

## APPENDIX 1

### **Extract of Executive Board and Executive Board Sub Committee Minutes Relevant to the Corporate Services Policy and Performance Board**

#### **EXECUTIVE BOARD MEETING HELD ON 16<sup>th</sup> OCTOBER 2008**

##### **EXB61 Equality and Diversity Progress Report**

The Board considered a report of the Strategic Director – Health and Community providing an update on the current position on the equality and diversity agenda in Halton

It was noted that equalities were a dynamic area of public policy and there had been major recent legislative changes in this area. The Equality Bill “A Framework for a Fairer Future” had been presented to Parliament in June 2008 and provisions of the Bill were outlined for Members’ information. It was noted that the legislation had strengthened the requirement to not only tackle discrimination but to actively promote diversity.

In December 2006, the Council adopted a new Corporate Equalities Scheme. This encompassed all its then legal duties in terms of promoting the race, gender and disability equality schemes. The scheme was currently being revised to ensure that the Council fulfilled all its legal obligations.

In May 2008 the Council invited the I&DeA to undertake a Peer Challenge and had subsequently been judged to have progressed to Level 3 of the Equality Standard for Local Government. Following this, the Corporate Equality and Diversity Group had agreed, and was progressing, an Action Plan to move forward to Level 4 of the Standard, acknowledging at the same time that the system may be amended in 2009-10.

Progress had been made in a number of areas, which were outlined within section 4 of the report for Members’ consideration, in respect of:

- the training of officers and Members;
- use of service plans;
- updates to the intranet and Website;
- involvement in an equalities forum with other Merseyside authorities; and
- a benchmarking exercise currently underway.

The Board noted that a conscious decision had been taken to carry forward equality and diversity work in the day-to-day task of service delivery and Halton’s progress in respect of the equalities agenda would be proportionate to the effort and resource expended. Therefore, all services would need to continue to demonstrate how they would effectively and efficiently encourage their teams to positively incorporate equality and

diversity issues into their attitudes, behaviour, culture and all aspects of service delivery in order for this to have a beneficial impact on our communities.

In receiving the report, Members considered the proposal to provide a multi-faith prayer room, which would be available to all staff and members of the public. It was advised that this would be funded from within existing budgets and would be available for use by all faiths, filling a current gap in provision and helping to provide equality for all.

The Board was also advised that Riverside College had entered into a partnership with various companies in Libya to provide teaching opportunities in this country. This had resulted in a number of Libyan families moving into the area for a minimum of three months and it was hoped that this would offer opportunities for exchange learning around issues such as faith, business and commerce. The Strategic Director – Children and Young People reported that he had met with representatives of the College in order to consider implications for Halton as a result of this arrangement, for example learning needs of younger children within these families.

RESOLVED: That the report be noted and the actions outlined in section 4 of the report be endorsed in order for the Council to move forward to Level 4 of the Equality Standard for Local Government.

## **EXECUTIVE BOARD MEETING HELD ON 20<sup>th</sup> NOVEMBER 2008**

### **72. Medium Term Financial Strategy**

The Board considered a report of the Operational Director – Financial Services setting out the Medium Term Financial Strategy (MTFS) for 2009/10 to 2011/12. The Medium Term Financial Forecast set out a three-year projection of resources and spending based on information that was currently available. The Board was advised that there was information yet to be received and revisions would need to be made as this became available - confirmation of a number of grants was expected on 26<sup>th</sup> November 2008. As a result, the projections had to be treated with a considerable degree of caution; however, they did provide initial guidance to the Council on its financial position into the medium term.

Members noted that the global “credit crunch” and the consequent inflationary and economic pressures were beginning to have an impact on the budget. The Prime Minister had stated that additional borrowing would be used to stimulate demand within the economy, including a focus on public works projects; however, the consequences on local authorities were not yet clear.

