

HALTON BOROUGH COUNCIL



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

9 May 2019

**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, 17 May 2019 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 positioned above the title 'Chief Executive'.

Chief Executive

-AGENDA-

Item No.		Page No.
1.	ELECTION OF MAYOR AND DEPUTY MAYOR To be moved by Councillor June Roberts and seconded by Councillor Eddie Jones “That Councillor Margaret Horabin be elected Mayor of the Borough for the Municipal Year 2019/20” To be moved by Councillor Gareth Stockton and seconded by Councillor Margaret Ratcliffe “That Councillor Christopher Rowe be elected Deputy Mayor of the Borough for the Municipal Year 2019/20”	
2.	APOLOGIES FOR ABSENCE	
3.	COUNCIL MINUTES	1 - 12
4.	THE MAYOR'S ANNOUNCEMENTS	
5.	DECLARATIONS OF INTEREST	
6.	MUNICIPAL ELECTION RESULTS 2019/20 To submit for information the election results.	13 - 16
7.	EXECUTIVE BOARD (SELECTION COMMITTEE) 14 MAY 2019 To formally approve the following recommendations of the Executive Board (Selection Committee). N.B. The Executive Board will be meeting on 14 May 2019 to consider these recommendations. Any amendments will be reported to Council. a) Deputy Leader of the Council To be moved by the Mayor and seconded by the Deputy Mayor:- “That Councillor Mike Wharton be appointed as Deputy Leader of the Council for the Municipal Year 2019/20”.	

8. BOARDS, COMMITTEES AND PANELS

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

“That the following Boards, Committees and Appeals Panel be constituted with the membership as shown for the Municipal Year 2019/20”

(N.B. Information regarding memberships will be circulated as soon as possible)

9. APPOINTMENT OF SCRUTINY CO-ORDINATOR

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

“To appoint a Scrutiny Co-ordinator for the Municipal Year 2019/20 as set out in the tabled document”

10. APPOINTMENT OF CO-OPTEEES

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

“That the following appointments of Co-optees be confirmed

- 1) The re-appointment of Mr David Wilson as the Healthwatch Halton representative and non-voting Co-optee to the Health Policy and Performance Board for the Municipal Year 2019/20; and
- 2) The re-appointment of Reverend David Felix as non-voting Parish Council Co-optee to the Standards Committee for the Municipal Year 2019/20”.

11. APPOINTMENT TO OUTSIDE BODIES

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

“That Council consider the attached report”.

12. EXECUTIVE BOARD PORTFOLIOS

The Leader will report on the Portfolio holders for Executive Board for the Municipal Year 2019/20 which will also be tabled.

13. CONSTITUTION UPDATE 2019/20 (MINUTE EXB 109 REFERS)	17 - 20
<p>Executive Board considered a report of the Strategic Director, Enterprise, Community and Resources, which sought approval of a number of changes to the Council's Constitution.</p> <p>A copy of the draft constitution can be found via the link http://www.halton.gov.uk/draftconst</p> <p>RECOMMENDED: That Council approve the revised Constitution, including the matters set out in Appendix 1, attached to the report.</p>	
14. PAY POLICY STATEMENT 2019/20	21 - 28
<p>RECOMMENDED: That Council adopts this Pay Policy Statement for the Financial Year 2019/20.</p>	
15. CIVIC SUNDAY	
<p>To note the arrangements for Civic Sunday as being Sunday 30 June 2019 at St Bede's Church, Appleton Village, Widnes WA8 6EL at 11.15am.</p>	

COUNCIL

At a meeting of the Council on Wednesday, 6 March 2019 in the Council Chamber, Runcorn Town Hall

Present: Councillors J. Bradshaw, Abbott, Baker, M. Bradshaw, D. Cargill, E. Cargill, Carlin, Cassidy, Dennett, Dourley, Fry, Gilligan, Harris, P. Hignett, R. Hignett, S. Hill, V. Hill, Horabin, Howard, Jones, Leck, C. Loftus, K. Loftus, Logan, A. Lowe, J. Lowe, MacManus, McDermott, A. McInerney, T. McInerney, Morley, Nelson, Nolan, Philbin, Polhill, C. Plumpton Walsh, N. Plumpton Walsh, June Roberts, Rowe, Sinnott, G. Stockton, J. Stockton, Teeling, Thompson, Wainwright, Wall, Wallace, Wharton, Whitley, Woolfall, Wright and Zygadlo

Apologies for Absence: Councillors M. Lloyd Jones, P. Lloyd Jones and Joe Roberts

Absence declared on Council business: None

Officers present: D. Parr, I. Leivesley, M. Vasic, M. Reaney, A. Scott, A. Jones, G. Cook, E. Dawson and K. Mackenzie

Also in attendance: One member of the press

Action

COU61 COUNCIL MINUTES

The minutes of the meeting of Council held on 6 February 2019, were taken as read and signed as a correct record.

COU62 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:-

- The Mayor and Mayoress thanked everyone that had attended or been responsible for organising their Civic Ball on 8 February 2019 which was a very successful event in the Mayoral calendar.

