

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 28 January 2010 in the Marketing Suite, Municipal Building*

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

Apologies for Absence: none

Absence declared on Council business: none

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

Also in attendance: G. Cook, T. Gibbs and A. McIntyre and 14 members of the public

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

EXB77 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - URGENT BUSINESS

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB83 refers), therefore, pursuant to Section 100 B(4) and 100 E and as notification of the changes came after the agenda had been published, and the appointments cannot take place until they had been considered by the Board, the Chairman ruled that the item be considered as a matter of urgency.

EXB78 MINUTES

The Minutes of 3 December 2009 were taken as read and signed as a correct record.

### CHILDREN AND YOUNG PEOPLE PORTFOLIO

*(Councillor Swain declared a personal interest in the following item of business as he is a Governor at Halton High School)*

*Action*

EXB79 DECISION ON THE STATUTORY CONSULTATION TO  
CLOSE HALTON HIGH SCHOOL -KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People, on the outcome of the consultation on the closure of Halton High School.

The Board were reminded that, during consultation on future secondary provision in Halton, it was agreed that Halton High School be developed as an Academy. The proposal would mean that, subject to the successful completion of the current feasibility project and agreement of the Secretary of State, Halton Academy would open on 1 September 2010. The Lead sponsor and Co-sponsor were the Ormiston Trust and the University of Chester respectively.

Following the decision of the Board on 3 December 2009, Statutory Consultation commenced on 10 December 2009 and the representation period ended on 21 January 2010. A total of nine responses were received to the statutory consultation and all were in support of the proposal. Copies of the notes of consultation meetings which took place on 16 December 2009 and 12 January 2010 were available at the meeting together with notes on each of the pre-statutory meetings and responses received to the consultation.

Reason(s) for Decision

To provide more choice and diversity and retain pupils within the Borough.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

31 August 2010

RESOLVED: That Proposals having been published in pursuance of the powers set out in section 15 and Part 2 of the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 as amended, and having had regard to the statutory guidance and to responses to consultation the following proposals be

approved:-

- (1) with effect from 31<sup>st</sup> August 2010 Halton High School be closed subject to the Secretary of State's approval for an Academy to replace the school on 1<sup>st</sup> September 2010;
- (2) all pupils in Halton High at the time of closure on 31<sup>st</sup> August 2010 transfer to the Academy on 1<sup>st</sup> September 2010; and
- (3) the capital development of the Academy continues as part of the BSF Programme.

Strategic Director-  
Children & Young  
People

*(Councillor Nelson declared a personal interest in the following item of business as he is the Chair of Governors for the Grange Nursery)*

*(Councillor Swain declared a personal interest in the following item of business as he is a Governor of Pewithall CP School and Chair of IEB at Farnworth Primary School)*

*(Councillor Harris declared a personal interest in the following item of business as he is a Governor of All Saints (Upton) C of E Primary School)*

#### EXB80 CAPITAL PROGRAMME FOR CHILDREN AND YOUNG PEOPLE DIRECTORATE 2010-11 - KEY DECISION

The Board considered a report of the Strategic Director, Children and Young People, providing a summary of the Capital Programme 2010/11 for the Children and Young People Directorate.

The total capital funding of £8,680,102, and how it was made up, was outlined within the report for Members' information, together with details of the works to be funded. In addition, it was noted that the Department for Children, Schools and Families (DCSF) had approved a further advance of £500,000 from 2010/11 schools capital grant funding as an initiative to stimulate the economy. An overview of the Schools Capital Programme for 2010/11 was included for Members' consideration.

Halton had obtained funding from the Big Lottery Fund to deliver MyPlace on behalf of the DCSF. This was a discrete project unrelated to general Lottery funding. Funding had been allocated by DCSF to support personalisation, closing the attainment gap and the move towards universal access to technology. In addition, £49,661

had been allocated to enhance the existing children's centre at Warrington Road, in order to integrate PCT services with children's centre services.

Details of other funding allocations included in the report were:

- £197,999 Access Initiative Funding to address access issues within school curriculum and buildings
- £545,573 for further Early Years Childcare Capital to improve the quality of the environment in various early years and childcare settings
- £437,885 for Playbuilder Capital to provide new and the remodelling of existing playgrounds and equipment
- £116,880 to develop and deliver the core offer of Extended Schools services at Palace Fields Primary School

Reason(s) for Decision

To deliver and implement the capital programmes.

Alternative Options Considered and Rejected

Not applicable.

Implementation Date

Capital Programmes to be implemented with effect from 1 April 2010.

RESOLVED: That

- (1) the capital funding available for 2010/11, including those programmes where funding had been carried forward, be noted;
- (2) Council be recommended to approve the Capital Programme for 2010/11; and
- (3) the Revenue implications associated with the Big Lottery Fund be noted.

Strategic Director-  
Children & Young  
People

**HEALTH AND SOCIAL CARE PORTFOLIO**

The Board received a report of the Strategic Director, Health and Community on the Care Quality Commission (CQC) Performance Rating 2008/09.

The Board was advised that the Health and Community Directorate have their performance rated annually by the CQC, and was linked to how well the Directorate provided social care services to adults. The rating fed into the Comprehensive Area Assessment rating for Halton Borough Council.

Since September 2006 in addition to quantitative data, performance was also judged on the outcomes that were delivered to people. Seven new outcomes and two new domains were announced against which performance would be judged, details of which were given in the report. Members were advised that the performance for 2008/09 had been given an overall grade rating for delivery of outcomes as excellent, classified by the CQC as 'overall delivering well above the minimum requirements for people'.

