

Minutes & Reports

For Presentation to the Council
at the meeting to be held on

**Wednesday, 22 October
2008**

Minutes & Reports

For Presentation to the Council
at the meeting to be held on
Wednesday, 22 October 2008

Committee/Board	Page Ref
COUNCIL MINUTES	209 - 216
EXECUTIVE BOARD	
24th July 2008	217 - 228
2nd September 2008	229 - 234
11th September 2008	235 - 244
25th September 2008	245 - 256
EXECUTIVE BOARD SUB-COMMITTEE	
25th July 2008	257 - 266
11th September 2008	267 - 274
25th September 2008	275 - 284
MERSEY GATEWAY EXECUTIVE BOARD	
25th September 2008	285 - 288
POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD	
Children and Young People - cream pages	289 - 294
Employment, Learning and Skills - yellow pages	295 - 302
Healthy Halton - blue pages	303 - 310
Safer Halton - pink pages	311 - 322
Urban Renewal - green pages	323 - 328
Corporate Services - salmon pages	329 - 334
Business Efficiency Board - white pages	335 - 338
COMMITTEE MINUTES	
Development Control - pink pages	339 - 370
Standards - white pages	371 - 374
Regulatory - blue pages	375 - 390

COUNCIL

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

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

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

Absence declared on Council business: None

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

Action

COU13 COUNCIL MINUTES

The minutes of the Council meeting held on 16th May 2008, having been printed and circulated, were taken as read and signed as a correct record.

RESOLVED: That the Minutes of the meeting be confirmed and adopted.

COU14 THE MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:-

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

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

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

COU15 LEADER'S REPORT

The Leader reported on the following issues:

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

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

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

COU16 MINUTES OF THE EXECUTIVE BOARD

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

RESOLVED: That the minutes be received.

COU17 MINUTES OF THE EXECUTIVE BOARD SUB-COMMITTEE

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

RESOLVED: That the minutes be received.

COU18 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

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

RESOLVED: That the minutes be received.

COU19 QUESTIONS ASKED UNDER STANDING ORDER NO. 8

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

COU20 MERSEY GATEWAY TWA ORDER - KEY DECISION

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

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

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

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

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

Reason for Decision

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

Alternative Options Considered and Rejected

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

Implementation Date

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

It was unanimously RESOLVED: That

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

Strategic Director,
Environment

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

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

RECOMMENDED: That

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

Chief Executive

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

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

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

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

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

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

Strategic Director,
Children & Young
People

COU23 ANNUAL REPORTS FROM PPBs

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

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

COU24 APPOINTMENTS TO OUTSIDE BODIES

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

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

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

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

Strategic Director,
Corporate &
Policy

COU25 APPOINTMENT OF INDEPENDENT MEMBER OF STANDARDS COMMITTEE

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

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

Strategic Director,
Corporate &
Policy

COU26 CHANGE OF COMMITTEE MEMBERSHIP

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

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

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

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

COU27 MINUTES OF POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

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

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

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

COU28 COMMITTEE MINUTES

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

Development Control
Standards
Regulatory

Meeting ended at 7.35 p.m.

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 24 July 2008 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Swain and Wright

Apologies for Absence: Councillors Nelson, Polhill and Wharton

Absence declared on Council business: None

Officers present: A. Cross, D. Johnson, A. McIntyre, S. Nicholson, M. Reaney, D. Tregae, L. Cairns and G. Cook

Also in attendance: Councillor Hodgkinson

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE BOARD**

EXB26 MINUTES

The minutes of the meetings held on 19th June and 26th June 2008 were taken as read and signed as a correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

EXB27 STATUTORY CONSULTATION - ST CHAD'S CATHOLIC HIGH SCHOOL

The Board considered a report of the Strategic Director – Children and Young People providing a summary of the statutory proposal on the closure of St. Chad's Catholic High School and the establishment of a new joint faith Catholic and Church of England Voluntary Aided High School.

It was noted that during the consultation on future secondary provision in Halton, the joint proposal from the Catholic Diocese of Shrewsbury and the Church of England Diocese of Chester to explore the development of a joint faith school offering both Catholic and Church of England provision at St. Chad's High was supported. Following

Action

consultation, a Joint Faith Working Party, led by the headteacher of St. Chad's Catholic High School with members from both faith communities, agreed that the current ethos of St. Chad's summed up in its Mission Statement would remain the mission and ethos as a joint faith school. The Working Party had also considered a number of other key issues including admission arrangements and funding issues.

As the joint faith school was to be a new school, an application had been made to the Secretary of State to seek permission to publish the proposal without holding a competition. On 9th June 2008, the Secretary of State exercised the powers conferred on him by Section 10 of the Education and Inspections Act 2006 and decided to grant consent to the publication of a proposal for a new 11-19 joint Catholic/Church of England Voluntary Aided Secondary School. Once permission had been granted by the Secretary of State to consult, the statutory proposal was published by the Governing Body on 3rd July 2008.

The proposal was a joint agreement with the Catholic Diocese of Shrewsbury and the Church of England Diocese of Chester to close St. Chad's High in order for a joint faith Catholic and Church of England (11-19) School to be established on the current site. St. Chad's Catholic High School would close on 31st August 2009 and the new joint faith school would be established on 1st September 2009. All the pupils from St. Chad's would transfer to the new joint faith school from 1st September 2009. The published admission number would increase to 190 from 1st September 2009 and, from 1st September 2013, it would increase to 240 with 100 sixth form places.

Any representation to the published proposal had to be made in writing within six weeks of the publication and sent to Mr. M. Reaney, Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources). As the Local Authority was the Commissioner of School Places, all comments would then be submitted to the Executive Board in the form of a report, and a decision on whether to agree to the new joint faith school would be made by the Board in October prior to the deadline of 14th October 2008.

Consultation meetings had been held with staff, parents and other stakeholders at St. Chad's Catholic High School on 9th July 2008 and it was advised that the response had been positive. In particular, it was noted that, in light of the proposal, the number of preferences

expressed for the school during the admission process commencing in Autumn 2007 for September 2008, admissions had risen, and there had been a significant number of appeals for the school. This showed the parental demand for a joint faith school. In addition, applications from St. Chad's Catholic Primary School had remained constant showing that parental demand from this area was unchanged.

RESOLVED: That a further report summarising the response to the consultation be submitted to the Executive Board in October 2008.

Strategic Director-
Children & Young
People

EXB28 SUSTAINABLE SCHOOL TRAVEL POLICY

The Board considered a report of the Strategic Director – Children and Young People fulfilling the requirement of the Education and Inspections Act 2006 to annually review the Council's Sustainable School Travel Policy.

