

Public Document Pack



Executive Board Sub Committee

Thursday, 6 November 2008 10.00 a.m.
Marketing Suite, Municipal Building

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

ITEMS TO BE DEALT WITH IN THE PRESENCE OF THE PRESS AND PUBLIC

PART 1

Item	Page No
1. MINUTES	
2. DECLARATIONS OF INTEREST	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
3. CORPORATE SERVICES PORTFOLIO	
(A) DISCRETIONARY NON-DOMESTIC RATE RELIEF	1 - 5
(B) TREASURY MANAGEMENT 2008/09 2ND QUARTER: JULY-SEPT	6 - 9

*Please contact Gill Ferguson on 0151 471 7395 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Thursday, 20 November 2008*

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(C) 2008/09 HALF YEAR SPENDING	10 - 13
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive Board Sub-Committee

DATE: 6 November 2008

REPORTING OFFICER: Strategic Director – Corporate and Policy

SUBJECT: Discretionary Non-Domestic Rate Relief

WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is for members to consider 3 applications for discretionary non-domestic rate relief, under the provisions of the Local Government Finance Act 1988.

2.0 RECOMMENDATIONS: 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:

Halton Access to Media	100%
Halton Haven Hospice	20%
Tenants and Residents Organisations of England	50%

(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	50%
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3.0 SUPPORTING INFORMATION

3.1 Under the provisions of Section 47 of the Local Government Finance Act 1988, the Authority is allowed to grant discretionary rate relief to organisations that are either a charity or a non-profit making organisation. This relief may also be awarded to Community Amateur Sports Clubs. A summary of the applications follows and a list of the associated figures are attached in Appendix 1.

Halton Access to Media
Camelot Way, Runcorn

Halton Access to Media are a 'not for profit' community media organisation, existing to serve the residents of Halton. The group is responsible for Halton Community Radio, which is the borough's only dedicated radio station.

The premises are used as an administrative base for the organisation, the broadcasting centre for the radio station and provide 2 recording studios for the use of volunteers from the community. Training and positive opportunities are provided for young people between the ages of 12 and 18, which are funded by Children in Need, to encourage participation in the media and assist in social and personal development.

As the organisation is not a registered charity, they do **not** qualify for mandatory rate relief and the application is for discretionary rate relief only. Similar community based groups, such as Kingsway Bike Project, have been awarded the maximum rate possible.

Cost to Taxpayer (25%) 2008/09 £681.45

Halton Haven Hospice
Unit 21, Expressway Industrial Estate, Pimlico Road, Runcorn

Halton Haven is an independent hospice providing palliative care for 15 in-patients and day care for another 50 patients. The organisation provides extensive care for the terminally ill and also offers respite facilities to the community. Although they will not exclude affected parties, their services are intended to provide assistance to the residents of Halton.

The application is in respect of a store, which is used to support the retail operation, in order to raise funds by the sale of donated goods to the public, in the organisation's shops. The premises were occupied with effect from 1st August 2008.

As they are a registered charity, 80% mandatory rate relief has already been awarded but their application also includes a request for 20% discretionary rate relief. The hospice has previously been awarded the additional relief, in respect of the shops at 25 High Street, Runcorn and 136 Widnes Road, Widnes.

Cost to Taxpayer (75%) 2008/09 £415.23

Tenants and Residents Organisations of England
Jackson House, Second Avenue, Runcorn

TAROE is company limited by guarantee with no share capital, which receives no core funding and relies solely on grants from the Tenant Empowerment Programme, which is funded by the Housing Corporation. The company aims to provide a national organisation for tenants in the regulated housing sector and further the interests of tenants, residents groups and associated bodies. The organisation provides advice and assistance, initiates, develops and implements plans policies and procedures, whilst representing the views of those within the rented sector.

The premises are used as an administrative base for the company and provide office space for Runcorn Residents Federation, who in turn offers facilities for local residents and organisations. The property was occupied by the company from 22nd February 2008.

As TAROE is not a registered charity, the group does **not** qualify for mandatory rate relief. The application is for 100% discretionary rate relief. There is no comparable organisation within Halton, in order to provide guidance on previous awards.

