

APPENDIX 1

Extract of Executive Board and Executive Board Sub Committee Minutes relevant to the Corporate Services Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 14 OCTOBER 2010:

EXB 57	CONTROL OF SEX ESTABLISHMENTS
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The Board received a report of the Strategic Director, Resources, on the adoption of controls relating to sex establishments.

The Board were reminded that before 1982, there was no control over the operation of sex establishments (defined as sex shops and sex cinemas). In 1983, the Council adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982, and confirmed its policies and procedures in 2000 after consideration by the Council's Licensing Review Body.

The Policing and Crime Act 2009 had introduced new controls into the 1982 Act, which related to sex entertainment venues. The approach adopted by the Council to 'controlled dancing' under the old public entertainment licensing system as well as under the Licensing Act 2003 was analogous to proposed controls relating to sex entertainment venues. Controlled dancing referred to lap-dancing, striptease or any similar dancing. Details were set out at Appendix 3 attached to the report. Similar controls were proposed for sex entertainment venues.

RESOLVED: That Council be recommended to:

- 1) adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 – Control of Sex Establishments; and
- 2) adopt the consequential amendments to the Council's Constitution as set out in Appendix 2 attached to the report.

EXECUTIVE BOARD MEETING HELD ON 18 NOVEMBER 2010

EXB64	LICENSING ACT 2003 STATEMENT OF LICENSING POLICY
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The Board received a report of the Chief Executive on the adoption of a Statement of Licensing Policy.

A consultation exercise was authorised at the meeting of the Executive Board on 9 September 2010 (Minute EXB 37 refers) to review the Council's Statement of Licensing Policy. The consultation period ended on 15 October 2010 and the consultation draft of the Statement of Licensing Policy was attached at Appendix 1 to the report.

The Board were advised that only one response had been received from Cheshire Constabulary in support of its own proposed Cumulative Impact Policy as described in the report. The rules relating to Cumulative Impact Policies were set out in statutory guidance issued under section 182 of the Licensing Act 2003 and attached at Appendix 3 to the report for Members' information. Cheshire Constabulary had submitted a request to include a Cumulative Impact Special Policy in respect of the Victoria Square Area in Widnes.

The Board were reminded that the Council was under a duty to have an adopted Statement of Licensing Policy in place by 7 January 2011 together with a newspaper advertisement confirming the adoption prior to that date. Once adopted, the policy would remain in place for a three year period unless amended before that time. Any changes in legislation or in the Statutory Guidance would also override the policy.

RESOLVED: That Council be recommended to:

- 1) adopt the Statement of Licensing Policy as attached to the report; and
- 2) defer consideration of the Cumulative Impact Special Policy as proposed by Cheshire Constabulary.

EXB65	MEDIUM TERM FINANCIAL STRATEGY
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The Board received a report of the Operational Director, Finance on the Medium Term Financial Strategy.

The Board were advised that the Medium Term Financial Forecast (MTFF) set out a three-year projection of resources and spending based on information currently available following the Comprehensive Spending Review. However, as there was information yet to be received any revisions would need to be made as new information became available.

The projections in the forecast clearly showed there was need to make a significant level of savings over the next three years, and provided initial guidance to the Council on its financial position into the medium term.

The MTFF showed that in order to balance the budget there was a requirement to make significant cost savings of up to £20m in 2011/12 and £16m and £12m for the following two years respectively. In making these savings the Council would need to have in mind the objectives of the Medium Term Financial Strategy (MTFS) as set out in the report.

The Board were reminded that the MTFS represented the “finance guidelines” that formed part of the medium term corporate planning process. These guidelines identified the financial constraints that the Council would face in delivering its key objectives, and were an important influence on the development of the Corporate Plan and Service Plans and Strategies.

RESOLVED: That

- 1) the Medium Term Financial Forecast be noted;
- 2) the base budget be prepared on the basis of the underlying assumptions set out in the Forecast;
- 3) the Budget Strategy and Capital Strategy be approved;
- 4) the Reserves and Balances Strategy be approved; and
- 5) further reports be considered by the Executive Board on the budget.

EXECUTIVE BOARD MEETING HELD ON 2 DECEMBER 2010

EXB 68	ANNUAL AUDIT LETTER
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The Board received a report of the Strategic Director, Resources on the Annual Audit Letter 2009/10.

The Board was advised that the Annual Audit Letter summarised the findings from the 2009/10 audit completed by the Council’s External auditors. The Letter included messages arising from the audit of the financial statements and the results of the work that had been undertaken in assessing the Council’s arrangements to secure value for money in the use of its resources.

