

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 23 September 2010 in the Marketing Suite, Municipal Building

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

Apologies for Absence: Councillors D. Cargill and Harris

Absence declared on Council business: None

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

Also in attendance: Councillors Redhead and Edge

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

EXB41 MINUTES

The Minutes of 9 September 2010 were taken as read and signed as correct record.

CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO

EXB42 HSCB SAFEGUARDING ANNUAL REPORT

The Board received a report of the Strategic Director Children and Young People, advising Members of the publication of Halton Safeguarding Children Board's (HSCB) Annual Report 2009-10.

Members were advised that the Apprenticeships, Skills, Children and Learning Act 2009 set out a statutory requirement for Local Safeguarding Children Boards (LSCBs) to produce and publish an Annual Report on the effectiveness of safeguarding in the local area. The report should provide a robust challenge to the work of the Children's Trust Board to safeguard children and would be used by the Children's Trust Board to inform the Children and Young People's Plan.

Action

The report would also provide information to the Chief Executive and Lead Member as part of their responsibility to hold the Director of Children's Services accountable for the effective working of the LSCB.

The report highlighted the considerable amount of work undertaken by HSCB and the developments that had taken place over the past twelve months. These were in line with core functions of LSCBs as set out in primary legislation and regulations, and included:

- Thresholds, policies and procedures, monitoring and evaluation functions;
- Training;
- Recruitment and Supervision;
- Private Fostering;
- Communicating and Raising Awareness;
- Functions relating to child deaths; and
- Serious Case Reviews

RESOLVED: That the Halton Safeguarding Children Board Annual Report 2009-10 be endorsed.

EXB43 APPOINTMENT OF DIOCESAN REPRESENTATIVE TO CHILDREN, YOUNG PEOPLE AND FAMILIES POLICY PERFORMANCE BOARD

The Board received a report of the Strategic Director, Children and Young People on the appointment of a representative from the Diocese of Shrewsbury and the Archdiocese of Liverpool to the Children and Young People's Policy and Performance Board.

The Board were advised that under a Direction issued by the Secretary of State, authorities must appoint diocesan representatives to scrutiny committees under Section 499 of the Education Act 1996 and DfEE Circular 19/99, all as amended. These representatives would have voting rights in relation to any decision relating to:

- Schools maintained by the Local Authority;
- Pupils that attend schools maintained by the Local Authority; and
- Pupils that are educated in some way by the Local Authority in some way

but cannot vote on any other business of the Committee. This would enable denominations to have a direct input to policies on education provision for pupils of school age.

The report contained a brief pen portrait of the nominee for Members' information.

RESOLVED: That Council be recommended to appoint a Diocesan Representative for Shrewsbury and Liverpool as a voting co-optee on the Children and Young People Policy and Performance Board for a period of four years, commencing from the date approval is confirmed.

Strategic Director
- Children &
Young People

EXB44 SUMMARY OF EDUCATIONAL ATTAINMENT 2010

The Board received a report of the Strategic Director, Children and Young People which summarised 2010 performance data for Early Years Foundation Stage Profile and Key Stages 1 to 4.

The Strategic Director Children's Services reported across phase exam performance improvement; at Early Years Foundation Stage; Key Stage 1; Key Stage 2; GCSE, and at 'A' Level. Performance across the Borough for the number of pupils attaining 5 GCSE's A* to C was 82%. This was a record for the Borough, and a significant 10% increase over last year's figures.

The Executive Board agreed that the Leader of the Council would formally write to schools to congratulate them on such an excellent all round performance, and on the continued rise in educational standards year on year in the Borough.

RESOLVED: That the attainment of children in Halton schools for the 2009/10 academic year be noted.

