

HALTON BOROUGH COUNCIL



*Municipal Building,
Kingsway,
Widnes.
WA8 7QF*

12 May 2011

**TO: MEMBERS OF THE HALTON
BOROUGH COUNCIL**

You are hereby summoned to attend the Annual Meeting of the Halton Borough Council to be held in the Council Chamber, Runcorn Town Hall on Friday, 20 May 2011 commencing at 6.30 p.m. for the purpose of considering and passing such resolution(s) as may be deemed necessary or desirable in respect of the matters mentioned in the Agenda.

A handwritten signature in black ink, appearing to read 'David W. R.', is centered on the page.

Chief Executive

-AGENDA-

1. ELECTION OF MAYOR AND DEPUTY MAYOR

To be moved by Councillor McDermott
and seconded by Councillor Gilligan

“That **Councillor Keith Morley** be elected Mayor of the Borough for the Municipal Year 2011/2012.”

To be moved by Councillor Parker
and seconded by Councillor Wharton

“That **Councillor Tom McInerney** be elected Deputy Mayor of the Borough for the Municipal Year 2011/2012”

2. APOLOGIES FOR ABSENCE

3. MINUTES

4. THE MAYOR'S ANNOUNCEMENTS

5. DECLARATIONS OF INTEREST

6. BOROUGH COUNCIL ELECTION AND AV REFERENDUM RESULTS 5 MAY 2011

To submit for information the election returns (see attached).

7. EXECUTIVE BOARD (SELECTION COMMITTEE) 17 MAY 2011

To formally approve the following recommendations of the Executive Board (Selection Committee).

(NB The Executive Board will be meeting on 17 May 2011 to consider these recommendations. Any amendments will be reported to Council.)

a) Leader and Deputy Leader of the Council

To be moved by the Mayor and seconded by the Deputy Mayor –

“That

- (1) Councillor R Polhill be appointed Leader of the Council; and
- (2) Councillor M Wharton be appointed Deputy Leader of the Council for the Municipal Year 2011/2012.”

b) **Boards, Committees, Appeal Panel and Working Party**

To be moved by the Mayor and seconded by the Deputy Mayor-

“That the following Boards, Committees, Appeals Panel and Working Party be constituted with the membership as shown for the Municipal Year 2011/2012.”

(NB Information regarding membership will be circulated as soon as possible.)

Children, Young People and Families Policy and Performance Board (11)

Corporate Policy and Performance Board (11)

Employment, Learning, Skills and Community Policy and Performance Board (11)

Health Policy and Performance Board (11)

Safer Policy and Performance Board (11)

Environment and Urban Renewal Policy and Performance Board (11)

Business Efficiency Board (11)

Regulatory Committee (11)

Development Control Committee (11)

Appeals Panel (20)

Appointments Committee (6)

Mayoral Committee (5)

Standards Committee (5)

Local Development Framework Working Party (15)

c) **Appointment of Scrutiny Co-ordinator**

To appoint a Scrutiny Co-ordinator for the forthcoming Municipal Year.

d) **Appointment of Co-optees to the Health Policy and Performance Board and the Safer Policy and Performance Board**

To confirm the appointment of Mr Paul Cooke as the LINK representative to the Health Policy and Performance Board and Mr Bob Hodson as the Police Authority representative to the Safer Policy and Performance Board for the Municipal Year 2011/12.

8. EXECUTIVE BOARD PORTFOLIOS

The Leader will report on the portfolio holders on the Executive Board for the forthcoming year.

9. CIVIC SUNDAY

To note the arrangements for Civic Sunday.