COU63 LEADER'S REPORT

The Leader made the following announcements:-

- He thanked colleagues and Officers for their work in balancing the budget;
- Reported that the Boundary Commission's report and recommendations on the Boundary Review for Halton was expected at the end of March 2019.

COU64 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board meetings held on 13 December 2018, 17 January 2019 and 21 February 2019.

RESOLVED: That the minutes be received.

COU65 QUESTIONS ASKED UNDER STANDING ORDER 8

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

COU66 BUDGET 2019/20 - KEY DECISION (MINUTE EXB 92 REFERS)

The Executive Board had considered a report setting out a recommendation to Council in respect of the Budget, Capital Programme and Council Tax for 2019/20. Since then Cheshire Fire Authority had set its budget and council tax precept and this had been included in the report to full Council.

The Executive Board had recommended that Council adopt the resolution set out in Appendix A of the report, which included setting the budget at £108,621m, the Council Tax requirement of £49,597m (before Parish, Police, Fire and LCR Combined Authority precepts), and the Band D Council Tax for Halton of £1,419.08.

Councillor Wharton, Resources Portfolio holder, thanked all the Officers involved for their support in producing this budget and wished to record his thanks to the Members of the Executive Board, the Budget Working Group and the Chairs of the Policy and Performance Boards for their contribution. In addition, he thanked the Leader for his help and support in delivering this budget.

In accordance with Standing Order 16(3), a recorded vote was taken.

The following Members voted FOR the motion:

Councillors Abbott, Baker, M. Bradshaw, J. Bradshaw, D. Cargill, E. Cargill, Carlin, Cassidy, Dennett, Dourley, Fry, Gilligan, Harris, P. Hignett, R. Hignett, S. Hill, V. Hill, Horabin, Howard, Jones, Leck, C. Loftus, K. Loftus, Logan, A. Lowe, J. Lowe, MacManus, McDermott, A. McInerney, T. McInerney, Morley, Nelson, Nolan, Philbin, Polhill, C. Plumpton Walsh, N. Plumpton Walsh, June Roberts, Rowe, Sinnott, G. Stockton, J. Stockton, Teeling, Thompson, Wainwright, Wall, Wallace, Wharton, Whitley, Woolfall, Wright and Zygadlo.

There were no votes against the motion.

There were no abstentions.

RESOLVED: That Council adopt the following resolution:-

Operational
Director -
Finance

- 1) The policies outlined in this paper be adopted, including the budget and council tax for 2019/20, the savings set out in Appendix B and the Capital Programme set out in Appendix F.
- 2) That it be noted that at the meeting on 12 December 2018 the Council agreed the following:
 - (a) the Council Tax Base 2019/20 for the whole Council area is 34,950 (item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the Act) and
 - (b) for dwellings in those parts of its area to which a Parish precept relates, be set out as follows:

Parish	Tax Base
Hale	660
Daresbury	173
Moore	329
Preston Brook	359
Halebank	526
Sandymoor	1,216

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which special items relate.

- 3) Calculate that the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish precepts) is £49,596,846.
- 4) In accordance with the relevant provisions of the Local Government Finance Act 1992 (Sections 31 to 36), the following amounts be now calculated by the Council for the year 2019/20 and agreed as follows:
 - (a) £384,739,650 – being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the said Act, taking into account all precepts issued to it by Parish Councils.

- (b) £335,024,640 – being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £49,715,010 – being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (item R in the formula in Section 31A(4) of the Act).
- (d) £1,422.46 – being the amount at 3(c) above (item R), all divided by item T (2 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) £118,164 – being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act, each individual Parish precept being:

	£
Hale	43,225
Daresbury	4,935
Moore	4,752
Preston Brook	11,788
Halebank	20,905
Sandymoor	32,559

- (f) £1,419.08 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by item T (2(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- (g) Part of the Council's Area

	£
Hale	65.49
Daresbury	28.53
Moore	14.44
Preston Brook	32.84
Halebank	39.74
Sandymoor	26.78

being the amounts given by adding to the amounts at

3(e) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings of its area to which one or more special items relate.

(h) Part of the Council's Area

Band	Hale	Daresbury	Moore	Preston Brook	Hale bank	Sandy moor	All other Parts of the Council's Area
	£	£	£	£	£	£	£
A	989.71	965.07	955.68	967.94	972.55	963.90	946.05
B	1,154.67	1,125.92	1,114.96	1,129.27	1,134.64	1,124.55	1,103.73
C	1,319.62	1,286.76	1,274.24	1,290.59	1,296.73	1,285.20	1,261.40
D	1,484.57	1,447.61	1,433.52	1,451.92	1,458.82	1,445.86	1,419.08
E	1,814.48	1,769.30	1,752.08	1,774.56	1,783.01	1,767.16	1,734.43
F	2,144.38	2,090.99	2,070.65	2,097.21	2,107.19	2,088.46	2,049.78
G	2,474.29	2,412.68	2,389.21	2,419.86	2,431.37	2,409.76	2,365.13
H	2,969.14	2,895.21	2,867.05	2,903.83	2,917.65	2,891.71	2,838.16

being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- 5) It is further noted that for the year 2019/20 the Cheshire Police and Crime Commissioner has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

