

HALTON BOROUGH COUNCIL



*Municipal Building,
Kingsway,
Widnes.
WA8 7QF*

3rd February 2009

**TO: MEMBERS OF THE HALTON
BOROUGH COUNCIL**

You are hereby summoned to attend an Ordinary Meeting of the Halton Borough Council to be held in the Council Chamber, Runcorn Town Hall on Wednesday, 11 February 2009 commencing at 6.30 p.m. for the purpose of considering and passing such resolution(s) as may be deemed necessary or desirable in respect of the matters mentioned in the Agenda.

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

-AGENDA-

- 1. COUNCIL MINUTES**
- 2. APOLOGIES FOR ABSENCE**
- 3. THE MAYOR'S ANNOUNCEMENTS**
- 4. DECLARATIONS OF INTEREST**
- 5. LEADER'S REPORT**
- 6. MINUTES OF THE EXECUTIVE BOARD**
 - a) 4th December 2008
 - b) 18th December 2008
 - c) 15th January 2009
- 7. MINUTES OF THE EXECUTIVE BOARD SUB-COMMITTEE**
 - a) 4th December 2008
 - b) 18th December 2008
 - c) 23rd December 2008
 - d) 15th January 2009
- 8. QUESTIONS ASKED UNDER STANDING ORDER NO. 8**
- 9. MATTERS REQUIRING A DECISION OF THE COUNCIL**
 - a) Capital Programme - 2009/2010 - Executive Board 29th January 2009
- KEY DECISION**

The Executive Board considered the attached report.

RECOMMENDED: That the Schools Capital Programme 2009/10 be approved.
 - b) Calendar of Meetings 2009-2010 - Executive Board 29th January 2009**

The Executive Board considered the attached report.

RECOMMENDED: That the Calendar of meetings for the 2009-2010 Municipal Year be approved.

(NB An A3 copy of the calendar has been circulated with the agenda.)

c) Mersey Gateway: Funding for Advanced Land Acquisition - Mersey Gateway Executive Board 29th January 2009

The Mersey Gateway Executive Board considered the attached report.

RECOMMENDED: That the Capital Programme be amended as outlined within the report.

d) Local Code of Corporate Governance

To consider the attached report.

e) Procedure for Approving Local Area Agreements

To consider the attached report.

10. MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

- a) Children and Young People - Cream Pages
- b) Employment, Learning and Skills - yellow pages
- c) Healthy Halton - blue pages
- d) Safer Halton - pink pages
- e) Urban Renewal - green pages
- f) Corporate Services - salmon pages
- g) Business Efficiency Board - white pages

11. COMMITTEE MINUTES

- a) Development Control - pink pages

b) Standards - white pages

c) Regulatory - blue pages

12. MOTION - "PROVISION OF INFORMATION TO COUNCILLORS"

The following motion has been submitted in accordance with Standing Order No. 6:

Proposer: Councillor Redhead

Seconder: Councillor Hodgkinson

“Elected members should be informed of all important decisions or events involving the Council no later than the time when the information is released to the press.

The Leader of the Council signed the Liverpool City Region Multi Area Agreement on Monday 12th January 2009. The local press received a briefing on this event in time to meet their deadline the following Thursday. Elected councillors had to wait until 5.30pm that evening to be formally notified of the signing event.”

REPORT TO: Executive Board

DATE: 29th January 2009

REPORTING OFFICER: Strategic Director - Children and Young People

SUBJECT: Capital Programme – 2009/2010

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 This report provides a summary of the capital programme for 2009/10 for Children & Young People Directorate (CYPD).

2.0 RECOMMENDATION:

(1) To note the capital funding available for 2009/10;

(2) To recommend submission to Full Council for approval of the Schools Capital Programme 2009/10.

3.0 SUPPORTING INFORMATION

3.1 The total capital funding allocation for 2009/10 is outlined below.

<u>TYPE OF FUNDING</u>	<u>AMOUNT OF FUNDING (2009/10)</u>
Schools Capital Allocation (Supported Borrowing)	£1,504,653 *
LA contribution to repairs from revenue (to be confirmed)	£431,330
Access Initiative	£197,999
Children's Centre Capital	£47,194
Early Years Childcare Capital	£545,573
Playbuilder Capital	£411,252
Primary Capital Programme	£3,000,000 (Funding subject to PCP Strategy for Change being approved)
Total:	£6,138,001

* In November 2006 the DCSF approved an advance of £700,000 from 2009/2010 schools capital funding allocation for the extension and remodelling works at Brookfield's and Cavendish Schools. The advance will be deducted by reducing the capital grant over the period 2008-2011. The capital allocation above of £1,504,653 is the net allocation after the return of the second advance payment of £233,333.

3.2 Overview of Schools Capital Programme 2009/10.

It is proposed the schools capital and Local Authority revenue allocations fund the following works. See Appendix 1: Summary of funding.

1. Property Services carry out an annual short survey of all schools plus a more detailed survey for one quarter of Halton schools each year. These surveys identify the key capital repairs requirements. This information is then prioritised through use of a condition score matrix which takes into account the following factors: likelihood of occurrence, impact on school, impact on building fabric, health and safety and school repair strategy.

The matrix has been agreed by the Asset Management Steering Group which is a group consisting of Head teacher representatives from primary, secondary and special schools, representatives from the Dioceses of Liverpool, Shrewsbury and Chester and officers of Property Services and the Children and Young People Directorate.

2. The detailed capital repairs programme for 2009/2010 is identified in Appendix 2. The costs shown against each project are currently provisional. Based on these estimated costs it is likely that all projects can be funded in 2009/2010 however should the costs following receipt of tenders be less than the estimated costs further projects will be brought forward from the reserve list. However if the costs exceed the total funding available once final costs have been obtained the lowest scoring projects (lowest priority) will be deferred to 2010/11.

3. Other commitments from this fund are:

- AutoCAD plans have been produced detailing the layout and schedule of accommodation for all school buildings and will enable their use by schools in relation to asset management. It will be necessary to maintain up to date plans for all schools where building improvement works have been carried out.
- A rolling programme to address fire compartmentation in consortia type school buildings as a preventative measure against the risk of fire. To continue with this work it is essential to allocate funds to this programme.

4. A notional allocation for Primary Capital (£3.0m in 2009/10 and £5.378m in 2010/11) has been provided to all authorities. The exact amount available will be confirmed when the authority's Primary Capital Strategy is approved by the Department for Children Schools and Families (DCSF) – the Strategy is required to be re-submitted to the DCSF by 31 January, 2009. In order to maximise development opportunities and to provide added impact to the Primary Capital Programme it will necessary to join with other eligible capital funding. It is therefore necessary to make a contribution of £400,000 from the Schools Capital Programme 2009/10 towards the

proposals in the Primary Capital Programme (as detailed below in paragraph 7.0).

5. A contingency fund is also retained from this fund. This is used to cover the costs of emergency and health and safety works that arise during the year of a capital nature.
6. Fairfield High School – Wade Deacon High and Fairfield High School are currently federated until the closure of Fairfield High in August 2010. Wade Deacon will then operate as a split site school until the remodelling of Wade Deacon has been completed in 2013. It will therefore be necessary to modify a number of general and specialist teaching areas at Fairfield High until the new accommodation is available at the Wade Deacon site. The scope and detail of the works is yet to be determined and costed. Funding provision will be included in the contingency budget.
7. Control of Asbestos Regulations 2006 – in order to ensure systems in respect of asbestos management are robust it is necessary to update existing asbestos surveys.
8. Cavendish School – upgrading of the changing rooms associated with the new multi purpose hall is required to enhance the recent extension and remodelling works.

4.0 ACCESS INITIATIVE FUNDING 2009/10

Funding of £197,999 has been allocated by the DCSF to address access issues within school curriculum and buildings. Schools will be invited to submit bids for funding in April 2009 with bids assessed against agreed criteria.

5.0 EARLY YEARS CHILDRENS CENTRE CAPITAL AND CHILDCARE CAPITAL 2009/10

Funding of £47,194 has been allocated by the DCSF for the capital maintenance of existing childrens centres. Childcare Capital funding of £545,573 has been allocated by the DCSF to improve the quality of the environment in private, voluntary and independent early years and childcare settings. Bids will be invited from settings and will be assessed against the aims of the grant:

- To improve the quality of the learning environment in early years settings to support the delivery of the Early Years Foundation Stage with a particular emphasis on improving play and physical activities and ICT resources.
- To ensure all children, including disabled children, are able to access provision.
- To enable private, voluntary and independent providers to deliver the extension to the free offer for 3 and 4 year olds and to do so flexibly.

A further report detailing bids received and proposed works will be submitted to Executive Board for consideration and approval.

6.0 PLAYBUILDER CAPITAL 2009/10

Funding of £411,252 has been allocated by the DCSF to provide high quality and safe places to play. Expressions of interest are to be invited which will be assessed at end of March 2009. A further report detailing the bids received will be submitted to Executive Board for consideration and approval.

7.0 PRIMARY CAPITAL PROGRAMME 2009/10 – 2010/11

Halton is required to resubmit its Primary Capital Strategy to the DCSF before 31 January, 2009. Halton's provisional allocation is £3,000,000 in 2009/10 and £5,378,000 in 2010/11 for the first two years of the programme. Further funding will be available for the remaining twelve years of the Programme (details of allocations yet to be confirmed by the DCSF). The Strategy for Change has identified the following priorities for the first two years of the programme:

- The Grange Nursery, Infants and Junior Schools – development to provide an “all through school” as part of Halton's Building Schools for the Future programme to transform secondary schools. Estimated cost £6.5m.
- All Saints Upton CE Primary School – development to provide single site school. Estimated cost £3.1m.
- Our Lady Mother Superior Catholic Primary School - development to complete the remodelling of the school in partnership with Shrewsbury Diocese. Estimated cost £1.3m.

