

Minutes & Reports

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

**Wednesday, 19 October
2011**

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COUNCIL

At a meeting of the Council on Wednesday, 20 July 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors Morley, Austin, S. Baker, Balmer, M. Bradshaw, J. Bradshaw, Browne, D. Cargill, E. Cargill, Carlin, A.Cole, Dennett, Edge, Fraser, Fry, J. Gerrard, Harris, Hignett, Hodge, Hodgkinson, Horabin, Howard, Jones, M Lloyd Jones, P. Lloyd Jones, C. Loftus, K. Loftus, A. Lowe, J. Lowe, Macmanus, McDermott, A.McInerney, T.McInerney, Nelson, Parker, Philbin, Polhill, C. Plumpton Walsh, N.Plumpton Walsh, M. Ratcliffe, Roberts, Rowe, Shepherd, Stockton, Swain, Thompson, Wainwright, Wharton, Wright and G.Zygodllo

Apologies for Absence: Councillors Leadbetter, Nolan, Osborne, Redhead and Wallace

Absence declared on Council business: None

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

Also in attendance: Five members of the public

Action

COU12 SOCIAL HOUSING IN HALTON

Nick Atkin from Halton Housing Trust and Neil Townsend from Riverside Housing Trust, addressed Members of the Council on current issues relating to social housing in the Borough, the programme of regeneration of and investment in the housing stock, the current challenging financial climate, the impact of welfare reforms and the choice based lettings system.

There was an opportunity for Members to ask questions on current housing issues.

COU13 COUNCIL MINUTES

The minutes of the Annual Council meeting held on 20 May 2011, having been printed and circulated, were taken as read and signed as a correct record.

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

COU14 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:

The following gifts had been received:

- A frame containing a Liverpool City Region Pledge to develop a legacy from the London Olympic Games and Paralympic Games, signed by the Lord Mayor of Liverpool and the Mayors of Sefton Metropolitan Borough Council, Knowsley Metropolitan Borough Council, St Helens Metropolitan Borough Council, Wirral Metropolitan Borough Council and Halton Borough Council in 2010;
- Gifts presented to the former Mayor, Councillor Marie Wright on her visit to Leiria, Portugal of a plate with the arms of all the Towns and Cities twinned with Leiria, a pewter box with the coat of arms of Leiria – Cidade de Leiria, a bronze medal, a photograph of Castelo De Cidade De Leiria and a bag of salt from the Rhine in Germany;
- A Framed Junk presented to the Mayor by the Lord Mayor of Tongling City and the delegation from Tongling on their visit to Halton in May 2011; and
- A Widnes Market Bell dated 1875-1975.

COU15 LEADER'S REPORT

The Leader reported on the following issues:

- Halton Borough Council, on behalf of the Liverpool City Region LEP and Greater Manchester LEP had submitted a bid for Daresbury Science and Innovation Campus (Daresbury SIC) to be given an Enterprise Zone. Enterprise Zone status, if accepted would have an impact across the wider area in the North West as well as the whole UK;
- Recent Health Statistics released by the Department for Health demonstrated that there was still much to do to improve health in Halton; however, a careful look at recent progress showed some welcome improvements;
- The Chief Executive and the Project Director for Mersey Gateway had recently met with the Secretary of State for Transport. Arrangements were in place to proceed with the procurement stage and approval of the final funding package was expected in late Summer/early Autumn.

COU16 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board meetings from 26 May 2011, 16 June 2011 and 30 June 2011.

RESOLVED: That the minutes be received.

COU17 MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE

The Council considered the minutes of the Executive Board Sub Committee meetings from 26 May 2011, 16 June 2011 and 30 June 2011.

RESOLVED: That the minutes be received.

COU18 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the minutes of the Mersey Gateway Executive Board meeting of 16 June 2011.

RESOLVED: That the minutes be received.

COU19 MINUTES OF THE 3MG EXECUTIVE SUB BOARD

The Council considered the minutes of the 3MG Executive Sub Board meeting of 30 June 2011.

RESOLVED: That the minutes be received.

COU20 QUESTIONS ASKED UNDER STANDING ORDER 8

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

COU21 LOCAL HEALTHWATCH PATHFINDERS (MINUTE EXB 5 REFERS)

The Executive Board had considered a report of the Strategic Director, Communities, on Local HealthWatch Pathfinders.

RESOLVED: That Council note that, after consultation with the Leader and Members of the Executive Board, the Chief Executive, under delegated powers (Matters of Urgency, Constitution) determined not to submit a Local HealthWatch Pathfinders proposal.

COU22 TRANSPORT CAPITAL IMPLEMENTATION PROGRAMME
2011/12 (MINUTE EXB 7 REFERS)

The Executive Board had considered a report of the Strategic Director, Policy and Resources on the Transport Capital Implementation Programme 2011/12.

RESOLVED: That Council

(1) Note the Local Transport Settlement and indicative allocations covering the Comprehensive Spending Review Period;

(2) approve the following sums for incorporation into the Council's Capital Programme for 2011/12:

Transport Implementation Programme
£2,663,000;
Transport Major Scheme Capital Funding
(SJB) £4,416,000;
Street Lighting £200,000;
Flood Defence £106,000;and
Fleet Replacements £370,000.

(3) give authority to agree the detailed programme of schemes, based where appropriate upon the four year implementation Programme described in the Local Transport Plan 3, to be delegated to the Strategic Director, Policy and Resources, in consultation with the Executive Board Member for Transportation; and

(4) approve a bid for funding from the Government's Sustainable Transport Fund to be prepared for presentation to the Board before submission to Department for Transport by 24th February 2012.

Strategic Director
- Policy &
Resources

COU23 SHOPMOBILITY (MINUTE ES4 REFERS)

The Executive Board Sub Committee had considered a report of the Strategic Director, Communities on the Shopmobility Service at Halton Lea.

RESOLVED: That Council note that, after consultation with the Leader and Members of the Executive Board Sub Committee, the Chief Executive had, under delegated powers (Matters of Urgency, Constitution), expressed support for the Licence to be agreed as set out in paragraph 3.7 of the report.

COU24 ADULTS AND COMMUNITY CAPITAL PROGRAMME
(MINUTE EXB 15 REFERS)

The Executive Board had considered a report of the Strategic Director, Communities on the Adults and Community Capital Programme.

RESOLVED: That Council

- (1) note the final 2010/11 outturn figures; and
- (2) approve the capital project for 2011/12 as set out in Appendix 1 to the report.

COU25 CHANGES TO PROCUREMENT STANDING ORDERS
(MINUTE EXB 17 REFERS)

The Executive Board had considered a report of the Strategic Director, Policy and Resources on Changes to Procurement Standing Orders.

RESOLVED: That Council approve the changes to Procurement Standing Orders as set out in Appendix 1.

Strategic Director
- Policy &
Resources

COU26 HALTON CORE STRATEGY - SUBMISSION TO THE
SECRETARY OF STATE - KEY DECISION (MINUTE EXB
18 REFERS)

The Executive Board had considered a report of the Strategic Director, Policy and Resources on the Halton Core Strategy – Submission to the Secretary of State.

RESOLVED: That

- (1) the Halton Core Strategy Revised Proposed Submission Document (May 2011) be approved for Submission to the Secretary of State under Regulation 30 of the Town and Country Planning (Local Development) (England) Regulations 2008;
- (2) any minor editorial amendments required to improve the legibility of the Halton Core Strategy be agreed with the Inspector by the Operational Director for Policy, Planning and Transportation in consultation with the Executive Board Member for Physical Environment;

- (3) authority be delegated to the Strategic Director, Policy and Resources, to enter into discussions with parties and to suggest wording changes, as are deemed necessary by the Inspector to reach agreement on matters discussed at the examination into the soundness of the Core Strategy; and
- (4) material weight to give to the Halton Core Strategy Revised Proposed Submission Document (May 2011) as a material consideration in Council Development Control policy decisions.

Strategic Director
- Policy &
Resources

COU27 CHILDREN AND YOUNG PEOPLE'S PLAN 2011-14 - KEY DECISION (MINUTE EXB 19 REFERS)

The Executive Board had considered a report of the Strategic Director, Children and Enterprise, on the Children and Young People's Plan 2011-14.

RESOLVED: That Council endorse and adopt the Children and Young People's Plan 2011-14.

COU28 ANNUAL REPORTS OF PPBS

The Council considered the report of the Strategic Director, Policy and Resources outlining the Annual Reports for each of the Policy and Performance Boards (PPBs) for 2010-11, (with the exception of the Safer PPB), which had been submitted outlining their work, making recommendations for future work programmes and amended working methods if appropriate.

It was further reported that the Annual Reports had been submitted to the appropriate PPBs for consideration and had all been agreed. Councillor Alan Lowe corrected two figures contained in the Corporate PPB report under Staff Accident/Violent Incidents Statistics and were noted as follows:

"There had been 823 days this year..." should read "There had been **318** days this year..."; and

"the total cost of the accidents.... compared to £459,000 last year" should read " the total cost of the accidents ... compared to **£450,000** last year".

RESOLVED: That the 2010 - 2011 Annual Reports submitted from the Policy and Performance Boards be received.

COU29 STANDARDS COMMITTEE ANNUAL REPORT (MINUTE
STC 3 REFERS)

The Council considered a report of the Strategic Director, Policy and Resources which summarised the work of the Standards Committee in the last Municipal Year.

RESOLVED: That the information in the report be noted.

COU30 APPOINTMENTS TO OUTSIDE BODIES

The Council considered a report of the Strategic Director, Policy and Resources regarding the appointment of Members to serve on various outside bodies. A document was tabled showing recommendations put forward.

RESOLVED: That Council

- 1) note, that after consultation with the Leader, the Chief Executive had, under delegated powers (Matter of Urgency, Constitution), appointed representatives to the Cheshire Fire Authority and the Manchester Port Health Authority, as detailed in the attached list; and
- 2) appoint representatives to outside bodies in accordance with the tabled report, subject to Councillor K Loftus replacing Councillor C Loftus on Halton Play Council and Councillor Hodgkinson be appointed to serve on Halton Borough Transport.

Strategic Director
- Policy &
Resources

(N.B Councillor Peter Lloyd Jones declared a personal interest in the minutes of the Health Policy and Performance Board for the meetings held on 7 and 28 June 2011, as he was a Non-Executive Director of Halton and St Helens PCT)

COU31 MINUTES OF THE POLICY AND PERFORMANCE
BOARDS AND THE BUSINESS EFFICIENCY BOARD

The Council considered the reports on the work of the following Boards in the period since the meeting of the Council on 20 May 2011:-

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:

In relation to Minute EUR8, Environment and Urban Renewal Policy and Performance Board, Councillor Balmer commented on the ongoing parking issues in Farnworth.

(N.B. The following Councillors declared a personal and prejudicial interest in the following items of business on the Development Control Committee minutes:

Councillor Balmer in respect of DEV80 on 16 May 2011, as he prepared and submitted the application; Councillor Wainwright in respect of DEV11 on 4 July 2011, as he was an employee of Ineos)

COU32 COMMITTEE MINUTES

The Council considered the reports of the work of the following Committees in the period since the meeting of the Council on 20 May 2011:-

Development Control
Standards
Regulatory
Appeals Panel
Mayoral

(N.B The following Councillors declared a personal interest in the following item of business for the reasons stated:

Councillors Baker, D Cargill, E Cargill, Hignett, Horabin, Polhill, Swain and Wright – all have family members in the Local Government Pension Scheme.

The following Councillors declared a personal and prejudicial interest in the following item of business for the reasons stated and left the room before the start of the discussion:

Councillors Dennett, Hodgkinson, Tom McInerney, Macmanus, Thompson and Wharton, – all as members of the Local Government Pension Scheme; Councillor Ratcliffe as a member of the Local Government Pension Scheme and has family members in the Scheme).

COU33 NOTICE OF MOTION UNDER STANDING ORDER 6

The following motion was moved and seconded by Councillors A Lowe and Stockton respectively:

DEFENDING THE LOCAL GOVERNMENT PENSION SCHEME

Council noted:

The LGPS is a sustainable, good quality pension scheme that benefits from being funded and locally managed. It was valuable to employers and employees alike. This coalition Government had failed to recognise the distinctiveness of the LGPS in setting policy, most notably in the proposal announced by the Chancellor in the last Comprehensive Spending Review (CSR) to impose an extra 3.2% contribution tax on scheme members, increasing scheme average member contributions from 6.6% to 9.8%. This tax did not benefit the scheme, or scheme members, or employers. This proposal is in addition to pension reductions caused by being indexed against CPI instead of RPI and was in advance of expected benefit reform recommendations from the Hutton Review.

Council agreed:

An increase in member contributions as proposed would lead to mass opt outs from the LGPS and that would be undesirable and damaging. The views expressed by the LGA in its letter to the Chancellor dated 16 February 2011 on this subject were also the views of this Council.

Council resolved:

Council would write to the Chancellor of the Exchequer and the Chief Secretary to the Treasury and the Secretary of State for Local Government within the next month stating this Council's support for the LGA letter referred to above and calling for Government to rethink its proposed increases to LGPS member contributions. Council would work with Trade Unions to ensure employees were made aware of the proposals for the LGPS and encourage them to support the Council's representations to defend their pension scheme.

This Council was strongly opposed to this proposed change in pension policy for Local Government workers and called on the Government to reconsider its proposals.

A recorded vote was requisitioned in accordance with Standing Order number 16(1) (b).

Moved by Councillor A Lowe

Seconded by Councillor Stockton

The following Councillors voted for the motion:

Councillors Austin, Baker, J Bradshaw, M Bradshaw, Browne, Carlin, D Cargill, E Cargill, Cole, Edge, Fraser, Fry, Gerrard, Gilligan, Harris, Hignett, Hodge, Horabin, Howard, Jones, M Lloyd Jones, P Lloyd Jones, C Loftus, K Loftus, A Lowe, J Lowe, McDermott, A McInerney, Morley, Nelson, Parker, Philbin, C Plumpton Walsh, N Plumpton Walsh, Polhill, Roberts, Rowe, Shepherd, Stockton, Swain, Wainwright, Wright, Zygadlo.

Councillor Balmer abstained.

RESOLVED: That the motion be agreed.

Meeting ended at 8.30 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 14 July 2011 in the Marketing Suite, Municipal Building

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

Apologies for Absence: Councillor McInerney

Absence declared on Council business: None

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

Also in attendance: N. Atkin and I. Fife, Halton Housing Trust

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

EXB23 MINUTES

Action

The Minutes of the meeting held on 30 June 2011 were taken as read and signed as correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

(NB: The following Councillors declared a personal interest in the following item of business for the reasons stated: Councillor Cargill as a Governor of Windmill Hill Primary School, Councillor Swain as a Governor Weston Point Community Primary and Councillor Harris as a Governor of The Bankfield School.)

EXB24 SCHOOLS CAPITAL STRATEGY BASIC NEED 2011-12 - KEY DECISION -

The Board considered a report of the Strategic Director, Children and Enterprise which outlined the methodology used to prioritise the schools for basic needs funding for 2011/2012. It sought approval of Executive Board to the prioritisation process for the allocation of Basic Need Capital for 2011/2012

The Board was advised that in December 2010 the Department for Education had announced the schools capital grant allocations for 2011/12. It was reported that at the Executive Board meeting on 17th March the capital programme for 2011/2012 had been agreed with the exception of the Basic Need allocations. It was, therefore, agreed that a further report would be submitted to consider the allocation of this fund.

The Board was further advised that the model for Halton had been developed in order to objectively prioritise schools identifying those in with the strongest case for basic need support. The model was attached as Appendix 1 to the report. In addition, the three key elements of this model were as follows:-

- The total net capacity for each school had been considered in relation to the current total pupil numbers for each school;
- The future capacity had been projected to identify the number of places likely to be required for each school; and
- Priority had been given to schools with temporary mobile classrooms – the highest score had been given to schools with long term use of temporary classrooms.

It was reported that In Widnes East five schools appeared in the priority list as follows:

- Wade Deacon High School Widnes East;
- St Bede's Catholic Infant School Widnes East;
- St Bede's Catholic Junior School Widnes East;
- Fairfield Infant School Widnes East; and
- Lunts Heath Primary School Widnes East.

The report outlined the current situation in respect of each school and recommended a way forward. The Board discussed demographics, school capacities and parent's requirements in terms of a mixture of voluntary aided and community schools. It was noted that a report would be brought back to a future meeting to provide details of capital projects for each of the approved capital schemes.

Reason For Decision

To deliver and implement the basic need capital programmes.

Alternative Options Considered And Rejected

Consideration had been given to supporting capital development in more Halton schools however the level of funding available meant that this was not possible.

Implementation Date

Development of the detailed capital programme will need to commence in July 2011.

RESOLVED: That

- (1) the prioritisation process outlined within the report be agreed;
- (2) the capital projects can be developed to address basic need at Windmill Hill Primary School, Weston Primary School, St Bede's Catholic Infant and Junior Schools and Lunts Heath Primary Schools; and
- (3) a further report detailing the capital projects for each of the approved capital schemes be presented to the Board.

Strategic Director
- Children and
Enterprise

HEALTH AND ADULTS PORTFOLIO

(NB: Councillors Swain and Nelson declared a personal interest in the following item due to being a Board Member of Halton Housing Trust.)

EXB25 HALTON HOUSING TRUST PROGRESS REPORT

The Board considered a report of the Strategic Director, Communities which, in accordance with the monitoring framework agreed prior to the housing stock transfer, provided a further update on Halton Housing Trust's progress since the last report to Executive Board on the 15 July 2010.

Mr Nick Atkin, Chief Executive of Halton Housing Trust and Ms Ingrid Fife, Chair of the Board, Halton Housing Trust, attended the meeting to present the report.

The report set out progress to date in delivering some of the key “pledges” made prior to the stock transfer, and progress in meeting the Tenant Services Authority’s regulatory framework. The report also identified progress made by the Trust in the delivery of its key service areas. It also considered some of the challenges and opportunities ahead during a period of unprecedented change for the housing sector.

The Board was advised of the implementation of the customer scrutiny panel, the success of partnership working, improving the customer care experience (ICE) programme and the neighbourhood investment framework.

Members commended the work of the Housing Trust in improving social housing in the Borough. The Chairman thanked Nick Atkin and Ingrid Fife for an informative presentation.

RESOLVED: That the progress set out in the report be noted.

Strategic Director
- Communities

EXB26 CONSULTATION ON OPTIONS FOR THE FUTURE UTILISATION OF THE CHESHIRE AND MERSEYSIDE TREATMENT CENTRE ON THE HALTON HOSPITAL SITE, RUNCORN

The Board considered a report of the Strategic Director, Communities which informed the Executive Board of the consultation on options for the future utilisation of The Cheshire and Merseyside Treatment Centre on the Halton Hospital site, Runcorn. The report also sought the views of the Executive Board on the options set out in the consultation document.

The Board was advised of the following options in the Business Case:-

- A Do Nothing – included only to provide a benchmark for cost comparison purposes;
- B Divest – sell the building on the open market guided by an assessment by the District Valuer;
- C Lease – seek through a procurement process an organisation that was willing to take on the lease for the building;

D Utilisation – use the asset for local health care provision, if costs including capital charges, depreciation and running costs could be recouped. This was broken down into four further options:

D1 Orthopaedic Surgery only;

D2 Orthopaedic Surgery and Health Care Resource Centre on one floor;

D3 Day Surgery and Health Care Resource Centre on two floors; and

D4: Health Care Resource Centre only (no surgery).

The Board was further advised that the preferred option, taking into account the advantages and disadvantages, were options D2 and D3 as they presented a good balance of urgent care centre, primary care, intermediate care services and surgery, with a “community hospital” feel. They also reduced the risk of reliance on finding a single provider for the whole facility and potentially deliver an affordable long-term solution. D2 included an orthopaedic surgery with the opportunity to work closely with Warrington Hospital and D3 had a day surgery. It was recommended that further work should be undertaken to develop the implementation details for these options.

The Board discussed the consultation across Locality Area Forums and noted that expressions of interest had been received from four providers. Members agreed that the facility was required in Halton and agreed that options D2 and D3 would be supported as a response to the consultation.

RESOLVED: That

- (1) the consultation being undertaken by the NHS Halton and St Helens be noted;
- (2) business case options D2 and D3 be supported as a response to the consultation, which takes into account the benefits, costs and risks of each option and also the needs of the local population.

Strategic Director
- Communities

EXB27 VICTORIA PARK PLAY AREA

The Board considered a report of the Strategic Director, Communities which sought Members approval to make a bid to WREN for funding which would be used to extend the present Children's Play Area at Victoria Park by providing more equipment suitable for older children.

RESOLVED: That

- (1) the extension of the Play Area at Victoria Park be made a development priority of the Open Space Services Division and added to its work plan;
- (2) a bid be prepared and submitted to Waste Recycling Environmental Ltd (WREN) to secure funding that would be used to extend the existing children's play area at Victoria Park through the installation of equipment that would be suited to an older age group; and
- (3) subject to securing the WREN funding, and having match funding in place, an extension to the existing playground be designed, procured and installed at Victoria Park.

Strategic Director
- Communities

TRANSPORTATION

EXB28 PRELIMINARY FLOOD RISK ASSESSMENT

The Board considered a report of the Strategic Director, Policy and Resources which informed Members that the Environment and Urban Renewal Policy and Performance Board at its meeting of 15th June 2011, had considered a report detailing the preparation and findings of a Preliminary Flood Risk Assessment (PFRA) for the Borough.

The Board was advised that Defra had set a timetable for the production and review of PFRAs, and the results of the assessments were required by the Environment Agency (EA) for review by 22 June 2011. It was reported that the Board had resolved to support the submission of the draft Preliminary Assessment Report for Halton to the EA in order to comply with Defra's timetable for review and approval, and recommended the Preliminary Assessment Report (PAR) to the Executive Board for approval.

Members were advised of the key findings of the PFRA, the need for Halton to produce a Local Flood Risk Management Strategy and that Defra had extended the date for submission of the approved PAR to 19 August 2011. The Board agreed that the PAR appended to the report could be submitted to the EA for review.

RESOLVED: That

- (1) The Preliminary Assessment Report, detailing the preparation and funding of the PFRA for Halton, be approved; and
- (2) the Preliminary Assessment Report be submitted to the Environment Agency for review, in accordance with the EA's final guidance and Defra's timetable.

Strategic Director
- Policy &
Resources

MINUTES ISSUED: 21 July 2011

CALL-IN: 28 July 2011

Any matter decided by the Executive Board may be called in no later than 5.00pm on 28 July 2011.

Meeting ended at 3.10 p.m.

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EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 8 September 2011 in the Marketing Suite, Municipal Building

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, G. Cook, I. Leivesley, D. Parr, B. Dodd, N. Moorhouse and K. Hall

Also in attendance: Councillor E Cargill

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

EXB29 MINUTES

The Minutes of the meeting held on 14 July 2011 were taken as read and signed as a correct record.

**CHILDREN YOUNG PEOPLE AND FAMILIES
PORTFOLIO**

EXB30 SUSTAINABLE SCHOOL TRAVEL POLICY 2011- KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise on the Sustainable School Travel Policy 2011.

The Board was advised that Section 508A of the Education and Inspections Act 2006 placed a general duty on local authorities to promote the use of sustainable travel and transport. The four main elements of the duty were outlined in the report.

The Sustainable School Travel Policy 2011 drew together the four required elements and supported the priorities of the Children and Young People's Plan, ensuring

Action

that Halton fulfilled its statutory requirements.

Reason for Decision

The decision was required to fulfil the Council's statutory duty to promote the use of sustainable travel and transport.

Alternative Options Considered and Rejected

None.

Implementation Date

The Academic year 2011 and reviewed annually.

RESOLVED: That the Sustainable School Travel Policy be approved for implementation from September 2011.

Strategic Director
- Children and
Enterprise

(N.B.The following Councillors declared a personal interest in the following item of business: Councillors Stockton and Nelson (as Governors of The Grange School) and Councillor Nelson (as a Governor of Wade Deacon School))

EXB31 BSF - LOCAL EDUCATION PARTNERSHIP (LEP) STRUCTURE

The Board considered a report of the Strategic Director, Children and Enterprise, which outlined the Building Schools for the Future (BSF) Local Education Partnership (LEP) Governance Structure for the membership of the Strategic Partnering Board.

The governance arrangements for the Halton BSF programme were summarised in diagrammatic form within the report. It was noted that strategic decisions regarding the direction of the Halton LEP Company were retained by the LEP Board, with appropriate powers delegated to the Strategic Partnering Board (SPB), to enable the programme to be delivered in a timely manner.

Under the terms of the Strategic Partnering Agreement, the Authority had one voting member on the LEP Board – currently Halton Borough Council's Chief Executive; there was also provision for two Local Authority Observers to attend each meeting.

Members noted that the report detailed the Board Structure and remit for the LEP and the SPB, with further

details of the activities of the both Boards attached as an appendices to the report.

RESOLVED: That

- 1) The agreed governance arrangements of the Halton Local Education Partnership be noted; and
- 2) The following Local Authority representatives of the Strategic Partnering Board be approved: the Lead Member for Children, Young People and Families, the Operational Director Children's Organisation and Provision and the Divisional Manager, Transforming Environments.

Strategic Director
- Children and
Enterprise

EXB32 HALTON AGREED SYLLABUS FOR RELIGIOUS EDUCATION

The Board considered a report of the Strategic Director, Children and Enterprise on the Halton Agreed Syllabus for Religious Education.

The Board was advised that there was a statutory duty on the Local Authority (LA) to establish and convene an Agreed Syllabus Conference (the Conference) to review the agreed syllabus for Religious Education (RE) every five years. The role of the Conference was to produce and recommend an Agreed Syllabus for adoption by the LA. It was noted that the Agreed Syllabus needed to meet fully the requirements of the Education Act 1996 and be educationally sound.

The constitution of the Conference was prescribed by the Department for Education and Science. The recommended composition of the required representative committee was detailed in the report, with the number of representatives appointed to Committees A and B reflecting the proportionate strength of denominations in the area.

The Board noted the minutes of the Halton Standing Advisory Council on Religious Education (SACRE) and the Halton Agreed Syllabus Conference, held on 11 July 2011, attached at Appendix 1. It was further noted that the Borough Council had a statutory duty to ensure that the agreed RE syllabus met the needs of the diverse faiths in the Borough and adopted an inclusive approach to religious diversity in line with the Council's Equality and Diversity

Policy.

RESOLVED: That

- 1) the minutes of a meeting of the Halton SACRE and the Halton Agreed Syllabus Conference on 11th July 2011 attached at Appendix 1 be received; and
- 2) the Board accept the recommendation of the Halton Agreed Syllabus Conference for Religious Education to readopt the 2006 to 2011 Syllabus as the Halton Agreed Syllabus for Religious Education from 1st September 2011 for a further five years.

Strategic Director
- Children and
Enterprise

HEALTH AND ADULTS PORTFOLIO

EXB33 SCRUTINY REVIEW OF DIGNITY IN CARE

The Board considered a report of the Strategic Director, Communities on the Health Policy and Performance Board Scrutiny Review of Dignity in Care.

The Board was advised that the scrutiny review was conducted through monthly meetings of the topic group, presentations by various key members of staff from the Council and Health Care Service, service user consultations and a field visit to a Productive Ward at Whiston Hospital, between October 2010 and April 2011. The report, attached at Appendix 1, had been commissioned by the Health Policy and Performance Board and contained a number of recommendations for Members' consideration.

The Board noted the review had highlighted that Dignity in Care was at the forefront in Halton and much progress had been made across all care services. As a result of the review, further improvements had been identified, which covered the wider spectrum of both health and social care and the majority of these would be progressed through the work of the Dignity in Care Co-ordinator.

Councillor Ellen Cargill attended the meeting to present the overall conclusions of the report and to answer Members' questions. The report had been presented to the Health Policy and Performance Board on 7 June 2011.

The Board welcomed the contents of the report and

thanked members of the topic group for their hard work.