	£
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A	133.63
B	155.90
C	178.17
D	200.44
E	244.98
F	289.52
G	334.07
H	400.88

- 6) It is further noted that for the year 2019/20 the Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with the Local Government Act 2003 for each of the categories of dwellings shown below:

	£
A	51.83
B	60.46
C	69.10
D	77.74
E	95.02
F	112.29
G	129.57
H	155.48

- 7) It is further noted that for the year 2019/20 the Liverpool City Region Combined Authority have stated the following amounts in precepts issued to the Council, in accordance with the Local Government Act 2003 for each of the categories of dwellings shown below:

	£
A	12.67
B	14.78
C	16.89
D	19.00
E	23.22
F	27.44
G	31.67
H	38.00

- 8) That, having calculated the aggregate in each case of the amounts at 4h, 5, 6 and 7 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as

the amounts of Council Tax for the year 2019/20 for each of the categories of dwellings shown below:

Band	Hale	Dares bury	Moore	Preston Brook	Hale bank	Sandy moor	All other Parts of the Council's Area
	£	£	£	£	£	£	£
A	1,187.84	1,163.20	1,153.81	1,166.07	1,170.67	1,162.03	1,144.18
B	1,385.81	1,357.06	1,346.10	1,360.41	1,365.78	1,355.70	1,334.87
C	1,583.77	1,550.92	1,538.40	1,554.75	1,560.88	1,549.36	1,525.56
D	1,781.75	1,744.79	1,730.70	1,749.10	1,756.00	1,783.04	1,716.26
E	2,177.69	2,132.52	2,115.30	2,137.79	2,146.22	2,130.38	2,097.65
F	2,573.63	2,520.24	2,499.89	2,526.47	2,536.43	2,517.71	2,479.03
G	2,969.59	2,907.99	2,884.51	2,915.17	2,926.67	2,905.07	2,860.44
H	3,563.50	3,489.58	3,461.40	3,498.20	3,512.00	3,486.08	3,432.52

being satisfied that:

- (a) the total amount yielded by its Council Taxes for the said financial year will be sufficient, so far as is practicable, to provide for items mentioned at 4(a) to (c) above; and, to the extent that they are not, to be provided for by any other means.
 - (b) those amounts which relate to a part only of its area will secure, so far as is practicable, that the precept or portion of a precept relating to such part will be provided for only by the amount yielded by such of its Council Taxes as relate to that part.
- 9) The Operational Director Finance be authorised at any time during the financial year 2019/20 to borrow on behalf of the Council by way of gross bank overdraft such sums as he shall deem necessary for the purposes of this paragraph, but not such that in any event the said overdraft at any time exceeds £10m on an individual bank account (£0.5m net across all bank accounts) as the Council may temporarily require.

(MINUTE EXB 93 REFERS)

The Council considered a report of the Operational Director, Finance, on the Treasury Management Statement, which incorporated the Annual Investment Strategy and the Minimum Revenue Provision Strategy for 2019/20.

RESOLVED: That Council adopt the policies, strategies, statements, prudential and treasury indicators, outlined in the report.

Operational
Director -
Finance

COU68 CAPITAL STRATEGY 2019/20 (MINUTE EXB 94 REFERS)

The Council considered a report of the Operational Director, Finance, on the Council's Capital Strategy for 2019/20.

Members noted that the Capital Strategy should be read in conjunction with the Treasury Management Statement, also considered at this meeting. The successful delivery of the Capital Strategy would assist the Council in planning and funding its capital expenditure over the next three years.

RESOLVED: That Council approve the 2019/20 Capital Strategy, as presented in the Appendix attached to the report.

Operational
Director -
Finance

COU69 CAPITAL PROGRAMME 2019/20 - KEY DECISION (MINUTE EXB 80 REFERS)

The Council considered a report of the Strategic Director, People, which provided a summary of the Capital Programmes for 2019/20 for the People Directorate.

RESOLVED: That the Capital Allocations, included in the Budget report, be approved.

Strategic
Director -
People

(N.B. Councillor Ron Hignett declared a Disclosable Other Interest in the following item of business as he was a Board member of the Sci-Tech Daresbury Private Sector Joint Venture Board)

COU70 2018/19 REVISED CAPITAL PROGRAMME (MINUTE EXB 95 REFERS)

The Council considered a report of the Operational Director, Finance, which sought approval to a number of revisions to the Council's 2018/19 Capital Programme.

RESOLVED: That the revisions to the Council's 2018/19 Capital Programme, as set out in paragraph 3.2 of the report, be approved.

Operational
Director -
Finance

COU71 CALENDAR OF MEETINGS 2019/20 (MINUTE EXB 96 REFERS)

The Council considered a report of the Strategic Director, Enterprise, Community and Resources, on a calendar of meetings for the 2019/20 Municipal Year.

