

COUNCIL

At a meeting of the Council on Wednesday, 12 December 2007 in the Council Chamber, Runcorn Town Hall

Present: Councillors Hodgkinson (Chairman), P. Blackmore, S. Blackmore, Bradshaw, Bryant, D. Cargill, E. Cargill, Cross, Dennett, Edge, Findon, Gerrard, Gilligan, Harris, Hignett, Horabin, Howard, C. Inch, D. Inch, Jones, Leadbetter, Lewis, Lloyd-Jones, Loftus, A. Lowe, J. Lowe, McDermott, McInerney, Morley, Murray, Nelson, Nolan, Norddahl, Osborne, Parker, Polhill, E. Ratcliffe, M. Ratcliffe, Redhead, Rowan, Rowe, Sly, Stockton, Swain, Swift, Thompson, Wainwright, Wallace, Wharton, Worrall and Wright

Apologies for Absence: Councillors Drakeley, Fraser, Higginson, Marlow and Philbin

Absence declared on Council business: None

Officers present: L. Cairns, G. Cook, I. Leivesley, G. Meehan, D. Parr, M. Reaney, D. Tregoe and J. Whittaker

Also in attendance: 6 Members of the Public

Action

COU43 COUNCIL MINUTES

The minutes of the meeting held on 31st October 2007, having been printed and circulated, were taken as read and signed as a correct record.

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

COU44 THE MAYOR'S ANNOUNCEMENTS

The Mayor announced that he and his delegation had been presented with a wooden bowl on a visit to Prince George by the Business Community of Prince George Canada in October 2007.

COU45 LEADER'S REPORT

The Leader of the Council reported on the following issues:

- There had been a good attendance at the Members'

seminar regarding the 3MG proposal. Information would be provided to those who could not attend.

- There was to be a meeting the following week regarding the Mersey Gateway. A petition had been received in favour of a different crossing linking Knowsley Expressway with Frodsham; however, this link had previously been examined and rejected on cost and, predominantly, environmental grounds.
- The Children and Young People Directorate's Annual Performance Assessment (APA) had given a grading of good and outstanding in the vast majority of thematic and service areas. The overall rating was Good, scoring the top rating of 4 in both Staying Safe including Social Care and Make a Positive Contribution. This equated to a 3 star Social Care rating. All those involved were thanked for their contribution.

COU46 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board from meetings held on 1st, 15th and 29th November 2007.

In moving the minutes, the Leader commented on the following issues:

- Minute number EXB59 – Widnes Vikings – a successful sporting team generated money for both the Stadium and other businesses in the Borough. The Council had therefore stepped in to support the club, taking on a minority shareholding.

(NB Councillors Gilligan, Nelson, M Ratcliffe and Wright declared a personal interest in the following item of business due to being Board Members of Halton Housing Trust.)

- Minute number EXB63 – Housing Allocations Policy – Local Connection Criteria – the Board had rejected Halton Housing Trust's proposal that the Council remove the local residency criterion from its Housing Allocations Policy.

(NB Councillor D Cargill declared a personal interest in the following item of business due to having a secretariat position within the Communication Worker's Union.)

- Minute number EXB66 – Post Office Closures in

Halton – there was to be a special meeting of the Urban Renewal Policy and Performance Board the following evening to consider this issue.

RESOLVED: That

- (1) the minutes be received; and
- (2) Councillor Swain replace Councillor Osborne as a representative on the Halton Housing Trust Board.

COU47 MINUTES OF THE EXECUTIVE BOARD SUB-COMMITTEE

The Council considered the minutes of the Executive Board Sub-Committee from meetings held on 1st, 15th and 29th November 2007.

RESOLVED: That the minutes be received.

COU48 MINUTES OF THE 3MG EXECUTIVE SUB-BOARD

The Council considered the minutes of the 3MG Executive Sub-Board from the meeting held on 13th November 2007.

RESOLVED: That the minutes be received.

COU49 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the minutes of the Mersey Gateway Executive Board from the meeting held on 15th November 2007.

RESOLVED: That the minutes be received.

COU50 QUESTIONS ASKED UNDER STANDING ORDER NO. 8

It was noted that no questions had been submitted under Standing Order No. 8.

(NB Councillor Horabin declared a personal and prejudicial interest in the following item of business due to being on the School's Governing Body and having grandchildren at the School, and left the room for the duration of its consideration.

Councillor Gerrard declared a personal interest in the following item of business due to being an Associate Governor.)