COUNCIL

At a meeting of the Council on Wednesday, 20 April 2011 in the Council Chamber, Runcorn Town Hall

Present: Councillors Wright, Jones, Austin, Balmer, P. Blackmore, M. Bradshaw, J. Bradshaw, Bryant, D. Cargill, E. Cargill, Carlin, Dennett, Findon, Fry, A. Gerrard, J. Gerrard, Hignett, Hodge, Hodgkinson, Horabin, Howard, Inch, Leadbetter, M Lloyd Jones, P. Lloyd Jones, Loftus, A. Lowe, J. Lowe, Macmanus, McDermott, McInerney, Morley, Murray, Nelson, Nolan, Norddahl, Parker, Philbin, Polhill, E. Ratcliffe, M. Ratcliffe, Redhead, Roberts, Rowe, Shepherd, Swain, Thompson, Wainwright, Wallace and Wharton

Apologies for Absence: Councillors Browne, Edge, Harris, Osborne and Stockton

Absence declared on Council business: None

Officers present: D Parr, D. Parr, M. Reaney, A. Scott, G. Cook, D. Johnson, I. Leivesley and G. Meehan

Also in attendance: Two members of the public

Action

COU82 PAUL HANCOCK, CHIEF FIRE OFFICER, CHESHIRE FIRE AND RESCUE SERVICE

The Chief Fire Officer, Mr Paul Hancock, addressed Members of the Council on current fire and rescue matters affecting the Borough, reported on the reduction in the number of fire related deaths, injuries and house fires over the five year period to 2010 and the Integrated Risk Management Plan 2011/12, which reflected up to date risk information and outlined how resources would be used cost effectively to reduce the potential impact on local communities.

There was an opportunity for Members to ask questions on current issues.

COU83 COUNCIL MINUTES

The minutes of the Council meetings held on 9 February 2011 and 2 March 2011, having been printed and circulated, were taken as read and signed as a correct record.

RESOLVED: That the minutes of the meetings be confirmed and adopted.

COU84 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:

- 02 hosted an evening called 'Think Big', which gave awards to a number of young people from Halton schools:

Active Award

Winner – Ormiston Bollingbroke Academy Runcorn, for the Saturday Academy

Runner Up - The Bankfield School Widnes, for The Land Based Studies Group

Creativity Award

Winner- The Bankfield and Wade Deacon High Schools Widnes, for Creative and Media Diploma Students

Runner up - Laura Bennet, for Widnes Network Scouts

Leading by example

Runner Up – Emma Cooke from 2nd Widnes St Mary's Girl Guides

Green School

Winner -The Bankfield School Widnes for The Bankfield Eco Club.

- Congratulations were sent to the Widnes Vikings on their recent promotion to the Super League for the 2012 season; and
- The Mayor's table had been given a special award of a large wooden spoon at a recent fundraising event.

COU85 LEADER'S REPORT

The Leader reported on the following issues:

- The Leader thanked the Mayor, Councillor Marie Wright and the Mayoress Sheila Walsh for the excellent job they had done as ambassadors for Halton over the past twelve months;
- Retiring Councillors Ann Gerrard and Bob Bryant were thanked for their service to the community and were wished a happy retirement;
- Although 2010/11 had been a difficult year in financial terms for the Borough, all services had been maintained and the Leader thanked his colleagues for their support during this time;
- Downton Transport had recently announced their expansion choosing to locate their operation at Whitehouse with an expected 60 jobs created;
- Recent inspections of both Adults and Children's Care had ranked the authority as one of the best in the country;
- 82% of pupils in Halton schools had gained 5 GCSE's at grade A* to C;
- The Council's new Procurement Team had made great strides in the past year in securing contracts with a number of local businesses;
- The Council was now in the final stages of agreeing the funding package with the Government for the Mersey Gateway;
- Cheshire Wildlife Trust had introduced English Longhorn cattle on the saltmarsh at Widnes Warth in an effort to create a richer environment for plants and birds. The results would be monitored as part of a research project with the University of Salford and if successful, would be rolled out to a larger saltmarsh area in connection with the Mersey Gateway environmental mitigation programme.

COU86 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board meetings from 10 February 2011, 3 March 2011, 17 March 2011 and 31 March 2011.

RESOLVED: That the minutes be received.

COU87 MINUTES OF THE EXECUTIVE BOARD SUB COMMITTEE

The Council considered the minutes of the Executive Board Sub-Committee meetings from 10 February 2011, 3 March 2011, 17 March 2011 and 1 April 2011.

In relation to Minute ES95 – Former St Michaels' Golf Course, Widnes - Councillor Murray asked for details on the options for future use of the site. In response, Councillor Wharton advised that a written response would be provided.

RESOLVED: That the minutes be received.