The CQC looked at how well the Directorate performed on leadership and identified that in order for the Council to improve, it needed to continue with transformation to achieve the personalisation of social care services, but did not identify any areas in need of improvement in terms of the commissioning and use of resources.

The Board wished to place on record their thanks to all staff involved in the provision of social care services to adults.

RESOLVED: That the continuing improved performance of the Health and Community Directorate be noted.

## **PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO**

*(Councillor Harris declared a personal and prejudicial interest in the following item of business as he is the Halton Borough Council representative on the Merseyside Waste Disposal Authority, and remained in the meeting)*

EXB82 APPROVAL FOR PUBLIC CONSULTATION:  
MERSEYSIDE JOINT WASTE DEVELOPMENT PLAN  
DOCUMENT - PREFERRED OPTIONS REPORT - KEY  
DECISION

The Board considered a report of the Strategic Director, Environment on the approval for Public Consultation: Merseyside Joint Waste Development Plan Document – Preferred Options Report.

The Board were advised that the Waste Development Plan Document (Waste DPD) had been produced by the Merseyside Environmental Advisory Services (MEAS) on behalf of the six greater Merseyside districts (which included Halton). The process was led by a Steering Group and overseen by the City Region Cabinet. Two public consultation stages had already been completed in 2007 and 2009, the results of which had all been used to inform the preparation of the third public consultation stage – Preferred Options.

The Preferred Options Report outlined the overarching strategy for waste management referred to as the Resource Recovery-led Strategy, and sets out site allocations for waste management together with a supportive policy framework. Key issues covered in the report included:

- Needs assessment and sites requirements;
- Proposed site allocations for built facilities for waste uses;
- Proposed landfill site allocations;
- Policy on energy from waste; and
- Development of management policies.

Members were advised that a six –week public consultation period would start on 18 February and end on 31 March 2010. In addition, the process would include statutory press notices and press releases, email and letter communication with all individuals and organisations on the Waste DPD database, together with copies of the report made available for public inspection at Council offices and public libraries. All responses, once evaluated, would feed into a Submission Document to be published early in 2011 and eventually submitted to Government for formal consideration and scrutiny in March 2011. The final stage of the process would result in the adoption of the Waste DPD by each of the Merseyside districts as its statutory spatial plan for waste scheduled for 2012.

Three sites had been identified within Halton and the locations detailed in paragraph 4.8 of the report. Members sought to reassure the public in attendance at the meeting that at this stage no decisions had been made about these locations and that the public consultation process would give

everyone an opportunity to make their views known.

Reason(s ) for Decision:

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

Alternative Options Considered and Rejected:

The Waste DPD had been prepared through a multi-stage process. Two public consultation stages had been completed:

- Issues and Options took place in March and April 2007.
- Spatial Strategy and Sites stage took place between December 2008 and January 2009.

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

Implementation Date:

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

RESOLVED: That Council be recommended that:-

- (1) subject to the detailed comment in paragraph 4.20 to 4.26 of the report, the Preferred Options Report be approved and endorsed for public consultation purposes; and

Strategic Director  
- Environment

- (2) the commencement of the six-week public consultation process on the Waste DPD Preferred Options Report during February 2010 be agreed.

## **CORPORATE SERVICES PORTFOLIO**

### **EXB83 MEMBER APPOINTMENT TO DEVELOPMENT CONTROL COMMITTEE AND SCRUTINY CO-ORDINATOR ROLE**

The Board received a report of the Chief Executive on the nominations for Member Appointments to the Development Control Committee and the Scrutiny Co-ordinator Role.

The Board were advised that under Standing Order 30 (3) a vacancy occurring on any Panel, Board or Committee of the Council shall be reported to Council by the Executive Board, together with a recommendation by the Board as to the name of the Member(s) proposed to fill any vacancy.

In addition, the Board were advised that notification of a change of representation had been received in writing for the Healthy Halton Policy and Performance Board and that this would be reported to Council for information under Standing Order 30 (4).

RESOLVED: That Council be advised

- (1) that vacancies had occurred following the untimely death of Councillor Sue Blackmore; and
- (2) that the Executive Board recommends the following Member Appointments be approved for the remainder of the 2009/10 Municipal Year:-
  - (a) Councillor Ernest Ratcliffe be appointed to the Liberal Democrat vacancy on the Development Control Committee; and
  - (b) Councillor Mrs Margaret Ratcliffe be appointed to the Scrutiny Co-ordinator Role.

### **EXB84 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

The Board considered:



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

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

#### EXB85 ACCOMMODATION

The Board received a report of the Strategic Director, Corporate and Policy, on Accommodation.

In October 2009, Council had approved 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. In addition, refurbishment of the Municipal Building and consideration of other office accommodation solutions were agreed.

The report outlined details of alternative accommodation which had become available in Widnes since October 2009. It contained an appraisal of the benefits of leasing the premises identified, and explained how this course of action would help in the delivery of the Mersey Gateway project timetable. It was agreed that an update report on the progress of negotiations would be brought to a future meeting of the Executive Board.

RESOLVED: That

- (1) the approach outlined in the report to vacate Catalyst House by 1 April 2011 be approved; and
- (2) the Strategic Director, Corporate and Policy, in consultation with the Corporate Services Portfolio Holder, be authorised to conclude negotiations to lease part of Kingsway House on the most advantageous terms available to the Council.

Strategic Director  
- Corporate and  
Policy

**MINUTES ISSUED: 1 February 2010**

**CALL IN: 9 February 2010**

**Any matter decided by the Executive Board may be called in no later than 9 February 2010**

*Meeting ended at 2.35 p.m.*