Strategic Director
- Children &
Young People

HEALTH AND ADULTS PORTFOLIO AND ECONOMIC DEVELOPMENT PORTFOLIO

EXB45 SCRUTINY REVIEW OF EMPLOYMENT PRACTICES FOR PEOPLE WITH LEARNING OR PHYSICAL DISABILITIES OR MENTAL HEALTH ISSUES

The Board received a report of the Strategic Director, Environment and Economy on the outcome of the scrutiny review of employment practices for people with learning or physical disabilities or mental health issues. Councillor Sue Edge, Chairman of the Employment, Learning, Skills and Community Policy and Performance Board attended to present the report.

Members were advised that, as part of a Care Quality Commission performance assessment in 2008, it had been noted that although Halton supported more people with learning or physical disability or mental health issues into employment than had been predicted, performance was lower than comparators. The Commission also noted that targets set in relation to supported employment were relatively low.

Despite a number of interventions through employment and social care programmes in Halton, the number of people with learning disabilities progressing into employment remained low and was significantly lower than north west averages. As a result, of this assessment, a scrutiny review of current practice was commissioned.

The report outlined the methodology used and Appendix 1 contained the Scrutiny report, together with a series of recommendations discussed and agreed by the Members of the Employment Topic Group.

The Chairman thanked Councillor Edge for her presentation.

RESOLVED :That

1. the contents of the report be noted; and
2. where resources allowed, the recommendations made by the Employment, Learning, Skills and Community Policy and Performance Board and the Health Policy and Performance Board, as set out in the scrutiny report and action plan (Annex 5), be supported.

(NB: Councillors Nelson and Swain declared a Personal Interest in the following item of business due to being Halton Housing Trust Board Members).

EXB46 REVIEW OF HALTON HOUSING TRUST BOARD COMPOSITION

The Board received a report of the Strategic Director, Adults and Community, seeking agreement to a proposal from Halton Housing Trust (HHT) to reduce the membership of the HHT Board from 15 to 12 members, including a reduction in tenant and Local Authority Member representation.

The HHT Board recently asked a working group to review governance arrangements in terms of Board membership and a range of options were present for their consideration on 1 July 2010. In coming to a decision, the Trust had taken into account good practice guidance from the National Housing Federation and Department for Communities and Local Government which suggested Board size should be between 5 and 12. The appendix attached to the report also showed the findings of a survey of 32 stock transfer Housing Associations which showed the size and composition of the Board in each organisation and how long both had existed.

Members were reminded that, under the housing transfer agreement, the authority's consent was required for any changes in so far as they relate to local authority or tenant representation. The Trust's Board wished to reduce the Board size to 12, with 4 local authority nominees, 4 tenant members and 4 independent members.

RESOLVED: That Halton Housing Trust's proposal to reduce its Board from 15 to 12 members, comprising 4 local authority nominees, 4 tenant members and 4 independent members be approved.

ECONOMIC DEVELOPMENT PORTFOLIO

EXB47 BARRIERS TO WORK SCRUTINY TOPIC GROUP

The Board received a report of the Strategic Director, Environment and Economy on the findings and recommendations of the Barriers to Work Scrutiny Topic Group, as submitted to the Employment, Learning, Skills and Community Policy and Performance Board in June 2010. Councillor Sue Edge, Chairman of the Employment, Learning, Skills and Community Policy and Performance Board attended the meeting to present the report

The Scrutiny Topic Group was established to analyse the results of research undertaken by Merseyside Information Service which was detailed in Appendix 1. The Group met on seven occasions between October 2008 and March 2010 to develop appropriate recommendations for local employment initiatives, training and skills programmes and business start-up services could be re-focussed to address the perceived barriers to employment, identified by residents in the neighbourhood management areas.

The report contained a list of key recommendations.

The Chairman thanked Councillor Edge for her attendance.

RESOLVED: That where resources allow, the key recommendations proposed by the Employment, Learning, Skills and Community Policy and Performance Board, as detailed in Paragraphs 4.1 to 4.14 of the report be approved.