Chief Executive

COU88 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the minutes of the Mersey Gateway Executive Board meeting from 17 March 2011.

RESOLVED: That the minutes be received.

COU89 QUESTIONS ASKED UNDER STANDING ORDER 8

The following questions had been submitted under Standing Order No.8. from Councillor Peter Murray:-

Question 1

“Attempts have been made in the past by the Conservatives for Halton Councillors of all Parties to voluntarily disclose any remuneration they receive from appointments to outside bodies and have this information made readily available to the public on the Council's website.

This has been met with resistance from a political perspective.

In terms of transparency, will the Leaders of all political parties simply disclose here tonight whether they – or any elected Halton Councillors from their Party – currently receive or, have in the past received, any form of financial remuneration of any description as a result of their appointment to any outside body whilst serving as a Halton Councillor.

If indeed financial remuneration has been received by Councillors will respective Party Leaders identify those Councillors who have received such monies and the outside body or bodies who has paid them, the period of time over this has occurred and, the total amount of the remuneration to Councillors does not create a conflict of interest either for the Councillor (s) concerned, the Constituents they represent, the residents of the Borough or, the Council”.

Reply by the Leader

“Remuneration and /or any allowances received by elected Members on outside bodies is a matter of public record and can be obtained from the individual organisation or outside body by anyone who is prepared to put the effort in to get the information.

I would invite Councillor Murray to make contact with the relevant bodies who can provide the information he is keen to obtain”.

Question 2

“There is speculation that in 2010 and/or 2011 Officers of the Council discussed with a commercial organisation their interest in developing for housing the greenbelt land known as “Cawdwells Farm” in Farnworth and, there is equally speculation that developers have allegedly provisionally discussed an incentive to the Council in terms of planning gain in the hope that they can make a “special case” and, that at very least the ruling group were or have been made aware of this. The land in question is the same land that was earmarked for commercial development in 2008 linked to the building of a new golf course etc.

Can I ask Officers and the Leader of the Council to comment on whether any discussions have taken place or not during 2010/2011?”

Reply by the Leader

“I have made enquiries and I am not aware of any discussions relating to the land mentioned in Councillor Murray’s question”.

COU90 SCHOOL'S CAPITAL PROGRAMME FOR 2011/12- KEY DECISION (MINUTE EXB 106 REFERS)

The Executive Board had considered a report of the

Strategic Director, Children and Young People on the School's Capital Programme 2011/12.

RESOLVED: That Council

- 1) note the capital funding available for 2011/12;
- 2) note the proposals to be funded from Capital Maintenance and the position in respect of Basic Need;
- 3) approve the Capital Programme 2011/12; and
- 4) note that a further report be submitted to Executive Board to detail how the Basic Need capital funding would be spent in 2011/12.

COU91 CALENDAR OF MEETINGS 2011/12- (MINUTE EXB 118 REFERS)

The Executive Board had considered a report of the Strategic Director, Resources which set out the proposed Calendar of Meetings for the 2011/12 Municipal Year.

Since publication of the summons, Council was advised that it had been necessary to make a number of amendments to the Calendar as follows:

- Appleton, Kingsway and Riverside Area Forum move from 21 June 2011 to 5 July 2011
- Beechwood and Halton Lea Area Forum move from 28 June 2011 to 13 July 2011.
- Daresbury Area Forum move from 11 July 2011 to 18 July 2011 and from 6 February 2012 to 22 February 2012
- Development Control Committee move from 16 April 2012 to Tuesday 17 April 2012
- Employment Learning Skills and Community Policy and Performance Board move from 5 March 2012 to 26 March 2012

RESOLVED: That, subject to the inclusion of the amendments listed above and notified to Members at the meeting, the Calendar of Meetings for the 2011/2012 Municipal Year as appended to the report be approved.

COU92 REVIEW OF COUNCIL CONSTITUTION 2011- (MINUTE EXB 119 REFERS)

The Executive Board considered a report of the Strategic Director, Resources on the annual review of the Constitution 2011.

An amendment was proposed by Councillor Hodgkinson and seconded by Councillor M Ratcliffe to amend the current Standing Order 94(h) to read as follows:

“involves non-residential development exceeding 1,000 square metres of building footprint, but is limited to 300 square metres in areas designated for residential development”.

