which the Council had representation but which did not appear on the approved list. In addition, one re-naming had taken place and two appointments had been amended.

RESOLVED: That

- 1) the appointments to the additional Outside Bodies listed in Appendix A attached to the report be approved for the remainder of the 2010/11 municipal year with the amendment of Councillor Thompson as the representative on the Mersey Gateway Environment Trust;
- 2) the re-naming of the North Cheshire Hospital Trust as the Warrington and Halton Hospitals NHS Foundation Trust be noted and it be confirmed that Councillor Morley be appointed as the Council's representative on that Outside Body; and
- 3) it be noted that Councillor Harris would replace Councillor Marie Wright as the representative on the North West Regional Housing Board and the Liverpool City Region Housing and Spatial Strategy Board.

Chief Executive

COU59 DETERMINATION OF THE COUNCIL TAX BASE 2011/12 - KEY DECISION (MINUTE EXB 69 REFERS)

The Executive Board had considered a report of the Operational Director, Finance on the requirement for the Council to determine the "Tax Base" for its area and the tax base for each of the Parishes.

The Council was required to notify the figure to the Cheshire Fire Authority, the Cheshire Police Authority and the Environment Agency by 31 January 2011. In addition, the Council was required to calculate and advise, if requested, the Parish Councils of their relevant tax base.

RESOLVED: That

- 1) the 2011/12 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:

Operational
Director Finance

Parish	Tax Base
Hale	733
Halebank	600
Daresbury	147
Moore	343
Preston Brook	345
Sandymoor	973

COU60 MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

The Council considered the reports on the work of the following Boards in the period since the meeting of Council on 20 October 2010:-

Children, Young People and Families
Employment, Learning, Skills and Community
Health
Safer
Environment and Urban Renewal
Corporate
Business Efficiency

In receiving the minutes, the following comments were made:

- Councillor Hignett congratulated staff on the excellent traffic reduction collision report; and
- Councillor Carlin commented that an improved business model was required for future development in Runcorn Town Centre.

COU61 COMMITTEE MINUTES

The Council considered the reports on the work of the following Committees in the period since the meeting of the Council on 20 October 2010:-

Development Control
Standards
Regulatory
Appeals
Appointments

In receiving the minutes Councillor Philbin thanked members of the Regulatory Committee for their work during the past year, in particular their attendance at the number of special meetings.

COU62 COMMITTEE MEMBERSHIP

It was noted that the following changes to Board and Committee Membership had been notified in accordance with Standing Order No. 30 (4):-

- Councillor Balmer had replaced Councillor Findon on the Children, Young People and Families Policy and Performance Board; and
- Councillor Findon had replaced Councillor Balmer on the Environment and Urban Renewal Policy and Performance Board.

Meeting ended at 7.15 p.m.

COUNCIL

At a meeting of the Council on Wednesday, 15 December 2010 in the Council Chamber, Runcorn Town Hall

Present: Councillors Wright, Austin, Balmer, P. Blackmore, M. Bradshaw, J. Bradshaw, Browne, Bryant, E. Cargill, Carlin, Dennett, Findon, Fry, A. Gerrard, J. Gerrard, Hignett, Hodge, Hodgkinson, Horabin, Howard, Inch, Leadbetter, M Lloyd Jones, P. Lloyd Jones, Loftus, J. Lowe, Macmanus, McDermott, McInerney, Morley, Nelson, Nolan, Norddahl, Philbin, Polhill, E. Ratcliffe, M. Ratcliffe, Redhead, Roberts, Rowe, Stockton, Swain, Thompson, Wainwright, Wallace and Wharton

Apologies for Absence: Councillors Edge, Harris, A. Lowe, Murray, Osborne and Parker

Absence declared on Council business: Councillor Dave Cargill

Officers present: M. Reaney, G. Ferguson, D. Johnson, I. Leivesley, D. Parr, D. Tregea, G. Meehan and J. Whittaker

Also in attendance: 2 Members of the public

COU63 REVIEW OF THE COUNCIL'S GOVERNANCE ARRANGEMENTS (MINUTE EXB 70 REFERS)

Action

The Executive Board had considered a report of the Strategic Director, Resources, on the completion of the final stage in the process of adopting the Council's new model of governance in accordance with the Local Government and Public Involvement in Health Act 2007.

Following a formal public consultation process, the Council at its meeting on 20 October 2010 agreed proposals outlining the Leader and Cabinet Executive as its preferred governance model, which were attached at Appendix 1. Members also considered the option to incorporate a provision in the Constitution to allow for the removal of the Leader by resolution prior to the expiry of his or her term of office. Since then, the proposals had been published on the Council's website as required. There had been no representations following this process.

In accordance with the Act, the Council was now required to resolve formally that the new model of

governance, as set out in the proposals, be adopted with effect from the third day after the ordinary election of Councillors in May 2011.

RESOLVED: That

- 1) the Leader with Cabinet model of governance, as contained in the proposals attached as Appendix 1 to the report be adopted with effect from the third day after the ordinary election of Councillors in May 2011; and
- 2) a provision be incorporated in the Constitution allowing for the removal of the Leader by resolution.

Chief Executive

Meeting ended at 7.17 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 16 December 2010 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman), D. Cargill, A. Gerrard, Harris, Jones, McInerney, Nelson, Stockton, Swain and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, D. Johnson, I. Leivesley, G. Meehan, D. Parr, D. Tregoe and M. Allen

Also in attendance: None

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

Action

EXB75 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that one matter had arisen which required immediate attention by the Board (Minute 79 refers). Therefore, pursuant to Section 100 B (4) and 100 E, and due to the need to progress talks with another party, the Chairman ruled that the item be considered as a matter of urgency.

EXB76 MINUTES

The Minutes of the meeting held on 2 December 2010 were taken as read and signed as a correct record.

**CHILDREN YOUNG PEOPLE AND FAMILIES
PORTFOLIO**

EXB77 TRADED SERVICES FOR LEARNING AND ACHIEVEMENT- KEY DECISION

The Board received a report of the Strategic Director

Children and Young People on the proposal to develop a Joint Venture model for School Improvement.

The Board were advised that, since the establishment of the Coalition Government in May 2010, the emerging political landscape and economic constraints had begun to reshape the way in which local authorities were expected to deliver services to schools. This included the national policy position of devolving power from local authorities to Headteachers as commissioners of school improvement services.

The Schools White Paper – The Importance of Teaching – was published on 25 November 2010 and the report outlined the Government's stated commitment to:

- make clear that schools – governors, headteachers and teachers had responsibility for improvement. Also end the requirement for every school to have a local authority school improvement partner (SIP) and end the current centralised target-setting process;
- ensure that schools had access to evidence of best practice, high-quality materials and improvement services, which they could choose to use;
- as the National Strategies and other field forces come to an end, support of a new market of school improvement services with a much wider range of providers and services available for schools to choose from;
- free local authorities to provide whatever forms of improvement support they choose, with expectations that alternative business models would be explored by local authorities; and
- ensure that schools below the floor standard received support.

Senior officers from Halton and Warrington Borough Councils had worked together to develop a service proposal to deliver school improvement functions in partnership with a private provider. This would increase the volume of schools potentially purchasing the service and therefore improve the viability. The report gave details of the options appraisals and the joint venture model timeline for Members' consideration.

Reason(s) for decision

The rationale for preferring a Joint Venture was due to the lack of contractual control of the income, i.e. the services would be procured via the school budgets and not the local authority budgets. In looking for this partner, the authorities should be able to mitigate the redundancy liability of school improvement staff whose funding would end on 31 March 2011. This was a significant saving to the Council, but also offered the employees concerned a continuity of their employment.

Alternative Options Considered and Rejected

The alternative of Joint Venture had been considered as part of the option appraisal and this model demonstrated the best solution to the Council.

Implementation Date

The selected bidder would be formally announced on 12 July 2011 for mobilisation by 1 September 2011.

RESOLVED: That

- 1) the development of the preferred approach of the Joint Venture Model for the delivery of school improvement services in conjunction with Warrington Borough Council and a private provider be agreed, subject to schools contributing funding to the delivery of the service between April and August 2011; and
- 2) the Joint Venture Model timeline, as set out in the report, be agreed.

Strategic Director
Children & Young
People

EXB78 OFSTED'S ANNUAL CHILDREN'S SERVICES
ASSESSMENT

The Board received a report of the Strategic Director, Children and Young people on Ofsted's Annual Children's Services Assessment.

The Board were advised that in reaching the assessment of Children and Young People's Services, Ofsted had taken account of all inspected and regulated services, arrangements for Child Protection along with performance against national performance indicators. The

overall judgement that Halton was performing well was derived from a wide ranging assessment of services, listed in the report. The letter from Ofsted, attached as Appendix 1, would be the subject of detailed consideration and action by the Halton Safeguarding Children Board and Halton's Children's Trust.

RESOLVED: That the Board note

- 1) Ofsted's judgement that Children and Young People's Services in Halton continue to perform well; and
- 2) the large majority of services, settings and institutions inspected by Ofsted are good or better.

Strategic Director
Children & Young
People

EXB79 SHARED SERVICES

The Board was advised that Cheshire West and Chester Council had approached Halton Council to explore the possibility of having a Shared Service for Children and Young People. It was reported that this would be an opportunity for the Council to share skills and expertise it had as a Children and Young People's Directorate more widely. There was also the scope to explore a range of efficiencies over time.

It was anticipated that proposals for a Shared Service would develop on a stepped basis, where it was viewed by both Councils as meeting its needs. Each Council would remain sovereign in terms of its responsibilities for services to children and young people. Members would remain responsible and accountable for their own population. Further reports would follow detailing how the issues listed below would be taken forward:

- Legal Agreements;
- Accountability and Governance arrangements;
- Councillor involvement;
- Financial arrangements;
- Personnel matters;
- The scope for the arrangements and their timing;
- Reporting arrangements; and
- Risk Register.

Reason(s) for decision

The Council has the opportunity to provide expertise in Child Protection and Children and Young People's Services to a

wider community.

The Shared Service is intended to provide a range of efficiencies for the Council in the medium term.

Alternative Options Considered and Rejected

The Council does not take up Shared Service Opportunities. Given the current financial context this does not appear in the Council's best interests.

Implementation Date

The first step in agreeing the initial management arrangements is January 2011.

RESOLVED: That

- 1) the Chief Executive, in consultation with the Leader and Strategic Director of Children & Young People's Services, agree the first steps in having a Shared Service for children and young people with Cheshire West and Chester Council. This would initially only involve arrangements for the Strategic Director of Children's Services and the Safeguarding Unit Manager.
- 2) the stepped approach to shared arrangements beyond this, with reports at each stage of the process be agreed. This is with specific reference to items within Paragraph 3.5 contained in this report and other areas identified for shared arrangements.

Chief Executive/
Strategic Director
Children & Young
People

RESOURCES PORTFOLIO

EXB80 DRAFT CORPORATE RISK REGISTER 2010/11

The Board received a report of the Strategic Director, Resources, on the Draft Corporate Risk Register 2010/11.

The Board were reminded that the purpose of the Corporate Risk Register was to ensure that the Council maximised its opportunities whilst minimising and controlling the associated risks in delivering the Council's vision and services for Halton.

A recent review of the Register had resulted in a change to its structure with corporate risks identified and

grouped under each of the sixteen headings and attached at Appendix 1 to the report.

RESOLVED: That the revised Corporate Risk Register be approved.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB81 MERSEYSIDE AND HALTON JOINT WASTE DEVELOPMENT PLAN DOCUMENT - PREFERRED OPTION 2 - NEW SITES CONSULTATION-KEY DECISION

The Board received a report of the Strategic Director, Environment and Economy on the Merseyside and Halton Joint Waste Development Plan Document - Preferred Options 2 - New Sites Consultation.

The Board were reminded that the Borough Council was involved in producing a Merseyside Joint Waste Development Plan Document (Waste DPD) for the Merseyside sub-region. The plan focused on providing new capacity and new sites for waste management uses and delivered a robust policy framework to control waste development whilst meeting the identified waste management needs in Merseyside and Halton. The Waste DPD dealt with all waste including commercial and industrial, hazardous, construction, demolition, excavation and municipal waste.

The Board had previously considered reports on the Preferred Options stage of producing the Waste DPD and the results of public consultation undertaken between May and July 2010 were attached at Appendix 1.

On 22 October 2010, the City Region Cabinet considered a recommendation to endorse a public consultation, Preferred Options 2, on new sites for proposed allocation within the Plan and approval to be sought from each district. A number of meetings had been completed with consultees (notably adjacent planning authorities), and the waste industry to clarify and resolve issues raised during the Preferred Options consultation earlier in the year. Appendix 2 contained a report on the proposed replacement sites for allocation within the Waste DPD following the withdrawal of some sites after the July 2010 consultation.

Reason(s) for decision

Government policy (PPS10) requires that waste must be

dealt with in a sustainable way. The Council is involved in producing a Joint Waste Development Plan Document (DPD) for the Merseyside sub-region. Drafting of the Plan has reached the stage where the policy framework contained in the Waste DPD needs to be subject to public scrutiny.

Alternative Options Considered and Rejected

The Waste DPD has been prepared through a multi-stage process. Three public consultation stages have 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.
- Preferred Options Report – 24th May – 4th July 2010

These reports document the evolution of the Plan and the options for policies and sites that have been considered and rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and, detailed technical assessments have all been used to inform the preparation of this Report, forming a fourth public consultation stage. The Preferred Options 2 Report sets out the alternative options considered.

Implementation Date

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

RESOLVED: That Council be recommended to

- 1) note the results of the consultation on the Waste Development Plan Document Preferred Options Report; and
- 2) approve the Preferred Options 2: New Sites Consultation Report and approve a six-week public consultation commencing in early 2011.

Strategic Director
Environment and
Economy

ENVIRONMENTAL SUSTAINABILITY PORTFOLIO

EXB82 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.

EXB83 RESOURCE RECOVERY CONTRACT

The Board received a report of the Strategic Director, Environment and Economy which updated Members on the procurement of services for the treatment of Halton's residual waste.

In 2007, the Board had approved a Contract Procurement Strategy with Merseyside Waste Disposal Authority (MWDA) for the provision of services and facilities for the recycling and treatment of waste for Merseyside and Halton. The Waste Management and Recycling Contract (WMRC) was entered into in June 2009 for a period of 20 years. The WMRC provided for the management of Halton's Household Waste Recycling Centres and the provision and management of Materials Recycling and Garden Waste Composting Facilities.

A second contract, the Resource Recovery Contract (RRC) provided for the operation of waste treatment facilities and the diversion of residual waste from landfill for a period of 25 to 30 years; the report contained an update on the procurement of the RRC for Members' consideration.

RESOLVED: That

- 1) the progress made in securing services for the treatment of Halton's residual waste through the Merseyside and Halton Resource Recovery Contract procurement project be noted; and
- 2) a further report be presented to Members following the award of the Resource Recovery Contract detailing the financial, operational and other implications for Halton as a result of the authority's inclusion in the contract.

Strategic Director
Environment and
Economy

MINUTES ISSUED: 22 December 2010

CALL-IN: 31 December 2010

Any matter decided by the Executive Board may be called in no later than 5.00pm on 31 December 2010

Meeting ended at 12.20 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 13 January 2011 in the Marketing Suite, Municipal Building

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

Apologies for Absence: D Parr and Councillor Stockton

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, G. Cook, D. Johnson, I. Leivesley, G. Meehan, D. Tregea and B. Dodd

Also in attendance: One member of the press

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

Action

EXB84 MINUTES

The Minutes of meeting held on 16 December 2010 were taken as read and signed as a correct record.

(NB: Councillor Wharton declared a personal interest in the following item of business as he had close links with a service user of Pingot Day Centre)

EXB85 MODERNISATION AND INTEGRATION OF DAY SERVICES AND OPPORTUNITIES FOR ALL ADULTS

The Board received a report of the Strategic Director, Adults and Community on the modernisation and integration of day services, the opportunities for all adults and the formal consultation process with stakeholders.

The Board were informed that there had been a significant and growing emphasis, in recent national and local strategy reports, on the need to change the way adult social care services were delivered in response to the demographic challenge of an ageing population within an environment of reducing resources, and on the need for a

whole system response built around personalised services with increased emphasis on prevention, early intervention and enablement.

The change in the structure of the population presented a significant challenge to health and social care services, and a number of alternative approaches to traditional Day Services had been developed over the past couple of years; with a key focus on Early Intervention and Prevention, meaningful activities, employment and volunteering. However, Older People's day services continued to be delivered based on a traditional building based model, and in isolation to other developments. In addition, older people did not always have the same access to service delivery which were available to younger adults.

It was noted that the current services identified within this redesign model were:

- Sure Start To Later Life for Adults;
- Community Bridgebuilders;
- Older People's Community Day Care;
- Oakmeadow Day Centre;
- Adult Placement;
- PSD Day Services;
- Specialist Day Services for Adults with a Learning Disability; and
- Pingot Day Centre.

The Board noted the details of the consultation process which would involve staff and managers, service users and carers, interested bodies, key stakeholders and individuals as well as Members of the Health Policy and Performance Board at its meeting in March 2011.

RESOLVED: That

- 1) approval be given to the following as a basis for consultation with service users, families, carers, staff and key stakeholders commencing January 2011 on the following proposals:
 - i. to de-commission Older People's Day Services within the current format;
 - ii. to integrate Sure Start To Later Life and Community Bridge Building Service;
 - iii. redesign the current provision of Day

Strategic Director
Adults and
Community

Care within Oakmeadow;

- iv. to de-commission Pingot Day Centre as a base for the delivery of Day Services; and

- 2) the Strategic Director for Adults and Community, in consultation with the Portfolio Holder, be authorised to consider feedback in response to the consultation, to consider this with other information and return to the Board with recommendations.

EXB86 ASSESSMENT OF PERFORMANCE REPORT 2009/10 FOR ADULT SOCIAL CARE

The Board received a report of the Strategic Director, Adults and Community on the Assessment of Performance Report 2009/10 for Adult Social Care.

The Board were reminded that the Adults and Community Directorate had their performance rated annually by the Care Quality Commission (CQC). The performance rating was linked to how well the Directorate provided social care services to all adults. The rating received fed into the Comprehensive Area Assessment rating for Halton Borough Council; there was a requirement for Councils to publish assessment ratings and to present the findings to the Executive Board.

Performance for 2009/10 had been rated, with an overall grade rating for delivery of outcomes as excellent which was classified by the CQC as 'overall delivering well above the minimum requirements for people'. In addition, performance against each of the domains had been rated and detailed in the report.

The Board wished to place on record their thanks to all staff involved in achieving the current rating.

RESOLVED: That the continuing improved performance of the Directorate as outlined in the Assessment of Performance report attached at Appendix 1 be noted.

MINUTES ISSUED: 17 January 2011

CALL-IN: 24 January 2011

Any matter decided by the Executive Board may be called in no later than 5.00pm on 24 January 2011

Meeting ended at 2.11 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 27 January 2011 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman), D. Cargill, A. Gerrard, Harris, Jones, McInerney, Nelson, Stockton, Swain and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, D. Johnson, I. Leivesley, G. Meehan, D. Parr, D. Tregea, B. Dodd and A. McIntyre

Also in attendance: None

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

Action

EXB87 MINUTES

The Minutes of the meeting held on 13 January 2011 were taken as read and signed as a correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

EXB88 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.

EXB89 CONNEXIONS UPDATE

The Board received a report of the Strategic Director, Children and Young People which provided an update on the current contractual arrangements between the six Greater Merseyside Local Authorities and Greater Merseyside Connexions Partnership, along with an outline of the national policy direction and the recommended approach for each of the Liverpool City Region authorities.

RESOLVED: That

- 1) the current position in response of the Connexions Service, including the contract deadlines be noted;
- 2) officers be authorised on behalf of the Council to continue to negotiate with Greater Merseyside Partnership in respect of the 2011/2012 contact and service specification, together with the five Local Authority areas in the Liverpool City Region;
- 3) a further report be presented to the Board in March 2011 providing details on the outcome of the contractual negotiations; and
- 4) officers be authorised to seek Counsel's advice, as required, as set out in the report.

Strategic Director
- Children &
Young People

MINUTES ISSUED: 31 January 2011

CALL-IN: 7 February 2011

Any matter decided by the Executive Board may be called in no later than 5.00pm on 7 February 2011

Meeting ended at 2.30 p.m.

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EXECUTIVE BOARD SUB COMMITTEE

*At a meeting of the Executive Board Sub Committee on Thursday, 16 December 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 and N. Martin

Also in attendance: None

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

Action

ES59 MINUTES

The Minutes of the meeting held on 2nd December 2010 were taken as read and signed as a correct record.

ES60 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

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

interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption 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 Schedule 12A of the Local Government Act 1972.

PHYSICAL ENVIRONMENT PORTFOLIO

ES61 STANDING LIST OF CONTRACTORS FOR LANDSCAPE IMPLEMENTATION WORKS

The Sub Committee considered a report which sought approval for the Standing List of Contractors for Landscape Implementation Work. The list would be used to select Contractors to tender for landscape implementation work when necessary and would be maintained for 3 years.

It was reported that notices had been placed in various publications and pre qualification questionnaires were sent to those companies who expressed an interest. Subsequently, submissions were excluded from the list as they did not provide the necessary technical information, they declined to continue the process, references were below average or financial appraisals were unacceptable. In addition, Health and Safety assessments were carried out on the remaining 23 Contractors and they were all considered acceptable.

Members noted that the remaining 23 Contractors had also complied with the requirement of the pre qualification questionnaire to have a policy which deals with discrimination and equal opportunities.

RESOLVED: That

- (1) the following Standing List of Contractors for Landscape Implementation Work be approved; and
- (2) the following list shall be maintained for 3 years.

Strategic Director
Environment and
Economy

MINUTES ISSUED: 21st December 2010

CALL IN: 31st December 2010

**Any matter decided by the Executive Board Sub Committee may
be called in no later than 31st December 2010**

Meeting ended at 10.10 a.m.

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EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 13 January 2011 in the Marketing Suite, Municipal Building

Present: Councillors Harris and Nelson

Apologies for Absence: None

Absence declared on Council business: Councillor Wharton

Officers present: M. Reaney, G. Ferguson, H. Cockcroft, M. Holt and A. Lucas

Also in attendance: None

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

Action

ES62 MINUTES

The Minutes of the meeting held on 16th December 2010 were taken as read and signed as a correct record.

NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO

ES63 VARIATION OF THE NON-STATUTORY FEES AND SETTING OF NEW FEES FOR SERVICES OFFERED BY HALTON REGISTRATION SERVICE

The Board considered a report which sought approval to vary the non-statutory fees and to approve the fees for new services offered by Halton Registration Service. Following discussions with the General Register Office Inspector, who recently conducted a review of the Service, it was suggested that the local authority may wish to review its current services and charges. In determining the proposed fee structure outlined in the report, comparisons had been made with other local authorities both within the North West and other Registration Services that were providing similar services. At the request of the portfolio holder, these proposals would form part of the Services Business Plan.

