

## COUNCIL

*At a meeting of the Council on Wednesday, 21 October 2009 in the Council Chamber, Runcorn Town Hall*

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

Apologies for Absence: Councillors S. Blackmore, Findon, Gerrard, Higginson, D. Inch, E. Ratcliffe, M. Ratcliffe and Rowe

Absence declared on Council business: Councillor Tom McInerney

Officers present: M. Reaney, A. Scott, A. McIntyre, D. Johnson, I. Leivesley, L. Derbyshire, D. Parr and D. Tregoe

Also in attendance: None

### *Action*

#### COU29 COUNCIL MINUTES

The minutes of the Council meeting held on 22 July 2009, having been printed and circulated were taken as read and signed as a correct record.

#### COU30 APOLOGIES FOR ABSENCE

The Mayor wished to pass on the good wishes of the Council to all those Members absent from the meeting due to ill health.

#### COU31 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:-

- On his recent visit to China, a large ceramic plate had been presented to the Mayor. The plate measured 31cm in diameter and was bronze in colour and had a working clock with fabric design;
- A glass paperweight made by Teign Valley Glass and engraved with "1989-2009 H.M.S Black Swan Association" was presented to the

Mayor by the H.M.S Black Swan Association at their last reunion in Halton on 13 September 2009; and

- A leather bound copy of the book “An Undistinguished Naval Officer” by Lt Cdr Miles Chapman M.B.E. was presented to the Mayor at the last reunion of the H.M.S Black Swan Association in Halton on 13 September 2009.

## COU32 LEADER'S REPORT

The Leader reported on the following issues:-

- Sadly, Mr Ian Tewson, a former Member of the Borough Council, had recently died. The Council stood for a minutes' silence as a mark of respect ;
- The Executive Board attended a very productive Away Day on 19<sup>th</sup> October 2009. A summary of the topics discussed and the outcomes from the day would be circulated to all Members for information;
- As part of the ongoing Efficiency Review, staff had received a letter inviting expressions of interest for voluntary redundancy, voluntary early retirement and statutory redundancy;
- Work was underway on the preparation of the 2010/11 Budget and consideration would be given to any potential changes in policy as a result of next year's General Election;
- The statutory Councillor Call for Action procedure and the key role a Councillor would play in being a representative and advocate for their local community and helping to resolve local issues;
- A Joint Venture Company had recently been established at the successful Daresbury Science and Innovation Park, to develop the Park's future and bring together businesses, universities, research organisations and industrial partners;
- The outcome of the Comprehensive Performance Assessment would be reported to Members before the December Council meeting;
- The Mersey Gateway project would be debated in Parliament on 22 October 2009 with an announcement on the final decision expected early in 2010;
- Details of a proposal by the Ministry of Justice

to close Widnes Magistrates Court had been received. Comments on the proposals would be invited from Members and all relevant External Partners before the end of November 2009;

- Funding for refurbishment of St Michael's Municipal Golf Course had been awarded by DEFRA; and
- Halton's recycle bank facility had recently been launched and the rewards programme reinforced the Council's commitment to giving residents choice and access to quality services.

#### COU33 MINUTES OF THE EXECUTIVE BOARD

The Council considered the Minutes of the Executive Board meetings held on 9th September 2009 and 24<sup>th</sup> September 2009.

RESOLVED: That the Minutes be received.

#### COU34 MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE

The Council considered the Minutes of the Executive Board Sub Committee meetings held on 10<sup>th</sup> September 2009 and 24<sup>th</sup> September 2009.

RESOLVED: That the Minutes be received.

#### COU35 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the Minutes of the Mersey Gateway Executive Board meeting held on 24<sup>th</sup> September 2009.

RESOLVED: That the Minutes be received.

#### COU36 MINUTES OF THE 3MG EXECUTIVE SUB BOARD

The Council considered the Minutes of the 3MG Executive Board meeting held on 24<sup>th</sup> September 2009.

RESOLVED: That the Minutes be received.

#### COU37 QUESTIONS ASKED UNDER STANDING ORDER NO.8

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

## COU38 MATTERS REQUIRING A DECISION OF THE COUNCIL

*(Councillor R Hignett declared a personal and prejudicial interest in respect of minute numbers 39 and 40 in the following items of business due to being employed by CLC and left the room during consideration of these items.)*

## COU39 HEALTH & COMMUNITY CAPITAL PROGRAMME OUTTURN 2008/09 & CAPITAL PROGRAMME 2009/10 (MINUTE NO: EXB 39 REFERS)

The Executive Board considered a report of the Strategic Director- Health and Community which informed the Board of the 2008/09 Capital Programme Outturn and the 2009/10 Capital Programme.

