

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 9 September 2010 in the Marketing Suite, Municipal Building*

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

Apologies for Absence: Councillors

Absence declared on Council business: Councillor

Officers present: A. Scott, M. Reaney, G. Cook, I. Leivesley, B. Dodd, T. Gibbs, N. Moorhouse, P. Watts and L Wilson

Also in attendance: Hodgkinson

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

#### EXB32 MINUTES

The Minutes of 15 July 2010 were taken as read and signed as correct record.

#### **LEADERS PORTFOLIO**

#### EXB33 REQUEST FOR FUNDING FOR A CONTRIBUTION FROM THE AREA FORUM

The Board received a report of the Chief Executive on a request for a funding contribution of £2,500 towards a study to examine health effects of industrial plants where incineration technology was used.

The request had been made by Mr Gorry on behalf of HAGATI for funding from Area Forum 4 (Mersey, Heath, Grange and Halton Brook), for a contribution towards the cost of a study examining the downwind health effects around industrial plants where incineration was used. The request for funding for an additional study followed the grant of planning permission by BERR for a Waste to Heat Plant at the Ineos Chlor Complex at Runcorn.

*Action*

The request had been discussed and considered at the Area Forum meeting, and after consultation with the appropriate chief officers, had been referred to the Board for determination.

The appendices attached to the report included a presentation to the Health Policy and Performance Board in June 2010, advice given by the Strategic Director, Environment and Economy in response to the request and a detailed scoping statement which had been submitted in August 2010 by Mr Gorry. In addition, a response on the scoping document from Fiona Johnstone, Director of Public Health was attached which indicated that the Primary Care Trust had not intended to provide any funding towards this research. Correspondence from Dr Alec Stewart of the HPA and Cllr Hodgkinson was also tabled.

RESOLVED: That the request be declined.

#### **CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO**

##### **EXB34 REVIEW OF CHILDREN AND YOUNG PEOPLE PLAN - KEY DECISION**

The Board received a report from the Strategic Director, Children and Young People which provided the Board with an overview of the review that had been undertaken of Halton's Children and Young People Plan 2009-11(CYPP).

The Board were advised that Halton's second CYPP had been published in 2009, to provide strategic direction for all services within the Children's Trust in Halton. It represented Halton's local vision and aspirations for children and young people in the Borough, and determined how the Children's Trust Board would work together to commission services to address locally identified needs and better integrate provision.

A multi agency task and finish group was established in April 2010 to produce the Review. The report set out developments in a number of key areas over the past twelve months and highlighted the many achievements over the same period, together with an overview of a number of areas where more work was needed in order to achieve the stated objectives by March 2011.

It was noted that the Coalition Government was reviewing the policy framework for Children's Services and had announced its intention to remove the statutory regulations in place for Children's Trusts and CYPPs from Autumn 2010.

#### Reason(s) For Decision

The Review was undertaken in order to comply with the updated Statutory Children's Trust Guidance to review the Children & Young People's Plan in each year that a new Plan was not produced. The Review also provided an update on progress that had been submitted to Ofsted to inform this year's Children's Services Rating.

#### Alternative Options Considered And Rejected

None.

#### Implementation Date

The existing Children & Young People's Plan remained the overarching strategy that Halton's Children's Trust was working towards meeting. The Review provided a supplement that updated progress so far on the two year (2009-11) Plan. The Review was published in July in time to be submitted to Ofsted by its deadline of July 16<sup>th</sup> for consideration for the Children's Services Rating for 2010.

RESOLVED: That

- 1) the Children & Young People's Plan Review 2010 be endorsed; and
- 2) the actions detailed in Section 11 of the Children & Young People's Plan Review 2010, and summarised in 3.9 of the report be approved and be taken into consideration in terms of meeting the Children & Young People's Plan 2009-11.

Strategic Director  
- Children &  
Young People

#### EXB35 REDESIGN OF RESIDENTIAL SERVICES- KEY DECISION

The Board received a report of the Strategic Director, Children and Young People on the outcome of the review of Halton's residential provision for children in care.

The Board had approved a Placement Strategy Review on 5 November 2009, in respect of children in care. The review focused initially on the Borough's situation in relation to foster care and identified the barriers to the

recruitment of carers needed to be overcome in order to address the severe shortage of carers. As a result of that first stage review, the Board agreed to an 'Invest to Save Bid' to improve the recruitment and retention of foster carers through an increase in allowances.

