

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 21 September 2006 at the Marketing Suite, Municipal Building*

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

Apologies for Absence: Councillors Nelson

Absence declared on Council business: (none)

Officers present: G. Ferguson, D. Johnson, I. Leivesley, D Terris and J. Tradewell

Also in attendance: Councillor E Cargill

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

#### EXB33 MINUTES

The minutes of the meeting held on 7<sup>th</sup> September 2006 having been printed and circulated, were taken as read and signed as a correct record.

#### HEALTH AND SOCIAL CARE PORTFOLIO

#### EXB34 HEALTHY EATING

The Board considered a report which outlined the findings of the Healthy Eating Topic Team and sought adoption of and action upon a number of recommendations. The Topic Team was jointly chaired by the Chairs of the Health and Life Chances Policy and Performance Boards.

The aim of the Topic Team was to draw on evidence and advice from experts consulted by the Team and to concentrate on children and their families, and as a special case to include young people about to set up their own home for the first time.

The report set out a description of the Topic Team and other contributors, the approach taken and a list of

*Action*

recommendations.

Although there was a significant amount of information made available to the Team it became clear that there was no one overview or perspective on the current state of healthy eating in Halton. Many agencies, individuals and groups were involved in work to improve the diet of the Borough, particularly in relation to young people. However, no one group appeared to have the whole picture. As a result what should have been fairly easy questions to formulate answers to often proved more complex.

RESOLVED: That the recommendations be agreed and that progress with implementing the plan and its impact be monitored periodically by the Health PPB subject to funding being identified from the Council's budget setting process.

Strategic Director  
Health and  
Community

*N.B Councillor Mcdermott declared a personal and prejudicial interest in the following item as a member of the 5 Borough Partnership Trust and left the room during its consideration.*

#### COUNCILLOR POLHILL IN THE CHAIR

#### EXB35 5 BOROUGH PARTNERSHIP NHS TRUST MODEL

At its meeting held on 20<sup>th</sup> July 2006 the Board considered a report which examined the model of care proposed and the early analysis undertaken by the Council and Halton PCT.

In general terms the view was that the model provided a sound platform to modernise mental health services based upon the model. However, the report highlighted significant concerns about the lack of information, quality of data supplied and uncertainties about the funding issues and invited the 5 Boroughs to respond to these issues. In addition, the Council agreed to commission an independent analysis of the proposals.

It was reported that Halton, Warrington and St. Helens Councils agreed to form a Statutory Joint Scrutiny Committee to scrutinise the proposals and had met on three occasions listening to the views of the 5 Boroughs and the 3 PCTs. A copy of the draft findings of the Joint Scrutiny Committee was circulated to Members of the Board. The concerns raised by the Joint Scrutiny Committee in essence were similar to those contained in the report undertaken by the independent consultant.

Since the report was presented, the 5 Boroughs had continued with their public consultation but at the same time extended the deadline for responses from key stakeholders to the 15<sup>th</sup> September 2006. The Chief Executive from the 5 Boroughs had agreed that Halton could formally respond after the meeting of the Executive Board on 21<sup>st</sup> September 2006. During the last two months a number of meetings had occurred with officers from the Council, representatives from Halton and St. Helens PCT and the 5 Boroughs Partnership. The report highlighted the processes and identified the responses to the Council's issues and concerns. In addition, a visit to Norfolk was undertaken by officers and PCT staff to compare the services.

Whilst the Council believed that the principles behind the proposed Model of Care were consistent with the commissioning strategies for Adults and Older People, which were agreed by the Council earlier in the year, there were some substantial risks in the transition from the current model to the new model proposed. The consultant recommended that the Council supported the proposal on a conditional approval basis and explained why the alternative options were not supported.

In addition, the Joint Scrutiny Commission had made three recommendations, the key one being the model, in its present form, was not in the interest of health services in Halton, St. Helens, and Warrington. Also the Joint Scrutiny Committee had identified 12 factors which required addressing and invited the 5 Boroughs to respond to the issues raised in the report. The guidance on Joint Scrutiny required a response from the 5 Boroughs Partnership Trust within 28 days, a further meeting was therefore scheduled for 19<sup>th</sup> October.