It was advised that the Sustainable School Travel Policy 2008 drew together the four required elements of the Act; supported and clearly demonstrated links to the Children and Young People's Plan; and ensured that Halton fulfilled its statutory requirement. The Policy incorporated a number of transport related documents and had allowed for a review of the previous Sustainable School Transport Policy and associated procedures. The Policy also recognised possible changes in transport demands placed upon the Local Authority and was aligned to the Council's School Admissions Policy.

In particular, it was noted that there was a requirement within the 2006 Act that children from defined low income families may be eligible for assistance with travel. This applied from September 2007 to primary aged pupils aged between 5 and 11 attending the nearest qualifying school more than two miles from their home. From September 2008, it would also apply for secondary aged pupils aged between 11 and 16 from low income families attending one of the three nearest qualifying schools which were between two and six miles from the child's home and/or to the nearest qualifying school preferred by reason of a person's religion or belief up to a maximum of 15 miles.

RESOLVED: That the Sustainable School Travel Policy 2008 be approved.

CORPORATE SERVICES PORTFOLIO

EXB29 EQUALITY & DIVERSITY - IDEA DIVERSITY PEER CHALLENGE

The Board considered a report of the Strategic Director – Health and Community outlining the Council's achievement of Level 3 of the Equality Standard, and the findings of the IDeA report following Diversity Peer Challenge.

It was noted that the Equality Standard for Local Government was the recognised national framework that assessed performance on equality across a local authority. There were five levels, Levels 4 and 5 of which were exemplars and rarely achieved. Halton Borough Council had achieved Level 1 in 2003/04, progressed to Level 2 in 2005/06 and had since worked to achieve Level 3. Two groups had been established to help drive forward the agenda, which worked together with partners and stakeholders, to eliminate discrimination and promote equality.

On 6th and 7th May 2008, the Council had undergone an IDeA Diversity Peer Challenge Assessment, which concluded that the Council achieved Level 3 of the Equality and Diversity Standard. The Council had had to demonstrate that it fulfilled a number of requirements in order to achieve this level and these were outlined within the report for Members' consideration.

The IDeA Assessment Team had now issued a report summarising the findings of the peer challenge, which had highlighted strengths and areas for improvement. A draft action plan based on the outcomes of the IDeA report had been drawn up and was attached as Appendix 2 to the report. The areas shaded in the action plan had been identified as a priority. The actions required in order to achieve Level 4 of the standard were outlined for the Board, which the Council intended to achieve by the end of 2009. However, it was noted that the IDeA had commenced consultation on the proposed new Equality Framework for Local Governments. Within the Framework it was proposed that the existing standard be replaced by three broad new bandings. Further information was awaited in respect of how this transition would take place.

In receiving the report, the Board commended the work of the Strategic Director – Health and Community.

RESOLVED: That:

- 1) the contents of the report be noted; and
- 2) the Action Plan at Appendix 2 of the report be agreed.

ENVIRONMENT, LEISURE AND SPORT PORTFOLIO

EXB30 HOUSEHOLD WASTE RECYCLING CENTRE MANAGEMENT

The Board considered a report of the Strategic Director – Environment setting out the transitional arrangements under which the Council was invited to discharge part of its waste disposal functions in order to perform its statutory duty to provide facilities for members of the public to deposit household waste.

It was noted that the Council's Household Waste Recycling Centres (HWRCs) were currently managed under contract by Mersey Waste Holdings Limited (MWHL). This contract was for the period of 1st February to 30th September 2008 and, thereafter, the management and operation of the Centres would be carried out under a contract procured by the Mersey Waste Disposal Authority (MWDA) as previously agreed by the Board.

However, as a result of delays in the procurement of this contract, arrangements needed to be put in place to manage the Council's HWRCs between the period 1st October and the time when the Waste Management Recycling Contract (WMRC) took effect.

The Council's current contract with MWHL, which expired on 30th September 2008, allowed for an extension where agreed by both parties. It would have been the Council's intention to negotiate such an extension to cover the period up to the commencement of the WMRC. However, as a result of the removal of MWHL's "arms length" status since commencing this contract, they would not be undertaking further "third party business" after 30th September 2008 and would therefore not be in a position to extend the current contract with the Council.

Due to the estimated value of an interim contract of £750,000, EU procurement rules would apply should Halton

not wish to delegate this function to the MWDA. During the procurement exercise that resulted in MWHL being awarded the current contract, no other tender submissions had been received. Therefore, to avoid the need for Halton to undertake an interim procurement, and to mitigate the risks of failing to deliver aspects of its statutory function, it was recommended that Halton delegated that part of its waste disposal function as related to the management of its HWRCs to the MWDA as from 1st October 2008. This would allow MWDA to manage (or to procure the management of) both MWDA's, HWRCs and Halton's HWRCs for the period between 1st October 2008 and the coming into effect of the WMRC.

RESOLVED: That

- 1) the Council, acting under Section 19 of the Local Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and all other enabling powers allowed by law, delegates to the Merseyside Waste Disposal Authority (MWDA) that part of its waste disposal function as relates to the procurement and management of Household Waste Recycling Centres and composting centres from 1st October 2008 to 31st March 2009 or such further period as shall be approved by the Strategic Director – Environment after agreement has been reached with MWDA; and
- 2) the Strategic Director – Environment, in consultation with the Portfolio Holder for Environment, Leisure and Sport, be authorised to take all such actions and to make any decisions deemed appropriate in connection with, and in the furtherance of, the powers and authorisation set out in resolution 1 above.

Strategic Director
- Environment

HEALTH AND SOCIAL CARE PORTFOLIO

EXB31 HEALTHIER HORIZONS FOR THE NORTH WEST

The Board considered a report of the Strategic Director - Health and Community, outlining the contents and implications of "Healthier Horizons for the North West".

It was noted that Healthier Horizons for the North West had been launched on 20th May 2008. It had been produced by the Strategic Health Authority (SHA) for the North West and was the formal response to "Our NHS, Our Future", the National Review of the Health Service led by

Lord Darzi. The report set out an ambitious 10 year vision for the future of health care in the region, reflecting Lord Darzi's concern for a fairer, more personalised, effective, safe and accountable Health Service.

The backdrop to the report was familiar based on the issues facing people in the region. The report recognised the considerable achievements in the region, including the excellent performance on elective treatment and the consistently high scores on "use of resources" (Audit Commission) across the region.

The report included 3 overarching aims, 10 strategic objectives and 7 enablers, which were described for Members' information. The overarching themes were an emphasis on prevention, public health and the linking of initiatives with Local Government. It was axiomatic that all of these themes overlaid the strategic objectives of the Council and that "impactful" partnerships were necessary to deliver the objectives set out in the report.