The fees would take effect from January 2011 – 31st March 2012 and reviewed each September, taking effect the

following April for each financial year. Ceremonies booked before this date would be honoured at the current fees (subject to the usual 3% increase that would be normally applied for ceremonies taking place after 1st April 2011). However, bookings taken after 13th January 2011 would be charged at the new rates.

RESOLVED: That the variations to the Halton Registration Services and the fees for new services as set out in the appendix in the report be approved.

HEALTH AND ADULTS PORTFOLIO

ES64 AWARD OF THE INDEPENDENT MENTAL CAPACITY ADVOCATES CONTRACT

The Sub Committee received a report of the Strategic Director Adults and Community which sought approval for the award of a contract for the Independent Mental Capacity Advocate (IMCA). All local authorities have a statutory duty under the Mental Health Act 2007 to provide Independent Mental Capacity Advocates to support decision making on behalf of individuals who lack the mental capacity to make particular decisions for themselves.

It was noted that a partnership agreement between Halton, Knowsley, St Helens and Warrington Local Authorities was entered into two years ago. This agreement had been extended as all four boroughs recognised the cost effectiveness of commissioning jointly. Halton was the lead commissioner on this contract for the next two years with monitoring support offered through each of the other Authorities.

The Council had undertaken a comprehensive Tender process to ensure value for money, competitiveness, and high quality services being delivered. Expressions of interest were invited and 7 provider organisations expressed an interest and were sent a pre-qualification questionnaire and an invitation to Tender document to complete.

Consequently, 6 tender packs were submitted and following comprehensive evaluation, five organisations were invited to give presentations (however one withdrew at this stage). Following evaluation Together: Working for Wellbeing scored highest in three of the four published criteria and their overall score was considerably better than any of the other three providers. It was therefore proposed that the contract be awarded to Together: Working for Wellbeing on the basis that this organisation offered value

for money in terms of both cost and quality.

RESOLVED: The contract for IMCA be awarded to the contractor Together: Working for Wellbeing in the sum of £30,968 (Halton contribution for two years).

MINUTES ISSUED: 18th January 2011

CALL IN: 25th January 2011

Any matter decided by the Executive Board Sub Committee may be called in no later than 25th January 2011

Meeting ended at 10.09 a.m.

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MERSEY GATEWAY EXECUTIVE BOARD

At a meeting of the Mersey Gateway Executive Board on Thursday, 27 January 2011 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Chairman), Stockton and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: D. Parr, D. Tregoe, M. Noone and L. Derbyshire

Also in Attendance: Councillor Redhead

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

Action

MGEB10MINUTES

The Minutes of the meeting held on 18 November 2010 were taken as read and signed as a correct record.

**MGEB11 THE SECRETARY OF STATE'S DECISION ON THE
PLANNING APPLICATIONS AND ORDERS AND
PROGRESS TOWARDS COMMENCING PROCUREMENT**

The Board considered a report of the Strategic Director – Environment and Economy which informed Members that the Government had announced the decision for Mersey Gateway on 20th December and published the Secretary of State's Decision Letters along with the Public Inquiry Report and Supplementary Report produced by the Inspector Alan Grey. The report provided Members with a summary of the conclusions reached and the statutory powers either made, or confirmed, as a consequence of this decision. Members were also advised of the action now being taken to secure the land required for the scheme and to prepare for the procurement process now planned to commence in the spring.

The Board was advised that the report gave details of the summary conclusions which were consistent with the

findings expressed in the reports of the Inspector Mr Alan Grey relating to the applications and orders made by the Council back in spring 2008 and considered at the Public Local Inquiry that sat for twenty days between May and July 2009. The report plus all the documents relating to the planning decision, were available on the Mersey Gateway website and hard copies had been placed on deposit at the Kingsway and Halton Lea Libraries and at Direct Link offices in Widnes and Runcorn.

The report advised of the key factors emerging from the Inspector's conclusions. It was noted that the decisions made by Government on 20th December had triggered a number of statutory processes including the exercise of the compulsory purchase powers enabled by the Compulsory Purchase Orders and the made Order under the Transport and Work Act 1992. These powers allowed the project team to acquire the land which was necessary for the construction and maintenance of the Project. However, commencing the CPO process did not require any further Council resolutions because such resolutions were established at previous Council meetings.

It was reported that the Council had served the preliminary notices in the CPO process on the parties affected by these Orders in two stages. A press release explaining that the Council was commencing the CPO process had been issued. The notices issued covered all the known interests in the land required for the scheme. The actual programme for taking possession of the sites would be phased over the next 18 months. In addition, details of the programme for taking possession of specific sites would be reported to the Board at future meetings.

During the discussion, the Members noted the approval process for the funding. It was also noted that the objections had been fully dealt with and rejected during the Public Inquiry and the focus now would be on delivering the project.

RESOLVED: That

- (1) the substance of the decisions announced by Government on 20th December, which either made or confirmed all the statutory powers requested for Mersey Gateway be noted; and
- (2) The action now being taken by the project team to secure the land through exercising the compulsory purchase powers confirmed in

the Transport and Works Act Order and the two Compulsory Purchase Orders and to prepare the procurement process 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 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 paragraphs 1, 3 and 5 of Schedule 12A of the Local Government Act 1972.

(Note: Mr Nicholson declared a Personal and Prejudicial Interest in the following item of business recommendation 2 (iii) due to it relating to the extension of his contract as the Mersey Gateway Bridge Project Director and left the room during consideration of this recommendation).

MGEB13APPOINTMENT OF CONSULTANTS

The Board considered a report of the Strategic Director

Environment and Economy which informed Members of the decision of the Secretary of State for Transport to grant the necessary consents for the construction of the Mersey Gateway Bridge. It was reported that the project now moves into the detailed procurement phase and to complete this work in accordance with the agreed timetable, it was necessary to appoint or re-appoint consultants. The report set out the various contracts required and sought authority for the Chief Executive to determine the detailed terms and contractual arrangements.

RESOLVED: That

- (1) Consultants to the Mersey Gateway Project, KPMG, Gifford, EC Harris, Halcrow, GVA Grimley and DLA Piper be retained and the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements;
- (2) The Framework Contract for Mott MacDonald be extended to 30th April 2013 and that the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements;
- (3) Steve Nicholson's contract as Mersey Gateway Bridge Project Director be extended to 30th April 2013 and that the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements for that contract extension;
- (4) The Chief Executive and Strategic Directors be authorised to redeploy staff as necessary to ensure that the Mersey Gateway Project Team has sufficient capacity to ensure the delivery of the Mersey Gateway Bridge Project in a timely fashion;
- (5) The contracts for Mr Scarisbrick and Mr Coulson as consultants within the Project Team be renewed and that the Chief Executive in consultation with the Leader and Portfolio Holder for Resources be authorised to determine the detailed terms and contractual arrangements; and

- (6) The award of a consultancy contract by the Strategic Director Environment & Economy to Ian Draycott be noted.

MINUTES ISSUED: 28 January 2011

CALL-IN: 7 February 2011

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00pm on 7 February 2011

Meeting ended at 3.50 p.m.

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

*At a meeting of the Children, Young People and Families Policy and Performance Board
on Thursday, 6 January 2011 in the Civic Suite, Town Hall, Runcorn*

Present: Councillors Dennett (Chairman), Balmer, Browne, Gilligan, Hodge,
Loftus, J. Lowe and L. Lawler

Apologies for Absence: Councillors Fry, P. Lloyd Jones and M. Ratcliffe

Absence declared on Council business: None

Officers present: G. Bennett, H. Coen, M. Grady, G. Meehan, N. Moorhouse,
S. Nyakatawa, J. Potter, M. Simpson, C. Taylor and A. Villiers

Also in attendance: Cllr Swain in accordance with Standing Order 33 and
Councillor Inch.

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

	<i>Action</i>
CYP34 MINUTES	
The minutes of the meeting held on 1 st November 2010 having been printed and circulated were signed as a correct record	
CYP35 PUBLIC QUESTION TIME	
It was reported that no public questions had been received.	
CYP36 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 since the last meeting of the PPB.	
RESOLVED: That the Minutes be noted.	
CYP37 CHILDREN'S TRUST UPDATE	

The Board received a report of the Strategic Director, Children and Young People which provided an update on the latest developments within the Halton's Children's Trust. It was reported that Section 10 of the Children Act 2004 set out the duties that required local authorities and their relevant partners to co-operate to improve the wellbeing of children and young people in areas which were detailed in the report.

It was noted that Halton's Children's Trust Board had been established in 2008 in line with national requirements that became statutory on April 1st 2010. The Trust built upon the Children and Young People's Alliance Board that was developed in 2006 in line with Children Act 2004 requirements.

The Coalition Government announced in July 2010 its intention to reform Children's Trusts. The proposals came into force from 31st October 2010 and included the following:-

- Removing the duty on schools to co-operate through Children's Trusts;
- Removing the requirement on local authorities to set up Children's Trust Boards and the requirement on those Boards to prepare and publish a joint Children and Young People's Plan (CYPP); and
- Revoking the regulations underpinning the CYPP and withdrawing the statutory guidance on Children's Trusts.

It was further noted that the reform allowed each local authority area to agree its own way forward in terms of delivering Children and Young People's services. The duty for partners to co-operate would continue but the list of statutory partners had been reduced to remove the bureaucracy surrounding Children's Trusts or similar local partnerships for partners and, in particular, schools.

The Board was advised that the reforms had removed the requirement on Halton to produce the CYPP. Halton's current Plan ran until March 2011. It was noted that with agreement that Halton's Children's Trust would continue in its current format. There was also a need for CYPP to provide strategic direction and so a third CYPP for Halton would be in place from April 2011. Work had begun on this CYPP following a Children's Trust Development Day on 6th

December 2010.

The priorities that were set in 2008 were outlined in the report and these priorities would remain in place until April 2011. Following discussions at the Trust's Development Day and at the Children's Trust Executive Group, it was proposed that the priorities and the structures within the Children's Trust would be amended from April 2011. The new priorities maintained strong links to the existing priorities outlined in 4.6 of the report and reflected the progress made by the Trust in its current agenda. The new proposed priorities were outlined in the report for information.

It was further noted that it had been agreed to keep the name Children's Trust in place for the partnership in order to keep continuity and the awareness of the name for the partnership as a brand. It had been proposed to amend the strapline for the Trust to recognise the importance of participation of young people within the structures at all levels and within all work.

The Board was informed of a new Children's Trust Website that would be going live during 1st week in January 2010. Members requested that the URL for the new website be circulated.

RESOLVED: That the report be noted.

CYP38 BSF UPDATE

The Board considered a report of the Strategic Director, Children and Young People which provided an update on the Building Schools for the Future (BSF) programme in Halton including the award of select bidder and the timetable for the construction and completion of the two sample schools.

It was reported that on 6th August 2010 the Secretary of State announced that all 33 local authorities "sample school" projects in 14 Council areas would now proceed.

Schools that were part of the Academy Programme at the time were put into one of two categories; ones that were granted capital now, of which there were 44 and ones that would be decided in the Spending Review, of which there were 79. The Ormiston Bolingbroke Academy fell into the later category.

The Academy, along with the Local Authority

representatives had recently met with Partnership for Schools (PfS) to discuss their options but a decision on funding for the Academy was not expected until the end of December 2010.

The immediate consequences of the Coalition Government BSF announcements were outlined in the report for information. In addition to the longer term consequences of the Coalition Government BSF announcements.

Following evaluation of both bids on the 2nd December 2010, Executive Board approved the appointment of the Local Transformational Partnership as the selected bidder for the Halton BSF Programme. The timetable for the programme of Financial Close was set out in the report as there were indications that funding could be lost if Financial Close was not completed by 31st March 2011.

It was further reported that construction would start on the two schools in April 2011 until December 2012 and it was planned that both schools would be operational in their new facilities in January 2013.

Arising from the discussion Members raised concerns regarding remaining schools in the Borough that would not be included in the BSF scheme. In response it was noted that there was continued dialogue with Government in respect of the other schools and there was a meeting scheduled for 26 January with Council officers and Lord Hill – Under Secretary of State for Schools, and an update would be provided at a later date.

The Board requested a further update be provided on the progress of the two sample schools after Financial Close.

RESOLVED: That

- (1) Members note the appointment of the select bidder and the revised timetable for completion of the two sample schools; and
- (2) a further update be provided on the progress of the development of the two sample schools after Financial Close.

Strategic Director
- Children &
Young People

CYP39 COMMISSIONING UPDATE

The Board received a report from the Strategic

Director – Children and Young People which provided an update on the development of a Joint Commissioning Team and highlighted the work undertaken by the team to assess the contracts which would be decommissioned or redesigned in the light of the funding cuts.

It was reported that the Commissioning and Contracts team was now fully staffed and had responsibility for over 50 contracts plus the responsibility for the contractual function for Residential, Independent Fostering Agency placements and Leaving Care placements.

It was reported that the team had joined up with Halton and St. Helens PCT Commissioners to create a Joint Commissioning Unit (JCU) which met once a month and all members of the JCU had attended a three-day Commissioning Skills Training event.

The Board was informed of five priority areas that had been identified by the Children's Trust and had been allocated to commissioners within the JCU and individual action plans were currently being developed. Some of the elements that would be covered in the plans were set out in the report for information.

It was further noted that the action plans would be finalised early in 2011 and would evidence a move towards efficiency savings through reductions in duplication of services and support functions with clear recommendations to achieve this.

The Board discussed the number of children from out of Borough in care homes in Halton and were informed of new statutory guidance which provided clarification on the 'sufficiency duty' placed on local authorities under 22(G) of the Children Act 1989, to secure sufficient accommodation to meet the needs of their looked after children. It was intended to guide local authorities to:

- modify their commissioning practices to ensure they have sufficient local provision to meet their needs; and
- ensure they have a strategic plan for commissioning placements for their looked after child population

It was further reported that when a local authority placed a child, their overriding aim, was to secure the most appropriate placement for the child, in order to safeguard and promote his/her welfare. For the majority of looked after

children, the ‘most appropriate placement’ would be within the local authority area.

Reference was also made to the decommissioning of services, it was felt that resources should be focussed on the most vulnerable and hard to reach areas. The Board was advised that the end result of the action plans was to obtain better value for money, improved delivery of services and find enhanced ways of working.

Members requested a brief explanation be circulated of what services were offered by providers and which budget they were funded from, from the table detailed in 4.5.3 of the report.

RESOLVED: That

- (1) the report be noted and the Board ask for a further report to be provided in the impact of the budget efficiencies on commissioned provision in Halton; and
- (2) the PPB endorse the development of an outcome based accountability framework and cost based saving tool for all contracts.

Strategic Director
- Children &
Young People

CYP40 REGULATION 33 VISITS

The Board considered a report of the Strategic Director, Children and Young People which proposed a revision to the Regulation 33 for visits of Children’s Homes.

The report set out the requirement for Regulation 33 visits and noted that they should be at least monthly and unannounced. Copies of the Regulation 33 reports were provided to the Registered Manager of the Children’s Home and to Ofsted. Ofsted closely monitored this and checked that visits had been carried out, the quality of reports produced and that any findings had been acted upon by the Registered Manager.

It was further noted that guidance suggested that in the case of the local authority, Elected Members should consider the “desirability” of carrying out the visits to demonstrate their role as a corporate parent.

The Board was advised that there were three Children’s Homes in the Borough requiring 36 visits a year and some members were only able to do a couple of visits per year due to other commitments which meant there was a

heavy reliance on just 1 or 2 members out of the current 9 who were CRB checked or trained to carry out the visits. It was also evident that some visits had not been completed within the monthly timescales due to Members commitments and failure to advise officers of non-visits.

In order to address some of these difficulties, it was therefore proposed to introduce a revised rota where visits were undertaken alternately by members and Independent Reviewing Managers from the Safeguarding Unit. This proposal would ensure that Elected Members maintained their corporate parenting role and would remain involved in the process but that additional oversight was offered by an experienced officer of the Council. Members were advised that a similar model was in operation in a number of local authorities.

It was further noted that Independent Reviewing Managers were experienced Social Workers and managers who would be able to provide informed opinion and challenge to the Children's Homes.

Arising from discussion of the report the Board requested that a seminar be held before a full Council meeting to remind Members of their duties as corporate parents and encourage Members to volunteer for training on Regulation 33 visits. It was further suggested that a review be carried out in 12 months to evaluate the new rota. Members were also invited to shadow the Independent Reviewing managers during these visits as a training exercise.

RESOLVED: That

- (1) the proposal be endorsed by Members;
- (2) the revised rota be introduced from April 2011;
- (3) a review of the revised rota be carried out in 12 months; and
- (4) a seminar be arranged before Full Council to remind Members of their duties as corporate parents and recruit for volunteers to carry out Regulation 33 visits.

Strategic Director
- Children &
Young People

CYP41 KINGSWAY CHILDREN CENTRE INSPECTION REPORT

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

Halton's First Children's Centre Ofsted inspection and subsequent action plan. It was reported that there were many positives that were highlighted in the inspection as follows:-

- Quality of partnerships;
- Good engagement of parents;
- Promotion of personal and emotional development of parents;
- Good safety promotion;
- Strong targeted services;
- Equality and diversity in particular the efforts to engage fathers; and
- Work with vulnerable groups.

Members were advised of other points raised for example Ofsted found that accessibility was not ideal. However Members were informed that there was a refurbishment planned, which would provide a visible reception area. It was further noted that whilst local level health data was not available, the issue of local level data on Children Centre reach areas had been made much more difficult. The reach areas were not co-terminus with ward boundaries as a consequence of what used to be DCSF, insisting through the 2009 restructuring of Halton Children Centres that each reach area contain 1200 children aged 0 to 5.

It was further noted that this had been significantly addressed by restructuring the reach areas of all Halton's Children centres to make them co-terminus with ward boundaries and the creation of detailed reach areas profiles which should no longer be a limiting factor for other Children centre inspections.

The Board also discussed the importance of informing all parents of children centres and suggested partner agencies could signpost the centres.

Appended to the report was the Kingsway Children's Centre Ofsted Action Plan which the Board agreed to endorse.

RESOLVED: That the Board endorse the Kingsway Children's Centre Ofsted Action Plan.

(NB: Councillor Loftus declared a Personal Interest in the following item due to being an employee of Riverside College)

CYP42 QUARTERLY MONITORING REPORTS

The Board received a report of the Chief Executive on the Performance Management Reports for Quarter 2, 2010/11.

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

- Children and families;
- Children's organisation provision; and
- Learning and Achievement.

Arising from the reports the Board discussed alternatives for Education Maintenance Allowance (EMA) and services provided by the Youth Services. Members requested a report be brought to a future meeting providing the findings of the Youth Service Review.

RESOLVED: That

- 1) the second quarter performance management report be received; and
- 2) a report be brought to a future meeting providing findings of the Youth Service Review.

Strategic Director
- Children &
Young People

CYP43 SUSTAINABLE COMMUNITY STRATEGY MID YEAR PROGRESS REPORT 2010 - 2011

The Board considered a report of the Strategic Director, Resources which provided information on the progress in achieving targets contained within the Sustainable Community Strategy for Halton.

It was reported that an updated Sustainable Community Strategy for Halton was the central document for the Council and its partners and was presently at an advanced stage of preparation and would become live from April 2011.

The Board was advised that the Coalition Government had set out its performance measures in Government Departmental Business Plans and many of the performance measures were already included in the

Sustainable Community Strategy.

It was further noted that the Sustainable Community Strategy included targets which were also in the Local Area Agreements (LAA). In October this year the Coalition Government announced the ending of Government performance management of local authorities through LSS'a. However, the Council needed to maintain some framework of performance management to measure progress towards our own objectives for the improvement of the quality of life in Halton and meet the Government's expectation that would be published in performance information.

Appended to the report was a progress on the 2010/11 mid year which included information for those specific indicators and targets that fell within the remit of this Policy and Performance Board.

It was reported that the SCS for Halton and the performance measures and targets contained within it would remain central to the delivery of community outcomes. It was therefore important that the Council monitor progress and Members were satisfied that adequate plans were in place to ensure that the Council and its partners achieved the improved targets that had been agreed.

The Board discussed the indicators and requested that more detailed descriptions be provided in future reports and that when the new framework was in place whether a progress indicator could be added.

RESOLVED: That the report and comments made be noted.

CYP44 DRAFT BUSINESS PLAN 2011-14 FOR THE CHILDREN AND YOUNG PEOPLE DIRECTORATE

The Board received a report of the Strategic Director, Children and Young People which provided an update on Business Planning for the period 2011-14 and to consider the Directorate priorities, objectives and targets for services for the period that fell within the remit of the Policy and Performance Board.

It was reported that each Directorate of the Council was required to develop a medium term business plan, in parallel with the budget that was subject to annual review and refresh. Draft Service Objectives and Performance Indicators and targets had been developed by each

Department and the information was included with Appendices to the Directorate Plan. It was further noted these departmental objectives and measures would form the basis of the quarterly performance monitoring received by the Board during the future year.

Members were advised that due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities as last year, a combined plan would be published rather than individual Departmental Service Plans. This plan was still subject to reconfiguration of services between Directorates, subject to consultation.

It was further noted that the draft Directorate Business Plan would be revised given proposed reconfiguration of directorates during January and would go to Executive Board for approval on 12th February 2011, at the same time as the draft budget. This would ensure that decisions on Business Planning were linked to resource allocation. All Directorate Plans would be considered by full Council at the 2nd March meeting.

RESOLVED: That

- (1) the Board identifies objectives and targets for the next three years that it wished to see included in the Business Plans; and
- (2) Board Members pass any detailed comments that they may have on the attached information to the relevant Operational Director or the Chairman by 20th January 2011.

Strategic Director
- Resources

CYP45 SSP MINUTES

The Minutes from the Halton's Children's Trust meeting held on 26th October 2010 were presented to the Board for information.

RESOLVED: That the Minutes be noted.

Meeting ended at 8.45 p.m.

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

At a meeting of the Employment, Learning, Skills and Community Policy and Performance Board on Thursday, 13 January 2011 in the Marketing Suite, Municipal Building

Present: Councillors Edge (Chairman), P. Lloyd Jones (Vice-Chairman), Austin, Carlin, Findon, Horabin, Howard, Macmanus, Parker and Roberts

Apologies for Absence: Councillor Rowe

Absence declared on Council business: None

Officers present: M. Simpson, H. Cockcroft, R. Mackenzie, A. Villiers and W Rourke

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

Action

ELS30 MINUTES

The Minutes from the meeting held on 15th November 2010, were taken as read and signed as a correct record.

ELS31 PUBLIC QUESTION TIME

It was reported that the following question had been received:-

Ref CS2 Section – Deliver a Programme of Reader Development Activities

Making decisions in times of budget reduction requires a close understanding of the customer base. To involve the customers in making decisions between tough options, makes any reduction more acceptable rather than an imposed cut. For instance the decision to stop buying CD stock may have been a wise management decision, but it doesn't appear so to the average user no explanations were provided.