RESOLVED: That

- 1) the findings of the Scrutiny Review as detailed in Appendix 1 be noted; and
- 2) the Scrutiny Review and its recommendations be endorsed.

Strategic Director
- Communities

TRANSPORTATION PORTFOLIO

EXB34 MERSEY PORTS MASTER PLAN - CONSULTATION RESPONSE ON BEHALF OF HALTON BOROUGH COUNCIL

The Board considered a report of the Strategic Director, Policy and Resources which outlined the consultation exercise undertaken by Peel Ports on the draft Mersey Ports Master Plan.

The Board was advised that the draft Master Plan for the Mersey Ports contained a twenty year strategy to develop the potential of its port assets. The consultation exercise commenced on 6 June 2011 and concluded on 5 September 2011.

The draft Master Plan strategy was broadly supported by the existing policies contained within Halton's third Local Transport Plan (LTP3), which became effective on 1 April 2011. The LTP3 was supportive of the SuperPort concept, seen as a key driver of the Liverpool City Region economy as well as delivering sustainable low carbon transport.

It was noted that Halton's consultation response had been formed from existing LTP3 policies, Halton's Sustainable Community Strategy, the needs and impact of the Mersey Gateway project, advice from the Major Projects Team within the Council and the transport policies of the Merseyside Authorities. In addition, representations received from Councillors and Moore and Daresbury Parish Councils had been incorporated into the response, a copy of which was circulated at the meeting.

RESOLVED: That

- 1) the proposals contained in the draft Mersey Ports Master Plan be welcomed; and

- 2) the comments made on the draft Master Plan be noted, in particular, that the development of the Mersey Gateway Port is seen as complementary to the Master Plan forming part of the SuperPort concept.

Strategic Director
- Policy &
Resources

PHYSICAL ENVIRONMENT PORTFOLIO

EXB35 PARK PAVILIONS & VISITOR CENTRES

The Board considered a report of the Strategic Director, Communities on alternative ways of opening the Council's Visitor Centres and Park pavilions to the public.

The Board was advised that the Council had a number of Visitor Centres/ Pavillions in public parks which act as information outlets, staff accommodation, venues for events, educational activities and community group meetings, a café and places for site-based security.

The report contained details of proposals identified at the following locations:

- Wigg Island
- Spike Island
- Pickerings Pature
- Runcorn Hill Park
- Phoenix Park
- Hough Green park and Rock Park; and
- Victoria Park

The Board noted that the parks themselves would remain wholly as Council facilities, managed by the Council through its Open Space Service. Buildings would also remain under the ownership of the Council. The visitor centres/ pavilions could be staffed by third party organisations, such as charitable sector organisations or established community groups, or could be let as franchise cafes. As part of any agreement, the centres would be open to the public at least during the summer months and at peak times including weekends. Groups could carry out their own activities which would be complimentary to the Council's park sites.

RESOLVED: That the Board approve

- 1) a five year agreement be drawn up with Cheshire Wildlife Trust that would allow them to operate from Wigg Island Community Park

Strategic Director
- Communities

Visitor Centre. The Trust be allowed to carry out their educational and conservation work and related activities from the centre and also operate the centre as a visitor centre for park users.

- 2) a five year agreement be drawn up with the West Bank Community Group that would allow them to operate from the Spike Island Visitor Centre. The group be allowed to carry out their community work and related activities from the centre and they also operate the centre as a visitor centre for park users.
- 3) a five year agreement be drawn up with Groundwork Merseyside that would allow them to operate from the Pickerings Pasture Visitor Centre. The group be allowed to carry out their activities from the centre and they also operate the centre as a visitor centre for park users.
- 4) to identify alternative methods of operation at Phoenix Park and Runcorn Hill Park. Franchise agreements would be let through delegated powers of the Strategic Director, Communities in consultation with the Portfolio Holder for Physical Environment and the Portfolio Holder for Resources.

EXB36 APPROVAL OF PUBLICATION OF HOT FOOD TAKEAWAYS PLANNING DOCUMENT FOR PUBLIC CONSULTATION

The Board considered a report of the Strategic Director, Policy and Resources, on the publication of the draft Supplementary Planning Document (SPD): Hot Food Takeaways, for the purposes of statutory public consultation.

The Board was advised that the Local Development Scheme (LDS) for Halton set out the spatial planning policy priorities for the Council. Included within the LDS programme of works, was the production of a Hot Food Takeaway SPD. The SPD explained the Council's overall approach to hot food takeaway development and set out considerations related to:

- Proximity to Schools and Health Impact
- Over-concentration and clustering
- Highway Safety

- Protection of Residential Amenity
- Hours of Operation
- Odours and Cooking Smells
- Disposal of Waste Products
- Litter
- Crime and Anti-Social Behaviour

It was noted that once the formal public consultation exercise had been conducted, responses to it would be recorded and taken into account when finalising the SPD.

RESOLVED: That

- 1) the draft Supplementary Planning Document (SPD): Hot Food Takeaway SPD be approved for the purposes of statutory public consultation;
- 2) further editorial and technical amendments that do not materially affect the content of the SPD be agreed by the Operational Director – Policy, Planning and Transportation in consultation with the Executive Board Member for the Physical Environment, if necessary, before the document is published for public consultation; and
- 3) the results of the public consultation exercise and consequent recommended modifications to the draft SPD be reported back to the Executive Board for resolution to adopt as a Supplementary Planning Document.

Strategic Director
- Policy &
Resources

MINUTES ISSUED: 13 September 2011

CALL-IN: 20 September 2011

Any matter decided by the Executive Board may be called in no later than 5.00pm on 20 September 2011.

Meeting ended at 3.40 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 22 September 2011 in the Marketing Suite, Municipal Building

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

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, M. Reaney, G. Cook, D. Johnson, I. Leivesley, B. Dodd, T. Gibbs, W Rourke, S. Clough and K. Hall

Also in attendance: Councillor Redhead

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

EXB37 MINUTES

The Minutes of the meeting held on 8 September 2011 were taken as read and signed as a correct record.

HEALTH AND ADULTS PORTFOLIO

EXB38 PROPOSAL FOR THE DEVELOPMENT OF A SHADOW HEALTH & WELLBEING BOARD - KEY DECISION

The Board received a report of the Strategic Director, Communities, on the introduction of a Shadow Health and Wellbeing Board.

The Board was reminded that at its meeting on 3 March 2011, it considered a report outlining the NHS Reforms and approved the application for Halton to become a Health and Wellbeing Early Implementer. The Government proposed that statutory Health and Wellbeing Boards (HWB) be established in shadow form by April 2012 with full implementation anticipated in April 2013. The HWB would have the following main functions:-

- To assess the needs of the local population and

Action

- lead statutory Joint Strategic Needs Assessments.
- Promote integration and partnership across areas including through promoting joined up commissioning plans across the NHS, Social Care and Public Health and to publish a Joint Health and Well-being Strategy.
- To support joint commissioning and pooled budget arrangements where all parties agree this makes sense.

The Board noted that the Shadow HWB in Halton would be responsible for guiding and overseeing the implementation of the ambitions outlined in the Health White Paper, "Healthy Lives, Healthy People", as well as providing the strategic direction for the Health priority in Halton. However, formal decision-making responsibility would continue to rest with the Council's Executive and the relevant governance bodies of the local health services until new legislation was enacted. In addition, Overview and Scrutiny issues would remain an integral arrangement within the Health Policy and Performance Board.

It was further noted that the Shadow HWB would be established in November 2011 with a review undertaken 12 months after its commencement, and a further report presented to the Executive Board on its progress. The draft terms of reference for the Shadow HWB in Halton were attached at Appendix 1 for Members' consideration.

RESOLVED: That the implementation of the Shadow Health and Wellbeing Board as set out in the report be approved.

Strategic Director
- Communities

EXB39 TRANSFORMING PUBLIC HEALTH

The Board considered a report of the Chief Executive which set out draft proposals for consultation on the future of public health and health improvement in Halton.

In 2010, the Government published proposals on the future of Public Health in the White Paper: "Healthy Lives, Healthy People". The White Paper placed new public health responsibilities and resources in local government, and committed to tackling health inequalities and establishes an integrated new service in Public Health England (PHE).

The report informed Members of the mandatory services the Local Authority would provide which included:

- Tobacco control
- Alcohol and drug misuse services
- Obesity and community nutrition initiatives
- Public mental health services
- Dental public health services
- Supporting, reviewing and challenging delivery of key public health funded and NHS delivered services
- Local initiatives to reduce excess winter deaths

A ring fenced grant would be transferred to the Council in 2013 to enable service provision. It was noted that Health Visiting and Child Development 0-5 years services would be transferred to the Local Authority in 2015.

The White Paper stated that local authorities would be co-terminus with their GP Commissioning Consortia and that a dedicated Director of Public Health should be the principal advisor on public health and be responsible for delivering the key new public health functions, including the production of an annual Public Health report. In addition, the Director of Public Health would be a member of the Health and Wellbeing Board, the Clinical Commissioning Senate, GP Boards and strategy groups.

The Board noted that a proposed integrated approach for Halton (Option 2) would be based upon a Council wide approach with its own Director of Public Health and Health Improvement Services. Details of a proposed structure were attached at Appendix 2. An outline of the proposed model of provision which would incorporate a locality approach to the provision of public health and well being services within Halton was attached at Appendix 3.

RESOLVED: That

- 1) Option 2 contained in Section 5.0 of the report be approved; and
- 2) in conjunction with the NHS, the Chief Executive be authorised to take steps to recruit a dedicated Director of Public Health for Halton.

Chief Executive

EXB40 ROUGH SLEEPING

The Board received a report of the Strategic Director, Communities on Rough Sleeping.

Rough Sleepers were defined as those who were roofless, sleeping on the streets or bedded down in open areas or other places that were not designated for human habitation.

The Board was advised that Halton had taken part in a City Region Task Group, comprising Knowsley, Liverpool, Sefton, St Helens and Wirral, working to reduce the incidents of rough sleeping across the region, with a view to eradicate rough sleeping by 2012. Halton's Rough Sleeper figure, as submitted to the Department of Communities and Local Government (CLG) for 2010/11 was two.

The City Region Task Group had developed a draft City Region Protocol (attached at Appendix A), which had the following vision:

“By the **end of 2012**, no one will live on the streets of Liverpool City Region and no individual arriving on the streets for the first time will sleep out for more than one night.”

It was further noted that discussions were already underway with Liverpool's main provider of services to rough sleepers, the Whitechapel Centre, to identify services to support rough sleepers in each local authority area. The key points of the Protocol were detailed in the report; these ensured that appropriate services were available across the whole of the City region and one point of contact (phone number /email address) be made available.

CLG had awarded Liverpool an additional £120k in funding to lead on the project across the City Region to address single homelessness and reduce rough sleeping. The funding was in addition to the Preventing Homelessness Grant awarded annually by CLG to Halton and required no additional funding by the Council.

RESOLVED: That the 'No Second Night Out' Protocol be approved.

Strategic Director
- Communities

COMMUNITY SAFETY PORTFOLIO

EXB41 POLICE AND CRIME COMMISSIONER ELECTIONS MAY 2012

The Board received a report of the Chief Executive, which updated Members on the Government proposals to establish Police and Crime Commissioners for all English

Police Authority Areas.

The Police and Social reform Bill if enacted, would introduce directly elected Police and Crime Commissioners (PCCs) across England and Wales from May 2012. Since the report was written, it had been decided that the first PCC elections would take place in November 2012, with boundaries based on the 41 Police Force areas in England and Wales. The Board noted that a Police Area Returning Officer (PARO) would be required for each area, responsible for the overall conduct of the election in their area.

The Home Office invited applications for the role of PARO. With the agreement of the Chief Executives of Warrington, Cheshire East, Cheshire West and Chester, the Police Authority and the Cheshire and Warrington Leadership Board, the Chief Executive of Halton successfully submitted his application, and had been appointed PARO for the Cheshire Police Force Area, should the elections proceed.

RESOLVED: That

- 1) the contents of the report be noted; and
- 2) Council be asked to note and support the appointment of the Chief Executive as the Police Area Returning Officer (PARO) for the Cheshire Police Force Area for the proposed Police and Crime Commissioner Elections in November 2012 (should these elections proceed).

Chief Executive

ECONOMIC DEVELOPMENT PORTFOLIO

EXB42 DEPARTMENT OF WORK AND PENSIONS / EUROPEAN SOCIAL FUND PROGRAMME FOR FAMILIES WITH MULTIPLE PROBLEMS - KEY DECISION

The Board received a report of the Strategic Director, Children and Enterprise on progress on the development and roll-out of the Department for Work and Pensions / European Social Fund (DWP/ESF) programme.

The Board was advised that the DWP, as an approved co-financer, had been delivered ESF provision since 2007. Current contracts finished in Summer 2011 and the second phase of funding now available to the DWP, should be used to support workless households, and in particular, families with multiple problems. Details of the

DWP/ESF process and how funding would be targeted were outlined in the report.

It was noted that the second phase of ESF provision would be developed alongside the national roll-out of Community Budgets for families with multiple problems. Contracts for this provision would be let through the Department's Framework for Employment Related Services. The DWP's approach involved Local Authorities being the prime means of identifying those families/households that would benefit from the additional support. To this end, the DWP would expect providers to work closely with Local Authorities to explore local opportunities and ensure that their proposals were appropriate for the area.

Reason for Decision

To support the actions and progress to date.

Alternative Options Considered and Rejected

The authority could choose not to support bids by providers. This option was rejected as providers would still be working with Halton Families even if Halton did not participate in the scheme. By supporting and agreeing to work with providers the Authority could better join up support to families, provide support and influence the project.

Implementation Date

It is anticipated that provision would start in late Autumn 2011 or early Spring 2012.

RESOLVED: That the Board endorse and support the actions to date.

Strategic Director
- Children and
Enterprise

RESOURCES PORTFOLIO

EXB43 POLLING DISTRICTS/POLLING STATIONS REVIEW

The Board considered a report of the Strategic Director, Policy and Resources which informed Members of the results of the formal Polling District, Places and Stations Review.

The Board was reminded that the Electoral Administration Act 2006 required Councils to carry out a review of its polling stations every four years. The main purpose of this was to ensure that all residents had reasonable facilities for voting.

As part of the review process, electors, Councillors and other interested parties had to be consulted. Responses to the consultation exercise were considered by the cross-party Polling Station Review Working Party on 18 August 2011, and their recommendations were attached at Appendix 1.

RESOLVED: That Council be recommended to adopt the amendments to the scheme as detailed in Appendix 1 attached to the report, for the period 2011-2014.

Strategic Director
- Policy &
Resources

EXB44 SPENDING AS AT 30 JUNE 2011

The Board considered a report of the Operational Director, Finance which summarised the overall revenue and capital spending position as at 30 June 2011. The report had been considered by the Executive Board Sub Committee at its meeting on 8 September 2011.

In overall terms, revenue expenditure was marginally below the budget profile, however, this was only a guide to eventual spending. It was noted that spending on employees was above the budget profile; this was primarily due to:

- the delay in negotiating new premium pay arrangements with the Unions;
- staff turnover was much reduced and lower than assumed in the budget; and
- spending on agency staff, overtime, casual staff and consultancy costs.

It was reported that steps had been taken to control spending in these areas. In addition, certain budgets savings approved for 2011/12 had yet to be achieved, premium/overtime (£750,000), street lighting on rural roads (£40,000) and running costs associated with asset disposals (£250,000).

Members were advised that the economic downturn was affecting income. A number of income budgets were below their profile including market rents, industrial estates rents, land charges, social care charges and licence fees. These budgets would be closely monitored during the year to ensure the overall budget was balanced.

With regard to capital spending, it was reported that spending to the 30th June 2011 totalled £7.5m, which was 75% of the planned spending of £9.9m at this stage. However, this only represented 12% of the total capital

programme of £64.1m (which assumed a 20% slippage between years). Members were advised that the main areas of programme slippage to date were in respect of Castlefields Regeneration and the Local Transport Plan schemes.

The Council's Balance Sheet was monitored regularly in accordance with the Reserves and Balances Strategy which formed part of the Medium Term Financial Strategy. The key reserves and balances had been reviewed and were considered prudent and appropriate at this stage in the financial year.

The report also outlined the impact of the significant number of equal pay claims which had been lodged with the Council as part of the national single status agreement. A reserve had been established over recent years, which was now considered sufficient to meet the future cost of such claims.

RESOLVED: That

- 1) the action plan be approved; and
- 2) future monitoring reports be made quarterly to the Executive Board.

Operational
Director - Finance

EXB45 DRAFT CORPORATE PLAN 2011-2016

The Board considered a report of the Strategic Director, Policy and Resources on the new Draft Halton Corporate Plan (the Plan) 2011- 2016.

The Plan set out the goals the Council wanted to achieve to help build a better future for Halton; it redefined priorities and explained how resources would be deployed. The Plan also presented the Council's contribution to the delivery of the Sustainable Community Strategy (SCS) 2011-26, and concentrated on the challenge, priorities and achievements planned over the next five years.

The Board noted that the Plan would guide development of more detailed strategy and actions to be undertaken by the Council, and explained the steps the Council would take to deliver on both the Vision and the strategic priorities and key themes set out in the SCS. These themes were set out as:-

- A Healthy Halton
- Employment, Learning and Skills in Halton

- A Safer Halton
- Halton's Children and Young People
- Environment and Regeneration in Halton

An additional priority to the five contained in the SCS had been added:-

- Corporate Effectiveness and Efficient Service Delivery

This related specifically to the delivery of Council service delivery as distinct from the partnership objectives of the SCS.

RESOLVED: That

- 1) the Draft Plan be discussed in terms of the suggested areas of focus and activities under each thematic area; and
- 2) subject to any amendments required, Council be recommended to adopt the Draft Corporate Plan 2011-2026.

Strategic Director
- Policy &
Resources

EXB46 REVISION OF THE PERFORMANCE MANAGEMENT FRAMEWORK

The Board considered a report of the Strategic Director, Policy and Resources on the revision of the Performance Management Framework.

The Board was advised that changes to the National Performance Frameworks, such as the abolition of the National Indicator Set, the Local Area Agreement and the Comprehensive Area Assessments, had afforded the Council some degree of flexibility concerning the development of its future performance management arrangements. This reflected a transition away from performance management by central government toward the authority being held account at a local level through the transparent provision of accessible performance data.

The consideration of future performance management and monitoring arrangements had run in tandem with the development of the revised Sustainable Community Strategy and Delivery Plan and the Corporate Plan for the period 2011-2016. These plans identified local priorities at a partnership and organisational level

respectively, and worked to identify key performance measures and targets for each of the priority areas, now at an advanced stage.

The Board noted that a review of existing arrangements was undertaken which involved:

- Capturing the views of Lead and Senior Officers and Elected Members in a number of forums.
- A review of adopted practice elsewhere e.g. in other neighbouring Councils, Primary Care trusts and best practice in Local Government and the Private sector.
- Consideration of the potential requirements and expectations of local authority self-regulation.
- The ongoing need to ensure that available resources are being deployed to best effect in addressing strategic priorities of the Council.

The primary findings of the review and the future reporting arrangements were detailed in the report for Members' consideration.

RESOLVED: That the revised Performance Management Framework be approved as follows:

- 1) the development and use of a priority based performance report (as shown in the example) for each of the Council's six corporate priorities in 2012/13 for each Policy & Performance Board,
- 2) the presentation of Directorate Overview Reports on a quarterly basis and progress against the Corporate Plan on a six monthly basis for 2012/13; and
- 3) existing departmentally focused performance reports, developed for operational management purposes, continue to be made available to Members via the Council intranet, as advertised in the Members bulletin.

Strategic Director
- Policy &
Resources

ENVIRONMENTAL SUSTAINABILITY PORTFOLIO

EXB47 MERSEYSIDE AND HALTON JOINT WASTE DEVELOPMENT PLAN DOCUMENT - PUBLICATION AND SUBMISSION STAGES- KEY DECISION

The Board considered a report of the Strategic Director, Policy and Resources, on the Merseyside and Halton Joint Waste Development Plan - Publication and Submission Stages document (Waste DPD).

The Board was reminded that the 6 week consultation period on the Preferred Options 2 (New Sites) Consultation ended on 20 June 2011. The scope of the consultation was limited to only four new sites proposed for allocation for waste management use. Detailed feedback was contained in Appendix 1 which highlighted key issues raised against each of the sites.

As a result of the consultation, all four sites would be included within the publication of the Waste DPD, alongside those moving forward from Preferred Options 1 stage. This would give a total of six sub-regional sites, 13 local sites proposed as allocations, and 2 inert landfill sites.

The Board was advised that the Publication Stage of the Waste DPD would be the final 6-week consultation stage whereby the consultees could submit comments based on "soundness matters", which related to technical content or procedural matters. Publication Consultation was planned to start in November 2011, followed by submission of the Waste DPD to the Secretary of State for formal examination.

Reason(s) for Decision

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

Alternative Options Considered and Rejected

The Waste DPD had been prepared through a multi-stage process. Four previous public consultation stages had been completed and these were detailed in section 5.7.

These reports document the evolution of the Plan and the options for policies and sites that had been considered and

rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and, detailed technical assessments had all been used to inform the preparation of this Report, forming a fifth and final public consultation stage. The Preferred Options stage reports set out the alternative options considered.

Implementation Date

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

RESOLVED: That Council be recommended to

- 1) note the results of consultation (Appendix 1) undertaken between May and June 2011 on the Waste DPD Preferred Options 2 (New Sites) Report;
- 2) approve the Joint Waste DPD Publication Document (Appendix 2) and a final six-week public consultation commencing at the end of 2011;
- 3) approve the Submission of the Waste DPD to the Secretary of State in early 2012 and that this approval be subject to the detailed comment in paragraph 3.19;
- 4) approve the spatial distribution of one sub-regional site per district (Table 2 and paragraph 4.11); and
- 5) give delegated authority to the Operational Director, Policy, Planning and Transportation, in consultation with the Portfolio Holder, Physical Environment, to make any minor drafting amendments to the Waste DPD.

Strategic Director
- Policy &
Resources

PHYSICAL ENVIRONMENT PORTFOLIO

EXB48 RUNCORN HILL PARK, "PARKS FOR PEOPLE" PROJECT

The Board considered a report of the Strategic Director, Communities, on the successful achievement of a Round 1 Pass from the Heritage Lottery Fund (HLF) "Parks for People" Programme, for the refurbishment and development of Runcorn Hill and Heath Park.

The Board was advised that the “Parks for People” programme was a funding stream administered by the HLF, to improve parks and open spaces and support their historic and cultural heritage for the benefit of local communities. The application process consisted of two competitive assessment stages, with Round 1 awarded in February 2011. A Round 2 decision, if successful, would not be known until September 2012.

A Project Development Group had been set up, which included Ward Councillors, Council Officers and community group representatives. Others consulted on a regular basis included park users, local residents and Friends of Runcorn Hill and Runcorn Model Boat Club, Runcorn Bowling Club, Scout and Youth Group Leaders, the Police and Fire Service.

The Board noted that a key feature of the “Parks for People” Programme was a five year part time development post, to promote the site heritage, help community involvement in the Park and enable user group activities to improve self sustainability.

RESOLVED: That delegated authority be given to the Strategic Director, Communities, in consultation with the Executive Board Member for Physical Environment, to progress the project and to prepare and submit all necessary information for a Round 2 submission to Heritage Lottery Fund.

Strategic Director
- Communities

CHILDREN, YOUNG PEOPLE AND FAMILIES PORTFOLIO

(N.B. Councillor Nelson declared a personal interest in the following item of business as Chair of Governors at The Grange School)

EXB49 RESPONSE TO THE JAMES REVIEW PRIORITY SCHOOL BUILDING PROJECT- KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, which provided an update on the Sebastian James Review of Education Capital. The report also outlined the Priority School Building Programme (PSBP).

The Board was reminded that, following a Government announcement in July 2010 to end all school capital projects, Sebastian James was commissioned to

lead a review of the Educational Capital Build Programmes. The review would identify how to streamline the process and thereby allow more money to be spent on the educational establishments and less on consultants and bureaucracy.

The review was published on 8 April 2011, and made a total of sixteen recommendations, detailed at Appendix A. The Department for Education (DfE) had initiated a twelve week consultation exercise, inviting comment on the review paper prior to the Secretary of State issuing his response.

The report highlighted the key issues and implications for Halton. This included Halton being recognised as the Lead Responsible Body in the Borough and the holder of the Local Investment Plan. Within this role, the authority would need to provide Condition Surveys for all school buildings to the DfE and be able to articulate the future development plans for all educational buildings in the area.

The Board noted that the DfE were commencing a privately financed programme to provide Local Authorities with school facilities for those schools in the worst condition. The PSBP would support between 100 and 300 schools with 20% of the programme delivered each year over the next 5 years; the first schools would open in academic year 2014-15. The report detailed the criteria the Local Authority and the school must accept before being considered for inclusion in the project.

Reason for Decision

If the Authority was successful in securing funding this would provide funding to rebuild Halton schools with the worst conditions.

Alternative Options Considered and Rejected

Consideration had been given to the option of not submitting an applications form. This was rejected as this was the only funding available for the LA to bid for, to rebuild its primary and secondary schools with the worst condition issues.

Implementation Date

Local Authorities must register by 7 October 2011 and complete and submit any application by 12 noon on Friday 14 October 2011.

RESOLVED: That

- 1) the findings of the Sebastian James Review of Education Capital be noted; and
- 2) the Strategic Director, Children and Enterprise, in consultation with the Lead Member for Children, Young People and Families be authorised to submit applications for the PSBP for all schools that meet the Department for Education (DfE) condition criteria.

Strategic Director
- Children and
Enterprise

EXB50 SHORT BREAK STATEMENT

The Board considered a report of the Strategic Director, Children and Enterprise, on the new statutory requirements regarding short break services to disabled children and their families.

In 2008, Halton became part of the Aiming High for Disabled Children programme, which provided access to a range of short break services for disabled children and their families. This programme formally ended in March 2011, with new statutory practice guidance and financial investment effective from 1 April 2011 to provide short breaks for disabled children.

The Board was advised that the Government had stated a clear commitment to "continued investment" in short breaks with a nationwide financial commitment of £800 million until 2015 as part of the Early Intervention Grant. It was further noted that in addition to this, Halton had been allocated £241,942 to support the Authority towards capital expenditure incurred in relation to short break services.

As part of Statutory Guidance, all authorities must:

- (i) Publish a statement of short break services on their website;
- (ii) Keep their short breaks statement under review;
- (iii) State in their Service Statement the range of short breaks services available, the criteria by which eligibility for services would be assessed, and how the range of services was designed to meet the needs of families with disabled children in their area;

- (iv) Consult with parents as part of the review of the statement.

Halton's Statement, attached at Appendix 1 for Members' consideration, complied with statutory guidance and took account of the views of partners and comments made by families and providers.

RESOLVED: That

- 1) the contents of the report be noted;
- 2) the draft Short Break Statement be agreed; and
- 3) the Statement be formally endorsed by the Children's Trust.

Strategic Director
- Children and
Enterprise

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 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.

EXB51 CONNEXIONS UPDATE

The Board considered a report of the Strategic Director, Children and Enterprise, on the procurement options for future Information Advice and Guidance service for children and young people and the contractual implications between the six Greater Merseyside Local Authorities and the Greater Merseyside Connexions Partnership.

The Board was asked to consider the service delivery requirements from 2012-13 and the arrangements needed to secure that delivery. At the meeting, it was confirmed that at the last Learn Together Partnership meeting, the Directors of Childrens' Services had agreed that 2012/13 service specifications be used with negotiations with Connexions and for the procurement exercise.

RESOLVED: That

- 1) Executive Board agrees that work can continue on a City Region level;
- 2) a parallel procurement process can be undertaken for 2012/2013; and
- 3) Subject to agreement by the Directors of Childrens' Services on 24th September 2011, service specifications can be used with negotiations with Connexions and for the procurement exercise.