The following three areas were highlighted:

- 1) personalisation;
- 2) commitment to the mental well being of the population being embedded in all services and the impact of issues such as homelessness and worklessness upon mental health being recognised and acted upon by Health and Social Care; and
- 3) partnership working.

All of these areas required resourcing and strong leadership with effective governance arrangements across agencies.

There was an opportunity to comment on the report up until 31st August 2008 and the proposed response was outlined for the Board's consideration. In addition, the Board received a presentation from Mr. Eugene Lavan, Acting Director of Strategic Planning and Development at the PCT, outlining:

- the national context of the Darzi review pledges;
- the SHA context in terms of the Healthier Horizons report;
- the Ambition for health, which was the strategic plan, and how clinical pathways would feed into this;
- expectations - for example the requirement that prevention and health promotion be at the core;
- emerging themes of alcohol, obesity, early detection and screening, and prevention;

- the intended impact on health outcomes for Halton and St. Helens;
- changes to the current approach; and
- Halton Borough Council's contribution.

Mr. Lavan advised that there was to be a "Health Summit" on 3rd September 2008, to which all Members of the Board were invited, to share the process to date; to interactively evaluate delivery options for each key area; and to identify preferred options. It was anticipated that this session would enable the moving forward of the agenda.

In considering the presentation, the Board noted:

- the need for the sporting sector to be included in the Health Summit event;
- the opportunities currently available to improve life expectancy, for example around older people; and
- the need for a difficult shift in resources and for the Government to allow time for the reforms to be embedded prior to further reorganisation.

The Chairman thanked Mr. Lavan for an informative presentation.

RESOLVED: That

- 1) as described in 5.3 of the report, the vision and objectives as set out in Healthier Horizons for the North West be supported; and
- 2) as described in 5.2 of the report, local health services be engaged with to develop programmes of work that aligned with Council objectives.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

EXB32 ADOPTION OF SANDYMOOR SPD

The Board considered a report of the Strategic Director – Environment seeking approval for the formal adoption of Supplementary Planning Document (SPD): Sandymoor as part of the Halton Local Development Framework.

It was advised that Sandymoor had been allocated for housing development for a number of years, most recently being confirmed as Phase 2 Housing Allocations in the Halton Unitary Development Plan (UDP). The area was

expected to make a significant contribution to new house building within the Borough over coming years and an innovative planning obligations legal agreement had already been put in place to secure funding for necessary off-site highways and infrastructure improvements.

The development of the Sandymoor area was to be guided by a comprehensive Masterplan that was incorporated into the Council's planning policy framework by way of this SPD, which had been produced by collaborative working between numerous departments of the Council, English Partnerships and their consultants. The SPD had been delayed due to the need to resolve unexpected technical issues. This delay compelled English Partnerships to secure planning permissions covering portions of the site in advance of the SPD process, including an outline planning consent for residential development and revised access arrangements for the southern portion of the site. The SPD would now inform the determination of all further planning applications, including the forthcoming reserved matters applications in relation to the extant outline consents.

It was noted that, subject to and following the Executive Board's decision, the final version of the SPD would be produced for publication. Appendix 1, the SPD, contained the text and key diagrams that would make up the bulk of the document. Appendix 2 contained a schedule of the changes made from the Public Consultation Draft and recorded all consultees' comments and how they had been taken into account throughout the production of the SPD. In addition, a Strategic Environment Assessment (SEA) Scoping Exercise assessing the environmental effects of the SPD had been undertaken and consulted upon in line with the relevant regulations. This concluded that a SEA was not required in relation to the SPD.

A Sustainability Appraisal (SA) had also been produced and circulated for Members' consideration. The purpose of the SA was to independently assess the contribution that the Sandymoor SPD would make to achieve the social, economic and environmental objectives of sustainable development.

In receiving the report it was noted that:

- club facilities were currently an aspiration; however, appropriate funding was in place for this aspiration to be achieved if so required;
- the objection by Scottish Power to the football pitch

was on safety grounds due its location beneath a line of pylons. There would now be either one adult or two junior pitches;

- density of residential development had fluctuated throughout the process and was now expected to be approximately 32 dwellings per hectare, which equated to approximately 1400 new dwellings in the area with 390 to be added at the Wharford Farm end. This was a significant number of dwellings.

RESOLVED: That:

- 1) the Supplementary Planning Document (SPD): Sandymoor be formally adopted as a Supplementary Planning Document and part of the Halton Local Development Framework;
- 2) the responses to the representations received at the public participation stages, as set out in the statement of consultation, be agreed; and
- 3) further editorial and technical changes that do not affect the content or intended purpose of the SPD be agreed by the Operational Director – Environmental and Regulatory Services, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, if necessary, before the document is published.

Strategic Director
- Environment

EXB33 THE DRAFT MERSEY GATEWAY SUSTAINABLE TRANSPORT STRATEGY

The Board considered a report of the Strategic Director – Environment, outlining the progress that had taken place on the draft Mersey Gateway Sustainable Transport Strategy since the Mersey Gateway Executive Board had been advised of the scope of the study on 24th January 2008. The Sustainable Transport Strategy would inform the planning process for the overall Mersey Gateway Scheme. It would also describe sustainable transport policies and potential interventions that would demonstrate how the Mersey Gateway would enable sustainable transport to be enhanced both in and around Halton.

The draft Mersey Gateway Sustainable Transport Strategy, “Gateway to Sustainability”, was attached as an appendix to the report, and specific sustainable transport measures were outlined within the report for Members’ information. The Strategy was in accordance with national, regional and local transport policy and had also been

informed in its development by the Mersey Gateway Regeneration Strategy.

RESOLVED: That

- 1) the current content of the draft Mersey Gateway Sustainable Transport Strategy be noted;
- 2) the draft strategy be approved for consultation;
- 3) the Strategic Director – Environment, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, be given delegated authority to approve any minor final amendments to the document; and
- 4) the final strategy be submitted to the Executive Board for approval in the autumn of 2008.

Strategic Director
- Environment

MINUTES ISSUED: 1st August 2008

CALL IN: 8th August 2008

Any matter decided by the Executive Board may be called in no later than 8th August 2008

Meeting ended at 3.00 p.m.

This page is intentionally left blank

EXECUTIVE BOARD

At a meeting of the Executive Board on Tuesday, 2 September 2008 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), Harris, McInerney, Polhill, Swain and Wright

Apologies for Absence: Councillors Gerrard, Nelson and Wharton

Absence declared on Council business: Councillor D. Cargill

Officers present: L. Cairns, G. Cook, B. Dodd, C. Hall, M. Noone, D. Parr, M. Reaney and P. Watts

Also in attendance: H. Bassford

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE BOARD**

Action

**PLANNING, TRANSPORTATION, REGENERATION AND
RENEWAL PORTFOLIO**

**EXB34 MERSEY GATEWAY TOLLING/SILVER JUBILEE BRIDGE
ROAD USER CHARGING ORDER - KEY DECISION**

The Board considered a report of the Strategic Director – Environment regarding the Order being promoted by the Council under Section 168 of the Transport Act 2000 to secure powers to promote the elements of the Mersey Gateway Project (the “Project”) that related to the Silver Jubilee Bridge (“SJB”), in particular to authorise the imposition of charges upon vehicles using the SJB. The report outlined the next steps required to make an Order to impose such charges.