Mike Thomas, District Auditor attended the meeting and reported that the Council had achieved an unqualified audit opinion on the Council's financial statements in line with the statutory deadlines. In respect of the use of resources which determined how well the Council managed and used their financial resources it had been concluded that the KLOE (key lines of enquiry) scores reflected that the Council had satisfactory arrangements to secure economy, efficiency and effectiveness in its use of resources during 2009/10.

RESOLVED: That the Annual Audit Letter be approved.

EXB69	DETERMINATION OF THE COUNCIL TAX BASE 2011/12 - KEY DECISION
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The Board considered a report of the Operational Director, Finance on the requirement for the Council to determine the "Tax Base" for its area and the tax base for each of the Parishes.

The Council was required to notify the figure to the Cheshire Fire Authority, the Cheshire Police Authority and the Environment Agency by 31st January 2011. In addition, the Council was required to calculate and advise, if requested, the Parish Councils of their relevant tax bases.

The Board was advised that the Tax Base was the measure used for calculating the council tax and was used by both the billing authority (the Council) and the major precepting authorities (the Cheshire Fire Authority and the Cheshire Police Authority) in the calculation of their council tax requirements. It was arrived at in accordance with a prescribed formula representing the estimated full year number of chargeable dwellings in the Borough expressed in terms of the equivalent of Band "D" dwellings. Taking account of all the relevant information and applying a 99% collection rate, the calculation for 2011/12 gave a tax base figure of 38,200 for the Borough as a whole.

Reason(s) For Decision

The 'Tax Base' is the measure used for calculating the council tax and was used by both the billing authority (the Council) and the major precepting authorities (the Cheshire Fire Authority and the Cheshire Police Authority), in the calculation of their council tax requirements.

Alternative Options Considered and Rejected

None

Implementation Date

The Council was required to set the Council Tax Base by 31st January each year.

RESOLVED: That Council be recommended that

- 1) the 2011/12 Council Tax Base be set at 38,200 for the Borough, and that the Cheshire Fire Authority, the Cheshire Police Authority, and the Environment Agency be so notified; and
- 2) the Council Tax Base for each of the Parishes be set as follows:

Parish	Tax Base
Hale	733
Halebank	600
Daresbury	147
Moore	343
Preston Brook	345
Sandymoor	973

EXB70	REVIEW OF THE COUNCIL'S GOVERNANCE ARRANGEMENTS
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The Board received a report on the completion of the final stage in the process of adopting the Council's new model of governance in accordance with the Local Government and Public Involvement in Health Act 2007.

The Board were reminded that Section 62 of the Local Government and Public Involvement in Health Act 2007 amended the provision of the Local Government Act 2000, compelling local authorities to adopt one of two new governance models – either a 'new style' Leader and cabinet executive or a Mayor and cabinet executive

Following a formal public consultation process, the Council at its meeting on 20 October 2010 agreed proposals outlining the Leader and Cabinet Executive as its preferred governance model, which were attached at Appendix 1. Members also considered the option to incorporate a provision in the Constitution to allow for the removal of the Leader by resolution prior to the expiry of his or her term of office. Since then, the proposals had been published on the

Council's website as required. There had been no representations following this process.

In accordance with the Act, the Council was now required to resolve formally that the new model of governance, as set out in the proposals, be adopted with effect from the third day after the ordinary election of Councillors in May 2011.

RESOLVED: That Council be recommended to:

- 1) adopt the Leader with Cabinet model of governance, as contained in the proposals attached as Appendix 1 to the report, with effect from the third day after the ordinary election of Councillors in May 2011; and
- 2) a provision be incorporated in the Constitution allowing for the removal of the Leader by resolution.

EXB71	MEMBERSHIP OF OUTSIDE BODIES
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The Board received a report of the Strategic Director, Resources which advised them of changes to membership of Outside Bodies.

The list of Outside Bodies 2010/11 was submitted to and approved by full Council on 21 July 2010. Since then a review of the list had revealed a number of additional Bodies on which the Council had representation, but which did not appear on the approved list. In addition, one re-naming had taken place and two appointments had been amended.

