

REPORT TO: Corporate Policy and Performance Board
DATE: 9th January 2006
REPORTING OFFICER: Chief Executive
SUBJECT: Executive Board and Executive Sub Minutes
WARD(s): Boroughwide

1.0 PURPOSE OF REPORT

- 1.1 The Minutes relating to the Corporate Portfolio which have been considered by the Executive Board and Executive Sub since the last meeting of this Board are attached at Appendix 1 (link) for information.
- 1.2 The Minutes are submitted to update the Policy and Performance Board of decisions taken in their area.

2.0 RECOMMENDED: That the Minutes be noted.

3.0 POLICY IMPLICATIONS

None.

4.0 OTHER IMPLICATIONS

None.

5.0 RISK ANALYSIS

None.

6.0 EQUALITY AND DIVERSITY ISSUES

None.

7.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

There are no background papers under the meaning of the Act.

CORPORATE SERVICES PORTFOLIO

EXB46 MEDIUM TERM FINANCIAL FORECAST

The Board considered a report of the Operational Director – Financial Services setting out the findings of the Medium Term Financial Forecast. It was noted that the Forecast set out a three-year projection of resources and revenue spending. The implications of the forecast in terms of the need for budget savings in 2007/08 onwards could then be considered and the scope for increased costs to maintain or enhance services assessed.

It was noted that the projections provided initial guidance to the Council on its revenue position into the medium term, although further information had yet to be received and the projections therefore needed to be treated with caution. However, the forecast currently showed that the spending required to maintain existing policies and programmes was expected to increase at a faster rate than the resources available to support it. Given the need to avoid budgets being capped by the Government, levels of additional spending would need to be kept to the absolute minimum and compensating budget savings would need to be identified.

The Board considered areas of uncertainty such as the change in the allocation of the Supporting People Grant and the waste agenda. In addition, Members discussed the impact on the Authority of the introduction of the Dedicated School Grant where, due to the Council supporting its schools and cushioning them from the impact of the new formula, it was now being penalised. It was advised that representations in this respect were ongoing. The Board further noted that national negotiations would determine the final figure in respect of staff salary inflation.

RESOLVED: That

- (1) the Medium Term Financial Forecast be noted;
- (2) the base budget be prepared on the basis of the underlying assumptions set out in the Forecast; and
- (3) further reports be considered by the Executive Board on the areas for budget savings and cost increases to maintain existing service levels or service enhancements.

Operational
Director -
Financial Services

CORPORATE PORTFOLIO

(NB Councillor M. Ratcliffe declared a personal and prejudicial interest in the following item of business due to being a magistrate.)

EXB54 PROPOSED CHANGES TO MAGISTRATES' COURT ARRANGEMENTS IN HALTON

The Board considered a report of the Strategic Director – Corporate and Policy regarding the proposed changes to the Court arrangements in Halton. The Council had been formally told of these changes in a letter received from the Area Manager, Her Majesty's Courts Service, on 31st October 2006.

The principal changes were outlined within the report for the Board's information. Although the Council had effectively been told that these new arrangements were being put in place, the Chief Executive had written to make representations about the detrimental effect they would have on the administration of justice within Halton, essentially relating to accessibility, cost, attracting new magistrates and the long-term future of the Courts in Halton.

The Chief Executive reported that, as a representative of the Cheshire Local Authority Chief Executives on the Criminal Justice Board, he had raised these concerns at a recent meeting and had been supported by representatives of Cheshire Magistrates, in particular with regard to the decision-making process and the lack of consultation. As a result of this meeting, Judge Elgin Edwards, the Court Service, the Crown Prosecution Service and the Police had agreed to come to a meeting to explain the rationale for the decision made and provide an opportunity for questions. This meeting was scheduled for 6th December 2006.

Invitations had been sent to the Chairs of each of the Benches of Cheshire Magistrates, the Cheshire Chief Executives and Cheshire Authority Leaders for this meeting, which was to be held at Halton Stadium. However, in the interim, it had been assured that

- (1) the changes would not result in the closure of courts in Halton; and
- (2) the arrangements would be kept under review so that

if the difficulties that had led to the decision were not resolved an alternative would be sought.