On being put to the vote, the amendment was lost.

RESOLVED: That the updates to the Constitution as detailed in the report be approved.

COU93 ADOPTION OF THE SUSTAINABLE COMMUNITY STRATEGY 2011-2026 KEY DECISION -(MINUTE EXB 111 REFERS)

The Executive Board received the report of the Strategic Director, Resources, on the adoption of the Sustainable Community Strategy 2011-2026.

RESOLVED: That the Sustainable Community Strategy 2011-2026 be approved.

COU94 ARRANGEMENTS FOR THE APPOINTMENT OF MAYOR AND DEPUTY MAYOR FOR 2011/12- (MINUTE MYR2 REFERS)

The Mayoral Committee had considered a report making recommendations for the appointment of Mayor and Deputy Mayor for the 2011/12 Municipal Year as follows:

Mayor – Councillor D Findon
Deputy Mayor – Councillor T McInerney

The Council noted these recommendations, which would be formally confirmed at the Annual Meeting.

COU95 ABANDONED SHOPPING TROLLEY POLICY- (MINUTE ES 98 REFERS)

The Executive Board Sub-Committee received the report of the Strategic Director, Environment and Economy, on the adoption of an Abandoned Shopping Trolley Policy.

RESOLVED: That Council

- 1) note that the Executive Board Sub-Committee endorsed the draft Abandoned Shopping Trolley Policy; and
- 2) (i) adopt Section 99 Schedule 4 of the Environmental Protection Act 1990 (as amended by the Clean Neighbourhoods and Environment Act 2005) on 1st August 2011;
(ii) adopt the draft Abandoned Shopping Trolley Policy as set out in the report;
(iii) authorise the Strategic Director – Communities to determine all matters relating to abandoned shopping trolleys, including the fixing of charges for the purposes of Schedule 4 of the Environmental Protection Act 1990 (as amended by the Clean Neighbourhoods and Environment Act 2005); and
(iv) authorise the Strategic Director – Communities to have the power to authorise suitable individuals to enforce compliance with the Abandoned Shopping Trolley Policy throughout the Borough.

COU96 DIRECTORATE PLANS 2011-14

Council considered a report of the Strategic Director, Policy and Resources seeking to progress the adoption of the Directorate Plans for 2011-2014 as a basis for action

and performance monitoring.

RESOLVED: That

- 1) the draft Directorate Plans be received; and
- 2) the Chief Executive be authorised, in consultation with the Leader, to make any final amendments and adjustments that may be required.

Chief Executive

(The following Councillors declared a personal interest in the following item of business: Councillor P Lloyd Jones as a Non Executive Director Halton and St Helens PCT; Councillor Roberts as an NHS employee Wirral University Teaching Hospitals Foundation Trust.)

COU97 NOTICE OF MOTION UNDER STANDING ORDER 6

The following motion was moved and seconded by Councillors McDermott and A Lowe respectively:

“This Council is opposed to the unfairness of the cuts being imposed upon the people of Halton which seem to fall most heavily on the neediest in our community – the young, the old and the sick. In particular this Council objects strongly to:

- The withdrawal of BSF funding from our schools
- The reduction in the support which EMA (Educational Maintenance Allowance) affords to young students
- The reductions in winter fuel payments to our pensioners , and
- The threats to our health care of the privatisation of the NHS

We therefore resolve that this Council write to the Prime Minister and the Deputy Prime Minister expressing our deep concerns”.

A recorded vote was requisitioned in accordance with Standing Order number 16(1)(b).

Moved by Councillor A Lowe

Seconded by Councillor McDermott.

The following Councillors voted for the motion:

Austin, Balmer, Blackmore, Bryant, Carlin, D Cargill, E Cargill, Dennet, Findon, Fry, A Gerrard, J Gerrard, Gilligan, Hignett, Hodge, Hodgkinson, Horabin, Howard, Inch, Jones, Leadbetter, M Lloyd Jones, P Lloyd Jones, Loftus, A Lowe, J Lowe, McDermott, McInerney, Macmanus, Morley, Nelson, Nolan, Norddahl, Parker, Philbin, Polhill, E Ratcliffe, M Ratcliffe, Redhead, Roberts, Rowe, Shepherd, Swain, Thompson, Wainwright, Wallace, Wharton and Wright.