In accordance with Section 170 of the Transport Act 2000, the Council commenced consultation on 30th May 2008 in relation to the proposed road user charging scheme and the proposed A533 (SJB) Road User Charging Scheme Order, the objection period for which expired on 18th August 2008. Details of the consultation, together with representations received and the responses to these representations, were outlined for Members’ consideration. It

was noted that the responses to the consultation could be broken down into a number of broad types, which included support; opposition to charges/tolls in general on the SJB and/or Mersey Gateway Bridge; questions as to the legality of the proposals; suggestions that the SJB should not be the subject of charges; and suggestions for discounts or exemptions for tolls for certain groups.

It was reported that without charges/tolls the Mersey Gateway project was not deliverable. Furthermore, the option of tolling the Mersey Gateway Bridge but leaving the SJB without charges was not a viable option. However, Members agreed that the proposed discount scheme should make provision for public transport to be exempt from tolling. In addition, there would be discounts for residents, which would be addressed at the stage at which the concession for the construction and operation of the Mersey Gateway project was let.

The Board considered each of the representations made in response to the consultation, together with the officers' comments, outlined at Annexe 4 to the report. In particular, it was noted that:

- the “do nothing” option would ultimately result in the SJB being congested at all times – this would be compounded by the maintenance work required on the bridge over the forthcoming years – whereas implementation of the project would result in free movement across the bridge;
- the Mersey Gateway project was comprised of a series of initiatives including a Sustainable Transport Policy;
- the traffic model took account of the value people placed on their time;
- people within deprived communities who did not have access to cars would not be tolled to cross the bridge if they were using public transport;
- it was intended that the revenue from the tolls would ultimately benefit public transport;
- older people of pensionable age would have access to free public transport;
- building a new bridge would have regenerative benefits to the area;
- the new bridge would be self-financing through tolls and PFI (Public Finance Initiative) Credits;
- the views of the shadow local authorities in Cheshire, which may differ from the existing authorities', had also been sought;
- the question of whether or not tolls/charging would

cease when the bridge had been paid for was one for the future as this situation would not apply within the next 30 years;

- officers were working with Warrington Borough Council to assist their understanding of the traffic model and whether any measures would be necessary;
- any impact on the Great Sankey area was expected to be very limited;
- there was an ability to increase tolls over the life of the concession, which was intended to address the impact of inflation; and
- rather than being divisive, the new bridge would ensure ease of travelling within the Borough, particularly in view of the Sustainable Travel Policy that was being developed.

It was confirmed that discussions with consultees such as Warrington Borough Council and Mersey Travel would continue, and objectors would have the opportunity of raising issues again at the Public Inquiry stage.

Reason(s) for Decision

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

Alternative Options Considered and Rejected

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

Implementation Date

The recommended decisions were required to be made as soon as possible in order to enable all relevant applications, orders and other processes relating to the Mersey Gateway project to be conjoined. This required the charging order to be made.

RESOLVED: That

- (1) the content of the report and the annexes to the report be noted and regarded in considering whether to make a road user charging order in respect of the SJB;
- (2) the consultation responses received in relation to tolling and road user charging be considered and

taken account of;

- | | |
|--|----------------------|
| <p>(3) subject to resolution (4) below and such amendments as may be made as a result thereof, that in accordance with sections 168 to 170 of the Transport Act 2000 the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources) (the “Operational Director”), in consultation with the Leader and Chief Executive, be delegated the power to make the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order in the form annexed to the report at Annexe 3;</p> | Operational Director |
| <p>(4) the Operational Director, in consultation with the Leader and Chief Executive, be delegated the power to make amendments to the proposed Road User Charging Scheme and the proposed Road User Charging Order to address matters arising from the report, discussions with objectors and other third parties, including Merseyside Passenger Transport Authority and the Department for Transport prior to making the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order;</p> | Operational Director |
| <p>(5) that when made the A533 (Silver Jubilee Bridge) Road User Charging Scheme Order be submitted to the Secretary of State for confirmation;</p> | |
| <p>(6) the Operational Director, in consultation with the Leader and Chief Executive, be delegated the power to make amendments to the proposed River Mersey (Mersey Gateway Bridge) Order, the subject of an associated application under the Transport and Works Act 1992, to achieve a sufficient degree of uniformity between the proposed Road User Charging Order and that other Order;</p> | Operational Director |
| <p>(7) officers be authorised to take such steps as are necessary or expedient for the discharge of the above matters, including settling, agreeing and approving the terms of necessary documentation; and</p> | |
| <p>(8) it be determined that the proposed discount scheme in respect of SJB and Mersey Gateway should make provision for public transport to be exempt from tolling on SJB and Mersey Gateway.</p> | |

MINUTES ISSUED: 15th September 2008

CALL IN: 22nd September 2008

Any matter decided by the Executive Board may be called in no

later than 22nd September 2008

|

Meeting ended at 1.07 p.m.

This page is intentionally left blank

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 11 September 2008 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), D. Cargill, Gerrard, Harris, McInerney, Polhill, Swain, Wharton and Wright

Apologies for Absence: Councillor Nelson

Absence declared on Council business: None

Officers present: L. Cairns, G. Cook, B. Dodd, D. Johnson, I. Leivesley, G. Meehan, D. Parr, M. Reaney and D. Tregoe

Also in attendance: Councillor Hodgkinson

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE BOARD**

EXB35 MINUTES

The Minutes of the meeting held on 24th July 2008 were taken as read and signed as a correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

EXB36 SUMMARY OF EDUCATIONAL ATTAINMENT 2008

The Board considered a report of the Strategic Director – Children and Young People outlining the 2008 performance data for Foundation Stage Profile and Key Stages 1 to 4. This was an initial report referring to currently available data reporting attainment only, not indicating the effectiveness of service delivery. A more detailed report covering locality, comparator and school interventions would be produced when reliable pupil level data was available.

It was advised that there had been a number of problems with the marking of Key Stage 2 and Key Stage 3 papers. This had led to delays in the release of the results and, at the current stage, data was still incomplete for Key Stage 3 and so could not be reported. However, a detailed data report for Foundation Stage, Key Stage 1, Key Stage 2,

Action

GCSE and A-Level was included in Appendix 1 to the report. The Board noted that there had been tremendous progress again at both Key Stage 2 and GCSE, which were the key results in terms of an indicator of future outcomes for children and young people in Halton.