Information was set out within the report outlining the objectives of the MTFS, which were in line with the Council’s priorities; the proposed budget strategy; and the proposed capital strategy. It was noted that the MTFS

represented the “finance guidelines” that formed part of the medium term corporate planning process. These guidelines identified the financial constraints that the Council would face in delivering its key objectives and were an important influence on the development of the Corporate Plan and Service Plans and Strategies. It was anticipated that savings of £6 million would need to be made over each of the next four years.

The Executive Board noted that the Strategy would be considered at the Policy and Performance Board Chairs’ Away Day, scheduled to be held on 12<sup>th</sup> and 13<sup>th</sup> December, where Chairs of the regulatory Committees and representatives of the two opposition parties would also be in attendance.

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;
- (3) the Medium Term Financial Strategy be approved;
- (4) the Reserves and Balances Strategy be approved; and
- (5) further reports be considered by the Executive Board on the areas for budget savings and spending pressures.

### **73. Protocol for Members' Access to Part 2 Items**

The Board considered a report of the Strategic Director – Corporate and Policy proposing an amendment to the Constitution regarding Members’ Access to Part 2 items.

It was noted that clarification had been sought in respect of Members’ Rights of Access to meetings of a Committee/Sub-Committee/Board of which they were not members when exempt information was being discussed. Appropriate advice had been given by officers and it had been requested that consideration be given to an amendment being made to the Constitution in order that an agreed protocol could be adopted.

A slightly amended proposed change was tabled for Members’ consideration including the proposal that discussion should take place with the relevant Chairman prior to the relevant meeting.

RESOLVED: That Council be asked to approve an amendment to the Constitution as set out below:

“For the avoidance of doubt, Councillors who are not Members of a particular committee/sub-committee/board have no automatic right to remain in a meeting of a committee/sub-committee/board once a resolution has been

passed under Section 100 (A) (4) of the Local Government Act 1972 excluding the press and public from the Meeting. A Councillor would only be entitled to remain in the Meeting if he or she had been able to establish a “need to know” as described above, to the satisfaction of the committee/sub-committee/board. In these circumstances, a Councillor who is not a Member of the committee/sub-committee/board wishing to remain in a meeting following a passing of the appropriate resolution shall demonstrate the “need to know” on a report by report basis to the Chief Executive no later than the day preceding the Meeting or as soon as possible. The Chief Executive will then consult the relevant Chair. This will enable due consideration to be given to the request, in order that appropriate advice may be given to the committee/sub-committee/board to assist them in making the decision.”

#### **74. Implementation of the Efficiency Programme**

The Board considered a report of the Strategic Director – Corporate and Policy seeking approval to the development and implementation of an Efficiency Programme over the next four years on the lines of that outlined by KPMG at the recent presentation to Members. Agreement was also sought of outline arrangements to support the implementation of the programme. A revised recommendation was tabled for Members’ consideration.

It was noted that the Council had commissioned KPMG to assist in developing an Efficiency Programme to help the Authority in meeting the significant financial challenges it faced over the coming years. The Medium Term Financial Strategy showed the level of cashable savings the Council would be required to make over the next four years which, if service levels were maintained, would be challenging. KPMG had been asked to work with the Council to develop a programme which both protected or enhanced front line services and made efficiency savings.

The KPMG work had identified a number of areas of the Council’s business where it was felt that there was potential for making efficiency savings and these were outlined within the report for Members’ information. An outline business case for each of the areas had been produced and, if the Board was content, these would be developed between now and the end of the calendar year into a detailed implementation plan. KPMG believed that these opportunities had the potential to achieve cumulative savings of £20.2m by the end of 2012. In order to achieve this level of saving in the time outlined, the programme needed to commence in January 2009.

In order to deliver the programme the Council would need to establish a Programme Office and identify a Programme Manager. The Programme Team would have the responsibility of co-ordinating the programme and would be Council led although it was suggested that, in accordance with best practice, KPMG be retained to work alongside the team to provide the additional capacity and enhanced skill base the Council needed to deliver the programme.

The Board was advised that, in order to achieve savings of £20.2m KPMG had identified investment in the region of £2.3m to make it happen. That figure had been included in the Medium Term Financial Strategy. This would be used to fund the development of a Programme Office and to fund any outside support the Council needed to deliver the programme.