Strategic Director
- Children and
Enterprise

NEIGHBOURHOOD LEISURE AND SPORT PORTFOLIO

(N.B. Councillor Swain declared a personal interest in the following item of business as a Board Member of Halton Housing Trust)

EXB52 AFFORDABLE HOMES AND LAND DISPOSALS

The Board considered a report of the Strategic Director, Policy and Resources on the disposal of seven

Council owned sites to Halton Housing Trust (HHT).

The Board was advised that HHT had been working with partners to secure funding from the Homes and Communities Agency (HCA), to build new housing under the HCA's 2011-15 Affordable Housing Programme.

RESOLVED: That the disposal to HHT of the 7 sites shown edged red in the Appendices on the terms outlined in the report, subject to planning permission and HHT (via its Consortium partner) entering into a development framework agreement with the HCA be approved.

Strategic Director
- Policy &
Resources

MINUTES ISSUED: 26 September 2011

CALL-IN: 3 October 2011

Any matter decided by the Executive Board may be called in no later than 5.00pm on 3 October 2011

Meeting ended at 2.50pm

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Friday, 15 July 2011 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, B. Dodd, G. Collins, J. Hughes, D. Cunliffe, W. Salisbury and A. McNamara

Also in attendance: None

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

ES14 MINUTES

The Minutes of the meeting held on 30th June 2011 were taken as read and signed as a correct record.

ENVIRONMENTAL SUSTAINABILITY

ES15 HALTON BC ENVIRONMENTAL HEALTH AIR QUALITY MONITORING CONTRACT WITH INEOS CHLOR LTD.

The Sub Committee was advised of a proposal by INEOS Chlor Ltd to award a contract for monitoring of air quality in relation to their development located in Weston Point, to Halton Borough Council's Environmental Health Department. INEOS Chlor Ltd was currently constructing a plant that would use waste to generate steam and electricity. The development which was located within the INEOS site bordering Weston Point was due to start operating in 2012.

The Council's Environmental Health Department was approached by INEOS Chlor Ltd to undertake an air quality monitoring project within Weston Point. The aim of the project was to monitor dioxins, nitrogen dioxides and particulate matter, PM2.5 and PM10. Monitoring would commence one year before the commissioning of the plant

Action

and two years after in order to ascertain whether there was any significant impact on local air quality in Weston Point.

It was noted that the requirement to monitor was imposed through a condition on the planning consent which was produced by the Secretary of the State. The enforcement of any air quality contraventions in relation to the permit granted to INEOS Chlor Ltd would be by the Environment Agency.

Members were advised that in order to fulfil the requirements of the contract, Environmental Health was planning to subcontract where it did not have the relevant technical expertise or specialised equipment. As part of the contract, Environmental Health would receive a fee from INEOS Chlor Ltd for the management of the project. Initial discussions had commenced with Legal Services and Procurement in order to prepare contracts and tenders. It was essential that monitoring began a year before commissioning, as laid out in the planning conditions which would be regulated by the Council's Development Control Section. The intention was for monitoring to begin in September.

It was noted that the Environment Agency had confirmed that they were happy with the Council's ability to appoint competent contractors and manage a project that had important public health implications for residents of Halton.

The contract with INEOS would be in the region of £130,000 (not yet finalised). Three sub-contracts would be awarded, none of which shall be in excess of £50,000 (still to be finalised). Environmental Health would receive approximately £2,500 per annum for the project management. The final figure would be dependent on the total cost of the three contracts.

RESOLVED: That

- 1) the contract arrangement proposed by INEOS Chlor for Halton Borough Council's Environmental Health to carry out air quality monitoring in Weston Point be approved; and
- (2) the contractual arrangements which will be made with sub-contractors and Environmental Health be approved.

Strategic Director
Communities

NEIGHBOURHOOD, LEISURE AND SPORT PORTFOLIO**ES16 ADDITIONAL WORK AT FORMER KINGSWAY HEALTH CENTRE (CRMZ)**

The Sub Committee considered a report which advised that the Operational Director Economy, Enterprise and Property had taken the opportunity whilst major building work was underway to approve additional works from existing approved budgets to improve and enhance the former Kingsway Health Centre (CRMZ). The main contract works in the sum of £2,508,643 was approved by the Executive Board Sub Committee on 14th January 2010. Additional work was added to the project from three areas, planned maintenance in the sum of £130,000, DDA work from the rolling programme in the sum of £84,500 and additional equipment from Children and Enterprise revenue budget in the sum of £9,200.

RESOLVED: That Members note that additional works at the former Kingsway Health Centre were undertaken during the main contract works and the funding for these additional works has been allocated from existing budgets and no further funding approval is required.

Strategic Director
Children and
Enterprise

(NB: Councillor Nelson declared a Personal Interest in the following item of business.)

ES17 DEMOLITION OF THE QUEENS HALL WIDNES

The Sub Committee was advised that since the Queens Hall, Widnes, had closed in 2004 approximately £83,000 had been spent on the building in boarding up and making safe the water, power and gas. The building was now rapidly becoming a health and safety risk, and it was envisaged that unless it was demolished the Council would face a significant amount of expenditure dealing with these issues over the coming months. In addition there were complaints from the adjoining site owners that damp was penetrating from the Queens Hall into their building along the link corridor.

It was proposed that the demolition work, which would involve the safe removal of asbestos, would be programmed within the 2011/12 financial year. Tenders would be sought for the demolition work within the next few months with a view to the work commencing in September/October 2011.

A further report would be prepared with regard to the

future of the site for presentation to the Asset Management Working Group in due course.

It was anticipated that the cost of the demolition work would be in the region of £50,000.

RESOLVED: That Members note that the Queens Hall Widnes which has been closed and boarded up since 2004 is to be demolished and the site made safe.

Strategic Director
Children and
Enterprise

CHILDREN YOUNG PEOPLE AND FAMILIES

ES18 TERM MAINTENANCE CONTRACTS

The Sub Committee received a report from the Strategic Director Children and Enterprise which advised that the existing maintenance and minor works contract for mechanical, electrical and building elements across the Borough would all end by December 2011. At present a number of these contracts were being held over with a view to bringing all the timescales in line when the new contract or contracts were let.

It was proposed that the tender documents for the new arrangements would put together in such a way that companies could tender for any combination of the different elements. This allowed for the possibility of one company being able to take on board all elements thus the Council would enter into one contract. Alternatively six individual companies could take on board the different elements therefore having six contracts.

The new arrangements would be set up for a three year period with the potential for up to a two year extension subject to satisfactory performance. The anticipated tender date was September 1st with the anticipated commencement date being early in the new financial year.

Members noted that based on previous expenditure it was anticipated that the annual value of the contract or contracts in total was likely to be in the region of £1m thus making the value of a three year contract in the order of £3m. The cost of the works would be met from existing budgets, this mainly being Property Services Repairs and Maintenance Budget, however, other revenue would be used as necessary.

RESOLVED: That Members note that a Procurement process will be entered into with the purpose of securing maintenance and minor works contracts for mechanical,

Strategic Director
Children and
Enterprise

electrical and building elements for use across the Borough.

TRANSPORT PORTFOLIO

ES19 MARKETS - WAIVER OF STANDING ORDERS

The Sub Committee was advised that as part of the Efficiency Review process of the Economy, Enterprise and Property Department, it was proposed that an external challenge be sought in the specialism of the Council's business units.

Members were advised that initial discussions had taken place with the National Association of British Market Authorities (NABMA) to undertake a review of the Council market operation. The consultation on the first draft of the brief had taken place with the Portfolio Holder, Chair of the Markets Working Party, Efficiency Team and Research and Intelligence Team and comments taken on board.

It was reported that NABMA were uniquely placed to undertake a review of the Council operation in that it can bring a wealth of best practice experience within the context of a local authority setting.

Members noted that the brief had now been finalised and the cost of implementation would be £6,500, plus up to £150 of evidenced expenses, plus VAT.

RESOLVED: That

1. the Operational Director (Economy, Enterprise and Property) be authorised to award a contract for the review of Halton Borough Council Market with NABMA (National Association of British Market Authorities) Consultancy Services; and
2. in the light of the exceptional circumstances, namely that the Council's requirements can only be delivered by NABMA Consultancy Services, and in accordance with Procurement Standing Order 1.8.2 (e), Standing Orders 4.1 to 4.3 be waived on this occasion.

Strategic Director
Children and
Enterprise

ES20 EXTENSION OF TERM CONTRACT FOR HIGHWAY IMPROVEMENT SCHEMES - SECOND YEAR

The Sub Committee considered a report which sought approval for the extension of the Highway

Improvement Term Contract with Lambros (Paving Contractors) Ltd for a second period of 12 months as allowed for in the terms and conditions of the contract. The Sub Committee had previously approved an initial 12 month extension to July 2011 (Minute ES23 refers). If approved this further extension would take the total contract term to the maximum period allowed for the conditions of the contract.

Members were advised that over the past 12 months Lambros Paving Contractors had continued to successfully deliver LTP schemes including improvements at Widnes Railway Station, Coronation Drive and Murdishaw roundabout. Construction work had been consistently undertaken to the specified standards and quality and delivered in accordance with the agreed scheme programmes. No reportable injury accidents had been recorded during the period of the contract extension to July 2011. In addition, Lambros had confirmed in writing their desire to extend the contract.

It was proposed that the term contract would be extended for a further period of 12 months to enable the delivery of the scheme as outlined in the LTP Implementation Programme for 2011/12. The option to extend was included as a contract condition and therefore a waiver of standing orders was not required.

RESOLVED: That

1. the Highway Improvement Term Contract with Lambros (Paving Contractors) Ltd of Longmeadow Road, Knowsley, Prescot, be extended for a period of 12 months to July 2012 to enable the delivery of approximately £680,000 worth of highway improvements; and
2. in consultation with the relevant portfolio holder, discussions be held with Lambros (Paving Contractors) Ltd. with a view to extending the contract term by a further period of 8 months to 31st March 2013, subject to securing agreement of contract price, savings and advice being sought from Procurement and Legal Services Divisions on the feasibility of this extension. Such agreement would require a waiver of standing orders, which would be reported to Members for approval in due course.

Strategic Director
Policy and
Resources

RESOURCES PORTFOLIO

ES21 2010/11 FINANCIAL OUTTURN

The Board considered a report which reported the final revenue and capital spending position for 2010/11.

The report advised that the final accounts for 2010/11 were now complete and the revenue spending position for each department, subject to external audit, was set out in the appendix to the report.

It was noted that the Council had closely monitored and controlled its spending throughout the year and total spending had a overall net underspend of £120,000 for the year.

In addition, the Board was advised that staffing expenditure was significantly below budget across the Council, as posts were held vacant in order to assist in meeting the underspend targets set for each Directorate. In the main these posts had now either been filled or been used as savings for the 2011/12 budget, and therefore the position was not likely to be repeated. The economic downturn continued to have an impact upon the Council's finances, with shortfalls in income in a number of areas.

With regard to the Council's Reserves and Balances these had been reviewed in accordance with the Reserves and Balances Strategy. Total revenue spending for the year was £120,000 below budget (compared to £489,000 in the previous year). However, during the year unexpected Area Based Grant income of £72,000 was received and therefore as a result the Council's General Balances now stood at £7,367,000, an increase of £192,000 from the previous year.

It was reported that during the year a target was set for each Directorate to underspend its budget by £0.5m in order to create a Transformation Fund of £2m. This had been achieved and the Fund was intended to meet these costs associated with the structural changes which the Council needed to make in order to balance its budget and shape the way it delivers services. In March 2011 redundancy costs totalling £738,000 had been met from the fund in 2010/11, leaving a balance of £1,262,000.

In addition, Members received a summary of capital spending against the 2010/11 Capital programme. It was noted that Capital spending totalled £43m which was £7.7m below the revised Capital programme of the £50.6m. The

main areas of significant slippage were in respect of Landfill Tax Credits, Castlefields Regeneration and Widnes Waterfront. The Capital Programme had been reviewed in line with the resolution regarding the proposed development of the former Runcorn market. Despite capital receipts not being generated as quickly as expected, funding up to £750,000 could be made available. However, further capital projects would need to have their own funding in place to be able to be incorporated in the Capital programme.

Arising from the discussion it was suggested that consideration be given to more regular financial report monitoring. It was agreed that this would be considered in consultation with the Resources Portfolio Holder.

RESOLVED: That the report be noted.

HEALTH AND ADULTS PORTFOLIO

ES22 EXTENSION OF LOCAL INVOLVEMENT NETWORK (LINK) CONTRACT

The Sub Committee considered a report which sought a waiver of standing orders to extend the existing contractual arrangements with St Helens and Halton Community and Voluntary Action (St Helens and Halton CVA) for the Halton Local Involvement Network (LINK) Hosts Contract for a period of six months from October 2011 to 31st March 2012.

Members noted that the current joint contracting arrangement for the provision of a shared LINK Host Service with St Helens Council had been successful in terms of quality and efficiency. The current LINK Hosts had met the terms of the service specification and St Helens Council was keen to continue the relationship with Halton Council for the transitional period to ensure continuity of service to the public.

The Sub Committee were advised compliance with standing orders would result in clear financial detriment to the Council in that a Procurement exercise would be prohibitive in terms of cost and time and due to the specialist nature of the service, would be limited to organisations currently providing LINK Host Services.

In addition it was noted that the transformation of Local LINKs into Local Health Watch Services was a statutory requirement, therefore, extending existing local arrangements would significantly reduce the impact of this

change on local people. Further efficiencies would be achieved by delivering the management of LINK Hosts as a shared service across Halton and St Helens. Also an extension to the LINK Host Contract would achieve a further 12.5% efficiencies against the current contract value.

RESOLVED: That

- 1) the Halton Local Involvement Network (LINK) Host Contract be extended with the contractor, St Helens and Halton Community and Voluntary Action (St Helens and Halton CVA) for the period 1st October 2011 to 31st March 2012 for the sum of £43,727; and
- 2) in the light of the exceptional circumstances, namely guidance from the Department of Health to extend existing provision for the duration of the transitional period, and in accordance with Procurement Standing Order 1.8.2 Standing Order 4.1 be waived on this occasion in view of compliance with standing orders would be inconsistent with shared service arrangements with St Helens Borough Council and in order to ensure continuation of a statutory health and social care service to local residents during a period of transition.

Strategic Director
Communities

MINUTES ISSUED: 26th July 2011

CALL IN: 2nd August 2011

Any matter decided by the Executive Board Sub Committee may be called in no later than 2nd August 2011

Meeting ended at 1.16 p.m.

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EXECUTIVE BOARD SUB COMMITTEE

At a Special meeting of the Executive Board Sub Committee on Tuesday, 9 August 2011 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: A. Scott, D. Parr and C. Patino

Also in attendance: None

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

Action

The report was originally placed on the Agenda in Part II as it contained confidential information relating to a third party.

The Chief Executive advised that the Third party had indicated his consent to placing this information in the public domain, thereby enabling the report to be considered as a Part I item should the Sub Committee so wish.

The Sub Committee agreed to consider the following item of business in Part I of the meeting.

NEIGHBOURHOOD, LEISURE AND SPORT PORTFOLIO

ES23 RE-FURBISHMENT OF STADIUM PITCH

The Sub Committee received a report of the Strategic Director, Communities, on proposals for the refurbishment and replacement of the Stobart Stadium Pitch to an all weather Third Generation (3G) artificial pitch.

The Sub Committee was advised that the current pitch was a traditional sand based grass pitch. Careful monitoring of usage had been critical to ensure that it did not get overused and damaged. This had led to the refusal of requests from various amateur and local organisations to use the pitch, which had resulted in a loss of potential

income for the Stadium.

Members noted that the Rugby Football League had agreed in principle to a request by the Widnes Vikings to convert the present pitch to a 3G pitch, and that this request had been seen by the League as innovative and forward thinking.

Members were advised that a 3G pitch looked like natural grass with similar playing characteristics, providing all weather facilities.

As the Vikings had been successful in their application for a Super League licence for a three year period commencing in February 2012, its introduction would help facilitate their need for additional training sessions at the Stadium in order for them to fully compete in the League from 2012.

The report outlined the proposed financial arrangements for funding the installation of the new pitch, together with the projected net savings and potential future income stream generated by the improved facilities.

RESOLVED: That

- (1) the proposal that the stadium pitch be converted to a 3G pitch be agreed in principle; and
- (2) delegated authority be granted to the Strategic Director, Communities in conjunction with the Leader of the Council, the Portfolio Holder for Neighbourhood, Leisure and Sport, the Chief Finance Officer and the Chief Legal Officer, to conclude all legal and financial arrangements to put into effect the recommendations contained within the report.

Strategic Director,
Communities

MINUTES ISSUED: 11 August 2011

CALL IN: 18 August 2011

Any matter decided by the Executive Board Sub Committee may be called in no later than 18 August 2011

Meeting ended at 9.38 a.m.

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 8 September 2011 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, B. Dodd, A. McNamara, S. Riley and K. Hall

Also in attendance: None

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

	<i>Action</i>
ES25 MINUTES	
<p>The Minutes of the meeting held on 9th August 2011 were taken as read and signed as a correct record.</p>	
<p>RESOURCES PORTFOLIO</p>	
ES26 SPENDING AS AT 30TH JUNE 2011	
<p>The Sub-Committee considered a report which summarised the overall revenue and capital spending position as at 30th June 2011.</p> <p>In overall terms, revenue expenditure was marginally below the budget profile, however, this was only a guide to eventual spending. It was noted that spending on employees was above the budget profile; this was primarily due to:</p> <ul style="list-style-type: none"> • the delay in negotiating new premium pay arrangements with the Unions; • staff turnover was much reduced and lower than assumed in the budget; and • spending on agency staff, overtime, casual staff and consultancy costs. 	

It was reported that steps had been taken to control spending in these areas. In addition, certain budgets savings approved for 2011/12 had yet to be achieved, premium/overtime (£750,000), street lighting on rural roads (£40,000) and running costs associated with asset disposals (£250,000).

Members were advised that the economic downturn was affecting income. A number of income budgets were below their profile including market rents, industrial estates rents, land charges, social care charges and licence fees. These budgets would be closely monitored during the year to ensure the overall budget was balanced.

With regard to capital spending, it was reported that spending to the 30th June 2011 totalled £7.5m, which was 75% of the planned spending of £9.9m at this stage. However, this only represented 12% of the total capital programme of £64.1m (which assumed a 20% slippage between years). Members were advised that the main areas of programme slippage to date were in respect of Castlefields Regeneration and the Local Transport Plan schemes.

The Council's Balance Sheet was monitored regularly in accordance with the Reserves and Balances Strategy which formed part of the Medium Term Financial Strategy. The key reserves and balances had been reviewed and were considered prudent and appropriate at this stage in the financial year.

The report also outlined the impact of the significant number of equal pay claims which had been lodged with the Council as part of the national single status agreement. A reserve had been established over recent years, which was now considered sufficient to meet the future cost of such claims.

RESOLVED: That

- (1) the report be noted;
- (2) a further report be submitted to the Executive Board on the steps available to achieve a balanced budget at the end of the year; and
- (3) future quarterly Spending reports be submitted to the Executive Board for consideration.

Operational
Director Finance

The Sub-Committee considered a report which outlined the spending profile for the current ICT infrastructure requirements for 2011/12. Members were advised that in order to support the current demand for technology growth and replacement, the authority required an investment in the region of £1.3m this year in relation to the £1.1m capital budget made available.

It was noted that all projects had been identified and through smart procurement tactics, financial year-end discount opportunities, detailed specification and programme management the budget was expected to support the current requirement. In addition, all capital investment would be targeted to the maintenance and support of existing equipment that had become no longer viable, in terms of spare parts and its operational ability. Every effort would be made to comply with the full programme requirement through additional income generation and effective purchasing.

Members also received an update on the new 'Lync' telephony solution, which had targeted installation dates between October and December 2011 and the device replacement strategy, which had been reviewed and new device strategies were now in place.

RESOLVED: That the Board supports the ICT Capital Programme.

ES28 TREASURY MANAGEMENT 2010/11

The Sub-Committee considered a report which reviewed activities on Treasury Management for the year 2010/11 in accordance with the Council's Treasury Management Policy Statement.

The annual report covered:-

- Capital activity during the year;
- Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- Reporting of the required prudential and treasury indicators;
- Overall treasury position identifying how the Council had borrowed in relation to this indebtedness and the impact of investment balances;
- Summary of interest rate movements in the

- year;
- Detailed debt activity; and
- Detailed investment activity.

In addition the report provided details of the outturn position for treasury activities and highlighted compliance with the Council's policies previously approved by Members.

Members noted that the unexpected change of policy on Public Works Loan Board (PWLB) lending arrangements in October 2010 resulted in an increase in new borrowing rates of 0.75% to 0.85% without an associated increase in early redemption rates. This made new borrowing more expensive and repayment relatively less attractive.

RESOLVED: That the actual 2010/11 Prudential and Treasury Indicators in this report be approved and the Annual Treasury Management Report for 2010/11 be noted.

ES29 TREASURY MANAGEMENT 2011/12: 1ST QUARTER: APRIL-JUNE

The Sub-Committee considered a report which updated Members on the activities undertaken on the money market as required by the Treasury Management Policy.

The report provided supporting information on the economic background, economic forecast, short term rates, longer term rates, temporary borrowing/investments and new borrowing. It was noted that all the policy guidelines in the Treasury Management Policy had been complied with.

RESOLVED: That the report be noted.

ES30 DISCRETIONARY NON-DOMESTIC RATE RELIEF

The Sub-Committee received a report of the Strategic Director, Policy and Resources which sought Members' consideration of four applications for discretionary non-domestic rate relief, under the provisions of the Local Government Finance Act 1988.

The Sub-Committee was advised that under the provisions of Section 47 of the Local Government Finance Act, 1988, the Authority was allowed to grant discretionary rate relief to organisations that were either a charity or a non-profit making organisation. This relief may also be awarded to Community Amateur Sports Clubs. A summary of the applications was outlined within the report and list of the associated figures was included.

RESOLVED: That

(1) under the provisions of Section 47, Local Government Finance Act 1988, discretionary rate relief be granted to the following organisations at the percentage indicated, for the period 1st April 2011 or the commencement of liability, whichever is the later to 31st March 2013:-

Halton Haven Hospice	20%
SHAP Ltd.	20%

(2) in respect of the following organisation, it is also recommended that they should be granted discretionary rate relief for the backdated element of the charge from April 2010 or the commencement of liability, whichever is the later; and

Halton Haven Hospice	20%
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(3) under the provisions of Section 47, Local Government Finance Act 1988, the following applications for discretionary rate relief be refused:-

Runcorn Golf Club	20%
Widnes Golf Club	20%

Strategic Director
Policy and
Resources

HEALTH AND ADULTS PORTFOLIO AND NEIGHBOURHOOD, LEISURE AND SPORT PORTFOLIO

ES31 BOARDWALK EXTRA CARE HOUSING SCHEME

The Sub-Committee was advised that the development of extra care housing was a strategic priority for the Council given the ageing profile of the local population. Housing Associations were asked to take this into account when formulating their development proposals for submission to the Homes and Communities Agency (HCA) under the 2011/15 National Affordable Housing Programme.

The HCA had now notified Housing Association bidding consortia of the amounts of grants awarded to them and the number of dwellings that must be developed in return, and invited them to enter into framework delivery contracts. Prior to doing this Housing Associations that were proposing to develop supported housing schemes were checking with local authorities whether or not revenue

support would be available. Only schemes which had support would have their funding confirmed and housing associations had been asked to secure confirmation as soon as possible. Details of three HCA bids submitted by Housing Associations in Halton were outlined to the Committee.

Of the three proposals, the Council had been made aware of the details surrounding the Cosmopolitan development. It was noted that Plus Dane would not be proceeding with their proposal and Riverside were unable to confirm whether or not their scheme was to be included in their revised offer to the HCA.

It was therefore proposed that the Cosmopolitan proposal to develop 90 extra care housing flats at the Boardwalk, West Bank, Widnes be supported by the Council. Following consultation, planning permission for extra care housing was approved by the Council's Development Control Committee on the 12th April 2010.

Members were advised that in conjunction with the Scheme of Delegation and Procurement Standing Orders namely 1.8.1, emergency procedures, the Chief Executive, in consultation with the Leader of the Council and relevant portfolio holders, considered and supported the proposals outlined in the report before this formal meeting.

RESOLVED: That

(1) after consultation with the Leader and Portfolio Holders for Neighbourhood, Leisure and Sport and Health and Adults, the Chief Executive has under delegated powers (Matters of Urgency, Constitution) determined that subject to the 90 units of extra care accommodation being constructed by Cosmopolitan Housing Association, the Council agree to provide funding through the Support People programme for relevant housing support costs at an estimated cost of £100,000 per annum; and

(2) the Council enters into the necessary legal agreements to give effect to the reported decision.

Chief Executive

(NB: Councillor Nelson declared a Personal Interest in the following item of business as Chair of Governors of The Grange School.)

ES32 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.

**CHILDREN YOUNG PEOPLE AND FAMILIES
PORTFOLIO**

ES33 BSF UPDATE

The Sub-Committee received a report by the Strategic Director Communities which provided an update on the outcome of the Financial Close of the Building Schools for the Future programme and an outline of the extra work commissioned through external consultants. In addition a waiver of Standing Orders was sought in order that continued support could be procured from the existing consultants without the need to go to the market place and obtain 3 written quotes.

RESOLVED: That

- (1) the final implications of the delay in financial

close from March 2011 to June 2011 be noted; and

(2) the Operational Director, Children's Organisation and Provision be authorised to award contracts for Legal, Financial ICT and Technical Support in light of the exceptional circumstances outlined in the report and in accordance with Procurement Standing Orders 1.8.2 (c) Standing Orders 3.1 and 3.2 be waived on this occasion.

Strategic Director
Children and
Enterprise

MINUTES ISSUED: 13th September 2011

CALL IN: 20th September 2011

Any matter decided by the Executive Board Sub Committee may be called in no later than 20th September 2011

Meeting ended at 11.00 a.m.

EXECUTIVE BOARD SUB COMMITTEE

*At a meeting of the Executive Board Sub Committee on Thursday, 22 September 2011
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, B. Dodd, A. McNamara and
W Rourke

Also in attendance: None

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

ES34 MINUTES

The Minutes of the meeting held on 8th September 2011 were taken as read and signed as a correct record.

HEALTH AND ADULTS PORTFOLIO

ES35 RE-TENDERING OF HOUSING SUPPORT CONTRACTS

The Sub-Committee considered a report of the Strategic Director Communities which advised that tenders were to be invited for the provision of a number of housing support services under the Supporting People programme. The estimated value of the tenders was in excess of £1m. The existing contracts were due to terminate on the 31st March 2012. It was intended to seek contracts for a one year term, with the option to extend annually by up to two further years.

It was noted that these services had previously been tendered separately but on this occasion it was intended that just three tenders be issued, two being subdivided into lots, with contractors able to bid for multiple lots. All accommodation based services would be included in one tender with the exception of the accommodation based

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service at the Domestic Violence Refuge. This would be tendered separately, including the related services referred to in the table in the report. The third tender would comprise the remaining floating support services. Tender submissions would be evaluated on both price and quality using a 70% price and 30% quality ratio. The outcome of the tenders would be reported to the Sub Committee.

RESOLVED: That the Sub Committee note that a procurement process be undertaken for the services set out in the report.

ES36 AWARD OF CONTRACT TO PROVIDE SUBSTANCE MISUSE SERVICES

The Sub-Committee considered a report which sought approval to award a contract to deliver substance misuse (Drug and Alcohol) services. In February 2011, the Committee authorised the Strategic Director, Communities, to carry out all necessary steps in relation to the open tendering and commissioning of a community based recovery orientated Drug and Alcohol Substance Misuse service. The service was jointly commissioned with Halton and St. Helens PCT with the Authority being the commissioning body.

It was reported that seven submissions of documentation were received and the top four applications scoring over 65% were invited to make a presentation and answer questions on key aspects of their service delivery model with a panel of commissioners, service users and carers. Overall, bids were assessed on the basis of quality (70%) and price (30%). Following assessment it was reported that provider A achieved the highest score overall and though not the lowest price they were offering the most economically advantageous tender. This was mainly due to their providing an additional 194 staff hours per week and seeing 41 service users more than Provider B.

