

COUNCIL

At a meeting of the Council on Wednesday, 21 April 2010 in the Council Chamber, Runcorn Town Hall

Present: Councillors Loftus, Austin, Balmer, M. Bradshaw, Browne, Hodgkinson, J. Bradshaw, Bryant, D. Cargill, E. Cargill, Dennett, Drakeley, Edge, Findon, Fraser, Gerrard, Gilligan, Harris, Higginson, Hignett, Horabin, Howard, D. Inch, Jones, Lloyd Jones, A. Lowe, J. Lowe, McDermott, McInerney, Morley, Murray, Nelson, Nolan, Norddahl, Osborne, Parker, Philbin, Polhill, E. Ratcliffe, M. Ratcliffe, Rowan, Rowe, Swain, Swift, Thompson, Wainwright, Wallace, Wharton, Worrall and Wright

Apologies for Absence: Councillors Shepherd, P. Blackmore, Leadbetter, Redhead and Stockton

Absence declared on Council business: None

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

Also in attendance: Six members of the public

Action

COU88 COUNCIL MINUTES

The minutes of the Council meetings held on 10 February 2010 and 3 March 2010, having been printed and circulated, were taken as read and signed as a correct record.

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

COU89 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:-

The Mayor had been presented with a Last Day Cover 'A Brief History of Widnes 1892-1974', by Mr D Sutton, to mark the occasion of Councillor Fraser retiring as Mayor.

COU90 LEADER'S REPORT

The Leader reported on the following issues:-

- 16-19 Education- Following the abolition of the Learning and Skills Council, the statutory duty and powers to provide Post-16 education and training had transferred to the local authority from 1 April 2010;
- Locality Working- Executive Board had agreed the recommendations to roll out locality working across the Borough based on the current Area Forum geography and with greater links to partner organisations;
- School Admission Arrangements 2010 – The majority of places had been allocated within the prescribed timescales, with approximately 12 cases outstanding;
- Alcohol Abuse – Consideration had been given to the introduction of a bye-law on the minimum price of alcohol, to try to combat the effects of excessive alcohol consumption in the Borough.
- New Blue Badge Scheme – The new scheme provided more clarity of the regulations;
- Playbuilder's Scheme- Thirteen play areas had been delivered over the first two years of the scheme. In the third year, a further nine sites were planned to be completed by 31 March 2011;
- Annual Report – The Year Ahead 2010 and Beyond- A copy of the Annual Report was circulated to all Members. The report sets out the challenges, uncertainties and opportunities during the next 12 months. The Chief Executive will formally present the report at the July meeting of full Council.
- Loose Music Studio –Their premises in the Queen's Hall Studio opened recently. This was a particular achievement for Jaki Florek who had initiated the project.
- Canal Boat Adventure Project – There had been recent TV coverage of the project.

(The Councillors listed below declared a Personal Interest in the item of business contained within minute EXB 97- Executive Board 4 March 2010:-

Councillor Harris - Governor of All Saints (Upton) Primary School;Councillor Inch – had received funding for ICT equipment in her capacity as a registered child minder).

COU91 MINUTES OF THE EXECUTIVE BOARD

The Council considered the Minutes of the Executive Board from meetings held on 11 February 2010, 4 March 2010 and 8 April 2010.

RESOLVED: That the Minutes be received.

COU92 MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE

The Council considered the Minutes of the Executive Board Sub-Committee from meetings held on 11 February 2010, 4 March 2010 18 March 2010 and 1 April 2010.

RESOLVED: That the Minutes be received.

COU93 QUESTIONS ASKED UNDER STANDING ORDER 8

The following questions had been submitted under Standing Order

No. 8 from Councillor Colin Rowan to Councillor Tony Mc Dermott:-

1) On the 21st of December 2007 Councillor Phil Harris said, (Quote)... ***“Halton Borough Council has already made it clear that it does not support the construction of an Incinerator or a Waste Treatment Plant on land at Ditton Sidings etc “.***

Can Councillor Mc Dermott state quite categorically if, on the 21st of December 2007 when this comment was made by Councillor Harris, it 100% accurately reflected the position of both the Labour Group and the Council?

Can Councillor Mc Dermott also state quite categorically what the current position of both the Labour Party and the Council is now with regard to a proposed incinerator and/or Waste Treatment Plant on this Site?

Reply:-

Councillor McDermott advised that the same request had been put to Councillor Harris, Portfolio holder for Environment, Leisure and Sport, on 12 March 2010. A reply was sent on 16 March 2010 and he confirmed that there was nothing else to add to that reply at this stage.

2) On the 21st of December 2007, Mark Smith a Reporter from the “Weekly News” asked the Council’s Press Office what Halton Council thought about the resignation of a Merseyside Councillor who held a post associated with the Merseyside Waste Disposal Authority (MWDA) who accused the MWDA of “secretive” decision making and the fact information was being withheld from Halton Borough Council and its representatives at MWDA.

These are serious allegations that require investigation.

Can Councillor Mc Dermott please confirm if a request to the MWDA by Halton Council for an investigation was made and, if so, when this request was made and by whom. Can he also state where the documentation can be found that would corroborate such a request if appropriate?