The delivery of the programme would be challenging and would require close working between Members, staff and trade unions. In order to manage that process effectively, it was suggested that a Staffing Protocol be developed with the trade unions detailing the way in which staffing matters would be dealt with as the programme unfolded.

It was confirmed that the detailed programme would be brought back to the Board for approval and any proposals that flowed from pieces of work would also be submitted to the Board for consideration; for example, any proposals in relation to market testing. The Appointments Committee would also be involved where appropriate in accordance with the Council's Constitution. In addition, there had already been meetings with trade unions and briefing sessions. The Board noted that communication with staff, who continued to deliver excellent services despite the challenges they faced, would be an important part of the process.

The Chief Executive confirmed that this was not a crisis situation but rather a managed approach to improve the quality of the organisation and was necessary if the Council was to achieve the savings required over the forthcoming years. Although the proposals equated to a reduction in approximately 150 staff posts, this would largely be addressed by natural turnover within the organisation, which currently stood at 120 staff per year.

RESOLVED: That

- (1) approval be given to develop an efficiency programme based the elements outlined in paragraph 3.2 of the report;
- (2) the Strategic Director – Corporate and Policy, in consultation with the Corporate Services Portfolio Holder, be authorised to extend the contract arrangements with KPMG, to support the Programme Office in delivering the programme with the final arrangements being reported back to this Board;
- (3) the Strategic Director – Corporate and Policy, in consultation with the Corporate Services Portfolio Holder, be authorised to draw up a Staffing Protocol to outline the options available to staff throughout the process; and
- (4) the detailed delivery programme be brought to this Board for approval with regular progress reports being submitted to the Business Efficiency Board.

## **75. DCLG Consultation: Member/Officer Codes of Conduct**

The Board considered a report of the Strategic Director - Corporate and Policy seeking approval of the Council's response to the Government's Consultation Paper on an Officers' Code of Conduct.

It was noted that there were separate Codes of Conduct for Members and officers, both of which appeared in the Halton Constitution. The Members' Code included the Ten Principles of Public Life recommended in the Neil Report into Conduct in Public Life, which had been prescribed by law. Halton's version followed the national model. Members accepting office agreed to be guided by the Code and breach of the Code was dealt with under the Standards Committee process.

The Officers' Code of Conduct had never been prescribed by law although there had been a national model recommended at one time by the Local Government Management Board (LGMB), which was substantially the model approved by the Council and included in the Constitution. Breach of the Code could form the basis for engaging the Disciplinary Code. Officers were expected to comply with the Code and, in recent years, employees' Particulars of Employment had explicitly required them to comply with its terms. This Code of Conduct was in addition to various other codes that certain officers were subject to; for example employees who belonged to particular professional bodies.

Since the introduction of the Local Government Act 2000, there had been power to establish a national statutory code of conduct for officers. The Department of Communities and Local Government (DCLG) had published a new consultation paper in October 2008 inviting responses to 22 questions relating to "Codes of Conduct for Local Authority Members and Employees" with comments to be submitted to the Department by 24<sup>th</sup> December 2008.

The report outlined the areas that the consultation paper was inviting comments upon in terms of both Members and officers. Consultation on the Members' Code of Conduct fell within the remit of the Standards Committee and, as such, the Committee had been requested to consider this at its meeting of 19<sup>th</sup> December 2008. The Board was advised that the Committee had agreed the response to the Member Code outlined within Appendix A to the report subject to further consideration being given to including police cautions to the definition of "criminal offence" and to whether the conduct of Members in a private capacity that resulted in a tribunal finding of discrimination should be capable of amounting to a breach of the Code.

Although not in its remit, the Standards Committee had also considered the Officers' Code and had requested that the Executive Board consider removing the reference to politically restricted posts in the response to question 18 so that it read "Yes the Code should require employees to register their interests publicly". The Executive Board considered this proposal but agreed that the implications of this change would be unreasonable in terms of the impact on officers' civil liberties and in the administration of declarations

from thousands of officers.