As the estimated building costs exceed the funding available under the Primary Capital Programme it will be necessary to join up with other eligible capital funding in order to maximise development opportunities and provide added impact for the Programme. A further report will be submitted to Executive Board as the Primary Capital Programme develops.

8.0 14-19 DIPLOMA EXEMPLAR FUNDING

All local authorities have been provided with the opportunity to bid for capital projects up to £5m that create world class facilities for diploma lines of learning. Consideration will be given to the projects that represent the best use of limited funding. A bid was submitted to provide world class facilities to deliver the Engineering Diploma with Wade Deacon High School being the proposed base for the facility. Facilities to be available for learners from September 2011. DCSF will advise local authorities which projects will receive funding at the end of March 2009.

9.0 YOUTH CAPITAL FUND AND YOUTH CAPITAL FUND PLUS

All local authorities have been provided with additional funds to invest in youth facilities with a further 50 local authorities receiving funding to target work and resources “to increase young people’s participation in activities, provide facilities and bring young people and the community together” (Youth Taskforce Action Plan 2008).

Additionally all local Authorities have been invited to submit bids through the My Place Fund, to deliver world class youth facilities driven by the active participation of young people and their views and needs. Halton has submitted a My Place bid proposing the refurbishment of the Kingsway Health Centre. Approval has been granted by DCSF to carry forward the Youth Capital Fund plus Grant (£452k) to contribute towards the refurbishment costs of the centre if the bid is successful. If the bid is unsuccessful the grant will fund improvements at Upton Community Centre to enhance the facilities for young people there.

10.0 POLICY IMPLICATIONS

The capital repairs element of the Capital Programme and the Primary Capital Programme will allow the Council to continue to meet its requirement to enhance the learning environment through capital projects allocated in accordance with the priorities identified in the Asset Management Plan.

11.0 OTHER IMPLICATIONS

The capital repairs programme and the Primary Capital Programme will contribute to Halton’s Carbon Management Programme by producing more energy efficient buildings.

12.0 IMPLICATIONS FOR THE COUNCIL’S PRIORITIES

12.1 Children and Young People in Halton

The proposed capital repairs programme and the Primary Capital Programme will address condition and suitability issues within school buildings and will improve the learning environment for children and young people.

13.0 RISK ANALYSIS

13.1 As the costs identified in Appendix 2 are currently only estimates once final costs have been obtained should there be insufficient funds the lowest scoring projects (lowest priority) will be deferred to 2010/11.

13.2 It is current practice for schools to contribute towards the cost of works. This consultation with schools has yet to take place therefore if schools are not willing to contribute these projects will not be carried out in 2009/10.

13.3 In the event of the Primary Capital Programme Strategy for Change not being approved by the DCSF the schools capital contribution (£400,000) will be re-allocated to other projects.

14.0 EQUALITY AND DIVERSITY ISSUES

The Access Initiative Programme provides funding to authorities to improve the accessibility of mainstream schools for pupils with disabilities and the wider community. Consideration to access issues is given in all building projects. The capacity of schools to meet the needs of children with more complex needs and disabilities will be developed further through the Primary Capital Strategy for Change.

15.0 CAPITAL FUNDING AND PROGRAMMES 2010/11

The DCSF has confirmed the following allocations for 2010/11.

<u>TYPE OF FUNDING</u>	<u>AMOUNT OF FUNDING 2010/11</u>
Schools Capital Allocation (Supported Borrowing) (Grant)	£514,083 £990,570
LA contribution to repairs from revenue (to be confirmed)	£431,330
Access Initiative	£197,999
Childrens Centre Capital	£49,661
Early Years Childcare Capital	£545,573
Playbuilder Capital	£411,252
Primary Capital Programme	£5,378,000 (Funding subject to PCP Strategy for Change being approved by DCSF)
Total	£8,518,468

Further reports will be submitted to Executive Board recommending proposed works from the capital allocations.

16.0 REASON FOR DECISION

To deliver and implement the capital programmes.

17.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

18.0 IMPLEMENTATION DATE

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

19.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Schools Capital Announcement – DCSF 10/10/2007	Finance & Resources	Phil Dove
Asset Management Steering Group Minutes	Finance & Resources	Phil Dove
Childrens Centres Capital Grant – DCSF 15/10/2007	Finance & Resources	Phil Dove
Early Years Capital Grant – DCSF 30/11/2007	Finance & Resources	Phil Dove

This page is intentionally left blank

Premises	Works	Estimated cost	Estimated cost of fees	Total estimated cost	Likelihood of Occurrence	Impact on School	Impact on Fabric	H&S	Schools Repair Strategy	Overall Score
Weston Primary	Windows	40,000	6,000	46,000	4	4	3	4	3	56
Windmill Hill Primary	Boilers	80,000	12,000	92,000	4	4	3	4	3	56
Brookvale	Roofs	75,000	11,250	86,250	4	4	4	3	2	52
Ditton CE	Windows	25,000	3,750	28,750	4	4	4	3	2	52
The Heath Comprehensive	Windows	10,000	1,500	11,500	4	4	3	4	2	52
Astmoor Primary	Windows (Asbestos Present)	70,000	10,500	80,500	4	4	4	3	2	52
Hallwood Park	Ongoing Electrics	75,000	11,250	86,250	4	4	3	4	2	52
Oakfield Primary	Rewire	60,000	9,000	60,900	4	4	3	4	2	52
Fairfield Infants	Pipes,radiators & boilers	75,000	11,250	86,250	4	4	3	4	2	52
Gorsewood Primary	Pipes & radiators	78,500	11,775	90,275	4	4	3	4	2	52
Simms Cross Primary	Replacement canopy	8,000	1,200	9,200	4	4	3	4	2	52
Woodside Primary	Gas boilers & pipework	50,000	7,500	57,500	4	4	3	4	2	52
Pewithall Primary	Pipes & radiators	100,000	15,000	115,000	4	4	3	3	3	52
Wade Deacon High School	Switchgear lower & upper	35,000	5,250	40,250	4	3	3	4	2	48
Pewithall Primary	Link Corridor Roof	15,000	2,250	17,250	4	3	2	3	3	44
Wade Deacon High School	Gym Floor	65,000	9,750	74,750	4	3	3	3	2	44
Oakfield Community Primary	Windows	25,000	3,750	28,750	4	3	3	3	2	44
Hillview Primary	Emergency lighting & main	16,000	2,400	18,400	4	3	2	4	2	44
Woodside Primary	Emergency Lighting	8,500	1,275	9,775	4	4	1	4	2	44
Fairfield Juniors	Submains	20,000	3,000	23,000	4	4	2	3	2	44
Weston Point Primary	M&E	10,000	1,500	11,500	4	4	3	2	2	44
Weston Primary	Fan convectors	50,000	7,500	57,500	4	4	3	2	2	44
Total		991,000	148,650	1,139,650						
Reserve List										
Gorsewood Primary	E/lighting & rewire	50,000	7,500	57,500	4	3	2	3	2	40
Brookvale Primary	E/lighting,lighting extractors	90,000	13,500	103,500	4	3	2	3	2	40
Lunts Heath Primary	Roofs	50,000	7,500	57,500	4	3	3	2	2	40
Simms Cross Primary	Sub boards & sub mains	65,000	9,750	74,750	3	4	3	4	2	39
West Bank Primary	Boiler	80,000	12,000	92,000	3	4	3	4	2	39
Hillview Primary	Boilers	50,000	7,500	57,500	3	4	3	3	2	36
Halebank CE Primary	Roofs	70,000	10,500	80,500	3	3	3	2	2	30
Halebank CE Primary	Pipes & radiators	60,000	9,000	69,000	3	3	2	3	2	30
Beechwood Primary	Main switch gear	20,000	3,000	23,000	3	3	2	2	2	27
Pewithall Primary	Switchgear & luminaires	65,000	9,750	74,750	3	3	2	2	2	27
Farnworth CE Primary	Refurb heating/gas supply	40,000	6,000	46,000	3	3	2	2	2	27
Fairfield Juniors	Refurb heating/gas supply	40,000	6,000	46,000	3	3	2	2	2	27
West Bank Primary	Windows	50,000	7,500	57,500	3	3	2	2	2	27
Palace Fields Primary	Suspended Ceilings	65,000	9,750	74,750	3	2	1	1	2	18
Total		795,000	119,250	914,250						

This page is intentionally left blank

CAPITAL PROGRAMME SUMMARY 2009/10

FUNDING	
Total Schools Capital Funding	1,935,983
School contribution	170,948
Estimated Total	2,106,931

DESCRIPTION	ESTIMATED COSTS	COMMENT
Asset Management Data	5,000	Update CAD (Computer Aided Design) plans
Fire Compartmentation	15,000	Continuation of compartmentation works.
Capital Repairs	1,139,650	See Appendix 3 for details. Estimated costs only - should prices received exceed estimate the number of projects approved in 2009/10 will need to be decreased.
Contingency	422,281	Funding required to cover costs of retentions from previous years, emergency capital & health & safety work. Allowance also included for works to Fairfield High teaching areas.
Primary Capital Programme	400,000	Contribution to Programme
Asbestos Management	75,000	Update surveys
Cavendish School	50,000	Remodelling changing rooms
Estimated Total	2,106,931	