Why have User Groups not been developed at the Libraries?

Response

Thank you for your question. Whilst there are currently no permanent user groups in libraries, the service does have a good knowledge of its customer base and uses a variety of mechanisms to ensure it consults and gathers information to inform its decision making process. The national public library user surveys, Halton 2000, suggestions and comments forms, constant stock monitoring as well as feedback gathered via Facebook and Twitter all contribute to this.

Specific project and service redesign have involved users and non-users through community consultation events, focus groups and steering groups some of which continue to meet and contribute to service development.

The strategy for libraries, which will consider user engagement, is due for publication this year. This will be subject to public scrutiny and consultation.

RESOLVED: That the public question be noted.

ELS32 EXECUTIVE BOARD MINUTES

The Board was informed that there were no minutes from the Executive or Executive Board Sub-Committee that were relevant to the Employment Learning Skills and Community Portfolio since the last meeting of the Board.

ELS33 SSP MINUTES

The Board received the Minutes of the Employment Learning and Skills Specialist Strategic Partnership Meeting held on 6th December 2010.

The Members were advised that a briefing on Construction Halton and what services the casting model could provide would be circulated to Members.

In receiving the minutes the Members noted the following:

- Work carried out by the Scientific Work Topic Group must be taken into consideration;

- Adult learning must continue to be encouraged; and
- Existing projects had been evaluated in relation to support required once the WNF funding had ceased.

The Board requested that a report be brought to the next PPB detailing which projects would continue and which projects would cease. Members also requested that their concerns be recorded regarding the lack of funding resulting in the end of various projects.

RESOLVED: That

- (1) the Minutes be noted;
- (2) a report outlining which projects would be continued and which projects had stopped be brought to the February meeting of the Board.

Strategic Director
- Resources

ELS34 WORK PROGRAMME INITIAL TOPIC IDEAS

The Board considered a report of the Strategic Director, Environment and Economy which was the first step in developing a work programme of Topics for the Board to examine 2011/12. Members were requested to forward ideas to Wesley Rourke or Councillor Edge for suggestions of Topics to be considered over the year. It was suggested that the information of past Topic Groups carried out to date be circulated to the Board in order for new Members to have an overview of work carried out in the past.

Members discussed initial suggestions such as Youth Unemployment, Education and Skills Training, facilities in the Borough, and something within the Community remit such as Libraries and Community Centres.

RESOLVED: That

- 1) the report be noted; and
- 2) Members e-mail Wesley Rourke or Councillor Edge with Topic suggestions / ideas before the 4th February 2011.

ELS35 QUARTERLY MONITORING REPORTS

The Board considered a report of the Strategic

Director Resources which provided progress against the Service Plan objectives and performance targets. Performance trends/comparisons affecting services for Economic Regeneration and Culture and Leisure for the second quarter of 2010/11.

The following comments arose from the report:-

- In relation to the self-service machines, for issuing and returning books in the libraries this had a very high take-up and there was secured funding for all the libraries to receive the latest machines;
- With regard to the number of local people with disabilities into permitted and paid work, it was noted that other agencies would also be responsible for achieving these targets, not just the Council's contribution;
- In relation to NI153 worklessness within 25 most deprived LSOAs it Members felt that it would be beneficial to have the actual number of people rather than a percentage figure.

In response it was noted that in future the actual figure of worklessness within the 25 most deprived LSOAs could be circulated to Members.

RESOLVED: That

- 1) the second quarter monitoring reports be received; and
- 2) the actual number of worklessness within the 25 most deprived LSOAs be provided in future reports be circulated to Board Members for this quarter.

ELS36 SUSTAINABLE COMMUNITY STRATEGY MID YEAR PROGRESS REPORTS 2010 - 2011

The Board considered a report of the Strategic Director, Resources, which provided information on progress in achieving targets contained within this Sustainable Community Strategy for Halton.

It was reported that an updated Sustainable Community Strategy for Halton was the central document for the Council and its partners and was presently at an

advanced stage of preparation and would become live from April 2011.

The Board was advised that the coalition Government had set out its performance measures in Government Departmental Business Plans and many of the performance measures were already included in the Sustainable Community Strategy.

It was further noted that the Sustainable Community Strategy included targets which were also in the Local Area Agreement (LAA). The report advised that attached at Appendix 1 to the report was progress to the 2010/11 mid-year which included information for those specific indicators and targets that fell within the remit of the Board.

The Board was advised that in considering the reports Members should be aware of the following:-

- All of the measures within the National Indicator Set (NIS) 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 Board in order to provide a clear picture of progress; and
- In some, outturn data couldn't be made available at the mid-year point. Additionally, all measures captured through the National Place Survey, which was due to be undertaken this year, had been deleted from the NIS by Central Government and therefore no further data would be made available in 2010/11. The future requirement for localised perception survey under the transparency agenda was presently subject to consideration.

Arising from the report Members requested to see the results of the Active People survey. Members also discussed whether the targets in relation to increasing participation in sport and physical activity would be achievable should funding cease for Sport England and other agencies.

Members also discussed the careers advice provided by schools and it was noted that guidance was provided in collaboration with help from the Economic Development and Children and Young People's Team.

RESOLVED: That report and comments made be noted.

(NB Councillor Lloyd Jones declared a personal interest in the following item due to being a non-executive director for Halton and St Helens PCT)

ELS37 DRAFT BUSINESS PLANS FOR ECONOMY AND ENVIRONMENT AND COMMUNITY SERVICES

The Board received a report of the Strategic Director, Environment and Economy which provided an update on the Business Planning for the period 2011-14 and considered the Directorate priorities, objectives and targets for services for this period that fell with the remit of the Employment, Learning, Skills and Community PPB.

The Board was advised that each Directorate was required to develop a medium term business plan, in parallel with the budget, that was subject to annual review and refresh. Draft Service Objectives and Performance Indicators and targets had been developed by each department and the information was included in the Appendices to the report. These objectives and measures would form the basis of the quarterly performance monitoring received by the Board during the future year.

The Board was further advised that due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities as last year a combined plan would be published rather than individual Departmental Service Plans. The plan was, however, subject to reconfiguration of services between Directorates and subject to consultation.

The Board discussed the establishment of a parking partnership with private sector operators and it was noted that a response could be provided of the progress made so far. Members also raised concerns in relation to the bus services running in the evening travelling through economically deprived areas. In response, it was noted that this question could be forwarded to the Public Transport Advisory Panel. The Members suggested that a feasibility study in relation to parking be brought back to a future Board.

RESOLVED: That Board Members pass any detailed comments they may have on the information in the Business Plans for 2011/2014 to the relevant Operational Director by

20th January 2011.

|

Meeting ended at 8.45 p.m.

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HEALTH POLICY AND PERFORMANCE BOARD

At a meeting of the Health Policy and Performance Board held on Tuesday, 11 January 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors E. Cargill (Chairman), J. Lowe (Vice-Chairman), Austin, M. Bradshaw, Dennett, Fry, Gilligan, Horabin, M Lloyd Jones, E. Ratcliffe and P. Cooke

Apologies for Absence: None

Absence declared on Council business: None

Officers present: R. Mackenzie, H. Moir, A. Williamson, A. Villiers and E Sutton-Thompson

Also in attendance: In accordance with Standing Order 33, Councillor Gerrard – Portfolio Holder – Health and Adults and Eugene Lavan (Primary Care Trust).

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

HEA36 MINUTES

The Minutes of the meeting held 9 November 2010 having been printed and circulated were signed as a correct record.

HEA37 PUBLIC QUESTION TIME

The Board was advised that no public questions had been received.

HEA38 EXECUTIVE BOARD MINUTES

The Board considered the Minutes of the meetings of the Executive Board Sub Committee relevant to the Health Policy and Performance Board.

RESOLVED: That the minutes be noted.

HEA39 PRESENTATION: WORKING TOGETHER FOR A SUSTAINABLE FUTURE

The Board considered a report and presentation from Mr Eugene Lavan, QIPP Project Director, NHS Halton & St Helens PCT which described the background to Quality Innovation, Productivity and Prevention (QIPP) in the mid-

Mersey sub-region (referred to as Level 3 QIPP), the challenge as a health and social care economy and the progress that had been made to date and future plans (including Halton Hospital)

The presentation outlined the following:-

- The background to Working Together for a Sustainable Future WSHK (Warrington, Halton, St Helens and Knowsley);
- The scale of the challenge;
- The vision;
- Halton Health Campus;
- The potential savings/efficiencies that could be made;
- Governance to manage (WSHK); and
- Workstreams and progress.

At the end of the presentation, Members of the Board requested a copy of the slides.

The Board noted the following points:-

- The five levels of QIPP (more quality, innovation prevention and productivity) to help address the significant funding gap;
- The scale of the challenges in respect of the increased level of complexity with less funding and performance targets such as waiting targets being abolished. In response it was reported that patients would retain their existing rights and privileges in the new system. In addition, clear information on quality measures and provision would be available ;
- The benefits and importance of organisations in respect of services collaborating rather than competing;
- The importance of communication with members of the public on the changes and how they would affect them. In response, it was highlighted that communication and patient engagement was a key principle in the proposals for the changes in order

that the delivery of services in the community would be effective;

- The importance of keeping Elected Members and the Board updated on the changes. In response it was reported that Members could, if they wished, be involved in the clinical workstreams as a representative of their community. An undertaking was also given to provide the Board with regular updates; and
- That services would be local if possible and centralised if necessary and outpatients would be accessed locally and that paediatric care would continue to be in Warrington.

RESOLVED: That

- (1) the presentation be received;
- (2) the comments made be noted;
- (3) Mr Lavan be thanked for his informative presentation;
- (4) update reports be presented to the Board on a regular basis.

(Councillor Martha Lloyd-Jones declared a Personal Interest in the following three items 6A, 6B and 6C of business due to her husband being a Non Executive Director of Halton & St Helens Primary Care Trust).

HEA40 SSP MINUTES

The Minutes of the Health Strategic Partnership Board of its meeting held on 2 September 2010 were submitted to the Board for consideration

RESOLVED: That the minutes be noted.

HEA41 PRESENTATION: URGENT CARE CENTRE HALTON HOSPITALS

The Board was advised that consideration of this item had been deferred to a future meeting.

HEA42 SAFEGUARDING ADULTS AND SERVICE INSPECTION OF ADULT SOCIAL CARE

The Board considered a report of the Strategic Director, Adults and Community which presented details of the outcome of the Service Inspection of Adult Social Care recently carried out by the Care Quality Commission (CQC) and gave an update on the key issues.

The Board was advised that of the key issues since the previous report to the Board in September 2010. In addition, it was reported that the feedback from the Service Inspection of adult social care (attached at Appendix 2) had been excellent and was one of the top in the country. The Members of the Board were thanked for the work they had undertaken during the past year, in particular their focus on the key issues.

Members of the Board also took the opportunity to congratulate officers in achieving an excellent inspection report and thanked them for their hard work during the past year.

RESOLVED: That the report and comments made be noted.

HEA43 HALTON MULTI-AGENCY TRANSITION STRATEGY

The Board received a report of the Strategic Director, Adults and Community which presented the updated Halton Multi Agency Transition Strategy for Young People Aged 14 - 25 2010-2013 (Transition Strategy) which was attached to the report at Appendix 1.

The Board was advised that the Strategic Transition Group which oversees the Transition Strategy had worked to expand the Strategy from 14-19 to 14-25 refreshed the existing Strategy to ensure that this was focused and purposeful.

The Board was further advised that the Strategic Transition Group had representatives from Halton Adults Social Care, Halton Children and Young People's Directorate, NHS Halton and St Helens, Riverside College, Transport Services, Housing commissioning and Greater Merseyside Connexions Partnership. In addition, a focus group of young people had been supported by the Transition Co-ordinator to input into the Strategy. Halton Speak Out had also made a positive contribution.

Members of the Board took the opportunity to thank Officers for the excellent report. It was noted that this report

was also being presented to the Children & Young People's Policy and Performance Board. In addition, it was noted that the report contained a significant number of key targets and it was suggested that the Board monitor these on a six monthly basis.

RESOLVED: That

- (1) the report and comments made be noted; and
- (2) in order to monitor the key targets the Board receive a six monthly update report.

Strategic Director
– Adults and
Community

HEA44 ELECTRICALLY POWERED SCOOTERS AND WHEELCHAIRS

The Board considered a report of the Strategic Director, Adults and Community which informed the Members that Halton residents were increasingly purchasing their own electrically operated scooters or being supplied with electrically powered wheelchairs via Halton Wheelchair Service. Once they had this equipment, a request was made to their Registered Social Landlord (RSL) or Halton Borough Council (HBC), or both, to supply a permanent ramp to their property, and at times, adequate storage facilities.

The Board was advised that the report stated the position of Halton Borough Council, towards the provision of permanent ramps and storage facilities for these items.

The Board was also advised that the Department of Transport had recently held consultations on the proposed changes in the laws governing scooters. One suggestion in the consultation document included taking forward some of the recommendations contained in the DfTs 2005 review e.g.:-

- Improve advice to potential users when purchasing a vehicle and provide training on its use;
- Require users to have third party insurance;
- Devise a fitness to drive assessment; and
- That an appropriate body e.g. British Healthcare Trades Association should assist buyers in researching the best value for money.

The following points arose from the discussion:-

- Clarity was sought on who would do the fitness to drive assessment and what measures would be in place to ensure users had undertaken an assessment. In response it was reported that third party insurance would only be issued after a fitness to drive assessment had taken place. In addition, it was reported that it would be illegal to drive a scooter without an assessment or insurance;
- It was suggested that the Authority could issue a licence and insurance could be obtained on production of the licence;
- The issues related to the use of scooters in supermarkets and retailers who sold scooters without providing any guidance was noted; and
- It was agreed that there would need to be an awareness campaign on the use/purchase of scooters, the criteria for accessing ramps and a checklist to ascertain suitability for a scooter.

RESOLVED: That the contents of the report and comments made be noted.

HEA45 A VISION FOR ADULT SOCIAL CARE

The Board considered a report of the Strategic Director, Adults and Community which highlighted the main factors of A Vision for Adult Social Care: Capable Communities and Active Citizens, published in November 2010.

The Board was advised that On Tuesday 16th November 2010, the Government had launched its *Vision for Adult Social Care: Capable Communities and Active Citizens* and the consultation, *Transparency in Outcomes: A Framework for Adult Social Care*. This was the first in a series of Government reforms and included a useful timeline of forthcoming documents:-

- Public Health White Paper – end of 2010;
- Law Commission report on Adult Social Care Legislation – spring 2011;
- Commission on the Funding of Care and Support report – summer 2011;
- Care and Support White Paper – end of 2011; and
- Social Care Reform Bill – spring 2010.

It was reported that given the strategic importance of the new White Paper it was recommended that the Portfolio Holder for Adults and Social Care and the Chair of the Health Policy and Performance Board submit a letter in response to the consultation on the vision for Adult Social Care. In addition, that the Council explores the framework and potential to develop a Social Enterprise. This was unlikely to focus on adults with a disability and further reports would be submitted to the Board on this matter.

In this respect, a consultation document on Transparency in Outcomes: A Framework for Adult Social Care Consultation questions/response from Halton Borough Council was circulated at the meeting and Members were encouraged to email the committee officer with their views no later than Friday, 21 January 2011.

The following comments arose from the discussion:-

- It was noted that the Authority had been part of the pilot of independent social work practices; and
- It was noted that the transition from young people's to adult's services was crucial and the process to create a seamless transition must be maintained and improved upon by identifying relevant wider individual and family needs.

RESOLVED: That the report and comments made be noted.

HEA46 SELF DIRECTED SUPPORT POLICY -
PERSONALISATION

The Board considered a report of the Strategic Director, Adults and Community which gave the Members an update on the Personalisation agenda and highlighted the current barriers and risks to full implementation on the personalisation programme.

The Board was advised that Halton Borough Council was committed to increasing the number of people who received Direct Payments and Personal Budgets. This was in line with national priorities and the shift to Self Directed Support (SDS) so that clients and carers had a greater choice and control over the support they received and how it was delivered.

The Board was further advised that SDS was a term

used to describe how people could exercise choice and control over their lives and the services they received. This required people to be aware of the financial value attributed to meeting their needs. This was known as an individual budget and allowed them to make an informed choice about how this was used.

It was reported that SDS included the use of direct payments and the delivery of individualised person centred services. Attached at Appendix 1 was a draft SDS policy which embraced these mechanisms and applied them across all client group areas.

In addition, it was reported that the Resource Allocation System (RAS) outlined the new system for allocating resources through personal budgets and was based on a person's assessed need taking into account all their circumstances. The personal budget system was a robust system of fair funding and provided equality across all service areas. Attached at Appendix 2 was a draft RAS.

The following comments arose from the discussion:-

- Concern was raised at the possibility of fraud in the new system and how this could be monitored. In response, it was reported that there was a significant amount of auditing undertaken throughout the whole system;
- Concern was raised on how the Authority ensured that the service individuals were paying for met their needs and whether it was value for money. The Well Being Board would also need to be monitored and it was suggested that an update report be presented to the Board in six months time. It was also acknowledged that sometimes the individual concerned would not always be aware of their specific needs;
- It was suggested that personal assistant training could be mandatory rather than recommended;
- Concern was raised that the current post holder who audited the system and provided the resultant individualised budgets and adjusted the system was only funded part time until March 2011 from the Council's Transformation Grant; and
- Concern was raised at the demand on the Authority for personal assistant training and clarity was

sought on how this would continue in light of the cuts in funding. It was also noted that monitoring the increased number of personal assistants would be challenging. In response it was reported that the Authority were working towards providing an accreditation programme for personal assistants.

RESOLVED: That

- (1) the report and comments made be noted; and
- (2) that an update report be presented to the Board in six months.

Strategic Director
– Adults and
Community

HEA47 HEALTH POLICY AND PERFORMANCE BOARD WORK PROGRAMME 2011/12

The Board considered a report of the Strategic Director, Adults and Community which sought Members consideration of developing a work programme for 2011/12.

The Board was advised that the Dignity in Care Topic Group would continue as part of the work programme for 2011/12.

After discussion, the Board agreed that a Topic Group be established on Autism. Members were encouraged to email their interest in becoming part of this group to the committee officer as soon as possible.

RESOLVED: That

- (1) an Autism Topic Group be established; and
- (2) Members indicate their interest in becoming part of this Topic Group via email to the Committee Officer.

Strategic Director
– Adults and
Community

HEA48 PERFORMANCE MONITORING REPORTS - QUARTER 2

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

- Prevention and Commissioning Services;
- Complex Needs; and
- Enablement Services.

Prevention and Commissioning Services

Page 224 – Item 1 and Page 241 – Item 2 – clarity was sought on what progress had been made with the work on the PCT Partnership.

In response, it was reported that progress had been good. The transfer of Learning Disability from health to the Authority had been finalised and the Authority were now commissioning the services from funding from the PCT. The Health and Well Being Board would be established in the near future and a half day workshop had taken place to look at priorities and challenges of the transition in response to Government proposals.

Page 243/244 – clarity was sought on the £231k underspend of the community care budget;

In response, it was reported that this was on target to balance and that the community care budget crossed several service areas.

Page 293 and 301 of the report – summary of key activities – Clarity was sought on whether the planned programmes of work and the proposed stakeholders workshop would be affected by the current spending review.

In response it was reported that the programmes had already been affected by the spending review. However, front line staff would be protected for health and social care and it was suggested that a Health representative attend the next meeting.

Page 321 – Key Milestone – Consider with the PCT Partners ... - would there be a wider consultation regarding the implication of the White Paper. In response, it was reported that this matter had been addressed earlier on the agenda.

The Board requested that a short commentary on the reason for any underspend on capital projects could be added to future reports.

RESOLVED: That the quarterly monitoring reports and comments made be noted.

HEA49 SUSTAINABLE COMMUNITY STRATEGY MID YEAR PROGRESS REPORT 2010-11

The Board considered a report of the Strategic

Director, Resources which provided information in achieving targets contained within the Sustainable Community Strategy (SCS) for Halton.

The report advised that attached at Appendix 1 to the report was progress to the 2010 – 11 mid-year which included information for those specific indicators and targets that fall within the remit of the Board.

The Board was advised that in considering the reports Members should be aware of the following:-

- All of the measures within the National Indicator Set (NIS) 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 Board in order to provide a clear picture of progress; and
- In some cases out-turn data could not be made available at the mid-year point. Additionally, all measures captured through the National Place Survey, which was due to be undertaken this year, had been deleted from the NIS central government and therefore no further data would be made available in 2010/11. The future requirement for localised perception survey under the transparency agenda is presently subject to consideration.

Concern was raised that Halton's cancer statistics for under 75's remained disappointing, despite a fall in cancer death rates from 185.98 / 100,000 in 1995/1997. Clarity was sought on whether the planned activities to address this problem were affected by the spending review. In response, it was reported that the stakeholders workshop was going ahead. However, there had been a reduction in the budget for Health checks Plus carried out by GPs on behalf of the PCT.

RESOLVED: That the report and comments made be noted.

HEA50 DRAFT BUSINESS PLAN 2011-14 FOR THE ADULTS & COMMUNITIES DIRECTORATE

The Board considered a report of the Strategic Director – Resources which provided an update on Business Planning for the period 2011-14 and the Directorate priorities, objectives and targets for services for this period that fell within the remit of the Board.

The Board was advised that each Directorate was required to develop a medium term business plan, in parallel with the budget, that was subject to annual review and refresh. Draft Service Objectives and Performance Indicators and targets had been developed by each department and the information had been included in the Appendices to the report. These objectives and measures would form the basis of the quarterly performance monitoring received by the Board during the future year.

The Board was further advised that due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities as last year a combined plan would be published rather than individual Departmental Service Plans. The plan, however, was subject to reconfiguration of services between Directorates and subject to consultation.

It was reported that comments could also be made to the relevant Operational Director by no later than 20 January 2011 to allow inclusion in the Draft Business Plan.

In addition, the draft Directorate Business Plan would be revised given proposed reconfiguration of Directorates during January and would be presented to the Executive Board for approval on 9 February 2011, at the same time as the draft budget. This would ensure that decisions on Business Planning were linked to resource allocation. All Directorate plans will be considered by full Council at its 2 March 2011 meeting.

A member of the Board highlighted the complexity of the data and how it was reported and felt it would be useful to understand the thinking behind the proposals, whether there was a hierarchy of indicators, whether there were any existing or new objectives and if they had been considered in the light of the spending review. He also suggested that the Board have a half day workshop to share ideas and consider these points. It was noted that some data within the plan also came within the remit of other Policy and Performance Boards. After discussion, it was agreed that officers look at arranging a half day workshop at the end of the financial year to consider the overall framework and key priorities for the coming year.