Strategic Director -
Enterprise,
Community
and
Resources

RESOLVED: That the calendar of meetings for the 2019/20 Municipal Year, as appended to the report, be approved.

COU72 UNISON'S END VIOLENCE AT WORK CHARTER (MINUTE EXB 97 REFERS)

The Council considered a report of the Strategic Director, Enterprise, Community and Resources, which set out details of Unison's End Violence at Work Charter.

The Council had been approached by Unison seeking support and to adopt their End Violence at Work Charter. The Charter reflected the Council's own philosophy and practices and had established policies and practices in place designed to protect its employees.

RESOLVED: That Council adopt the Unison "End Violence at Work Charter", and works with Unison representatives to ensure the standards within the Charter are adhered to.

Strategic Director -
Enterprise,
Community
and
Resources

COU73 INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTI-SEMITISM (MINUTE EXB 98 REFERS)

The Council considered a report of the Strategic Director, Enterprise, Community and Resources, on the adoption of the International Holocaust Remembrance Alliance (IHRA) and working definition of Anti-Semitism.

The IHRA was an intergovernmental organisation which strengthened, advanced and promoted Holocaust education worldwide. The Council had been approached by the Jewish Leadership Council to adopt this definition.

RESOLVED: That Council adopt the IHRA working definition of Anti-Semitism.

Strategic Director -
Enterprise,
Community
and
Resources

COU74 MEMBERS' ALLOWANCE SCHEME - TRI-ANNUAL REVIEW

The Council considered a report of the Independent Remuneration Panel following the Triannual Review of the Scheme of Members' Allowances.

Under the Local Authority (Members' Allowances) Regulations

2003, the Scheme of Members' Allowances must be reviewed tri-annually. Three independent private sector representatives were invited to sit as an Independent Panel to review the Council's Scheme of Members' Allowances and to make recommendations to the Council.

The Panel were provided with, and appraised of, the Council's current Scheme of Allowances, as set out in the report. The Panel met and corresponded on a number of occasions, considered papers supplied in advance of their meetings and received a briefing by the Chief Executive. In addition, the Panel invited comments from the Leaders of the three Political Groups, considered written representations submitted by Councillors and considered information which had been shared with the Local Government Boundary Commission on the role of Councillors in Halton. The Panel's conclusions and recommendations were set out in the report for information.

RESOLVED: That Council

- 1) note and agree the recommendations of the Independent Remuneration Panel;
- 2) agree that the current Members' Allowance Scheme is 'fit for purpose' and represents excellent value for money as concluded by the Independent Remuneration Panel; and
- 3) make and adopt a Members' Allowance Scheme in the form contained in the Appendix attached to the report, to be effective from 1 April 2019 for a period of three years.

Chief Executive

COU75 MINUTES OF THE POLICY AND PERFORMANCE BOARDS

The Council considered the reports of the following Boards in the period since the meeting of Council on 12 December 2018:-

- Children, Young People and Families;
- Employment, Learning and Skills and Community;
- Safer; and
- Corporate Services.

In moving the minutes of the Children, Young People and Families Policy and Performance Board, Councillor Dennett encouraged all Members to read the Annual Headteacher's report of the attainment progress of Halton's Children in Care, given their Corporate Parenting role (Minute CYP 33 referred).

COU76 COMMITTEE MINUTES

The Council considered the reports of the following Committees in the period since the meeting of Council on 12 December 2018:-

- Development Control;
- Regulatory; and
- Standards.

COU77 REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN

The Council considered a report of the Local Government Ombudsman, following an investigation into a complaint against the Council.

The complaint was about a Highways and Transport matter relating to the Mersey Gateway, a copy of which was appended to the report. The Ombudsman made no fault finding on the part of the Council and found no injustice. No recommendations were made.

RESOLVED: That the report be noted.

COU78 RECOMMENDATION FROM THE MAYORAL COMMITTEE

The Mayoral Committee had considered a Part II item which made recommendations for the appointment of Mayor and Deputy Mayor for the 2019/20 Municipal Year.

Formal confirmation would be sought at the Annual Meeting of Council.

RESOLVED: That Council note that

- 1) Councillor Margaret Horabin be appointed as Mayor; and
- 2) Councillor Christopher Rowe be appointed as Deputy Mayor.

Meeting ended at 7.17 p.m.