RESOLVED : That Council

- 1) be recommended to approve the appointments to the additional Outside Bodies listed in Appendix A attached to the report, for the remainder of the 2010/11 municipal year with the amendment of Councillor Thompson as the representative on the Mersey Gateway Environment Trust;
- 2) be asked to note the re-naming of the North Cheshire Hospital Trust as the Warrington and Halton Hospitals NHS Foundation Trust and confirm that Councillor Kath Loftus continue as the Council's representative on that Outside Body; and
- 3) be asked to note that Councillor Harris had been nominated to replace Councillor Marie Wright as the representative on

the North West Regional Housing Board and the Liverpool City Region Housing and Spatial Planning Board.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 4 NOVEMBER 2010

ES45	TREASURY MANAGEMENT 2010/11 2ND QTR JULY – SEPT
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The Sub-Committee received a report from the Operational Director – Financial Services on the Treasury Management 2010/11 2nd Quarter (July to September) which updated the Sub-Committee on activities undertaken on the Money Market as required by the Treasury Management Policy (TMP). The Operational Director reported on the current economic background based upon information supplied by the Council's treasury management advisors, and the economic forecast provided by Sector.

The report provided supporting information on the short-term rates, longer-term rates, temporary borrowing/ investments, longer-term borrowing/investments and policy guidelines. It was noted that all the policy guidelines in the TMP had been complied with, with the exception of the Approved Counterparty List. A deposit was placed with Natwest, the Council's own bank, which exceeded the deposit limit by £1.6 million for 1 day in July.

RESOLVED: That the report be noted.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 18 NOVEMBER 2010

ES 47	2010-12 HALF YEAR SPENDING
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The Sub-Committee considered a report which summarised the overall revenue and capital spending position as at 30th September 2010.

In overall terms, revenue expenditure was below the budget profile by £3m, however, this was only a guide to eventual spending. It was noted that the Comprehensive Spending Review could mean that the funding gap was now predicted to increase over the next three years. As a consequence, the likelihood of early retirements and redundancies was increased, and some could take place in this financial year. These costs had not been included in the budget and would lead to the Council overspending its budget and thereby

reducing balances. This would reduce any flexibility in using balances to help with next year's budget.

In order to avoid this, Management Team had agreed that Directorates would take steps to limit spending this year by £500,000 each. As a result, £2m would become available to fund any redundancy costs and also increase any savings generated in this way.

In respect of spending on employees this was generally below the budget profile at this stage, partly due to:

- delays in filling vacancies following the organisational restructuring from 1st April 2010, particularly in ICT and Support Services;
- a number of vacant posts within the Council; and
- the 2010/11 budget included 1% for the pay award, however, employers had offered a zero increase and therefore budgets would now be revised.

Members noted that spending on agency staff was more at this stage of the year than was the case last year. Directorates had been advised to closely control spending on agency staff so that spending was limited to the absolute essential. Expenditure on Children's within-Borough Foster Care placements was below budget profile, although costs were expected to increase later in the year following a review of placement strategy.

It was also reported Community Care expenditure was currently below budget profile, however, costs falling within this budget were beginning to increase steadily and were therefore likely to be more in line with budget by year end.

In respect of income received it was noted that:

- the Building Control fee income was currently below budget profile due to the ongoing slow down in the construction industry and private sector competition;
- income from Open Spaces External Works was also significantly below the budget profile;
- highways income was above budget profile due to the increased income from the defects and charges to utilities arising from prolonged occupation of highways; and
- collection rates for both Council Tax and Business Rates were marginally higher than last year despite the economic downturn and continued to be above the average for North West Councils.

With regard to capital spending to 30th September 2010 this totalled £14.4m, which was 86% of the planned spending of £16.6m at this stage. However, this only represented 32% of the total revised capital programme of £44.4m (which assumed a 20% slippage between years). Members were advised that the main areas of programme slippage to date were in respect of Upton All Saints Primary School and Mersey Gateway Advance Land Acquisitions. Given the considerable reductions in capital spending announced in the Comprehensive Spending Review, Management Team had agreed to review the Council's capital programme.

It was reported that the Council's balance sheet which was monitored regularly in accordance with the Reserves and Balances Strategy and formed part of a Medium Term Financial Strategy. The key reserves and balances had been reviewed and were considered prudent and appropriate at this stage of the financial year. It was reported that further costs would fall on the Council in respect of equal pay claims. A reserve had been established over recent years, although it was not certain whether this would be sufficient to meet the future cost of such claims.

RESOLVED: That the report be noted.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 2 DECEMBER 2010

ES 56	LAND DISPOSAL – LIVERPOOL ROAD, WIDNES
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The Sub-Committee considered a report which sought approval to dispose of an area of land to Halton Housing Trust (HHT) to enable the development of an Extra Care Housing Scheme for Older People. The HHT proposal was for a scheme on a Council owned site in Liverpool Road, Widnes.

RESOLVED: That subject to Homes and Communities Agency grant funding being secured by HHT to develop an Extra Care Housing Scheme, the area of land shown in the Appendix to the report, be sold to HHT on the terms reported.