Subsequently, it was reported that the 5 Boroughs had made some concessions during the consultation process and had now written to the Council's Chief Executive committing to a variety of issues, details of which were set out in the report. These concessions and commitments did move the partners closer together, however, the whole systems review may throw up a range of finer issues which would need to be resolved. St. Helens Council Executive Board had also discussed the proposals and their response was detailed in the report.

It was clear that the Trust needed to identify £7m to balance their budget and avoid over-trading in future years. As the whole system's review had not been undertaken, it

was not possible to be entirely explicit of financial impact upon the Council. However, based upon our own analysis and through further clarification, the following financial implications were confirmed:

- Housing and Flotation Support – Halton currently had 35 supported placements to meet the minimum supporting people requirements and an additional 10 units was required at an estimated cost of £210,000 per annum; and
- Community Teams – to meet the NHS policy guidance the assertive outreach team would need to fund two additional social workers at an estimated cost of £70,000 per year.

It was not possible to estimate anticipated costs upon:

- (i) residential and nursing care costs;
- (ii) out of area placements;
- (iii) rehabilitation placements;
- (iv) respite care;
- (v) crisis houses (there were none in Halton);
- (vi) other community care costs.

The conclusion, therefore, was that there would be significant financial implications for the Council, some of which were known, others which would require a more detailed financial analysis.

RESOLVED: That the Executive Board:

In principle, conditionally support the model subject to the recommendations made within the Council's Independent Consultant Report and the Joint Scrutiny Committee report being fully met and implemented.

Strategic Director  
Health and  
Community

## **CHILDREN AND YOUNG PEOPLE PORTFOLIO**

COUNCILLOR MCDERMOTT IN THE CHAIR

### EXB36 BUILDING SCHOOLS FOR THE FUTURE

The Board considered a report which provided an outline of the submission requirements for entry into the National Building Schools for the Future (BSF) Programme and a list of the key issues Halton needed to consider prior to completing any application. The BSF was a national programme through which funding was available for investment to transform all schools or units that taught secondary age pupils. Funding was either in the source of

either conventional capital (capital grant and borrowing) and/or PFI credit. Capital projects generally ranged from £50 to £150m in costs. Projects in Waves 4-6 were initially selected based on educational and social need. As further prioritisation was now required, authorities were now required to demonstrate their readiness to deliver their projects.

The assessment of readiness to deliver would be made by the Department of Education and Skills and Partnerships for Schools. Projects selected for inclusion in Wave four would have to be ready to commence in January 2007. It was proposed, following consultation with Corporate Management Team and Halton Secondary Headteachers that it would be more appropriate for Halton to bid for inclusion in either Wave 5 or 6 so that issues in relation to the most appropriate model for school organisation and more detailed consultation with all stakeholders could be undertaken. The work required to achieve the core criteria outlined in the report could not be achieved to ensure an appropriate level of preparedness for Wave 4. In addition, it was acknowledged that recruiting a Project Manager, establishing the team and resourcing this facility would be difficult to achieve prior to January 2007.

In order to progress work for a Wave 5 application, there would need to be an urgent audit of the skills and experience within the Council in particular in relation to design, finance, Legal, ICT, Personnel, Audit, Risk Management, Procurement, Insurance and Advisory.

Options needed to be considered to address any skills shortages including the engaging of external staff and providing training for in-house staff. A Project Director would also need to be appointed.

The readiness to delivery submission must be completed in full and returned to both the DFES and PFS no later than 13<sup>th</sup> October 2006.

There was no revenue funding for the Project and in some authorities the set up costs had been around £2m. Further work was being undertaken with authorities in earlier Waves of the BSF to identify a more accurate sum. This financial revenue resource would be built into the Council's financial plan.

RESOLVED: That

(1) approval in principle is agreed by the Board in relation

to the Authority's commitment to engagement in the Building Schools for the Future (BSF) Programme, in particular the procurement and funding models outlined in the report;

- (2) the capacity and experience of Council staff in key service areas be assessed to identify any additional staffing requirements necessary to establish a project team and the level of any external consultancy required;
- (3) consideration be given as part of the on-going budget process for the allocation of all necessary revenue costs incurred in the establishing and resourcing a Project Management Team within the Authority; and
- (4) subject to the satisfactory outcome on the above recommendations, approval be given to submit a request for participation in Wave 5 of the BSF Programme.