Members were also advised that in order to prevent any gaps in service provision and to ensure continuity of care until the new joint Substance Misuse Service commenced on 1st January 2012, the existing contracts with ARCH Initiatives, Addaction and 5 Borough's Partnership NHS Foundation Trust be extended until December 31st 2011. In progressing the tender, the project team had identified a number of issues that caused a revision to the procurement timetable and subsequent postponement of the start date of the Substance Misuse Service to 1st January 2012.

RESOLVED: That

- (1) in accordance with Standing Order 2.11b, the Operational Director Commissioning and Complex Care be authorised, to enter into a contract with Provider A, who through an open tender process had been assessed as being the most economically advantageous and effective organisation to deliver a substance misuse service;
- (2) in the light of exceptional circumstances set out below, for the purpose of Standing Order 1.8.2b, Procurement Standing Orders 2.0.1 and 2.1 to 2.6 be waived, and the Operational Director Commissioning and Complex Care be authorised to extend the following contracts direct and without competition for the current providers; ARCH Initiatives, Addaction and 5 Boroughs Partnership NHS Foundation Trust, in order to ensure continuous care and support to those currently in receipt of drug treatment; and
- (3) the contract extensions be for a period from 1st September 2011 to 31st December 2011.

Strategic Director
Communities

RESOURCES PORTFOLIO

ES37 WAIVER OF PROCUREMENT STANDING ORDERS

The Sub-Committee considered a request to waive standing orders to enable the current service provided by Northgate@work to include Audit and Operational Finance and Human Resources and further additions to the current Northgate@work and Northgate "Docs on Line" contracts during the remaining contract lifetime.

The Sub-Committee was advised that the Revenues and Benefits Division had renegotiated a contract with Northgate@work, a market leader in the supply of document imaging systems to local government. The current contract expired in January 2015. One of the advantages of Northgate@work was that they offered a remote scanning and indexing service.

It was noted that a recent review had indicated that given current volumes of work in Revenues and Benefits, when Adult and Operational Finance and Human Resources came on line, it would still be more cost effective for the Council to use this service. As the application was introduced into more areas of the Council this would be

continually reviewed.

RESOLVED: That for the purposes of Contract Standing Order 1.8, approval be given to the waiver of Standing Orders 3.1 to 3.7 for the following reasons:

Strategic Director
Policy and
Resources

- Standing Order 1.8.2a, as Northgate is the only provider of a remote scanning and indexing service;
- Standing Order 1.8.2c, as the existing system has been operating successfully for over 10 years and any new supplier would involve the Council in substantial set up and installation costs;
- Standing Order 1.8.2d, as Halton Borough Council has been a reference site for Northgate@work. Due to this relationship, Halton Borough Council has been able to negotiate favourable terms for the extension of the contract, which would not be available on the open market; and
- Standing Order 1.8.2e, as the provision of a remote scanning and indexing of documents could only be provided by Northgate Docs on Line.

ES38 INVEST TO SAVE BIDS

The Sub-Committee considered a report of the Strategic Director Policy and Resources which requested that two bids on the Invest to Save Fund be considered. The Invest to Save Fund was established in 2007 to provide up front monies from which sustainable savings were generated to help the Council's budget. The criteria for its use was outlined in the report:

It was noted that the following two bids had been submitted which met the criteria:

	Cost	Annual Savings
	£000	£000
Energy Saving Lighting	46	8

Scanning

65

26

RESOLVED: That the bids be approved.

ES39 3MG WESTERN APPROACH LINK ROAD

The Sub-Committee considered a report which sought a waiver of Standing Orders to begin construction work on the 3MG western approach link road.

It was noted that in order to comply with planning permission granted by Knowsley Metropolitan Borough Council and Halton Borough Council commencement of the Western Approach Link road was required. In June 2011 the Council had entered into an agreement with Prologis UK Limited for the development of the HBC Field. As part of the agreement the developer was obliged "to complete the Infrastructure Works" which included the western approach link road. Therefore the tender process to let a small contract to undertake advanced drainage works was managed by Prologis.

Members were advised that the tender process carried out by Prologis had resulted in Balfour Beattie Civil Engineering Limited being the preferred contractor for the western approach link road. The primary reason for the waiver was that compliance with Standing Orders would result in the Council having to forego a clear financial or commercial benefit.

RESOLVED: That the waiver of standing orders for this discrete area of work be agreed.

MINUTES ISSUED: 27th September 2011

CALL IN: 3rd October 2011

Any matter decided by the Executive Board Sub Committee may be called in no later than 3rd October 2011

Meeting ended at 10.15 a.m.

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MERSEY GATEWAY EXECUTIVE BOARD

*At a meeting of the Mersey Gateway Executive Board on Thursday, 22 September 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: L. Derbyshire, B. Dodd, M. Noone, S. Nicholson and M. Reaney

Also In Attendance: Councillors: Browne and Redhead

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

MGEB4 MINUTES

The Minutes of the meeting held on 16 June 2011 were taken as read and signed as a correct record.

MGEB5 LAND ASSEMBLY PROGRESS & LAND ACQUISITION
CAPITAL EXPENDITURE BUDGET FORECAST

The Board considered a report of the Chief Executive which gave Members the progress to date with the acquisition of land required for the Mersey Gateway by agreement and the proposals for acquisition of land using Compulsory Purchase Orders (CPO) / Transport and Work Act 1992 (TWA) powers. The report also advised of the issues regarding the management of property acquired and advanced works that were required prior to hand over to the Concessionaire.

The Board was advised that by resolution of the Mersey Gateway Executive Board on 19th May 2008, the Council had adopted a policy within the Mersey Gateway Relocation Strategy which formed the basis on which the Mersey Gateway Team had progressed with acquisitions in advance of CPO/TWA. In accordance with the Mersey Gateway Relocation Strategy and guidance provided in Government Circular 06/2004 the Council sought, wherever

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practicable, to acquire interests in land by agreement and enter into agreements for acquisition, and in appropriate cases did so. These negotiations were conducted in parallel with the compulsory purchase process.

The Board was further advised that in advance of the start of the Public Inquiry the Council had acquired a number of interests in land required and entered into agreements with other parties set out in the report.

It was reported that in the period after Public Inquiry, the continuing land assembly strategy was to:

- Continue with the agreements for acquisition/relocation in accordance with the obligations within the agreements;
- Completion of acquisitions/agreements where terms agreed;
- Assess the remaining businesses for relocation where there was potentially a need to acquire in advance of CPO, to allow sufficient time to physically relocate, having regard to the need for early possession on complicated sites; and
- Formulate land assembly strategy consistent with the procurement process and timetable.

Following the Public Inquiry the Mersey Gateway Team entered into two further agreements detailed in the report.

Furthermore, it was reported that the Council had commenced the exercise of the relevant compulsory purchase powers enabled by the CPO and the made Order under the TWA. These powers allowed the Council to acquire the remaining land which was necessary for the Project. The Council had also served the preliminary notices in the CPO process on the parties affected by these Orders in two stages. In addition, it was reported that the Council now owned or had agreed rights for over 63% of the land required.

The remainder of the land required for the scheme would be acquired by the serving of three further General Vesting Declarations, which would cover the investment landowners, operational businesses to be relocated and minor parcels/severed land. This would be undertaken in a phased approach to ensure affected businesses were given

the maximum time possible to relocate and it was now expected to commence in October 2011. However, it was reported that there were a number of elements of advanced works which needed to be undertaken in the period between acquisition and handover.

The key elements were:

- The relocation of the primary substation at Ditton Road by SP Manweb;
- Pre-construction engineering and environmental surveys;
- Remediation of contamination at Catalyst Trade Park; and
- Enabling Works.

The Land Acquisition budget had been set at £86m, and had not been increased since being originally agreed. This budget was expected to cover the principle elements of:

- The acquisition of the land required, including disturbance payments, SDLT and fees;
- Property management, including demolition of buildings prior to handover to the Concessionaire;
- Advance works, including ground investigations and remediation of contaminated sites;
- Section 10 Claims, as outlined in the report; and
- Part One Claims, as outlined in the report.

In conclusion, it was reported that the Council's land assembly strategy would ensure that all land required for the scheme was in the Council's ownership by the time of the selection of Preferred Bidder.

RESOLVED: That the progress made in assembling the land required for the Mersey Gateway be noted.

MGEB6 MERSEY GATEWAY PROJECT BUDGET

The Board considered a report of the Chief Executive which gave Members advice on the current budget position relating to the Mersey Gateway Project.

The Board was advised that the Project budget was split into two distinct areas: the development cost budget and the land assembly (including advanced works and surveys) budget.

The development cost budget for developing the Mersey Gateway through the Procurement phase of the project up to Financial Close when a contract would be in place with the private sector (the Project Company) to design, build, finance and operate the project.

The information updated the forecasts made in the development budget approved by the Executive Board on 25th September 2008 and the information on budget monitoring reported to the MG Executive Board since then. A revised forecast for this period was also outlined in Table 2 in the report.

The report also provided a summary of the expenditure incurred in relation to land acquisition to the end of quarter one 2011-12 together with the current estimate for the expenditure to be incurred under various activities.

The Board was further advised that the funding agreement with the Department for Transport (DfT) established when Mersey Gateway received Programme Entry approval in March 2006, specified that the Council was responsible for meeting all development costs up to receiving Final Funding approval for the project. The funding agreement with Ministers was being administered by the rules for delivering local major transport schemes.

Furthermore, it was reported that originally, the Council contributions were expected to be Capital in nature. However, there was an ongoing debate in terms of what the Audit Commission was content to accept as Capital expenditure. As a result, a proportion of the development budget could not be treated as Capital and must be accounted for as Revenue expenditure instead. This could partially affect the way the Council was able to utilise prudential borrowing as a funding mechanism. Discussions were ongoing in this matter and the assessments undertaken so far indicate that revenue was unlikely to exceed 20 per cent of the total development budget with the remainder being treated as capital expenditure.

It was also reported that the Project Team had experienced significant cost pressures since 2010:

- The Project Team expected the Mersey Gateway

to receive the necessary planning and funding approvals early in 2010 after a successful Public Inquiry. Unfortunately, the economic crisis and subsequent Spending Review meant that the project programme suffered from a lengthy delay;

- The situation had been exacerbated even further due to Government requests for information on various aspects of the project. The Project Team were obliged to undertake a significant amount of further research, studies, etc in order to satisfy these queries. This included revisions and further testing of the traffic model, revisions to the business case and a value engineering exercise. The tasks associated with these requests were not part of the original budget forecast and required the continued mobilisation of a large project team; and
- The Secretary of State had requested that the project costs were reduced and the project team had managed to propose changes that overall would reduce cost by at least £30m. To deliver these changes alterations to the original approved planning applications were required. This additional work was not part of the original budget forecast.

As reported on Item 5, the planning decisions made by the Secretary of State on 20th December 2010 had now triggered the next stage in the land assembly process.

RESOLVED: That

- (1) the revised budget for Development Costs up to Financial Close when a public private partnership is in place be approved;
- (2) the requested land acquisition capital expenditure budget be approved;
- (3) it be recommended that the Council amend the Capital Programme accordingly; and
- (4) the potential impact on the Council's revenue budget to cover the costs that are not capitalised, be noted.

Chief Executive

MGEB7 MERSEY GATEWAY OUTLINE BUSINESS CASE

The Board considered a report of the Chief Executive which informed the Members that since the project had received Government support in the Comprehensive Spending Review, announced in October 2010, the Mersey Gateway project team had been preparing an Outline Business Case for the project which met the requirements of the Department for Transport. The report provided a summary of the final draft OBC which was expected to be cleared by the Secretary of State for Transport, subject to the approval of HMT officials who were reviewing the final draft OBC report during September.

The Board noted the verbal update on the draft funding conditions.

RESOLVED: That

- (1) the report be noted;
- (2) the proposed draft funding support with conditions as proposed by the Department of Transport be agreed; and
- (3) the proposals in the OBC be agreed.

Chief Executive

MINUTES ISSUED: 23 September 2011

CALL-IN: 30 September 2011

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00pm on 30 September 2011

Meeting ended at 4.00 p.m.

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

At a meeting of the Children, Young People and Families Policy and Performance Board on Monday, 5 September 2011 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Dennett (Chairman), Horabin (Vice-Chairman), M. Bradshaw, A.Cole, Fraser, Fry, Hodge, P. Lloyd Jones, K. Loftus, J. Lowe, N.Plumpton Walsh and L. Lawler

Apologies for Absence: None

Absence declared on Council business: None

Officers present: J. Gibbon, M. Grady, A. McIntyre, G. Meehan, N. Moorhouse, S. Nyakatawa and M. Simpson

Also in attendance: Cllr Swain in accordance with Standing Order 33, C. Pollard, 4 Members of public and 1 member of the Press.

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

CYP13 MINUTES

The Minutes of the meeting held on 23 May 2011 were taken as read and signed as a correct record.

(NB: Councillor Fry declared a personal and prejudicial interest in the following item due to being the Chairman of Halton Autistic Family Support Group (HAFS) and left the room during consideration of the item.)

CYP14 PUBLIC QUESTION TIME

In relation to Minute No. CYP24 the following public question had been submitted in accordance with Standing Order 34(9).

“As a very concerned local and national taxpayer, who actually lives in and is committed to Halton, will the Board Members investigate the appalling waste of public money by the senior officers of the Education Department of Halton Borough Council by intimidating Parent/Carers of

Action

disabled children into unnecessary, very costly and time consuming Tribunals, especially at a time when people were loosing their jobs in HBC as a result of cut backs? Linked with this issue, would the Board Members also investigate why the hypocrisy of this department is being allowed to continue to ignore the documented views and opinions of Parent/Carers and disabled children themselves, whilst pretending to value to voice of the disabled children and their Carers?"

Arising from the question the Chair requested that further written evidence to support points raised in the question be forwarded directly to the Chair. It was also reported that the Strategic Director, Children and Enterprise had responded in writing to the question.

The question was received by the Board and in response Steven Nyakatawa provided a presentation on Provision and Support for Children and Young People with Autistic Spectrum Condition in Halton. The presentation outlined the following:

- specialist provision in both Widnes and Runcorn, including speech language and communication plus details of Autistic Spectrum Conditions (ASC);
- continuum of provision for ASC in mainstream schools, enhanced provision, specialist resource bases in schools for children with Autism, specialist schools and out of Borough specialist placements;
- details of multi-agency provision – Halton had committed in excess of £1 ¼ million to support children with ASC;
- information of multi-agency support and various schemes available across the Borough;
- training and development of front line staff; and
- details of the Autistic Diagnostic Observation Schedule (ADOS) training.

In addition Mr Shanahan made a supplementary statement as follows:

"A lot of money is wasted on non-autism specific provisions which result in tribunals. There is a need for a dedicated autism school within the Borough of Halton and needs of children and young people with autism are not being addressed."

It was pointed out that no one size fits all for autistic children; Halton's strategy and services were geared to an individual response to need.

In response the Chairman requested that further evidence to support the statement be provided.

RESOLVED: That the public question be noted.

CYP15 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 Sub-Committee since the last meeting of the PPB.

In relation to Minute EXB21 it was reported that Traded Services had been TUPE to SERCO and there was a launch scheduled for 12 September 2011. The Chairman requested a progress update report be brought to a future meeting.

RESOLVED: That

- 1) the Minutes be noted; and
- 2) a progress update report be brought back to a future meeting of the Board.

Strategic Director
- Children and
Enterprise

CYP16 SSP MINUTES

The Minutes of Halton Children's Trust meetings held on 17 May 2011 and 5 July 2011 were submitted to the Board for consideration.

RESOLVED: That the minutes be noted.

CYP17 OFSTED / CARE QUALITY COMMISSION (CQC) ACTION PLAN

The Board considered a report of the Strategic Director, Children and Enterprise which informed the Members of the development of an action plan to continue and further improve on the work around Safeguarding and Looked After Children's services in Halton. This work had been highlighted as 'Outstanding' or 'Good' in all areas by Ofsted and CQC inspectors in February 2011.

It was reported that in anticipation for Halton's inspection, a multi agency working group had been established in 2009. This group had a wide membership from the Council and its partners, who all saw the inspection process as a real opportunity to test progress across all

agencies in delivering high quality services for vulnerable children and young people. It was used as a means of improving practice on the ground.

The Board was further advised that Halton's inspection had taken place in February 2011. Halton had been graded as 'Outstanding' for 10 elements and 'Good' for 12 of the 22 criteria. This placed Halton Borough Council and its partners as one of the top performing local authority areas in the country.

In addition, the inspection report had highlighted the robust systems in place locally and the strength of partnership working across Halton within children and young people's services.

An action plan had been developed following the inspection to ensure that work continued to bring further improvements to Safeguarding and Looked After Children's services within Halton, particularly focusing on areas highlighted by the inspection. This action plan had been endorsed by and was being monitored through both the Halton Safeguarding Children Board and Halton Children's Trust to ensure that the areas highlighted for improvement were fully addressed and embedded in practice. The action plan was also being regularly updated as progress was achieved and the latest action plan could be found in Appendix A of the report.

In relation to Child Protection Case Conferences and the need to improve attendance or provision of reports by General Practitioners (GPs), it was noted that the Council and its Partners had carried out extensive work to enable GPs to attend the conferences and provide reports.

RESOLVED: That

- 1) the outstanding outcome of the Ofsted and Care Quality Commission Inspection of Safeguarding and Children in Care be noted; and
- 2) the action plan be endorsed and the Board receive a further progress report in January 2012.

(NB: Councillor Peter Lloyd Jones declared a personal interest in the following item due to being a Non-Executive Director for Halton and St Helens PCT)

Strategic Director
- Children and
Enterprise

The Board considered a report of the Strategic Director, Children and Enterprise which gave an update on the development of a Shadow Health and Wellbeing Board for Halton and presented the Draft terms of Reference for comment and discussion.

It was reported that the initial proposal was announced in July 2010 as a result of the NHS White Paper and it was anticipated that the Health and Wellbeing Board would be implemented by April 2013. The main functions of the Health and Wellbeing Board were detailed in the report for information.

The Board was advised that the Halton Health Partnership (HHP) currently acted as the thematic partnership for the Healthy Halton priority. The Partnership reported into the Halton Strategic Partnership Board as one of the five Specialist Strategic Partnerships (SSPs).

The Board was further advised that the HHP had a strategic responsibility for the Healthy Halton priority and for those elements of work that contributed to the objectives of the Sustainable Community Strategy (SCS) and Local Area Agreement (LAA). The Halton Health Partnership was currently chaired by the Acting Director of Public Health.

It was reported that health priorities were also addressed by the Health Policy and Performance Board and Children's health issues were included in the work of the Children's Trust and the Children, Young People and Families Policy and Performance Board.

Following an extensive consultation regarding the Terms of Reference set out in Appendix 1 to the report, it seemed appropriate to set up a Shadow Health and Wellbeing Board in Halton.

The Shadow Health and Wellbeing Board would be responsible for guiding and overseeing the implementation of the ambitions outlined in the Health White Paper as well as providing the strategic direction for the Health priority in Halton.

Formal decision making responsibility would continue to rest with the Council's Executive and the relevant governance bodies of the local health services until new legislation was enacted. Transitional governance arrangements were key in establishing the Shadow HWBB, given that Health and Wellbeing Boards would assume their statutory responsibilities from April 2013. In addition,

overview and scrutiny issues would remain an integral independent arrangement within the Health Policy and Performance Board.

In conclusion, it was proposed that a Shadow Health and Wellbeing Board would be established in October 2011. This would operate in shadow form and a review would be undertaken 12 months after its commencement and a further report be presented to the Executive on its progress. The current Health SSP would be disbanded and many of their actions embedded into the new Shadow Board.

Arising from discussion of the membership of the Health and Wellbeing Board it was suggested that Board Members reside in the Borough of Halton. In response it was noted that membership of the Board was predetermined by the guidance.

RESOLVED: That the report and comments made be noted.

(NB: Councillor Peter Lloyd Jones declared a personal interest in the following item due to being a Non-Executive Director for Halton and St Helens PCT)

CYP19 CHILDREN AND YOUNG PEOPLE PLAN

The Board considered a report of the Strategic Director, Children and Enterprise which sought endorsement of the new Children and Young People's Plan (CYPP) 2011-14. It was reported that the CYP Plan had been endorsed at Executive Board and Full Council in July 2011.

The Board was advised that Halton's first Children and Young People's Plan had been published in 2006, covering a three year period to 2009. The second CYPP for Halton had been published in 2009 and had ran until March 31st 2011.

It was reported that the Coalition Government had announced in July 2010 its intention to reform Children's Trusts. The proposals had come into force from October 31st 2010.

It was further reported that following the announcement of the reforms, the future of Halton's Children's Trust had been discussed at both the Children's Trust Board and Executive Group. At both meetings there had been a universal agreement from all partners for the Trust to

continue in its current format, as the overarching multi agency body that contained all children and young people's services in Halton. This reflected the breadth and strength of partnership working across the children and young people's agenda in Halton, as well as universal understanding of the need to continue to work in partnership in the challenging economic climate currently faced.

It was further noted, with agreement to continue the Children's Trust arrangements came the need for a new Children and Young People's Plan to provide a strategic direction. The new CYPP for Halton had been developed within the Children's Trust for a three year period from 2011-14. Through consultation, the new priorities for the Children's Trust have been agreed as:

- Improve outcomes for children and young people through embedding integrated processes to deliver early help and support;
- Improve outcomes for children and young people through effective joint commissioning; and
- Improve outcomes for our most vulnerable children and young people by targeting services effectively.

Members were advised the focus on Safeguarding would continue to be a key theme for the Trust across the priorities and the CYPP was based around the priorities noted above.

The following comments arose from the discussion:-

- for students leaving high school and further education Members felt that a facility to offer students advice on financial guidance should be provided. It was noted there could be something organised via the citizenship pathways and a report would be brought back to a future meeting of the Board;
- in relation to provision of advocacy for young people it was noted that the route for this was currently changing, and a view to how Halton would approach this in the future was being sought.

RESOLVED: That the Board endorse the Children and Young People's Plan 2011-14.

CYP20 CICOLA REPORT

The Board considered a report of the Strategic Director, Children and Enterprise, which gave details of the

current numbers of Children in Care of Other Local Authorities (CICOLA) and the possible impact on services within Halton.

The report assessed within the context of neighbouring local authorities, the numbers of Residential Children's Homes operating within Halton, the types of these services and the potential financial impact on the Borough.

The report also offered an update regarding ongoing work developments in this area. The Board was also advised that the Members would receive an action plan in response to the information contained in the report.

Arising from discussion of the report the following comments were noted:

- Halton's own system had been introduced whereby every three months local authorities were informed of which children were placed within Halton;
- young people who had Statements were funded by the Local Authority they were from. However young people with School Action or School Action Plus placed a significant impact on education and safeguarding resources. In addition the range of children missing from care caused a drain on services like police, housing and youth offending; and
- there was Statutory Guidance for Local Authorities to provide accommodation for young people within their area and there was an emphasis to ensure they better meet the needs of young people within their boundaries;

RESOLVED: That

- 1) the report and comments made be noted;
- 2) the revised pathways for notification of CICOLA be noted;
- 3) the proposed development work be supported;
- 4) the Board receive a further report on the outcome of the revised arrangements; and
- 5) the impact of CICOLA's on the key agencies be noted.

Strategic Director
- Children and
Enterprise

CYP21 APPRENTICESHIPS SCRUTINY TOPIC

The Board considered a report of the Strategic Director, Children and Enterprise which gave Members an update on existing and future scrutiny topic group titles.

The Board was advised that at the beginning of April 2011, the Employment, Economic Regeneration and Business Development department had moved to the Children and Young People directorate and the Children and Enterprise directorate had been established.

The Board was further advised that by bringing together Children and Enterprise within one directorate it was recognised that for most young people it was the transferable skills that were developed at school and in further education that would determine their success in a range of jobs throughout their lives. It was, therefore, proposed that a topic title on apprenticeships would further cement these principles. It was proposed that the topic would be jointly overseen by members of both the Employment, Learning, Skills and Community Policy and Performance Board and the Children, Young People and Families Policy and Performance Board. In addition, it was reported that Councillor Sue Edge had offered to chair the topic group.

It was further reported that the topic would consider the following:

- The implementation of an apprenticeship programme for Halton;
- Monitoring and review of the programme i.e. the effectiveness of the programme;
- Engagement with the private sector; and
- Roles and responsibilities of respective agencies to drive forward the apprenticeships agenda in Halton.

Councillor Horabin offered to take part in the Scrutiny Topic Group and the Chairman asked if any other Members would like to sit on the Board they were to notify him.

RESOLVED: That a joint scrutiny group on Apprenticeships be supported.

CYP22 ANNUAL REPORT - COMMENTS, COMPLAINTS AND COMPLIMENTS RELATING TO CHILD CARE SERVICES 1ST APRIL 2010 TO 31ST MARCH 2011

The Board considered a report of the Strategic

Director, Children and Enterprise which provided an analysis on complaints processed under the Children's Act 1989, Representation's Procedure.

The Board was advised that a complaint may generally be defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response. The formal complaints procedure had a four stage process and there were three categories to the representation process as follows:-

- i. Statutory Complaint - the complainant is eligible as stated in the Representations Procedure to make a formal complaint;
- ii. Representation - where a complainant is not eligible under the Representations Procedure to make a formal complaint, but their comments are noted and responded to. If it is not a complaint under the Representations Procedure then the Corporate Complaints procedure may apply; and
- iii. Compliment – positive feedback.

It was reported that there had been 40 Statutory Complaints made to the Local Authority in 2010/11. This represented an increase of 17 statutory complaints, a 74% increase. This could be attributed to the following:-

- Customer Care Manager now being firmly established in post and raising awareness of the complaints process within the Children and Enterprise Directorate, offering advice and guidance to staff;
- Delivering training sessions to front line staff; and
- Commissioning training for Managers by the Local Government Ombudsman Office.

The Board noted the evidence in the report on how feedback from service users had been used to improve service delivery.

The following comments arose from the discussion:-

- The department was looking towards the future to develop a supportive approach via the customer care team with a need to create better understanding between all agencies; and
- In comparison to other Local Authorities, the

number of complaints was quite low.

RESOLVED: That

- 1) the report be accepted as the mechanism by which the Local Authority is kept informed about the operation of its complaints procedure; and
- 2) It be noted that the Annual Report where applicable will evidence how feedback from service users has been used to improve service delivery.

CYP23 HALTON AGREED SYLLABUS FOR RELIGIOUS EDUCATION

The Board considered a report of the Strategic Director, Children and Enterprise which informed the Members of the recommendation of the Halton Agreed Syllabus Conference for Religious Education to readopt the 2006 to 2011 Syllabus as the Halton Agreed Syllabus for Religious Education from 1st September 2011 for a further five years.

The Board was advised that there was a statutory duty on the Local Authority to establish and convene an Agreed Syllabus Conference to review the agreed syllabus for RE every five years. The role of the Agreed Syllabus Conference was to produce and recommend an Agreed Syllabus for adoption by the LA. The Agreed Syllabus needed to meet fully the requirements of the Education Act 1996 and be educationally sound.

The Board was further advised that a Conference was a separate legal entity from a SACRE and, although common membership was permissible, it must be separately convened. Similar to SACRE, it comprised of four committees, representing Christian denominations (and other religions and religious denominations), the Church of England, associations representing teachers and the LA.

RESOLVED: That

- 1) the minutes of a meeting of the Halton SACRE and the Halton Agreed Syllabus Conference on 11th July 2011 set out in Appendix 1 to the report be noted; and
- 2) the recommendation of the Halton Agreed Syllabus Conference for Religious Education to readopt the 2006 to 2011 Syllabus as the Halton Agreed

Syllabus for Religious Education from 1st September 2011 for a further five years be supported.