In receiving the report, the Board noted the following:

- there had been an improvement in relation to Children In Care (CIC) although further work was still required. Results for CIC were also dependent upon the particular cohort as each child had unique circumstances. However, in order to try and address this, a Personal Education Plan was produced for each child;
- it was considered that work carried out in relation to attendance figures had had a direct impact on improvement, and the Pupil Referral Unit (PRU) was very much a part of this;
- results in respect of Key Stage 3 and some for Key Stage 2 were still awaited which could have a further positive impact on the level of attainment;
- a second joint meeting had taken place at Cronton that morning to address the issue of children aged 16 – 19 going outside the Borough for further education. This had been attended by all of Halton's Head Teachers and positive steps had been made.

RESOLVED: That the attainment of children in Halton's schools for the 2007-08 academic year be noted.

EXB37 JOINT AREA REVIEW

The Board considered a report of the Strategic Director – Children and Young People summarising the key findings of the recent Joint Area Review (JAR) in Halton.

Halton's JAR was undertaken against a change of methodology from April 2007. This change had resulted in a "harder test" in which the emphasis was upon vulnerable groups. The result of the investigations in Halton were outlined for the Board's consideration. Overall, it was noted that:

- the combined score of the "core" investigation made Halton the most successful JAR in the North West to date (only Lancashire, Tameside and Blackburn were

- left to report);
- Halton was the only North West authority to secure a score of “outstanding” for safeguarding (one of only six nationally); and
 - Halton’s successful JAR put it in the top 4 nationally.

In addition, a number of key improvements had been highlighted, which could be categorised under the two sections of improvement in outcomes and improvement in processes. These were outlined for the Board’s information. In light of the recommendations for improvement a multi-agency improvement plan had been established and was attached as Appendix 2 to the report.

In presenting the report, the Portfolio Holder thanked all those across the children’s partnership that had contributed to the JAR.

RESOLVED: That

- (1) the report be noted; and
- (2) the improvement plan be endorsed.

ENVIRONMENT, LEISURE AND SPORT PORTFOLIO

EXB38 GOVERNMENT POLICY FOR FREE SWIMMING

The Board considered a report of the Strategic Director – Health and Community regarding the Government’s proposal to offer free swimming to all people over 60 and to all those aged 16 and under at public swimming pools. It was advised that the policy was to promote recreational swimming, address health issues, and meet the Government’s “Olympic” pledge to get more people engaged in sport and recreation. The Government had set a deadline of 15th September 2008 by which time the Council must respond if it wished to participate in the scheme.

The proposals offered financial support from four different pots of money and was available for two years only. Details of this funding was outlined within the report. It was advised that, from the information currently available, it was clear that if councils pursued these schemes and incurred a financial shortfall then it was at the Council’s own risk. However, if the level of grant exceeded the cost of providing the set schemes, the councils would be able to use the money to promote swimming initiatives in the community.

The funding was for 2 years only at the end of which

the Council would be faced with the prospect of either funding the scheme if it was to continue or reverting back to existing charging policies.

RESOLVED: That

- 1) the Council confirms its participation in the proposal to offer free swimming to the over 60's in Halton and the scheme be reviewed in two years time when the funding ceases;
- 2) the Council submits an expression of interest in participating in the scheme to offer free swimming to those aged 16 and under, but that the Council's participation in this scheme be conditional on the terms and financial offer yet to be made by Government; and
- 3) subject to satisfactory grant terms and conditions, the Strategic Director – Health and Community and the Portfolio Holder for Environment, Leisure and Sport be granted delegated authority to determine and submit applications for capital monies as defined in the proposals.

Strategic Director
- Health and
Community

HEALTH AND SOCIAL CARE PORTFOLIO

EXB39 CARERS STRATEGY 2008-09

The Board considered a report of the Strategic Director – Health and Community regarding the review of the current Carers Strategy and the resultant revised Strategy and Action Plan. It was advised that the revised Strategy built upon the aims, objectives and activities outlined in the 2006-2008 Carers Strategy and included an action plan for the continued development of services for carers in Halton over the forthcoming 12 months.

The consultation undertaken was outlined for Members' consideration together with details regarding the format of the Strategy and the areas for proposed actions. It was noted that the main objectives of the Strategy included the need to identify hidden carers, recognise and respond to carers' needs, and improve information and access to support services. The Local Implementation Team (LIT) Carer Sub Groups and the Multi Agency Area Carers' Strategy Group would undertake monitoring of the implementation of the Strategy and associated action plan.

RESOLVED: That the Carers' Strategy 2008/09 be

endorsed.

LEADER'S PORTFOLIO

EXB40 CPA CORPORATE ASSESSMENT REPORT

The Board considered a report of the Chief Executive regarding the Corporate Assessment that had been conducted by the Audit Commission in April 2008. It was noted that this assessment had found that the Council was "performing strongly" and the report summarised key findings and considered the action required to ensure continued improvement.

It was advised that the Corporate Assessment was an in-depth inspection of the Council's services, which had been conducted simultaneously with the Joint Area Review (JAR) of services for Children and Young People. It formed part of the overall Comprehensive Performance Assessment and had a major influence on the annual star rating.

The findings of the report had been published on 22nd July 2008 and it was noted that, overall, the assessment had found that the Council was performing strongly, which was the highest of the four possible scores. Further information in respect of the scores for individual themes was outlined within the report for the Board's consideration. In addition, the Assessment had identified areas for improvement and these were also outlined.

As the Comprehensive Assessment and JAR reports, together with the findings of other inspections, provided a platform for developing improvement priorities for the Council, it was recommended that a single Organisational Development Plan be prepared to address all these issues taking into account existing commitments and future resources. The proposed Plan would be subject to the formal scrutiny processes and be submitted to full Council for approval and adoption.

In presenting the report, the Chief Executive thanked all those who had been involved in the Assessment including Officers, Members and the Council's partners.

RESOLVED: That

- 1) the findings of the Corporate Assessment be welcomed; and
- 2) the Chief Executive prepare an Organisational

Chief Executive

Development Plan to ensure further improvement in Council services.

EXB41 LIVERPOOL CITY REGION GOVERNANCE MODEL AND MULTI-AREA AGREEMENT

The Board considered a report of the Strategic Director – Corporate and Policy advising on the proposed governance arrangements and next steps in the development of the Liverpool City Region Governance Model, and providing an update on the development of a Liverpool City Region Multi Area Agreement (MAA).