PRIMARY CAPITAL PROGRAMME 2009/19 & 10/11		
Primary Capital Programme Funding	3,000,000	Proposed developments at The Grange Nursery, Infants & Junior Schools (BSF
	5,378,000	All Through School), All Saints Upton CE Primary School & Our Lady Mother Saviour
		Primary.
Total	8,378,000	
CHILDRENS CENTRE CAPITAL 2009/10		
Childrens Centres Capital Funding	47,194	Capital Maintenance of existing centres
Total	47,194	
EARLY YEARS CAPITAL 2009/10		
Early Years Capital Funding	545,573	Works to various private, voluntary & independent settings
Total	545,573	
ACCESS INITIATIVE FUNDING 2009/10		
Access Initiative Funding	197,999	Schools to bid for funding to address access issues.
Total	197,999	
PLAYBUILDER CAPITAL 2009/10		
Playbuilder Capital Funding	411,252	Works to provide high quality & safe places to play.
Total	411,252	

This page is intentionally left blank

REPORT TO: Executive Board

DATE: 29th January 2009

REPORTING OFFICER: Strategic Director – Corporate and Policy

SUBJECT: Calendar of Meetings 2009-2010

WARDS: All

1.0 PURPOSE OF THE REPORT

To approve the Calendar of Meetings for the 2009-2010 Municipal Year attached at Appendix 1 (NB light hatched areas indicate weekends and Bank Holidays, dark hatched areas indicate school holidays).

2.0 RECOMMENDATION:

That Council be recommended to approve the Calendar of Meetings for the 2009-2010 Municipal Year, attached at Appendix 1.

3.0 SUPPORTING INFORMATION

None.

4.0 POLICY IMPLICATIONS

None.

5.0 OTHER IMPLICATIONS

None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None.

6.2 Employment, Learning and Skills in Halton

None.

6.3 A Healthy Halton

None.

6.4 A Safer Halton

None.

6.5 Halton's Urban Renewal

None.

7.0 RISK ANALYSIS

Should a Calendar of Meetings not be approved, there will be a delay in publishing meeting dates. This would result in practical difficulties in respect of the necessary arrangements to be made and the planning process regarding agenda/report timetables.

8.0 EQUALITY AND DIVERSITY ISSUES

Once a Calendar of Meetings has been approved the dates will be published, hence assisting public involvement in the democratic process.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None under the meaning of the Act.

NB Lightly shaded areas indicate weekends and Bank Holidays; dark shaded areas indicate school holidays.

	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APR
M		1 Children & Yng Pple PPB								1 AF – M, H G & HB	1	
T		2 Corporate Services PPB			1			1		2 AF – C, WH, NN & NS	2	
W		3 Standards Committee Business Efficiency Brd	1 AF – HL & B		2 Regulatory Committee			2		3 AF – HL & B	3 SPECIAL COUNCIL	
T		4 Executive Sub Executive Board	2		3	1		3 Executive Sub Executive Board		4	4 Executive Sub Executive Board	1 Executive Sub Executive Board 3MG Sub-Board
F	1	5	3		4	2		4	1	5	5	2
S	2	6	4	1	5	3		5	2	6	6	3
S	3	7	5	2	6	4	1	6	3	7	7	4
M	4	8 Dev Control Cttee	6 Dev Control Cttee	3	7 Children & Yng Pple PPB	5 AF – M, H, G & HB	2 Children & Young People PPB	7 Dev Control Cttee	4 Children & Yng Pple PPB	8 AF – Daresbury	8 Employment, Learning & Skills PPB	5
T	5	9 SEMINAR Healthy Halton PPB	7	4	8 Corporate Services PPB	6 AF – C, WH, NN & NS	3 Corporate Services PPB	8 SEMINAR	5 Corporate Services PPB	9 SEMINAR	9 Healthy Halton PPB	6
W	6	10 Employment, Learning & Skills PPB	8	5	9 Standards Committee	7 AF – HL & B	4	9	6 Standards Committee Urban Renewal PPB	10 COUNCIL	10 Business Efficiency Brd	7
T	7	11	9 SEMINAR	6	10 Executive Sub Executive Board	8	5 Executive Sub Executive Board	10	7 SEMINAR	11 Executive Sub Executive Board	11	8
F	8	12	10	7	11	9	6	11	8	12	12	9
S	9	13	11	8	12	10	7	12	9	13	13	10
S	10	14	12	9	13	11	8	13	10	14	14	11
M	11	15 MGE B Regulatory Committee	13 AF – Daresbury	10 Development Control Committee	14 Dev Control Cttee	12 Dev Control Cttee	9 Dev Control Cttee	14	11 Dev Control Cttee	15 Dev Control Cttee	15 Dev Control Cttee	12 Dev Control Cttee
T	12	16 Safer Halton PPB	14	11 SEMINAR	15 Healthy Halton PPB	13	10 Healthy Halton PPB	15	12 Healthy Halton PPB	16	16 Safer Halton PPB	13 SEMINAR
W	13 Executive Board (Selection)	17 Urban Renewal PPB	15	12	16 Urban Renewal PPB	14 SEMINAR	11 Standards Committee Business Efficiency Board	16 COUNCIL	13 Employment, Learning & Skills PPB	17	17 Urban Renewal PPB	14
T	14	18 Executive Sub Executive Board	16 Executive Sub Executive Board	13	17 SEMINAR	15 Executive Sub Executive Board 3MG Sub-Board	12 SEMINAR	17 Executive Sub Executive Board	14 Executive Sub Executive Board 3MG Sub-Board	18	18 MGE B Executive Sub Executive Board	15
F	15 ANNUAL COUNCIL	19	17	14	18	16	13	18	15	19	19	16
S	16	20	18	15	19	17	14	19	16	20	20	17
S	17	21	19	16	20	18	15	20	17	21	21	18
M	18 Dev Control Cttee	22 AF – B, D, H & HG	20	17	21 Employment, Learning & Skills PPB	19 AF – Daresbury	16 Employment, Learning & Skills PPB	21	18 Regulatory Committee	22 Children & Yng Pple PPB	22 Regulatory Committee	19
T	19 SEMINAR	23 AF – R, A & K	21	18	22 Safer Halton PPB	20	17 Safer Halton PPB	22	19 Safer Halton PPB	23 Corporate Services PPB	23 SEMINAR	20
W	20	24 AF – B, F & HV	22 COUNCIL	19	23 Business Efficiency Brd	21 COUNCIL	18	23	20 Business Efficiency Board	24 Standards Committee	24	21 COUNCIL
T	21	25 3MG Sub-Board Business Effic'y Brd (Closure of Accounts)	23	20	24 MGE B Executive Sub Executive Board	22	19 MGE B Executive Sub Executive Board	24	21	25	25	22
F	22	26	24	21	25	23	20	25	22	26	26	23
S	23	27	25	22	26	24	21	26	23	27	27	24
S	24	28	26	23	27	25	22	27	24	28	28	25
M	25	29 AF – M, H, G & HB	27	24	28 AF – B, D, H & HG	26	23 Regulatory Committee	28	25 AF – B, D, H & HG		29	26
T	26	30 AF – C, WH, NN & NS	28	25	29 AF – R, A & K	27	24	29	26 AF – R, A & K		30	27
W	27		29	26	30 AF – B, F & HV	28	25 Urban Renewal PPB	30	27 AF – B, F & HV		31	28
T	28		30	27					28 MGE B Executive Sub Executive Board			
F	29		31	28		29	26	31				29
S	30			29		30	27		29			30
S	31			30		31	28		30			
M				31			30					
T												

This page is intentionally left blank

REPORT TO: Mersey Gateway Executive Board

DATE: 29 January 2009

REPORTING OFFICER: Strategic Director Environment

SUBJECT: Mersey Gateway: Funding for Advanced Land Acquisition

WARDS: All

1.0 PURPOSE OF THE REPORT

1.1 This report deals with the funding required to support the acquisition of land, including the interests of tenants and freeholders, prior to receiving Government grant. The report updates the information reported to the Mersey Gateway Executive Board (MGEb) on 15 November 2007, and the following proposals are consistent with the Mersey Gateway Business Relocation Strategy agreed by MGEb on 19 May 2008. It is proposed that the land acquisition budget is reviewed annually at this time of year so that any changes can be considered as part of the Council's budget deliberations. For the avoidance of doubt the report does not deal with the Mersey Gateway development budget which was agreed by MGEb on 25 September 2008.

2.0 RECOMMENDATION: That the Board

- i) approve the revised budget for Advanced Land Acquisition and Negotiations;
- ii) recommend that the Council amend the Capital Programme accordingly; and
- iii) note the potential call on the Council Priorities Fund.

3.0 SUPPORTING INFORMATION

3.1 The funding agreement with the Department for Transport (DfT) established when Mersey Gateway received Programme Entry approval in March 2006, and reconfirmed in October 2008, specifies that the Council is responsible for meeting all development costs up to receiving Final Funding approval for the project. Members are aware that the funding agreement with Ministers is being administered by the rules for delivering local major transport schemes. These rules establish the following stages in project approval:-

- **Programme Entry** once the initial case has been made to the DfT (achieved in March 2006).