COU51 EXECUTIVE BOARD - 1ST NOVEMBER 2007 (MINUTE NO. EXB 47 REFERS) - SCHOOLS CAUSING CONCERN

The Executive Board had considered a report of the Strategic Director – Children and Young People outlining a revised policy for Schools Causing Concern, and requesting delegated powers to the Strategic Director to exercise the statutory functions of the Council in identifying and intervening in schools causing concern where this was appropriate.

RESOLVED: That the Constitution be amended to authorise the Strategic Director – Children and Young People to exercise the powers and duties provided to the Council under Part 4 of the Education and Inspections Act 2006.

COU52 EXECUTIVE BOARD - 15TH NOVEMBER 2007 (MINUTE NO. EXB56 REFERS) - LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

The Executive Board had considered a report of the Council Solicitor recommending the adoption of a Statement of Licensing Policy, which had been reviewed in line with the Licensing Act 2003.

RESOLVED: That the Statement of Licensing Policy considered at the Executive Board meeting on 20th September 2007 be adopted.

COU53 EXECUTIVE BOARD - 29TH NOVEMBER 2007 (MINUTE NO. EXB54 REFERS) - DETERMINATION OF COUNCIL TAX BASE

The Executive Board had considered a report of the Strategic Director – Corporate and Policy regarding the 'Tax Base' for the area and the tax base for each of the Parishes. The Council was required to notify Cheshire Fire Authority, the Cheshire Police Authority, the Cheshire Magistrates' Courts Committee, the Cheshire Probation Committee and the National Rivers Authority of this figure by 31st January 2008. The Council was also required to calculate and advise, if requested, the Parish Councils of their relevant tax bases.

RESOLVED: That

- (1) the 2008/09 Council Tax Base be set at 37,762 for the Borough, and the Cheshire Fire Authority, the Cheshire Police Authority and the National Rivers

Authority be so notified; and

- (2) the Council Tax Base for each of the Parishes be set as follows:

Parish	Tax Base
Hale	724
Daresbury	140
Moore	349
Preston Brook	339
Sandymoor	816
Halebank	510

COU54 EXECUTIVE BOARD SUB-COMMITTEE - 15TH NOVEMBER 2007 (MINUTE NO. ES 51 REFERS) - ADOPTION OF SECTION 120 SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT 2003 - REGULATION OF COSMETIC PIERCING AND SKIN COLOURING BUSINESSES

The Executive Board Sub-Committee had considered a report of the Strategic Director – Environment advising Members of a single new combined byelaw which allowed for the regulation of persons carrying on businesses of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis, seeking the adoption of new byelaws under the Local Government Act 2003 and setting fees for registration.

RESOLVED: That

- (1) Council resolve to apply to the whole of the Halton Borough Section 15 of the Local Government (Miscellaneous) Provisions Act 1982 adopting the new byelaw to cover: acupuncture, tattooing, semi permanent skin colouring, cosmetic piercing and electrolysis introduced by Section 120 and Schedule 6 of the Local Government Act 2003;
- (2) and in doing so
- a) authorising the affixing of the common seal to the byelaws and
 - b) authorising the Council Solicitor to carry out the necessary procedure and apply to the Secretary of State for confirmation;
 - c) upon adoption of the byelaws that the powers and

duties within the byelaws necessary to effect regulation be delegated to the Council Solicitor and the Operational Director Environmental and Regulatory Services as appropriate;

- d) new charges and costs be adopted and these reflect the administrative and officer costs involved in the process of registering a premises and a practitioner; and
- e) the plan for updating registration certificates including the retrospective application of the process to existing businesses be accepted.

(NB Councillor Sly declared a personal and prejudicial interest in the following item of business due to his employer being a tenant of the Northwest Regional Development Agency, and left the room during its consideration.)

COU55 EXECUTIVE BOARD SUB-COMMITTEE - 29TH
NOVEMBER 2007 (MINUTE NO. ES53 REFERS) -
HIGHWAY IMPROVEMENT SCHEME A56/A558
DARESBURY EXPRESSWAY JUNCTION

The Executive Board Sub-Committee had considered a report of the Strategic Director – Environment seeking approval for capital funding of the Highway Improvement Scheme – A56/A558 Daresbury Expressway Junction.

RESOLVED: That the scheme be included in the capital programme at a total cost of £3.478m.