Strategic Director  
Children and  
Young People

#### **CORPORATE PORTFOLIO**

##### **EXB37 ANNUAL GOVERNANCE REPORT**

The Audit Commission attended the meeting to present the Annual Governance Report 2005/06, a copy of which had been circulated to all Members.

RESOLVED: That the Annual Governance Report be received

#### **EUROPEAN AFFAIRS PORTFOLIO**

##### **EXB38 CORPORATE RISK REGISTER**

The Council's Strategic Risk Management Framework required the Board to review the Corporate Risk Register periodically. In reviewing the Register, it was not proposed that any new risk be added to the register at the present time (although the risk in relation to Civic Contingencies had been re-worded to reflect the fact that the position had moved on considerably as the Council had taken steps to implement the legislation). A copy of the Corporate Risk Register as reviewed by officers had been previously circulated to the Board.

RESOLVED: That the revised Corporate Risk Register be approved and submitted to full Council at their next meeting.

Strategic Director  
Corporate and  
Policy

## ENVIRONMENT, LEISURE AND SPORT PORTFOLIO

### EXB39 CLIMATE CHANGE STRATEGY FOR HALTON

The Board considered a report which outlined the need to develop a climate change Strategy for Halton, and sought approval for a process for Strategy Development. Although there was not a statutory duty upon local authorities to produce a Climate Change Strategy, there were increasing demands on local government, as part of other statutory duties, which were in part aimed at addressing climate change. These including planning guidance, building regulations, waste strategy, air quality, the Home Energy Conservation Act 1995 (HECA) the Climate Change Levy and the UK Fuel Poverty Strategy. In addition, increasing energy costs were forcing local authorities to look at how to reduce energy bills.

It was proposed that the Council develop a Climate Change Strategy and in particular look to focus activity where there was a strong business case for cost saving and reducing energy consumption and promoting awareness of climate change.

As a further demonstration of commitment, it was also suggested that the Council should:

- (i) sign the Nottingham Declaration on Climate Change;
- (ii) appoint an elected member to act as a Climate Change Champion and to co-ordinate the activities arising from the Officer Working Group; and
- (iii) consult with a number of stakeholders as the Council develops its strategy.

RESOLVED: That

- (1) a Climate Change Strategy for Halton be prepared;
- (2) a timetable for the development of a Climate Change Strategy for Halton based on the report be prepared;
- (3) Halton sign the Nottingham Declaration on Climate Change, in addition to our commitment to the North West Charter; and
- (4) Councillor Harris be nominated to champion Climate Change and oversee the Strategy Development

Strategic Director  
Corporate and  
Policy/Environment

## Process

### EXB40 WASTE MANAGEMENT - THE NEXT STEPS

At its meeting on 7<sup>th</sup> September 2006, the Board approved, in principle, an agreement to work in partnership with the Merseyside Waste Disposal Authority (MWDA) to secure appropriate waste treatment and disposal services and facilities. The Government's Project Review Group would consider the MWDA Outline Business Case for PFI Credits by mid-October and the MWDA had made it clear that they would not allow any delay by Halton to jeopardise their bid and had made it clear that by the end of September the Council must demonstrate a clear commitment in writing, to working in partnership with Merseyside.

Should the Council fail to meet this requirement, the opportunity to work with MWDA would disappear.

A draft memorandum of understanding containing partnership principles between Halton and MWDA had been agreed by both parties. In addition, work had commenced on the preparation of a former inter-authority agreement with the MWDA. It was planned that the agreement would be completed by December 2006 and a draft would be presented to Members for consideration at a future meeting.

With the support of external consultants, work had commenced on the preparation of Halton's Waste Action Plan. This plan, which was the equivalent of the District Council's Action Plans produced by each of the District Authority's in Merseyside, would form part of the agreement. Completion of the Action Plan was expected by the end of October 2006. A household waste composition analysis was also being produced to support the production of the Halton Waste Action Plan. With the support of external consultants, officers would continue to work towards developing the following documents that would be presented to a future meeting of the Executive Board Sub-Committee:

- (i) a draft updated Waste Management Strategy for Halton;
- (ii) a draft Halton Waste Action Plan;
- (iii) a draft formal inter-authority agreement;
- (iv) a Joint Communications and Awareness Protocol to be developed with the MWDA;
- (v) discussions would continue on exits/succession strategies in relation to Halton's current waste management contracts;
- (vi) arrangements would be made to ensure that the



Council engages with residents and other stakeholders through consultation, this would require a structural public relation strategy to be developed for both the short and medium term.