(NB: Councillor Peter Lloyd Jones declared a personal interest in the following item due to being a Non-Executive Director for Halton and St Helens PCT)

CYP24 QUARTER 1 SUMMARY REPORT (APRIL - JUNE)

The Board received a report of the Chief Executive on the Performance Monitoring Reports for Quarter 1 to June 2011.

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.

In particular the following points were noted:

- In relation to NI063, the stability of placements of Children in Care, performance in Quarter 1 was short of the very challenging target, however it was noted the performance was still higher than other Local Authorities in the region;
- With regards to the James Review, Local Authorities were awaiting guidance from the DfE as to whether the two recommendations outlined in the report would be accepted;
- There were two additional Academy Schools in the Borough being the Health and Palacefields;
- Central CRMZ held a celebration event at the end of August, the Summer Blitz had been one of the most successful schemes run through the summer providing a wide range of activities and had been extremely well attended;
- In relation to teenage pregnancies there would be more of a focus from a local perspective, with the aim of getting more high schools involved. Setting more realistic targets was also being explored;
- the standard of recent examination grades for 2011

had improved from last year throughout all the Key Stages, including Children in Care, however the figures have yet to be verified and a report will be presented to a future meeting of the Board.

RESOLVED: That the report and comments made be noted.

Meeting ended at 9.00 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 Monday, 19 September 2011 in the Civic Suite, Town Hall, Runcorn

Present: Councillors P. Lloyd Jones (Vice-Chairman), Carlin, Horabin, Howard, Parker, C. Plumpton Walsh and Roberts

Apologies for Absence: Councillors Edge, Macmanus, Rowe and Zygadlo

Absence declared on Council business: Councillor

Officers present: M. Grady, M. Simpson and W Rourke

Also in attendance: Councillor Jones in accordance with Standing Order 33 and Kevin Smith – Riverside College

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

Action

ELS11 MINUTES

The Minutes from the meeting held on 8th June 2011, were taken as read and signed as a correct record.

ELS12 PUBLIC QUESTION TIME

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

ELS13 EXECUTIVE BOARD MINUTES

The Board considered the minutes of the meeting of the Executive Board relevant to the Employment Learning Skills and Community portfolio since the last meeting of the Board.

RESOLVED: That the minutes be noted.

ELS14 SSP MINUTES

The Board received the minutes of the Employment Learning and Skills Specialist Strategic Partnership meeting from the 22nd August 2011.

In relation to the Single Work Programme Update, the Board requested that electronic copies of the organisations respective delivery models be circulated to Members of the Employment, Learning, Skills and Community PPB.

RESOLVED: That the minutes be noted.

ELS15 PRESENTATION RIVERSIDE COLLEGE -
CONTRIBUTION TO EMPLOYMENT, LEARNING AND
SKILLS IN THE BOROUGH

The Board received a presentation from Kevin Smith – Vice Principal: Adults, Skills and Enterprise from Riverside College which set out the following:

- 6262 students had enrolled for 2011/2012;
- £18 million was spent last year educating school leavers, residents and employees in the Borough;
- There were four campuses: Kingsway Centre – Vocational ‘ Young Professionals’, Cronton 6th Form – A levels, level 3 & Sport, Runcorn Centre – Skills, Enterprise and Employer Engagement and Astmoor Centre – Construction trades;
- Employment, Learning and Skills aims and objectives;
- Riverside College aims and objectives;
- Recent Ofsted results – Remarkable progress;
- Added Value – No. 1 in government sub regional tables for progress made whilst at Riverside;
- Target and growth of student numbers 2011/2012;
- Details of Higher Education; and
- Priorities and the shared agenda with the Employment Learning, Skills and Community Board.

Arising from the presentation the following points were noted:

- Achievements to date were excellent, particularly the best in England A level results which were physics, combined English and sociology;
- Links could be formed with the Heath and Daresbury Laboratory in relation to science and the possibility of apprenticeships;
- Concerns were raised with regard to proposals of

secondary schools forming their own 6th forms and there no longer being a need for facilities at Riverside; and

- There was a high percentage of adults in the Borough who did not have level 1 education, schemes to improve this could be investigated.

The Chairman thanked Kevin Smith for an informative presentation.

RESOLVED: That the presentation be noted.

ELS16 CHILDREN AND YOUNG PEOPLE'S PLAN 2011-14

The Board considered a report of the Strategic Director, Children and Enterprise which sought endorsement of the new Children & Young People's (CYP) Plan 2011-14. It was reported that the CYP Plan had been endorsed at Executive Board and Full Council in July 2011.

The Board was advised that Halton's first Children & Young People's Plan (CYPP) had been published in 2006, covering a three year period to 2009. The second CYPP for Halton had been published in 2009 and had ran until 31 March 2011.

It was reported that the Coalition Government had announced in July 2010 its intention to reform Children's Trusts. The proposals had come into force from 31 October 2010.

It was further reported that following the announcement of the reforms, the future of Halton's Children's Trust had been discussed at both the Children's Trust Board and Executive Group. At both meetings there had been a universal agreement from all partners for the Trust to continue in its current format, as the overarching multi agency body that contained all children & young people's services in Halton. This reflected the breadth and strength of partnership working across the children & young people's agenda in Halton, as well universal understanding of the need to continue to work in partnership in the challenging economic climate currently faced.

It was further noted, with agreement to continue the Children's Trust arrangements came the need for a new Children and Young People's Plan to provide a strategic direction. The new CYPP for Halton had been developed within the Children's Trust for a three year period from 2011-14. Through consultation, the new priorities for the

Children's Trust have been agreed as:

- Improve outcomes for children and young people through embedding integrated processes to deliver early help and support;
- Improve outcomes for children and young people through effective joint commissioning; and
- Improve outcomes for our most vulnerable children and young people by targeting services effectively.

Members were advised the focus on Safeguarding would continue to be a key theme for the Trust across the priorities and the CYPP was based around the priorities noted above.

RESOLVED: That the Board endorse the Children & Young People's Plan 2011-14.

ELS17 PERFORMANCE MONITORING QUARTER 1 2011/12

The Board considered a report of the Strategic Director, Policy and Resources on the Performance Management reports for quarter 1 of 2011/12. Members were requested to consider and raise any questions or points of clarification in respect of the performance management report against service plan objectives and performance targets, performance trends, comparisons and factors affecting the service for:

- Enterprise and Employment in Adult Learning and Skills Development; and
- Community Services namely, Library Services and other Culture and Leisure Services.

Members were advised there had been a slight change to the milestones and indicators to reflect the wider business of the department as these had changed since the original service plans had been developed. The performance sub group had revisited the milestones and indicators so they were relevant for the current time and the future.

The following comments arose from the discussion:

- In relation to the Science Halton Group, Members felt improvement should be made to the lack of engagement from Skills for the Science Technology and Advanced Manufacturing in relation to adapting the post 16 curriculum. It was noted that this was a

matter of priorities and would be investigated further; and

- With regard to recruitment the Board felt it would be useful for some case studies to be brought to a future meeting to provide an update, figures of how many management, food operatives and bar staff posts at the Hive would also be beneficial;

RESOLVED: That the quarterly monitoring report and comments raised be noted.

ELS18 SINGLE WORK PROGRAMME UPDATE

The Board considered a report of the Strategic Director Children and Enterprise which provided a progress report on the delivery of the Work Programme in Halton.

It was reported that the Work Programme aimed to provide a single, personalised welfare to work programme for all customer groups, regardless of the benefit they claim. It had replaced many national programmes previously on offer and they had now been phased out with the work programme commencing in 2011.

The Board was advised that the Work Programme gave providers longer to work with customers and greater freedom to decide the appropriate support for them. Work programme providers were required to deliver an individually tailored service for each customer which could last up to two years (the "allotted time" for this service would be 104 weeks). It was further noted that this often provided the opportunity to deliver a flexible and personalised work package of support and the change to improve people's lives through sustainable employment.

Set out in the report for information were the provisions that would be delivered for customers including A4e and Ingeus.

It was further reported that the delivery of the Work Programme contributed to employment learning and skills key priorities contained in the Halton Sustainable Communities Strategy and the Liverpool City Region Employment and Skills Strategy. In addition, the work of Halton People into Jobs in delivering the Work Programme also contributed to performance against National Indicators relating to employment, enterprise and learning.

Members agreed to receive 6 monthly update reports

on the Single Work Programme.

RESOLVED: That

- (1) the progress report be noted; and
- (2) the Board agree to receive bi-annually updates on the Work Programme.

Strategic Director
- Children and
Enterprise

ELS19 SCRUTINY TOPIC ASSESSING THE IMPACT OF DEFICIT POLICY ON EMPLOYMENT LEARNING AND SKILLS IN HALTON

The Board received a report of the Strategic Director, Children and Enterprise which provided an update on the scrutiny topic "Impact of Deficit Policy on Employment Learning and Skills in Halton".

It was reported that for the Municipal Year 2010/11, Members proposed that a scrutiny topic group should consider assessing the impact of the Government's deficit policy on Employment Learning and Skills in Halton. The Topic Group had been chaired by Councillor Lloyd Jones, Councillors Austin Howard and McManus were also members of the group. It was reported that much of the early work of the Group was dependent of the outcome of the Government's Spending Review which was announced at the end of October 2010.

It was further reported that the group had considered the Government's deficit policy would have an impact on the wider range of initiatives and measures in Halton but that it was important to remain focussed on issues that would be of specific relevance to this Board.

The group carried out an initial assessment of emerging Government policy relating to the Employment, Learning and Skills (ELS) agenda and an overview of the ELS policies that the Scrutiny Topic Group considered was appended to the report for information.

Arising from the discussion of the report Members suggested further involvement with local employers be taken to encourage them to engage with college students and provide relative work experience. In response it was noted that this would be investigated. In addition the Board agreed to receive an progress update report in six months time.

RESOLVED: That

- 1) the information gathered to date be noted; and
- 2) a progress report be brought to the Board in six months time.

Strategic Director
- Children and
Enterprise

Meeting ended at 8.20 p.m.

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HEALTH POLICY AND PERFORMANCE BOARD

At a meeting of the Health Policy and Performance Board held on Tuesday, 23 August 2011 in Committee Room 1, Runcorn Town Hall

Present: Councillors E. Cargill (Chairman), S. Baker, Horabin, M Lloyd Jones, C. Loftus, Macmanus, C. Plumpton Walsh, G.Zygadlo and P. Cooke

Apologies for Absence: Councillor J. Lowe and Dennett

Absence declared on Council business: None

Officers present: L. Derbyshire and S. Wallace-Bonner

Also in attendance: In accordance with Standing Order 33, Councillor Wright Portfolio Holder – Health and Adults, and Councillor Edge and Mr P Brickwood (Director of Finance & Commissioning - Knowsley Health & Wellbeing)

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

HEA17 REVIEW OF NON-ARTERIAL CENTRE DESIGNATION ON WARRINGTON HOSPITAL AND THE PEOPLE IT SERVES

Action

The Board considered a report of the Strategic Director, Communities which provided information and highlighted concerns relating to the review of the Non Arterial Centre Designation on Warrington Hospital and the people it serves.

The report advised that at a Special Meeting of the Health Policy and Performance Board, held on 28th June 2011, Members had considered a report on the Cheshire and Merseyside Vascular Review.

It was reported that Dr. Tom Dent, Project Director, Cheshire and Merseyside Vascular Review, Mr Simon Banks, Operational Director, NHS Halton and St Helens and a representative of the Cheshire and Merseyside Review Board, and Jackie Robinson, NHS Knowsley had attended the meeting. The Board had been advised that the Cheshire and Merseyside Vascular Review project board had recommended that Warrington and Halton Hospitals NHS

Foundation Trust should not be designated as an arterial centre. The minutes of the meeting were recorded as follows:-

“The Board also noted that Warrington was in the process of recruiting two more vascular surgeons and queried whether they could re-submit an application to the Vascular Review Board. In response it was noted that Warrington could re-submit an application to be an arterial centre, however they would have to prove that they met the criteria as effectively as did Chester and Liverpool.”

The Board was further advised that following the Health PPB meeting there had been an email exchange between Mr Simon Wright from Warrington and Halton Hospital Foundation Trust and Dr Tom Dent (Project Lead) and the Chair of the Health PPB.

It was reported that Mr Tom Dent had stated that “With respect to the resubmission, I have no recollection of saying that this would be possible. I wonder if my remarks were misunderstood.”

Subsequent to the email exchange, it was reported that the Chair of the Health PPB would like to challenge the process followed within the review as the Liverpool and Chester hospitals were given time to refine (not resubmit) their application and Warrington and Halton Hospital Foundation Trust and St Helens and Knowsley Hospital had not. In addition, consideration of this was also being undertaken jointly with Warrington’s Overview and Scrutiny Board.

Mr Paul Brickwood, Director of Finance & Commissioning Knowsley Health & Wellbeing, attended the meeting to clarify the current situation in respect of the review. Mr Brickwood reported that there would be a better outcome for patients if the high end arterial work was centralised. He also reported that the proposal ensured there was sufficient arterial activity across the area and there was not a sufficient number of cases to ensure the best possible outcome if there were more than two centres. In addition, he added that Warrington had not been recommended as an arterial centre as there would need to be a significant increase in activity in order to meet the clinical standards. The recommendation, he reported had been made after consultation with clinicians. A decision / assumption had also been made that the impact on not having the arterial centre at Warrington would be low as a

large number of people had indicated in the public consultation process that access was less important than health and safety. He indicated that patients were already travelling to other areas such as Liverpool to access specialist services.

The following comments were raised by Members of the Board during the discussion:-

- Concern was raised at the inappropriate timing of the review/decision. It was highlighted that at the time of submitting the bid Warrington was still in the process of developing improved services i.e the stroke Unit which would deliver improvements for Halton residents;
- Warrington and Halton Hospital Trust were now in a position to meet the criteria and would like to be given the same opportunity as Liverpool and Chester to refine the response and resubmit the bid, which would evidence how the criteria would be met. In addition, the new developments in Warrington would result in GPs referring more patients to the hospital instead of Liverpool and this would increase the volume of activity as previously the services were not available in Warrington;
- The review had been undertaken in isolation and the impact on other secondary care services had not been considered at the time of the review. There was also a possibility that if the high end arterial surgery was taken out of Warrington this would impact on the hospital being designated as a trauma unit;
- Manchester was establishing three centres and had a similar population. They and other areas had used a different criteria (75 not 100). The same criteria should have been used. Mr Brickwood replied that Manchester was a much bigger area. The Board disagreed with this comment;
- Clarity was sought on why the decision was for two centres as opposed to three? It was suggested that it would be better to have three centres, one of which would be placed in Warrington. In response, Mr Brickwood reported that he felt there was not a sufficient footprint to

justify three arterial centres. The Board disagreed with the response;

- It was reported that there would be a sufficient volume of activity/footprint if the centre was in Warrington rather than Chester. Warrington was also more central than Chester in respect of the rail and public transport infrastructure;
- Members of the Board highlighted that an impact assessment should have been undertaken before any recommendation or decision was made. The Board felt that the recommendation had failed to take account of the significant social and economic deprivation in Halton and the ageing population. The ageing population in Halton had also doubled. It was reported that arterial surgery predominantly occurred in people aged 75+, very often vulnerable people, who relied on friends and family to visit them in hospital. Chester was inaccessible via public transport from Halton and these patients would not be able to have any visitors during their stay. Receiving visitors was a vital part of a patients recovery. In addition, there had already been a significant problem ensuring patients could get to Warrington Hospital from Halton. As a result of the difficulties, a bus service had been established. It was emphasised that it was crucial that an impact assessment was undertaken before any decision was made;

In response, Mr Brickwood reported that the recommendation had been as a result of a clinical consensus. However, it was only a recommendation and the Board would make a decision at the end of September 2011. A decision had been taken on what the impact would be after a public consultation exercise. The timescale of the impact assessment had not been determined;

- Chester was an affluent city and did not have the scale of social and economic deprivation as Halton. It was on the periphery of the whole area, whereas Warrington was central to all road and rail infrastructures and public transport. It was much more accessible for all than Chester;
- It was suggested that if there was a third site in Warrington, there would be no need to send

people to Liverpool for any type of vascular surgery. In light of the points raised, and having stated that the review had not been done to make a financial saving, clarity was sought on the option of three centres being progressed? In response, Mr Brickwood reported that he felt there was not sufficient activity to justify three arterial centres;

- There would need to be some expansion work undertaken in Chester to take on the additional arterial work whereas Warrington did not need any alterations, everything was now in place i.e surgeons, staff, radiologists and theatres in a central accessible location;
- Patients choice had not been fully taken into account - the patient/public consultation responses had been misrepresented;
- Chester relied on Deeside to meet the criteria in respect of the volume of activity. Deeside was in Wales. Warrington had a sufficient volume of activity to meet the clinical standards within the area to justify a centre without importing patients from outside of England;
- There would be a negative impact on staff who did not work in the arterial centre – they would be de-skilled and would not receive the training/experience they required;
- NWAS Category A performance would suffer in the mid Mersey area as more ambulances would be in Liverpool transferring Halton patients and not responding to emergency calls. This would put Halton residents at risk;
- As Chester would be inaccessible to Halton residents, the majority would choose to have surgery in Liverpool, which would result in them being unable to cope with the volume of activity. The population across the area of Whiston, St Helens, Warrington, and Halton was half a million. This would subsequently increase the waiting lists and put Halton residents at risk. Warrington was already in a position to accommodate this volume of activity;

In response, Mr Brickwood reported that assuming the consultants networked, Liverpool was

confident that they could cope with the referrals and they would also investigate alternative ways of using the Broadgreen Site; and

- It was agreed that a copy of the criteria used and how the recommendation had been made be circulated to Members of the Board.

In conclusion, the Members of the Board agreed with the proposal for centralisation, but disagreed with the recommendation of two sites and that one of the sites should be located in Chester. Warrington, they agreed would be a better option because of the points raised above.

RESOLVED: That

- (1) the report and comments made be noted;
- (2) the comments be forwarded to Mr Paul Brickwood for presentation to the Chief Executive for consideration at their meeting on 25 August 2011; and
- (3) Mr P Brickwood be thanked for his attendance at the meeting.

Meeting ended at 8.40 p.m.

HEALTH POLICY AND PERFORMANCE BOARD

At a meeting of the Health Policy and Performance Board held on Tuesday, 13 September 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors E. Cargill (Chairman), J. Lowe (Vice-Chairman), Austin, S. Baker, Dennett, M Lloyd Jones, C. Loftus, Macmanus, C. Plumpton Walsh, G.Zygadlo and P. Cooke

Apologies for Absence: Councillor Horabin

Absence declared on Council business: None

Officers present: L. Derbyshire, L Gladwyn, J. Hunt, A. McNamara, Y. Sung and S. Wallace-Bonner

Also in attendance: In accordance with Standing Order 33, Councillor Wright Portfolio Holder – Health and Adults, Councillors: Fraser, Howard, P Lloyd Jones, A Lowe, Parker, Shepherd and Wallace, Mr D Campbell, Chief Executive Merseyside NHS Cluster and Mr S Spoerry, Chief Executive – Primary Care Trust, Mr C Bean and Ms T Baynton Primary Care Trust.

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

	<i>Action</i>
HEA18 MINUTES	
The Minutes of the meetings held 7 June 2011 and 28 June 2011 having been printed and circulated were signed as a correct record.	
HEA19 PUBLIC QUESTION TIME	
The Board was advised that no public questions had been received.	
HEA20 SSP MINUTES	
The Minutes of the Health Strategic Partnership Board of its meeting held on 12 May 2011 were submitted to the Board for consideration	
RESOLVED: That the minutes be noted.	

Note: (Councillor M Lloyd Jones declared a Personal Interest in the following item of business due to her husband being a Non Executive Director of Halton & St Helens Primary Care Trust.)

HEA21 MERSEYSIDE NHS CLUSTER

The Board received a presentation from Mr Derek Campbell, Chief Executive, Merseyside NHS Cluster on the role and function of the cluster and how it operated within the context of the emerging NHS reforms.

The presentation, which was circulated at the meeting:-

- Gave an overview of the proposed NHS reforms;
- Outlined the Strategic Health Authority and Primary Care Trust roles in transition;
- Detailed the Milestones;
- Demonstrated the current geographic footprint;
- Set out the clinical commissioning groups – phases of authorisation; and
- Detailed the Merseyside cluster priorities during transition.

Mr Campbell introduced himself and Mr Steve Spoerry, Chief Executive of Halton and St Helens Primary Care Trust and reported that as he covered the four Primary Care Trusts he could not be fully involved and had therefore, appointed a managing director in each PCT. Mr Spoerry would be based in Widnes and would help address issues in the Halton area.

Mr Campbell reported that since being in the post he had developed a clear understanding of the relationship between Runcorn and Warrington and the boundaries. The cluster, he added, was a temporary arrangement and would cease to exist in 18½ months. The reasons the cluster had been established was to ensure resources and service delivery was maintained during the transition and support the development of the new system, working to a shared operating model. He added that it was crucial that the boundaries did not have an impact on future joined up arrangements.

Mr Campbell advised the Board that the Clinical Commissioning Groups would lead commissioning and be

responsible for 60% of the NHS budget. The National Commissioning Board would allocate resources, set commissioning standards, commission specialised and primary care services and hold commissioners to account. The local Health and Wellbeing Boards would oversee, scrutinise and co-ordinate commissioning plan.

In conclusion, Mr Campbell reported that the NHS Commissioning Board would be in shadow form as a Special Health Authority in October 2011. Local Clinical Commissioning Groups were in the process of undertaking risk assessments and the Group's authorisation process and 'dry run' would begin in October 2011. Delegated budgets would also be in place by 2011 and he emphasised the importance of the Local Authority establishing the Health and Wellbeing Board (HWBB) on the same timeline as the Clinical Commissioning Group obtaining the delegated budgets.

Mr Spoerry advised the Board that it would be advantageous if the new system emerged rapidly. GP's, he reported, had taken positive steps and were ahead of the timescale.

The Chairman reported that the Shadow Health and Wellbeing Board would be in operation by the end of 2011.

The following comments arose from the discussion:-

- Concern was raised that expertise would be lost during the transition period and clarity was sought on whether there would be enough expertise remaining in the new shared system. In response, it was reported that employees from public health would TUPE across and local expertise would remain in the new system. The importance of ensuring that there was a reduction in operational costs, whilst retaining the skills and expertise required in the future was noted;
- Clarity was sought on whether the Health and Wellbeing Board (HWBB) would be able to make decisions or recommendations. In response, it was reported that the HWBB under the Local Authority, would be responsible for the health of the population. The public health budget would be transferred and the Authority would be responsible for the strategy and have a lead role working with clinical commissioners;

- It was noted that the size of the clinical commissioning groups had not been specified by the Government. It was also noted that it was important for Merseyside to work together, with good local working relationships and connections;
- Clarity was sought on whether the reforms would result in centres of excellence being located further away. In response, it was reported that Merseyside health services were underpinned by very strong localism. There was a need to change and work together better than previously across the Merseyside area. Standards were also rising constantly. However, the financial situation would need to be recognised and Warrington and Whiston would be required to work closer together sharing services ensuring that there were no duplications. In addition, it was highlighted that difficult decisions would have to be made in the future as the transition progressed;
- Members of the Board emphasised the levels of deprivation and the increase in the elderly population in Halton. Members noted the Cheshire and Merseyside vascular review and the impact it would have on Halton should the current proposal be accepted. It was also noted that the Board felt that there should be three arterial centres and that this issue should be reconsidered and looked at with the health reforms. In response, it was reported that a decision had not been taken as yet and it would be considered in November 2011. In addition, it was reported that Mr Speorry was looking for solutions on how Halton Hospital could be utilised and consideration was also being given to moving some services from Liverpool to Halton.
- Clarity was sought on whether waiting lists would increase as a result of the transition. In response, it was reported that early intervention and prevention was vital. In addition, it was reported that it was important that the HWBB foster and develop a relationship with the clinical commissioners who would be responsible for waiting lists;
- Clarity was sought on the risks associated with the fast pace of the reforms. In response, it was reported that the changes could have an impact on the priorities i.e. improving life expectancy in Halton, retaining the delivery and quality of services and to

continue to improve services. There was also a risk of losing the experience and corporate memory;

- It was noted that there was a provision in the Bill that if the HWBB was not satisfied with the overall performance and it did not meet with the Joint Strategic Needs Assessment then there would be an option to make a referral to the Commissioning Board and the Secretary of State;
- Clarity was sought on how GP's would manage their patients if 30% of their time would be used for commissioning. In response, it was reported that funding would be available from the downsizing to pay for additional GP's to cover the commissioning time; and
- It was noted that the Health Visiting and Child development 0-5 years services would not be transferred to the Local Authority in 2015.

The following questions had been submitted prior to the meeting and the responses circulated at the meeting:-

- 1 In light of the recent poor showing of a major Care Home owner and the Care Quality Commission (CQC) to look after the residents of those homes, do you feel that the Care Home Inspection and Registration Units should be taken back under the control of the Local Authorities who had a great deal of success prior to CQC?

Response

It is not the role of the PCT to take a view on the remit or performance of the Care Quality Commission or Registration Units.

- 2 I feel that the PALS system of overseeing patients complaints has been inferior to the Local CHC system which was PALS predecessor. What will the NHS Cluster do to improve the inferior system?

Response

Subject to the passage of the Health and Social Care Bill, Local HealthWatch organisations would be established in October 2012, and

continue the functions currently provided by Local Involvement Networks (LINKs).

From October 2012, subject to parliamentary approval, Local HealthWatch would also signpost people to information regarding health and social care services. This was one of a range of services currently provided by the PCT Patient Advice and Liaison Services (PALS).

HealthWatch would be the independent consumer champion for the public i.e. service users, citizens, carers and patients – locally and nationally – to promote better outcomes in health for all and in social care for adults.

At local authority level, Local HealthWatch would act as a point of contact for individuals, community groups and voluntary organisations when dealing with health and social care. Local HealthWatch would also have a seat on local HWBB's to influence commissioning decisions by representing the views of local stakeholders. The information that Local HealthWatch gathers on patients' and the public's views and experiences of the NHS would inform HealthWatch England's role in influencing health and social care services at the national level.

The Department of Health was currently asking for views from stakeholders on options for distributing the additional funding to local authorities for local HealthWatch. The consultation on Allocation Options for distribution of additional funding to local authorities for Local HealthWatch, NHS Complaints Advocacy, PCT Deprivation of Liberty Safeguards could be accessed from the Department of Health website:

http://www.dh.gov.uk/en/Consultations/Liveconsultations/DH_128429

This consultation would be open until 24th October.

RESOLVED: That

- (1) Mr Derek Campbell be thanked for his informative presentation; and
- (2) The comments raised be noted.

Note: (Councillor M Lloyd Jones declared a Personal Interest in the following item of business due to her husband being a Non Executive Director of Halton & St Helens Primary Care Trust.)

HEA22 PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 1 OF 2011/12

The Board considered a report of the Strategic Director, Policy and Resources regarding the 1st Quarter Monitoring Report for:

- Prevention and Commissioning Services; and
- Complex Needs.

The following points arose from the discussion:-

- Page 46 – CCC14 – Clarity was sought on the performance being slightly less in comparison to the same period last year.

The Board was advised that the carers figure was reported in the monthly team report and exceptions were also reported to the operational teams. The figure reported carers who had received either an assessment or a review and had received services. A large number of carers would already be in receipt of a service (i.e. DP) and to count against the Performance Indicator they had to have been reviewed in the same financial year. This ensured that the teams conducted timely reviews/reassessments, ensured that all relevant carers could be counted against the performance indicator and also had their care/support package reviewed in line with their needs. A member of performance also met monthly with the operational teams, in order to monitor that regular reviews were taking place for carers and this in turn, increased the figure for CCC14.

- Page 47 – CCC4 – Clarity was sought on performance relating to 581 clients, there being twelve less than the previous year.