- **Conditional Approval** once statutory powers are in place and HM Treasury content for procurement to commence (ie the Treasury Project Review Group has cleared the outline business case (expected in January 2010)
- **Full Approval** case submitted once a Preferred Bidder has been identified and firm prices have been secured (expected in April 2011).

3.2 As reported previously to the MGEb this staged funding approval process means that grant is not available to cover any costs incurred on land acquisition and negotiation prior to full funding approval being granted, which is currently programmed for April 2011. Moreover, the grant for land acquisition is issued through the Regional Funding Allocation and affordability constraints in the regional programme has resulted in the proposed grant payments being further delayed.

3.3 Options to manage the funding gap for land acquisition have been assessed in some detail. These have included potential arrangements with third parties to share risk.

3.4 The following seven options for meeting the short term funding gap have been identified and evaluated.

1. Regional Funding Acceleration (RFA): the funding gap could be closed considerably by bringing forward the funding profile by around £30m over the next three years.
2. Infrastructure Fund Proposal: the forward funding of land assembly is often an issue for Councils when promoting large PFI projects. A proposal has been submitted by a private equity investment fund that has been established to assist local authorities in providing funding for project preparation and land acquisition where costs are incurred in advance of the PFI contract being placed.
3. Pension Fund Proposal: this option has now been abandoned because the Council owned land that could be made available in a development partnership with the pension fund was not sufficiently attractive to off-set the land assemble costs and risks.
4. HBC Direct Acquisition: the Council could cover the cost of early land acquisition and negotiation through a prudential borrowing loan facility and repay the loans using the grant when it is received from government.
5. Asset Backed Option: the Council could either sell its surplus land and assets on the open market or enter into a development partnership utilising these assets to offset any borrowing costs incurred in option 4 above.
6. PFI Contract: This option involves the PFI concessionaire purchasing all the necessary land as part of the PFI contract. The Council would then purchase the land from the concessionaire using the RFA grant.
7. Hybrid Option: This option considers the combination of the asset backed option 5 and HBC acquiring the remaining land through

borrowing (option 4) .

- 3.5 Each of the options has been assessed and scored against the five criteria of Deliverability, Timing, Affordability, Risk, Value for Money and Political Considerations. The scores were then totalled and the options ranked to identify the most favourable option for the Council. The seven options and summary scores are as follows:

Option	Score	Rank
• RFA Acceleration	19	1
• Infrastructure Fund Proposal	16	3
• Pension Fund Proposal	(rejected/withdrawn)	
• HBC Direct Acquisition	18	2
• Asset Backed Option	15	5
• PFI Contract	12	6
• Hybrid Option	16	3

- 3.6 The most favourable option for HBC would be the acceleration of the RFA grant (Option 1) as it would minimise the gap in funding land assembly, thereby avoiding any significant external finance. However, due to constraints on the funding provided by DfT and by the North West Region this option may prove to be undeliverable. The Government has requested the Region to prepare Regional Funding Advice for its Comprehensive Spending Review period 2008-11 and beyond to 2018 (leading to the RFA2 submission that is required to be with Government by 28 February 2009). The first draft of RFA2 has been presented for public consultation and comments have been requested by 30 January 2009. The first draft highlights the shortage of funding for the Regions priority transport schemes over the next ten years at least. This draft submission suggests there is little scope to bring forward the RFA allocation for Mersey Gateway and our effort should be focussed on avoiding any slippage by securing the current grant profile in the final RFA2 advice put to Government. It should be noted however that spending the proposed RFA will depend on a number of schemes receiving full Funding approval which have yet to receive even Programme Entry status. It is therefore proposed that the Council is well placed to take advantage of any under spend that may arise in future years due to schemes being delayed. Any acceleration of all or part of the receipt of RFA will reduce the borrowing

requirements of any of the financing options and therefore improve affordability and value for money.

- 3.7 On the basis that it is not possible for the RFA to be accelerated then the preferred option is direct acquisition where the Council enter into prudential borrowing arrangements to acquire the land when needed.
- 3.8 The Infrastructure Fund proposal (Option 2) is the best option based on sharing risk with the private sector but the evaluation has failed to identify any substantial benefits to offset the additional deliverability and financial risks over and above any of the direct purchase options that could be undertaken by the Council. It is proposed to keep this option in reserve as it may offer deliverability benefits should RFA allocations and Council borrowing capacity come under further pressure.
- 3.9 The asset backed hybrid option is slightly less favourable as there is a higher degree of deliverability risk related to the realisation of the estimated sale value in the current market within the tight timetable. However, this option would potentially reduce the required prudential borrowing and cost to HBC and therefore could be considered to carry a lower degree of financial risk for HBC. The asset sale may be considered further as an option to provide mitigation against the financial exposure of the direct acquisition option.
- 3.10 The PFI contract variation is the least favourable option as it would delay the project and introduces the greatest project deliverability risk for HBC.
- 3.11 The results of the options appraisal have been reported to the Officer Project Board who concluded that funding advanced land purchase through prudential borrowing (Option 4) offers best value when combined with a further investigation of opportunity to mitigate the financial burden. The main mitigation measure to be investigated should be bringing forward the Regional Funding Allocation as part of the current review of the regional funding programme (RFA2).

4.0 POLICY AND FINANCIAL IMPLICATIONS

- 4.1 Funding advanced land acquisition through prudential borrowing is estimated to require around £28m prior to achieving final funding approval in spring 2011. The current allocation in the approved Capital Programme for Mersey Gateway Land Acquisition is restricted to £6m.
- 4.2 The actual expenditure incurred on land acquisition and negotiation and the commitments plus contingency based on the current negotiations are as follows:-

Land Acquired (including fees)	=	£ 2,500,000
Compensation Paid	=	£ Nil
 Total Actual Spend	=	 £ 2,500,000
 Additional Commitments Pending (to March 2011) (estimated)	=	 £ 18,700,000m
 Contingency	=	 £ 6,800,000
 Total Budget to Full Funding Approval	=	 £28,000,000

- 4.3 Based on this estimate the funding required to deliver the Mersey Gateway project in accordance with the established Business Relocation Strategy will require £22m of additional borrowing to be put in place over the next two years as £6m is already identified in the current Capital Programme.
- 4.4 Most of the advanced land acquisition costs are expected to fall in the financial year commencing April 2010 but it is estimated that a further £6m should be put in place at the earliest opportunity and the Capital Programme amended accordingly by the Council in March 2009. The expected balance of £16m will be reviewed towards the end of this year and the results reported to the MGEB taking into account the availability of funding through RFA that may reduce the borrowing required.
- 4.5 The above funding would cover the expected land expenditure up to receiving Full Funding approval which is programme for April 2011. After achieving Full Funding approval the total RFA of £79.6m is committed by Government but the payment of grant will be constrained by the amount available for Mersey Gateway in the RFA programme. The current financial projections for completing the land acquisition, including undertaking all necessary site clearance and de-contamination works, indicate that further borrowing will be required to meet the gap between the timing of these costs and the current RFA grant payments.
- 4.6 The profile of expenditure set against the expected receipt of RFA grant is set out table 1 below:-

	2008/9	09/10	10/11	11/12	12/13	13/14	14/15	15/16	Total
Land Acquisition Cost (including Site Clearance/De-Contamination works)	4.5	7.5	16.0	36.0	7.8	Nil	Nil	5.0	76.8
RFA Grant (excluding £6.4m for development)			4.0	6.0	9.3	33.2	23.7	3.4	79.6
Borrowing in Year)	4.5	7.5	12.0	30.0	-1.5	-33.2	-23.7	1.6	
Borrowing Required	4.5	12.0	24.0	54.0	52.5	19.3	(4.4)	(2.8)	

- 4.7 The cumulative borrowing requirement in advance of the grant receipt rises to an estimated £54.0m. This will be incorporated in the Treasury Management Policy to be considered by the Executive Board at its meeting on 12th February 2009. Interest costs on this borrowing will be dependent on the interest rate applicable at the time. Provision has been made in the budget for interest costs relating to 2009/10 borrowing although it may be necessary to utilise the Priorities Fund to meet the costs in future years.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 5.1 The implementation of Mersey Gateway will have significant benefits for all Council priorities.

6.0 RISK ANALYSIS

- 6.1 The Council investment in early land acquisition is expected to deliver savings of at least £5m and will minimise the risk to businesses and jobs. The total estimated cost of £77m for land assembly including allowance for site clearance and de-contamination works is under review taking into account the more detailed information emerging in negotiations with the affected parties. Members should note that the bulk of the land acquisition will take place over the next three years and any commitments to acquire land will reflect the current market for commercial landholdings. .
- 6.2 Should Mersey Gateway not be delivered for any reason then the Council would be able to resell any land bought but it is estimated that in a worst case the Council could lose up to £7m in abortive compensation and acquisition costs. Any increase in land values would reduce this loss and could produce a surplus should the market for commercial land improve. The substantive risk of early termination falls away at Final Funding approval expected in April 2011. At this stage the maximum financial exposure would be £28m (ie the maximum borrowing envisaged up to March 2011). The key events that pose a

threat to early termination are the confirmation of Orders in spring 2010, followed by market prices being confirmed when bids are returned from potential contractors in early 2011. Early termination would cause the market value of land acquired to remain on the Council balance sheet. As such the Council will be taking the market value risk of the assets purchased. The borrowing undertaken post Final Funding approval would be short term pending the receipt of grant that would be committed by Government at this stage.

