

COUNCIL

At a meeting of the Council on Wednesday, 13 August 2008 in the Council Chamber, Runcorn Town Hall

Present: Councillors Loftus (Chairman), Austin, M. Bradshaw, Browne, Shepherd, Hodgkinson, P. Blackmore, S. Blackmore, J. Bradshaw, Bryant, D. Cargill, E. Cargill, Dennett, Drakeley, Edge, Findon, Fraser, Gerrard, Gilligan, Harris, Hignett, D. Inch, Jones, Lloyd Jones, A. Lowe, J. Lowe, McDermott, McInerney, Morley, Murray, Norddahl, Parker, Philbin, Polhill, E. Ratcliffe, M. Ratcliffe, Redhead, Rowan, Rowe, Swain, Swift, Thompson, Wainwright, Wallace, Worrall and Wright

Apologies for Absence: Councillors Balmer, Higginson, Horabin, Howard, Leadbetter, Nelson, Nolan, Osborne, Stockton and Wharton

Absence declared on Council business: None

Officers present: R. Barnett, P. Barron, I. Leivesley, S. Nicholson, D Parr, D. Tregea and L. Derbyshire

Action

COU13 COUNCIL MINUTES

The minutes of the Council meeting held on 16th May 2008, 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.

COU14 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:-

- A copy of the New Testament which had been presented to The Right Honourable Gordon Oakes MP and had been sworn by Her Majesty's most Honourable Privy Council on 26th June 1979, and signed by the Lord President of the Council had been represented to Halton Borough Council on 6th June 2008 by the family of the late Right Honourable Gordon Oakes MP. The Right Honourable Gordon Oakes MP had been an MP for Halton for many years;
- A book about Marzahn und Hellersdorf had been

presented to the Mayor at the musical concert 'Halton Welcomes the World' held at the Brindley on 13th July 2008;

- A book 'Shadower's Crossing' had been presented to the Mayor by a local author Chris Kirwan;
- Photographs of Berlin had been presented to the Council; and
- A cap Badge had been presented at Veterans Day by Widnes S.C.C.

COU15 LEADER'S REPORT

The Leader reported on the following issues:

- That the Council meeting in July had been re-arranged due to industrial action concerning the annual pay award process. He reported that negotiations were ongoing.
- Halton had been one of the first authority's to award members with the ILM. During the last year, every member had participated in a training session, of which 28 had received awards and 33 had received a certificate of achievement. Members and the staff who organised the training events were congratulated on their achievements;
- Halton Council had received the highest grade in its Corporate Assessment and an excellent report following the Joint Area Review on services for children and young people. The authority was proud to maintain its 'excellent' status and the report had been circulated to members of the Council. Actions were being taken to address a few weaknesses that had been identified in the report;
- The KS2 SAT results had been announced and the Leader took the opportunity to congratulate teachers in the Borough on their excellent achievements;
- Daresbury Science and Innovation Campus had received £65m capital funding for the new computer centre;
- The proposals for the Building Schools for the Future Programme had been passed to DfES for

approval. As the programme developed, further reports would be presented to Council. Preliminary meetings had taken place to set up a joint governing body for the Federation of Wade Deacon and Fairfield High School;

- Mersey Gateway was on the agenda and an update would be given at that time;
- The Local Government and Public Involvement in Health Act 2007 had come into effect in December. The Act placed duties on the Council to decide on a system of internal governance. There would be a future consultation on internal governance in respect of the Council having an elected Mayor or Cabinet. If the Mayor option was adopted, it would not necessarily be a member or Leader of the Council. In this respect, no change to the current system was not an option.
- The 2007 Act also allowed the Council to opt for a four yearly election pattern. There was an option to opt for 'no change' to the current system.
- Members would have the opportunity to express their views on these internal governance and election matters and it was anticipated that decisions would be taken by May 2009.
- Members would be consulted on a White Paper 'Communities In Control' in the near future; and
- Mr Peter Fay, the Chief Constable of Cheshire Police was moving to Manchester. Mr Fay had addressed the Council on numerous occasions. The Leader took the opportunity to place on record his thanks to Mr Fay and extend best wishes to him for his future career.

COU16 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board from meetings held on 10th April, 14th May, 19th May, 5th June, 19th June and 26th June 2008.

RESOLVED: That the minutes be received.

COU17 MINUTES OF THE EXECUTIVE BOARD SUB-COMMITTEE

The Council considered the minutes of the Executive Board Sub-Committee from meetings held on 10th April, 8th May, 5th June and 25th June 2008.

RESOLVED: That the minutes be received.

COU18 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the minutes of the Mersey Gateway Executive Board from the meetings held on 19th May and 21st July 2008.

RESOLVED: That the minutes be received.

COU19 QUESTIONS ASKED UNDER STANDING ORDER NO. 8

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

COU20 MERSEY GATEWAY TWA ORDER - KEY DECISION

The Council received a report of the Strategic Director, Environment which related to the order under section 3 of the Transport and Works Act 1992 (the TWA Order) that was being promoted by the Council in order to secure powers to promote the elements of the Mersey Gateway, Project (the Project) that related to the Mersey Gateway Bridge, in particular (and among other matters), to authorise interference with public rights of navigation by the construction of a new bridge over the River Mersey comprised in the Project.