It was noted that, following the publication of the Local Government White Paper, Government had commissioned a Sub-National Economic Development and Regeneration Review (SNR) setting out proposals for how existing sub-national structures in England could be improved in order to strengthen economic performance in regions, cities and local areas throughout the country. The SNR stated that there would be certain issues that could best be tackled at a regional, sub-regional and local level.

In regard to sub-regional working, the ensuing SNR consultation document outlined options to establish permanent sub-regional structures through, for example, the introduction of a City Region Cabinet. It also encouraged the adoption of more formal arrangements for collaborative working between neighbouring Local Authorities and partners in the form of Multi Area Agreements (MAAs).

Leaders and Chief Executives of the six Greater Merseyside Authorities had been working together to agree a new governance model for the Liverpool City Region. Further work was also being undertaken to prepare a constitution for the Liverpool City Region which would need to be ratified by each Local Authority. It was proposed that these new governance arrangements would enable Local Authorities in Greater Merseyside to operate together more formally and would enhance the way in which they collaborated with partners both within the Liverpool City Region and how they contributed to the regional agenda.

Leaders in Greater Merseyside were progressing the development of a Liverpool City Region Cabinet, which would comprise the Leaders of the six Local Authorities and the Chairman of The Mersey Partnership as the representative from the Private Sector. It was intended that a series of Strategic Boards would report to the Cabinet. The likely role of the Cabinet was outlined for Members'

consideration. It was envisaged that the Cabinet would operate in shadow form from May 2009 and as a fully incorporated structure by May 2010.

In addition, it was advised that there was a strong interrelationship between the introduction of a City Region Governance Model and the development of the MAA. A significant proportion of the MAA document highlighted current and future governance structures proposing that, through the introduction of effective governance and strong leadership in the Liverpool City Region, this would have a positive impact on the successful operation of an MAA.

The MAA aimed to enhance the contribution of the City Region to meeting regional and national economic growth targets and involved the six Greater Merseyside Authorities coming together on a voluntary basis to agree collective targets and performance indicators.

Overall, the MAA focused on key priorities for the City Region in terms of Economic Development, Employment and Skills and Housing and Transport. A draft document was appended to the report for consideration and a submission to Government was expected in late September/October 2008.

RESOLVED: That

- 1) the proposed governance arrangements and next steps in the development of the Liverpool City Region Governance Model be noted; and
- 2) the update on the development of a Liverpool City Region Multi Area Agreement be noted.

**COMMUNITY PORTFOLIO, AND PLANNING,
TRANSPORTATION, REGENERATION AND RENEWAL
PORTFOLIO**

EXB42 PROCUREMENT SCRUTINY PANEL
RECOMMENDATIONS – THE ROLE OF THE COUNCIL'S
PROCUREMENT POLICY IN DEVELOPING LOCAL
EMPLOYMENT OPPORTUNITIES

The Board considered a report of the Strategic Director – Environment outlining recommendations from a Scrutiny Panel Topic Group report. This report had explored the role of the Council's procurement policy in developing local employment opportunities and had been considered by the Employment Learning and Skills Policy and Performance

Board (PPB) on 23rd June 2008. At that meeting it was requested that a number of recommendations arising from the Scrutiny Panel Topic Group work programme be considered by the Executive Board. These recommendations were outlined in detail within 3.2 of the report. In addition, indicative costs in respect of each recommendation were outlined for Members' consideration.

RESOLVED: That the recommendations of the Procurement Scrutiny Panel Topic Group, listed in paragraph 3.2 of the report, be accepted subject to consideration of the budget implications as part of the 2009/10 budget setting process.

(NB The Chief Executive declared a personal and prejudicial interest in the following item of business due to being a Director of the Widnes Vikings and left the meeting for the duration of consideration of the following items.)

EXB43 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in

view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2 and 3 of Schedule 12A of the Local Government Act 1972.

LEADER'S PORTFOLIO

EXB44 WIDNES VIKINGS

The Board considered a report of the Strategic Director – Corporate and Policy providing an update on the position of Widnes Vikings, outlining support provided by the Council in the past and more recently, and seeking authority to enter into a partnership with Widnes Vikings to secure the long-term future of the Vikings and professional rugby league in Halton.

RESOLVED: That

- 1) the position of Widnes Vikings be noted;
- 2) the Council continue to support the activities of Widnes Vikings; and
- 3) the Strategic Director – Corporate and Policy be authorised to negotiate a package of support with the new “Widnes Vikings” Company as outlined in paragraphs 3.14 and 3.15 of the report.

Strategic Director
- Corporate and
Policy

MINUTES ISSUED: 18th September 2008

CALL IN: 25th September 2008

Any matter decided by the Executive Board may be called in no later than 25th September 2008

Meeting ended at 2.45 p.m.

This page is intentionally left blank

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 25 September 2008 in the Marketing Suite, Municipal Building

Present: Councillors Polhill (Vice-Chair, in the Chair), D. Cargill, Gerrard, Harris, McInerney, Swain, Wharton and Wright

Apologies for Absence: Councillor Nelson

Absence declared on Council business: Councillor McDermott

Officers present: L. Cairns, G. Cook, B. Dodd, D. Johnson, I. Leivesley, G. Meehan, D. Parr, M. Reaney, K. Sparks and D. Tregga

Also in attendance: Councillor Redhead

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE BOARD**

EXB47 CORPORATE SERVICE PPB COMPLIMENTS AND COMPLAINTS REVIEW

Action

The Board considered a report of the Strategic Director – Corporate and Policy detailing the recommendations of the Corporate Services Policy and Performance Board (PPB) for improving how the Council responded to compliments and complaints.

The Corporate Services PPB had undertaken a review of compliments and complaints that had involved customer surveys, interviews and comparison with good practice local authorities. The report outlined the review process and detailed the key findings and reasoning behind the proposed recommendations. The recommendations described how improvements in relation to compliments and complaints intended to be delivered and the report and action plan were attached as appendices to the main report for the Executive Board's consideration.

Members noted that, whilst there was a need for consistency across the Council, there would still be variances due to statutory requirements in some areas such as those relating to health.

In presenting the report, the Portfolio Holder commended this piece of scrutiny work.

RESOLVED: That

- (1) the recommendations of the Corporate Services Policy and Performance Board (PPB) set out in Appendix 1 to the report be noted;
- (2) the recommendations set out in Section 4 of the report, as set out in the Appendix to these Minutes, be approved; and
- (3) the Strategic Director – Corporate and Policy report to the Corporate Services PPB on progress against the Action Plan set out in Appendix 2 to the report.

Strategic Director
- Corporate and
Policy

(NB Councillor Gerrard declared a personal and prejudicial interest in the following item of business due to her husband being Contracts Manager in the Landscape Division, and left the room during its consideration.)