- 6.3 The borrowing indicated in table 1 and reflected above in the risk assessment would be reduced if we are successful in bringing forward the RFA grant payments. This seems unlikely prior to reaching Final Funding approval, set for April 2011, but as this approval would commit Government grant, Mersey Gateway would be a strong candidate to benefit from any under spend in the RFA programme or reprioritisation of investment.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 Mersey Gateway provides an opportunity to improve accessibility to services, education and employment for all.

8.0 REASON(S) FOR DECISION

- 8.1 The recommended decisions are required to support the delivery of Mersey Gateway.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 9.1 Not applicable.

10.0 IMPLEMENTATION DATE

- 10.1 The recommended decisions are required at the earliest opportunity to authorise the continued preparation of the Mersey Gateway project.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

- 11.1 Files maintained by the Mersey Gateway Project Team and by the Highways and Transportation Department

This page is intentionally left blank

REPORT TO: Council

DATE: 11 February 2009

REPORTING OFFICER: Strategic Director – Corporate & Policy

SUBJECT: Local Code of Corporate Governance

WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To propose that the draft Local Code of Corporate Governance is formally adopted and incorporated into the Council Constitution.

2.0 RECOMMENDATION:

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

3.0 SUPPORTING INFORMATION

Background

3.1 CIPFA and SOLACE (the Society of Local Authority Chief Executives and Senior Managers) have published an updated governance framework for local authorities – ‘Delivering Good Governance in Local Government’. This draft Local Code of Corporate Governance has been developed in response to that publication.

3.2 Good governance is defined as “the way in which an organisation ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner”.

3.3 Whilst adoption of a local code of corporate governance is not a statutory requirement, it is considered to represent best practice. The purpose of the code is to provide a public statement showing how the Council complies with the principles of good governance.

3.4 The Council’s governance arrangements have been assessed against the principles set out in the Framework document by the Corporate Governance Group, which comprises:

- The Strategic Director – Corporate & Policy
- The Monitoring Officer
- The Operational Director – Financial Services (s151 officer)
- The Operational Director – Policy & Performance
- The Chief Internal Auditor
- The Chief Scrutiny Officer

3.5 This review has informed the production of a draft Local Code of Corporate Governance, which is attached to this report. This identifies:

- The systems, processes and documentation that provides evidence of compliance with the principles of good governance; and
- The individuals and committees responsible for monitoring and reviewing the systems, processes and documentation identified.

3.6 The effectiveness of the Council's governance arrangements, and the way in which compliance with them is monitored, is required by legislation to be publicly reported upon in the Annual Governance Statement, which is published with the Council's financial statements.

3.7 The Business Efficiency Board is responsible for reviewing and approving the Council's Annual Governance Statement. The diagram in Appendix 1 shows the framework established to provide members with assurance over the effectiveness of the Council's governance arrangements.

3.8 The Business Efficiency Board considered the draft Local Code of Corporate Governance on 7 January 2009 and resolved that the Council be recommended to agree that the Code is adopted and included in the Council's Constitution.

3.9 The Standards Committee also considered the draft Local Code of Corporate Governance on 7 January 2009. It too resolved that the Council be recommended to agree that the Code is adopted and included in the Council's Constitution.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

4.1 The development of a Local Code of Corporate Governance effectively draws together into one comprehensive document, the Council's individual policies, practices, cultures and values that help to ensure the proper conduct of its business.

4.2 There are no financial or legal issues arising directly from this report. However, the draft Local Code of Corporate Governance explains the arrangements in place to ensure that the Council:

- Provides value for money to taxpayers and service users;
- Recognises the limits of lawful action and observes both the specific responsibilities of legislation and the general responsibilities placed upon it by public law.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton

See 4.1 above.

5.2 Employment, Learning and Skills in Halton

See 4.1 above.

5.3 A Healthy Halton

See 4.1 above.

5.4 A Safer Halton

See 4.1 above.

5.5 Halton's Urban Renewal

See 4.1 above.

6.0 RISK ANALYSIS

6.1 Good governance is essential to ensure that local authorities are meeting the needs of their citizens and service users and are developing their community leadership role. Poor governance will adversely impact on effectiveness and lead to poorer public services and loss of public confidence.

6.2 The way in which the Council promotes and demonstrates the principles and values of good governance forms part of the annual 'Use of Resources' assessment. Failure to adopt a Local Code of Corporate Governance would represent a missed opportunity to publicise and strengthen the Council's governance arrangements.

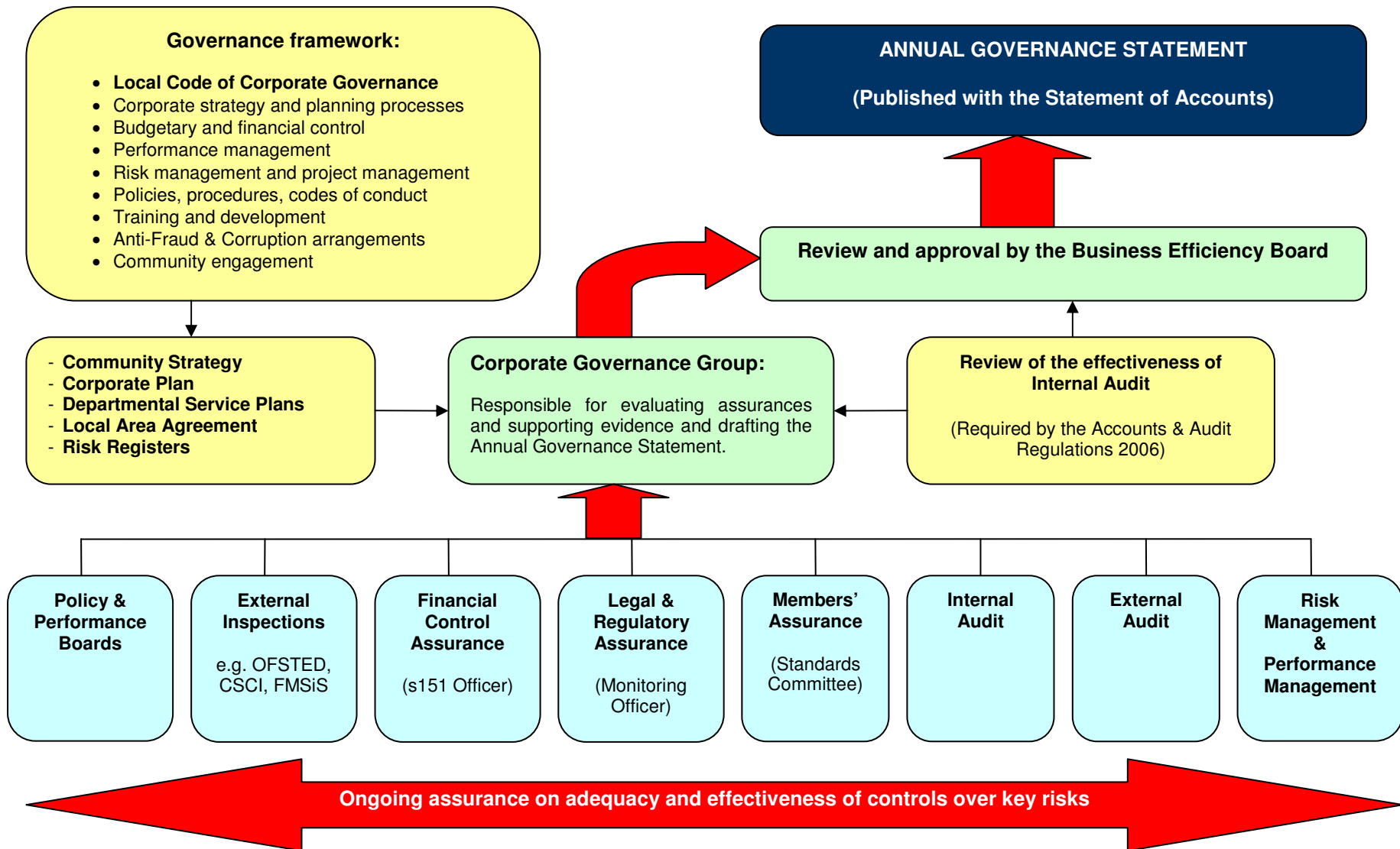
7.0 EQUALITY AND DIVERSITY ISSUES

7.1 The adoption of a Local Code of Corporate Governance would help to demonstrate that the Council recognises its accountability to its diverse communities.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact
CIPFA / SOLACE – Delivering good governance in Local Government: Framework (2007)	6 th Floor, Municipal Building, Kingsway, Widnes	Mervyn Murphy

ANNUAL GOVERNANCE STATEMENT – ASSURANCE FRAMEWORK



HALTON BOROUGH COUNCIL

LOCAL CODE OF CORPORATE GOVERNANCE

1. Introduction

- 1.1 Governance is about how an organisation such as a local authority ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It is made up of the systems, processes, cultures and values, by which the organisation is directed and controlled and through which it accounts to, engages with and, in the case of a local authority, leads the community.
- 1.2 Good governance leads to good management, good performance and good stewardship of public money. It therefore enables the Council to effectively implement its vision in accordance with its values and to engage effectively with its citizens and service users and ensure good outcomes for them.
- 1.3 Halton Borough Council is committed to meeting best practice standards for good governance. This Code provides a public statement that sets out the way in which the Council will meet and demonstrate that commitment.