If no request for an investigation was made by Halton Council can Councillor Mc Dermott please state the reason(s) why this request was not forthcoming bearing in mind the potential detrimental implications for the Council and residents if the allegation had validity?

Finally was there any investigation carried out as a result of a MWDA internal enquiry or a request by anyone else. If so what were the conclusions and, where can documentation be found that details this process?

Reply:-

Councillor McDermott reminded Members that Halton Borough Council had observer status on MWDA, that the Council was given access to all relevant documentation and had no complaints about MWDA's conduct. Therefore, there was nothing to add to the reply that had been made on the matter in 2007.

3) At the February 10th 2010 Council Meeting you attempted to re-assure Councillors and the Public that the public consultation process to be carried out over the Merseyside Joint Waste Development Plan Document – Preferred Options Report would be brought back to the Council for approval.

On that basis can I ask for clarification on the following points.

Will the decision over this matter be first decided at the Executive prior to any Council Meeting otherwise how can Councillors challenge a decision they may be unhappy with via a "Call In"?

Is it not correct that if a Planning Application were to be made for an Incinerator or Waste Treatment Plant on Ditton Sidings prior to and/or during the Public Consultation process the Council would be unable to defer this and, if the Development Control Committee were to vote in favour of

any such application, this would in effect mean that a decision by a Council body would be imposed upon all Councillors and the Public rendering their future views in all practical terms irrelevant particularly if they opposed the Planning Application?

Why has there been a delay in the commencement of the Public Consultation process and when can we expect this to start/end?

Reply:-

At the Council meeting on 10 February 2010, the Preferred Options report was discussed at length; Councillor McDermott had reassured the public in attendance and all Members present, that no decision had been made on any of the proposed locations and that the public consultation process would give everyone the opportunity to make their views known. Councillor McDermott had given assurances then that the report would come back to a future meeting of Council for approval, after the consultation stage had been completed. He confirmed that assurance again to all Members.

However, the consultation process had been delayed as all six greater Merseyside districts had agreed to postpone the start of consultation until after the forthcoming General Election.

Councillor McDermott advised that, should a planning application be submitted, this would be subject to the separate legal procedure for dealing with applications administered by the Development Control Committee.

COU94 COMMISSIONING OF POST 16 PROVISION IN HALTON - KEY DECISION (MINUTE EXB 106 REFERS)

The Executive Board received a report of the Strategic Director, Children and Young People which informed members of the abolition of the Learning and Skills Council (LSC) under the Apprenticeship Skills Children and Learning Bill (ACSL) and transfer of statutory duty and powers to Local Authorities from April 2010.

It was reported that on 1st April 2010, the LSC would be abolished and all functions previously carried out by the LSC with respect to 16 – 19 education and training would transfer either to local authorities or the Young People's Learning Agency (YPLA). A number of brand new duties and powers for local authorities would be created.

It was noted that local authorities would have the central commissioning role for all education and training for young people aged 16 – 19 and up to the age of 25 for those with learning difficulties, and for those people in youth custody aged 10 to 18.

Members were advised that the Strategic Director for Children and Young People had now assumed lead commissioning responsibility for Post 16 Education and Training in the Borough and sat on the Riverside College Board which was the major provider of post 16 education in Halton. It was noted that this would not be appropriate from 1st April 2010 when the Council would assume statutory commissioning responsibility due to inherent conflict of interest. The role was recommended to go to the Operational Director – Employment, Economic Regeneration and Business Development. This would be subject to a suitability interview by Riverside College Board.

Appended to the report for information were the key responsibilities for partners who were central to the commissioning process. The transferred LSC posts and resources would be fully funded through a Special Purposes Grant along with a contribution towards non employment costs. Key documents published that would support the transition were referred to in the report.

It was further reported that the 14 – 19 reform programme was a substantial element of the transfer. Details of this transfer were outlined in the report for information.

The transition from the LSC to the Skills Funding Agency (SFA) would take on the post-19 functions of the LSC. It was reported that the SFA would route around £3.5 billion of funding to further education colleges and other providers including the Third Sector, primarily in response to customer (employer and learner) choice on programmes such as Train to Gain. The SFA would operate through three customer focused gateways which were outlined in the report. In addition, the report also set out the Delivery Plan, policy implications and commissioning details. Funding provision and progress would be monitored closely by the Council.

RESOLVED:- That

- 1) responsibility be assumed for commissioning of post 16 provision with effect from 1st April 2010;

- 2) LSC staff be received under TUPE regulations to support post 16 commissioning;
- 3) a holistic approach to planning be ensured by reporting on post 16 commissioning to the Local Strategic Partnership and Employment Learning and Skills Strategic Partnership;
- 4) Executive Board receive a report as part of the annual commissioning cycle for post 16 education and training; and
- 5) the replacement of the Strategic Director for Children and Young People with Operational Director for Employment, Economic Regeneration and Business Development on the Riverside College Governing body be approved.