Members were advised that in 2004, the Borough had 169 children in care; by July 2010 there were 149. This was contrary to regional and national trends which had seen numbers increase over the previous two years. This had been achieved through a rigorous approach to children in need, child protection and children in care services. The report provided details of the current range of provision for children in care and the associated issues. The Placement Strategy Review concluded that 4 in-house residential beds would be sufficient to meet the needs of children in care. A range of provision, as detailed in the report, would provide reassurance that the Council was committed to providing a suitable setting for care leavers up to adulthood and address one of the key issues that care leavers had raised about the lack of choice.

#### Reason(s) for Decision

The decision was required in order to ensure the most efficient and effective use of resources and to improve outcomes for children who grow up in care.

#### Alternative Options Considered and Rejected

Consideration was given to utilising the existing property at Littlebourne for the semi-independent provision. However neither the location nor the size made it suitable for this service.

Consideration was given to developing the semi-independent provision as a Halton Borough Council resource. This was not a cost effective model and would not have allowed the department to benefit from a partnership with an experienced provider of such services.

#### Implementation Date

It was proposed that the closure of Littlebourne Children's Home take place by 31<sup>st</sup> March 2011 and a contract for semi-independent accommodation be awarded and commence in April 2011.

RESOLVED : That

1. the proposal to close Littlebourne Children's Home be endorsed;
2. in order to meet statutory requirements and responsibilities, the proposal to invest £220,000 of the efficiencies from this re-design to provide essential services to care leavers, foster carers and children in care be endorsed; and
3. the financial efficiencies of £150,000 (one off capital) and £105,000 (revenue) be endorsed to contribute to the Council's efficiency programme.

Strategic Director  
- Children &  
Young People

## **ECONOMIC DEVELOPMENT PORTFOLIO**

### **EXB36 BOROUGH OF HALTON (ASHLEY PARK RETAIL CENTRE, WIDNES) CPO 2010**

The Board received a report of the Chief Executive which sought authorisation to make the Borough of Halton (Ashley Park Retail Centre, Widnes) Compulsory Purchase Order 2010 under Section 226 (1) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981.

Members were advised that planning permission had been approved for the re-development of this prominent site with a proposed new foodstore and petrol filling station. The scheme was in accordance with national planning policy for town centres and the planning permission complied with the emerging town centre strategy.

**RESOLVED:** That the Board, subject to the prior completion of an appropriate indemnity agreement with the Developer,

- 1 make the Borough of Halton (Ashley Park Retail Centre Widnes) Compulsory Purchase Order 2010 ("the Order") under Section 226(1)(a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 for the acquisition of all interests in the Order Land and the acquisition of new rights within the Order Land;
- 2 the Order Land shall (subject as provided otherwise in this resolution) comprise the

	<p>areas shown coloured pink and blue respectively on the plan attached for the purpose of redevelopment of the Ashley Park Retail Centre comprising of demolition of existing buildings, construction of new retail unit together with associated provision for access, servicing, parking and landscaping;</p>	
3	<p>delegated authority be given to the Strategic Director Environment and Economy (whether acting personally or through any other person nominated by him) to:</p> <ul style="list-style-type: none"> <li>(i) Take all necessary steps as soon as is reasonably practical to finalise the Order map and schedule, (including the exercise of powers of requisition) secure the making, confirmation and implementation of the Order including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry;</li> <li>(ii) Negotiate to acquire and acquire all interests in the Order Land and new rights within the Order Land either by agreement or compulsorily including prior to the making of the Order and where appropriate to agree terms for relocation;</li> <li>(iii) To reduce (but not increase) the area of the Order Land and/or any interests therein should the said negotiations make the inclusion of such land and/or such interests unnecessary;</li> <li>(iv) Make arrangements for the relocation of owners and occupiers, where appropriate;</li> <li>(v) Approve agreements with the owners of any interest in the Order Land and any objectors to the confirmation of the Order setting out the terms for the withdrawal of objections to the Order including, where appropriate, seeking inclusion in and/or exclusion from the Order of land or new rights</li> </ul>	<p>Strategic Director - Environment and Economy</p>

- (vi) In the event that a question of compensation be referred to the Lands Tribunal to take all necessary steps in relation thereto including advising on the appropriate compensation payable and to appoint appropriate consultants if necessary to assist and advise in this regard.

## RESOURCES PORTFOLIO

### EXB37 LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

The Board received a report of the Chief Executive requesting authorisation to carry out consultation on a review of the Council's statement of licensing policy.

On 12 December 2007, the Council adopted a statement of licensing policy in compliance with its obligations under section 5 of the Licensing Act 2003. The statement lasted for three years but Members were advised that must be re-adopted by the Council for successive three year periods. However, a statement could not be re-adopted before the completion of a consultation exercise.

The consultation exercise would commence on 10 September 2010 and run for a five week period until 15 October 2010. Any comments and recommendations received would be reported back to the Executive Board for consideration.