RESOLVED: That

- (1) The report and comments made be noted;

- | | | | |
|-----|--|--|-----------------------------------|
| (2) | Members of the Board pass any detailed comments that they may have on the information in the report to the relevant Operational Director by 20 January 2011; and | | |
| (3) | A half day workshop be arranged for Members of the Board to review the Business Plans. | | Strategic Director
- Resources |

Meeting ended at 8.40 p.m.

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SAFER POLICY AND PERFORMANCE BOARD

*At a meeting of the Safer Policy and Performance Board on Tuesday, 16 January 2011
at the Council Chamber, Runcorn Town Hall*

Present: Councillors Osborne (Chairman), Wallace (Vice-Chairman),
M. Bradshaw, Edge, J. Gerrard, M Lloyd Jones, M. Ratcliffe, Shepherd,
Thompson and Mr Hodson

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Andrews, H. Cockcroft, H. Coen, D. Cunliffe, L. Derbyshire,
L. Gifford, D. Houghton and A. Villiers.

Also in attendance: In accordance with SO33 Councillor D. Cargill, the following
Members of the Health Policy and Performance Board – Councillors: Austin,
E Cargill, Horabin, A Lowe, J Lowe and C Walsh (Primary Care Trust) and one
Member of the Public.

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

	<i>Action</i>
SAF29 MINUTES	
The Minutes of the meeting held on 16 November 2010 were taken as read and signed as a correct record.	
SAF30 CHAIRMAN'S ANNOUNCEMENT	
The Chairman of the Board welcomed the Members of the Health Policy and Performance Board who were attending the meeting for consideration of item 5A – Presentation: North West Ambulance Service as it was within the remit of both Boards.	
SAF31 PUBLIC QUESTION TIME	
The Board was advised that no public questions had been received.	
SAF32 SSP MINUTES	
The draft minutes from the last Safer Halton Partnership	

(SHP) Meeting held on the 7 September 2010 were presented to the Board for information.

RESOLVED: That the minutes be noted.

SAF33 PRESENTATION: NORTH WEST AMBULANCE SERVICE

The Board received a presentation from Sarah Byrom, North West Ambulance Service NHS Trust which gave an overview of the North West Ambulance Service and outlined the future plans in respect of:-

- the Strategic Vision and Values;
- the Foundation Trust Application; and
- Patient Transport Services.

The following comments arose from the discussion:-

- Clarity was sought on the Foundation Trust status;

In response, it was reported that the Foundation Trust (FT) was an NHS organisation, first established in April 2004. The FT operated according to NHS principles – free care, based on need and not on the ability to pay. The difference with a FT was that it was run locally, with staff and local people as members, having a say in how they wished their services to be developed and it was regulated and monitored;

- It was noted that Members should have received electronic versions of the consultation document. However, feedback on the consultation could be given via the website;
- It was noted that the annual budget was £250m and in the current climate of budgetary cuts clarity was sought on what the future funding for the service was likely to be.

In response, it was reported that it was unclear presently how emergency services would be commissioned. However, there was a year and a half remaining of the current arrangements and wherever necessary, appropriate action would be taken;

- Clarity was sought on how many volunteers there were in Halton.

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

- In light of the budgetary cuts, it was suggested that the demand for emergency services would increase due to the impact the cuts would have on road safety and highways. It was reported that the service had excellent information systems that looked at activities i.e. between November – January – there had been a high level of activity due to the severe weather conditions which would help to plan for increases in the service;
- Clarity was sought on the FT having financial freedoms;

In response, it was reported that financial freedoms equated to freedoms to long term planning and the ability to reinvest to support service development which was supported by legally binding contracts;

- Clarity was sought on where the ambulances were based in relation to Halton.

In response, it was reported that there were 140 stations servicing the area and a number of other small stations. However, it was highlighted that ambulance crews went with their vehicle and wait in the best place to get to their destination quicker, therefore the location of the stations were not critical.

- The proposed changes to the criteria for transport was noted;
- Clarity was sought on how many ambulances serviced Widnes and Runcorn and whether the 8 minute response was applicable to these areas;

In response, it was reported that the number of ambulances servicing Widnes and Runcorn would be emailed to Members of the Board. The 8 minute response was for a Category A patient and this target was met 98% of the time, and would remain until the end of March. On 1 April 2011 the categories would change and some Category A patients would become Category B and so on which would result in greater challenges. However, it was highlighted that the service aimed to attend most people in the shortest period of time.

- The Government proposals for the GP's commissioning consortia was noted and clarity was sought on whether the ambulance service were working closely with GP's for services in the future.

In response, it was reported that there had been no discussions with GP's currently. However, discussions were taking place in the U Care Network which was populated with GP's and the Pathfinder Consortium in order to provide the best service for patients now and in the future.

- Clarity was sought on whether the number of ambulance stations would be reduced;

In response, it was reported that discussions had taken place and it was likely that there would be a reduction. However, a review was being undertaken to look at such things as the number, the size and location of the stations and where most emergency calls came from to ensure that they were fit for purpose in the future.

- It was reported that the information collected by the service would be useful to the Safer Halton Partnership and it was suggested that it would be beneficial if such information was shared across the partnership, particularly in relation to alcohol and drugs.

In response, it was reported that this information could be shared with the Partnership. However, it was suggested that in order to get a complete picture in relation to alcohol and drugs it would be beneficial to obtain information from Accident and Emergency Departments.

- The significant increase in the demand for the service during the severe weather in December 2010 and the actions that had been taken to address the demand was noted. It was also noted that the service had purchased a number of 4 x 4 vehicles as a result of the severe weather in Manchester in 2009, which had been used for various activities i.e. to transport staff to Alder Hey Hospital during the severe weather this year;

In conclusion, the Board was advised that information would be shared with Members at the end of the review and

any decisions made would be openly consulted upon.

RESOLVED: That

- (1) the presentation be received;
- (2) the comments made be noted; and
- (3) Sarah Byrom be thanked for her informative presentation.

SAF34 DRUG AND ALCOHOL SERVICES

The Board was advised that the presentation related to Item 7B on the agenda – Recovery Orientated, Integrated System for Substance Misuse (Drugs and Alcohol) in Halton and would be considered as part of that item.

RESOLVED: That this item be deferred to be considered as part of Item 7B on the agenda.

SAF35 SUSTAINABLE COMMUNITY STRATEGY MID YEAR PROGRESS REPORT 2010-11

The Board considered a report of the Strategic Director, Resources which provided information in achieving targets contained within the Sustainable Community Strategy (SCS) for Halton.

The report advised that attached at Appendix 1 to the report, information had been provided on progress in achieving those specific indicators and targets that fell within the remit of the Board at the 2010/11 mid year position.

The Board was advised that in considering the reports Members should be aware of the following:-

- All of the measures within the National Indicator Set (NIS) 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 Board 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. Additionally, all measures captured through the National Place Survey, which was due to be undertaken this year, had been deleted from the NIS by central government and therefore no further data would be

made available in 2010/11. The future requirement for localised perception survey under the transparency agenda is presently subject to consideration.

The following points arose from the discussion:-

- Clarity was sought on Central Government target setting being replaced by minimum standards in some areas.

In response, it was reported that details on this would be emerging over the next few months. However, the Authority were currently looking at what data was important to Government re the various consultation documents and as contained in Government Department Business Plans each Board would then receive a report seeking their views on the production of a localised performance framework for publication;

- In response to NI 5 – Increase residents overall satisfaction with the area – Members requested a copy of the formulated responses from the public. After discussion, it was agreed that Members receive a link to the previous Place Survey as the National Place Survey which should have commenced in November 2010 had been deleted by Central Government;
- The importance of Members receiving formulated responses from residents of the Borough was noted. It was also noted that within each local area, priorities changed and Elected Members were best placed to offer and provide information and act as a conduit in respect of the public's needs; and
- It was suggested that, in the first instance, Ward Members should be contacted when Officers were seeking views from residents in their respective wards. In response, it was reported that this request would be passed to the Research and Intelligence Team and such information could also be put in the Members Information Bulletin.

RESOLVED: That the report and comments made be noted.

The Board considered a report of the Strategic Director – Resources which provided an update on Business Planning for the period 2011-14 and the Directorate priorities, objectives and targets for services for this period that fell within the remit of the Board.

The Board was advised that each Directorate was required to develop a medium term business plan, in parallel with the budget, that was subject to annual review and refresh. Draft Service Objectives and Performance Indicators and targets had been developed by each department and the information had been included in the Appendices to the report. These objectives and measures would form the basis of the quarterly performance monitoring received by the Board during the future year.

The Board was further advised that due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities as last year a combined plan would be published rather than individual Departmental Service Plans. The plan, however, was subject to reconfiguration of services between Directorates and subject to consultation.

It was reported that comments could also be made to the relevant Operational Director by no later than 20 January 2011 to allow inclusion in the draft business plan.

In addition, the draft Directorate Business Plan would be revised given proposed reconfiguration of Directorates during January and would be presented to the Executive Board for approval on 12 February 2011, at the same time as the draft budget. This would ensure that decisions on Business Planning were linked to resource allocation. All Directorate plans will be considered by full Council at its 2 March 2011 meeting.

In respect of the implementation of the new National Food Hygiene Rating Scheme operated by the Food Standards Agency (FSA) – hygiene scores of all food premises in the Borough would be published - clarity was sought on what this would mean. In response, it was reported that this information would be circulated to all Members of the Board.

The Chairman took the opportunity to place on record the Board's continued support to retaining as much of the Community Safety and Safer Halton budgets during the budgetary process. The importance of retaining these budgets and the positive impact the services had on the

Borough was noted.

RESOLVED: That

- (1) The report and comments made be noted; and
- (2) Members of the Board pass any detailed comments that they may have on the information in the report to the relevant Operational Director by 20 January 2011.

SAF37 PERFORMANCE MONITORING REPORTS - QUARTER 2

The Board considered a report of the Strategic Director, Resources regarding the Second Quarter Monitoring Report for:

- Environment & Regulatory Service – Environmental Health (Extract); and
- Adults and Community – Community Safety, Drug and Alcohol Action and Domestic Violence Teams (Extracts).

The Board was advised that the Directorate Overview reports and associated individual Departmental Quarterly Monitoring reports had already been previously circulated via a link on the Members Information Bulletin to allow Members access to the reports as soon as they became available.

RESOLVED: That the report be noted.

SAF38 SAFEGUARDING ADULTS AND SERVICE INSPECTION OF ADULT SOCIAL CARE

The Board considered a report of the Strategic Director, Adults and Community which presented details of the outcome of the Service Inspection of Adult Social Care recently carried out by the Care Quality Commission (CQC) and gave an update on the key issues.

The Board was advised of the key issues since the previous report to the Board in September 2010. In addition, it was reported that the feedback from the Service Inspection of adult social care (attached at Appendix 2) had been excellent and was one of the top in the country.

The Board was further advised that Trading Standards were holding a conference in Halton on 22

January 2011 to raise awareness of the ICAN scheme and Members were encouraged to attend the event. It was noted that anyone who had registered on the ICAN scheme would automatically receive an invite to the event. The Members were also encouraged to register themselves, their family etc on the scheme.

RESOLVED: That the report and comments made be noted.

SAF39 SAFER POLICY AND PERFORMANCE BOARD WORK PROGRAMME 2011/12

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 2011/12.

The Chairman gave an update on the current situation in respect of Topic Groups as follows:-

- RSL Topic Group - ongoing;
- The Alleygating Topic Group had been completed;
- That he wished to continue with the Alcohol Abuse Topic Group; and
- That he wished to undertake a topic group on Licensing which would include such things as looking at who receives a license etc.

It was noted that the Authority in partnership with Warrington Borough Council were currently considering establishing a minimum price for alcohol byelaw.

RESOLVED: That the Topic Groups and comments made be noted.

SAF40 ALLEYGATING

The Board considered a report of the Strategic Director – Adults and Community which reviewed the Council's policy on alleygating.

It was reported that at its meeting on 21st September 2010 the Board had resolved that a short-term working group be established to look at the procedure for Alleygates. The working group concluded that a more radical approach was required which included a review of policy as well as

procedures. It was therefore appropriate to consider a more flexible approach to establish whether the expectations of the community and members could be accommodated better than with the current system.

The Board was advised of the proposed alleygating principles and procedures as set out in the report. The proposed principles and procedures were cost neutral in terms of the physical costs of erecting and maintaining alleygates but would save money in processing gating orders which do not comply with the above principles.

The Board was further advised that at the current prices, the cost of processing gating orders (excluding costs of erecting and maintaining gates) had been assessed at to be in the order of £1,000.00 to £1,500.00 per scheme.

The Board unanimously agreed that the principles for alleygating be recommended to the Executive Board for adoption.

RESOLVED: That the Board

- (1) unanimously support the principles for alleygating as set out in the report; and
- (2) recommend that the Executive Board consider the adoption of the principles for alleygating.

SAF41 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

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

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

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption 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 Schedule 12A of the Local Government Act 1972.

SAF42 SAFER HALTON FUNDING

The Board considered a report of the Strategic Director – Adults and Community which gave the Members an update on funding issues for community safety within Halton

The Board was advised that the Working Neighbourhoods Fund along with a number of other time limited funding sources, was due to end in March 2011. The October Spending Review had not announced any alternative funding for community safety. The Safer Halton Partnership had utilised this funding to support a significant number of projects and staff. Safer Halton had relied heavily on this funding for both staffing costs and to deliver projects. For this reason the ending of this funding presented significant problems for the continuity of this work.

The Board noted the importance of the projects and the positive impact they had in the Borough. The Board also noted the impact that the loss of the funding would have in the community and the challenges that the Authority faced with the budgetary cuts.

The Board took the opportunity to thank the Safer Halton Partnership for the excellent work they had undertaken to date.

RESOLVED: That the report and comments made be noted.

(Note: Councillor M 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.)

SAF43 RECOVERY ORIENTATED, INTEGRATED SYSTEM FOR SUBSTANCE MISUSE (DRUGS AND ALCOHOL) IN HALTON

The Board considered a report of the Strategic Director – Adults and Community which gave details on the initiation of an innovative project in which both Primary Care Trust and Local Authority Commissioners would explore the feasibility of a fully integrated, recovery orientated, substance misuse treatment system in Halton. The system would integrate both alcohol and drugs services for adults (19 years and over) and would bring numerous benefits to some of the most vulnerable members of our communities.

In this respect, the Board also received a presentation from Collette Walsh, the Head of Alcohol Harm Reduction (PCT) relating to developing a vision for future substance misuse services in Halton. The presentation:-

- Outlined the purpose of the project – to commission a fully integrated recovery orientated, substance misuse treatment system in Halton. The system would integrate both alcohol and drugs services for adults (19 years and over);
- Set out the numerous benefits of the integrated system to some of the most vulnerable members of the communities;
- Explained the following project phases:-
 1. Defined the 'As is' utilise all existing knowledge regarding the effectiveness of existing services;
 2. to vision a future 'To Be' state and make recommendations for improvements as part of an options appraisal. One of the options that would be explored was a single entry point into services;
 3. procurement; and
 4. implementation;
- highlighted the scope of the new service and the outcomes based commissioning;

- listed the harms substance misuse could be linked to and the extent of the problem locally, regionally and nationally;
- set out the 2009/10 data in respect of alcohol related harm;
- outlined the key findings from the review;
- detailed statistics on community safety issues in Halton in respect of drugs and alcohol misuse;
- highlighted that there was an opportunity to modernise and put the service user at the centre of what is done and change relationships for providers and commissioners which would encourage accountability and innovation; and
- set out the next steps as follows:-
 - to collate the results of all consultation to date,
 - present a business case for a future ROIS;
 - compile the service specification;
 - competitive tendering process; and
 - implement the new system.

The following comments arose from the discussion:-

- Clarity was sought on why the new integrated service for alcohol and drugs was only for people of 19 years and over and it was highlighted that drinking alcohol was legal at the age of 18 years of age. It was suggested that it be reduced to 18 years of age to avoid young people developing problems. In response, it was reported that this suggestion would be forwarded to the Children's Commissioners for consideration;
- The negative impact alcohol abuse on anti social behaviour, domestic violence, petty crime etc had in the community was noted;
- the proposals for GP commissioning Consortia's and the importance of them working in partnership rather than isolation was noted; and
- the importance and challenges of recruiting professional champions in the community was

noted.

RESOLVED: That

- (1) the presentation be received;
- (2) the report and comments made be noted; and
- (3) Collette Walsh be thanked for her informative presentation.

Meeting ended at 9.00 p.m.

ENVIRONMENT AND URBAN RENEWAL POLICY AND PERFORMANCE BOARD

At a meeting of the Environment and Urban Renewal Policy and Performance Board held on Wednesday, 5 January 2011 at Civic Suite, Town Hall, Runcorn

Present: Councillors Hignett (Chairman), E. Cargill, Findon, J. Gerrard, Nolan, Thompson and Wainwright

Apologies for Absence: Councillor Morley, Hodgkinson and Rowe

Absence declared on Council business: None

Officers present: M. Noone, G. Ferguson, A. Villiers, J. Unsworth, S. Rimmer and H. Coen

Also in attendance: None

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

Action

URB34 MINUTES

The Minutes of the meeting held on 24th November 2010 having been printed and circulated were signed as a correct record.

URB35 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

URB36 EXECUTIVE BOARD MINUTES

The Board considered the Minutes of the meetings of the Executive Board and Executive Board Sub Committee relevant to the Environment and Urban Renewal Policy and Performance Board.

Arising from the discussion an update be provided on Widnes Recreation Club to all members of the Board.

RESOLVED: That the Minutes be received.

URB37 PERFORMANCE MANAGEMENT REPORTS FOR
QUARTER 2 2010/11

The Board received a report of the Chief Executive which detailed the 2nd quarter performance management reports on progress against service plan objectives and performance targets, performance trends/comparisons and factors affecting the services for –

- Employment, Economic Regeneration and Business Development (Business Development and Regional Affairs)
- Highways, Transportation and Logistics
- Environment and Regulatory Services
- Prevention and commissioning (Housing Strategy).

RESOLVED: That the 2nd quarter performance management report be received.

URB38 SUSTAINABLE COMMUNITY STRATEGY MID YEAR
PROGRESS REPORT 2010-11

The Board considered a report of the Strategic Director, Resources which provided information on the progress in achieving targets contained within the Sustainable Community Strategy (SCS) for Halton.

The Board was advised that an updated SCS for Halton was currently at an advanced stage of preparation and would become 'live' from April 2011. In addition, the Coalition Government had set out its performance measurements in the Government departmental business plans, of which many of these performance measures were already included in the SCS.

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 (NIS) were monitored through quarterly 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. Additionally, all measures captured through the National Place

Survey, which was due to be undertaken this year, had been deleted from the NIS by central Government and therefore no further data would be made available in 2010/11. The future requirement for localised perception survey under the transparency agenda was presently subject to consideration.

RESOLVED: That the report be noted.

URB39 DRAFT BUSINESS PLAN 2011-14 FOR THE ENVIRONMENT & ECONOMY DIRECTORATE

The Board considered a report of the Strategic Director – Resources which provided an update on Business Planning for the period 2011-14 and the Directorate priorities, objectives and targets for services for this period that fell within the remit of the Board.

The Board was advised that each Directorate was required to develop a medium term business plan, in parallel with the budget, that was subject to annual review and refresh. Draft Service Objectives and Performance Indicators and targets had been developed by each department and the information was included in the Appendices to the report. These objectives and measures would form the basis of the quarterly performance monitoring received by the Board during the future year.

The Board was further advised that due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities as last year a combined plan would be published rather than individual Departmental Service Plans. The plan was, however, subject to reconfiguration of services between Directorates and subject to consultation.

It was reported that comments could also be made to the relevant Operational Director by no later than 20th January 2011 to allow inclusion in the draft Business Plan.

In addition, the draft Directorate Business Plan would be revised in the light of the proposed reconfiguration of Directorates during January and would be presented to the Executive Board for approval on the 12th February 2011, at the same time as the draft budget. This would ensure that decisions on Business Planning were linked to resource allocation. All Directorate Plans would be considered at full Council at its 2nd March 2011 meeting.

RESOLVED: That

- (1) the Board was asked to identify any objectives and targets for the next three years that it wished to see included in the Business Plans; and
- (2) the Board Members pass any detailed comments that they may have on the information in the report to the relevant Operational Director by 20th January 2011.

URB40 HOUSEHOLD WASTE COLLECTION POLICY

The Board considered a report of the Strategic Director, Environment and Economy which outlined a revised draft Household Waste Collection Policy document for comment and endorsement.

At a previous meeting held on 15th September 2010 (Minute URB19 refers), the Board received a report on a draft Household Waste Collection Policy, which contained proposals to introduce a charge to all residents for the provision and delivery of a new or replacement residual waste wheeled bin.

Subsequently, the Board resolved that consideration be given to a discretionary element being built into the Policy to allow the charge for new and replacement wheeled bins to be waived in certain circumstances. Members approved that authority was delegated to the Divisional Manager Waste and Environmental Improvement, in consultation with the Chair and Vice Chair of the Environment and Urban Renewal Policy and Performance Board, to agree nominations for a specific group of Members to explore options for applying discretion in respect of the proposed charges for wheeled bins.

It was reported that Councillors Wainwright and Thomson were nominated to explore options for applying discretion, along with Councillor Hignett, Councillor Morley and the Divisional Manager Waste and Environmental Improvement. After consideration, it was determined that a new paragraph should be inserted into the draft Policy that would allow the charge for new and replacement wheeled bins to be waived in certain circumstances. A revised draft Policy was attached to the report. Members' attention was drawn to the paragraph that had been inserted into Section 4 of the revised draft Policy as follows:-

In exceptional circumstances, where a charge would impose a significant hardship on a household, the Strategic Director, after consultation with the Chair of the Environment and Urban Renewal Policy and Performance Board, will be authorised to waive the charge.

RESOLVED: That

- (1) Members receive the report;
- (2) a report be presented to the Executive Board recommending the adoption of the draft Household Waste Collection Policy; and
- (3) the Boards appreciation of the work by refuse collection employees over the past few weeks to maintain an excellent level of service in the Borough be forwarded onto staff.

Strategic Director
Environment and
Economy

URB41 PETITION REQUESTING TRAFFIC CALMING IN CASTLE RISE, RUNCORN

The Board was advised that a petition signed by 99 people had been received via Pastor Frank Wilding of Brook Chapel, Boston Avenue, requesting traffic calming measures (speed bumps) be installed in Castle Rise, Runcorn. A copy of the petition and the covering letter were attached to the report.

It was noted that an examination of the Cheshire Police traffic accident records showed that during the period 2005 to 2009 inclusive, only one incident took place that involved personal injury. This occurred in 2009 when a child cycling on the wrong side of the road collided with a car turning into the road near the central playground area and received slight injuries. Since that time, waiting restrictions had been implemented adjacent to the playground gates, to improve the inter-visibility between highway users.

In addition, Members were advised that at a meeting of the Executive Board on 22nd June 2000, it was resolved that the Council would cease installing traffic calming in cul-de-sacs.