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ELECTION RESULTS – THURSDAY 2nd MAY 2019

BOROUGH COUNCIL ELECTIONS

WARD	CANDIDATES	PARTY	NO. OF VOTES CAST	TURNOUT
Appleton	Ged Philbin Duncan James Harper	Labour Party Local Conservatives	856 173	20.2%
Beechwood	Chris Loftus Linda Redhead Rhona Bentley Peter Davidson	Labour Party Liberal Democrats UK Independence Party Conservative Party Candidate	412 361 176 109	34.5%
Birchfield	Sandra Marie Baker John Robert Powell Romana Aleksandra Coveney	Labour Party Local Conservatives Liberal Democrats	644 528 227	27%
Broadheath	Robert Gilligan Joshua Nathan Hodnett	Labour Party Local Conservatives	821 159	21.49%
Daresbury	John Christopher Bradshaw Colin William Hughes Andrew Dyer Miriam Lorraine Hodge	The Conservative Party Candidate Labour Party The Green Party Liberal Democrats	543 374 307 108	34%
Ditton	Eddie Dourley Granville Spencer David Coveney	Labour Party Local Conservatives Liberal Democrats	850 193 179	23%
Farnworth	Angela McInerney Colleen Mary Harper Andrea Patricia Baines	Labour Party Local Conservatives UK Independence Party	981 549 308	25.9%
Grange	Joan Margaret Lowe Lee Urquhart Joanne Alison Rowe Philip Stanley Drakeley	Labour Party UK Independence Party Liberal Democrats Local Conservatives	574 189 142 82	20.55%

Halton Brook	Carol Patricia Plumpton-Walsh	Labour Party	711	23.24%
	Stephen Armstrong	Socialist Alternatives	247	
	David James Dorian	Local Conservatives	144	
Halton Castle	Chris Carlin	Labour Party	712	25%
	Darrin Whyte	Independent	321	
	Julie Powell	Local Conservatives	113	
Halton Lea	Kath Loftus	Labour Party	884	25%
	Sandra Margaret Davidson	Conservative Party Candidate	181	
Halton View	Louise Jane Whitley	Labour Party	881	23.7%
	Tania Joni Clarke	Local Conservatives	246	
Heath	Margaret Anna Ratcliffe	Liberal Democrats	854	34%
	Victoria Begg	Labour Party	369	
	Dave Myers	UK Independence Party	199	
	Ian John Adams	Local Conservatives	146	
Hough Green	Kevan Peter Wainwright	Labour Party	759	23.46%
	Millie Allen	Green Party	216	
	Joanne Lesley McClean	Local Conservative	173	
Kingsway	Andrea Wall	Labour Party	843	22.9%
	Brad Bradshaw	UK Independence Party	174	
	Paul David Griffiths	Local Conservatives	66	
Mersey	Norman Lee Plumpton-Walsh	Labour Party	649	23.7%
	Jamie Craig Lunt	Liberal Democrats	348	
	Daniel David Clarke	Local Conservatives	179	
Norton North	Geoff Zygadlo	Labour Party	630	27%
	Diane Marie Inch	Liberal Democrats	450	
	Sian Fiona Alexandra Davidson	Conservative Party Candidate	211	
Norton South	Dave Cargill	Labour Party	694	21%
	Adam Robert Burnett	Conservative Party Candidate	113	
	Christopher Michael Inch	Liberal Democrats	107	

Riverside	Pamela Wallace Philip Harper	Labour Party Local Conservatives	493 102	17.93
		Overall Turnout		24.95%

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REPORT TO: Executive Board

DATE: 14 March 2019

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Resources

SUBJECT: Annual Review of Constitution 2019

1.0 PURPOSE OF REPORT

1.1 The purpose of the report is to seek the approval of the Council to a number of changes to the Constitution.

2.0 RECOMMENDATION: That Council be recommended to approve the changes to the Constitution including the matters set out in Appendix 1.

3.0 BACKGROUND

3.1 The revised version picks up the changes to the Council's working arrangements that have taken place during the year, as well as other changes which are intended to assist the Council to operate more effectively.

3.2 The proposals for change have been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. Apart from the purely technical changes, the proposed amendments that are considered to be of particular significance are listed in Appendix 1 to this report.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

4.1 All legislative changes have been considered. However, no further amendments, over and above those already outlined, are required at the present time. Any other required changes during the period 2018/19 will be the subject of further reports when dates and details are available.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton.

5.2 Employment, Learning and Skills in Halton.

5.3 A Healthy Halton.

5.4 A Safer Halton.

5.5 Halton's Urban Renewal.

The changes proposed are designed to support the continued delivery of the Council's priorities.

6.0 RISK ANALYSIS

6.1 The Council needs to ensure that its Constitution is regularly updated so that it continues to support efficient, transparent and accountable decision-making by the authority.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

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

None under the meaning of the Act.

Proposed Significant Changes to the Constitution

Local Code of Corporate Governance

This section has been updated. In 2016, the Delivering Good Governance in Local Government Framework was updated. The framework defines the principles that should underpin governance in each local government organisation. The Code is therefore amended so that it is better aligned with the updated principles set out in revised best practice guidance.

Finance Standing Orders

Minor updates to align with some technical terms used elsewhere in the Constitution.

New section at 5.2.2.3 relating to Contingency Budgets, where potential overspends that impact on current and future years budgets cannot be contained by virement. A contingency contribution up to £250,000 may be approved by the Operational Director, Finance; above this amount, Executive Board approval would be required.

Standing Orders Relating to Duties of Proper Officers and Delegation to Officers

Standing Order 60 has been updated to reflect the fact that 'early retirement' no longer exists in regulation. Any severance arrangements are now brought about by 'voluntary redundancy' and the Operational Director, Finance, is now part of the approval chain and has been added to the list of responsible Officers.