RESOLVED: That

- (1) the consultation in respect of a revised Members' Code of Conduct considered by the Standards Committee, the proposed response to this consultation outlined in Appendix A to the report, and the Standards Committee's subsequent amendments, be noted; and
- (2) the Strategic Director – Corporate and Policy be authorised to draw up and submit a response to the Consultation Paper in respect of the Officers' Code of Conduct as outlined in Appendix B to the report.

## **EXECUTIVE BOARD MEETING HELD ON 4<sup>th</sup> DECEMBER 2008**

### **80. Determination of Council Tax Base**

The Board considered a report of the Operational Director – Financial Services regarding the "Tax Base" for the area and the tax base for each of the Parishes. It was noted that the Council was required to notify the figure to the Cheshire Fire Authority, the Cheshire Police Authority and the Environment Agency by 31<sup>st</sup> January 2009. In addition, the Council was required to calculate and advise, if requested, the Parish Councils of their relevant tax bases.

The Tax Base was the measure used for calculating the council tax and was used by both the billing authority (the Council) and the major precepting authorities (the Cheshire Fire Authority and the Cheshire Police Authority) in the calculation of their council tax requirements. It was arrived at in accordance with a prescribed formula representing the estimated full year number of chargeable dwellings in the Borough expressed in terms of the equivalent of Band "D" dwellings. Taking account of all the relevant information and applying a 99% collection rate, the calculation for 2009/2010 gave a tax base figure of 38,200 for the Borough as a whole.

The Board noted that the collection rate of 99% was what was currently achieved and was amongst the best in the region. However, there was a risk that this would reduce given the current economic climate.

RESOLVED: That Council be recommended that

- (1) the 2009/10 Council Tax Base be set at 38,200 for the Borough, and that the Cheshire Fire Authority, the Cheshire Police Authority, and the Environment Agency be so notified; and
- (2) the Council Tax Base for each of the Parishes be set as follows:

Parish	Tax Base
Hale	729
Halebank	569
Daresbury	141
Moore	345
Preston Brook	347
Sandymoor	913

### **81. The 'Heart of Halton' Plaque Scheme**

The Board considered a report of the Strategic Director – Environment outlining the deliberations of the Urban Renewal Policy and Performance Board (PPB) relating to the development of a new tourism initiative entitled “The Heart of Halton”.

The aim of the scheme was to seek to identify and celebrate Halton’s achievers, people, important buildings and activities that took place with local historical societies, groups and the public invited to submit suggestions.

To complement plaques, online Web based maps would be developed highlighting the location of the plaques and what they signified. This would be supported from time to time with leaflets or other publications.

It was noted that the PPB had considered the costs and scale of the project at its meeting of 17<sup>th</sup> September 2008. The Board agreed that this was a worthy proposal subject to budget pressures although further information was required as to how the scheme would work in practice.

RESOLVED: That

- (1) the Urban Renewal Policy and Performance Board be requested to examine this proposal in further detail, providing information in relation to the process and criteria; and
- (2) subject to the above and to the 2009/10 budget process, the development of a “Heart of Halton” plaque scheme be approved.

**EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 16<sup>th</sup> OCTOBER 2008**

### **39. Invest to Save**



The Sub-Committee considered a report of the Strategic Director – Environment providing an update on progress with the Invest to Save bids, reporting on savings achieved to date and seeking approval of further bids in relation Power Perfectors.

It was reported that, as part of the Invest to Save process, four projects had been approved in connection with the work the Council was undertaking through the Local Authority Carbon Management Programme. Details of the projects and ongoing savings achieved to date were set out within the report covering:

- the networking of printers to multi-functional devices;
- the installation of Power Perfectors in Council Buildings;
- Halton Stadium; and
- a lighting upgrade.