EXB48 IMPROVEMENTS TO BOROUGH'S PARKS AND OPEN SPACES

The Board considered a report of the Strategic Director – Environment seeking endorsement for the continuation of small scale improvements to the Borough's parks, playgrounds and open spaces by using existing funding and funding from external bodies such as WREN; seeking approval for the extension of the current standing list for landscape consultants; providing information about the numerous improvement projects that had been carried out, the improvements in quality and the awards secured since the creation of the Landscape Services Division in 2000; and outlining the strategy with regards to the retention and expansion of Green Flag Awards.

It was noted that, in total, over 180 environmental improvement schemes of various sizes had been carried out. These were outlined in Appendix 1 to the report. Ten Green Flag Awards had resulted from these investments and visitor satisfaction with parks was 94%. Major refurbishment work at Hale Park and Runcorn Town Hall was due to commence in the financial year 2008/09. However, even after the completion of these sites, there would still be a number of key areas of parks and open space that needed to be upgraded.

It was advised that funding had recently been made available for improvements to Runcorn Town Hall Park, and there was ongoing landscape work in connection with Castlefields Regeneration, 3MG and Widnes Waterfront. There were also a number of Section 106 funded schemes which needed completing and a major grant had recently been awarded from Heritage Lottery Fund for improvements to Hale Park. The estimated value of the workload over the next two years was £4m.

Information on how the work was to be managed was outlined for the Board's consideration. In particular, it was noted that officers were recommending that the services of two external consultants, TEP and 2020 Knowsley, be retained for a further three years as outlined within the Business Case attached to the report at Appendix 2.

Members noted the giant strides that had been made in this area and commended all those involved.

RESOLVED: That

- (1) those sites listed below represent the priorities for the next phase of major park refurbishment:-
 - a. Spike Island/St Helens Canal
 - b. Runcorn Town Hall Park
 - c. Runcorn Hill Park
 - d. Crow Wood Park

and existing budgets and monies from external funding bodies (subject to an annual review by this Board and agreement with the Portfolio Holder for Environment, Leisure and Sport) be used to upgrade the above sites to improve the 'liveability' of local areas, contribute to the government's 'Cleaner, Greener' agenda and provide a wide range of facilities for local people and visitors that promote healthy lifestyles and wellbeing;

- (2) other small-scale landscape improvements continue to be undertaken, following discussion with the Portfolio Holder for Environment, Leisure and Sport, through the use of existing revenue and capital funding, through section 106 agreements and through funding from external bodies such as WREN;
- (3) a report be submitted once per year to the Executive Board Sub-Committee showing a list of small-scale improvements for information along with a list of

Strategic Director
- Environment

potential future projects, and demonstrating that monies are still available for continuation and new schemes;

- (4) the Operational Director - Environmental and Regulatory Services be authorised to extend the contracts for Term Landscape Consultancy to The Environment Partnership (TEP) and 2020 Knowsley for a further three years, and that in light of the exceptional circumstances, namely an unforeseen large volume of landscape design and implementation work and in accordance with Procurement SO 1.6, Standing Orders 3.1- 3.7 be waived on this occasion in view of 1.6 (b) 'where compliance with Standing Orders is not practicable for reasons of urgency which could not have reasonably been anticipated' in that a large portfolio of recently confirmed landscape schemes, including the Runcorn Town Hall Park works, need completing in a short space of time to meet funding deadlines and Members' and community expectations;
- (5) the Operational Director - Environmental and Regulatory Services be authorised to recruit a Temporary Assistant Landscape Architect for a two year period, with costs to be covered by the fee elements of the landscape schemes over the next two years;
- (6) it be noted that since the creation of the Landscape Services Division in 2000 there have been 187 separate improvement schemes completed, or currently with contractors on site (See Appendix 1 of the report); quality of management and maintenance has improved to such a degree that the Council now has 10 Green Flag Award Parks; since 2000 the Landscape Services Division also gained Beacon Status in 2002 for 'Improving Urban Green Spaces'; it was twice the winner of APSE Service Team of the Year Award in 2003 and 2004 and it was runner up for this award in 2005; the Division was a runner up for APSE Most Improved Council in 2006 and the winner of this award in 2007; and the Division has also won a Green Apple Award for its work at the Hale Duck Decoy in 2004, Best Environmental Planning Project for Wigg Island in 2004, a Green Heroes Award for working with volunteers in 2007 and a Best Partnership Award for the Phoenix Park Pavilion in 2007; and

- (7) the Board note and approve that Halton Borough Council currently ranks joint 5th (with Tameside MBC) nationally in the number of Green Flag Awards that it holds - as stated in the Environment and Regulatory Services Departments Service Plan the Landscape Services Division will seek to retain all of the present Green Flag Awards and, in addition, further bids for Green Flag Awards will be made over the next four years usually at the rate of one additional bid per year (the aim is to position Halton amongst the top three performing authorities regionally and nationally: additional parks that could be considered for Green Flag Awards include Birchfield Gardens, Crow Wood Park, Hale Park and Widnes and Runcorn Cemeteries).

HEALTH AND SOCIAL CARE PORTFOLIO

EXB49 HEALTH SUMMIT

The Board considered a report of the Strategic Director – Health and Community advising of the background to, and outcome of, the Health Summit held by Halton and St. Helens Primary Care Trust (PCT) on 3rd September 2008.

It was noted that, following the publication of “Ambition for Health”, the PCT had engaged with its partners and the public in prioritising health outcomes to improve the health and wellbeing of the local population. The PCT’s Clinical Executive Committee and Practice Based Consortia had led this process at the Health Summit organised with Halton Borough Council, St. Helens Council, the voluntary sector and a range of other partners on 3rd September 2008. This meeting had also been attended by the Portfolio Holder for Health and Social Care, and the Chair of the Healthy Halton Policy and Performance Board.

The strategic priorities proposed by the PCT were:

- Alcohol;
- Obesity;
- Early Detection: Diabetes, respiratory, heart disease, cancer;
- Early Detection: Depression;
- Prevention: Tobacco Control; and
- Safety, Quality and Efficiency: Planned and Urgent Care.

These priorities had received widespread support at the

Summit.

Appendix 2 to the report contained examples of services within the Authority which undertook work/projects that supported these priorities, and specific details of how the Council could contribute to the health priorities agreed at the Health Summit were also outlined in detail within the report.

A summary of the day's discussions were to be issued by the PCT, which would lead to the development of specific workstreams that would be aligned, for example, to the work of the Health Partnership and Local Area Agreement. In order to ensure that the Council could track progress, meetings had taken place between Health and Community staff and the PCT to develop a shared process of data collection and reporting.