In April 2009 a report set out the forecast outturn for the Health and Community capital programme for 2008/9 and the reasons for monies being carried forward to 2009/10, together with a proposed programme of schemes for 2009/10. Due to the delay in announcing the housing grant allocations from the Government Office, the report highlighted that assumptions had been made about the level of resources likely to be available in 2009/10.

The Board was advised that the allocation for the housing programme had been announced as £2.911m, an increase of £2.289m over the 2008/9 allocation. After several years of declining grant in Halton, this level of funding considerably exceeded what was expected and was due to the introduction of a revised funding distribution formula which more closely reflected the priorities in the recently revised Regional Housing Strategy.

Given that the housing programme had been supported by corporate capital growth in recent years when the housing grant was reducing, and the current pressures on the Council in terms of capital, it was proposed that the approved carry forward of £0.736m be vired to support the corporate capital programme.

It was noted that there would be a requirement for some resources to be set aside to fund Halton's share of ICT and Software costs for the development and introduction of a sub-regional Choice Based Lettings Scheme, but the amount involved would not be clear until much later in the financial year. A provisional sum of £50,000 had therefore been included in the programme.

This still left £1.329m of the new housing allocation unallocated. There were a number of potential calls on this fund, but the main priority in the Housing and Supporting People Strategies was to secure the development of additional extra care housing schemes for the growing population of older people in the Borough.

The Board was advised that a further priority was the Registered Social Landlord (RSL) Partnership Agreement. This partnership between HBC and the RSL's began in July 2008. In 2008/9 the Council identified £467k to be used to fund, on a 50:50 basis, home adaptations within RSL properties.

In 2009/10 the Council had allocated £450k to the Partnership Agreement. To date £410k had been paid, committed to schemes agreed and it was anticipated that the RSL's could carry out further adaptations to a value £400k requiring additional partnership funding of £200k, from the Council, to be match funded by £200k from the RSL.

RESOLVED: That

- (1) that the approved carry forward of £0.736m be vired to support the corporate capital programme; and
- (2) the Capital Programme for 2009/10, as set out in Appendix 1 to the report be approved.

Strategic Director  
– Health &  
Community

#### COU40 AMENDMENT TO CAPITAL PROGRAMME TO REFLECT GROWTH FUND CAPITAL AWARD

The Executive Board considered a report of the Strategic Director – Environment which informed Members of the award of capital funding from the Department for Communities and Local Government (DCLG) Growth Fund and requested an amendment to the Halton Capital Programme to facilitate internal accountancy procedures and comply with the Council's Constitution.

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

The Mid Mersey Programme of Development had

achieved an allocation of approximately £4.2million. However, in July 2009, the DCLG informed all Growth Points that there would be a reduction in capital grant in the next financial year. This would result in a revised total allocation of £3.2 million.

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

RESOLVED: That

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

Strategic Director  
- Environment

#### COU41 THE ROLE OF THE LEAD MEMBER AND HALTON SAFEGUARDING CHILDREN BOARD AND ADULT SAFEGUARDING BOARD

The Council considered a joint report of the Strategic Director – Children and Young People – and the Strategic Director Health and Community – on the role of the Lead Member and Halton Safeguarding Children Board and Adult Safeguarding Board.

The Department for Children, Schools and Families had recently issued revised Guidance on *The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services*. This replaced the 2005 Guidance.

The Document included guidance on the role of the Lead Member in relation to Local Safeguarding Children Boards and highlighted the implications for Halton Safeguarding Children Board including proposed action to comply with the revised statutory guidance.

The *Every Child Matters* Green Paper (2003) launched a programme of systematic change to improve well being for every child. While it was the responsibility of all Local Authority Leaders and Chief Executives to ensure that arrangements were in place to provide Political and Professional leadership and accountability for delivering the programme, these arrangements would be in the main provided by the Director for Children's Services and the

Lead Member for Children's Services who between them should provide a clear and unambiguous top line of accountability for children's well-being.

The revised Guidance outlined that Lead Members needed to be well-informed about safeguarding practice in their area, to receive regular updates from the Director of Children's Services, and to receive ongoing training to help them scrutinise and challenge safeguarding service delivery to children and young people. The Guidance stated that the Lead Member should be a "participant observer" of the Local Safeguarding Children Board. In practice, this meant routinely attending meetings as an observer and receiving all its written reports. Lead Members should engage in discussions, ask questions and seek clarity, but not be part of the decision making process. This would provide the Lead Member with the independence to challenge when necessary from a well-informed position.