RESOLVED: That

- (1) a formal partnership with the Merseyside Waste Disposal Authority be established for the procurement of appropriate waste treatment and disposal for services and facilities;
- (2) Merseyside Waste Disposal Authority be advised of Halton's intentions; and
- (3) further reports be presented to the Executive Board Sub-Committee on progress made with the development of the formal Inter-Authority Agreement (IAA), the Council's updated Waste Management Strategy, and relevant supporting plans.

Strategic Director  
Environment

## **PLANNING, TRANSPORTATION, REGENERATION PORTFOLIO**

### **EXB41 LOCAL DEVELOPMENT SCHEME 2006/7**

The Local Development Scheme (LDS) was a public statement of Halton's three year work programme for producing of the Local Development Framework (LDF).

All Councils were required by the new Planning and Compulsory Purchase Act 2004 to produce an LDS. This LDS formed the third LDS that had been prepared by Halton and moved the preparation of the LDS forward six months from the 2006 – 2009 period of the last LDS. The LDS had been reviewed at this stage due to the need to incorporate the new joint working arrangements for the Waste Development Plan document. Once adopted, the LDS would provide a publicly available work programme for the Planning and Policy Division, providing timescales for any work started over the next three years. The LDS would come into effect four weeks after being submitted to the GONW, unless the Secretary of State intervened in this period or requested more time.

RESOLVED: That

- (1) the revision to the Local Development Scheme, appended to the report, shall come into effect from

15<sup>th</sup> November 2006 or from the date on which the Council received notification from the SoS in accordance with Regulation 11 (2) of the Town and Country Planning (Local Development) (England) Regulations 2004, which ever is earlier;

Strategic Director  
Environment

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

#### EXB42 JOINT MERSEYSIDE WASTE DEVELOPMENT PLAN DOCUMENT

The Board considered a report which sought approval for Halton's inclusion in the preparation of a Joint Merseyside Waste Development Plan document in collaboration with other Merseyside authorities. The Waste Development Plan document would allocate sites for waste related development as well as providing detailed policies.

The report also sought agreement that Halton contributes to the stages of the preparation of the Waste Plan Document for a three-year period and that delegated authority be granted to the Operational Director Environmental and Regulatory Services to determine certain states of the document's production.

RESOLVED: That the Council be recommended that subject to the prior adoption of the revised Halton Local Development Scheme 2006/07:

- (1) Halton's formal inclusion in the preparation of the Joint Merseyside Waste Development Plan Document (to be known as the Halton Borough Council, Liverpool City Council, Knowsley

Strategic Director  
Environment

Metropolitan Borough Council, Sefton Metropolitan Borough Council, St. Helens Borough Council and Wirral Borough Council Joint Waste Development Plan Document) be approved;

- (2) the necessary financial arrangements be put in place to fund Halton's contribution to the Joint Merseyside Waste Development Plan Document for the next three financial year, commencing with the current financial year 2006/07; and
- (3) the Operational Director – Environmental and Regulatory Services (ODERS) be given delegated authority to determine all matters as indicated in column 1 of the table below in accordance with column 2 of the same table (other than those matters indicated to be determined by full Council).

**ARTICLE I.**

**DECISION MAKER**

**2.**

**1.**

|   |              |
|---|--------------|
| Agreement to join, fund and progress<br>progress joint<br>Waste DPD | Full Council |
| SEA Scoping Report  | OD – ERS     |
| Interim SEA   | OD – ERS     |
| Approval Issues and Options<br>for public consultation              | OD – ERS     |
| SEA Report to accompany<br>Preferred Options                        | OD – ERS     |
| Approval of Preferred Options<br>for public consultation            | Full Council |
| Submission of Waste DPD   | Full Council |
| Final Adoption of Waste DPD   | Full Council |

**EXB43 ADOPTION OF HALEBANK REGENERATION AREA  
SUPPLEMENTARY PLANNING DOCUMENT AND DITTON  
STRATEGIC RAIL FREIGHT PARK SUPPLEMENTARY  
PLANNING DOCUMENT**

The Board received a report which outlined the public consultation that had taken place on the above draft Supplementary Planning Document and the proposed responses to representations made and amendments to the text of the SPDs to accommodate these representations, where appropriate. The report also sought approval for adoption of the two Supplementary Planning Documents named above.