The following Councillors voted against the motion:

J Bradshaw, M Bradshaw and Murray.

RESOLVED: That the motion be agreed.

(The following Councillors declared a personal interest in items 14b (Employment Learning Skills and Community PPB) and 14d (Safer PPB) respectively for the following reasons: Councillor P Lloyd Jones as Non-Executive Director of Halton and St Helens PCT; Councillor M Ratcliffe as an employee of Cheshire Fire Service.)

COU98 MINUTES OF THE 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 Council on 9 February 2011:-

Children, Young People and Families
Employment, Learning, Skills and Community
Health
Safer
Environment and Urban Renewal
Corporate
Business Efficiency

In receiving the minutes, the following comments were made:

- Councillor Ann Gerrard was thanked for her outstanding work associated with the Older People's Local Implementation Team Annual Review

(The following Councillors declared a personal interest in item 15a (Development Control): Councillor M Ratcliffe as a Board Member of Halton Housing Trust; Councillor Jones as a Governor of Wade Deacon High School and Fairfield Infants School.)

COU99 COMMITTEE MINUTES

The Council considered the reports on the work of the following Committees in the period since the meeting of Council on 9 February 2011:-

Development Control
Regulatory
Mayoral

(NB At the close of the meeting the Mayor thanked her colleagues for their support during her term of office)

Meeting ended at 8.40 p.m.

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ELECTION RESULTS – THURSDAY 5TH MAY 2011**BOROUGH COUNCIL ELECTIONS**

WARD	CANDIDATES	PARTY	NO. OF VOTES CAST	TURNOUT
Appleton	Ged Philbin Geoff Swift	Labour Conservative	1197 222	30%
Beechwood	Keith Davies Christopher Loftus Ulfar Norddahl	Conservative Labour Liberal Democrat	371 521 500	45%
Birchfield	Sandra Baker David Findon	Labour Conservative	1072 804	38%
Broadheath	Geoff Brown Bob Gilligan Ruth Rowan	Liberal Democrat Labour Conservative	81 1220 244	32%
Daresbury	John Bradshaw Mike Eakins Joanne King	Conservative Labour Liberal Democrat	727 463 162	40%
Ditton	Shaun Osborne Colin Rowan	Labour Conservative	1372 494	35%
Farnworth	Angela McInerney Richard Murray	Labour Conservative	1256 948	39%
Grange	Joan Lowe Gareth Stockton	Labour Liberal Democrat	1004 393	29%
Halton Brook	Peter Cumpfer Carol Plumpton Walsh Louise Whitley	Halton Local Independent Party Labour Liberal Democrat	323 991 250	33%
Halton Castle	Peter Blackmore Simon Charlesworth Arthur Cole	Halton Local Independent Party Liberal Democrat Labour	281 175 1067	34%

Halton Lea	Anthony Dalton Kath Loftus Marina Thornhill	Conservative Labour Liberal Democrat	200 1228 96	33%
Halton View	Paul Doherty Stan Parker	Conservative Labour	391 1508	37%
Heath	Pauline Hignett Margaret Ratcliffe Bill Ring	Labour Liberal Democrat Conservative	698 856 388	42%
Hough Green	Paul Griffiths Kevan Wainwright	Conservative Labour	405 1391	34%
Kingsway	Frank Fraser	Labour	No election	
Mersey	Norman Plumpton Walsh Ernest Ratcliffe	Labour Liberal Democrat	984 589	32%
Norton North	Kay Alexander Diane Inch Geoff Zygadlo	Conservative Liberal Democrat Labour	281 613 850	36%
Norton South	Pam Bleasdale David Cargill Andrew Whitley	Conservative Labour Liberal Democrat	137 1223 82	32%
Riverside	Paul Meara Pamela Wallace	Liberal Democrat Labour	175 843	29%
		Overall Turnout		35%

AV REFERENDUM - HALTON COUNTING AREA

Number of votes cast in favour of **YES** - 8763

Number of votes cast in favour of **NO** - 22432

Turnout – 34%