(NB The following Councillors declared personal and prejudicial interests in the next item of business for the reasons shown and left the room for the duration of its consideration:

*Councillor Edge – governor at Wade Deacon High School
Councillor Findon – governor at Fairfield High School
Councillor Jones – governor at Fairfield High School*

The following Councillors declared personal interests in the next item of business for the reasons shown:

*Councillor Bryant – wife is secretary to the Strategic Director – Children and Young People
Councillor Harris – governor of The Bankfield School
Councillor Hodgkinson – governor of Halton High School
Councillor Nelson – governor of the Grange School
Councillor Rowe – has a child attending the Heath School
Councillor Stockton – governor of the Grange School*

*Councillor Swain – governor of Halton High School
Councillor Wharton – son attends Fairfield High School and wife has a contract for employment at that School as an invigilator)*

COU56 SECONDARY SCHOOL RE-ORGANISATION

The Leader advised that a Cross Party Members' Advisory Working Group had met on Monday to consider the responses in respect of the Building Schools for the Future (BSF) proposals and had made a number of recommendations to the Executive Board that morning. A copy of the draft minutes of the Executive Board's meeting were tabled for Members' information.

It was noted that the Executive Board had considered a number of key issues including:

- zone lines;
- school size;
- pupil numbers;
- choice;
- the consultation process;
- an alternative proposal submitted by Fairfield High School;
- hard federation;
- Halton High School; and
- the workforce strategy.

In respect of the proposal from Fairfield High School, there was uncertainty regarding a number of elements and so Members had been advised that, at the current time, the proposal should be rejected as incomplete and flawed. However, the School had the opportunity to consider the questions raised by the Working Group in terms of revisiting the proposal as part of the formal statutory consultation process.

With regard to Halton High School, it had been confirmed that the term "closure" was purely technical and, in practice, there would be no loss of provision.

The Council noted that the team working on BSF had done their best to respond to all queries received, and the public involvement in this process was commended.

RESOLVED: That the Building Schools for the Future proposals set out in the report of the Strategic Director – Children and Young People considered by the Executive Board on 12th December 2007 be supported.

COU57 MINUTES OF POLICY AND PERFORMANCE BOARDS
AND THE BUSINESS EFFICIENCY BOARD

The Council considered the reports on the work of the following Boards in the period since the meeting of the Council on 31st October 2007:

Employment Learning and Skills
Children and Young People
Healthy Halton
Safer Halton
Urban Renewal
Corporate Services
Business Efficiency Board

In receiving the minutes the following was noted:

- (1) SAF31 – Presentation – Youth Inclusion and Support Panel – the Chairman of the Safer Halton Policy and Performance Board (PPB) advised that this small team provided a much needed, preventative service.
- (2) SAF32 – Presentation Cheshire Fire & Rescue Service – Update of Performance Over Last 12 Months – the Chairman of the Safer Halton PPB advised that there would not be a downsizing of vehicles and thanked the Fire Service for its good service to the Borough.
- (3) Councillor Sly advised that he had been absent from the Urban Renewal PPB meeting of 21st November 2007 on Council Business.

COU58 COMMITTEE MINUTES

The Council considered the reports on the work of the following Committees in the period since the meeting of the Council on 31st October 2007:

Development Control
Standards
Regulatory

In receiving the minutes Councillor Wainwright advised that he had been absent from the Regulatory Committee meeting of 26th November 2007 on Council Business.

COU59 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT
1972 AND THE LOCAL GOVERNMENT (ACCESS TO
INFORMATION) ACT 1985

The Council 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.

COU60 MERSEY GATEWAY EXECUTIVE BOARD - 15TH NOVEMBER (MINUTE NO. MGEB10 REFERS) - FINANCING ADVANCED LAND PURCHASE

The Mersey Gateway Executive Board had considered a report of the Strategic Director – Environment, which proposed funding arrangements to enable advance purchase of land required for Mersey Gateway and sought authority to commence negotiations with affected landowners, subject to specific qualifying conditions, that could lead to the acquisition of land and property by agreement in advance of Compulsory Purchase Order (CPO) procedure.

RESOLVED: That the prudential borrowing required to support a programme of advance land purchase, as a contingency should the arrangements with Greater Merseyside Pension Fund fail to come to fruition, be agreed

and that such agreement establish the affordability limits referred to in recommendation (1) of minute number MGEB10 of the Mersey Gateway Executive Board meeting of 15th November 2007.

Meeting ended at 7.35 p.m.