

REPORT TO: Corporate Policy and Performance Board
DATE: 9th September 2008
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.

Executive Board – 14th May 2008

CORPORATE SERVICES PORTFOLIO

EXB134 ANNUAL REVIEW OF CONSTITUTION - MAYORAL COMMITTEE

The Board considered a report of the Strategic Director – Corporate and Policy outlining a further proposal, to be incorporated into the annual review of the Council's Constitution, to establish a Mayoral Committee with the powers and duties as set out in Appendix 1 to the report.

RESOLVED: That Council be recommended to approve the further changes outlined in the appendix to the report as part of the annual review of the Council's Constitution.

Strategic Director
- Corporate and
Policy

Executive Board – 5th June 2008

CORPORATE SERVICES PORTFOLIO

EXB7 ANNUAL AUDIT AND INSPECTION LETTER

The Board considered a report of the Strategic Director – Corporate and Policy regarding the Annual Audit and Inspection letter prepared by the Council's Audit Commission Relationship Manager and the District Auditor, Julian Farmer.

The letter provided an overall summary of the Audit Commission's assessment of the Council, drawing on the findings and conclusions from the Audit of the Council and inspections that had been undertaken in the last year. It also drew from wider analysis of the Council's performance and its improvement over the last year as measured through the Comprehensive Performance Assessment (CPA) Framework.

Mr. Farmer attended the meeting and addressed the Board on the overall summary of the Audit Commission's assessment of the Council, focusing on the key messages set out in the letter, as detailed below:

- the Council had continued to maintain its strong performance and had maintained its 4 star rating under the Audit Commissions CPA process with the Direction of Travel assessed as improving well during 2007;

- the assessment identified some areas where further work was needed to bring the Council's performance up to the standard of the best performing councils;
- on the Council's accounts for 2006/7 an unqualified audit opinion was issued along with an unqualified value for money conclusion; and
- the Council continued to manage its use of resources effectively and as such was assessed as a level 3 organisation – performing well. Further scope to strengthen arrangements in several areas, particularly financial management, asset management and value for money had been noted.

Members commented on the excellent report stating that this was a credit to everyone at the Council.

The Board thanked Mr Farmer for his co-operation and hard work in his role of District auditor and wished him well in the future.

Mr Farmer extended his thanks to the Board and officers of the Council for their support.

RESOLVED: That

- (1) the annual audit and inspection letter be received; and
- (2) the annual audit and inspection letter be distributed to all Members of the Council.

EXB8 QUEENS HALL STUDIO, LACEY STREET, WIDNES

The Board received a report of the Strategic Director, Corporate and Policy which sought approval for the entering into legal commitments on the Queen's Hall Studio including disposal of the freehold at nil consideration to Loose Music.

At its meeting of 22 June 2006 the Executive Board Sub Committee granted an exclusivity agreement to Loose Music to enable them to put together a package to develop a music and arts education and entertainment project at Queen's Hall Studio (Minute ES9/2006 refers).

It was noted that the studio was quite distinct from the Queen's Hall. Originally two separate buildings were latterly joined by a link extension. The report related solely to the Studio and did not include either the link or the Queen's Hall

itself. The Studio was considered as a stand alone facility.

In July 2007 the District Valuer (DV) was asked to consider the Capital Value of a long lease on the property. The DV's opinion was that, had the building been in good order, its value would have been £238, 000 but in view of the capital investment required to put the building in good order of in excess £600, 000 it clearly had a negative value. The DV therefore recommended that the Council could consider disposing of the property for a nominal amount.

In order to progress and secure the offer of Community Asset Grant funding, it was necessary to enter into an agreement with Loose Music by 25 April 2008 regarding the acquisition of the building. It was not possible to report this to a meeting of the Executive Board within the time available. The Chief Executive therefore, under power delegated to him under article 17.01(c) of the Constitution, and having consulted the Leader and Deputy Leader, amended the Articles of the Constitution on this occasion and in relation only to the proposal by Loose Music or any entity emerging from Loose Music to refurbish the Queen's Hall Studio as a music studio.