Deletion of Standing Orders 50 and 51 relating to the Carbon Reduction Scheme, (as we no longer purchase or sell carbon allowances); and Standing Order 53, relating to employee car loans, as this no longer exists.

Terms of Reference for Appeals Panel

This has been updated to reflect the decision of the Executive Board (EXB 68 refers), for the Appeals Panel to have responsibility to hear appeals in respect of the Council Tax Section 13A Discount Policy.

Terms of Reference for Business Efficiency Board

Under the section 'Efficiency and Improvement', Item 6 has been amended to read "To monitor and review the Council's procurement arrangements". (This previously referred to the monitoring and implementation of the Council's Procurement Strategy).

Procurement Standing Orders

Following a number of updates and amendments in previous years, it should be noted that **no changes** to the existing Procurement Standing Orders section are required this year.

REPORT TO:	Council
DATE:	17 May 2019
REPORTING OFFICER:	Strategic Director Enterprise, Community & Resources
PORTFOLIO:	Resources
SUBJECT:	Pay Policy Statement 2019 – 2020
WARD(S):	Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 The Localism Act 2011 requires every local authority to prepare a pay policy statement each year which details the Council's approach to a range of issues relating to the pay of its workforce, particularly its senior staff (Chief Officers) and its lowest paid employees.
- 1.2 This report details the Council's recommended Pay Policy Statement for 2019/20. The statement will be subject to annual review and approval by Full Council. In exceptional circumstances, the statement may be reviewed/amended in-year by the Full Council.
- 1.3 On approval the statement will be published on the Council's website following each annual review.

2.0 RECOMMENDATION: That Council adopts this Pay Policy Statement for the Financial Year 2019/20.

3.0 SUPPORTING INFORMATION

- 3.1 The Council is committed to transparency and fairness in the pay and remuneration of all its employees. In determining the pay and remuneration of all of its employees, the Council will comply with all relevant legislation and has had regard to the Guidance issued by the Department for Communities and Local Government in February 2012.
- 3.2 The Localism Act requires the Council to produce a policy statement that covers a number of matters concerning the pay of the Councils staff; principally its Chief Officers and the Authority's lowest paid employees. This pay policy statement meets the requirements of the Localism Act 2011 and takes account of the guidance issued by the Secretary for Communities and Local Government "Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act".
- 3.3 The statement complies with the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Worker Regulations 2010, and where relevant, the Transfer of Undertakings (Protection of Employment) Regulations 2014.

3.4 With regard to the equal pay requirements contained within the Equality Act, the Council ensures that there is no pay discrimination in its pay and grading structures and that all pay differentials are objectively justified through the use of job evaluation mechanisms, which directly establish the relative levels of grades according to the requirements, demands and responsibilities of the job role.

3.5 With effect from April 2018, employers with more than 250 employees have been required to report on Gender Pay Gap to the Government Equalities Office. The calculation is prescribed statutorily and is based on a snapshot date of 31st March of the previous year. For 2019 reporting the Council's Gender Pay Gap at 31st March 2018 has been reported as follows;

- Median pay gap: 9.01% lower for female employees.
The median gender pay gap for the whole UK economy is 17.9% (October 2018 ONS figures).
- Mean pay gap: 14.4% lower for female employees.
The mean gender pay gap for the whole UK economy is 17.1% (October 2018 ONS figures).

Further detailed information is published on the Council website at:
<https://www4.halton.gov.uk/Pages/councildemocracy/Equality-and-Diversity.aspx>

3.6 This pay policy statement does not apply to schools maintained by the Council and there is not a requirement for it to do so.

4.0 THE PAY POLICY STATEMENT

4.1 Under Section 112 of the Local Government Act 1972, the Council has the power "to appoint officers on such reasonable terms and conditions as the authority sees fit." The purpose of the Statement is to provide transparency with regard to the Council's approach to setting the pay of its employees by identifying:

- The methods by which salaries of all employees are determined;
- The detail and level of remuneration of its most senior staff, i.e., chief officers, as defined by relevant legislation;
- The Committee responsible for ensuring the provisions set out in this Statement are applied consistently throughout the Council and recommending any amendments to the Full Council.

5.0 BACKGROUND – PAY STRUCTURE

5.1 The Council uses the National Joint Council (NJC) nationally negotiated pay spine (i.e. a defined list of salary points) as the basis for its local pay structure, based on the application of the job evaluation process to determine the salaries of the majority of its staff.