In response, it was reported that between one year and the next, a number of clients' packages closed and new clients came on the system to receive services. Between Q1 2010 and Q1 2011, there were 12 less clients. There may be many reasons for this fluctuation. After checking some of the client

records it was found that a client had died in one case and in another the professional support that they received in one year had been closed and therefore they did not appear in the 2011 statistics. It was suggested that the figures were monitored closely in Q2 and if there appeared to be a decline, further investigation would be required in conjunction with the operational team.

- Page 27 – Second Paragraph – Clarity was sought on the £256,000. Information was also sought on the 12 monthly spend/budget profile for the community care budget and what remedial actions were being taken.

In response, it was reported that if the spend remained static for the remainder of the year the projected overspend within community care would be £1.4m. However, it was reported that a recovery plan was in place to dampen the increase in community care and spend in certain areas had started to decrease.

In reply, further details were requested and it was reported that additional information would be circulated to Members of the Board.

- Page 41 – Health Watch – clarity was sought on how partnerships would be undertaken with other Councils.

In response, it was reported that under current arrangements for the Link, the Host organisation was jointly commissioned with St Helens Borough Council. In moving forward with the development of Health watch, commissioners, along with stakeholders, would consider the advantages and disadvantages of working in partnership with other Local Authorities.

- Page 49 – Employees Expenditure – Clarity was sought on the 12 month budget / spend profile and what remedial action was being considered.

In response, it was reported that the main area of staffing overspend in Commissioning and Complex related to the Housing Solutions Team. This was due to sickness and vacant posts and that agency staff had to be recruited to ensure the service continued. However, the vacant posts had now

been filled and all agency staff would be finished by 1st October 2011. In addition, this accompanied with stopping non essential spend in all areas would stop the overspend from rising.

In reply, further details were requested and it was reported that additional information would be circulated to Members of the Board.

RESOLVED: That the report and comments made be noted.

Note: (Councillor M Lloyd Jones declared a Personal Interest in the following item of business due to her husband being a Non Executive Director of Halton & St Helens Primary Care Trust.)

HEA23 UPDATE ON THE DEVELOPMENT OF A HEALTH AND WELLBEING BOARD

The Board considered a report of the Strategic Director, Communities which gave an update on the development of a Shadow Health and Wellbeing Board for Halton and presented the Draft terms of Reference for comment and discussion.

The Board was advised that the Halton Health Partnership (HHP) currently acted as the thematic partnership for the Healthy Halton priority. The Partnership reported into the Halton Strategic Partnership Board as one of the five Specialist Strategic Partnerships (SSPs).

The Board was further advised that the HHP had a strategic responsibility for the Healthy Halton priority and for those elements of work that contributed to the objectives of the Sustainable Community Strategy (SCS) and Local Area Agreement (LAA). The Halton Health Partnership was currently chaired by the Acting Director of Public Health.

It was reported that health priorities were also addressed by the Health Policy and Performance Board and children's health issues were included in the work of the Children's Trust and the Children and Young People's PPB.

It was reported that safeguarding was addressed by the Safeguarding Adults Board (SAB) which reported directly into the Safer Halton Partnership and was a non statutory board. Children's Safeguarding issues were addressed by the Halton Safeguarding Children's Board (HSCB) which was a statutory board that sat alongside Halton's Children's Trust, with each reporting into and providing challenge to the

other. The HSCB, in addition also provided an annual report to the Council's Executive Board.

Following an extensive consultation regarding the Terms of Reference set out in Appendix 1 to the report, it seemed appropriate to set up a Shadow Health and Wellbeing Board in Halton.

The Shadow Health and Wellbeing Board would be responsible for guiding and overseeing the implementation of the ambitions outlined in the Health White Paper as well as providing the strategic direction for the Health priority in Halton.

Formal decision making responsibility would continue to rest with the Council's Executive and the relevant governance bodies of the local health services until new legislation was enacted. Transitional governance arrangements were key in establishing the Shadow HWBB, given that Health and Wellbeing Boards would assume their statutory responsibilities from April 2013. In addition, overview and scrutiny issues would remain an integral independent arrangement within the Health Policy & Performance Board.

In conclusion, it was reported that it was proposed that a Shadow Health & Wellbeing Board would be established in October 2011. This would operate in shadow form and a review would be undertaken 12 months after its commencement and a further report would be presented to the Executive on its progress. The current Health SSP would be disbanded and many of their actions embedded into the new Shadow Board.

The following comments arose from the discussion:-

- It was noted that it was possible that there would be some duplication of roles between the Health PPB and the Health and Wellbeing Board. However, it was also noted that in light of the significant changes this would strengthen the scrutiny process;
- It was noted that elected Members of Halton Borough Council had a corporate responsibility for the people in the Borough;
- Clarity was sought on whether the Health and Wellbeing Board would be subject to the Council's 'Call In' procedure. In reply, it was reported that this information would be circulated to all Members of

the Board;

- It was noted that the Health and Wellbeing Board would be responsible for overseeing the Joint Strategic Needs Assessment (JSNA) and the transfer of public health. It was also noted that the formal transfer of public health would be in 2013 and that the JSNA was a web based document which was refreshed annually; and
- It was suggested that an awareness training seminar on the JSNA be arranged for Members of the Board.

RESOLVED: That

- (1) the report and comments made be noted; and
- (2) a JSNA awareness seminar be arranged for Members of the Board.

Strategic Director
- Communities

HEA24 SAFEGUARDING ADULTS

The Board considered a report of the Strategic Director, Communities which gave Members an update on the key issues and progression of the agenda for Safeguarding Vulnerable Adults.

The Board was advised that Halton's Learning Disabilities Partnership Board had held a Business Planning Event where 'Keeping Safe' had been a key theme. The resulting Business Plan included priorities and actions drawn up during the event around safeguarding vulnerable adults and hate crime/hate incidents, including the following, some of which were already being progressed:

- Help people to understand the danger signs;
- Support for people and staff to understand how to keep safe; and
- Talk to more people who may have been a victim of abuse or hate crime.

The Board was further advised that the following priorities had been drawn up during the event around personalisation and which also had the potential to impact on the way in which we support people to stay safe from abuse and exploitation:-

- Train personal assistants;
- Check that support plans are making a difference to

- people's lives;
- Look at how we can check how good support plans are; and
- Check that people are being supported to become more independent.

It was reported that Safeguarding Adults and Safeguarding Children brief presentations had been incorporated into Halton Borough Council's Corporate Induction Programme from September 2011.

The Board noted the key issues and progressions of the safeguarding agenda set out in paragraphs 3.2 – 3.14 of the report.

The following points arose from the discussion:-

- Concern was raised regarding short term agency staff not having a current CRB. In response, it was reported that this issue would be raised and considered at the Task Group Meeting;
- The mechanisms in place to ensure the safety of individuals who were living independently but were deemed to be vulnerable but did not consider themselves to be so was noted; and
- It was noted that CRB checks were not being abandoned, but the organisation would merge with the vetting and barring system.

RESOLVED: That the report and comments raised be noted.

HEA25 SMOKE FREE PLAY AREAS

The Board considered a report of the Strategic Director, Communities which informed Members of the proposal to make public play areas in Halton Smoke Free and provide Members with an opportunity to comment on the proposal.

The Board was advised that the report set out a proposal to implement a voluntary code to make children's play areas smoke free. The initiative aimed to de-normalise smoking amongst young children and reduce the likelihood of them becoming smokers in the future.

The Board was further advised that 26% of adults in the Borough smoked. Whilst this level had decreased over

recent years the level was still above the national average. Halton's rate of early deaths caused by smoking remained significantly higher than the national average. Reducing the rates of illness and death caused by smoking was one of Halton's key public health priorities. To achieve this objective there was a need to reduce the number of people who smoked. This included initiatives that helped prevent Halton's children from becoming the next generation of smokers.

It was reported that internationally, smoking in public play areas and parks was already prohibited in Spain, Hong Kong, Latvia, Singapore and in cities in Australia, New Zealand, Canada and the USA, including New York and San Francisco.

In the UK Inverclyde Council in Scotland had made all of their play areas smoke free with 90% of residents supporting the initiative. Pendle Council in Lancashire had prohibited smoking in its 57 outdoor play areas and skate parks in 2010.

Furthermore, the Halton Smoke Free Play areas initiative was being undertaken as a partnership between Halton BC, Halton and St Helens PCT, the Heart of Cheshire and the Cheshire & Merseyside Tobacco Alliance (CMTA). Liverpool, Sefton and Knowsley Councils were currently consulting residents with a view to implementing a similar voluntary scheme in their areas.

In conclusion, it was reported that children from Oakfield primary school in Widnes had designed signs and slogans that would be used for the smoke free play areas in Halton. It was intended that the design for these signs would eventually be used across Merseyside by authorities who adopt the scheme.

The following points arose from the discussion:-

- Concern was raised that employees could be at risk when giving advice and guidance to people smoking in play areas as it could create a confrontational situation. In response, it was reported that the survey had indicated a lot of public support for the proposal and the signs would be erected in play areas where children and young people congregated. It was also reported that it would not create conflict as the Wardens would only be highlighting the signs and passing on child friendly literature. In addition, the Wardens had

been issuing Fixed Penalty Notices for a considerable time and were trained with the necessary skills to give advice and deal with aggressive people. It was also reported that Senior Managers had indicated that they would be happy for their employees to take on the additional task;

- It was suggested and agreed that Trade Unions be consulted on the proposal;
- It was noted that the proposal formed part of a comprehensive approach about the dangers of smoking around children i.e the Take Seven Steps Campaign on television; and
- The Members of the Board supported the proposal, in particular the signs in play areas.

RESOLVED: That the Board support the proposal for a voluntary code to make children's play areas in Halton smoke free.

HEA26 PROPOSED SCRUTINY REVIEW OF HOMELESSNESS SERVICES

The Board considered a report of the Strategic Director, Communities which sought support to carry out a scrutiny review of Homelessness Services as outlined in Appendix 1 to the report.

The Board was advised that Councils had a range of duties to those who were homeless or threatened with homelessness in 28 days and at the very least they were obliged to provide advice and assistance on housing options. In addition, it was reported that some households were owed the main homelessness duty, which was the provision of settled accommodation. Local authorities were also expected to implement services to prevent homelessness.

The Board was further advised that to respond to the housing needs of those who were homeless, it was necessary to provide a range of preventative support services. In addition should temporary accommodation should be provided that could be accessed in emergencies until settled accommodation could be found.

It was reported that it was good practice to periodically assess the effectiveness of the services provided and the report sought approval to carry out a scrutiny review of the

Councils duty in respect to homelessness and the services provided in response to that duty.

The Chairman sought nominations from Members of the Board to form a Member led scrutiny working group.

RESOLVED: That

- (1) a working group be established to review the Homelessness Service; and
- (2) the following Members be nominated onto the Working Group:-
 - Councillor E Cargill;
 - Councillor Baker
 - Councillor C Loftus;
 - Councillor M Lloyd-Jones;
 - Councillor J Lowe; and
 - Councillor Wright

Strategic Director
- Communities

Note: (Councillor M Lloyd Jones declared a Personal Interest in the following item of business due to her husband being a Non Executive Director of Halton & St Helens Primary Care Trust.)

HEA27 STANDING ORDER 51

The Board was reminded that Standing Order 51 of the Council's constitution stated that meetings should not continue beyond 9 pm

RESOLVED: That Standing Order 51 be waived to allow the meeting to continue beyond 9 pm.

HEA28 MODEL OF CARE TO DEVELOP A COMPREHENSIVE COMMUNITY LEARNING DISABILITY SERVICES INFRASTRUCTURE FOR ADULTS WITH LEARNING DISABILITIES

The Board considered a joint report of the Strategic Director, Communities and the Primary Care Trust which advised Members of the progress of the implementation of the Model of Care and outlined the next steps.

The Board was advised that in 2008 a review on in-patient and community based learning disability services in the boroughs of Halton, Knowsley, St Helens and Warrington had been undertaken.

It was reported that the review had recommended the

following:-

- That the four boroughs and the PCTs agree to adopt a joint strategy of phased change to locally determine models of service that further enhance community focused support and reduce reliance on specialist learning disability in-patient services and out of area placements;
- That Commissioners ensure that admissions to in-patients units conformed to the admission process set out in Section 14 of the recently agreed service specification;
- That the four boroughs and the PCT agree to a reduction in the number of commissioned in-patient beds, and that these should be placed together for reasons of efficiency, effectiveness and economy, with consideration for the most appropriate location to be subject of further discussion at the Alliance Board;
- That, subject to local resource availability, and based on joint work between the PCT's and the boroughs, early progress be made on the expansion of community services through pump-priming investment;
- That a project was commissioned to review best practice, and provide detailed recommendations, by Autumn 2009 for the further development of community focused services, in relation to the anticipated release of £2m from current in-patient investment; and
- That Commissioners gave consideration to the in-patient bed requirement beyond 2010, in light of the planned expansion of community services, and secure appropriate approvals for decisions in relation to the renewal of the current contract.

Members noted the progress in Appendix 1 and the following recommendations set out in the report:-

- 1 – develop 'model of care';
- 2 – in-patient admissions;
- 3 – reduction of in-patient beds;
- 4 – community services (pump priming);
- 5 – best practice/pathway; and
- 6 – in-patient contractual requirements.

Mr C Bean, Primary Care Trust circulated a copy of the Stakeholder Engagement on the Redesign of Inpatient and Community Health Services for adults with learning disabilities at the meeting.

The following comments arose from the discussion:-

- It was noted that in the current economic climate and the changes in the NHS Reforms that services would need to be shared. However, the importance of ensuring there was adequate services for the people of Halton was also noted;
- Clarity was sought on the reduction of beds and the impact it would have on the people in the Borough. In response, it was reported that beds were being reduced as they were not being utilised. In addition, people were being supported in the community and there was a commitment to ensure that what was commissioned for Halton would meet the needs of the community. It was also reported that the monitoring framework would be more robust;
- The reasons for some young people choosing to go to distant residential colleges and the actions being taken to address this was noted; and
- Clarity was sought on the amber light on Halton's Education Work and Day Opportunities set out on Page 98 of the agenda. It was also suggested that the Board receive an update report on the Employment Practices for Disabled People Scrutiny Review from March 2010. In response, it was reported that this was now green and information on this would be circulated to Members of the Board.

RESOLVED: That

- (1) the progress and the next steps of the implementation of the Model of Care be noted;
- (2) the comments raised be noted.; and
- (3) a progress report on the Employment Practices for Disabled People be presented to a future meeting of the Board.

Strategic Director
- Communities

Meeting ended at 9.25 p.m.

SAFER POLICY AND PERFORMANCE BOARD

At a meeting of the Safer Policy and Performance Board on Tuesday, 20 September 2011 at the Council Chamber, Runcorn Town Hall

Present: Councillors Osborne (Chairman), Wallace (Vice-Chairman), A.Cole, Fraser, J. Gerrard, M Lloyd Jones, N.Plumpton Walsh, M. Ratcliffe, Thompson and Hodson

Apologies for Absence: Councillor Edge

Absence declared on Council business: None

Officers present: M. Andrews, L. Derbyshire, S. Doore, J. Hunt, P. McWade and H. Moir

Also in attendance: In accordance with Standing Order 33, Councillor D Cargill, Portfolio Holder – Community Safety

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

SAF12 MINUTES

The Minutes of the meeting held on 14 June 2011 were taken as read and signed as a correct record subject to Minute No SAF4, 7th paragraph be amended to read:

“The Chairman reported that a consultation exercise had been previously undertaken with approximately 250 residents in the area. The results of the consultation exercise had highlighted that the majority of residents supported the installation of the alleygates.”

SAF13 PUBLIC QUESTION TIME

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

SAF14 SSP MINUTES

The minutes from the last Safer Halton Partnership (SHP) Meeting held on the 10 May 2011 were presented to the Board for information.

Action

The Chairman drew the Board's attention to SHP56 and the significant cost of the introduction of a Police and Crime Commissioner from the Cheshire budget. It was noted that this funding could have been used to benefit the community.

RESOLVED: That the report and comment raised be noted.

SAF15 SAFEGUARDING ADULTS

The Board considered a report of the Strategic Director, Communities which gave Members an update on the key issues and progression of the agenda for Safeguarding Vulnerable Adults.

The Board was advised that Halton's Learning Disabilities Partnership Board had held a Business Planning Event where 'Keeping Safe' had been a key theme. The resulting Business Plan included priorities and actions drawn up during the event around safeguarding vulnerable adults and hate crime/hate incidents, including the following, some of which were already being progressed:

- Help people to understand the danger signs;
- Support for people and staff to understand how to keep safe; and
- Talk to more people who may have been a victim of abuse or hate crime.

The Board was further advised that the following priorities had been drawn up during the event around personalisation and which also had the potential to impact on the way in which we support people to stay safe from abuse and exploitation:-

- Train personal assistants;
- Check that support plans are making a difference to people's lives;
- Look at how we can check how good support plans are; and
- Check that people are being supported to become more independent.

It was reported that Safeguarding Adults and

Safeguarding Children brief presentations had been incorporated into Halton Borough Council's Corporate Induction Programme from September 2011.

The Board noted the key issues and progressions of the safeguarding agenda set out in paragraphs 3.2 – 3.14 of the report.

The following points arose from the discussion:-

- Clarity was sought on what safeguarding measures were in place in private care homes. In response, it was reported that the Quality Assurance Team set out the standards in the contract and were responsible for undertaking risk assessments and monitoring the establishments. There was also a robust recording process in place to deal with any concerns that may arise. In addition, if a concern had been raised, the team would undertake home visits and consult with families and care managers to ensure the issue was dealt with quickly. It was also reported that some care and support was funded by the NHS Trust / PCT who also had contractual standards and an overarching Safeguarding policy embedded in their service to deal with such matters;
- It was suggested that a report be presented to a future meeting of the Board on the policy and the contracts that were in place for care homes. The Members of the Board indicated that they would like to review the contracts and how they were formulated. It was also suggested that the contract should include that Elected Members could undertake regular visits.

RESOLVED: That

- (1) the report and comments made be noted; and
- (2) a report be presented to a future meeting of the Board on the care home contracts and the people assessing the care homes.

Strategic Director
- Communities

SAF16 DOMESTIC ABUSE AND SEXUAL VIOLENCE

The Board considered a report of the Strategic Director, Communities which gave Members an update in relation to the activities being supported across the Borough on domestic abuse and sexual violence.

The Board was advised that domestic violence and abuse could be experienced regardless of race, gender, age, disability, sexuality and lifestyle. It was reported that at least 1 in 4 women and 1 in 6 men would experience domestic abuse in their lifetime, whilst 750,000 children would witness it per year. Tackling domestic abuse and sexual violence was vital to building stronger, safer and healthier communities.

The Board was further advised that Halton Domestic Abuse Forum (HDAF) had been established and was a multi agency partnership across statutory and voluntary agencies working to increase the safety of victims and take steps to reduce repeat victimisation common with domestic abuse and sexual violence. A number of initiatives locally had also been supported and implemented. The Portfolio Holder for Community Safety was also an important member of the Forum.

It was reported that many victims of domestic violence were reluctant to pursue the prosecution of perpetrators as it could put them at risk of further incidents in the future. Victims were also known to be reluctant to speak in court because of their relationship with the perpetrator, particularly where children were involved. In addition, it was reported that many feel vulnerable and intimidated and find the prospect of going to court daunting.

In order to address this issue, the SDVC (Specialist Domestic Violence Court) had been established to tackle the problem of low levels of prosecutions for domestic violence cases. Halton SDVC aimed to provide an increased level of support to victims to address the issues of victims withdrawing for the criminal justice system.

It was also reported that on the 14th April 2011, it had become a statutory duty to conduct Domestic Homicide Reviews (DHR). A Multi-Agency Domestic Homicide Review process for Halton was currently in draft, which would ensure that Halton was able to respond to the need should a Domestic Homicide take place in the Borough.

Furthermore, it was reported that during quarter one 42 cases were discussed at the Multi Agency Risk Assessment Conferences (MARAC) involving 31 children. Increasingly younger victims and perpetrators were coming to the attention of the MARAC, and Connexions were also offering additional support to young people through the Sexual Health Team.

During quarter one of this year 218 incidents of domestic abuse had been reported from the Halton area to Cheshire Constabulary. This represented a reduction of 100 compared to the same period for 2010-11.

There had also been a significant reduction in the incidents of domestic sexual offences during this quarter with only one being recorded compared to 10 during the same period on 2010-11.

In conclusion, it was reported that in order to work toward nationally recognised guidelines, (to increase referrals to MARAC from agencies other than the Police), DASH (Domestic Abuse, Stalking and Harassment and Honour based Violence) training had been offered free of charge to a number of partnership agencies and teams across Halton to raise awareness of the risk assessment tool and encourage increased usage.

The following points arose from the discussion:-

- The reduction in the incidents of domestic abuse reported from the Halton area to Cheshire Constabulary compared to the same period for 2010-11 was noted. It was also noted that the figures only represented a small number of people as there was a considerable number of repeat offenders. In addition, the importance of magistrates giving increased penalties for repeat offenders was noted;
- It was suggested and agreed that information be obtained from the court on sentences and offences;
- It was noted that nationally a significant number of people were not reporting incidents of domestic violence. It was also noted that in the current economic climate it was possible that the number of domestic violence incidents could increase;
- It was noted that domestic violence was strongly linked to alcohol abuse. The Board acknowledged the work that was being taken to address this matter;
- The issue relating to the offenders and the offended remaining in the relationship was noted. In addition, it was suggested that it would be interesting to identify how many repeat offenders had remained in

the same relationship; and

- It was reported that the courts had numerous leaflets for victims and witness. It was suggested that they could be more pro active and these could be given to people when they arrived at the court, rather than just being on display.

RESOLVED: That the report and comments raised be noted.

SAF17 COMMUNITY SAFETY

The Board considered a report of the Strategic Director, Communities which gave Members an update on a range of community safety issues.

The Board was advised of the issues relating to the following:-

- Future funding 2012/2013;
- The Governments approach to community safety and policing;
- The ASB Tools and Powers Review;
- The new powers to tackle gang problems;
- The new 'RESPECT' standard for housing providers;
- The key points of cutting crime together;
- Community Safety Partnerships; and
- Police Crime Commissioners.

The following points arose from the discussion:-

- It was noted that the new Respect Charter had been launched in Harrogate on 22 June 2011 and it was agreed that a link be provided to Members of the Board for information;
- It was noted that the introduction for the Police Crime Commissioner would now be in November 2012. It was also noted that the Chief Executive of Halton Borough Council would be the Returning Officer for this area;

- It was agreed that the Topic Group consider the new Respect Standard for Housing Providers for private landlords;
- It was noted that Cheshire Police had not incurred any costs as a result of the riots;
- It was noted that there was co-operation between the various police forces on a regular basis i.e. the Olympics in 2012. In addition, they could rapidly respond on an ad-hoc basis as the situation required;
- It was noted that £1.9m had been collected out of the proceeds of crime. It was also noted that a small percentage of these proceeds were re-invested in the police service; and
- It was suggested and agreed that the statistics on prolific offenders would be obtained from the court and be circulated to Members of the Board.

After considerable discussion, the Board agreed that a letter of objection to the cost of the introduction of the Police Commissioners be sent to the Home Office on behalf of the Board.

The Chairman reported that a request had been received for the Board to consider and review the parking on match days in Halton. He added that the Board could also consider the police plan when reviewing this matter.

RESOLVED: That

- (1) the report and comments raised be noted; and
- (2) a report of parking issues on match day be presented to a future meeting of the Board.

Strategic Director
- Communities

SAF18 COMMUNITY ENGAGEMENT STRATEGY

The Board considered a report of the Strategic Director, Communities which informed Members of the development and adoption of the partnership's Community Engagement Strategy and associated action plan.

The Board was advised that this was the second Community Engagement Strategy that the Halton Strategic Partnership had developed. The first had been approved in

2005 and laid the foundation for improved Community Engagement in Halton. The purpose of this strategy was to build on the foundations created by the first strategy to create a comprehensive partnership approach to community engagement.

The Board was further advised that the strategy had been developed over the last twelve months with input from all partnership agencies and with significant resident involvement. The strategy and action plan was set out in Appendix 1 to the report.

The report gave details of the five objectives:-

- Citizen – focused local decision making;
- Accessible and inclusive engagement;
- Open, Efficient and Effective Engagement;
- Innovative Engagement; and
- Using and Responding to Citizen-initiated Engagement.

It was noted that Elected Members already undertook such activities in the community and the strategy was to enable Officers to be more aware of and have a clearer understanding of the role of the Elected Member.

The Chairman emphasised the importance of Officers contacting the appropriate Ward Councillor of any activities / proposed actions that would be taking place in their wards, prior to the action being taken.

RESOLVED: That

- (1) the report and comments raised be noted; and
- (2) the Community Engagement Strategy and Action Plan be supported.

SAF19 PERFORMANCE MONITORING REPORTS

The Board considered a report of the Strategic Director, Policy and Resources regarding the First Quarter Monitoring Reports for 2011/12 from, April to June 2011 for:-

- Communities Directorate – Community Safety, Drug & Alcohol Action Teams, Domestic Violence and Environmental Health (Extracts); and
- Area Partner indicators from the Police, Fire and Probation Services were stated where available.

Strategic Director
- Communities

It was noted that questions had been submitted prior to the meeting and responses provided which had been circulated at the meeting and would be attached as Appendix 1 to the minutes.

Clarity was sought on whether one crime number was being used for several crimes in order to keep the crime numbers down. In response, it was reported that each crime should have an individual crime number.

The Board noted that there was no longer a national performance indicator for serious acquisitive crime (previously NI 16) which included, domestic burglary, robbery and the theft of cars and theft from cars (reference CCC25 Page 83 refers). However, it was reported that these incidents were monitored by the police. In addition, it was agreed that the statistics for the theft of cars and theft from cars would be circulated to Members of the Board.

RESOLVED: That the report and comments / questions raised be noted.

SAF20 ANNUAL REPORT SAFER POLICY AND PERFORMANCE BOARD 2010-11

The Board considered a report of the Strategic Director, Communities which presented the Annual Report for the Safer Policy and Performance Board for April 2010-March 2011 attached as Appendix 1 to the report.

The Chairman of the Board reported that safety and people's perception of being safe in all its form remained a major issue in Halton. The Board had, and would continue to focus its energy on making Halton residents feel safe. He took the opportunity to offer his sincere thanks to Board members who had worked hard to this end.

The Chairman reported that the Board had a very challenging programme of monitoring, scrutiny, and policy development, because 'Safer Halton' was a truly cross-cutting agenda. The Board, he reported was making a considerable contribution to improving the way the Council and its partners worked together to improve the quality of life for people in Halton.

Councillor Osborne, took the opportunity to thank everybody who had contributed to the work of the Board in 2010/11 and to Members who had given up their time to serve on Topic Groups. In addition, he offered particular

thanks to Cllr P Wallace and to Mr B Hodson from the Police Authority for their help and support during the last 12 months.

RESOLVED: That the report and comments raised be noted.

Meeting ended at 7.50 p.m.

ENVIRONMENT AND URBAN RENEWAL POLICY AND PERFORMANCE BOARD

At a meeting of the Environment and Urban Renewal Policy and Performance Board on Wednesday, 14 September 2011 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Hignett (Chairman), J. Gerrard (Vice-Chairman), Baker, J. Bradshaw, E. Cargill, Hodgkinson, A.McInerney and Zygadlo

Apologies for Absence: Councillor Nolan, Thompson and Wainwright

Absence declared on Council business: None

Officers present: M. Noone, G. Ferguson, J. Unsworth, J. Briggs and I Boyd

Also in attendance: Chris Adam Halton Transport, John Rimmer - Arriva Manchester and Councillor McDermott.

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

Action

At the start of the meeting Councillor McDermott introduced himself as the Scrutiny Co-ordinator and gave a brief outline of his role. A seminar focussing upon scrutiny would be held 20th September 2011 and all members had been invited to attend.

EUR15 MINUTES

The Minutes of the meeting held on 15th June 2011 having been printed and circulated were signed as a correct record.

EUR16 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

EUR17 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.