This amendment was to add to 'Article 14 - Decision Making' a delegated power (as Article 14.10) which empowered him on behalf of the Council to authorise any Council officer to enter into legal commitments including disposal of freehold at nil consideration to Loose Music or any entity emerging from Loose Music in relation to Loose Music's proposal to refurbish the Queen's Hall Studio as a music studio. He thereby authorised the Strategic Director, Corporate and Policy and the Strategic Director, Environment and their subordinate officers to enter into legal commitments including disposal of the freehold of the Queen's Hall Studio at nil consideration to Loose Music or any entity emerging from Loose Music in relation to Loose Music's proposal to refurbish the Queen's Hall Studio as a music studio ('the Proposal'). Such disposal was to be subject to claw-back provisions in the event that the land was used for purposes other than as a music studio.

The amendment to the Constitution (new 14.10) was made and this additional delegated power exercised by the Chief Executive having regard to:-

- the urgency of the situation namely the pressing need for a decision on the Council's legal commitment to the Proposal;
- the social, environmental and economic benefits

- for Halton of the Proposal;
- the extent to which the Proposal furthers the Aims and Objectives and Vision of the Council;
 - the extent to which the Proposal furthers the Council's key priority areas;
 - the need for an early decision if critical external funding from the Big Lottery Fund was not to be jeopardised;
 - an assessment of the benefits, risks and the management of those risks in relation to the Council's legal duties and the Council's and the community's interests in the Proposal;
 - the Council's legal duties in respect of its assets; and
 - the existing partnering agreement between the Council and Loose Music in relation to the Proposal.

RESOLVED: That the actions of the Chief Executive in consultation with the Leader and Deputy Leader be noted.

EXB9 CHANGING THE NAME OF A WARD

The Board received a report of the Chief Executive which informed Members of a request to change the name of Castlefields Ward to Castle Ward.

A request had been received from the Leader and Labour Ward Councillors for the Castlefields Ward, to change the name of the Ward to 'Castle Ward'.

Under the Local Government and Public Involvement in the Health Act 2007 there was a provision for a Local Authority to change the name of an electoral area.

The Council would need to pass a resolution following consultation with such persons as it considers appropriate on the proposed name. It was suggested that leaflets be sent to households in the Ward on the proposed name change and information on the issue be posted on the Council's website.

On completion of exercise a report would be prepared for submission to a Member Working Party, which would make a recommendation to Full Council in October 2008 who would make the final decision.

RESOLVED: That

- (1) That Council be recommended to consult electors in

the Castlefields Ward on the proposed change of name; and

- (2) A Working Party of Elected representatives be nominated to consider any representations received following the consultation.

Executive Board – 24th July 2008

CORPORATE SERVICES PORTFOLIO

EXB29 EQUALITY & DIVERSITY - IDEA DIVERSITY PEER CHALLENGE

The Board considered a report of the Strategic Director – Health and Community outlining the Council's achievement of Level 3 of the Equality Standard, and the findings of the IDeA report following Diversity Peer Challenge.

It was noted that the Equality Standard for Local Government was the recognised national framework that assessed performance on equality across a local authority. There were five levels, Levels 4 and 5 of which were exemplars and rarely achieved. Halton Borough Council had achieved Level 1 in 2003/04, progressed to Level 2 in 2005/06 and had since worked to achieve Level 3. Two groups had been established to help drive forward the agenda, which worked together with partners and stakeholders, to eliminate discrimination and promote equality.

On 6th and 7th May 2008, the Council had undergone an IDeA Diversity Peer Challenge Assessment, which concluded that the Council achieved Level 3 of the Equality and Diversity Standard. The Council had had to demonstrate that it fulfilled a number of requirements in order to achieve this level and these were outlined within the report for Members' consideration.

The IDeA Assessment Team had now issued a report summarising the findings of the peer challenge, which had highlighted strengths and areas for improvement. A draft action plan based on the outcomes of the IDeA report had been drawn up and was attached as Appendix 2 to the report. The areas shaded in the action plan had been identified as a priority. The actions required in order to achieve Level 4 of the standard were outlined for the Board, which the Council intended to achieve by the end of 2009. However, it was noted that the IDeA had commenced

consultation on the proposed new Equality Framework for Local Governments. Within the Framework it was proposed that the existing standard be replaced by three broad new bandings. Further information was awaited in respect of how this transition would take place.

In receiving the report, the Board commended the work of the Strategic Director – Health and Community.

RESOLVED: That:

- 1) the contents of the report be noted; and
- 2) the Action Plan at Appendix 2 of the report be agreed.

Executive Board Sub Committee 8th May 2008

CORPORATE SERVICES PORTFOLIO

ES112 TREASURY MANAGEMENT 2007/08 - 4TH QUARTER: JANUARY-MARCH

The Sub-Committee considered a report which reviewed activities undertaken on the money market as required by the Treasury Management policy for the 4th Quarter 2007/08.