- 5.2 The Council adopts the national pay bargaining arrangements in respect of the national pay spine and any agreed annual pay increases negotiated with the joint trade unions.
- 5.3 From 1st April 2019, a revised NJC pay spine is introduced which consolidates the twelve lowest points from the previous version into six. It also introduces five new pay points further up the scales, however these are not being adopted by the Council as they would serve to lengthen some grades, but not others, and would undermine the equity built into the Council's grading system.
- 5.4 The Council has determined that it will pay the Living Wage, as calculated annually by the Living Wage Foundation. From 1 April 2019, the minimum hourly rate paid will be £9.00. For 2019/20, this matches exactly the hourly rate of the bottom NJC pay point (SCP 1).
- 5.5 From 1st April 2020, the minimum hourly rate paid will be the higher of the hourly rate of the bottom NJC pay point (SCP 1), or the hourly rate as calculated by the Living Wage Foundation and announced in the prior November.
- 5.6 For staff on Joint Negotiating Committee (JNC) terms and conditions (Chief Officers), the Council operates a locally determined pay structure, in accordance with JNC guidance, and any agreed annual pay increases negotiated with the joint trade unions.
- 5.7 In late 2018 employees of the Council were consulted and agreed to vary their contracts of employment by taking four days unpaid leave for a period of three years as a budget saving measure. This was endorsed by Council. This agreement follows three similar successive agreements, which ended in 2018/19. This has the effect of a 1% annual pay cut but contributes to enabling the Council to present a balanced budget. The variation of contract covers the three financial years to 2021/22, ending on 31st March 2022.
- 5.8 All other pay related allowances are the subject of either national or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined locally.
- 5.9 Starting salaries for new appointments will normally be made at the minimum spinal column point for the grade, although this can be varied where necessary to secure the best candidate for the job. From time to time it may be necessary to take account of the external pay market in order to attract and retain the best employees with particular experience, skills and abilities. Where necessary, the Council will ensure that the requirement for such payments is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the public sector and where such retention payments are necessary, they will be considered with the framework provided by the NJC, and be subject to local negotiations.
- 5.10 There is a formal job evaluation process for new positions created or for proposed changes to existing job descriptions. For positions which are subject to the National Joint Council (NJC) for Local Government Services ('Green Book'), the grading review is undertaken with representation from the Human Resources Service, the Trade Unions and the Manager, using the

Local Government Single Status Job Evaluation Scheme (the NJC scheme) which is used to evaluate posts up to grade HBC11.

- 5.11 Apprentices within the Council are paid a minimum of 75% of the Council's grade HBC3. From April 2019, this equates to £7.30 per hour. Apprentices aged 21 or over, who have completed the first year of an apprenticeship are paid the relevant National Minimum Wage, in line with prevailing legislation.
- 5.12 The following employee groups are not presently paid in accordance with an evaluated grade/role determined by the Council and instead nationally or locally determined rates apply:
- Employees whose pay and conditions are determined by the Soulbury Committee
 - Employees within the Council whose pay is determined by the annual review of the School Teachers Pay and Conditions document (STPCD)
 - Employees who have transferred from the NHS to the Council on NHS terms and conditions
 - Employees who have retained terms and conditions following a TUPE transfer to the Council
- 5.13 Any temporary supplement to the salary scale for any grade is approved in accordance with the 'Green Book' criteria on such matters and can only be approved by the Chief Executive in consultation with the Divisional Manager – Policy, People, Performance & Efficiency (PPPE).

6.0 SENIOR MANAGEMENT REMUNERATION

- 6.1 For the purposes of this Statement, senior management means 'chief officers' as defined within the Localism Act. The posts falling within the statutory definition are set out below:
- Chief Executive
 - Strategic Directors
 - Operational Directors
 - Director of Public Health
- 6.2 The basis of salary levels for Chief Officers was established following a review exercise in April 2005 carried out by Tribal Resources, using the Hay system to evaluate grades and salary points.
- 6.3 The salary details of the Council's Chief Officers can be found on the Council website and are published as part of the Council's Annual Statement of Accounts.
- 6.4 The arrangements and factors considered in determining progression through the relevant grade is incremental progression awarded on an annual basis until the top of the grade is reached.
- 6.5 The terms and conditions applicable to officers on director grade and above are determined by the JNC for Chief Executives, the JNC for Chief Officers of

Local Authorities or NHS as amended, supplemented or superseded by the Council from time to time.

7.0 RECRUITMENT OF CHIEF OFFICERS

- 7.1 The Council's policy and procedures with regard to the recruitment of Chief Officers is as contained in the Council's Constitution which is reviewed annually by Full Council.
- 7.2 When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law, its recruitment guidance and equal opportunities policies.
- 7.3 The remuneration of any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

8.0 ADDITIONS TO SALARY OF CHIEF OFFICERS

- 8.1 Incremental progression through the grade is time related i.e. employees are entitled to receive an increment (the next salary point on the pay spine, unless at top of grade) on an annual basis. This cannot be withheld or varied from the agreed pay spine under the employment contract, unless formal proceedings on capability have been implemented.
- 8.2 To meet specific operational requirements it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration (e.g. honoraria, acting up) are dependant upon the provision and approval of a business case to the Chief Executive and relevant Strategic Director in consultation with the Divisional Manager PPPE.
- 8.3 Officers required to use a vehicle for Council business are currently entitled to an essential car user allowance, currently £1,000pa (from April 2013). The Chief Executive, Strategic Directors and Operational Directors are also entitled to this payment.
- 8.4 The Chief Executive also receives reimbursement for the duties undertaken as a Returning Officer.
- 8.5 Additions to pay are negotiated for all employees, including those covered by the NJC ('Green Book') and JNC terms and conditions.