Cost to Taxpayer* (25%)	2008/09	£3,436.13
	2007/08	£ 351.88

* figures based on an award of 100%

4.0 POLICY IMPLICATIONS

4.1 Members are required by the regulations to consider each application on its own merit. Any recommendations provided are given for **guidance only** and are consistent with previous decisions and council policy.

5.0 OTHER IMPLICATIONS

5.1 75% of any discretionary rate relief granted to organisations receiving mandatory rate relief must be met by the Council Taxpayer, whilst 25% must be met if mandatory rate relief has **not** been awarded. Appendix 1 identifies the cost to the Council Taxpayer for each new application. All the applicants provide support and/or education to the community, which is consistent with the Council's Corporate Plan.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

Halton Access to Media provides facilities specifically aimed at children and young people, with funding from Children in Need.

6.2 Employment, Learning and Skills in Halton

Halton Access to Media offer training to enhance skills and learning. Tenants and Residents Organisations of England provide employment opportunities, currently employing 3 people.

6.3 A Healthy Halton

None applicable.

6.4 A Safer Halton

None applicable.

6.5 Halton's Urban Renewal

None applicable.

7.0 RISK ANALYSIS

7.1 There are no key risks associated with the proposed action.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 All of the applicants offer their services to all sections of the community.

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

9.1 Document	Place of Inspection	Contact Officer
Application forms and supporting evidence	Catalyst House, Widnes	Phil Murphy, Business Rates Manager

APPENDIX 1

Ratepayer	Address	Annual Rates 2008/2009 £	Actual Rates Liability 2008/2009 £	Mandatory Rate Relief Awarded	Actual Rates Payable 2008/2009 £	Discretionary Rate Relief Claimed	Annual Cost of Relief Claimed to HBC 2008/2009 £	Actual Cost of Relief Claimed to HBC 2008/2009 £
Halton Access to Media	Camelot Way, Runcorn	2,725.80	2,725.80	Nil	2,725.80	100%	681.45	681.45
Halton Haven Hospice	Unit 21, Expressway Industrial Estate, Runcorn	4,158.00	2,768.20	80%	553.64	20%	623.70	415.23
Tenants and Resident Association of England	Jackson House, Second Avenue, Runcorn	13,744.50	13,744.50	Nil	13,744.50	100%	3,436.13	3,436.13

REPORT TO: Executive Board Sub-Committee

DATE: 6 November 2008

REPORTING OFFICER: Operational Director – Financial Services

SUBJECT: Treasury Management 2008/09
2nd Quarter: July-September

WARDS:**1.0 PURPOSE OF REPORT**

1.1 The purpose of the report is to update the Sub-Committee about activities undertaken on the money market as required by the Treasury Management Policy.

2.0 RECOMMENDED: That the report be noted.**3.0 SUPPORTING INFORMATION****3.1 Short Term Rates**

The base rate remained at 5.00% during the period.

The Monetary Policy Committee, despite being under increasing pressure did not reduce the base rate during the period. The fear of rising inflation seemingly outweighing the threat of a probable recession.

However the money market seems to think that it is only a matter of time before the base rate will have to be cut as part of the ongoing battle against the credit crunch and its side effects.

	Start	July		August		September	
		Mid	End	Mid	End	Mid	End
Call Money (Market)	%	%	%	%	%	%	%
1 Month (Market)	5.20	5.05	5.05	5.04	5.05	5.15	5.15
3 Month (Market)	5.30	5.38	5.35	5.34	5.34	5.34	6.10
	5.75	5.80	5.75	5.75	5.72	5.68	6.25

3.2 Longer Term Rates

Longer rates showed signs of a general lowering during the period and the council looked several times at entering the market but decided to wait for further possible downward movement.

	Start	July		August		September	
		Mid	End	Mid	End	Mid	End
1 Year (Market)	%	%	%	%	%	%	%
10 Year (PWLb)	6.40	6.25	6.12	6.00	6.00	5.90	6.40
25 Year (PWLb)	5.24	5.10	5.04	4.84	4.70	4.62	4.60
	4.94	4.88	4.82	4.77	4.68	4.64	4.71

The PWLB rates are for “lower quota” entitlements.