It was noted that all policy guidelines, including the prudential indicators had been complied with.

RESOLVED: That the report be noted.

Executive Board Sub Committee 5th June 2008

CORPORATE SERVICES PORTFOLIO

ES1 NNDR DISCRETIONARY RATE RELIEF

Under the provisions of Section 47 of the Local Government Finance Act, 1988, the authority is allowed to grant discretionary rate relief to organisations who were either a charity or a non-profit-making organisation. The Sub-Committee considered a report which set out details of four applications for discretionary non domestic rate relief from:-

- i) Focus Institute of Gymnastics;
- ii) Halton Autistic Family Support Group Limited;
- iii) Halton District Citizen Advice Bureaux Service; and

iv) SHAP Limited.

RESOLVED: That

(1) under the provisions of Section 47, Local Government Finance Act 1988, discretionary rate relief be granted to the following organisations at the percentage indicated, for the period from 1st April 2008 or the commencement of liability, whichever is the later, to 31st March 2009:

Focus Institute of Gymnastics – 20%

Halton Autistic Family Support Group Limited – 20%

Halton District Citizen Advice Bureaux Service – 20%

(2) in respect of the following organisations, it was also recommended that they should be granted discretionary rate relief for the backdated element of the charge:

Halton Autistic Family Support Group Limited – 20%

Halton District Citizen Advice Bureaux Service – 20%

(3) Under the provisions of Section 47, Local Government Finance Act 1988, the following application for discretionary rate relief be refused:

SHAP Limited – 20%

ES2 PROCUREMENT OF DNA FORENSIC PROPERTY MARKING EQUIPMENT FOR ASTMOOR AND HALEBANK INDUSTRIAL ESTATES

The Board was advised on three quotations received to supply DNA Forensic property marking equipment for the benefit of all businesses located on Astmoor and Halebank Industrial Estates. The quotations were appraised on the basis of purchasing:

- 120 business kits and 20 signs for Astmoor; and
- 40 business kits and 10 signs for Halebank.

The purchase of DNA Forensic property marking equipment could not be made on the basis of price alone. The following factors were relevant in the decision-making process:

- i) Contents of each DNA forensic property marking kit;
- ii) number of items the kit could property mark;
- iii) level of Police support for each system;

- iv) previous uses of DNA Forensic property marking kit;
- v) track record and publicity of each system.

Following assessment it was proposed that the SmartWater Technologies Limited system should be purchased as this system provided property marking stickers, window stickers and a UV lamp in each kit, provided estate signage, was high profile in the media and had support from Cheshire Constabulary. The two quotations in the sum of £5,998.80 and £1,999.60 had been awarded to SmartWater Technologies Limited for DNA Forensic property marking equipment.

RESOLVED: That the appointment of SmartWater Technologies Limited be approved.

Executive Board Sub Committee 25th June 2008

CORPORATE SERVICES PORTFOLIO

ES8 2007/08 FINANCIAL OUTTURN

The Sub-Committee considered a report summarising the final revenue and capital spending position for 2007/08. The revenue budget had been closely monitored and controlled throughout the year. As anticipated, investment returns were better than expected and the review of the balance sheet amended the capital financing requirement resulting in a reduction in minimum revenue provision.

As agreed as part of the budget strategy, reserves had been made relating to the development of costs of the Building Schools for the Future project and time limited revenue spending on the Mersey Gateway Project.

Within the overall revenue underspend of £224,000 there had been a number of variances and these were outlined in the report. The underspend had resulted in a reduction in the planned contribution from balances (from £350,000 to £126,000) meaning that balances now stood at £6.984m.

In respect of school balances, these had increased by £0.4m to £4.6m. In addition, Standards Fund grant of £14.3m was available to schools. The money could be spent up to the end of the academic year and £4.5m remained to be spent.

With regard to Capital spending this totalled £29.1m,

which was £2.5m below the revised capital programme of £31.6m and represented over 92% delivery of the revised capital programme. The only areas of significant slippage were on projects relating to Cavendish and Brookfields Special Schools, The Bridge Pupil Referral Unit, All Saints Children's Centre, Contaminated Land, Sports Pitch improvements, Widnes Waterfront and ICT Infrastructure.

RESOLVED: That the report be noted.