ENVIRONMENTAL SUSTAINABILITY PORTFOLIO

EXB48 HOUSEHOLD WASTE RECYCLING CENTRES - VEHICLE PERMIT SCHEME & ACCESS POLICY

The Board received a report of the Strategic Director, Environment and Economy which sought approval for an Access Policy and the implementation of a Vehicle Permit Scheme for the Council's two Household Waste Recycling Centres (HWRCs).

The Board were advised that the Council had a statutory duty to provide places where residents may deposit their own household waste free of charge, under the Environmental Protection Act 1990. As the sites were not to be used for trade waste, the Council needed to have measures in place to deter and prevent commercial businesses depositing waste at HWRCs. The introduction of a Vehicle Permit Scheme would prevent commercial or industrial (trade) waste from being deposited at the Council's HWRCs.

Members were reminded that the proposed scheme accorded with Halton's current Municipal Waste Management Strategy, which contained a commitment to further improve controls for trade waste at HWRCs, and that the current contractor, Veolia Environmental Services, was required to comply with and implement the Scheme under conditions of the current contract.

The report provided information on how the permit scheme would work, the types of permit (annual or temporary), administration of the scheme, site controls, advice for residents and traders on the new arrangements and details of how the Scheme would be implemented once approved.

RESOLVED: That

- (1) the implementation of a Vehicle Permit Scheme, as outlined in the report, for the two Household Waste Recycling Centres (HWRCs) in Halton be approved;
- (2) the Household Waste Recycling Centre Access Policy, attached as Appendix 2 to the report, be approved; and
- (3) the Strategic Director for Environment and Economy be authorised, in consultation with the Executive Board Member for Environmental Sustainability, to take all steps necessary to implement the Scheme in Halton.

Strategic Director
- Environment
and Economy

EXB49 WASTE MANAGEMENT STRATEGY REVIEW

The Board received a report of the Strategic Director, Environment and Economy which updated Members on the current position of Halton's Waste Management Strategy.

The current Waste Management Strategy was published in 2008, and was an update of a previous document, and the updating was carried out with Defra direct consultancy support funding. A local consultation exercise was carried out as part of the review and updating process. A number of supplementary documents were produced, including a Waste Action Plan which set out Halton's actions to meet the objectives and targets contained within the Strategy. In addition, a sustainability appraisal of the Strategy was also completed.

The Board were advised that it had been intended to carry out a full review of the Council's Municipal Waste Management Strategy in 2010. However, it was not considered necessary for a full review to be conducted at this stage, and the report provided details of the relevant factors for Members' consideration. Members noted that the proposal to defer the review took into account current guidance published in December 2009 by the Defra Waste Programme. As there had been no significant change in local circumstances, policy or priorities, the Councils' current Strategy remained fit for purpose.

RESOLVED: That

- (1) the deferral of a planned full review of Halton's Municipal Waste Management Strategy be approved for a period of up to a further two years;
- (2) the updating of associated supplementary documents, including the Councils Waste Action Plan, to ensure that documents remain up to date and fit for purpose be approved; and
- (3) further reports be submitted once the supplementary documents have been updated and the outcomes of relevant waste policy reviews are known.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB50 DARESBUY SCIENCE & INNOVATION CAMPUS (DSIC) - JOINT VENTURE PARTNERSHIP BOARD NOMINEES

The Board received a report of the Strategic Director, Environment and Economy on the Joint Venture Partnership Board nominees.

In June 2009, authority was given for the Chief Executive to take all necessary steps to establish a Joint Venture Partnership at Daresbury. As part of the Operational arrangements for the new partnership, two boards had been established; a Joint Venture Board and a Public Sector Joint Venture Board.

The Board were advised that the Chief Executive had lead negotiations on behalf of the Borough Council which lead to the establishment of the Joint Venture Partnership. The report outlined the vision for the Daresbury Science and Innovation Campus as well as the policy implications for Members' consideration.