3.3 Temporary Borrowing/Investments

Turnover during period

	No. Of Deals Struck	Turnover £m
Short Term Borrowing	11	32.30
Short Term Investments	40	45.05

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.

Position at Month End

	July £m	August £m	September £m
Short Term Borrowing	1.60	4.10	7.40
Short Term Investments	41.50	43.40	43.80

The authority’s cash flow through the period was negative, which is unusual for the early part of the financial year. This reflects the cash flow associated with a large capital programme.

Investment Income Forecast

The forecast income and outturn for the quarter is as follows:

	Cumulative Budget £’000	Cumulative Actual £’000	Cumulative Target Rate %	Cumulative Actual Rate %
Quarter 1	458	674	5.08	5.87
Quarter 2	936	1362	5.05	5.97
Quarter 3	1,331	0	0.00	0.00
Quarter 4	1,700	0	0.00	0.00

The target income was exceeded due to the excellent rate of interest currently being earned on investments, as the larger banks and building societies continue to pay a premium for cash. Locking investments in for slightly longer periods last year has also helped to secure the investment rate well into the current year. This is partly offset by increased temporary borrowing costs, which have risen due to the unavailability of maturing investments which are currently locked away.

3.4 Longer Term Borrowing/Investments

The authority did not borrow any new long term money. Three longer investment deals all for 12 months were undertaken during the period for £2.5m, £2.5m and £5.0m, being placed at 6.25%, 6.22% and 6.35% respectively.

3.5 Policy Guidelines

Interest Rate Exposure – complied with.

Approved Counterparty List – following various reports from the credit rating agencies, the authority has been particularly careful in placing money into investments, especially for those deals of longer duration. To date there has been no problems with repayments, although it is becoming increasingly worrying that very large organisations, often household names are deemed to be at risk of failure. Quite often credit ratings are giving no indication as to the current situation an organisation may be in and what off balance sheet problems they may be facing.

The Alliance & Leicester and the Abbey are now part of the Santander Group and if approved by their members the Derbyshire and Cheshire Building Societies will be joining the Nationwide Building Society. This has the effect of reducing the number of counterparties on our list and accordingly increases the pressure to place more cash with those remaining.

Borrowing Instruments – complied with.

Prudential Indicators – 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.

4.0 POLICY IMPLICATIONS

4.1 None.

5.0 OTHER IMPLICATIONS

5.1 None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 **Children and Young People in Halton**

None.

6.2 Employment, Learning and Skills in Halton

None.

6.3 A Healthy Halton

None.

6.4 A Safer Halton

None.

6.5 Halton's Urban Renewal

None.

7.0 RISK ANALYSIS

7.1 The main risks associated with Treasury Management are security of investment and volatility of return. To combat this, the Authority operated within a clearly defined Treasury Management Policy and an annual borrowing and investment strategy, which set out the control framework.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no issues under this heading.

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

There are no background papers under the meaning of the Act.

REPORT TO: Executive Board Sub Committee
DATE: 6 November 2008
REPORTING OFFICER: Operational Director – Financial Services
SUBJECT: 2008/09 Half Year Spending
WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To report the Council's overall revenue and capital spending position as at 30th September 2008.

2.0 RECOMMENDED: That the report be noted.

3.0 SUPPORTING INFORMATION

Revenue Spending

3.1 Appendix 1 presents a summary of spending against the revenue budget for each Department, up to 30th September 2008. In overall terms, revenue expenditure is below the budget profile.

3.2 However, the budget profile is only a guide to eventual spending. The 2008 Pay Award has not yet been settled, however, agreement has recently been reached nationally to make an interim payment of the employers' final offer. In addition, some elements of the Pay and Grading Review have not yet been finalised and spending is historically higher in the latter part of the financial year. It is therefore important that budget managers continue to closely monitor and control spending to ensure that overall spending remains in line with budget by year-end.

3.3 In overall terms staffing expenditure is below budget due to vacant posts within a number of Departments. However, expenditure and income in some areas are showing signs of inflationary pressures and the results of the global "credit crunch", particularly in terms of fuel, energy and food costs.