CORPORATE SERVICES PORTFOLIO

ES11 SALE OF LAND AT ASTON FIELDS ROAD, RUNCORN

The Sub-Committee considered a report which sought approval for the sale of a landscaped area situated above the Shell Oil Pipeline in Aston Fields Road, Runcorn.

RESOLVED: That approval be given for the sale of a landscaped area of land above the Shell Oil Pipeline in Aston Fields Road, Runcorn on the terms outlined in the report.

ES12 WATERLOO CENTRE, RUNCORN

The Sub-Committee was advised of an interest expressed in the Waterloo Centre, Runcorn, a building owned by the Council but which had not been used since the Community Centre was closed down some years ago. The report also sought guidance on the future disposal strategy for this building and the neighbouring Library and Rathbone Building.

RESOLVED: That the existing policy of dealing with the three buildings on the corner of Egerton Street and Waterloo Road, Runcorn (the Library, the Waterloo Centre and the Rathbone Building) once the future of the Library was determined, be supported. Essentially looking at one development site. The organisation New Hope Kids First who had expressed an interest in utilising the Waterloo Centre, be advised on the Council's current policy.

Executive Board Sub Committee 25th July 2008

CORPORATE SERVICES PORTFOLIO

ES19 TREASURY MANAGEMENT 2008/09 1ST QUARTER: APRIL-JUNE

The Sub Committee received a report of the Operational Director, Financial Services which updated the Sub Committee about the activities undertaken on the money market, as required by the Treasury Management Policy.

The Sub Committee was advised that the base rate fell from 5.25% to 5.00% on 10th April 2008 and that this was the fourth consecutive cut in the base rate. This meant that the Monetary Policy Committee was facing a testing period. With inflation rising and the economy slowing, there was little room to manoeuvre with interest rates.

The Sub Committee was also advised that longer rates firmed up during the period and were never attractive enough for the authority to consider new borrowing and the PWLB rates were for "lower quota" entitlements.

Furthermore the turnover during period, as shown in the table below:

	No. Of Deals Struck	Turnover £m
Short Term Borrowing	5	10.40
Short Term Investments	42	58.75

It was noted that the turnover on investments was relatively low, reflecting the fixture of the bulk of the Council's investments into fixed rate, fixed term deals before Christmas in anticipation of rates falling.

The Sub Committee was informed of the position at Month End, as detailed below;

	April £m	May £m	June £m
Short Term Borrowing	1.00	NIL	2.50
Short Term Investments	41.20	48.25	45.20

It was noted that the authority's cash flow through the period was positive, which was normal for the early part of the financial year as grant and council tax income was received.

The Sub Committee was informed of the forecast income and outturn for the quarter was as follows:

	Cumulative Budget	Cumulative Actual	Cumulative Target Rat	Cumulative Actual Rat

	£'000	£'000	% ^e	% ^e
Quarter 1	458	674	5.08	5.87
Quarter 2	936	0	0.00	0.00
Quarter 3	1,331	0	0.00	0.00
Quarter 4	1,700	0	0.00	0.00

It was noted that the target income was exceeded due to the excellent rate of interest currently being earned on investments. By locking investments in for slightly longer periods last year, the investment rate was secure well into the current year.

It was noted that the authority did not borrow any new long term money. Three longer investment deals (greater than 12 months) had been undertaken during the period all for £2.5m. They were placed at 6.20%, 6.52% and 6.56%.

The Sub Committee was advised of the actions taken in relation to policy guidelines

- Interest Rate Exposure was complied with;
- Approved Counterparty List – following various reports from the credit rating agencies, the authority had been particularly careful in placing money into investments, especially for those deals of longer duration. During the quarter a one year investment was made with Derbyshire Building Society which meant that the limit for funds lent (limit £2.5m actual £5m) for more than three months with that organisation was exceeded for 14 days. It was felt that the Derbyshire was the best counterparty on the day offering the particular rate which was being sought. This decision reflects the difficulty in finding a secure place for money being placed into the market for longer periods. The period of exposure had now lapsed and the current lending to this organisation was back within the set limits;
- Borrowing Instruments was complied with; and
- Prudential Indicators were complied with:
 - Operational Boundary for external debt;
 - Upper limit on interest rate exposure on fixed rate debt;
 - Upper limit on interest rate exposure on variable rate debt;
 - Maturity structure of borrowing as a percentage of fixed rate borrowing;
 - Total principal sums invested for periods longer than 364 days;
 - Maturity Structure of New Fixed rate Borrowing during

2005/06.

RESOLVED: That the report be noted.

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