RESOLVED: That

- (1) the Chief Executive be authorised to represent the Borough Council at the DSIC Joint Venture Partnership Board; and
- (2) the Chief Executive and the Portfolio Holder for the Physical Environment be authorised to represent the Borough Council on the Public

Chief Executive

RESOURCES PORTFOLIO

EXB51 REVIEW OF THE COUNCIL'S GOVERNANCE ARRANGEMENTS

The Board received a report of the Strategic Director, Resources, which advised Members of the outcome of the consultation exercise in respect of the Council's Governance arrangements, and the model of governance to be adopted.

On 17 June 2010, Executive Board considered a report on the implications of the Local Government and Public Involvement in Health Act 2007 (the Act), in relation to the Council's governance arrangements. Section 62 of the Act modified the provisions of the Local Government Act 2000 in respect of the forms of Executive which local authorities could operate, and required the Council to operate one of the following models:

- Leader and Cabinet Executive (England); or
- Mayor and Cabinet Executive

The Consultation period ended on 10 September 2010 and no representations or comments had been received. The report contained a series of proposals for publication:

- (a) The Leader and Cabinet Executive model of governance be adopted;
- (b) The Leader be appointed until the annual meeting after the Leader's normal day of retirement as a Councillor;
- (c) Provision be made in the Constitution to enable the Council to pass a resolution to agree that the Leader ceases his/her term of office before this statutory period has come to an end, if required;
- (d) The Leader appoint his/her own Executive Board of two or more Members up to a maximum of ten (including the Leader).

The Board were reminded that a formal resolution on the model it would adopt must be made by 31 December

2010 and this would come into effect in May 2011.

RESOLVED: That

- (1) the outcome of the consultation exercise be noted; and
- (2) Council be recommended to adopt the Leader with Cabinet model of governance with effect from May 2011 and the proposals, as detailed in the report, be published.

Strategic Director
- Resources

EXB52 REVIEW OF THE CONSTITUTION

The Board received a report of the Strategic Director, Resources which sought approval for a revised Call-in Procedure and rules of debate for inclusion on the Council's Constitution.

The meeting of Annual Council on 21 May 2010 approved a number of changes and updates to the Constitution as recommended by the Executive Board. In addition, it was resolved that a cross-party Working Group be established to consider the changes to the Call-in Procedure and the proposal submitted by the Liberal Democratic Group and the Conservative Group.

The Working Group met on 12 July 2010 and agreed the following:

- (i) Executive Board be recommended to approve the suggested revised text for Call-In as detailed in the Appendix;
- (ii) With the exception of the suggestion in respect of training, Executive Board be recommended not to support the suggestions submitted by the Liberal Democrat Group and the Conservative Group;
- (iii) All Councillors be offered training led by the Operational Director, Legal & Democratic Services to explain the key issues of the Constitution.

RESOLVED: That Council be recommended to approve the revised Call-in Procedure and Rules for

Strategic Director
- Resources

Debate as detailed in the Appendix attached to the report.

EXB53 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.

EXB54 PROPERTY REVIEW

The Board received a joint report of the Strategic Directors, Resources and Environment and Economy, on the Council's property portfolio.

The report contained information on the detailed examination that had taken place of two areas of property holdings – Corporate Accommodation and Surplus Property Assets. The options presented an opportunity to:

- Make efficiency savings;
- Improve the stock; and
- Meet service delivery objectives.

RESOLVED: That

- (1) with the exception of the lease on the 6th property listed in the report, for which a further report should be submitted, the surrender of the Leases outlined in paragraph 4.2 be approved, with the detailed arrangements being delegated to the Strategic Director – Environment and Economy and the Strategic Director – Resources, in consultation with the Portfolio Holder for Resources;
- (2) the process for the disposal of assets outlined in paragraph 5.7 of the report be approved; and
- (3) the Corporate Services Policy and Performance Board receive half yearly reports on progress.

Strategic Director
- Resources

Strategic Director-
Environment and
Economy

MINUTES ISSUED: 29 September 2010

CALL-IN: 6 October 2010

Any matter decided by the Executive Board may be called in no later than 6 October 2010

Meeting ended at 2.45 p.m.