3.4 Expenditure on Childrens' Residential Placements is marginally above the budget profile, however, this is a heavily demand led budget and current projections indicate that expenditure may exceed budget by year-end. Spending on Adult Community Care and the Adults with Learning Difficulties pooled budget are also higher than the budget profile due to increased demand for services. These budgets are expected to continue to be under pressure throughout the second half of the year.

- 3.5 Income is below budget profile in a number of areas including; Trade and Bulky Waste Collection, School Meals, Planning Fees, Building Control Fees, Land Search Fees, Market Rents and Industrial Estate Rents.
- 3.6 Investment returns are currently better than expected despite the volatility in the financial markets. As a result investment income is expected to exceed the budget target by year-end.
- 3.7 There have been a considerable number of equal pay claims as part of the national single status agreement. These are being considered by our legal advisers and will result in a significant cost falling on the Council.

Capital Spending

- 3.8 A summary of capital spending is shown in Appendix 2. Capital spending to 30th September 2008 totalled £17.8m, which is 77% of the planned spending of £23.2m at this stage. However, this represents only 36% the total capital programme of £49.5m.
- 3.9 Although historically capital expenditure is significantly higher in the latter part of the financial year, it is important that project managers maintain pressure to keep projects and spending on schedule and in particular to ensure that all external funding is maximised.

4.0 POLICY AND OTHER IMPLICATIONS

- 4.1 None.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 5.1 There are no direct implications, however, the revenue budget and capital programme support the delivery and achievement of all the Council's priorities.

6.0 RISK ANALYSIS

- 6.1 The Council must have internal controls and processes in place to ensure that spending remains in line with budget.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 None.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1072

- 8.1 There are no background papers under the meaning of the Act.

APPENDIX 1

Revenue Expenditure to 30th September 2008

	Annual Budget	Budget To Date	Actual Spend	Variance To Date	Actual Including Committed
	£'000	£'000	£'000	£'000	£'000
Specialist Services	12,428	4,295	4,191	104	5,430
Business Planning & Commissioning	5,273	-3,686	-4,006	320	-3,979
Universal & Learning Services	2,362	873	767	106	773
Preventative Services	7,691	2,400	2,326	74	2,354
Children and Young People Directorate	27,754	3,882	3,278	604	4,578
Environmental Health & Regulatory	12,248	6,648	6,427	221	6,515
Highways & Transportation	13,774	3,785	3,098	687	4,513
Major Projects	796	94	94	0	95
Regeneration	1,504	469	469	0	523
Stadium, Catering & Cleaning	1,858	882	1,164	(282)	1,164
Environment Directorate	30,180	11,878	11,252	626	12,810
Legal, HR & Organisation Development	1,895	2,015	2,031	(16)	2,212
Policy & Performance	3,478	1,067	994	73	1,125
Exchequer & Customer Services	5,080	9,401	9,246	155	9,168
Financial Services	0	700	658	42	660
ICT Services	57	1,648	1,662	(14)	2,465
Property Services	70	2,521	3,400	(879)	6,142
Financial Arrangements	-10,109	478	297	181	297
Corporate and Policy Directorate	471	17,830	18,288	(458)	22,069
Culture & Leisure Services	12,432	2,280	2,262	18	3,809
Adult Services	13,672	4,336	4,714	(378)	5,064
Health & Partnerships	2,765	620	535	85	773
Older People	14,479	5,179	4,703	476	5,299
Health and Community Directorate	43,490	6,599	6,613	(14)	8,080
	101,895	40,189	39,431	758	47,537

