

REPORT TO: Council

DATE: 11th February 2009

REPORTING OFFICER: Strategic Director Corporate and Policy

SUBJECT: Procedure for Approving Local Area Agreements

WARDS: Borough-wide

1. PURPOSE OF REPORT

To decide how the Council will approve Local Area Agreements for Halton.

2. RECOMMENDED THAT:

- i. The approval of Local Area Agreements for Halton be delegated to the Executive Board.
- ii. The constitution be amended accordingly.

3. SUPPORTING INFORMATION

- 3.1 In July 2008 Statutory Guidance was published relating to various provisions in the Local Government and Public Involvement in Health Act 2007. One new area covered by the guidance is the procedure for formal approval of the Local Area Agreement by the Council. There is flexibility within the legal provisions for the full Council to decide whether it wants to approve the Local Area Agreement itself or whether to delegate it to Executive Board. The decision on how agreements will be approved needs to be made before an updated Local Area Agreement can itself be approved and submitted to the Secretary of State in March 2009.
- 3.2 Members will recall that a Local Area Agreement sets out proposed local improvement targets and identifies which partners will help to deliver each target. Targets are negotiated with the government through government office and after approval by the Council are submitted to the Secretary of State for signature.
- 3.3 The current Local Area Agreement was approved in June 2008 covering the period April 2008 to March 2011. It will be reviewed and refreshed annually. We are required to approve the revised Local Area Agreement by 26th March 2009 for submission to the Secretary of State.
- 3.4 There are a number of indicators for which no targets could be set in June

2008 because baseline information was not available. Several relate to the Places Survey for which the results will only be available in early March. It is therefore likely that negotiations will proceed up to the very last minute, and whether the approval is by Council or Executive Board, some delegation for last minute changes will be necessary.

- 3.5 It is recommended that a procedure be adopted that will apply to all subsequent Local Area Agreement approvals. However, to illustrate the options in 2009, there is a special Council meeting on 4th March (budget meeting) and an Executive Board on 19th March 2009. Since it will not be possible to report progress on negotiations relating to several targets to the 4th March Council meeting, it is recommended that the decision to approve the Agreement be delegated to the Executive Board.
- 3.6 As indicated above it is likely that in approving a draft agreement Executive Board will need to give delegation powers to the Chief Executive for any final changes.
- 3.7 The Local Area Agreement is essentially a set of three-year delivery targets for the priorities in the Sustainable Community Strategy. Full Council adopts the Community Strategy and it is not unreasonable to delegate its implementation.

4. POLICY IMPLICATIONS

Whilst the Local Area Agreement is a key element of policy implementation, the decision making process itself has no policy implications.

5. OTHER IMPLICATIONS

There are no other implications.

6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

As stated above, the Local Area Agreement itself has implications for all our priorities but the decision making route does not. Progress on the Local Area Agreement will be reported regularly to all Policy and Performance Boards.

7. RISK ANALYSIS

- 7.1 Failure to decide how Local Area Agreements will be approved could lead to subsequent challenge. It may be damaging to the Council's reputation and relationship with government. Adoption of an approval process removes this risk.
- 7.2 A lengthy approval process would prejudice the Council's ability to meet the government timetable for negotiating Local Area Agreements. Delegation to Executive Board reduces this risk as it meets fortnightly.

- 7.3 Failure to involve all members may lead to lack of “ownership” of the Local Area Agreement. This can be mitigated by reports to Policy and Performance Boards and in the Members’ Information Bulletin.

8. EQUALITY AND DIVERSITY ISSUES

The approval procedure should not have any implications for equality and diversity since both Council and Executive Board meetings are publicly accessible by the same means.

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

Document	Place of Inspection	Collection Office
Halton Local Area Agreement 2008	2 nd Floor Municipal Buildings	Rob MacKenzie 0151 471 7416
Statutory Guidance to Local Government and Public Involvement in Health Act 2007	2 nd Floor Municipal Buildings	Rob MacKenzie 0151 471 7416
LAA Review and Refresh: Letter from Regional Director Government Office 17 October 2008	2 nd Floor Municipal Buildings	Rob MacKenzie 0151 471 7416