Therefore, given the Council's policy and the lack of any significant casualty history, it was recommended that the request be refused.

In addition, the covering letter also requested the erection of signs to indicate that Castle Rise was not a through route. Such signage was already in place, in accordance with Traffic Signs Regulations and General Directions 2002; therefore it was recommended that the lead petitioner be informed that the sign was already in place.

RESOLVED: That the petition be noted and the lead petitioner be informed that the request for traffic calming measures on Castle Rise be declined as this would be contrary to Council policy relating to such work.

Strategic Director
Environment and
Economy

URB42 CHESHIRE SAFER ROADS PARTNERSHIP (CSRP) AND SAFETY CAMERA ENFORCEMENT IN HALTON

The Board considered a report of the Strategic Director, Environment and Economy on the impact of Government funding reductions on the Cheshire Safer Roads Partnership (CSRP) and how these would affect Halton. The CSRP was established in April 2007, comprising representatives from the five highway authorities, (Halton, Cheshire East, Cheshire West and Chester, Warrington and Highways Agency), Cheshire Police, Cheshire Fire and Rescue Service and the Courts' Services. Its remit not only included the management and development of Cheshire's speed and red light cameras, but also the delivery of Cheshire wide strategic road safety, education, training and publicity initiatives.

Since 2007, the four highway authorities had received a Road Safety Grant (RSG) from the Government, with each putting the majority of it into a pooled CSRP budget to fund activities by the Partnership including camera enforcement. The remainder was retained in Halton's case to fund two temporary members of staff and for the delivery of road safety initiatives locally.

However, in June 2010, the Coalition Government cut the road safety capital grants completely (i.e. £75k) and reduced revenue funding by 27% (i.e. by £90k). These cuts meant an immediate curtailment of any capital works that had not been committed and revenue supported project work outside of the core revenue area (staff, accommodation and associated costs) in order to protect CSRP establishment.

It was noted that the RSG had always been due to finish on the 31st March 2011 but it was hoped that a dedicated replacement fund would be provided.

Unfortunately, this had not happened. If the CSRP was to be continued, the local authorities would have to provide funding from other services to pay for it. Due to the severity of cuts it had experienced and the subsequent review of Council services that was now underway, it was not considered prudent for this Council to commit limited funding to an external partnership without determining local priorities in the first instance.

Discussions were ongoing between officers and members of the CSRP Board as to whether the CSRP could continue and, if so, in what form. Members were advised that officers were conducting a full review of the costs and benefits of CSRP to Halton and camera enforcement in particular, with a view to informing Members how road safety in Halton could be taken forward. It was noted that significant reductions in road casualties were underway before the CSRP was formed and this trend had continued across the Borough.

Cheshire Police, as main beneficiaries of CSRP funding distribution, had indicated that safety cameras would be switched off in Halton on 1st January 2011 if this Council was unable to replace the lost RSG contributions. However, the Police should, in theory, still be required to carry out speed limit enforcement. Since the publication of the report Cheshire Police had advised the Council that the safety cameras may not now be switched off on 1st January 2011.

It was also noted that not subscribing financially to CSRP would bring a more local focus to RSETP activities and free our remaining staff to concentrate on purely Halton issues, with work that was guided by local accident/casualty analysis as was the case before the RSG supported CSRP was created. Through Road Safety Great Britain and regional contacts the Council would continue to remain abreast of any current issues and developing trends and continue to work with our neighbours on areas of common interest.

RESOLVED: That the Board

- (1) notes that because of the withdrawal of the dedicated Road Safety Grants by Government, which had been used to support the CSRP since its inception, and because of the severe cuts to funding for Council services, the Council cannot commit to making a financial contribution to CSRP beyond 31st March 2011;

Strategic Director
Environment and
Economy

- (2) notes that if the CSRP were to no longer exist in its current form, this could result in camera enforcement reducing or even ceasing altogether on Halton's roads from January 2011;
- (3) notes that discussions with partners, regarding the future of the CSRP and camera enforcement, are ongoing and that it may be necessary to bring a more detailed report on this matter to a future meeting of the Board; and
- (4) endorses the intention of officers to continue to deliver road safety education, training and publicity (RSETP) work locally, in conjunction with neighbouring authorities and the emergency services as resources permit.

Meeting ended at 7.15 p.m.

CORPORATE POLICY AND PERFORMANCE BOARD

At a meeting of the Corporate Policy and Performance Board on Tuesday, 4 January 2011 in the Civic Suite, Town Hall, Runcorn

Present: Councillors A. Lowe (Chairman), Roberts (Vice-Chairman), Browne, Dennett, Gilligan, Inch, Loftus, Nolan, Norddahl, Philbin and Wainwright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: L. Derbyshire, J. Hatton, R. Mackenzie, A. Villiers, W Rourke and M. Reaney

Also in attendance: M Ratcliffe – Scrutiny Co-ordinator and in accordance with Standing Order 33 - Councillor Jones Portfolio Holder – Economic Development.

ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

		<i>Action</i>
CS33	MINUTES	
	The Minutes from the meeting held on 2 November 2010 were taken as read and signed as a correct record.	
CS34	PUBLIC QUESTION TIME	
	It was reported that no public questions had been received.	
	<i>(Councillor Gilligan declared a Personal Interest in the following item of business CS35 insofar as it related to minute ES56) due to being a Halton Housing Trust Board Member).</i>	
CS35	EXECUTIVE BOARD MINUTES	
	The minutes of the Executive Board and the Executive Board Sub-Committee relating to the work of the Corporate Policy and Performance Board since its last meeting, were submitted for information.	
	In respect of Minute No: EXB64 – the Members requested that as this item had an impact across the Authority that it be considered by the relevant Policy and Performance Boards before any decision was made. In response, it was reported that this request would be noted	

Minute Number: ES47 – Clarity was sought on the current position in respect of the revenue expenditure being below the budget profile. In response, it was reported that information on the balances and reserves would be provided to Members of the Board.

RESOLVED: That the minutes and comments made be noted.

CS36 SSP MINUTES

The minutes from the Halton Strategic Partnership Board held on 29 September 2010, were attached for consideration.

Minute No: 18, Page 18 – an update was requested on the establishment of GP commissioning consortia. In response, it was reported that an update on this matter would be provided to Members of the Board.

Minute No: 19 – WNF Review and Evaluation- an update was sought on the evaluation of the projects funded by the WNF grant and the development of appropriate continuation or exit strategies. In response, it was reported that each SSP had reviewed their spending commitments and there was approximately £1.3 m of funding available. A half day workshop had been arranged in January to consider the options and establish recommendations which would be presented to the Halton Strategic Partnership Board and the Council for consideration.

Minute No: 23 – Halton and St Helens Voluntary and Community Action – It was noted that the merger had taken place. It was also noted that in the future the headquarters could be located in Halton.

Minute No: 24 – HSP Economic Downturn Housing Examples – It was noted that the increased numbers of unsuccessful benefit claimants had been mainly due to an increase in the number of new claimants who were unfamiliar with the process.

RESOLVED: That the minutes and comments made be noted.

CS37 CHOICE OF TOPICS 2011-12

The Board considered a report on the Work Programme for 2011/12 regarding possible topics for inclusion in the next Municipal Year. It was agreed that the

Board would continue with the Marketing Working Group and the Carbon Reduction Working Group.

The Chairman advised the Board that they could email suggestions for new topics and it was agreed that a list of possible topics could be presented to the next meeting of the Board.

It was suggested that the Board could consider looking at the Halton Strategic Partnership Board in the work programme and the impact the Government proposals had on their role.

RESOLVED: That

- (1) the topics outlined above be included in the Boards Work Programme for 2011/2012; and
- (2) a list of possible topic groups for the 2011/12 municipal year be presented to the next meeting of the Board.

Strategic Director
– Resources

CS38 RUNCORN INDOOR MARKETS PETITION

The Board received a report of the Strategic Director – Economy and Environment which informed the Members that the Council had received two petitions in respect of the Indoor Market. The first petition asked for the decision to close the market to be reconsidered and the second specifically referred to the café. It was reported that the petitions had been logged and a response had been sent to the individuals who had submitted them.

The report advised that unfortunately the Indoor Market was not commercially viable. For this reason, the Executive Board had agreed to the closure.

In addition, a number of meetings and discussions had taken place with those traders who wished to continue. A number of options had been considered; which included taking space on the street market, relocating to Widnes Market and possibly moving to shop units either in Runcorn Town Centre or Halton Lea. Traders had been advised that for those properties in Council ownership, consideration would be given to a stepped introduction to rates and rents

RESOLVED: That

- (1) the petition be received;

- (2) the decision of the Executive Board to approve the closure of Runcorn Market Hall with effect from 31 January 2011 be noted; and
- (3) the ongoing work to relocate Runcorn market traders be noted.

(Councillor Nolan declared a Personal Interest in the following item due to his wife working for HBC in personnel).

CS39 SICKNESS ABSENCE

The Board considered a report of the Strategic Director - Resources which outlined the number of working days lost in the second quarter of 2009-10, outlining trends and patterns of sickness.

The Board was advised that the cumulative number of working days lost, due to sickness absence, per employee, at the end of the 2nd quarter 2010/11 was 4.59 as compared to 4.84 days per employee for the same period in 2009/10, which represented a slight improvement.

The Board was further advised that there had been a substantial decrease in the days lost due to work related stress across the Authority in this quarter.- 582 days lost as compared with 1000.50 days lost in the 1st quarter 2010/11. There were also slight decreases in days lost due to depression/personal stress in this quarter as compared to the first quarter of this financial year.

In conclusion it was reported that the continued management of sickness absence remained important as high levels of sickness increase the overall loss to the Council. The Council also had a responsibility to ensure appropriate support was provided to employees who suffer ill-health.

The following comments arose from the discussion:-

- The extensive health promotional work undertaken by the Authority and the support given to employees on sick leave was noted;
- In relation to the days lost to anxiety and stress and work related stress, it was requested that Members receive a breakdown of these figures by department. In response it was reported that clarity would be sought on whether this information was available on a departmental

basis;

- Members requested that the percentages of sickness absence be added to future reports; and
- Clarity was sought on why schools were included in the data, particularly in light of the new Government proposals and it was suggested that they be taken out of future reports to reflect a more accurate figure. In response, it was reported that this request would be taken into consideration.

RESOLVED: That

- (1) the content of the report and comments made be noted; and
- (2) The Board continue to receive regular monitoring reports on sickness absence.

Strategic Director
- Resources

(Councillors Dennett and Gillian declared a Personal Interest in the following item of business due to being members of CAB).

CS40 ANNUAL REPORT FOR VOLUNTARY SECTOR FUNDING

The Board considered a report of the Strategic Director, Adults and Community which presented the Annual Report for Voluntary Sector Funding 2009/10. The report examined the policy context for providing core grant support to the Voluntary Sector and considered the benefits of supporting volunteering opportunities.

The report provided performance information on the eleven organisations that were Core Grant supported in 2008/9. Case studies were also circulated at the meeting for Members consideration.

The following comments arose from the discussion:-

- Clarity was sought on what information and checks the Authority made to ensure the funding was being utilised efficiently. After discussion Members noted that there were no Service Level Agreements (SLA's) in place for funding below £5,000. However, for funding over £5,000 an SLA was in place and performance would be monitored. It was also noted that SLA's could be changed on an

annual basis;

- The difference between funding given to the voluntary sector to provide core funding and funding that was provided for departments to commission services was noted;
- Samaritans of Warrington, Halton and St Helens who were based in Warrington – it was noted that they provided a Cheshire wide service and it was suggested that funding of the organisation should be proportionate to the population in each Authority;
- It was suggested that in light of the further cuts this year a topic group be established to look at how the funding was being utilised and if it was being used to the best advantage for the residents in the Borough. In addition, opportunities for option for cross funding between St Helens and Halton could be investigated; and
- The Members were advised that they could email the Chairman via the Operational Director – Legal & Democratic Services if they were interested in being part of the Voluntary Sector Topic Group.

RESOLVED: That

- (1) the delivery of voluntary sector services in receipt of core grant support from the Council and comments made be noted;
- (2) a Voluntary Sector Topic Group be established and Members email the Chairman via the Operational Director – Legal & Democratic Services if they wish to become part of the group.

Strategic Director
– Adults &
Community

CS41 PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 2 - 2010/11

The Board considered a report from of the Chief Executive on the 2nd Quarter Performance Management Reports for 2010/11 (July – September) 2010.

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 for:

- Policy and Performance;
- Legal and Democratic Services;
- Financial Services;
- ICT and Support Services;
- Human Resources;
- Property Services;
- Catering and Stadium; and
- Halton Direct Links.

The following comments arose from the discussion:-

- It was noted that the new A-Z guide had been completed but was currently awaiting a decision on the number to be printed. It was reported that only a limited number would be printed in order to make significant savings. It was suggested that a link to the A-Z Guide be established on the website;
- FSLI3 – Page 111 – It was noted that discussions were ongoing with the Government in respect of the continuance of the Benefit Fraud Inspectorate;
- It was suggested and agreed that Members should not receive hard copies of the 'In Touch Magazine' in the future;
- Clarity was sought on the contribution to the Stobart Stadium to support operational costs. In response, it was reported that this information would be provided to Members of the Board; and
- Page 158 – Clarity was sought on the future of the £200,000 school lunch grant which was expected to end as a result of the Comprehensive Spending Review. In response, it was reported that this information would be provided to Members of the Board.

RESOLVED: That the 2nd quarter Performance Management Reports and comments made be noted.

CS42 SUSTAINABLE COMMUNITY STRATEGY MID YEAR PROGRESS REPORT 2010-14

The Board considered a report of the Strategic Director, Resources which provided information on the progress in achieving targets contained within the Sustainable Community Strategy (SCS) for Halton.

The Board was advised that an updated SCS for Halton was currently at an advanced stage of preparation and would become 'live' from April 2011. In addition, the coalition Government had set out its performance measures in government departmental business plans, of which many of these performance measures were already included in the SCS.

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 (NIS) were monitored through quarterly 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. Additionally, all measures captured through the National Place Survey, which was due to be undertaken this year, had been deleted from the NIS by central Government and therefore no further data would be made available in 2010/11. The future requirement for localised perception survey under the transparency agenda was presently subject to consideration.

The Board was advised that there was no data on NI 5 – Increase residents overall satisfaction with the area.

The following comments arose from the discussion:-

- NI 5 – A member sought clarity on the key areas residents felt needed to be improved in respect of influence in decision making (NMA's). In response, it was reported that this information would be provided to the member directly.

In respect of CO₂ emissions clarity was sought on whether the information collected by DEFRA from public and private companies could be provided to the Board to consider and use as a benchmark. In response, it was reported that this would be considered. However, it was highlighted that there could be potential data protection issues. It was suggested that the data to improve outcomes year on year that was sent directly to the Government was available as a public record and this data could be used by the Board; and

It was noted that as a result of changes to the national performance framework, the Council and the Halton Strategic Partnership would need to review their respective performance frameworks. The Board would take an overview of this process.

RESOLVED: That

- (1) the report and comments made be noted;
- (2) the Board be involved in the forthcoming review of the Council's performance management framework.

Strategic Director
- Resources

CS43 DIRECTORATE BUSINESS PLAN - 2011-2014

The Board considered a report of the Strategic Director – Resources which provided an update on Business Planning for the period 2011-14 and the Directorate priorities, objectives and targets for services for this period that fell within the remit of the Board.

The Board was advised that each Directorate was required to develop a medium term business plan, in parallel with the budget, that was subject to annual review and refresh. Draft Service Objectives and Performance Indicators and targets had been developed by each department and the information had been included in the Appendices to the report. These objectives and measures would form the basis of the quarterly performance monitoring received by the Board during the future year.

The Board was further advised that due to the proposed structural changes across the Council and the need to better integrate the Directorate's priorities as last year a combined plan would be published rather than individual Departmental Service Plans. The plan, however, was subject to reconfiguration of services between Directorates and subject to consultation.

It was reported that comments could also be made to the relevant Operational Director by no later than 20 January 2011 to allow inclusion in the draft business plan.

In addition, the draft Directorate Business Plan would be revised given proposed reconfiguration of Directorates during January and would be presented to the Executive Board for approval on 12 February 2011, at the same time as the draft budget. This would ensure that decisions on

Business Planning were linked to resource allocation. All Directorate plans would be considered by full Council at its 2 March 2011 meeting.

The importance of keeping the document up to date in the light of changing management structures, and emerging budget decisions was also noted.

In respect of Page 241 – Key Area of Focus: 36 – ‘Ensuring that the Council’s land and property portfolio is managed effectively – clarity was sought on the meaning of this and who would be making the decisions. The importance of Ward Councillors taking a lead role in this process was noted. It was suggested that a portfolio list of all property and assets and the surplus sites list be reported to the Board and that Councillor Wharton, Portfolio Holder - Resources be invited to the meeting of the Board when the report is presented.

RESOLVED: That

- (1) The report and comments made be noted;
- (2) a list of all property and assets and the surplus sites list be reported to a future meeting of the Board and Councillor Wharton, Portfolio Holder – Resources be invited to attend; and
- (3) Members of the Board pass any detailed comments that they may have on the information in the report to the relevant Operational Director by January 2011.

Strategic Director
- Resources

Meeting ended at 8.10 p.m.

BUSINESS EFFICIENCY BOARD

At a meeting of the Business Efficiency Board held on Wednesday, 19 January 2011 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Leadbetter (Chairman), M Lloyd Jones (Vice-Chairman), Howard, Inch, A. Lowe, Macmanus, McDermott, Murray, Norddahl and Roberts

Apologies for Absence: Councillors Philbin

Absence declared on Council business: None

Officers present: L. Cox, E. Dawson, B. Dodd, I. Leivesley, J. Pearsall, M. Simpson and S. Webster

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

BEB22 MINUTES

The Minutes of the meeting held on 10th November 2010, were taken as read and signed as a correct record.

BEB23 CORPORATE RISK REGISTER 2010-11

The Board considered a report of the Strategic Director, Resources which set out a revised Corporate Risk Register which was used to ensure that the Council maximised its opportunities whilst minimising and controlling the associated risks in delivering the Council's vision and services for Halton.

It was noted that the Council's Executive Board, Management Team and Corporate Risk Management Group had recently reviewed the current Corporate Risk Register. As a result of this review, the structure of the register had been amended and also the corporate risks which had been identified under each heading. The risks had been grouped under headings which were outlined in the report for information. It was further noted that Risk Management training had been provided to ensure that there was understanding of Officers' and Members' roles in the Risk

Action

Management process.

Appended to the report were 18 major risks that had been identified by Management Team which the Board considered. The Board was advised that the Council's approach to Strategic Risk Management was simple and effective. External and internal inspections confirmed that the risk management process and procedures were firmly embedded within the Council. It was further noted that the Corporate Risk Register was supported by individual Directorate Risk Registers.

Arising from discussion, Members noted the following:-

- The Policy document was agreed by Executive Board and reported bi-annually to the Business Efficiency Board;
- The scoring system ranged from 1 to 4 and was a nationally recommended process and a standard that was adopted in the UK; and
- National guidance and local experience was used to understand the risks that Halton faced with regard to its locality in terms of being on a flight path, and in close proximity to chemical productions; and

RESOLVED: That the Corporate Risk Register be approved.

BEB24 PROCUREMENT STRATEGY 2010 - 2013

The Board received a report of the Strategic Director, Resources which sought the Board's approval of the revised Procurement Strategy and Delivery Plan 2010 - 2013. Lorraine Cox, Head of Procurement reported that this was the first strategy developed by the recently formed Procurement Centre of Excellence and the report set out how by bringing procurement skills together in one place, it would help the Council deliver its priorities as well as support the local economy. The Board was advised that, so far, a sum in excess of £600,000 had been saved in the last six months as a result of the new Centre of Excellence.

It was further noted that a key role of the Head of Procurement was to try to ensure that local businesses were aware of trading opportunities with the Council. Members

were informed of a web based system called "The Chest" which was where all spend for £1,000 upwards was to go through. Local businesses had been advised of this system and workshops were being held to upskill local businesses and advise them of trading opportunities. It was also a coaching exercise for businesses on how to improve their tendering processes. There had been a great amount of business interest in The Chest and there was an event taking place next week involving 120 businesses. This would ensure that the Council was embedding this process and practices during all spend activity. The Board would receive six-monthly progress reports.

The Board Members considered the Strategy and discussed the Member and Officer Leads and it was noted that regular management meetings were held monthly and a team was looking to set up a series of performance indicators to benchmark the Division's progress. Board Members requested to see savings that had been made through using The Chest and would like to see some case study examples. The Board was advised that this was an important area for the Council in terms of making financial savings without reducing services or staff. The Board wished to commend the exceptional work carried out with local businesses by the Procurement Team.

RESOLVED: That the Board approves the procurement strategy and Delivery Plan for 2010 to 2013.

BEB25 PROGRESS WITH THE IMPLEMENTATION OF INTERNATIONAL FINANCIAL REPORTING STANDARDS

The Board considered a report of the Operational Director, Finance which provided an update of progress with the implementation of International Financial Reporting Standards (IFRS).

It was reported that the Council was required to prepare its Statement of Accounts (The Abstract) for the year ended 31st March 2011, on the basis of the IFRS in compliance with the IFRS Accounting Code of Practice (IFRS Code).

In order to prepare the 2010/11 year-end accounts on that basis, it was necessary to restate the 2009/10 accounts in order to provide comparative figures and also to restate the 2008/09 balance sheet to provide the opening balances.

It was further noted that a number of other areas of the accounts including Government grants, debtors,

creditors and group accounts had also been reviewed and accounted for in accordance with the Code's requirements. As a result, the key financial statements within the 2009/10 Abstract of Accounts had now been restated to IFRS basis, along with the supporting notes to the accounts. Working papers had also been prepared which mapped all of the changes made to enable them to be reviewed by the Audit Commission.

The Board was advised that in order to restate the 2009/10 accounts on an IFRS basis it had been necessary to update the Council's Accounting Policies and these would be presented to the next meeting of the Board. As a result, changes would need to be made to Standing Orders Relating to Finance within the Council's Constitution.

As a result of the exercise, 700 leases had been identified, 500 of which were property leases. In addition, the provision calculated for annual leave carried forward totalled £1.7m for 2009/10, of which £1.3m related to teaching staff. The latter was a calculated figure based upon when school holidays fell in relation to 31st March.

RESOLVED: That the report be noted.

BEB26 AUDIT COMMISSION 2009/10 ANNUAL GRANT CLAIM REPORT

The Board received a report of the Operational Director, Finance, which set out the Audit Commission's report following the audit of 2009/10 grant claims. Mike Thomas, the District Auditor, presented the Audit Commission's findings following the audit of 2009/10 grant claims and a report detailing the information was appended to the agenda.