RESOLVED: That

- (1) the Statement of Public Participation attached to the report be approved;
- (2) the amendments proposed to the text of the Halebank Regeneration Action Area SPD and the Ditton Strategic Railfreight Park SPD in response to the representations received, and the recommendations of the sustainability appraisal, be agreed;
- (3) the Halebank Regeneration Action Area SPD and the Ditton Strategic Railfreight Park SPD be adopted as a Local Development Document and the procedures for adoption, as set out in the Town and Country Planning (Local Development) (England) Regulations, be carried out; and
- (4) further editorial and technical changes that do not materially affect the content or intended purposes of the SPD be agreed by the Operational Director Environmental and Regulatory Services in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal if necessary, before the document is published.

Strategic Director  
Environment

#### EXB44 LOCAL AREA AGREEMENTS

A Local Area Agreement (LAA) was a three-year protocol that sets out the priorities for a local area. This must be agreed between Central Government and the area itself, as represented by the Lead Local Authority and other key partners through Local Strategic Partnership. Government had stipulated that Halton would be in Round 3 of the Programme. Consequently, an agreement must be negotiated by April 2007. The Board considered an update report on the process and progress made to date.

RESOLVED: That

- (1) the draft agreement be endorsed and its submission to Government Office by the 30<sup>th</sup> September deadline be agreed; and
- (2) the Leader and Chief Executive be given delegated power to make any necessary drafting amendments to the submission following the meeting of Executive Board.

Chief Executive

*(NB Councillor Wharton declared a personal and prejudicial interest in the following item as Chair of Friends of Hale Park and left the meeting during its consideration.)*

**NEIGHBOURHOOD MANAGEMENT AND DEVELOPMENT PORTFOLIO**

EXB45 HALE PARK RESTORATION - 'PARKS FOR PEOPLE' BID

At a previous meeting of the Board held on 22<sup>nd</sup> June 2006 Halton's Portfolio of Heritage Projects eligible for support from the Heritage Lottery Fund (HLF) was approved. The Board received an update report on the progress made on preparation of the Hale Park Restoration Scheme, one of Halton's Portfolio of Heritage Projects. Detailed proposals for the improvement and refurbishment of Hale had been prepared for submission under the Heritage Lottery Fund "Parks for People" Funding Programme. The work had been led by Landscape Services in consultation with the local Friends of Hale Park Group, Hale Parish Council and the local ward councillor.

The overall project cost was estimated at £550k and HLF would fund a possible 75% of this amount. It was proposed that the remaining partnership funding, which HLF would require, be made up from Wren £80k (£40k already secured for a new ball court, with a further £40k support available towards the playground, subject to a successful application, £12.5k Area Panel, £10k Landscape Grounds Maintenance budget and £35k from Capital Programme.

It was reported that the Stage 1 bid must be submitted before 30<sup>th</sup> September 2006. HLF considered applications and would make a decision within 6 months of the date. A more detailed Stage 2 bid would be prepared by Landscape Services and would be submitted by April 2007. If successful a start on site for the main works would be made in January 2008. (Construction of the multi-use ball court would take place earlier in January 2007 to meet the Wren criteria). All works would be completed by 2009.

RESOLVED: That

- (1) the Hale Park Restoration Project be submitted to Heritage Lottery Fund for funding from the "Parks for People" programme; and
- (2) the existing capital programme be varied to accommodate this scheme.

Strategic Director  
Environment

**MINUTES ISSUED: 5<sup>th</sup> October 2006**

**CALL IN: 11<sup>th</sup> October 2006**

**Any matter decided by the Executive Board may be called in no later than 11<sup>th</sup> October 2006.**

*Meeting ended at 3.35 p.m.*