COU95 TRANSPORT CAPITAL IMPLEMENTATION PROGRAMME 2010/11(MINUTE EXB 113 REFERS)

The Board received a report of the Strategic Director, Environment and Economy which sought approval to the inclusion of the 2010/11 Transport Capital Implementation Programme into the Council's 2010/11 Capital Programme.

It was reported that during the period of the first Local Transport Plan (LTP 2001/2 – 2005/6) the amount of LTP funding allocated was, in part, dependent on annual assessments of the progress that each authority had made in delivering its LTP.

The commencement of the second LTP brought with it much less rigorous reporting requirements based upon a collaborative approach between the Department for Transport (DfT) and the local authorities, to enable weakness in progress to be jointly addressed and strengths built upon.

The new approach required the de-coupling of the link between funding and performance which resulted in the DfT in its November 2007 settlement letter confirming the block allocations for the period 2008/9 – 2010/11 for both Integrated Transport Capital and Highways Capital Maintenance.

Detailed in appendix A to the report was the Transport Implementation Programme for 2010/2011 with the sum of £9,412,114 to be incorporated into the Council's

Capital Programme.

Outlined in the report were the following allocations for 2010/11:

- LTP Integrated Transport Allocation £1,767,000;
- Additional funding from national Primary Route Network £14,288,000;
- Bridge Strengthening and Maintenance allocation £4,980,000;
- Capital Programme for bringing streets to adoptable standard £100,000;
- Council's capital "Flood Defence" Programme £100,000;
- "Street Lighting" Capital programme £200,000; and
- Road Safety Grant (which would be paid as a capital grant) £75,114

Arising from the discussion Members discussed the Safer Roads Partnership and the decrease in deaths on roads in addition to the remedial works being carried out on Silver Jubilee Bridge and agreed that a presentation regarding the bridge works would be welcomed.

RESOLVED: That the incorporation of the Transport Implementation Programme for 2010/11 as detailed in Appendix A in the sum of £9,412,114 into the Council's 2010/11 Capital Programme be approved.

COU96 CALENDAR OF MEETINGS 2010/11 (MINUTE EXB 115 REFERS)

The Executive Board received the report of the Strategic Director, Resources which set out the proposed Calendar of Meetings for the 2010/11 Municipal Year.

RESOLVED: That the Calendar of Meetings for the 2010/2011 Municipal Year as appended to the report be approved.

(The Councillors listed below declared a Personal Interest in the following items of business contained within the Children and Young People Policy and Performance Board meeting of 22 February 2010:-

*Councillor Parker CYP46- Governor of Warrington Road Nursery; Councillor Wainwright CYP49- Governor of All Saints Primary School;
Councillor J Lowe CYP 51 – Governor of Westfield Primary*

School.

Councillor Gerrard declared a Personal and Prejudicial Interest in minute HEA56 – Healthy Halton Policy and Performance Board 9 March 2010 – as an independent lay member on the Community Health Services Provider Organisation.)

COU97 MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

The Council considered the reports on the works of the following Boards in the period since the meeting of Council on 10 February 2010:-

Children and Young People
Employment, Learning and Skills
Healthy Halton
Safer Halton
Urban Renewal
Corporate Services
Business Efficiency
Joint meeting of the Business Efficiency Board and
Corporate Policy and Performance Board

In receiving the minutes, the Chairs, Deputy Chairs and all Councillors on the Boards and Officers were thanked for their work and assistance throughout the year.

In receiving the minutes of the Corporate Services Policy and Performance Board, Councillor Gilligan wished to place on record his thanks to Councillors Wainwright, A Lowe, Philbin and McDermott for their hard work and commitment in carrying out their respective topic reviews.

COU98 COMMITTEE MINUTES

The Council considered the reports on the works of the following Committees in the period since the meeting of the Council on 10 February 2010:-

Development Control Committee
Standards Committee
Regulatory Committee
Appeals Committee

In receiving the minutes for the Development Control Committee of 15 March 2010, Councillor M Ratcliffe's name should be added to the list of attendees.

In receiving the minutes, the respective chairmen thanked Members and Officers on all Committees, and the public who attended the Development Control Committee, for their work and contributions throughout the year.

(NB At the close of the meeting the Leader thanked the Mayor for the way he had presided over meetings, and for both his, and the Mayoress', hard work throughout the year. In addition, it was noted that Councillor Swift would be standing down at the next election and he was also thanked for his work with the Council.

In response, the Mayor thanked Members and Officers for their support in helping to make his term in office a great success.

Councillor D Cargill thanked Councillor McDermott on the occasion of his retiring as Leader, for all his work and personal efforts in maintaining Halton's profile in the North West region.

Councillors Murray and Hodgkinson also thanked the Mayor and Leader for their work in their respective roles and wished them well for the future.

The Leader responded by thanking everyone for their good wishes, thanked Councillor Polhill for his personal support as Deputy Leader and also thanked David Parr, Chief Executive for all his support and hard work. He added that it had been a privilege to serve the Borough as Leader and passed on his good wishes to all Members standing for re-election on May 6 2010.)

Meeting ended at 7.30 p.m.