It was reported that the income received from the grant paying departments by the Council was significant so it was important that the Grant Certificate process was properly managed. For 2009/10 to date the Audit Team certified 7 grant claim returns with a total value of £127m. Of these, a limited review was carried out on 6 claims and a full review carried out on one claim. As a result of these reviews it was reported that:

- None of the claims were amended in any significant way;
- The Audit Team were able to fully certify all returns; and

- The Audit Team identified no issues in relation to the control environment for claims and returns to grant paying departments.

It was further noted that these results reflected the efforts made by the Council to improve the grant preparation process across all claims that required certification. In particular, the Housing and Council Tax Benefit claim had continued to reflect high standards of preparation and accuracy with only one very minor amendment required as a result of the Audit Team's testing.

The Board wished to commend the Audit Team on the excellent work carried out to date.

RESOLVED: That the Audit Commission's report presented at Appendix 1 be received.

BEB27 UPDATE ON EFFICIENCY PROGRAMME

The Board considered the report of the Strategic Director, Resources which provided an update of progress made to date with the Efficiency Programme.

Members were advised that workstreams were still under consideration and further efficiencies were to be made. This process was a lengthy task and difficult challenges were involved in each piece of work. The progress to date against each workstream was appended to the report for information containing reviews of:-

- Open Spaces;
- Property Services;
- Revenues and Benefits and Halton Direct Links;
- Review of the Contact Centre;
- ICT Support Services Review;
- Review of Contracted Services to Schools;
- Review of Operation Fleet and Client and Transport;
- Transactional/Non Transactional Process Review;
- Review of Income and Charging;
- Review of Business Development and Regeneration (including Major Projects, European Affairs and External Funding); and
- Review of Community Services.

Members noted the importance of the Budget

Programme and keeping the two areas separate as efficiencies and making budget savings were two separate matters. Members requested the Corporate Framework for charges be made available to the Board and it was reported that the framework was to be presented to the Executive Board and would be included in further reports for the Efficiency Programme reported to the Business Efficiency Board.

RESOLVED: That the report be received.

BEB28 EXTERNAL AUDIT - AUDIT PLAN 2010/11

The Board received a report of the Strategic Director, Resources which set out the 2010/11 Audit Plan which was based on the Audit Commission's risk based approach to audit planning. Appended to the report for information was the draft Audit Plan for Halton Borough Council 2010/11. Mike Thomas from the Audit Commission presented the report to Members.

Members were advised of the way the Audit Commission set its fees against the scale fee and a rebate would be given of over £16,000 to reflect the Government's intention to abolish the Commission.

RESOLVED: That the Board note the contents of the draft Audit Plan for 2010/11.

BEB29 INTERNAL AUDIT PROGRESS REPORT - QUARTER 3

The Board considered a report of the Operational Director, Finance which provided a summary of Internal Audit work for the period October to December 2010. The Board considered –

- The progress against the 2010/11 Internal Audit Plan
- The Internal Audit reports finalised since the last progress report;
- The results from the work undertaken following up the implementation of previous Internal Audit recommendations; and
- Details of other work undertaken by Internal Audit in Quarter 3.

RESOLVED: That the Board note the Internal Audit

work completed in Quarter 3.

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Meeting ended at 8.15 p.m.

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DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 6 December 2010 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), J. Bradshaw, E. Cargill, Hignett, Leadbetter, McInerney, Morley and Redhead

Apologies for Absence: Councillors Hodgkinson and Osborne

Absence declared on Council business: None

Officers present: P. Watts, J. Tully, A. Plant, J. Farmer, P. Shearer, R. Cooper and A. Jones

Also in attendance: Councillors Loftus, A Lowe & Parker and 27 Members of the public

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

Action

DEV33 MINUTES

The Minutes of the meeting held on 8 November 2010, having been printed and circulated, were taken as read and signed as a correct record.

DEV34 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.

DEV35 - 10/00254/FUL - REDEVELOPMENT OF SITE FOR THE ERECTION OF AN A1 FOOD STORE (1710 SQM GEA), 2 NO. A1 NON FOOD RETAIL UNITS (1784 SQM GEA) AND AN A4 FAMILY PUB/RESTAURANT (697 SQM GEA), WITH ASSOCIATED PARKING, RECONFIGURED VEHICULAR SITE AND PEDESTRIAN ACCESS AND LANDSCAPING AT VESTRIC HOUSE, WEST LANE, HALTON LEA, RUNCORN, WA7 2PE

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

The Committee was addressed by Mr Justin Paul who spoke in support of the application on behalf of Opus Land. He stated that they were keen to invest in Halton and after consulting 300 residents within the immediate area, had received 296 responses that were all in support of the development. He went on to state that benefits would include job opportunities, a total investment of £5 million, the regeneration of the area, and new uses for the site which would include a family pub and bulky goods warehouses. He further stated that the company had provided evidence as to why the Halton Lea and Trident Park sites were not suitable for the development.

The Committee was also addressed by Councillor Loftus who spoke in support of the application on behalf of the residents. She commented that this quality development would be beneficial to the local people from a jobs perspective and that a family pub would be a welcome facility for the area.

It was reported that since the publication of the application, the Council had received an objection from the representative of Fordgate, the owners of Trident Park and Halton Lea Management, on the basis of the following:-

- a) There was no quantitative or qualitative need for additional convenience floor space on this edge of the Centre site and as such it fails to meet the test of Policy TC1 of the UDP;
- b) The applicant had not taken into account the existing vacant units within the shopping centre in undertaking a sequential assessment;
- c) The applicant had failed to take into account the extant permission on East Lane;
- d) Proposal was a stand alone development, physically separated from Halton Lea and would not facilitate any pedestrian linked trips to Halton Lea;
- e) The provision of floorspace outside the Centre would further threaten its vitality and viability and divert trade and associated footfall;
- f) It would have a significant adverse impact upon in-centre trade and turnover due to the extent of diversion from the Centre;
- g) Potential impact on Fordgate's planned private investment in the Centre;
- h) Insufficient evidence to show compliance with the sequential approach;
- i) There was sufficient evidence to refuse the application; and
- j) It was contrary to the policies contained in PPS4.

It was also reported that the Council had received an anonymous letter of objection from the 'parents and partners' of Lidl workers referring to the poor reputation of the Company in the area of employee law and staff relations.

The Committee were not convinced that the applicant had failed the sequential test required by PPS4 nor that there would be a significant adverse impact on the Halton Lea Centre if the development was approved.

Following debate, Members commented that although the recommendation was to refuse the application, there was a strong argument for the benefits that such a development would bring to the Borough. Members considered the application, further comments made and amendments to the application and agreed that it would be in the interests of both local residents and Halton if this development was approved.

RESOLVED: That

- 1) The application be approved due to there being significant benefits from the proposal which outweighed policy objections;
- 2) Delegated Authority be given to the Operational Director, Environment and Regulatory Services, in consultation with the Chair or Vice Chair, to take into consideration additional information and/or amendments to the scheme and to approve subject to conditions and any planning obligation which may be deemed to be required or appropriate; and
- 3) If the S106 Agreement or alternative arrangement is not excluded within a reasonable period of time, authority be delegated to the Operational Director – Environment 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).

DEV36 - 10/00366/COU - PROPOSED CONVERSION AND ALTERATIONS TO FORM 6 NO. ONE AND TWO BEDROOM APARTMENTS AT THE TUNNEL TOP PUBLIC HOUSE, NORTHWICH ROAD, RUNCORN, WA7 6PE

The consultation procedure undertaken was outlined

in the report together with background information in respect of the site.

It was reported that since the report the Council had received an objection from Cheshire West and Chester Council as follows: -

- a) The proposal, with appropriate landscaping to the car parking area, would not result in any harm to the openness of the Green Belt. PPS4 stated that 'local planning authorities should take into account the importance of the shop, leisure facility or service to the local community to the economic base of the area, if the proposal would result in its loss or change of use, and refuse planning applications which failed to protect existing facilities which provided for peoples' day to day needs';
- b) Whilst not an essential community facility, the public house was currently operating and is therefore a valuable social asset and its loss should be resisted;
- c) There were no other public houses within easy walking distance of Dutton; and
- d) Although the applicant stated the business was operating at a loss, the application does not detail what measures, if any, the applicant had introduced to increase local support.

It was also noted that a further four objections had been received from Runcorn residents commenting on the loss of the public house.

Mr Lynas addressed the Committee and spoke against the application reiterating points mentioned above, adding that the property was purchased as a public house without the option to change its use and requested the Committee to reject due to it being contrary to PPS4 and PPS7.

Mr Say, the applicant addressed the Committee in support of his application. He commented that he had owned the pub for the past 12 years and it had seen twelve previous owners to him, who had all experienced the same problems he was experiencing presently. He further stated that there were not enough people in the surrounding areas to support the viability of the pub and feared for the future of it, even with the efforts of the new tenants.

Councillor Roy Peters addressed the Committee on behalf of Preston Brook Parish Council objecting to the proposal, citing that it was contrary to PPS4, in particular

policies EC6.2, EC7.1 and EC13.

Because the proposal would have led to the loss of a leisure facility, the Committee took into account the importance of the leisure facility to the local community. The Committee concluded that the existing use constituted an important leisure facility to the local community and that the proposal failed to protect an existing facility which provided for people's day to day needs.

Following Members debate and consideration of the further comments made and amendments to the application, the Committee voted by a show of hands and it was noted that 6 members voted against the application and 2 voted for the application, therefore the application was refused.

RESOLVED: That the application be refused due to it being contrary to the advice within PPS4, Policy EC13.1 (b).

DEV37 - 10/00369/FUL - PROPOSED DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF 12 NO. DETACHED DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AT 177-181 HEATH ROAD, RUNCORN

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

It was commented that since the publication of the report three further objections had been received from neighbours in relation to the loss of existing houses and the destructive nature of the proposal. These objections included further comments received from the owner of number 175 following amendments to the scheme, regarding the design and appearance of plot 1 and the potential impact on the boundary and drainage, matters which had already been addressed in the report.

The Committee was addressed by Mrs Davis, who spoke on behalf of Lisa Richards (owner of house number 175) who was unable to attend. She reiterated the comments above and stated the Mrs Richards had requested a further amendment.

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

- 1) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the

provision and improvement of off-site open space, replacement tree planting.

2) Conditions relating to the following:

- 1) Standard commencement condition;
- 2) Condition listing approved plans and amended plans;
- 3) Prior to commencement details of materials to be submitted for approval (BE2);
- 4) Condition restricting hours of construction and deliveries (BE1);
- 5) Prior to commencement details of wheel cleansing facilities to be submitted and approved in writing. (BE1);
- 6) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
- 7) Appropriate visibility splays to be retained (BE1);
- 8) No conversion of garages (TP12);
- 9) Prior to commencement details of boundary treatments to be submitted and approved in writing. (BE2);
- 10) Prior to commencement detailed site investigation, including mitigation to be submitted and approved in writing. (PR14);
- 11) Condition(s) for landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2);
- 12) Conditions relating to tree protection during construction and lifetime of development (BE1);
- 13) Condition replacement tree planting of any of those shown to be retained if lost during construction;
- 14) Prior to commencement a method statement shall be submitted for working methods around those trees to be retained at the access on Heath Road (BE1);
- 15) Condition replacement planting if lost within first five years (BE1);
- 16) Drainage condition, requiring the submission and approval of drainage (BE1);
- 17) Submission and agreement of finished floor and site levels (BE1);
- 18) Condition removing permitted development rights for classes A, B and E (BE1 and BE2); and

19) Condition preventing fences and walls being erected between the dwellings and the new highway (BE1).

- 3) That if the legal agreement is not executed within a reasonable period of time authority is delegated to the Operational Director- Environmental and Regulatory Services in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it fails to comply with UDP Policy S25 Planning Obligations.

DEV38 - 10/00400/FUL - PROPOSED TWO STOREY COMMUNITY CENTRE AND CENTRE FOR EXCELLENCE FOR AUTISM, ASSOCIATED ACCESS AND CAR PARKING ON LAND AT HALLWOOD PARK AVENUE, RUNCORN

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

The Committee was addressed by Councillor Alan Lowe, who spoke in support of the application. He stated that it was a well thought out project that would serve the community and had the full support of the nearby residents who had all been consulted.

RESOLVED: That Delegated Authority be given to the Operational Director Environment and Regulatory Services, in consultation with the Chair or Vice Chair, to take into consideration additional information and/or amendments to the scheme and to approve subject to conditions (including the need to add conditions as required) relating to the following:

1. Amended plans condition (BE1);
2. Materials condition, requiring the submission and approval of the materials to be used (BE2);
3. Landscaping conditions, requiring the submission of both hard and soft landscaping and replacement tree planting. (BE2);
4. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2);
5. Wheel cleansing facilities to be submitted and approved in writing. (BE1);
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1);
7. Vehicle access, parking, servicing etc to be

- constructed prior to occupation of properties/
commencement of use. (BE1);
- 8. Agreement and implementation of cycle parking, bin
store details (TP6);
- 9. Submission and agreement of site and finished floor
levels (BE1);
- 10. Requiring submission and agreement of Travel Plan
(TP16);
- 11. Restricting external lighting (PR4); and
- 12. Conditions relating to protection of trees and
woodland management (BE1).

DEV39 - 10/00407/FUL - DEMOLITION OF EXISTING BUNGALOW
AND THE CONSTRUCTION OF 1 NO. REPLACEMENT
DWELLING AT 14 BEAUFORT CLOSE, RUNCORN

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

RESOLVED: That the application be approved
subject to conditions:

- 1. Time limit for permission (BE1);
- 2. Amended plans (BE2);
- 3. Materials submission (BE2);
- 4. Ground Investigation (PR12);
- 5. Velux windows (RW1 - 8) to be fixed closed (BE1);
- 6. A minimum of 2 off street car parking spaces to be
provided throughout lifetime (BE1);
- 7. Restricted hours of construction and deliveries (BE1);
and
- 8. Wheelwash (BE1)

DEV40 - 10/00419/OUT - OUTLINE APPLICATION FOR A
PROPOSED CLASS A1 FOODSTORE, PETROL FILLING
STATION AND 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.

RESOLVED: That

- 1) Delegated Authority is given to the Operational
Director Environment and Regulatory Services, in

consultation with the Chair or Vice Chair, to approve subject to conditions and legal agreement and the application not being called in by the Secretary Of State.

- 2) Should the application be approved the approval shall include 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;
 20. Amended plans condition;
 21. Boundary treatment details to be submitted;
 22. Highway works and parking area to be provided prior to opening of the store;
 23. Condition the net sales area;
 24. Opening hours and hours of delivery;
 25. Noise conditions;
 26. Submission of piling works;
 27. Site investigation and remediation plan; and
 28. Flood risk assessment.

DEV41 - 10/00446/EIA & 10/00305/FUL - PROPOSED DEVELOPMENT AND OPERATION OF WASTE RESOURCE PARK TO ENABLE THE RECYCLING AND SORTING OF MUNICIPAL, COMMERCIAL AND INDUSTRIAL WASTE MATERIALS (MAXIMUM THROUGHPUT OF 200,000 TONNES PER ANNUM), INCLUDING THE PRODUCTION OF COMPOST AND THE PRODUCTION OF REFUSE DERIVED FUEL; AND PROPOSED USE OF PRIVATE ROAD AND CONSTRUCTION OF NEW ROAD TO PROVIDE ACCESS TO LAND AT THE FORMER ICI PILKINGTON WORKS SITE AT WIDNES WATERFRONT, SOUTH OF MOSS BANK ROAD, WIDNES

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

It was reported that this application was a re-submission as it had been presented previously to the Committee in June 2010. It had now been amended reducing the throughput from 400,000 tpa to 200,000 tpa and access to the site had also been relocated 90m north, up Tan House Lane.

Mr Ted Besinski addressed the Committee and spoke in support of the application. He referred to the amendments mentioned above, and the access road alterations, which were referred to in the report under a separate application 10/00305/FUL, which was being considered with this report. He further stated that there had been a positive response from a public consultation of 3000 residents.

Councillor Parker then addressed the Committee and spoke against the application. He cited that there would be an increase in traffic which would come through the Town Centre itself, the waste material would produce acid water into the River Mersey and that Halton View residents had not been included in the consultation procedure.

The following additional comments had also been received since the report was published:-

Environment Agency – stated that this would be acceptable provided conditions are attached in relation to the following: being implemented in accordance with the flood risk assessment; surface water regulation; further details on contamination and remediation strategy;

verification report on remediation; long term monitoring; maintenance and contingency for remediation; scheme to treat and remove solids from surface water run-off during construction work; scheme for foul and surface water drainage including oil and petrol interceptors; trapped gullies and roof drainage sealed at ground level.

Further advice was provided as an informative to the applicant in relation to water abstraction licenses and Environmental Permits, and the requirement for site waste management plans.

It was noted that further comments had been provided in relation to lighting and soft boundary screening treatment along the St Helens Canal, and that landscaping schemes would include native planting.

Natural England – had noted that the site is close to the Mersey Estuary Ramsar, Special Protection Area, and site of special scientific interest. It was their opinion that the proposal would not significantly affect this.

They noted that the proposal included remediation of the site that would significantly improve quality of the shallow ground waters, removing direct discharges to controlled waters, and were pleased that this work was being carried out in consultation with the Council's Contaminated Land Officer and the Environment Agency. It was noted that they had asked that a relevant condition be attached to control this.

They had further commented that the air quality impact on the River Mersey SPA had not been assessed, but taking into account the type of the development and the assessment/surveys carried out as part planning application, they do not consider the proposal would have a significant impact on the river Mersey designated site relating to air quality.

It was noted that the ecological surveys concluded that no protected species would be affected. However in the event that any were found, they would stop until further surveys were carried out until suitable mitigation measures were put in place.

Northwest Regional Development Agency (NWDA) – The proposal fell outside the scope that the NWDA would statutorily be consulted upon. They had noted that the site was within the Widnes Waterfront EDZ and that the number of jobs that would be generated was generally low compared

to the size of the development. It was noted that they wished to be assured that the proposal would not impact on the future development potential of the wider EDZ area. They had looked to the Council to assess the impact of the proposal including the traffic movements. If the proposal was approved, they commented that it should be satisfactorily landscaped and operated in accordance with current best practice.

British Waterways – The proposal did not lie within the consultation zone of any waterway, reservoir, canal, feeder, channel, water course, let off or culvert owned or managed by British Waterways, therefore they had no comment.

United Utilities – Had no objection provided the site was drained on a separate system with foul drainage only connected to the foul sewer. They noted that the overall regeneration of the Widnes Regeneration Area required a significant amount of water and the existing network would not support the total demand. Work was currently underway to provide a new connection of the large diameter main. Further information would be required from the developer before they knew if the local mains could support this. The development could only be supplied once reinforcement had been installed.

Knowsley Council – Had no objection subject to Halton being satisfied that the proposal met its own policy requirements and noted the comments of MEAS in that the application was the same as the previous in that it sought permission for a Mechanical Biological Treatment (MBT) and a Vessel Composting (IVC) facility. The difference being that the throughput was now reduced to 200,000 tpa and the access had been amended.

It was also reported that since the report was published three further representations had been received from local residents and businesses concerning the following:

- The traffic would have a detrimental impact on the Town causing congestion which would impact on the operation of existing businesses;
- Concerns raised that perception of the waste resources park would have an impact on investment. Companies, including Forward Partnership had invested in developing new office units which were vacant; the new proposal would further prevent

business wanting to move into the units; and

- The proposal was contrary to the commitments of the Widnes Waterfront Masterplan which seeded high quality mixed uses, including offices business parks and residential leisure and retail;

Finally, it was reported that additional conditions were required in relation to:-

- a) Contamination and remediation strategy;
- b) Submission of a verification report on remediation;
- c) Submission of a long term monitoring, maintenance and contingency plan for the remediation;
- d) Submission of a scheme to treat and remove solids from surface water run-off during construction work;
- e) Submission of a scheme for foul and surface water drainage including oil and petrol interceptors, trapped gullies and roof drainage sealed at ground level;
- f) Details of permanent wheel cleaning facilities at the site for during operation; and
- g) Condition specifying and restricting the types of waste to be processed at the site.

RESOLVED: That application **10/00446/EIA** be approved subject to:-

- 1) The entering into a Legal Agreement for the provision of a financial contribution towards Environmental Matters, and the provision of a bus service to the site for employees.
- 2) The following conditions:
 - 1 Time limit for the commencement of development; (in accordance with the Town & Country Planning Act 1990);
 - 2 List of approved plans and documents (BE1, BE2);
 - 3 Prior to the commencement of development submission and approval of materials (BE2) ;
 - 4 Prior to commencement provision and use of wheel cleansing facilities during course of construction to be submitted and approved; (BE1);
 - 5 Conditions for prior to commencement approval of detailed landscaping scheme including hard and soft landscaping and planting and cultivation (BE1 and GE27);
 - 6 Condition that any planting lost within the first five years following completion be replaces;

- 7 Prior to commencement approval of fencing and boundary treatment details (BE22);
- 8 Condition(s) in relation to the submission of a ground investigations and remediation strategy to be submitted to and approved by contaminated land and environment agency. This shall include the monitoring maintenance and any contingency final report demonstrating that all long-term site remediation criteria;
- 9 No development shall begin until the provision of pre-development site levels and proposed finished floor levels and adjacent land levels; (BE1);
- 10 Prior to the commencement final construction details of the access road and the point of access onto Tan House Lane to be submitted for approval (BE1);
- 11 Prior to occupation of the buildings laying out of approved vehicle access, service and parking areas and to be retained as such (BE1);
- 12 Condition limiting the throughput of material to 200,000 tpa;
- 13 Prior to commencement condition relating to the disposal of foul and surface water (PR5);
- 14 Condition relating to installation of oil and petrol separators (PR5);
- 15 Condition relating to the installation of trapped gullies (PR5);
- 16 Condition relating to the installation of roof drainage-sealed at ground level;
- 17 The development to be carried out in accordance with the approved Flood Risk Assessment and the mitigation measures as detailed within; (BE1 and PR16);
- 18 Prior to commencement provision of a surface water regulation scheme to be submitted and approved; (BE1);
- 19 Prior to the commencement of development details of secure cycle parking (TP16);
- 20 Prior to the occupation of the buildings a framework travel plan shall be submitted for approval;
- 21 Condition restricting no external storage of materials (BE1 and RG3);
- 22 Condition preventing the unloading, loading or handling of waste associated with the facility shall take place outside the building (BE1, PR1 and PR3);

- 23 Condition ensuring the doors to the facility building shall be kept closed at all times except for essential access and egress to and from the building (PR1 and PR3);
 - 24 The waste reception hall, processing and composting buildings shall be held under negative pressure during operating hours (PR1 and PR3);
 - 25 Prior to commencement a scheme of noise attenuation is provided to demonstrate that noise levels from the proposed development can achieve 10dB(A) below background at the 'Routledge' site (PR2 and PR28);
 - 26 Prior to the commencement of development details of lighting shall be submitted to and approved in writing. This should include details Lux levels and light spill diagrams (BE1 and PR4);
 - 27 Prior to the commencement of development, details shall be provided to demonstrate how at least 10% of the proportion of the developments energy requirements can be secured through the provision of renewable, decentralised or low carbon sources. For implementation prior to occupation and operation of the development lifetime (RSS – EM18);
 - 28 Use restriction that the building shall only be used for B2 'General Industrial (BE1 and RG3); and
 - 29 Traffic Management Plan.
- 3) That if the S106 Agreement or alternative arrangement is not executed within a reasonable period of time, authority be delegated to the Operational Director – Environment & 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).