It was advised that, given the savings that could accrue from installing Power Perfectors, further work had been done to assess the potential of installing the devices at Picow Farm, Widnes Direct Link, Halton Lea Direct Link, Runcorn Market and Oak Meadow. The total cost of installing Power Perfectors at these buildings was £52,000 but should result in annual revenue savings of £12,000 per annum. Approval was therefore sought to increase the Invest to Save bid to enable the schemes to proceed. The total cost of the Invest to Save bid including fees would be £248,150, which would give expected annual revenue savings of £75,000 per annum, a payback of approximately 3.3 years.

In receiving the report the Sub-Committee commended the proposals.

RESOLVED: That

- (1) the report and savings to date be noted; and
- (2) the Invest to Save bids for Power Perfectors be approved.

## **EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 6<sup>TH</sup> NOVEMBER 2008**

### **46. Discretionary Non-Domestic Rate Relief**

The Sub Committee received a report of the Strategic Director, Corporate and Policy which asked Members to consider 3 applications for discretionary non-domestic rate relief, under the provisions of the Local Government Finance Act 1988.

It was noted that under the provisions of Section 47 of the Local Government Finance Act 1988, the Authority was allowed to grant discretionary rate relief to organisations that were either a charity or a non-profit making organisation. Relief could also be awarded to

Community Amateur Sports Club. A summary of the applications and a list of the associated figures were attached as an appendix to the report.

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 1<sup>st</sup> April 2008 or the commencement of liability, whichever is the later, to 31<sup>st</sup> March 2009:

<b>Halton Access to Media</b>	<b>100%</b>
<b>Halton Haven Hospice</b>	<b>20%</b>
<b>Tenants and Residents Organisations of England</b>	<b>20%</b>

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

**Tenants and Residents Organisations of England**

#### **47. Treasury Management 2008/09 2nd Quarter: July-Sept**

The Sub Committee received a report of the Operational Director, Financial Services which updated Members on the activities undertaken on the money market as required by the Treasury Management Policy. It was noted that all the activities, including prudential indicators, complied with the policy guidelines.

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. To date there had been no problems with repayments, although it was becoming increasingly worrying that very large organisations, often household names were deemed to be at risk of failure. Quite often credit ratings were giving no indication as to the current situation an organisation may be in and what off balance sheet problems they may be facing. It was noted all the Council investments were in UK banks and building societies.

RESOLVED: That the report be noted.

#### **48. 2008/09 Half Year Spending**

The Sub Committee received a report of the Operational Director, Financial Services which gave details of the Council's overall revenue and capital spending position as at 30<sup>th</sup> September 2008.

Members were advised of the spending against revenue budget for each department, up to 30<sup>th</sup> September 2008 and it was noted that in overall terms, revenue expenditure was below the budget profile. Areas of concern were outlined in detail in the report.

Members were advised of the capital spending to 30<sup>th</sup> September 2008, which totalled £17.8m, and which was 77% of the planned spending of £23.2m at this stage. However, this represented only 36% the total capital programme of £49.5m.

It was noted that although historically capital expenditure was significantly higher in the latter part of the financial year, it was important that project managers maintain pressure to keep projects and spending on schedule and in particular to ensure that all external funding is maximised.

RESOLVED: That the report be noted

## **EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 4<sup>TH</sup> DECEMBER 2008**

### **54. 2008/09 ICT Capital Investment Programme**

The Board received a report of the Strategic Director, Corporate and Policy, which set out progress against the proposed ICT Capital Programme for 2008/9.

Members were advised that inline with the Council's ICT Strategy the capital programme focussed on 4 key areas; local area networks, hardware replacement, infrastructure and updating user software and facilities.

The report set out progress to date against these 4 key areas and particularly noted the much stricter security measures that would need to be put in place before April 2009 along with work being undertaken on PC replacement, server virtualisation and renewing site licences.

Members welcomed the report and agreed that quarterly reports on progress be presented to the Sub Committee, along with the inclusion of financial information on the maintenance programme.

RESOLVED: That

- (1) the ICT Capital Programme, as set out in the report be approved; and
- (2) Quarterly progress reports be submitted to the Sub Committee and include financial information on the maintenance programme.