In respect of Minute No EXB18 Halton Core Strategy

– Submission to the Secretary of State, Councillor Bradshaw advised that he had submitted a number of comments which had not been included due to timescales. It was agreed that this would be looked into and a response provided to Councillor Bradshaw. Arising from the discussion the Board was advised that a recent Enterprise Zone award for Daresbury Science and Innovation Campus would result in the requirement for a Local Development Order. There would be full consultation on the Local Development Order.

RESOLVED: That the Minutes be received.

EUR18 PERFORMANCE MANAGEMENT REPORTS FOR QUARTER 1 OF 2011/12

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

- Economy, Enterprise and Property (Development and Investment)
- Policy, Planning & Transportation (Highways & Transportation, Logistics & Transport Management, and Building Control and contaminated Land)
- Environment & Regulatory Services (Waste & Environmental Improvement & Open Spaces)
- Commissioning & Complex Care (Housing Strategy)

In receiving the first quarterly monitoring reports, Councillor Hodgkinson submitted the following questions:

Question 1

How does the 5th column in the revenue budget help Councillors to understand whether the budget is likely to be over or under spent at the end of the financial year?

Response

Ed Dawson responded direct to Cllr Hodgkinson on this matter with a detailed explanation on the 9th September. This column, inserted into budget data for the purposes of operational management, would be removed from future reports as it was recognised that it may not be appropriate for the purposes of Members at PPB's and may cause unnecessary confusion.

Question 2

Why are there 25 key performance indicators that are unable to be reported at this time?

Response

12 of the indicators related to data on modes of transport for children travelling to school which was captured through an annual school survey. The details of the latest 2010 – 11 survey were not yet available from the Department of Education although it was anticipated that this would be available for the Quarter 2 reporting period.

Additionally those remaining indicators were subject to annual surveys / collection, e.g. condition of roads, previously developed land etc. For future reports information would only be included for those measures where data was available.

Question 3

Why is our KSI target for 2011 – 12 worse than the previous year?

Response

This measure was based upon a five year rolling average. In setting future targets account has to be taken of years where casualties were disproportionately low (for example, 2009 saw only 4 as compared to figures that generally fall within a low double figure range).

Additionally, the recent removal of the Road Safety Grant had led to a halving of road safety officer numbers and other government cuts have meant the abandonment of the Safe Routes to School programme which may have negative consequences in terms of this measure.

Question 4

The commentary for PPLI 25 (mode of travel to school) does not contain 2010 – 11 data – why is this still not available?

Response

Please refer to para 1 in question 2 above.

It should be noted that the DfE has very recently announced its decision to remove the question about how children travel to school from the annual school census. It follows that data for the current year (2011 – 12) was unlikely to be collected which was likely to have implications for school travel planning.

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

(NB: Councillor A McInerney declared a Personal Interest in the following item of business as her husband is an employee of Halton Transport).

EUR19 LOCAL BUS SERVICE NETWORK

The Board received a report from the Strategic Director Policy and Resources which provided details on the overall vision for public transport provision in Halton and the goals that had been set in order to achieve this. In addition the report highlighted recent bus service changes affecting the public transport network within the Borough and other relevant challenges and issues currently being encountered which included:

- since April 2011 changes to the network had seen service reductions in terms of frequency and route coverage and some services had been withdrawn;
- bus operators had reported that fuel had increase on average 13.5% during the past year and was one of the main contributors to commercial services being reduced or withdrawn;
- with effect from April 2012 Bus Service Operators Grant would be reduced by 20% and operators may reduce commercially operated mileage or increase fare levels;
- bus operators had reported an increase in insurance costs;
- there had been a 15% reduction in the approved revenue budget for Supported Bus Services for 2010/11;
- as a result in the reduction the Council had had to withdraw 12 local bus contracted services; and
- the annual grant issued by the Council to Halton Community Transport had reduced by £40,000 resulting in the introduction of fares on services.

Members were advised on a number of potential measures that could be considered or explored to address the reductions in bus services.

In addition to service changes, the future of the Real Time Passenger Information (RTPI) system needed to be considered. The current system was delivered in partnership with Merseytravel. However Merseytravel were now in the

process of procuring a new RTPI system which would render the current system obsolete. Therefore Merseytravel had decided to de-commission the current system by March 2012 at the latest. The three options available to the Council were detailed in the report with the cost of each and were briefly as follows:

- upgrade the current system to operate as a bespoke system to Halton;
- continue working in partnership with Merseytravel; and
- to discontinue the RTPI system on a permanent basis.

Chris Adam and John Rimmer attended the meeting on behalf of Halton Transport and Arriva Manchester respectively; and discussed with Members the difficulties facing bus companies at the present time and in the coming months.

RESOLVED: That

1. the Council's vision for public transport be noted;
2. the recent changes to the bus service network within the Borough and the potential effect further reductions could have on the public transport network and passengers as outlined in the report be noted; and
3. the measures that could be used to address the impacts of reductions in bus services be noted.

(NB: Councillor A McInerney declared a Personal Interest in the following item of business as her husband is an employee of Halton Transport)

EUR20 PETITION REGARDING NUMBER 17A BUS

The Board was advised that a petition had been received from residents of Claremont Avenue, Claremont Drive, Derby Road, Marsh Hall Road, Windermere Avenue and Windermere Street, Widnes, in connection with the withdrawal of the commercially operated No 17A bus service from the Derby Road and Lunts Heath Road sections of route in Widnes. The petition was signed by 88 residents and highlighted that the majority of people who use the bus service were elderly and that accessing alternative services at other bus stops would prove extremely difficult.

Members were advised that Halton Transport had recently made the commercial decision to withdraw the 17A service. Halton Transport had provided passenger figures for the service on this route and on average it amounted to five passenger journeys on a daily basis. In order for the previous service to be reinstated it would cost the Council £40,000.

It was reported that as an alternative to the 17A service Halton Community Transport operated a Dial-a-Ride service which was open to residents with disabilities or those who find difficulty in using conventional public transport.

On behalf of Halton Transport Chris Adam discussed with Members the issues around the withdrawal of the 17A service.

In addition it was noted that discussions were ongoing with Arriva St Helens with regard to the potential to divert the current 33A service along this route.

RESOLVED: That

- (1) the issues raised by the petition and the request for the service to be reinstated be noted;
- (2) the Board note that if the reinstatement of the service were to be funded by the Council it would cost £40,000 per annum for which there is no currently identified budget and consequently agree that the Council is unable to fund the reinstatement of the service;
- (3) the Board note the potential alternatives available to bus users; and
- (4) the lead petitioner be informed of the outcome of the Board's consideration of the matter.

Meeting ended at 7.25 p.m.

CORPORATE POLICY AND PERFORMANCE BOARD

At a meeting of the Corporate Policy and Performance Board on Tuesday, 6 September 2011 in the Civic Suite, Town Hall, Runcorn

Present: Councillors A. Lowe (Chairman), Roberts (Vice-Chairman), Browne, Dennett, Gilligan, C. Loftus, A.McInerney, N.Plumpton Walsh and Redhead

Apologies for Absence: Councillor Philbin

Absence declared on Council business: Councillor Kevan Wainwright

Officers present: M. Reaney, A. Jones, I. Leivesley and H. Coen

Also in attendance: None

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

	<i>Action</i>
CS10 MINUTES	
<p>The Minutes from the meeting held on 10 May 2011 were taken as read and signed as a correct record.</p>	
CS11 PUBLIC QUESTION TIME	
<p>It was reported that no public questions had been received.</p>	
CS12 EXECUTIVE BOARD MINUTES	
<p>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.</p> <p>RESOLVED: That the minutes be noted.</p>	
CS13 SSP MINUTES	
<p>The draft minutes relating to the Corporate Services Portfolio which will be considered by the Halton Strategic Partnership Board at their next meeting were presented to the Board for information.</p>	

RESOLVED: That the minutes be noted.

CS14 COMMUNICATIONS & MARKETING REPORT ON PUBLICISING THE MARKETS

The Board received a report from the Strategic Director Policy and Resources which provided a summary of the recent marketing activities carried out on behalf of Widnes Market.

It was reported that the traders and stakeholders observations and desires over a number of months were collated by the Communications and Marketing Department, in conjunction with the Markets Manager to produce the marketing plan for 2011-12. It was clear following this exercise that the emphasis should be on promotions rather than advertising, as a way of encouraging people to the market.

Events to date had included an Easter promotion, Street Market art and "Widnes on Sea". The latter had proved to be a particularly successful event with an extra footfall of 7000 when compared to the same period last year.

Future planned events would include "Link to My Halton Foody Fortnight", "British Food Fortnight", a Cancer awareness promotion and Widnes Market charity fundraising calendar. Christmas promotions would include an outdoor Christmas market and Santa's Grotto.

It was commented that the work to promote the market would continue and the Chair invited Members to participate in the Markets working group.

RESOLVED: That the report be noted.

CS15 CORPORATE PLAN

The Board received a report from the Strategic Director Policy and Resources which provided Members with a further opportunity for overview and scrutiny of the new Draft Halton Corporate Plan 2011-2016.

It was noted that the Corporate Plan set out the goals the Council wanted to achieve to help build a better future for Halton; it redefined priorities and explained how we would deploy our resources. The Corporate Plan also presented the Council's contribution to the delivery of the Sustainable Community Strategy (SCS) 2011-26.

Members confirmed their agreement with the draft Corporate Plan and that it should be referred to the Executive Board for adoption.

RESOLVED: That the Board recommended that the Draft Corporate Plan be adopted by the Executive Board.

Strategic Director
- Policy &
Resources

CS16 QUARTER 1 MONITORING REPORTS

The Board received a report from the Strategic Director Policy and Resources which presented the performance management reports for quarter 1 of 2011-12.

The Board were requested to consider and raise any questions or points of clarification in respect of the reports, which detailed progress against service objectives/milestones and performance targets, and described factors affecting the service for the following:

- Policy & Performance;
- Financial Services;
- Legal & Democratic Services;
- ICT & Support;
- Learning & Development;
- Property Services; and
- Catering, Stadium & Registration Services.

The following points were made by Members following discussions:

Financial Services

3.0 Emerging Issues – Audit and Operational Finance Division – Feedback was requested with regards to the status of the liability surveys that had taken place in August 2011.

It was noted that a report in relation to insurance costs resulting from highway claims would be submitted at a future meeting of the Board.

RESOLVED: That the quarter one Performance Management reports and comments made be noted.

Strategic Director
- Policy &
Resources

CS17 PERFORMANCE MANAGEMENT FRAMEWORK

The Board received a report from the Strategic Director Policy and Resources which updated Members on the progress in the review of the Council's existing Performance Management and monitoring arrangements.

Members were reminded that due to the changes to the National Performance Frameworks: (National Indicator Set; the Local Area Agreement and the Comprehensive Area Assessments), the Council had been afforded some degree of flexibility concerning the development of future performance management arrangements. These changes would reflect a transition away from authorities being performance managed by central government to being held account at a local level.

It was noted however that the national inspection framework for Children's Services and Adults Social Care by OFSTED and CQC would remain in place and therefore would still need to be supported. Similarly, performance data would continue to be submitted as prescribed in the national single data set.

Members were provided with the opportunity to consider a future preferred approach towards the performance management and monitoring arrangements, an example of which was attached for reference. It was proposed that these would consist of three tiers as follows:

- Priority based performance reports for each of the Council's six corporate priorities in 2012/13 for each Policy and Performance Board;
- Directorate Overview Reports on a quarterly basis, and progress against the Corporate Plan on a six monthly basis for 2012/13; and
- The continued availability of existing departmental focused performance reports for operational management purposes which would be made available to Members via the Council intranet.

These were discussed and Members gave positive feedback and agreed with the new formats.

RESOLVED: That the Corporate Policy and Performance Board note the content of the report; and recommends to the Executive Board that:

- 1) The development and use of a priority based performance report for each of the Councils six corporate priorities in 2012/13, for each Policy and Performance Board be approved;
- 2) The presentation of Directorate Overview Reports on a quarterly basis and progress against the Corporate Plan on a six monthly basis for 2012/13 be approved; and

- 3) The availability of existing departmental focused performance reports for operational management purposes be continued and made available to Members via the Council intranet, as advertised in the Members bulletin.

Meeting ended at 7.20 p.m.

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BUSINESS EFFICIENCY BOARD

At a meeting of the Business Efficiency Board held on Wednesday, 28 September 2011 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Leadbetter (Chairman), M Lloyd Jones (Vice-Chairman), Balmer, Browne, Howard, A. Lowe, McDermott, Macmanus, Philbin and Rowe

Apologies for Absence: Councillor Roberts

Absence declared on Council business: None

Officers present: L. Cox, B. Dodd, E. Dawson, I. Leivesley, M. Lloyd, M. Simpson, C. Williams and M. Murphy

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

BEB12 MINUTES

The Minutes of the meeting held on 29 June 2011 were taken as read and signed as a correct record.

BEB13 PROCUREMENT STRATEGY HALF YEAR REVIEW

The Board considered a report of the Strategic Director, Policy and Resources which set out progress made to date on the delivery of the Council's Procurement Strategy.

The delivery Plan, which set out the improvements made to date, was appended to the report for consideration in addition to an outline of how the division will deliver the elements of work in progress.

The report provided information on progress overview, business community support, business engagement improvement, internal change, savings and school trading.

It was reported that the next stage was to inform the wider workforce, and to do this the division would facilitate

Action

workshops and drop in sessions to explain the procurement practice and 'The Chest' E Portal system, which sources quotations and processes tenders. It was further noted that training for school governors would also be provided.

It was further reported that activity through 'The Chest' had been audited and 38% of contracts over £50,000 had been awarded to local businesses. In relation to Building Schools for the Future (BSF) it was noted that contractors were encouraged to sub-contract to local companies, and this was being monitored through a Key Performance Indicator.

Members were advised that the procurement division had achieved its target of a saving of £600,000 in year 1, and was over half way to achieving the target for 2012/13.

In relation to the School Trading pilot it was reported that evidence from the pilot demonstrated how schools could considerably improve their procurement practice. The Board was advised that a full Trading Service would be offered to schools as of April 2012.

RESOLVED: That the progress made to date be noted.

(NB: Councillor MacManus declared a personal interest in the following item of business due to being employed by a company carrying out work for the Audit Commission. Councillor McDermott declared a personal interest in the following item of business due to being Chair of Mersey Gateway Group.)

BEB14 2010/11 ABSTRACT OF ACCOUNTS, ANNUAL GOVERNANCE REPORT AND LETTER OF REPRESENTATION

The Board considered a report of the Operational Director, Finance which sought approval of the Abstract of Accounts and set out the Audit Commission's 2010/11 Annual Governance Report and presented the Letter of Representation for approval.

Members were advised that the Abstract of Accounts, which detailed the Council's financial performance for the year in terms of revenue and capital spending and presented the year-end financial position, could not be signed off until the Annual Governance Report had been considered.

It was reported that the format of the Abstract was heavily prescribed by the Accounts and Audit Regulations and the Code of Practice on Local Authority Accounting (The Code). It was noted that for the first time the Abstract had been prepared in full compliance with the International Financial Reporting Standards (IFRS) following the two year transition period. As a result there had been significant changes to the financial statements and notes to the accounts, presented with the Abstract. It was further noted that the adoption of IFRS meant that some amounts presented in the 2009/10 Abstract differ from the equivalent figures shown in the 2010/11 Abstract.

The Board was advised that in overall terms the Council had underspent its 2010/11 budget by £120,000. In addition, the Council received an additional £72,000 of Government grant income, therefore the net result was that General Fund Balances would increase by £192,000 to £7,367,000.

The key elements of the Abstract were outlined in the report for Members' consideration as follows:

- Capital expenditure;
- School balances;
- Transition to IFRS;
- Comprehensive income and expenditure account;
- Council's balance sheet as of 31st March 2011;
- Movement in reserves statement;
- Cashflow statement;
- Notes to the core financial statement;
- Collection fund;
- Group accounts; and
- Statement of responsibilities.

The Board discussed these areas and considered the Abstract of Accounts in detail, robustly scrutinising its contents. In particular the following points were noted:

- With regard to equal pay, additional provision had been made and this was now considered sufficient to cover the potential costs;
- In relation to pension fund liability it noted that the pension calculation as at 31 March 2011 reflected the change and had reduced from £121.95m to £60.34m.

Members moved on to consider the Annual Governance Report which was set out in two parts, the Audit opinion and financial statements, and the review of the

arrangements for value for money.

Appended to the report for information and approval was the Letter of Representation from Mike Thomas, District Auditor. Members agreed to approve the Letter.

The Annual Governance report set out the Opinion, audit risks, significant weaknesses in internal control, quality of financial statements and recommendations.

It was reported that an unqualified audit opinion would be provided. Members were advised of two material errors identified, neither of which affected the reported year end financial position. It was further noted there was excellent liaison with officers during the audit with full and prompt responses to audit queries and good quality working papers were provided to support the entries in the account.

Members were advised of two further errors which the accounts department had decided not to amend as set out in the letter of representation. External Audit was satisfied with the reasons and the explanations as to why the errors were not being amended.

Arising from the discussion Members further considered the accounting arrangements associated with Mersey Gateway.

The Board acknowledged the amount of work carried out to produce the Abstract of Accounts and wished to place on record their thanks and congratulations to the Audit Commission and officers involved in the process.

RESOLVED: That;

- 1) The Audit Commission's 2010/11 Annual Governance Report in Appendix 1 be received;
- 2) The 2010/11 Abstract of Accounts be approved; and
- 3) The Letter of Representation in Appendix 2 be approved.

Operational
Director - Finance

(NB: Councillor MacManus declared a personal interest in the following item of business due to being employed by a company carrying out work for the Audit Commission.)

BEB15 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.

BEB16 INTERNAL AUDIT PLAN - QUARTER 1

The Board considered a report of the Operational Director, Finance which provided a summary of internal audit work carried out during April to June 2011.

The report set out key issues and recommendations arising from the audits, details of other work completed by Internal Audit in the Quarter and the results of the work undertaken following the implementation of previous Internal Audit recommendations. The Board considered progress made against the Audit Plan and executive summaries of reports issued during Quarter 1.

RESOLVED: That the Internal Audit work completed

for Quarter 1 be noted.

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Meeting ended at 8.12 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 15 August 2011 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), Balmer, J. Bradshaw, A.Cole, Gilligan, Hignett, Hodgkinson, Leadbetter, McInerney and Osborne

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, T. Gibbs, A. Cross, A. Plant, J. Farmer, R. Wakefield, P. Shearer and R. Cooper

Also in attendance: Councillors Fry, Rowe and K Loftus and 81 members of the Public

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

	<i>Action</i>
<p>DEV12 MINUTES</p> <p>The Minutes of the meetings held on 4 July 2011, having been printed and circulated, were taken as read and signed as a correct record.</p>	
<p>DEV13 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE</p> <p>The Committee considered the following applications for planning permission and, in accordance with its powers and duties, made the decisions described below.</p>	
<p>DEV14 - 11/00044/FUL - PROPOSED DEMOLITION OF EAST LANE HOUSE AND TERRITORIAL ARMY CENTRE AND THE DEVELOPMENT OF A RETAIL STORE (USE CLASS A1), CAR PARKING, SERVICING A PETROL FILLING STATION AND ASSOCIATED LANDSCAPING AT EAST LANE, RUNCORN</p> <p>The consultation procedure undertaken was outlined in the report together with background information in respect of the site.</p>	

It was reported that in addition to the objection received from the current owners of Halton Lea, Runcorn One Ltd, an additional letter had been received from the Solicitors acting on behalf of Runcorn One, Olswang, which concluded that the Committee report was flawed and contained errors of planning law and thus, a decision to approve the application could be challenged in the Courts. A further letter had been received from them the day of the meeting confirming these views.

Officers provided Members with a document titled 'Addition to Agenda Report Conclusion' which provided clarification of the planning policies pertinent to this application (specifically, with reference to PPS4).

It was further reported that additional comments had been received from Highcross Strategic Advisors, who represented the owners of Grosvenor House, who had written to support the proposal as it would result in highway improvements which would improve the attractiveness of their property to potential investors.

It was noted that the highway engineers had recommended additional conditions as follows:

- Retaining walls details;
- A car parking management plan;
- A site services plan to manage deliveries to and from both the service yard and the filling station;
- A construction management plan for the building demolition;
- Before development begins, details of alterations to surrounding adopted highways on north way, east lane and crown gate, to be carried out to agreed timetable;
- Before development details of pedestrian and cycle linkages east land to Rhoehampton Drive and Alexander House and Sorting Office; and
- Details of management company response for highway landscaping.

The Committee was then addressed by Mr Daniel Lampard, a representative from Runcorn One, who spoke against the proposal, citing that this development would undermine the ability of Runcorn One to invest and improve Halton Lea and that it would ultimately divert traffic away from the centre, which would impact upon the retailers.

Mr Chris Edge, a representative for the applicant, then addressed the Committee speaking for the proposal.

He disagreed that the proposal would divert traffic from Halton Lea and advised that an enhanced footbridge would be built leading to Halton Lea providing easy access for shoppers. He stated that 230-240 jobs would be created and that competition with Asda would have a positive impact upon the area.

Members debated the proposal taking into consideration the additional information provided. Although there were differences of opinion of the potential impact the development may have on Halton Lea, the Committee agreed that the advantages the development would bring, such as employment and regeneration, must be taken into consideration and that these outweighed any material considerations.

RESOLVED: That the application be approved subject to the following, notwithstanding the clear policy advice contained within PPS4 Policy EC17.1, the Committee felt that the benefits which would be derived by approving the application through employment generation and regeneration outweighed this policy advice and consequently:-

- a) delegated authority be given to the Operational Director Planning, Policy and Transportation, in consultation with the Chair and Vice Chair, to approve the application subject to conditions referred to below and legal agreement* and the application not being called in by the Secretary of State; and

**Section 106 for the submission of financial contributions towards highway, environmental and regeneration improvements and demolition of the existing office building within 12 months of the grant of planning permission.*

- b) The conditions, referred to above are:

1. 3 year implementation (BE1);
2. Amended plans (BE1 + BE2);
3. Provision of full details of a replacement footbridge located at the north west of the site. Such details to be implemented within an agreed timescale with the Local Planning Authority (BE1, BE22, TP12, TP6, TP7);
4. Materials submission prior to development beginning (BW2);
5. Boundary treatment details, including the gabion wall on the East Lane and Crowngate frontage,

- submission prior to development beginning (BE22);
6. Tree Protection measures during construction (BE1);
 7. Landscaping Scheme including retention of hedgerow on northern and eastern boundaries of the site and replacement of missing sections, submission prior to development beginning (BE1);
 8. Ecological and bat protection (BE1);
 9. Provision of bat and bird boxes as part of the development (BE1);
 10. Ground Investigation submission prior to development beginning (PF14);
 11. Details of a surface water drainage scheme, based on sustainable drainage principles to be submitted and agreed prior to development beginning (BE1);
 12. Submission of scheme for the management of overland flow from surcharging of the on-site surface water drainage system (BE1);
 13. Submission of details of cycle parking prior to development beginning (TP12);
 14. Submission of details of disabled parking spaces prior to development beginning (TP12);
 15. Submission of structural calculations for all retaining walls adjacent to the adopted highway prior to development beginning (BE1);
 16. Submission of a Travel Plan prior to development beginning (TP16);
 17. Submission of a Construction Management Plan, including a phasing strategy, prior to development beginning (BE1);
 18. Submission of details of wheel cleansing facilities, including a method statement and site plan identifying the facility location, prior to development beginning (BE1);
 19. Hours of construction (BE1);
 20. Submission of details of on site parking for construction, prior to development beginning (BE1); and
 21. Restricted hours for Petrol Filling Station 0700 – 2300 Monday to Friday; 0800 – 1800 Saturdays, Sundays and Bank Holidays; Deliveries to the petrol filling station permitted only between 0700 – 2300 Monday to Friday; 0800 – 1800 Saturdays, Sundays and Bank Holidays (BE1).

To avoid any allegation of bias Councillor Balmer did not take any part in the debate of the following item and did not vote, as he had previously been employed to prepare drawings for a play centre in his profession as an architect.

DEV15 - 11/00156/FUL - PROPOSED NEW DISTRICT CENTRE INCLUDING 1 NO CONVENIENCE STORE, 5 NO RETAIL UNITS WITH OFFICE SPACE TO FIRST FLOOR, AND CONSTRUCTION OF PUBLIC HOUSE WITH MANAGER'S ACCOMMODATION AT FIRST FLOOR WITH ASSOCIATED ACCESS, SERVICE AREA AND PARKING AT LAND OPPOSITE LANARK GARDENS, QUEENSBURY WAY, WIDNES

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

Officers reported that there had been an additional 10 letters of objection to the proposal citing the same grounds as already mentioned in the report.

Officers further updated the Committee on traffic issues relating to the scheme. Members were advised that this proposal was smaller in scale than the previous one and research had shown that it would have a minimal impact on the volume of traffic in the area.

The Committee was addressed by Helen Carlin, a local resident, who spoke against the application. She stated that she had lived in the area since 2003 and had never been consulted on any development of the area, nor had other residents. She went on to say that a school, health centre, small shops and a community centre were needed and raised concerns over the usage of land for the proposed pub and parking for 106 cars.

Councillor Fry addressed the Committee opposing the application. He referred to the Unitary Development Plan and its reference to local shops and facilities. He urged the Committee to defer the item until the residents could be consulted.

In response to comments regarding public consultations, Members were referred to the Unitary Development Plan UDP (and to the Halton Local Plan which had preceded it). These demonstrated that there had been consultation on proposed local centres since the early 1990's.

Following debate Members still raised concerns over the safety of pedestrians and increased traffic flows on Falkirk Avenue and Queensbury Road. It was determined however that these did not pose grounds for refusal.

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

1. Standard condition relating to timescale and duration of the permission;
2. Condition listing all plans and amended plans (BE1);
3. Wheelwash condition required for construction phase (BE1);
4. Parking conditions (2 separate 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);
5. Condition(s) in relation to details of hard and soft landscaping (BE2);
6. Condition in relation to boundary treatment details (BE2);
7. Details of the design of the bin storage (BE2);
8. Condition that the development is carried out in accordance with the submitted ecological reports and mitigation measures (GE21 and GE25);
9. Condition that no clearance works shall be carried out during bird nesting season (GE21);
10. Condition that site is checked for amphibians prior to commencement;
11. Condition for protective fencing around adjacent pond (GE1 and GE25);
12. Condition for a wildlife protection plan for the terrestrial habitat and ditch system associated with the adjacent pond (GE25);
13. Four Environment Agency conditions relating to submission of details of surface water runoff, overland flow, scheme to remove suspended solids and a scheme for foul drainage, oil and petrol separators and installation of trapped gullies (BE1 and PR16);
14. Construction hours to be adhered to throughout the course of the development (BE1);
15. Delivery hours to be adhered to throughout the life of the permission (BE1);
16. Opening hours to be adhered to throughout the life of the permission (BE1);
17. Condition stating that there shall be no external flues on any units (BE2);
18. Condition stating that there shall be no external

- shutters on any units (BE2);
- 19. Materials condition(s), one for the development to be carried out in accordance with submitted details and a second requiring the submission and approval of those materials not yet submitted (BE2);
- 20. Details of equipment to control the emissions of fumes shall be submitted and agreed in writing (BE1 & PR3);
- 21. Condition that construction traffic is to use Queensbury Way (BE1); and
- 22. Condition identifying use class restrictions.