In accordance with the provisions of section 239 of the Local Government Act 1972 as applied by section 20 of the Transport and Works Act 1992, the Council resolved on 23 April 2008 to promote the TWA Order. A copy of the report to Council was attached as Annex 1 to the report.

On 30 May 2008 the Council had made an application under section 6 of the Transport and Works Act 1992 to the Secretary of State for Transport for the TWA Order – the proposed River Mersey (Mersey Gateway Bridge) Order.

The application for the TWA Order having been made, in accordance with the provisions of section 239 of the Local Government Act 1972, the Council was required to confirm its decision to promote the application for the TWA Order in order for the matter to proceed.

The report sought the Council's confirmation of its decision to promote the TWA Order in accordance with the requirements of section 239 of the Local Government Act.

Reason for Decision

The recommended decisions were required to support the delivery of Mersey Gateway.

Alternative Options Considered and Rejected

Alternative options for securing the powers to construct, maintain and operate, as well as tolling, the Mersey Gateway project had been assessed and rejected.

Implementation Date

The recommended decisions were required to be made as soon as may be after the expiration of fourteen days after the application for the TWA Order was made, in accordance with the provisions of section 239 of the Local Government Act 1972.

It was unanimously RESOLVED: That

- (1) the content of the report and the appendices be noted; and
- (2) in accordance with section 239 of the Local Government Act 1972 as applied by the Transport and Works Act 1992, the Council confirms the resolution of the Council made on 23rd April 2008 to promote the TWA Order, it being expedient to do so.

Strategic Director,
Environment

COU21 CHANGING THE NAME OF A WARD - EXECUTIVE BOARD 5TH JUNE 2008 (MINUTE NO. EXB9 REFERS)

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

RECOMMENDED: That

- (1) electors in the Castlefields Ward be consulted on the proposed change of name; and
- (2) a Working Party of elected representatives be nominated to consider any representations received following the consultation.

Chief Executive

(NB: Councillor Hignett declared a personal interest in the following item of business due to being a governor of Weston Primary School.

Councillor E Cargill declared a personal interest in the following item of business due to being a governor at St Berteline's Church of England (Aided) Primary School, The Park Primary School and Astmoor Primary School).

COU22 PRIMARY CAPITAL PROGRAMME - EXECUTIVE BOARD
5TH JUNE 2008 (MINUTE NO. EXB11)

The Council considered a report of the Strategic Director, Children and Young People, which provided an outline of the draft Primary Strategy for Change that had been developed as part of the Primary Capital Programme. The report sought approval by the Council of the Strategy prior to its submission to the DCSF by 16th June 2008.

The report sought approval of the capital investment programme for submission to the DCSF.

RESOLVED: That the building projects prioritised for 2009/2010 and 2010/2011 be ratified.

Strategic Director,
Children & Young
People

COU23 ANNUAL REPORTS FROM PPBs

The Council considered a report of the Strategic Director – Corporate and Policy, outlining the Annual Reports of each of the Policy and Performance Boards (PPBs), which had been submitted in accordance with the Council's Constitution.

RESOLVED: That the 2007-2008 Annual Reports submitted from the Policy and Performance Boards be received.

COU24 APPOINTMENTS TO OUTSIDE BODIES

The Council considered a report of the Strategic Director – Corporate and Policy regarding the appointment of Members to serve on various outside bodies. A document was tabled showing recommendations put forward.

It was reported that the Liberal Democrat group, would notify the Chief Executive of any changes/amendments in respect of their representatives on outside bodies.

RESOLVED: That representatives be appointed to outside bodies in accordance with:

- (1) the tabled report (see appendix to these minutes); and
- (2) the Liberal Democrat group notifying the Chief Executive of any changes/amendments to their representatives on outside bodies.

Strategic Director,
Corporate &
Policy

COU25 APPOINTMENT OF INDEPENDENT MEMBER OF STANDARDS COMMITTEE

The Council considered a report of the Strategic Director, Corporate and Policy which recommended the appointment of a new independent member to the Council's Standards Committee.

RESOLVED: That the Council appoint Mr Rob Garner as a new independent member of the Council's Standards Committee until the end of the 2011/2012 municipal year.

Strategic Director,
Corporate &
Policy

COU26 CHANGE OF COMMITTEE MEMBERSHIP

The Council was advised that in accordance with Standing Order 30(4) there would be a change of representation on the Healthy Halton Policy and Performance Board. Councillor Bryant had stood down leaving a Liberal Democrat vacancy on the Board.

The Council was also advised that Councillor Wharton would replace Councillor Nelson on the Regulatory Committee.

(NB: Councillor Dennett declared a personal interest in respect of minute number CYP7 in the following item of business due to being a trustee of Halton Play Council.

Councillor J Lowe declared a personal interest in respect of minute number CYP10 in the following item of business due to being a governor at Weston Primary School).

COU27 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 23rd April 2008:

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

(NB: Councillor Wainwright declared a personal interest in respect of minute number DEV9 08/00173FUL due to representing ward constituents).

COU28 COMMITTEE MINUTES

The Council considered the reports on the work of the following Committees in the period since the meeting of the Council on 23rd April 2008:

Development Control
Standards
Regulatory

Meeting ended at 7.35 p.m.