APPENDIX 2

Capital Expenditure to 30th September 2008

	Capital Allocation	Allocation Profile To Date	Actual Expenditure	Total Remaining Allocation
	£'000	£'000	£'000	£'000
Children & Young People Directorate				
Universal & Learning Services	5,313	3,181	2,126	3,187
Environment Directorate				
Environmental & Regulatory	905	235	140	765
Highways & Transportation	21,234	10,555	9,747	11,487
Major Projects	13,023	5,690	3,021	10,002
Stadium	58	35	42	16
Health & Community Directorate				
Culture & Leisure	1,874	141	113	1,761
Health and Partnerships	2,856	1,318	724	2,132
Older People	172	0	0	172
Adult Services	59	0	0	59
Corporate & Policy Directorate				
Policy & Performance	120	50	0	120
ICT Services	2,323	1,070	830	1,493
Property Services	1,532	921	1,102	430
	49,469	23,196	17,845	31,624

REPORT TO: Executive Board Sub-Committee

DATE: 6th November 2008

REPORTING OFFICER: Strategic Director, Health & Community

SUBJECT: Norton Priory Catering Contract

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval from the Executive Sub-Committee to transfer up to three staff to the Council's establishment to facilitate the development of the Norton Priory catering project.

2.0 RECOMMENDATION:

- i) The Strategic Director, Health & Community in conjunction with the Portfolio Holder (Health & Social Care) be authorised to enter into contractual arrangements with Norton Priory Trust to provide catering and related services at Norton Priory;**
- ii) The addition of up to three members of staff to the Council's establishment as a result of duties under the Transfer of Undertaking Protection of Employment Regulations 2006 (TUPE) be approved in relation to the current catering services provider to the Trust, FGF; and**
- iii) The Strategic Director, Health & Community be authorised to take such other actions as may be necessary to give effect to the above recommendations.**

3.0 SUPPORTING INFORMATION

- 3.1 The council like many other councils across the UK, has found it difficult to meet the Commission for Social Care Inspectorate objectives of finding people known to Social care, particularly those with Learning Disabilities, suitable employment opportunities.
- 3.2 Recent negotiations with Norton Priory has led to the offer from Norton Priory to Learning Disability Day Services of the contract (SLA) to provide all the catering at Norton Priory. This will include special, local and corporate events as well as the cafe.
- 3.3 The commercial aspect of this contract will provide the department with the opportunity to set up a 'social enterprise' scheme with the capacity

- to provide jobs for people with disabilities in the short to mid term.
- 3.4 Day services has existing experience at providing community based catering projects in the Murdishaw Café and Country Garden Kitchens and have planned to subsume the contract into its current operations without any increase to establishment
- 3.5 The contract and it supporting services will include:
- The opening of Vine Street Kitchen as the central commercial production kitchen
 - The continuation of the Murdishaw Café with the option to extend the model to Ditton Community Centre
 - The continuation of Country Gardens but production transferred to Vine Street. The old Moorfield kitchen remaining as a training kitchen
 - The switching of the Coach House and Hough Green from horticulture to market garden with the purpose of providing as much as the fresh produce as possible for the catering arms. Additional plots have been identified to assist this
 - The opening of the ILC kitchen to target PSD service users from Bridgewater and involve them as part of the food production centre for the Norton Priory contract.
- 3.6 In all it is anticipated that the proposals will increase capacity by at least one third to 238 'spaces' for service users to learn and gain meaningful experience and potentially employment. Vacancies within the system will be filled via Bridge Builders after the initial launch through Day Services.

4.0 BUSINESS CASE

- 4.1 The proposal to deliver the catering at Norton Priory is a genuine opportunity to provide a commercial service in a commercial environment.
- 4.2 There is an immense sense of goodwill surrounding the project; from the trustees at Norton Priory, from Day Services staff, councillors, senior management, carers, service users and from our professional caterers at Halton Stadium. The result is it stands every chance of success. The project will allow the authority the opportunity to achieve its local and national targets in respect of employment for disabled people.
- 4.3 With this success will come opportunities to diversify into other commercial areas; the making and selling of arts and crafts, catering for weddings, specialist cakes for example. Additionally the close working with Halton Stadium can in itself provide other avenues of employment., for example the possibility of individuals working on the stiles at games or as ground staff. The TUPE transfers will only proceed once due

process has been completed and Environment are satisfied that they are not subject to an unsustainable liability.

5.0 POLICY IMPLICATIONS

- 5.1 This proposal supports the national guidance “Valuing People 2001” and the 2008 Valuing People Now, which requires agencies to provide a holistic service and job opportunities to people with learning disabilities.