DEV16 - 11/00186/COND - APPLICATION PURSUANT TO CONDITION 57 (PERMISSION GRANTED BY SECRETARY OF STATE) ASKING HALTON BOROUGH COUNCIL FOR AGREEMENT IN WRITING, TO INCREASE THE QUANTITY OF REFUSE DERIVED FUEL DELIVERED TO THE ENERGY FROM WASTER POWER STATION BY ROAD FROM 85,000 TONNES TO 480,000 TONNES PER ANNUM AT LAND OFF PICOW FARM ROAD AT INEOS CHLOR

Members were advised by the Council's Legal Officer that correspondence received from GVA had raised two issues which were material considerations and which had to be resolved before the application could be determined. The first issue related to the type of waste which could be used from which fuel could be derived. This centred on the meaning of the word 'domestic': it could mean derived from either municipal household waste or simply derived from within the UK. The issue had only been raised the previous week by GVA and enquiries of the Department of Energy and Climate Change had not produced a definitive statement to resolve the issue. The second issue had only been submitted in detail on the afternoon of the committee meeting. GVA had produced a counsel's opinion relating to the jurisdiction of the Committee to determine the application. The applicant was entitled to have time to comment on this and there was clearly insufficient time to analyse the counsel's opinion prior to the meeting.

It was concluded therefore, that the Development Control Committee were not legally in a position to determine the application at this time. The item therefore should be deferred.

RESOLVED: That the application be deferred until such time as the issues reported above were resolved.

DEV17 - 11/00240/FUL - REDEVELOPMENT OF SITE FOR THE ERECTION OF AN A1 FOOD STORE (1710 SQM GEA), AN A4 FAMILY PUB/RESTAURANT (683 SQM GEA), CAR DEALERSHIP (1,445 SQM GEA) COMPRISING NEW AND USED SALES DISPLAY FORECOURT AND SHOWROOM/OFFICES, WORKSHOP (SERVICING, MOT TESTING), WITH ASSOCIATED PARKING, VEHICULAR 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.

It was reported that the following additional conditions had been recommended by the Highways Engineer:

- Submission of detailed information relating to retaining walls;
- Levels information on and off site to be submitted;
- Amended plans to demonstrate car transporter turning; and
- Amended plans to show improved landscaping.

The Committee was then addressed by Councillor Kath Loftus who spoke in favour of the application.

RESOLVED: That, notwithstanding the clear policy advice contained within PPS4 Policy EC17.1, the Committee felt that the benefits which would be derived by approving the application through employment generation outweighed this policy advice and consequently:-

- a) The application be approved subject to Section 106 for the submission of financial contributions towards highway improvements (including pedestrian and cycle route improvements within the area) and environmental improvements (to open spaces within the area of the site) and that the applicant make reasonable endeavours to market the A4 Family Pub/Restaurant for a period of 12 months beginning with the granting of the planning permission and for the car sales buildings to be practically completed within 6 months from commencement of trading of the A1 retail unit;
- b) And the following conditions be imposed:-
 1. 3 year implementation;

2. Amended plans (BE1 + BE2);
3. Materials submission prior to development beginning (BE2);
4. Boundary treatment details submission prior to development beginning (BE22);
5. Tree Protection measures during construction (BE1);
6. Landscaping Scheme submission prior to development beginning (BE1);
7. Ground investigation submission prior to development beginning (BE1);
8. Details of a surface water drainage scheme, based on sustainable drainage principles to be submitted and agreed prior to development beginning;
9. Entering into the Council's proposed parking partnership group prior to the first occupation of the any of the premises;
10. Submission of details of cycle parking prior to development beginning (TP6);
11. Submission of details of disabled parking spaces prior to development beginning;
12. Submission of Highway Safety Audits prior to development beginning (BE1);
13. Submission of structural calculations for all retaining walls adjacent to the adopted highway prior to development beginning (BE1);
14. Submission of a Travel Plan prior to development beginning (TP16);
15. Submission of a Construction Management Plan, including a phasing strategy, prior to development (BE1);
16. Submission of details of wheel cleansing facilities, including a method statement and site plan identifying the facility location, prior to development beginning (BE1);
17. Hours of construction (BE1); and
18. Submission of details of on site parking for during construction, prior to development beginning (BE1).

DEV18 MISCELLANEOUS ITEMS

The following applications had been withdrawn:-

08/00274/HSC

Application for continuation of consent under Planning (Hazardous Substances Consent) Regulations 1992, as

amended 1999, following change of control of part of the land at Ineos Chlor Ltd, Runcorn Site HQ, Runcorn, Cheshire.

08/00275/HSC

Application for continuation of consent under Planning (Hazardous Substances Consent) Regulations 1992, as amended 1999, following change of control of part of the land at Ineos Chlor Ltd, Runcorn Site HQ, Runcorn, Cheshire.

11/00104/FUL

Proposed two storey extension to existing unit to provide reception and offices at Midas Engineering Supplies Ltd, Faraday Road, Runcorn, Cheshire.

11/00214/ADV

Proposed temporary directional advertisement sign at Land to the East of 8 Norlands Lane, Widnes, Cheshire.

11/00224/FUL

Proposed single storey rear extension at 2 The Square, Chester Road, Daresbury, Warrington.

The following applications had gone to appeal:-

10/00496/FUL

Proposed replacement of flat roof of front dormer to a pitched roof at 4 Bandon Close, Hale, Liverpool, L24 5RZ

11/00100/OUT

Proposed erection of one dwelling on Land behind 33 Lilac Avenue, Widnes, Cheshire

11/00135/OUT

Retrospective application to change flat roof dormer window to pitched roof dormer window at

8 Bandon Close, Hale, Liverpool,
L24 5RZ

Planning Appeal Decisions:-

10/00385/FUL

Proposed two storey and single
storey rear extension at 16 Main
Street, Runcorn, Cheshire

DISMISSED

Meeting ended at 8.15 p.m.

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DEVELOPMENT CONTROL COMMITTEE

At a special meeting of the Development Control Committee on Tuesday, 30 August 2011 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), Balmer, J. Bradshaw, A.Cole, Gilligan, Hignett, Hodgkinson, Leadbetter and McInerney

Apologies for Absence: Councillor Osborne

Absence declared on Council business: None

Officers present: A. Jones, J. Tully, M. Noone, S. McDonald, G. Henry, A. Plant and J. Farmer

Also in attendance: Two members of the Public

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

Action

DEV19 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

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

To avoid any allegation of bias, Councillor Tom McInerney took no part in the discussion and did not vote on this item, as he presently held the position of Chair of the 3MG Sub Committee.

DEV20 - 11/000269/FULEIA - PROPOSED CONSTRUCTION OF A SINGLE RAIL-SERVED BUILDING FOR STORAGE AND DISTRIBUTION PURPOSES (TOTAL GROSS INTERNAL AREA 109,660 SQM / USE CLASS B8) TOGETHER WITH ASSOCIATED INFRASTRUCTURE, PARKING, OPEN SPACE, LANDSCAPING AND ANCILLARY DEVELOPMENT ON HBC FIELDS, HALEBANK ROAD, WIDNES

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

Officers advised the Committee that a letter had been submitted from Hale Bank Parish Council at 4 pm the day of the meeting requesting a deferral of the application as they had not had an opportunity to consider the application themselves due to the August recess and therefore, had not been able to forward the views of the Parish Council to the Committee.

It was reported that since the report was published a petition of 546 signatories to a standard letter had been received in total, opposing the application. The letter raised objections based on the following:

- It was considered that the Policy context as a whole needed reviewing in terms of the aims and principles of the Policy;
- The lack of access via rail to the 3MG park;
- The impact on surrounding areas in relation to construction and operational phases; and
- A lack of commitment to build the principle road access prior to commencement (A562).

A further two letters of objection had been received citing noise, visual impact, air pollution and ecological impacts as reasons for objection. Further issues were also raised relating to security risks to surrounding properties, confusing photomontages, use of the emergency access route, the inclusion of a hazardous goods zone and the positioning of the rail line inside the building.

In response it was commented that the site would have 24 hour security, the photomontages were only for illustrative purposes and that a Landscape and Visual Assessment had been produced in accordance with national guidelines and had been agreed by the Council's Landscape Architects. It was noted that the scheme did not include proposals for hazardous storage or proposals to serve the building internally by rail.

It was further reported that English Heritage had confirmed that they had no comments to make; Knowsley Council had confirmed they had no objections subject to conditions restricting the use of the emergency access to prevent through traffic, and the Highways Agency had confirmed that they had no objection to the scheme.

As a matter of clarity, it was stated that the Council as landowner, could not enter into a legal agreement by means of S106. It was noted that these same conditions would apply to any other landowner or developer and would

therefore, be covered by a development agreement. The terms of the agreement would include requirements to construct the principle access road and rail connectivity to the site, costs for off site highway works including cycle and pedestrian linkage, off site landscaping and habitat creation and management for ground nesting birds.

It was commented that the applicant had provided clarification to issues raised by Natural England and the Council's advisor on environmental matters. Additional planning conditions were requested in relation to the protection of water quality and the Council's obligations under the Habitats Regulations with regards to the Mersey Estuary SPA were noted.

The following additional conditions were suggested in light of the above:

- Conditions relating to retention and protection of existing trees and hedgerows and replacement hedgerow planting;
- Protection of ground nesting birds;
- A Grampian style condition requiring implementation of the principle access road prior to commencement of use; and
- Provision of rail sidings within the application site in accordance with the approved plan prior to commencement of use.

It was also requested that the recommendation be amended to allow delegation to the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair, to approve the application subject to the conditions listed and reported above, subject to the awaited confirmation from MEAS regarding the obligations of the Habitat Regulations.

The Committee was then addressed by Mr Holmes who spoke on behalf of the applicant.

He stated that the proposal was in accordance with the established, adopted policy of the Council; that it fitted in with Government emphasis on economic growth and job creation; it respected the Green Belt boundary and tied in with the existing planning permissions for road and rail connections; it responded to a desire to screen and filter views into the site by retaining and reinforcing the existing landscaped bunds.

Further, he commented that the scheme promoted a

high quality architectural solution which also delivered a very energy efficient, sustainable building which minimized environmental impact through a careful site layout and landscape design. The application would also promote the use of public transport, walking, cycling and car sharing.

Finally he commented that the scheme would bring significant capital and annual investment to Halton and create more than 1000 new jobs, injecting a projected £50m annually into the local economy. He also announced that local training and recruitment would be prioritised in order to create the best prospects for local people to secure the new jobs.

Following Members debate, it was noted that Condition number 21, regarding the emergency access route, would be amended.

RESOLVED: That the Operational Director – Policy, Planning and Transportation, in consultation with the Chair or Vice Chair, be given delegated authority to approve the application, subject to the awaited confirmation from MEAS regarding the obligations of the Habitat Regulations, and subject to conditions relating to the following:

1. Specifying approved plans (BE1);
2. Specifying approved use (E7);
3. Requiring that external building materials be carried out in accordance with approved details unless otherwise agreed (BE2);
4. Requiring submission and agreement of boundary treatments including security controlled access (BE22);
5. Requiring submission and agreement of agreement of ancillary features including sprinkler tanks, pump houses, bus stops, security barriers etc (BE2);
6. Requiring implementation of detailed landscape works (BE2);
7. Requiring maintenance of implemented landscape works in accordance with agreed landscape maintenance and management plan (BE2);
8. Restricting working and external storage (E5);
9. Submission and agreement of installation/maintenance of external lighting including cowls (PR4/GE21);
10. Submission and agreement of detailed waste and recycling storage (BE1);
11. Submission and agreement of waste management strategies (BE1);
12. Submission and agreement of remediation verification

- plan (PR14);
13. Requiring submission, agreement and implementation of an archaeological watching brief (BE6);
 14. Specifying minimum finished floor levels and requiring development be carried out in accordance with the approved site and finished floor levels unless otherwise agreed (PR16/BE1);
 15. Laying out of access/parking and servicing (BE1);
 16. Submission, agreement of secure cycle parking (TP6);
 17. Requiring wheel cleansing facilities throughout construction phase (BE1);
 18. Condition relating to phased implementation of dock doors and level access doors (BE1/2);
 19. Restricting construction and delivery hours (BE1);
 20. Submission and agreement of a Construction Environmental Management Plan, Dust Mitigation Scheme and plan for control of routing and management of traffic and parking, including off site signage during construction phase (BE1/PR1);
 21. Restricting use of emergency access route to emergency access and bus traffic only (BE1/E7);
 22. Agreement and implementation of travel plan (TP16);
 23. Submission and agreement of acoustic barriers (PR2);
 24. Restricting external plant/plant extracting to air (PR2);
 25. Requiring that the development be designed and implemented in full accordance with the submitted/approved details including mitigation measures unless otherwise agreed (BE1);
 26. Requiring submission and agreement of management plan for offsite grassland habitat (GE21);
 27. Requiring Development be carried out in accordance with the approved FRA and mitigation measures (PR16);
 28. Submission and agreement of details relating to retaining walls and structures (BE1);
 29. Requiring submission, agreement and implementation of surface water regulation system to be installed (PR16);
 30. Submission and agreement of ecology/habitat enhancement features including bird/bat boxes (GE21);
 31. Requiring implementation of dedicated rail connection and siding in accordance with agreed timetable (E7);
 32. Conditions relating to retention and protection of existing trees and hedgerows and replacement hedgerow planting;
 33. Protection of ground nesting birds;

34. A Grampian style condition requiring implementation of the principle access road prior to commencement of use; and
35. Provision of rail sidings within the application site in accordance with the approved plan prior to commencement of use.

Meeting ended at 7.05 p.m.

STANDARDS COMMITTEE

At a meeting of the Standards Committee Wednesday, 7 September 2011 Committee Room 1, Runcorn Town Hall

Present: Mr B. Badrock (Chairman), Parish Councillor Mr B Allen, Mr A. Luxton, Mrs A Morris, and Councillors Browne, Parker, Redhead and Swain

Apologies for Absence: Parish Councillor Canon D. Felix, Mr R. Garner and Councillor 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**

STC7 MINUTES

Subject to the addition of Parish Councillor Canon David Felix's apologies being recorded, the minutes of the meeting held on 25 May 2011, having been printed and circulated, were signed as a correct record.

STC8 FUTURE OF STANDARDS

The Board received an update on the Future of the Standards regime.

The Monitoring Officer advised on the progress through Parliament of the Localism Bill, which would contain legislation to abolish Standards for England, the National Code of Conduct and the requirement to have Standards Committees. At the time of reporting, the timetable for Royal assent was November 2011, with the provisions enacted by April 2012.

Although there would be no requirement for an authority to retain a Standards Committee or Code of Conduct, the independent aspect of the Committee had been recognised as having made a valuable contribution to

Action

the work of the Standards Committee in Halton.

The Monitoring Officer had become aware of suggested proposals for a voluntary code for all authorities in Cheshire. Developments would be reported to the Committee for their consideration prior to a report being submitted to Executive Board and full Council.

RESOLVED: That the report be noted.

STC9 OUTCOME OF COMPLAINT INVESTIGATION

The Committee received an update from the Monitoring Officer following consideration of a complaint by the Assessment Sub-Committee at its meeting in July 2011.

The Sub Committee considered the complaint to be politically motivated and therefore could not be considered within the criteria laid down by the Standards Committee. Furthermore, it was considered that the information submitted was not sufficient for it to be satisfied that there had been a breach of the Code of Conduct.

RESOLVED: That the report be noted.

STC10 RECENT CASE SUMMARIES FROM STANDARDS FOR ENGLAND

The Committee received a report of the Strategic Director, Policy and Resources which outlined recent decisions in cases where a breach of the Code of Conduct had been alleged in other authorities.

The Committee noted and discussed the contents of cases from Redcar and Cleveland Borough Council, Dover District Council and North West Leicestershire District Council.

RESOLVED: That the report be noted.

Meeting ended at 3.40 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Thursday, 11 August 2011 in the Council Chamber, Town Hall, Runcorn

Present: Councillors Philbin (Chairman), K. Loftus (Vice-Chairman), Fraser, Fry, Howard, A. Lowe, M. Ratcliffe and Wainwright

Apologies for Absence: Councillors Browne, McDermott and Wallace

Absence declared on Council business: None

Officers present: L. Capper and K. Cleary

Also in attendance: 2 members of the public (Item REG24)

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

REG22 MINUTES

The minutes of the meeting held on 19th May 2011, 8th June 2011 and 28th June 2011 were taken as read and signed as a correct record.

REG23 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute REG refers). Therefore, pursuant to Section 100 B (4) and 100 E, and due to immediate action being required, the Chairman ruled that the items be considered as a matter of urgency.

REG24 APPLICATION FOR A PREMISES LICENCE - FOOD LED PUBLIC HOUSE LANARK GARDENS / QUEENSBURY WAY WIDNES

ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE AS LICENSING COMMITTEE UNDER THE LICENSING ACT 2003

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 for a premises licence made by Greene King Developments Limited in respect of a food led public house at Lanark Gardens / Queensbury Way Widnes. The applicant requested the following licensable activities:-

Films, Indoors Sporting Events, Live Music, Recorded Music, Performance of Dance, Making Music, Dancing (all indoors), and the supply of alcohol (on and off) between the hours of 10.00 to 00.00 each day.

The provision of Late Night Refreshment (Indoors and Outdoors) between the hours of 23.00 and 00.00 each day
The hours the premises are open to the public 07.00 to 00.30 each day.

The Chairman introduced the members of the Committee and the Council's officers who were present.

The Council's legal adviser, Lisa Capper, summarised the procedure to be followed and outlined the nature of the application.

At the hearing, the Committee were addressed by the applicant's Legal Representative John Gaunt of John Gaunt & Partners who was accompanied by Colin Royle the Business Development Manager for the applicant Greene King Developments Limited.

During the hearing Mr Gaunt confirmed that the provision of Late Night Refreshment was to take place indoors only following acceptance of condition No 4 below from the Councils Environmental Health

Helen Carlin addressed the members as an interested party.

The Committee asked a number of questions of the parties and 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 decided that the application be granted subject to the following conditions:

- 1) Noise from any regulated entertainment shall be inaudible at the nearest noise sensitive property at any time;
- 2) Windows and doors shall be kept closed when any amplified music or voices are being played within the premises;
- 3) No external speakers shall be used outside the building; this will include any beer gardens or outside drinking area or car park;
- 4) The use of any outside area shall cease after 23:00 hours for any regulated entertainment and the consumption of alcohol;
- 5) All live and recorded music shall cease at 23.30 hours Monday to Sunday; and
- 6) Late Night Refreshment shall take place between the hours of 23.00 to 00.00 each day - Indoors only.

The reason for the determination was that the Committee felt that the application was consistent with the Licensing Objectives.

Time that the licence shall take effect: Immediately

NOTE: The premises to which the licence relates did not exist at the date of the hearing. Consequently, although the premises licence technically has immediate effect no licensable activity can take place under the premises licence until the premises have been completed in accordance with the plan submitted by the applicant.

Following the announcement of the Committee decision the Chairman of the Committee again advised the local resident who attended the hearing that the path for them to follow is to concentrate on applications made to the development control committee who can apply different criteria to applications which the Licensing Act 2003 cannot.

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.

REG26 CONSIDERATION OF A MATTER RELATING TO A SINGLE STATUS DRIVER (SSD) LICENCE HOLDER

ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE OTHERWISE THAN UNDER THE LICENSING ACT 2003

Following consideration of this matter it was:

RESOLVED: That the SSD licence holder shall be permitted to work as a licensed SSD at any time between the hours of 10.00 to 15.00 and 18.00 to 08.00 on any day and also the SSD licence holder shall not undertake any contract work on behalf of any Private Hire Operator with effect from 11 August 2011 and continuing until such time as the Licensing Section receives formal information concerning the outcome of the matter when circumstances will be reviewed.

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Meeting ended at 9.14 p.m.

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REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Monday, 19 September 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), K. Loftus (Vice-Chairman), Browne, Fry, A. Lowe, McDermott, M. Ratcliffe and Wallace

Apologies for Absence: Councillors Fraser and Wainwright

Absence declared on Council business: Councillor Harry Howard

Officers present: L. Capper and K. Cleary

Also in attendance: 21 members of the public

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

REG27 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE UNDER SECTION 53A OF THE LICENSING ACT 2003 - CHAMBERS 77 HIGH STREET, RUNCORN

Action

A meeting of the Regulatory Committee (acting as Licensing Committee under the Licensing Act 2003) of Halton Borough Council was held at Runcorn Town Hall on Monday 19 September 2011 commencing at 6.30 p.m.

The Committee met to determine a review which had been held consequent upon an application for review made under section 53A Licensing Act 2003 as detailed in the agenda item.

In accordance with a Section 53 A of the 2003 Act an interim consideration took place on 26 August 2011 when a Sub Committee of the Regulatory Committee resolved that the following interim step be imposed and shall take immediate effect.

1 Suspension of the licence

Representations were made against the interim step under Section 53B (6) of the 2003 Act on 9 September 2011 and a hearing took place on 12 September 2011 when a Sub

Committee of the Regulatory Committee resolved that nothing put to them at that hearing had altered the position and that the suspension of the premises licence stood.

The hearing 19 September 2011

In attendance was the applicant Cheshire Police represented by Paul Draycott who addressed the committee also in attendance were Mr Kenyon Police Solicitor, DC Jackson, PC Carney, PC Spreadborough and Bill Seabury.

In addition the Premises Licence Holder Gary Oates Director of Waterloo Hotel (Runcorn) Limited was present and represented by Sarah Clover No 5 Chambers who addressed the committee also in attendance were Mrs B Oates and Mr P Douglas of Douglas Licensing (NW).

The Chairman of the Committee introduced the parties and the Councils legal advisor, Lisa Capper outlined the procedure to be followed and summarised the nature of the application. Miss Capper also advised the Committee of the documents which were to be referred to at the hearing:-

- The bundle of documents received from the Police comprising 116 numbered pages; and
- The witness statement from a taxi driver dated 16 September 2011.

Prior to the hearing commencing Mr Draycott asked for additional time to put their case and following comments by Miss Clover it was agreed by the committee that there would be no time limit imposed in the interest of fairness to both parties

In addition to the information contained in the Police bundle and the taxi drivers witness statement the members were shown CCTV footage of the alleged incident, twice by the Police with commentary by Paul Draycott on the second showing and prior to a short break again by the Premises Licence Holder with commentary by Mr Douglas and Mrs Oates.

The Committee asked a number of questions of both parties and retired to consider the matter.

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

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

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

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

The committee accepted that the victim named in the hearing had been assaulted at the premises by the door supervisors and that the Designated Premises Supervisor (“DPS”) was complicit in the assault. This behaviour was not acceptable to the Committee.

From this central finding of fact it followed that steps needed to be imposed in the promotion of the licensing objectives namely the prevention of crime and disorder and public safety. The reason for imposing each of the following steps is for the promotion of these licensing objectives.

RESOLVED: That having considered the application in accordance with section 4 Licensing Act 2003 and all other relevant considerations the Committee decided to impose the following steps

1 Removal of DPS

The DPS (Mr G Oates) be removed as DPS.

2 CCTV

The following condition be imposed on the Premises Licence.

1 “An additional CCTV camera shall be fitted as per Police guidance to cover the front foyer area of the premises”.

2 “A commissioning test shall be carried out with the Police Licensing and CCTV Liaison Officers before completion and hand over of the additional camera”

Chief Executive

3 Door Supervisors

The following be imposed as conditions on the Premises Licence.

- “The company providing door supervisors on the premises as at 14 August 2011 shall not provide door supervisors in the future”.
- “No door supervisor who worked at these premises on 14 August 2011 shall be employed at the premises in the future”.

4 High Visibility Jackets

The following be imposed as a condition on the Premises Licence

“All door supervisors shall wear high visibility jackets to the standard supplied by the Halton Crime and Disorder Reduction Partnership”

5 Suspension of the Premises Licence

The premises licence be suspended for 3 months.

This determination shall have effect in accordance with Section 53C (11) of the Act

Meeting ended at 11.10 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 21 September 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), K. Loftus (Vice-Chairman), Browne, Fraser, A. Lowe, McDermott, M. Ratcliffe and Wallace

Apologies for Absence: Councillors Fry, Howard and Wainwright

Absence declared on Council business: None

Officers present: G. Ferguson, K. Cleary, J. Tully and J. Findlow

Also in attendance: 2 Members of the public

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

REG28 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Action

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

Chief Executive

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.

REG29 TAXI LICENSING MATTER

RESOLVED: That in respect of Case No: 685

A Single Status Drivers Licence be granted for a one year period. Thereafter if the applicant is brought back before the Committee for any reason during the one year period the matters considered at this hearing would be reconsidered. If the applicant is not required to attend before the committee during the one year period then a renewal application will be required at the end of this period and if granted this licence will be issued for 2 years and thereafter any subsequent renewal applications will be issued for 3 years.

Meeting ended at 8.45 p.m.

APPEALS PANEL

At a meeting of the Appeals Panel held on 10 June 2011 and reconvened on 27 July 2011 at Stobart Stadium, Lowerhouse Lane, Widnes.

Present: Councillors Wainwright (Chairman), Osborne and Parker

Apologies for absence: None

Absence declared on Council business: None

Officers present: A Scott, S Bellard, B Dodd

In attendance: Appellant, Trade Union representative, two appellant witnesses and five management witnesses

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

Action

**AP6 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972
AND LOCAL GOVERNMENT (ACCESS TO INFORMATION)
ACT 1985**

The Panel considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Panel 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 paragraphs 1, 2 and 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 paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

AP7 DISCIPLINARY APPEAL HEARING

The Panel considered information submitted in respect of the above appeal and heard representations from the appellant, his Trade Union representative and two witnesses, and from the presenting officer and five witnesses.

RESOLVED: That the disciplinary appeal be dismissed.

Meeting ended at 6.00pm on 27 July 2011.

APPEALS PANEL

At a meeting of the Appeals Panel held on 11 August 2011 in the Stobart Stadium, Widnes

Present: Councillors Wainwright (Chairman), A McInerney and Parker

Apologies for absence: None

Absence declared on Council business: None

Officers present: P Preston, A Scott and two witnesses

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

Action

**AP8 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972
AND LOCAL GOVERNMENT (ACCESS TO INFORMATION)
ACT 1985**

The Panel considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Panel 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 paragraphs 1, 2 and 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 paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

AP9 HOUSING HOMELESSNESS APPEAL

The Panel considered information submitted in respect of the above appeal and heard representations from the appellant and her witness and the presenting officer and her witness.

RESOLVED: That the appeal be upheld.

Meeting ended at 11.40am

APPEALS PANEL

At a meeting of the Appeals Panel held on 28 September 2011 at Stobart Stadium, Lowerhouse Lane, Widnes.

Present: Councillors Wainwright (Chairman), K Loftus and A McInerney

Apologies for absence: None

Absence declared on Council business: None

Officers present: A Scott, S Bellard, P McWade

In attendance: Appellant, Trade Union representative, two appellant witnesses and one management witness

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

Action

**AP10 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972
AND LOCAL GOVERNMENT (ACCESS TO INFORMATION)
ACT 1985**

The Panel considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Panel 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 paragraphs 1, 2 and 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 paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

AP11 DISCIPLINARY APPEAL HEARING

The Panel considered information submitted in respect of the above appeal and heard representations from the appellant, her Trade Union representative and two witnesses, and from the presenting officer and one witness.

RESOLVED: That the disciplinary appeal be upheld and the decision to dismiss be commuted down to a final written warning.

Meeting ended at 2.35pm.

APPEALS PANEL

At a meeting of the Appeals Panel held on 4 October 2011 in the Stobart Stadium, Widnes

Present: Councillors Wainwright (Chairman), K Loftus and Osborne.

Apologies for absence: None.

Absence declared on Council business: None.

Officers present: K Lunt

In attendance: Appellants.

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

Action

**AP12 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972
AND LOCAL GOVERNMENT (ACCESS TO INFORMATION)
ACT 1985**

The Panel considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Panel 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 paragraphs 1, 2 and 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 paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

AP13 HOUSING DISCRETIONARY AWARD APPEAL Case no 213

The Panel considered information submitted in respect of the above appeal and heard representations from the appellant and the presenting officer.

RESOLVED: That the Housing Discretionary Payment Appeal be awarded as follows:

Housing Payment at £5.00 per week and Council Tax Payment at £5.00 per week from 5 September 2011 for 26 weeks.

AP14 HOUSING DISCRETIONARY AWARD APPEAL Case no 214

RESOLVED: That the Housing Discretionary Payment Appeal be declined.

Meeting ended at 10.30am.