2. Principles of Corporate Governance

- 2.1 The Council operates through a governance framework which brings together and reflects legal requirements, governance principles and good management processes.
- 2.2 The Council's Code of Corporate Governance is based on the following six core principles:
 - (1) Focusing on the Council's purpose and on outcomes for the community.
 - (2) Members and officers working together to achieve a common purpose with clearly defined functions and roles.
 - (3) Promoting the Council's values and demonstrating the values of good governance through behaviour.
 - (4) Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.
 - (5) Developing the capacity and capability of members and officers to be effective.
 - (6) Engaging with local people and other stakeholders to ensure robust accountability.

2.3 Supporting each of the core principles is a series of supporting principles. The way in which the Council has translated these principles into its governance framework is described in the appendix to this Code.

3. Monitoring and Review

3.1 The Council has two Committees that are jointly responsible for monitoring and reviewing the Council's corporate governance arrangements:

(1) The Business Efficiency Board is responsible for:

- Acting as the Council's Audit Committee;
- Approving the Council's Accounts;
- Approving the Annual Governance Statement;
- Monitoring performance against the Council's Efficiency Strategy.

(2) The Standards Committee is responsible for promoting and maintaining high standards of conduct by the members and co-opted members of the authority.

3.2 The Corporate Governance Group will be responsible for monitoring and providing assurance on the governance process and making reports to the Business Efficiency Board and Standards Committee as appropriate. Its membership will include:

- The Strategic Director – Corporate & Policy
- The Operational Director – Legal, Organisation Development and Human Resources (Monitoring Officer)
- The Operational Director – Financial Services (s151 officer)
- The Operational Director – Policy & Performance, and
- The Chief Internal Auditor
- The Chief Scrutiny Adviser

3.3 Assurance that the Council's corporate governance framework is operating as intended will come from a range of sources that include:

- Audit Commission Organisational Assessments
- Self-assessment against regulatory frameworks
- External inspections
- External Audit
- Internal Audit
- Standards Committee
- Policy & Performance Boards
- Performance management framework
- Risk management framework
- Budgetary control and financial management processes

4. Annual Governance Statement

- 4.1 Each year the Council will review its corporate governance arrangements and publish an Annual Governance Statement. This will describe the arrangements that have been in place during the year and highlight any areas where improvement is required.

- 4.2 The Annual Governance Statement will be published as part of the Council's Statement of Accounts and will be reviewed by the Council's external auditor.

Signed: _____
(Chief Executive)

Signed: _____
(Council Leader)

How Halton Borough Council applies the Principles of Good Governance

Principle 1: Focusing on the Council's purpose and on outcomes for the community

Supporting Principle:	Being clear about the Council's purpose and its intended outcomes for citizens and service users.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
1.1	We have determined and published our vision and long term priorities for Halton.	<ul style="list-style-type: none"> • Corporate Plan 2006-2011
1.2	We have developed a long term strategy for the local area with our partners. It is based on consultation with local people about the sort of place they want the area to be. The strategy co-ordinates the actions of the public, private, voluntary and community sectors.	<ul style="list-style-type: none"> • Sustainable Community Strategy 2006-2011
1.3	We have agreed targets with Central Government that are based on the improvements that local people want to see.	<ul style="list-style-type: none"> • Local Area Agreement • Local Public Service Agreement
1.4	Our corporate planning framework ensures that the Council's operational activities are complementary to the delivery of our community aspirations and legal and statutory responsibilities.	<ul style="list-style-type: none"> • Departmental Service Plans
1.5	We publish our annual financial statements on the Council's website.	<ul style="list-style-type: none"> • Abstract of Accounts

Supporting Principle:	Making sure that users receive a high quality of service.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
1.6	We aim to ensure that the purchase or commissioning of goods, services and works required to deliver services are acquired under Best Value terms and are in accordance with our Strategic Priorities.	<ul style="list-style-type: none"> • Procurement Policy and Improvement Plan • Procurement Standing Orders
1.7	We have established a range of performance indicators used to measure progress against our key priorities. These are reported to the Corporate Management Team and to the Policy and Performance Boards.	<ul style="list-style-type: none"> • Quarterly monitoring reports
1.8	We have established arrangements to ensure that services provided, whether directly or by contractors, partners or the voluntary sector, are delivered to a high standard.	<ul style="list-style-type: none"> • Contract monitoring procedures
1.9	We have effective procedures to respond to complaints.	<ul style="list-style-type: none"> • Corporate complaints procedure
1.10	We have developed arrangements to ensure that critical service delivery can be maintained or recovered during an emergency,	<ul style="list-style-type: none"> • Business Continuity Plans

Supporting Principle:	Making sure that taxpayers and service users receive value for money.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
1.11	One of our priorities is 'Corporate Effectiveness and Efficient Service Delivery', the aim of which is to "create the maximum effect on the quality of life in the communities of Halton through the efficient use of the Council's resources".	<ul style="list-style-type: none"> • Corporate Plan 2006-2011
1.12	We have developed, and are implementing, a strategy that formalises what we can do to ensure that we make the most of the resources available to continue to improve services and provide positive benefits for the people of Halton.	<ul style="list-style-type: none"> • Efficiency Strategy • Departmental Service Plans reflect efficiency improvements
1.13	We have established arrangements to ensure that financial resources are directed to our priorities.	<ul style="list-style-type: none"> • Medium Term Financial Strategy • Capital Programme • Revenue budget process
1.14	We have an internal audit function that provides a continuous audit of the Council's activities. It examines, evaluates and reports on the adequacy of the control environment as a contribution to the proper, economic, efficient and effective use of resources.	<ul style="list-style-type: none"> • Internal Audit Strategy • Annual Internal Audit Plan • Internal Audit reports
1.15	Our external auditors provide an annual assessment on how well we are managing and using our resources to deliver value for money and better and sustainable outcomes for local people.	<ul style="list-style-type: none"> • Use of Resources assessment
1.16	We have developed robust procedures to respond positively to the findings and recommendations of external auditors and statutory inspectors.	<ul style="list-style-type: none"> • Action plans developed in response to external inspections

Ref	How we apply the principles	How this is evidenced
1.17	We have established arrangements to minimise the risk of fraud and corruption.	<ul style="list-style-type: none"> • Anti-Fraud and Anti-Corruption Strategy • Fraud Response Plan • Whistle-blowing Policy (Confidential Reporting Code) • A Benefits Investigation Unit whose primary task is to detect Housing Benefit and Council Tax Benefit fraud and take appropriate legal action against people who commit this type of fraud. • An internal audit function which is alert to the risk of fraud and corruption when reviewing the Council's systems and services.

Principle 2: Members and officers working together to achieve a common purpose with clearly defined functions and roles

Supporting Principle:	Being clear about the Council's executive and non-executive functions and the roles and responsibilities of the scrutiny function.
------------------------------	--

Ref	How we apply the principles	How this is evidenced
2.1	<p>We have produced a documented framework that sets out how the Council operates, how decisions are made and the procedures which are followed to make sure that these are efficient, transparent and accountable to local people.</p> <p>This framework sets out the roles and responsibilities of:</p> <ul style="list-style-type: none">• The Executive, the Leader and other Executive Members;• Policy & Performance Boards, which advise the Executive and Council on its policies, budgets and service delivery;• The committees established to fulfil the Council's regulatory and other functions.	<ul style="list-style-type: none">• The Council Constitution

Supporting Principle:	Ensuring that a constructive working relationship exists between members and officers and that the responsibilities of members and officers are carried out to a high standard.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
2.2	We have clearly documented protocols governing relationships between members and officers.	<ul style="list-style-type: none"> • Member / Officer Protocol
2.3	We have clearly defined the relative roles and responsibilities of Members and senior officers.	<ul style="list-style-type: none"> • The Council Constitution • Councillor Role Profiles • Job descriptions
2.4	We have delegated most functions to the Executive and its sub-committees/boards with the exception of certain functions that are reserved for decision by Full Council.	<ul style="list-style-type: none"> • The Council Constitution
2.5	The Chief Executive is responsible for and accountable to the Council for all aspects of operational management.	
2.6	The Operational Director – Financial Services, as the s151 Officer appointed under the 1972 Local Government Act, carries overall responsibility for the financial administration of the Council.	
2.7	The Monitoring Officer (Operational Director – Legal, Organisational Development & Human Resources) carries overall responsibility for legal and regulatory compliance. The Monitoring Officer is required to report to Members should any proposal, decision or omission give rise to unlawfulness or maladministration.	