Members of the Board expressed their discontent at the lack of consultation and the impact that this would have on the residents of Halton.

In addition, it was advised that the Authority had been notified that the Courts were to change the way private prosecutions were administered. This would mean that Court time availability for the Council would be reduced from a weekly to a fortnightly slot.

RESOLVED: That

- (1) the Council expresses its concern and disappointment that Her Majesty's Courts Service (HMCS) has asked for the Council's views after its decision appears to have been made and seeks further clarification in relation to the points raised within the report;
- (2) the action of the Chief Executive in expressing the Council's concerns be endorsed;
- (3) HMCS be asked to reconsider its decision in the light of the concerns of the Council and other stakeholders;
- (4) HMCS be asked to work with the local bench and other stakeholders to thoroughly examine other options to improving the performance of the Court Service in Halton, including looking at the alternate use of Courts in Halton and Warrington; and
- (5) HMCS be requested to consider Halton as the location for the hearing of road traffic cases given the road and public transport infrastructure in and around the Borough.

Strategic Director
- Corporate and
Policy

EXB55 DEFAULT RETIREMENT AGE

The Board considered a report of the Strategic Director – Corporate and Policy regarding implications of the Employment Equality (Age) Regulations in respect of a default retirement age.

It was noted that dismissal on the grounds of a person's age was likely to be unfair. However, the Regulations contained an exception in the case of persons

who were at, or over, the age of 65 and where the reason for dismissal was retirement. As a result, employers had the option of continuing to have a retirement age of 65 or over but, if they did, they must have procedures in place to consider and determine requests to work beyond retirement age. The alternative was not to have a default retirement age and simply allow employees to continue to work until they wished to retire.

A number of options were outlined for the Board's information. It was advised that these had been discussed with the Trade Unions, and the view of both senior management and the Trade Unions was that the best option would be for the Council not to have a default retirement age. This decision should not result in any significant financial implications for the Council and would not affect employees' pensions.

RESOLVED: That a no default retirement age policy be adopted with immediate effect.

Executive Board Sub Committee – 12 October 2006

CORPORATE SERVICES PORTFOLIO

EXB39 SALE OF LAND AT HALE ROAD, WIDNES

The Sub-Committee considered a report which sought approval for the sale of Council land forming part of the site of the former Ball O'Ditton Royal British Legion Branch premises, Hale Road, Widnes.

The whole site (including the Council's land) had been advertised for sale on the open market. 14 bids had been received ranging from £175,000 to £525,000. The offer of £525,000 from Grundy and Co. Excavations Limited was unconditional and it was their intention to hold the site for a period of time prior to making a formal planning application for residential development purposes. Acceptance of the bid would give the Council a projected capital receipt of £175,000.

RESOLVED: That approval be given for the sale of the site of the former Ball O'Ditton Royal British Legion Branch premises, Hale Road, Widnes to Grundy and Co. Excavations Limited.

Strategic Director
- Corporate and
Policy

Executive Board Sub Committee – 2nd November 2006

CORPORATE SERVICES PORTFOLIO

EXB40 2006/07 HALF YEAR SPENDING

The Sub-Committee considered a report which summarised the overall half year spending position against the Council's Revenue Budget and Capital Programme across all departments up to 30th September 2006.

In overall terms, revenue expenditure at the half year position was within the budget profile. However, as the profile was only a guide to eventual spending it was important that budget managers continue to closely monitor and control spending to ensure that overall spending remains in line with budget by year end. Within the overall position there were some significant variances and details of these were outlined in the report.

With regard to capital it was reported that spending represented only 24% of the total programme. Although historically capital expenditure was significantly higher in the second half of the financial year, it was important that project managers kept projects and spending on schedule and in particular to ensure that all external funding was maximised.

RESOLVED: That the report be noted.