At the same time, the Council was the lead for Adult Safeguarding and had emphasised the importance of ensuring the safety of vulnerable adults. Although the Adult Safeguarding Board had a shorter history than the Safeguarding Children Board its work was of equal importance. This would be further enhanced by applying the same principle of Member attendance to the main Board meetings.

RESOLVED: That Council endorse the following

- (1) the Portfolio Holder, Children & Young People as Lead Member for Children's Services routinely attends HSCB Main Board meetings as a "participant observer" and receives all its written reports in order to comply with Statutory Guidance; and
- (2) the Portfolio Holder, Health & Social Care as Lead Member for Adult's Services routinely attends the Adult Safeguarding Main Board Meetings.

Strategic Director  
– Children &  
Young People

#### COU42 INDEPENDENT REMUNERATION PANEL

The Council received a report of the Strategic Director – Corporate and Policy, regarding the establishment of an Independent Remuneration Panel to review the Council Scheme of Member Allowances.

The Council's Scheme of Members Allowances would

expire on 31<sup>st</sup> March 2010. Before a new Scheme could be put in place, the relevant Regulations required that the Council must appoint and take advice from an Independent Remuneration Panel (the Panel).

The Regulations required that the Panel consist of three or more members, none of whom were either Members of the Authority or who were disqualified from being Members of the Authority.

The Panel would report their recommendations to the Full Council meeting before the end of the 2009/10 financial year.

RESOLVED: That the Chief Executive be authorised to take all necessary steps to establish an Independent Remuneration Panel to review the Council Scheme of Member Allowances.

Chief Executive

COU43 REVIEW OF WARRINGTON ROAD TRANSIT SITE - EXECUTIVE BOARD SUB COMMITTEE 24 SEPTEMBER 2009 - (MINUTE NUMBER: ES25 REFERS)

The following call-in had been received in accordance with Standing Order No. 9:

"That the decision by the Executive Board Sub Committee at their meeting on 24 September 2009 not to fully implement the motion passed at the Urban Renewal PPB on 17 June 2009 ignores the fact that the site is consistently losing money and this loss requires addressing immediately. It also ignores the fact that advice given to Councils by the National Labour Government states that such sites pay for themselves through rents etc. An expectation that local residents of Halton should subsidise this site rather than those who use this site pay for it is unfair and unreasonable. The Borough Council should clearly state now that no Halton resident will subsidise this site."

The call-in was moved and seconded by Councillors Murray and Browne respectively.

In considering the call-in, concerns were expressed relating to:

- the level of charges and when they would be reviewed;
- occupancy levels and the fact that the budget forecast was based on 60% occupancy;
- the costs to the Council of operating the site;



- the wider savings already achieved through not having to take action against illegal encampments.

The Council considered a motion to reject resolution ES25 of the Executive Board Sub-Committee from the meeting held on 24 September 2009 in relation to the Review of Warrington Road Transit Site – Pitch Charges with a request that the Sub-Committee consider the concerns outlined. The motion was put to the vote and rejected and so it was:

RESOLVED: That resolution ES25 of the Executive Board Sub-Committee meeting held on 24 September 2009 be affirmed.

*(Councillor Loftus declared a personal and prejudicial interest in respect of minute number CYP 19 and CYP 20 (Children and Young People Policy and Performance Board) in the following item of business due to being employed by Riverside College)*

#### COU44 MINUTES OF POLICY AND PERFORMANCE BOARDS AND BUSINESS EFFICIENCY BOARD

The Council considered the reports on the work of the following Boards in the period since the meeting of Council on 22 July 2009:

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

#### COU45 COMMITTEE MINUTES

The Council considered the report of the following Committees in the period since the meeting held on 22<sup>nd</sup> July 2009:

- Appointments
- Development Control
- Standards
- Regulatory

#### COU46 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Council considered:

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

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

#### COU47 ACCOMMODATION (MINUTE NO: EXB43 REFERS)

The Executive Board considered a report of the Strategic Director - Corporate and Policy, which sought approval to a number of accommodation proposals aimed at ensuring that Catalyst House was vacated by 1 April 2011, to facilitate the construction of the Mersey Gateway.

RESOLVED: That

- (1) the approach outlined in the report to vacate Catalyst House by 1 April 2011 be approved; and
- (2) the Capital Programme be varied to allow the prudential borrowing of £3m to fund the commencement of the refurbishment of the

Strategic Director  
– Corporate &  
Policy

Municipal Buildings.

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*Meeting ended at 8.05 p.m.*