Supporting Principle:	Being clear about relationships between the Council, its partners and the public.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
2.8	We have developed a protocol to ensure effective communication between members and officers in their respective roles.	<ul style="list-style-type: none"> • Member/Officer protocol
2.9	We have clearly set out terms and conditions for the remuneration of members and officers and there is an effective structure for managing the process.	<ul style="list-style-type: none"> • Independent Remuneration Panel • Members Allowance Scheme • Pay and Grading Review
2.10	We have established a range of mechanisms to communicate our service objectives and to monitor performance.	<ul style="list-style-type: none"> • Local Area Agreement • Departmental Service Plans • National and local performance indicators • Corporate Performance Management Framework • Partnership Performance Management Framework • Customer satisfaction surveys • Corporate complaints procedure • Line management responsibilities
2.11	We have developed our vision, strategic plans, priorities and targets through robust mechanisms, and in consultation with the local community and other key stakeholders. We ensure that they are clearly articulated and disseminated.	<p>Communities and stakeholders are consulted through:</p> <ul style="list-style-type: none"> • Regular residents' surveys • Use of citizens' panels • Focus groups • Stakeholder consultation • Neighbourhood Management boards • Area Forums

Ref	How we apply the principles	How this is evidenced
		<p data-bbox="1352 236 2096 300">Communities and stakeholders are kept in touch through:</p> <ul data-bbox="1352 331 1845 507" style="list-style-type: none"> <li data-bbox="1352 331 1666 359">• Council Newspaper <li data-bbox="1352 367 1581 394">• Area Forums <li data-bbox="1352 402 1697 429">• The Council's website <li data-bbox="1352 437 1845 464">• The Council's partners' websites <li data-bbox="1352 472 1666 499">• Stakeholder groups
2.12	We remind Members about their roles and responsibilities both individually and collectively in relation to partnership working. We also provide training for officers on partnership ethics.	<ul data-bbox="1352 549 1809 576" style="list-style-type: none"> <li data-bbox="1352 549 1809 576">• Member training and seminars
2.13	All joint or partnering arrangements with other bodies are subject to the prior approval of the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources).	<ul data-bbox="1352 687 1800 715" style="list-style-type: none"> <li data-bbox="1352 687 1800 715">• Procurement Standing Orders
2.14	Our significant partnerships have been identified and work is ongoing to ensure that appropriate governance arrangements are in place for those partnerships.	<ul data-bbox="1352 826 2096 1034" style="list-style-type: none"> <li data-bbox="1352 826 1906 853">• Governance of Partnerships Checklist <li data-bbox="1352 895 1749 922">• The work of Internal Audit <li data-bbox="1352 963 2096 1034">• A Code of Practice for Partnership working is being developed

Principle 3: Promoting the Council's values and demonstrating the values of good governance through behaviour

Supporting Principle:	Ensuring that members and officers behave in ways that exemplify high standards of conduct and effective governance.
------------------------------	--

Ref	How we apply the principles	How this is evidenced
3.1	We have defined and communicated the standards of conduct and personal behaviour expected of Members and employees through codes of conduct and protocols.	<ul style="list-style-type: none"> • Members Code of Conduct • Employee Code of Conduct • Member/Officer Protocol • Anti-Fraud & Corruption Policy • Standing Orders relating to Finance • Procurement Standing Orders • Member Training Programme • Dignity at Work Policy • Equal Opportunities Policy • Induction procedures • Members Information Bulletin
3.2	We have put into place arrangements to ensure that Members and employees are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders. We have also established appropriate processes to ensure that they continue to operate in practice.	<ul style="list-style-type: none"> • Registers of Interests • Registers of Gifts & Hospitality • Whistle-blowing Policy (Confidential Reporting Code) • Systems to report and deal with any incidents of fraud and corruption • Grievance procedures • Internal Audit

Supporting Principle:

Ensuring that organisational values are put into practice.

Ref	How we apply the principles	How this is evidenced
3.3	We have developed and maintain shared values, including leadership values, for both the organisation and employees that reflect public expectations. We communicate these values to Members, employees, the community and our partners.	<ul style="list-style-type: none">• Induction procedures• Human Resources policies• Publication of an Annual Governance Statement
3.4	We have put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards and we monitor their continuing effectiveness in practice.	<ul style="list-style-type: none">• Monitoring Officer role• Internal Audit• Corporate complaints procedure• The role of the Standards Committee in supporting Members' observation of their Code of Conduct• Employee Development Review procedures• Performance Management Framework
3.5	We have established an effective Standards Committee that promotes high standards of conduct and supports Members' observation of their Code of Conduct.	<ul style="list-style-type: none">• Standards Committee Terms of Reference• Standards Committee minutes and agendas• Standards Committee training• Publicising the process to complain about Members' conduct

Principle 4: Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Supporting Principle:	Being rigorous and transparent about how decisions are taken.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
4.1	We operate an open and effective process for decision-making. We publish key decisions in the Council's Forward Plan. Our Council meetings are open to the public with the exception of where confidential or personal matters may be disclosed. We publish minutes of all Council meetings on our website.	<ul style="list-style-type: none"> • The Council Constitution • Forward Plan • Minutes of Council meetings
4.2	We have established six Policy & Performance Boards (PPBs) to provide an effective scrutiny function that encourages constructive challenge and enhances the Council's performance.	<ul style="list-style-type: none"> • PPBs' Terms of Reference • Minutes of PPB meetings
4.3	We have put into place arrangements to safeguard Members and employees against conflicts of interest.	<ul style="list-style-type: none"> • Registers of Interests • Registers of Gifts & Hospitality • Declarations of personal or prejudicial interests at the start of each meeting in which discussions involve a matter in which a Member has an interest. • The Monitoring Officer may be approached to advise on conflicts of interest.
4.4	We have designated the Business Efficiency Board (BEB) as the Council's Audit Committee. The Board is independent of the executive and scrutiny functions. Its terms of reference are consistent with CIPFA guidance on Audit Committees.	<ul style="list-style-type: none"> • BEB Terms of Reference • Minutes of BEB meetings
4.5	We have established effective, transparent and accessible arrangements to deal with complaints.	<ul style="list-style-type: none"> • Corporate complaints procedure

Supporting Principle:	Having and using good-quality information, advice and support.
------------------------------	--

Ref	How we apply the principles	How this is evidenced
4.6	We have established, and are continuing to develop, sound systems for providing management information for performance measurement and decision-making purposes.	<ul style="list-style-type: none"> • Performance Management Framework • Data Quality Strategy
4.7	We provide decision-makers with information that is fit for purpose. This includes ensuring that decision-makers are provided with clear explanations of legal, financial and technical issues and their implications. We provide training to Members to ensure that we have a strong basis for quality decision-making.	<ul style="list-style-type: none"> • The executive report template requires information to be provided explaining the legal and financial implications of decisions, as well as implications for each of the corporate priorities. • Advice on financial, legal and technical issues is provided by the s151 Officer, the Monitoring Officer and other officers as required. • Reports are sent to decision-makers with the agenda of meetings on a timely basis. • The Council publishes a Forward Plan listing key decisions to be taken. • Policy is evidence based. The Community Strategy and Corporate Plan are based on regularly updated 'State of the Borough' reports, which bring together key facts and statistics with the result of surveys and consultation. Strategic needs analyses of Health, the economy and Community Safety have been undertaken. • Member Training Programme.

Supporting Principle:	Ensuring that an effective risk management system is in place.
------------------------------	--

Ref	How we apply the principles	How this is evidenced
4.8	We have put in place risk management systems, including systems of internal control and an internal audit function, which are continually being developed. Members and officers at all levels recognise that risk management is part of their jobs.	<ul style="list-style-type: none"> • Risk Management Policy and Toolkit • Corporate Risk Register • Directorate Risk Registers linked to Departmental Service Plans • A Partnership Risk Register produced by the five specialist strategic partnerships (SSPs) • Member and officer training on risk management • The executive report template contains a section to consider the 'risk implications' of any decisions. • Internal Audit • The Business Efficiency Board reviews the Internal Audit work programme and oversees the implementation of audit recommendations. • Health and safety policies and procedures
4.9	We have established effective arrangements for 'whistle-blowing'.	<ul style="list-style-type: none"> • Confidential Reporting Code • Fraud telephone hotline • On-line reporting facility on the Council website

Supporting Principle:	Using legal powers to the full benefit of citizens and communities.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
4.10	We actively recognise the limits of lawful activity placed on the Council but also strive to utilise our legal powers to the full benefit of the community.	<ul style="list-style-type: none"> • One of the functions of the Monitoring Officer is to ensure the lawfulness and fairness of decision making.
4.11	We recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law.	<ul style="list-style-type: none"> • The executive report template contains a section to consider the 'legal implications' of any decisions. • The Legal Services Division produces a regular legal bulletin to update officers on relevant changes in legislation.
4.12	We observe all specific legislative requirements placed upon the Council, as well as the requirements of general law and, in particular, integrate the key principles of good administrative law – rationality, legality and natural justice – into our procedures and decision-making processes.	<ul style="list-style-type: none"> • Involvement of the Council's legal advisors in all major issues. • Member and officer training.

Principle 5: Developing the capacity and capability of members and officers to be effective

Supporting Principle:	Making sure that Members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.
------------------------------	--

Ref	How we apply the principles	How this is evidenced
5.1	We provide induction programmes tailored to individual needs and opportunities for Members and Officers to update their knowledge on a regular basis.	<ul style="list-style-type: none"> • Member and employee induction programmes • Member training programme • Employee training and development programme • Achieving and maintaining the Investor in People Standard
5.2	We ensure that the Council's statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are understood throughout the Council.	<ul style="list-style-type: none"> • Departmental Service Plans reflect human resource requirements • Employee Development Review procedure • Job descriptions and person specifications have been produced for all posts • Recruitment and appointment policies and procedures • Reports from inspectorates and regulators • Systems exist to cascade information to Members and employees • Publication of the Constitution on the intranet and Council website

Supporting Principle:

Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.