RESOLVED: That the Operational Director, Legal and Democratic Services, be authorised to undertake a consultation exercise in respect of the Council's statement of licensing policy in accordance with section 5 (3) of the Licensing Act 2003.

Operational  
Director- Legal  
and Democratic  
Services

### EXB38 CONSULTATION PAPER - PROVISION OF COURTS SERVICES IN CHESHIRE AND MERSEYSIDE

The Board received a report of the Chief Executive which advised Members of the responses received from Councillors on the provision of courts services in Cheshire and Merseyside.

Members were advised that at its meeting on 15 July 2010, the Board received a report relating to the consultation document received from the Ministry of Justice on their

proposals for the provision of Court Services in Cheshire and Merseyside. The Board resolved to seek the views of all Councillors and comments from two Members were contained within the report. It was noted that the formal consultation period would end on 15 September 2010.

The Strategic Director, Environment and Economy had prepared an assessment of transport issues. Should the proposal to close the Runcorn County Court go ahead, it was clear that court users would be put at greater inconvenience in travelling to Warrington due to the location and increased travel costs.

RESOLVED: That the Chief Executive, in consultation with the Portfolio holder for Resources, be authorised to finalise and despatch the Council's response to the consultation.

Chief Executive

## **PHYSICAL ENVIRONMENT PORTFOLIO**

### **EXB39 MERSEYSIDE JOINT WASTE DEVELOPMENT PLAN DOCUMENT - PREFERRED OPTIONS: INTERIM FEEDBACK REPORT**

The Board received a report of the Strategic Director, Environment and Economy that advised Members of the outcome of the consultation exercise and the feedback on the Merseyside Joint Waste Development Plan Document – Preferred Options.

The Waste Development Plan was being produced by Merseyside Environmental Advisory Services (MEAS) on behalf of the six greater Merseyside districts. The Preferred Options consultation exercise took place over a six week period during May to July 2010. A draft report, attached at Appendix A, explained the full extent of the exercise and provided some analysis of the results process. In the total Merseyside wide exercise, 139 responses were submitted, 64 of which were from organisations rather than individuals and a number of petitions were submitted relating to specific site allocations.

Members were advised that within Halton three sites had been identified for possible future waste related uses; these were:

- Ditton Sidings, Newstead Road (Widnes)
- Johnsons Lane (Widnes)
- Manor Park Road Waste Water Treatment Works (Runcorn)



The draft report detailed the number of submissions made and petitions received.

During consideration of the report, Members discussed the location and site characteristics of the Ditton Sidings site and concluded that this site was not suitable for the uses proposed.

RESOLVED: That

1. the draft findings be noted;
2. a further report be brought to the Board once the MEAS full analysis of the consultation exercise had been completed; and
3. MEAS be advised that it was not considered that the site at Ditton Sidings was suitable for the uses proposed in the Waste DPD, and that a further report be presented to the Executive Board at the conclusion of the consultation process to enable a formal decision to be made by the Council.

Strategic Director  
- Environment  
and Economy

## **HEALTH AND ADULTS PORTFOLIO**

### **EXB40 INTIMATE RELATIONSHIPS AND SEXUAL HEALTH NEEDS FOR ADULTS**

The Board received a report of the Strategic Director, Adults and Community on the revised Intimate Relationships and Sexual Health Needs for Adults Policy, Procedure and Practice.

Members were advised that the original policy, Sexual Health Policy, Strategy and Guidelines, (2003) was developed under the previous council structure of Social Care, Housing and Health Directorate. A review was required to update the policy in line with the Authority's current structure and legislation.

A review took place during 2009/10 and involved input from and consultation with a number of sources which were detailed in the report. Following this review, the main amendments to this policy included reference to :-

- Sexual Offences Act 2005

- Mental Capacity Act 2005
- General Social Care Council's Codes of Practice
- Information Sharing
- Adult Safeguarding

The revised policy and associated guidance aimed to draw together the legal framework, whilst also recognising:-

- Service Users' individual uniqueness and diversity
- Their right to privacy and independence, and to make informed decisions which might include risks
- That some individuals' circumstances might make them vulnerable to abuse and may need support with minimising or eliminating those risks
- The importance of their physical and emotional wellbeing.

RESOLVED: That the Board

1. note the contents of the report; and
2. agree the revised policy, procedure and practice document attached to the report as Appendix 1.

**MINUTES ISSUED: 14 September 2010**

**CALL-IN: 20 September 2010**

**Any matter decided by the Executive Board may be called in no later than 20 September 2010**

*Meeting ended at 2.35 p.m.*