RESOLVED: That application **10/00305/FUL** be approved subject to the following condition(s):

1. Time limit for the commencement of development; (in accordance with the Town & Country Planning Act 1990).

DEV42 MISCELLANEOUS ITEMS

The following applications had been withdrawn :-

10/00298/FULTEL	Proposed replacement of existing flood lighting column with a 17.5m high telecommunications pole with attached floodlight, 3 No. antennas and equipment cabinets at ground level at Widnes Rugby Union Club, Heath Road, Widnes, Cheshire
10/00280/FUL	Proposed two storey office block and car park extension at Rushserve Ltd Waterloo Road, Widnes, Cheshire, WA8 0QR
10/00405/FUL	Proposed two storey rear and side extensions and single storey side extension at 18 Coronation Road, Higher Runcorn, Cheshire, WA7 5QD
10/00294/FUL	Proposed construction of detached two storey, two bedroom dwelling house at 8 Chapel Lane, Widnes, Cheshire, WA8 4NX

The following appeal had been withdrawn:-

10/00013/FUL

10/00012/REFUSE

APPEAL NUMBER	Proposed residential development comprising 18 No. courtyard houses, detached garages, private access road and private open space at Former Dawsons Dance Centre, Lunts Heath Road Widnes, Cheshire, WA8 5BG
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Meeting ended at 8.17 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 10 January 2011 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), E. Cargill, Hignett, Hodgkinson, McInerney, Osborne and Redhead

Apologies for Absence: Councillors Leadbetter and Morley

Absence declared on Council business: Councillor John Bradshaw

Officers present: P. Watts, T. Gibbs, R. Wakefield, M. Noone, J. Tully and A. Jones

Also in attendance: 2 Members of the Public

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

Action

DEV43 MINUTES

The Minutes of the meeting held on 6 December 2010, having been printed and circulated, were taken as read and signed as a correct record.

Members were informed that application 10/00254/FUL, which was considered and resolved to be approved at the last meeting, had not progressed as the Council had not yet received an acceptable draft agreement from the applicant.

DEV44 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.

DEV45 - 01/00349/S73 - APPLICATION TO EXTEND TIME LIMIT FOR IMPLEMENTATION BY A FURTHER 3 YEARS (APPLICATION 06/00571/FUL):- PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 24 NO

TWO BEDROOM APARTMENTS IN A THREE STOREY BUILDING WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING AT LAND TO REAR OF 353-363 HALE ROAD, HALEBANK, WIDNES

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

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

- a) The applicant entering into a Section 106 legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space, HGV relief road and free access through to the adjacent site without recourse to ransom.
- b) Conditions relating to the following;
 - 1. The entering into a Legal Agreement for off-site open space provision and allowing free access through site to adjacent land. (Policy RG5 and H3);
 - 2. In accordance with amended plans (Policy RG5 and BE1);
 - 3. Prior to commencement the applicant to install security gates for the access to the rear of 353-363 Hale Road following approval of details by the Local Planning Authority (Policy BE1);
 - 4. Prior to commencement the submission of material samples for approval (Policy BE2);
 - 5. Prior to commencement the submission of details of all boundary treatments for approval (Policy BE22);
 - 6. Prior to commencement the submission of details of a hard and soft landscaping scheme (Policy BE1);
 - 7. Prior to commencement the submission of detailed species of soft landscaping for approval (Policy BE1);
 - 8. Prior to commencement the submission of details of bin and cycle stores, to be secured, for approval (Policy BE2);
 - 9. Prior to commencement the submission of a ground investigation and undertaking of any remedial works where required (Policy PR14);
 - 10. Prior to commencement the submission of existing ground levels and proposed finished floor/ground levels for approval (Policy BE1);

11. Prior to commencement the submission of drainage details for approval (Policy BE1);
12. Prior to commencement the submission of details of wheel wash to be used throughout the course of the construction period (Policy BE1);
13. Landscaping scheme to be implemented during the course of development or next available planting season (Policy BE1);
14. Access, roads, car parking and service areas to be laid out prior to occupation of premises (Policy BE1, TP6, TP7, TP12 and TP17);
15. Windows to north and east elevations to be installed with triple glazing and trickle vents (Policy PR7);
16. No lighting to be installed within the site or on the building without further approval from the Local Planning Authority (Policy BE1 and PR4);
17. Restricted hours of construction (Policy BE1);
18. Provision of domestic refuse bins; and
19. Condition stating that the development shall be carried out in accordance with approved flood risk assessment.

- c) That if the legal agreement is not executed within a reasonable period of time, authority is delegated to the Operational Director – Environment and Regulatory Services, in consultation with the Chairman or Vice Chairman to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV46 - 10/00368/S73 - APPLICATION TO EXTEND TIME LIMIT FOR A FURTHER 3 YEARS (APPLICATION 07/00716/FUL) FOR PROPOSED FOUR STOREY MIXED USE DEVELOPMENT COMPRISING 24 NO TWO BED APARTMENTS AND 4 NO RETAIL UNITS AT 88A - 92 ALBERT ROAD, WIDNES

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

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

- a) Approve subject to a legal agreement relating to provision/ improvement of open space.
- b) Conditions relating to the following:

1. Standard Condition relating to timescale and duration of the permission;
 2. Materials condition, requiring the submission and approval of the materials to be used (BE2);
 3. Submission, agreement and implementation of scheme for drainage (BE1);
 4. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2);
 5. Site Investigation, including mitigation to be submitted to and approved in writing. (PR14) ;
 6. Vehicle access, parking, servicing etc to be constructed prior to occupation/ commencement of use. (BE1);
 7. Wheel wash condition required for construction phase (BE1);
 8. Parking conditions to ensure parking and servicing areas is provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12 & E5);
 9. Boundary treatment condition is required to ensure details are provided prior to the commencement of development (BE2);
 10. Construction hours to be adhered to throughout the course of the development. (BE1);
 11. Opening hours to be adhered to throughout the life of the permission. (BE1);
 12. Condition requiring the submission of any external flues on any units. (BE2);
 13. Condition requiring the submission and approval of shutters, shutters should not have projecting boxes and shall be perforated (BE2);
 14. Details of equipment to control the emissions of fumes shall be submitted and agreed in writing. (BE1 & PR3);
 15. Condition restricting the uses of the ground floor units (BE1);
 16. Noise levels in residential to comply with BS8233. (PR2);
 17. A scheme of sound installation to be submitted and agreed in writing (PR2); and
 18. Provision of bin storage and bin provision (BE1).
- c) That if the legal agreement was not executed within a reasonable period of time authority is delegated to the Operational Director – Environment and Regulatory Services, in consultation with the Chairman or Vice Chairman, to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV47 - 10/00451/OUT - OUTLINE APPLICATION FOR 22 NO DWELLINGS WITH ACCESS AT THE FORMER COCK & TRUMPET PUBLIC HOUSE, HALEBANK ROAD, HALEBANK, WIDNES

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

Members were advised that two objections had been received from local residents regarding the style of the proposed dwellings as well as boundary and ownership issues.

In response it was noted that the applicant had submitted additional plans showing a more accurate application site, which overcame the potential of land encroachment across adjoining boundaries. Furthermore, as the application was outline only, the appearance and scale of the dwellings would be subject to future approval.

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

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space.
- b) Conditions relating to the following:
 - 1) Standard commencement condition;
 - 2) Condition listing approved plans and amended plans (BE1, BE2, TP12);
 - 3) Prior to commencement details of materials to be submitted for approval (BE2);
 - 4) Condition restricting hours of construction and deliveries (BE1);
 - 5) Prior to commencement details of wheel cleansing facilities to be submitted and approved in writing. (BE1);
 - 6) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1);
 - 7) Appropriate visibility splays to be retained (BE1);
 - 8) No hard surfacing of property frontages (TP12);
 - 9) Prior to commencement details of boundary treatments to be submitted and approved in writing. (BE2);

- 10) Prior to commencement detailed site investigation, including mitigation to be submitted and approved in writing. (PR14);
- 11) Condition(s) for landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE1 and BE2);
- 12) Conditions relating to tree protection during construction and lifetime of development (BE1);
- 13) Condition replacement tree planting of any of those shown to be retained if lost during construction;
- 14) Condition replacement planting if lost within first five years (BE1);
- 15) Prior to commencement details of a biodiversity plan containing measures for encouraging wildlife; birds and bats – within the construction of the dwellings to be approved in writing and implemented prior to occupation (BE1);
- 16) Drainage condition, requiring the submission and approval of drainage (BE1);
- 17) Submission and agreement of finished floor and site levels. (BE1);
- 18) The reserved matters application should meet the requirements of the Councils New Residential Development Guidance (both draft and adopted) (BE1 and BE2);
- 19) The dwellings shall be no more than two storey (BE1 and BE2); and
- 20) Bin Provision.

- c) That if the legal agreement was not executed within a reasonable period of time authority is delegated to the Operational Director- Environment and Regulatory Services, in consultation with the Chairman or Vice Chairman, to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV48 - 10/00467/S73 - APPLICATION TO ALLOW EXTENSION OF TIME LIMIT FOR PERMISSION 07/00616/FUL (PROPOSED ERECTION OF 15 NO. RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS ROAD) AT 177-181 HEATH ROAD, RUNCORN

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

RESOLVED: That the application be approved

subject to the following:

- a) The applicant entering into a legal agreement in relation to the payment of a commuted sum for the provision and improvement of off-site open space, and compensation for the loss of highway trees.
- b) Conditions relating to the following:
 - 1) Standard commencement condition;
 - 2) Construction hours (BE1);
 - 3) Wheel cleansing facilities to be submitted and approved in writing. (BE1);
 - 4) Appropriate visibility splays (BE1);
 - 5) The provision of dropped crossings for pedestrians (TP7);
 - 6) Width off access road and turning to accommodate large vehicles (BE1);
 - 7) Grampian condition for off-site highways works – box junction (BE1);
 - 8) Agreement with Highway Authority for road adoption (BE1);
 - 9) No conversion of garages (TP12);
 - 10) No fences adjacent to the new highway (BE1);
 - 11) Condition relating to 20mph speed limit (TP17);
 - 12) Road safety audits and implementation of recommendations (BE1);
 - 13) Materials condition, requiring the submission and approval of the materials to be used (BE2);
 - 14) Boundary treatments to be submitted and approved in writing. (BE2);
 - 15) Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1);
 - 16) Site investigation, including mitigation to be submitted and approved in writing. (PR14);
 - 17) Landscaping condition, requiring the submission of both hard and soft landscaping to include replacement tree planting. (BE2);
 - 18) Drainage condition, requiring the submission and approval of drainage (BE1);
 - 19) Conditions relating to tree protection during construction and lifetime of development (BE1); and
 - 20) Submission and agreement of finished floor and site levels. (BE1)
- c) That if the legal agreement was not executed within a reasonable period of time, authority was delegated to the Operational Director – Environment and

Regulatory Services, in consultation with the Chairman or Vice Chairman, to refuse the application on the grounds that it failed to comply with UDP Policy S25 Planning Obligations.

DEV49 - 10/00494/OUT - EXTENSION OF TIME LIMIT FOR IMPLEMENTATION OF EXTANT PLANNING PERMISSION 08/00024/OUT (ERECTION OF BUILDING FOR SELF STORAGE USE) AT LAND OFF HUTCHINSON STREET, WIDNES

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

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

1. Reserved matters condition, for the submission and approval prior to the commencement of development;
2. Time limit for the submission of reserved matters;
3. Materials condition, requiring the submission and approval of the materials to be used (Policy BE2);
4. Drainage condition, requiring the submission and approval of drainage details;
5. Landscaping condition, requiring the submission of both hard and soft landscaping details (BE1 and BE2);
6. Boundary treatments, to be submitted and approved in writing;
7. Wheel cleansing facilities to be submitted and approved in writing;
8. Conditions to ensure parking and servicing areas are provided and maintained at all times. The use of the premises shall not commence until the vehicle access and parking has been laid out (TP12);
9. Environment Agency conditions relating to submitted flood risk assessment and minimum floor level, surface water drainage, storage, handling, loading and unloading of fuels, oils, chemicals or effluents, and ground investigation. (PR14 and PR16);
10. Condition for the submission and approval in writing of ground investigation and remediation/mitigation (PR14); and
11. Condition to control hours of opening (BE1).

DEV50 MISCELLANEOUS ITEMS

The following applications had been withdrawn :-

10/00432/ADV	Internally illuminated pole mounted display unit at Co-operative Retail Services Ltd, Liverpool Road, Widnes, Cheshire.
10/00387/COU	Change of use of vacant building to 1 No. bedroom dwelling at Land Adjacent To 147 Wilmere Lane, Widnes, Cheshire
10/00386/FUL	Garage conversion and single storey extensions at 47 Clinton View, Widnes, Cheshire

The following applications had gone to appeal:-

10/00321/FUL	Proposed two storey side, single storey rear and side garage extensions at 88 Hale Road, Hale Village, Cheshire
10/00167/FUL	Proposed first floor side extension at 1 Battersea Court, Widnes, Cheshire

Meeting ended at 6.38 p.m.

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STANDARDS COMMITTEE

At a meeting of the Standards Committee Wednesday, 5 January 2011 Committee Room 1, Runcorn Town Hall

Present: Mr B. Badrock (Chairman), Parish Councillor Mr B Allen, Parish Councillor Canon D. Felix, Mr R. Garner, Mr A. Luxton and Councillors Murray, Parker, Redhead and Swain

Apologies for Absence: Mrs A Morris and Councillor K Wainwright

Absence declared on Council business: None

Officers present: M. Reaney and A. Scott

Also in attendance: None

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

STC19 MINUTES

The minutes of the meeting held on 10 November 2010, having been printed and circulated, were signed as a correct record.

STC20 RECENT CASE SUMMARIES FROM STANDARDS FOR ENGLAND

The Committee received a report of the Strategic Director, Resources on recent case summaries from Standards for England.

The Committee noted and discussed the contents of cases from North Tyneside Metropolitan Borough Council and Oldham Metropolitan Borough Council.

RESOLVED: That the report be noted.

STC21 ABOLITION OF STANDARDS REGIME

The Committee received a report of the Strategic Director, Resources on the abolition of the Standards regime.

Action

At the previous meeting of the Committee, a press release from the Communities Minister was considered, which set out his views on the future of the Standards regime. Since then, a letter to Standards Committee Chairs had been issued from the Chair of Standards for England. It was reported that alongside the proposal to abolish Standards for England, the First Tier Tribunal would lose jurisdiction over member conduct. In addition, the Government also intended to remove the National Code of Conduct for Councillors and the requirement to have a Standards Committee. Councils would be able to choose whether or not they wish to have a Local Code or a Standards Committee, which would be an ordinary Committee of the Authority and therefore not need to have independent representation.

The Committee were advised that in the event of a Council choosing to have a Standards Committee, then that Committee would no longer have the power to suspend a Member. The Government had proposed that there would be a new criminal offence created which related to failure to register or declare interests. However, it was not intended that the functions of Standards for England would transfer to any other body.

The Localism Bill published on 13th December 2010 introduced these proposals into the legislative framework and confirmed that Councils would be able to adopt a non-statutory code and would have a duty to consider allegations of a breach of such a code, without statutory sanctions against an offending member. Provided that Members did not commit a criminal offence, they would remain in Office until the electorate had a chance to remove them at the next election. Proposals for Electoral Recall to allow the removal of Councillors mid-term on evidence of serious misconduct were not included in the Bill.

It was anticipated that the Bill would receive Royal Assent in late 2011. In the meantime, the present Standards Regime would continue to function in the normal manner, considering, investigating and determining allegations of misconduct until a fixed date (the appointed day) which was likely to be two months after the Bill received Royal Assent. The effect of this would be that until that appointed day, an allegation of misconduct could be made, but after the appointed day, no further allegations could be made under the Standards Board Regime.

The Committee considered and discussed the

following matters arising from the report :

- how the Borough Council would deal with complaints against Members of the Council once the Standards Committee was no longer in existence;
- if the Council were to support the continuation of a local Standards regime, how the Standards Committee could advise and support the Council in the handover phase over the next 12 months; this could include the development of a local Code of Conduct for Councillors;
- the benefits of retaining independent membership on any future local Standards Committee;
- noted the need for changes to the Council's Constitution once the Standards Committee ceased; and
- the Committee unanimously supported the continuation of a Standards regime within Halton Borough Council.

RESOLVED: That the Operational Director, Legal and Democratic Services be asked to

- 1) inform the Leader of the Council of the Committees' views on the future of the Standards regime within Halton Borough Council;
- 2) seek direction from the Council on the future work of the Standards Committee prior to its statutory abolition; and
- 3) report the outcome to the next meeting of the Committee.

Operational
Director, Legal
and Democratic

Meeting ended at 3.50 p.m.

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REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Tuesday, 14 December 2010 in the Committee Room 1, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Loftus (Vice-Chairman), Bryant, Fry, Howard, Inch, A. Lowe, Murray, E. Ratcliffe and Wallace

Apologies for Absence: Councillor McDermott

Absence declared on Council business: None

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

Also in attendance: N/A

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

**REG11 APPLICATION TO VARY A PREMISES LICENCE JD'S
BAR 2 - 4 HIGH STREET RUNCORN**

Action

The Committee met to consider an application which had been made under Section 34 of the Licensing Act 2003 to vary the above premises licence. The hearing was held in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting was held as a hearing relating to an application made in respect of JD's Bar 2 – 4 High Street Runcorn to vary elements of its premises licence. In attendance were:

The Applicant, Dale Carter, (who did not attend) was represented by James Quigley, the Designated Premises Supervisor (DPS); Cheshire Constabulary ("the Police") were represented by Chris Rees-Gay (Walker Morris Solicitors) also in attendance were Ian Seville Police Licensing Officer, PC Chris Carney, Sgt Byrne, Bill Seabury Licensing Enforcement Officer Safer Halton Partnership and Paul Draycott Police Licensing Officer Warrington.

The Chairman, Cllr. G Philbin, introduced the persons

in attendance.

The Council's legal advisor, John Tully, outlined the procedure to be followed and summarised the nature of the application and the relevant representations which had been made including the Objection File provided by the Police after the Committee item had been produced. All documents had been previously provided to the applicant and to the Committee.

Details of the existing premises licence standard hours

The premises currently have the following licensable activities:-

Categories A – Plays (Indoors), B – Exhibition of films (Indoors), C – Indoor Sporting Events, D – Boxing and Wrestling (Indoors), E – Live Music (Indoors and Outdoors) , F – Recorded Music (Indoors and Outdoors), G – Performance of Dance (Indoors and Outdoors) , H – Similar to e,f or g (Indoors and Outdoors), I – Making Music (Indoors and Outdoors), J – Dancing (Indoors and Outdoors) for the following hours:

Sunday to Wednesday 09.00 to 01.30

Thursday to Saturday 09.00 03.00

Category L – Late Night Refreshment (Indoors and Outdoors) for the following hours:

Sunday to Thursday 23.00 to 02.00

Friday and Saturday 23.00 to 03.30

Category M – Sale of Alcohol (On and Off) for the following hours:

Sunday to Wednesday 09.00 to 02.00

Thursday to Saturday 09.00 to 03.00

Category O – Hours Premises are Open to the Public

Sunday to Wednesday 09.00 to 02.00

Thursday to Saturday 09.00 to 03.30

Details of the application

The variation application requested the following licensable activities:-

For the categories A – Plays (Indoors) , B – Films (Indoors), C – Indoor Sporting Events, D – Boxing and Wrestling (Indoors), E – Live Music (Indoors and Outdoors), F – Recorded Music (Indoors and Outdoors), G – Performance of Dance (Indoors and Outdoors), H – Anything Similar to e f or g (Indoors and Outdoors), I – Making Music (Indoors and Outdoors), J – Dancing (Indoors and Outdoors) - between the hours of:

Sunday to Wednesday 09.00 to 02.00

Thursday 09.00 to 03.00
Friday and Saturday 09.00 to 03.30

For the category L – Late Night Refreshment (Indoors and Outdoors)

Monday to Wednesday 23.00 to 02.30
Thursday 23.00 to 03.00
Friday and Saturday 23.00 to 04.00
Sunday 23.00 to 02.00

For category M – Sale of alcohol (On and off)

Sunday to Wednesday 09.00 to 02.00
Thursday 09.00 to 03.00

Friday and Saturday 09.00 to 03.30

For the category O – Hours Premises are Open to the Public

Sunday to Wednesday 09.00 to 02.30

Thursday 09.00 to 03.30

Friday and Saturday 09.00 to 04.00

Additional Seasonal and Non Standard timings

For the categories A – Plays B – Films, C – Indoor Sporting Events, D – Boxing or Wrestling, L – Live Music, F – Recorded Music, G – Performance of Dance, H – anything similar to e f or g, I – Making Music, J – Dancing, M- Supply of alcohol

An extension until 05.30 into any Bank Holiday Monday morning

For the category L – Late Night Refreshment

An extension until 05.00 into any Bank Holiday Monday morning

For the category O – Hours Premises are open to the public

An extension until 06.00 into any Bank Holiday Monday morning

In addition to the above variation the applicant requested the following conditions to be amended as a consequence of the proposed variation.

Current condition 14 – With the exception of specific events organised for persons under the age of 18 there shall be no persons under the age of 18 allowed into the premises

Requested amended Condition 14 – With the exception of specific events organised for persons under the age of 18 there shall be no persons under the age of 18 allowed into the premises unless accompanied by an adult.

Current Condition 16(b) No entry / re entry after 01.00

Requested amended condition 16(b) No entry / re entry after 03.00 every Friday and Saturday

Current condition 16(e) No intoxicants will be supplied, for consumption by a customer in 'goldfish bowls' or 'jugs'
Requested amended condition 16(e) If the intended supply of intoxicants for consumption by a customer in jugs then plastic only jugs must be supplied

Details of the Police objections

The Police objections were set out in the agenda and in the Objection File. Mr Tully pointed out that the Objection File contained a modified objection (to that set out in the agenda) to the application request relating to the existing 'entry/re-entry condition' and also a request to reduce the existing hours in specified cases.

The hearing

Mr Quigley outlined the reasons for application and answered questions put to him by the Committee.

Mr Rees-Gay presented the case for the Police. Evidence was given by Ian Seville, PC Chris Carney and Bill Seabury and Sgt Chris Byrne relating to the documents supplied by the Police. The Police confirmed that they did not object to the application to increase the times for Late Night Refreshment (LNR) on Thursdays by one hour as this would bring LNR into line with the time for the cessation of the sale of alcohol, as is the case on other days.