Ref	How we apply the principles	How this is evidenced
5.3	We assess the skills required by Members and employees and are committed to developing those skills to enable roles to be carried out effectively.	<ul style="list-style-type: none">• Member induction programme• Corporate (employee) induction programme
5.4	We develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge, and to recognise when outside expert advice is needed.	<ul style="list-style-type: none">• Personal development interviews for Members• Standards Board training
5.5	We ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members.	<ul style="list-style-type: none">• Overview and Scrutiny Development Plan• North West Charter for Elected Member Development - Exemplar Level status• Training opportunities for members individually and collectively, including a programme of seminars on topical matters• Comprehensive training programme for officers backed up by regular Employee Development Reviews

Supporting Principle:

Encouraging new talent for membership of the authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal.

Ref	How we apply the principles	How this is evidenced
5.6	We have established arrangements to encourage individuals from all sections of the community to engage with, contribute to, and participate in the work of the Council.	<ul style="list-style-type: none">• Individuals are encouraged to participate in the work of the Council through extensive consultation on plans and strategies.• The Council's newspaper and website informs the community of forthcoming meetings, events and items in which the community are able to participate.
5.7	We will ensure that career structures are in place for Members and employees to encourage participation and development.	<ul style="list-style-type: none">• Workforce Development Plan• Member training programme• Employee training and development programme• Employee Development Reviews• Personal development interviews for Members

Principle 6: Engaging with local people and other stakeholders to ensure robust accountability

Supporting Principle:	Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
6.1	We are accountable to local people and institutional stakeholders.	<ul style="list-style-type: none"> • Elected Members are democratically accountable to their local area and this provides a clear leadership role in building sustainable communities. • The Corporate Plan is published on the Council's website. • The 'call in' procedure allows members to examine decisions made by the Executive in detail. Decisions may be 'called in', which means that implementation does not take place immediately to allow an opportunity for further consideration. • Elected members are involved in the Halton Strategic Partnership Board and its Specialist Strategic Partnerships (SSPs). Partnership minutes and performance are reported to the PPBs. • PPBs co-opt additional members, for example, LINK (Local Involvement Network) representatives on the Healthy Halton PPB. • Provision exists in the Council's Constitution for the consideration of petitions. • Our financial statements are audited and published on the Council website.

Ref	How we apply the principles	How this is evidenced
		<ul style="list-style-type: none"><li data-bbox="1352 231 2119 343">• Our External Auditor provides an annual organisational assessment of the Council's performance.<li data-bbox="1352 375 2119 446">• We receive reports from numerous inspectorates and regulators throughout the year.<li data-bbox="1352 478 2119 582">• We are subject to, and report on performance against, a range of national indicators.

Supporting Principle:

Taking an active and planned approach to dialogue with and accountability to the public.

Ref	How we apply the principles	How this is evidenced
6.2	We ensure that clear channels of communication are in place with all sections of the community and other stakeholders.	<ul style="list-style-type: none">• Partnership Community Engagement Strategy• Communication Strategy• Council website• Council minutes and agendas• Monthly staff magazine• Council Newspaper• Formal consultation arrangements include the Halton 2000 Citizen's Panel, the seven Area Forums, the Youth Forum and the Older Person's engagement network.• Informal consultation arrangements include contact via our website, Halton Direct Link and magazine based customer surveys.• Community and voluntary sector representatives have decision-making roles on the Halton Strategic Partnership Board and on all its SSPs.• Neighbourhood Management Partnership• Development of a Stakeholder Involvement Toolkit.

Ref	How we apply the principles	How this is evidenced
6.3	We hold Council meetings in public, unless there are good reasons for confidentiality, and we allow the public the opportunity to speak.	<ul style="list-style-type: none"> • Council meeting minutes and agendas
6.4	We have arrangements in place to engage with all sections of the community effectively. These arrangements recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands.	<ul style="list-style-type: none"> • Sustainable Community Strategy • Area Forums • Strategies, policies and other publications are available in alternative formats upon request.
6.5	We have established a clear policy on the types of issues that the public and service users will be consulted on. This includes providing a feedback mechanism for those consultees to demonstrate what has changed as a result.	<ul style="list-style-type: none"> • Community Engagement Strategy • The Community Engagement Practitioners Network is responsible for developing a central register of all engagement activities across the Council. • Information regarding community engagement is clearly articulated on a dedicated section of the Halton Strategic Partnership website.
6.6	We publish performance information that gives information on the Council's vision, strategy, plans and financial statements. We also publish information about outcomes, achievements and service user satisfaction.	<ul style="list-style-type: none"> • We publish a summary of performance information and our financial statements. This is distributed to every household with the Council Newspaper. • Performance information and performance reports are published on the Council's website. • Places Survey (satisfaction survey)

Ref	How we apply the principles	How this is evidenced
6.7	The Council as a whole is open and accessible to the community, service users and employees. We have a commitment to openness and transparency in all our dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.	<ul style="list-style-type: none"><li data-bbox="1352 240 2098 304">• Council agendas and minutes are published on the Council's website<li data-bbox="1352 344 1966 371">• Freedom of Information Publication Scheme<li data-bbox="1352 411 2098 475">• Publication of Management Team minutes on the intranet<li data-bbox="1352 515 1621 544">• Staff Team Briefs

Supporting Principle:	Taking an active and planned approach to dialogue with and accountability to the staff.
------------------------------	---

Ref	How we apply the principles	How this is evidenced
6.8	We have developed and maintain a clear policy on how employees and their representatives are consulted and involved in decision-making.	<ul style="list-style-type: none"> • Trade Unions consultation • Staff surveys • Employee Development Reviews • Chat with the Chief Executive meetings • Team Briefings with feedback mechanism • Staff suggestion scheme • Monthly staff newsletter

REPORT TO: Council

DATE: 11th February 2009

REPORTING OFFICER: Strategic Director Corporate and Policy

SUBJECT: Procedure for Approving Local Area Agreements

WARDS: Borough-wide

1. PURPOSE OF REPORT

To decide how the Council will approve Local Area Agreements for Halton.

2. RECOMMENDED THAT:

- i. The approval of Local Area Agreements for Halton be delegated to the Executive Board.
- ii. The constitution be amended accordingly.

3. SUPPORTING INFORMATION

- 3.1 In July 2008 Statutory Guidance was published relating to various provisions in the Local Government and Public Involvement in Health Act 2007. One new area covered by the guidance is the procedure for formal approval of the Local Area Agreement by the Council. There is flexibility within the legal provisions for the full Council to decide whether it wants to approve the Local Area Agreement itself or whether to delegate it to Executive Board. The decision on how agreements will be approved needs to be made before an updated Local Area Agreement can itself be approved and submitted to the Secretary of State in March 2009.
- 3.2 Members will recall that a Local Area Agreement sets out proposed local improvement targets and identifies which partners will help to deliver each target. Targets are negotiated with the government through government office and after approval by the Council are submitted to the Secretary of State for signature.
- 3.3 The current Local Area Agreement was approved in June 2008 covering the period April 2008 to March 2011. It will be reviewed and refreshed annually. We are required to approve the revised Local Area Agreement by 26th March 2009 for submission to the Secretary of State.
- 3.4 There are a number of indicators for which no targets could be set in June

2008 because baseline information was not available. Several relate to the Places Survey for which the results will only be available in early March. It is therefore likely that negotiations will proceed up to the very last minute, and whether the approval is by Council or Executive Board, some delegation for last minute changes will be necessary.

- 3.5 It is recommended that a procedure be adopted that will apply to all subsequent Local Area Agreement approvals. However, to illustrate the options in 2009, there is a special Council meeting on 4th March (budget meeting) and an Executive Board on 19th March 2009. Since it will not be possible to report progress on negotiations relating to several targets to the 4th March Council meeting, it is recommended that the decision to approve the Agreement be delegated to the Executive Board.
- 3.6 As indicated above it is likely that in approving a draft agreement Executive Board will need to give delegation powers to the Chief Executive for any final changes.
- 3.7 The Local Area Agreement is essentially a set of three-year delivery targets for the priorities in the Sustainable Community Strategy. Full Council adopts the Community Strategy and it is not unreasonable to delegate its implementation.

4. POLICY IMPLICATIONS

Whilst the Local Area Agreement is a key element of policy implementation, the decision making process itself has no policy implications.

5. OTHER IMPLICATIONS

There are no other implications.

6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

As stated above, the Local Area Agreement itself has implications for all our priorities but the decision making route does not. Progress on the Local Area Agreement will be reported regularly to all Policy and Performance Boards.

7. RISK ANALYSIS

- 7.1 Failure to decide how Local Area Agreements will be approved could lead to subsequent challenge. It may be damaging to the Council's reputation and relationship with government. Adoption of an approval process removes this risk.
- 7.2 A lengthy approval process would prejudice the Council's ability to meet the government timetable for negotiating Local Area Agreements. Delegation to Executive Board reduces this risk as it meets fortnightly.

- 7.3 Failure to involve all members may lead to lack of “ownership” of the Local Area Agreement. This can be mitigated by reports to Policy and Performance Boards and in the Members’ Information Bulletin.

8. EQUALITY AND DIVERSITY ISSUES

The approval procedure should not have any implications for equality and diversity since both Council and Executive Board meetings are publicly accessible by the same means.

9. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Collection Office
Halton Local Area Agreement 2008	2 nd Floor Municipal Buildings	Rob MacKenzie 0151 471 7416
Statutory Guidance to Local Government and Public Involvement in Health Act 2007	2 nd Floor Municipal Buildings	Rob MacKenzie 0151 471 7416
LAA Review and Refresh: Letter from Regional Director Government Office 17 October 2008	2 nd Floor Municipal Buildings	Rob MacKenzie 0151 471 7416

This page is intentionally left blank