9.0 PENSION CONTRIBUTIONS

- 9.1 Where employees have exercised their right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the Scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee. The rate of contribution is set by Actuaries advising the Pension Fund and reviewed on a triennial basis in order to ensure the Scheme is appropriately funded. The current employer's rate, set at April 2017, is 18.6%.

- 9.2 The employee contribution rates, which are defined by statute, are currently based on their annual full time equivalent rate of pay at the following rates:

Rate of Contribution	Annual Rate of Pay (01 April 2019 to 31 March 2020)
5.5%	Up to £14,400
5.8%	£14,401 - £22,500
6.5%	£22,501 - £36,500
6.8%	£36,501 - £46,200
8.5%	£46,201 - £64,600
9.9%	£64,601 - £91,500
10.5%	£91,501 - £107,700
11.4%	£107,701 - £161,500
12.5%	More than £161,501

10.0 PAYMENTS ON TERMINATION

- 10.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age is set out within its Pensions Discretions Policy and in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 (and if adopted) Regulation 12 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.
- 10.2 The Council's Policy on Voluntary Redundancy is contained in its Staffing Protocol which was approved by the Appointments Committee on 21st September 2009 with revised terms to reflect the changes to the Local Government Pension Scheme in April 2014 being agreed by the Committee on 4th February 2015. These arrangements apply to all employees at all levels.
- 10.3 The Council will have regard to the 'The Public Sector Exit Payment Regulations, 2016' and the 'Repayment of Public Sector Exit Payments Regulations 2016', upon Parliamentary approval and implementation which is currently awaited.

11.0 PUBLICATION

- 11.1 Upon approval by full Council, this Statement will be published on the Council's website.
- 11.2 For posts where the full time remuneration is £50,000 or above, the Council's Annual Statement of Accounts will include a note setting out the total amount of:
- Salary, fees or allowances paid to or receivable by the person in the current and previous years;
 - Any bonuses so paid by way of expenses allowance that are chargeable to UK Income Tax;
 - Any compensation for loss of employment and any other payments connected with termination;
 - Any benefits received that do not fall within the above.

12.0 LOWEST PAID EMPLOYEES

- 12.1 Employees not on Chief Officer, Soulbury, or STPCD terms and conditions are paid in accordance with the National Joint Council (NJC) for Local Government Services ('Green Book'). The basic pay for each 'Green Book' employee consists of a salary scale containing a number of spinal column points on the NJC pay spine.
- 12.2 An increment is awarded on an annual basis up to the maximum of the salary grade. The normal increment date is 01 April. Pay awards are generally awarded with effect from 01 April, although the date can be influenced by the negotiation process.
- 12.3 The re-setting of the NJC pay spines on 1st April 2019 means that the lowest rate of pay will be £17,364 p.a., equating to £9.00 per hour, for established employees.
- 12.4 The relationship between the rate of pay for the highest paid employee and the mean average earnings across the Council is recommended as the best way of illustrating the relationship between the two. This is called the pay multiple and for this Authority, the pay multiple is 1:7.09.
- 12.5 The Hutton Review (2011) stipulated that a pay multiple between the highest and the lowest paid median average salary should not exceed 1:20. On this basis, the Council has a pay multiple of 1:8.47, well within the recommended range.
- 12.6 From April 2019, the Council has committed to pay the Living Wage, as calculated by the Living Wage Foundation. In doing so, it will meet all statutory requirements in respect of paying the National Minimum Wage and the National Living Wage, by default.

13.0 ACCOUNTABILITY AND DECISION MAKING

- 13.1 In accordance with the Constitution of the Council, the Appointments Committee is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements relating to employees of the Council.

14.0 POLICY IMPLICATIONS

- 14.1 The requirements under the Localism Act to produce and publish this Pay Policy Statement supplements existing duties and responsibilities that the Authority, as an employer has, particularly its responsibilities under the Equality Act 2010, to avoid discrimination and provide equal pay.

15.0 FINANCIAL IMPLICATIONS

- 15.1 The Pay Policy Statement must be prepared for the financial year 2019/20 and each subsequent financial year. Once in place, it will provide the public with a clear rationale to explain the Authority's approach to pay.

- 15.2 The Council employs 2465 staff in 2544 posts and is responsible for spending annually over £300 million of public money.

16.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 16.1 Employees are a key element of the delivery of services that contribute to all of the Council's priorities. As such, appropriate and relevant payment to employees enables the delivery of those priorities.

17.0 RISK ANALYSIS

- 17.1 The adoption of this Pay Policy Statement, and use of the frameworks and mechanisms described within, provides assurance that the Council is mitigating any legislative and ethical risk linked to the remuneration of its employees.

18.0 EQUALITY AND DIVERSITY ISSUES

- 18.1 The Pay Policy Statement will assist the Council to monitor remuneration across the Council and provide a fair system which avoids discrimination.

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

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