Detailed questions were put to both Mr. Quigley and the Police.

The Police and Mr Quigley were then invited to sum up their cases

The Committee then retired to consider the matter.

RESOLVED: That having considered the application in accordance with Section 4 Licensing Act 2003 and all other relevant considerations the Committee made the following determination:-

ITEM 1

Existing condition 14

The application in respect of existing condition 14 be rejected but the condition be varied as follows:-

14.1 With the exception of specific events organised for

persons under the age of 18 there shall be no persons under the age of 18 allowed into the premises;

14.2 Condition 14.1 shall not apply on any occasion when all of the following provisions apply:

14.2.1 The person under the age of 18 is accompanied by an adult;

14.2.2 Substantial hot food is being served at the premises;

14.2.3 No person under the age of 18 remains on the premises after the hour of 7.00 PM.

ITEM 2

Existing condition 16(b)

The application in respect of existing condition 16(b) be rejected but the condition be varied as follows:-

16(b) The last entry/re entry time to the premises to be 1(one) hour before the terminal hour for the supply of alcohol.

ITEM 3

The request to vary existing condition 16(e) which prohibits the supply of intoxicants in 'goldfish bowls' or 'jugs' be rejected.

ITEM 4

4.1 Additional hours request made by the Applicant

All of the requested additional hours which were subject to objections made by the Police be rejected.

The request to increase the permitted hours for Late Night Refreshment on Thursdays by one hour (that is to 03.00) be granted.

4.2 Reduction in hours requested by the Police

The application made by the Police to reduce the existing permitted hours in specified cases be rejected.

Reasons for the decision and steps taken under section 35(3)(b) of the Act

The reason for the determination was that the Committee felt that the application as submitted was not consistent with the Licensing Objective of preventing crime and disorder. The varied conditions imposed were designed to overcome certain deficiencies in the application. In particular, the variation of condition 14 would give the premises licence holder an opportunity to introduce a family element into the

clientele of the premises. The Police request for a reduction in hours could not be justified on the evidence presented. The parties were advised that the formal notice of determination would be prepared as soon as practicable after the hearing.

Time that the variations shall take effect: Forthwith

Following the conclusion of the hearing the Chairman of the Committee advised that, with regard to the CCTV issues, the Police and the applicant should get together as quickly as possible to resolve any outstanding issues.

The Chairman also advised that when the Police attended the premises on 30 October 2010 if it had it been proved beyond doubt that the bottles used were glass bottles then there would have been a different outcome to the hearing. In view of the incident which had occurred on 2nd May 2010 the risks associated with the use of glass bottles were obvious. He stressed that all bottles must remain behind the bar area of the premises.

Meeting ended at 9.40 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Thursday, 30 December 2010 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Loftus (Vice-Chairman), Bryant, Fry, Inch, McDermott, Murray and E. Ratcliffe

Apologies for Absence: Councillors Howard, A. Lowe and Wallace

Absence declared on Council business: None

Officers present: K. Cleary and J. Tully

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG12 APPLICATION FOR A PREMISES LICENCE - 212 WARRINGTON ROAD, WIDNES

Action

The Committee met to consider an application which had been made under Section 17 of the Licensing Act 2003 to vary the above premises licence. The hearing was held in accordance with the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting was held as a hearing relating to an application made in respect of 212 Warrington Road Widnes for a premises licence.

Neither the Applicant nor his Licensing Agent attended the hearing however the agent emailed information regarding the application on the day of the hearing which was given to the Committee members at the hearing. The Applicant's Licensing Agent requested that the hearing take place in his absence.

The members agreed to continue with the hearing.

No interested parties attended the hearing but as advised in the Committee item copies of the correspondence received from the interested parties were forwarded to the

Regulatory Committee members prior to the hearing.

Details of the application

The application requested the supply of alcohol off the premises between the hours of 06.00 and 23.00 each day.

Responsible authorities representation

Cheshire Constabulary requested a number of conditions and one amendment to the application (as set out in the printed agenda) which the Applicant had accepted prior to the hearing.

Interested parties representations

Members were advised as to which representations were capable of being relevant representations and which should not be taken into account.

The members asked questions of the Councils Legal advisor and then retired to consider the matter.

RESOLVED: That

Having considered the application in accordance with Section 4 Licensing Act 2003 and all other relevant considerations the Committee made the following determination:-

The Committee noted that no evidence had been produced by interested parties to substantiate the issues raised in their representations.

The Committee accepted the amended starting time for the supply of alcohol and considered that the agreed conditions were necessary (subject to improved wording on the security of high value goods condition and subject to an amended commencement requirement of the second of the CCTV conditions).

Cheshire Constabulary had requested that the second CCTV condition be complied with prior to the first use of the premises licence. However, the Committee were aware from past experience that delays in compliance could be due to the inability of Cheshire Constabulary to arrange commissioning tests promptly. The amended commencement requirement on the second CCTV condition was therefore imposed in the interests of fairness to the Applicant.

Starting time for supply of alcohol

The starting time for the supply of alcohol under Section M shall be amended to be 8.30am on all days

Challenge 25 Condition

The Licence Holder shall ensure that anyone who appears to be under 25 years of age who is attempting to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are; passports, photo driving licences, military ID and PASS accredited proof of age cards, e.g. Validate, Connexions, Citizen Card Prove it Card. Failure to produce such evidence must be followed by a refusal to serve alcohol to that individual.

Reason: in the interests of the prevention of crime and disorder.

CCTV Conditions

1. A full CCTV system shall be used and should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'.

Reason: in the interests of the prevention of crime and disorder.

2. Designated supervisors will need to demonstrate within a time-scale agreed with Cheshire Constabulary that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers. The commissioning test will need to demonstrate the following:-

- 1) recordings are fit for their intended purpose,
- 2) good quality images are presented to the officer in a format that can be
replayed on a standard computer,
- 3) the supervisor has an understanding of the equipment/training,
- 4) management records are kept,
- 5) maintenance agreements and records are maintained,
- 6) Data Protection principles and signage are in place.

Reason: in the interests of the prevention of crime and

disorder.

Security of high value goods condition

All spirits shall be stored behind the Counter and not offered for self service

Reason: in the interests of the prevention of crime and disorder.

The Committee felt that the application was consistent with the Licensing Objectives provided that the above conditions were included.

(a) Time that the licence shall take effect

Immediately

NOTE: All conditions must be complied with when any licensable activity is being undertaken. However, the second CCTV condition need not be complied with prior to the first use of the premises licence. This condition must be complied with as soon as a commissioning test is undertaken.

Meeting ended at 2.35 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 12 January 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Loftus (Vice-Chairman), Fry, Howard, Inch, A. Lowe, Murray and Wallace

Apologies for Absence: Councillors Bryant and E. Ratcliffe

Absence declared on Council business: Councillor Tony McDermott

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

Also in attendance: None

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

REG13 APPLICATION FOR THE REVIEW OF PREMISES
LICENCE RELATING TO THE ESTABLISHMENT
VICTORIA SQUARE WIDNES

Action

The Committee (acting as Licensing Committee under the Licensing Act 2003) met following an application to review the Establishment Old Town Hall Victoria Square Widnes made by Cheshire Police.

In attendance was the applicant Cheshire Police represented by Paddy Whur (Walker Morris Solicitors) also in attendance were Superintendent Sarah Boycott, PC Chris Carney Inspector Simon Blackwell and Ian Seville Police Licensing Officer.

In addition the Premises Licence Holder Stephen Lawler was present and represented by Martin Stafford (DWF Solicitors) also in attendance were Dennis Riley Designated Premises Supervisor and Steve Gibbons Head Doorman.

The Council's legal advisor, John Tully, introduced the parties, outlined the procedure to be followed and summarised the nature of the application. Mr Tully also advised the Committee of the following documents which

were to be referred to at the hearing:-

- The committee item (coloured blue)
- The initial review application documents from the Police received 15 November 2010 (coloured white). This was referred to as the "White Bundle".
- The additional information from the Police received from Cheshire Police on 4 January 2011 (coloured pink). This was referred to as the "Pink Bundle".
- The amended information from the Police received from Cheshire Police on 11 January 2011 (coloured green). This was referred to as the "Green Bundle".

To avoid confusion Mr Tully explained that the agenda contained a verbatim extract from the White Bundle and summarised the content of the White Bundle. The Pink Bundle replaced pages 10 to 25 of the White Bundle (thereby extending the period in which incidents were listed to 1st January 2011). The Pink Bundle also included a statement by Superintendent Boycott. The Green Bundle replaced pages 22 to 32 of the Pink Bundle and comprised an amended statement by Superintendent Boycott. Mr. Whur confirmed that this was a correct summary.

The premises licence holder had previously supplied to the Licensing Section (on 11th January) and to the Police a DVD comprising CCTV footage of Victoria Square but had not submitted any documents relating to the hearing.

The Police grounds for the review were set out in the committee item. The full review file was copied and sent to the Committee members prior to the hearing.

The hearing

Prior to the hearing commencing Mr Whur requested an additional 10 minutes for the applicant to put their case making a total of 30 minutes. Both the Committee and Mr Stafford agreed to the time extension.

Mr Whur presented the case on behalf of the Applicant Cheshire Police and called on Superintendent Boycott, PC Carney and Inspector Blackwell to give evidence relating to the documents supplied by the Police.

The question was raised as to whether it was appropriate for the Committee to consider those incidents in the Pink Bundle which had occurred prior to 17th August 2010. Those incidents had already been taken into account by the Committee at a hearing held on 17th August 2010 in

respect of the same premises.

Mr. Whur confirmed that he would not be repeating the incidents prior to 17th August 2010 since the application was a stand alone application on the facts post-dating that hearing. However, PC Carney, in his evidence, insisted that he wished to include all incidents contained in the Pink Bundle.

It was noted by all parties and by the Committee that although an appeal was pending against the decision of the Committee of 17th August 2010, that appeal had no bearing on the current application.

The Police had been reminded that at the hearing held on 17th August the Police had repeatedly praised the good management of the premises and the good relationship that they had with the management.

Mr. Whur stated that the Police had become increasingly concerned about the management starting immediately following the hearing on 17th August 2010. Problems were increasing. Incidents came to a head on 9th November 2010 (Pink Bundle page 16) at which a breach of a licensing condition was found and the attitude of the management was unacceptable. A review was requested following this incident. Incidents had still continued to occur even following the request for a review of the premises licence. It was felt that the number of incidents was wholly disproportional when compared with the other licensed premises in the area (the White Bundle pages 29 to 31 were referred to and especially the graph on page 31). It was alleged that good management had not been exhibited.

In his evidence PC Carney stated that he had taken great pains to ensure that all of the incidents (in the Pink Bundle) were directly linked to the premises. He had thought that he had had a reasonable relationship with the management but the breach of condition incident on 9th November 2010 was the straw which broke the camel's back. He also pointed out the number of incidents which post dated the application for a review. He felt that there had been a change in attitude after the review had been requested.

PC Carney was asked about whether the incidents could be ranked in relative seriousness and whether an opinion could be given about whether the management could be considered culpable in those incidents.

Superintendent Boycott gave the reply and stated that she was mainly concerned with the level of assaults. She had picked out 17 cases since 17th January 2010. The Police had not been able to stop people from getting hurt. She felt that there had only been a veneer of co-operation from the management. With reference to her statement regarding premises in Warrington (Green Bundle pages 10 and 11) the Chairman pointed out that the Committee was only interested in what was happening at the premises in Halton.

Neither Superintendent Boycott nor PC Carney answered the two questions set out above.

The Police were asked whether, since the premises represented about 50% of all those drinking in the area, it might be expected that it might generate about 50% of the crime. Superintendent Boycott disagreed. In her opinion the larger the premises the greater the responsibility to reduce crime.

PC Carney disputed the 50% figure (even though it was pointed out that this was the figure given by the Police at the hearing on 17th August 2010). On his figures there was a total capacity in the area of 3000 of which 800 were accounted for by the Establishment. He repeated that the crime rates were disproportionate and referred again to the graph on page 31 of the White Bundle.

The Police were asked why the local elected members had received no complaints from the public about the Establishment. PC Carney replied that he thought there were lots of complaints. He also felt that there had been complaints to the Council's Environmental Health Department. He was directed to page 5 of the agenda which showed that there were no representations by the Environmental Health Department.

The Chairman referred to page 5 of the Green Bundle where Superintendent Boycott mentions the cost of policing and the allocation of Police resources. He pointed out that these were not issues which the Committee could take into account. This was not challenged.

After a short break Mr Stafford put the case for the premises licence holder and called on Stephen Lawler Premises Licence Holder and Dennis Riley Designated Premises Supervisor to respond to points made by the Police and Members.

He began by showing CCTV images of Victoria Square. It

was shown to demonstrate the relatively small number of people in the Square.

The capacity figures alleged by the Police were disputed. The figures should be 2850 of which the Establishment accounted for 800. But capacity was not the point. Actual occupancy was not the same thing. The Establishment accounted for most of the actual occupancy in the area.

It was denied that the management had ceased to co-operate with the Police: he felt that it takes two to break down a relationship. The management still intended to work with the police.

Mr. Stafford alleged that the list of 104 incidents in the Pink Bundle did not bear scrutiny: some should not be on the list. He highlighted the incident on 25th December 2010 (Green Bundle page 9) and the incidents in the Pink Bundle pages 17 to 19.

The Police were requesting a serious sanction to be imposed. The incident on 13th/14th September (Pink Bundle page 19) was simple "suspicious activity". That should not be on the list. The incidents in December all fell away when analysed. There were no violent assaults in September. The next was on 3rd October (Pink Bundle page 12). There were 5 incidents in 5 weeks warranting concerns but these were lost in the volume of paperwork. Mr Stafford said that he would not address the issues in Warrington.

In reply to a question as to why there had been no contact with the Police since 19th October Mr Lawler said that there had been meetings with the Police and referred to the meeting on 4th November (Pink Bundle page 15).

Asked why the action plan (White Bundle page 27) had not been signed Mr Lawler said that a lot of the items in it had already been done. He said that people will get drunk but when spotted they will be removed. The action plan was not signed because the review had been requested by the Police.

With regard to the drugs incidents Mr Lawler said that there were 13 incidents on the list. Three of these were from one operation which was conducted with the full co-operation of the management. Nine of the incidents arose when the assistant manager contacted the Police to hand over drugs which the door staff had confiscated.

As for the breach of condition on 9th November (Pink Bundle page 16) Mr Lawler disputed the Police version of the events. He agreed that music should have been turned off but said that the assistant manager had been called away to speak to the police. As for the assistant manager not knowing that he must produce a copy of the licence to the Police on demand Mr Lawler said that he had been issued with a final written warning.

Mr Stafford then showed a second set of CCTV images of Victoria Square. They were designed to show a degree on criminality going on in the Square in front of a Police vehicle.

With regard to the graph on page 31 of the White Bundle Mr Riley went through the bars which were closed for all or part of the time. The bars which were open were not busy. He was insulted by the graph. The Establishment got all of the trade. They operated a wrist band system. On Fridays they get 400 to 600 people. On Saturdays it is 800 to 1000. They also have a student night on Mondays from Warrington University which is all wrist-banded.

As for the incident on 9th November they know when they have to close. Mr Riley confirmed that a final written warning had been issued to the assistant manager.

In summing up Mr Stafford said that Mr Lawler wished to voluntarily offer a reduction in hours on Fridays and Saturdays from 05.00 to 04.00.

Mr Stafford referred to paragraph 5 and paragraphs 22 to 25 of the Council's statement of licensing policy.

The issue was whether what was being requested by the Police (the White Bundle page 6) was a proportionate and necessary response. Mr Stafford also referred to paragraph 11.24 of the section 182 Guidance because this had been referred to by the Police in their application (White Bundle page 6). It was not appropriate to use this that the Police quotation was partial. Mr Whur said that he was not pursuing this point. The Committee was asked to think of the commercial viability of any conditions imposed. Mr Tully was asked whether the Committee could take into account commercial viability. He advised the Committee that while it was not a licensing objective and therefore not relevant as such it was relevant to the issue considering what was a proportionate and necessary response.

Mr Whur then summed up his case. He said that the

Licensing Committee have to determine what will promote the licensing objectives. He referred to paragraph 11 of the Council's statement of licensing policy. Superintendent Boycott was a very senior officer to be attending a licensing hearing.

The number of assaults which had occurred since the last hearing was of particular concern: He referred to the incidents in the Pink Bundle on 22nd August, 29th August and 30th August.

He did not believe that the licensing objectives were being promoted by the management. With regard to the second video why hadn't the Police been notified of the criminal activity?

Mr Whur referred to the Section 182 Guidance paragraphs 11.1, 11.16 and 11.19 (and later, paragraph 11.24).

As for the offer to reduce hours on Fridays and Saturdays this was a sop. Most incidents happen before this time.

The Establishment are the biggest licensed premises: they should be the best.

The Police had heard nothing during the hearing to change their minds.

The premises were taking up a disproportional amount of Police time.

The Chairman asked for clarification as to whether the Police were still asking for revocation. Mr Whur confirmed this was so.

The Chairman pointed out that the case presently under appeal had nothing to do with the present case. He also pointed out that this was the first case before the Committee where the Police were asking for revocation without having used any of their other powers first (e.g. Section 53A, section 160 and section 161). Mr Whur confirmed that these other powers were not available. The incidents relating to the Establishment were not, individually, serious enough to trigger other powers.

The Committee then retired for 1 hour and 40 minutes to consider the matter.

RESOLVED: That

Having considered the application in accordance with Section 4 Licensing Act 2003 and all other relevant considerations the Committee made the following determination:-

1. The request that the premises licence be revoked be rejected.
2. The request that if the Committee was not minded to revoke the premises licence that the hours be restricted for the sale of alcohol to 01.00 and the venue closed by 01.30 be rejected.
3. The hours of operation of the premises licence be varied as follows:-

Category O – Hours the premises are open to the public

Fridays and Saturdays – 10.00 to 04.00

Category B – (Films (Indoors), E - Live Music (Indoors), F – Recorded Music (Indoors), G – Performance of Dance (Indoors), I – Making Music (indoors), J- Dancing (Indoors), K – Similar to L or J (Indoors), L – Late Night Refreshment (Indoors), M – Supply of Alcohol (Indoors)

Fridays and Saturdays – 10.00 to 03.30

4. The following additional conditions be imposed on the premises licence

Incidents of Violence:

1. The Licence Holder shall ensure that customers are continually monitored for signs of aggression/temper/argument so that situations are diffused before they get out of hand.
2. The Licence Holder shall ensure that if patrons are ejected they must be monitored to ensure that violent behaviour does not continue immediately outside. If necessary The Licence Holder shall ensure that the Police are informed at an early stage.

Drunken customers :

1. The Licence Holder shall ensure that Bar staff/door staff shall be attentive as to how intoxicated customers are becoming. If bar staff detect such a

matter then Doorstaff shall be informed.

2. The Licence Holder shall ensure that Notices are displayed in bar area to this effect
3. The Licence Holder shall ensure that If it is believed that a customer is drunk then further service shall be refused.
4. The Licence Holder shall ensure that Door staff shall refuse entry to all customers who appear drunk.

Drugs :

1. The Licence Holder shall ensure that a rigorous drug search policy is implemented. Anyone failing to comply shall be refused entry.
2. The Licence Holder shall ensure that all positive searches are notified to Police immediately and CCTV images to be noted. (No staff to put themselves at risk in attempts to detain offenders)
3. The Licence Holder shall ensure that all Staff are vigilant for signs of drug use and report any suspicious activity to the Designated Premises Supervisor or duty manager

Underage Persons :

1. The Licence Holder shall ensure that anyone (especially females) entering the premises who appears to be under 25 years of age who will be asked to prove their age. Accepted methods of proof of age are: passports, photo driving licences and PASS accredited proof of age cards e.g. Validate, Connexions, Citizen Card, Prove It Card. If any such person fails to satisfy the licence holder by means of such proof of age that they are 18 years old or older that person shall be ejected from the premises forthwith.
2. The Licence Holder shall ensure that anyone (especially females) who appears to be under 25 years of age who is consuming alcohol or attempting to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are: passports, photo driving licences and PASS accredited proof of age cards e.g. Validate, Connexions, Citizen Card, Prove It Card. If any such person fails to satisfy the licence holder by means of such proof of age that they are 18 years old or older that person shall be ejected from the premises forthwith.

Time that the variations shall take effect

The determination shall come into effect in accordance with section 52(11) Licensing Act 2003 at the end of the period given for appealing against the decision or if the decision is appealed against as soon as the appeal is disposed of.

Reasons for the determination

The Committee accepted that all of the incidents or occurrences referred to in the Police evidence (in the Pink Bundle and the Green Bundle) took place as a matter of fact. However, the Committee did not accept the conclusions which the Police had reached on the basis of those incidents.

The Committee did not consider it appropriate to take into account incidents which had already been the subject of a determination by the Committee at the hearing on 17th August 2010 and considered the incidents subsequent to 17th August. The Committee felt that a correct decision had been arrived at on that occasion.

It was not acceptable that the Police should use incidents against the licence holder which were patently unreasonable. For example, when the assistant manager called the police (on 9 occasions) to hand over drugs seized in the execution of its drugs search policy the management should have been commended. Instead, cases are recorded against the management. A number of other incidents were vague such as "suspicious behaviour" (Pink Bundle page 19) or were not "incidents" at all, such as the meetings between management and the police (Pink Bundle pages 14 and 15). The breach of licence conditions on 9th November 2010 (Pink Bundle page 16) was not acceptable but had been dealt with appropriately. Also, undertakings as to better staff training had been given.

The issue of assaults was of concern to the Committee. It was difficult for the Committee to establish the relative seriousness of most of the assaults from the Police evidence. The Police had failed to link the issue of assaults (or indeed any of the criminal activity) with any culpability on the part of the management (despite being asked to do so).

The reduction in hours on Fridays and Saturdays as volunteered by Mr Stafford was accepted by the Committee.

The additional conditions set out above are based on the proposed action plan on page 27 of the White Bundle. The ambiguities in the original wording (such as "considerably

more”, “more attentive” and “more frequent”) have been removed and the proposed underage checks have been tightened up to include a ‘challenge 25’ policy.

The Committee did not feel that the statistical approach set out on page 31 of the White Bundle was correct. It did not compare like with like.

The Committee felt that revoking the premises licence (or reducing the hours as requested by the Police) would not be proportionate or necessary on the evidence before it.

The acceptance of the reduced hours as volunteered by Mr Stafford together with the additional conditions imposed by the Committee were proportional and necessary in re-establishing a proper relationship between the premises licence holder and the Police.

The Chairman stressed at the conclusion of the hearing that the Committee hoped that the premises licence holder and the Police would meet as soon as possible to sort out any differences between them.

Meeting ended at 10.50 p.m.

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