6.0 FINANCIAL IMPLICATIONS

- 6.1 As the staff supporting the project are already remunerated by the council any revenues will not be subject to the demands of wages thus providing a successful trading opportunity and one that will not leave the council with a loss. Given the experiences with Country Garden Kitchens and Murdishaw Café the operation should, at the very least, break even
- 6.2 Transfer of FGF staff will be subject to TUPE protection in the case of employees. These staff will not be transferred to Health and Community but to Environment, Halton Stadium under the Head of Service where there is a constant need for catering staff. No significant costs should be incurred as a result of the transfer/s.

7.0 RISK ANALYSIS

- 7.1 The current contactor FGF has been given notification to terminate their contract at Norton Priory on 3rd September 2008. The notice period is for 3 months and the contract is due to finish on 3rd December 08.
- 7.2 As the incoming contractor under TUPE the authority will also need to begin the process of consultation firstly with FGF and then the transferring staff. In order that the authority complies with TUPE the personnel department will need to begin the process in tandem with the Norton Priory Trust.
- 7.3 Some staff currently employed by FGF may seek employment elsewhere and not move into Council employment, thus reducing TUPE obligations. Of the three staff involved one is casual, one likely to remain with the existing contractor leaving only one full time staff to be transferred. This remains to be confirmed.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 This proposal will enhance the opportunities of people with disabilities to gain employment.

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

Document	Place of Inspection	Contact Officer
Valuing People 2001	Runcorn Town Hall 2 nd Floor	Audrey Williamson Operational Director Adults of Working Age
Valuing People Now 2008	Runcorn Town Hall 2 nd Floor	Audrey Williamson Operational Director Adults of Working Age

REPORT TO: Executive Board Sub Committee
DATE: 6 November 2008
REPORTING OFFICER: Strategic Director - Environment
SUBJECT: High Hedge Complaints
WARDS: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to recommend increasing the fee for making a formal High Hedge complaint to the Council.

2.0 RECOMMENDATION: That

2.1 **The fee is increased from £135 to £150 in line with the minimum householder planning application fee.**

3.0 SUPPORTING INFORMATION

3.1 The High Hedge Act (part of the Anti-social Behaviour Act 2003) came into effect on 1 June 2005. This Act is to enable neighbours to make a formal complaint to the Council if they are unable to resolve the matter themselves.

3.2 To meet the required criteria set out in the Act, a valid complaint must relate to a hedge that is at least two metres high and contain at least two or more evergreen trees. Fees are charged to the complainant who must provide detailed evidence that they have tried to resolve the matter with the owner.

3.3 The fee provides a service, which is likely to benefit an individual (the complainant) rather than the community in general.

3.4 A review of the charges made by other local authorities has been undertaken. This data is not readily available so particular consideration was given to other Councils (namely Bexley, Lincoln & Shepway) that set the fee in line with the cost of householder applications in 2005. They have since increased their fee in line with the cost of planning applications to £150.

3.5 Neighbouring Councils Warrington, St Helens and Liverpool charge a considerably higher fee.

3.6 Since the High Hedge Act came into effect there have been over 150 enquiries leading to over 30 complaints.

3.7 It is recommended that the fee shall be maintained at the same rate as householder planning applications.

3.8 It is also recommended that the Strategic Director - Environment continues to have the authority to waive the charge in part or whole when appropriate in individual cases of severe hardship.

4.0 POLICY IMPLICATIONS

4.1 None.

5.0 OTHER IMPLICATIONS

5.1 To ensure that formal complaints meet the criteria of the High Hedge Act.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton – none.

6.2 Employment, Learning and Skills in Halton – none.

6.3 A Healthy Halton – none.

6.4 A Safer Halton: To ensure that vexatious or frivolous complaints are deterred.

6.5 Halton's Urban Renewal – none.

7.0 RISK ANALYSIS

7.1 There are no risks/opportunities associated with the proposed fee increase.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no equality or diversity issues as each complaint is considered on an individual basis within the criteria of the High Hedge Act 2005.

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

9.1 None.