In receiving the report the Board noted the importance of the Council having an input into this process across all directorates. In addition, it was agreed that there was a need for further resource into the area of mental health, including depression. The Board was advised that a meeting had been held the previous week where it had been agreed that the early detection of depression and the early onset of dementia would be developed further.

RESOLVED: That

- (1) the contents of the report be noted and further reports be submitted to the Board when appropriate; and
- (2) the priorities as set out in paragraph 3.2 of the report be endorsed.

Strategic Director
- Health and
Community

LEADER'S PORTFOLIO

EXB50 LIVERPOOL CITY REGION HOUSING STRATEGY ACTION PLAN

The Board considered a report of the Strategic Director – Health and Community seeking endorsement of an Action Plan for delivery of the Liverpool City Region Housing Strategy (LCRHS) and informing the Board of arrangements for implementing the Strategy.

The Strategy, developed by GVA Grimley, had been presented to the Board on 29th March 2007. Since then, it had been subject to a number of refinements following a period of consultation with local authorities, and the final

document had been signed off by the Chief Executives and Leaders Group of the Merseyside Partnership in 2007.

The Board was advised that the Strategy set out the broad framework for housing activity and investment priorities across the sub-region to support the economic growth ambitions of the Liverpool City Region Development Plan. It was informed by a series of strategic “Housing Market Assessments”, one for each functional Housing Market Area (HMA), with Halton included in the Eastern HMA with Warrington and St. Helens but with links to the Northern HMA centred on Liverpool. It set out a series of “strategic enablers” and associated policy recommendations developed to focus policy and investment on delivering sustainable growth, prioritising areas in need of regeneration, creating balanced housing markets and delivering a better choice of affordable housing and better quality neighbourhoods.

Investment decisions in the City Region would be guided by the Strategy, in particular the distribution of resources from the Regional Housing Pot. Indications from the 4NW (formerly North West Regional Assembly) were that, in preparation for the move to a single integrated strategy, the new Regional Housing Strategy would focus on how housing could support and drive economic development in the North West and, in this respect, it would align with the overriding purpose of the LCRHS.

Following development of the Strategy, consultants Arc4 had been commissioned by the Liverpool City Region Housing Strategy Steering Group to develop an Action Plan which built on the Strategy’s recommendations. The Action Plan, attached as Appendix A to the report, had been developed in consultation with local authorities, Registered Social Landlords and other partners and recommended the activities and governance, working and monitoring arrangements necessary to implement the Strategy’s recommendations.

The Board was advised that no spend would take place unless the Executive Board was satisfied that it would add value to the City Region and to Halton. In respect of concerns expressed that Liverpool would attract any resources available, it was noted that Halton had links across the City Region.

RESOLVED: That

- (1) the Action Plan attached as Appendix A to the report

be endorsed subject to the availability of resources as highlighted in 5.3 of the report; and

- (2) the arrangements for ongoing governance and monitoring of the strategy and its Action Plan be noted.

EXB51 LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 - GOVERNANCE ARRANGEMENTS

The Board considered a report of the Strategic Director – Corporate and Policy reviewing the Council's existing governance arrangements (internal and elections) against the background of duties under the Local Government and Public Involvement in Health Act 2007, and setting out an assessment of options and a provisional timetable for change.

It was noted that, on 30th December 2007, Sections 31 to 37 of the Act had come into force. The effect of the new provisions was that the Council may choose to move to whole Council elections, with all 56 Members up for election once every four years. Such a change could only be made after reasonable steps had been taken by the Council to consult such persons as it thought appropriate on the proposed change.

The decision could only be taken within a permitted resolution period (PRP) which, for Halton, was any time up to 31st December 2010 or any period in 2014 or in any fourth year afterwards that started with the day after the Council's Annual Meeting, ending with 31st December. In terms of electoral arrangements, "no change" was legally an option.

Section 64 and Schedule 4 of the Act came into force on the 30th December 2007 inserting new provisions into the Local Government Act 2000. These compelled Councils to adopt one of two new governance models. In Halton's case, this decision must be taken by no later than 31st December 2010. The two new governance models were:-

- New-style Leader and Cabinet Executive; and
- Mayor and Cabinet Executive

and the key features of these new models were outlined for the Board's consideration.

Unlike the electoral arrangements, "no change" was not an option in terms of internal governance. In particular, it was noted that the Council had to take reasonable steps to

consult electors and other interested persons in its area, then draw up proposals including a timetable.

A proposed timetable in respect of both the election options and internal governance were contained within the report for Members' consideration. The Board was advised that no guidance had yet been published by the Secretary of State, which created a risk in terms of embarking on the consultation process in its absence. However, there was no guarantee that any guidance would eventually be issued.

RESOLVED: That

Chief Executive

- (1) the Council embarks on a public consultation process to review its governance arrangements (internal and elections) against the background of the provisions of the Local Government and Public Involvement in Health Act 2007 and the details of the consultation be determined by the Chief Executive in consultation with the Leader with 31st March 2009 being set as the deadline for receipt of representations; and
- (2) the Chief Executive report further at the conclusion of the consultation period.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

EXB52 LOCAL TRANSPORT PLAN INTERIM REVIEW REPORT

The Board considered a report of the Strategic Director – Environment advising on the contents of the Local Transport Plan (LTP2) Interim Review Report and seeking approval to submit the report to Government Office North West (GONW) by the deadline of 30th September 2008.

It was noted that the Local Transport Plan was a statutory document setting out Halton's objectives, strategies and policies for transport. Halton's LTP2 covered the period from 2005/06 to 2010/11 and gave a summary of the initiatives that would be delivered along with projected expenditure, performance indicators and targets.

Under the reporting arrangements agreed for LTP2, the Council had to review progress in 2008 and submit a report to GONW. The indicators and targets reported on in the Interim Review were taken from the original LTP2 produced in 2005, 17 of which were mandatory indicators required by the Department for Transport (DfT) and the rest being local indicators agreed with DfT. Authorities had been

told that the DfT expected authorities to continue to collect and report on these indicators for the remainder of LTP2. However, the DfT had acknowledged that some local authorities may wish to stop or amend the monitoring of certain indicators based on the Best Value Performance Indicators (BVPIs) which were not part of the new National Indicator set, or make amendments to local indicators where circumstances had changed. Any proposed changes must have a clear rationale set out in the Interim Review Report.

Unlike previous LTP reporting, the LTP2 2008 Interim Review Reports would not be formally classified by the DfT and LTP funding would not be allocated on the basis of the report.

The Interim Review Report had been structured around the 4-shared transport priorities agreed between Government and local authorities. Throughout the report, key links between the LTP and the Local Strategic Partnership (LSP) priorities had been identified and highlighted. Analysis of the indicators presented in the Interim Review Report showed that, over the two year period 2006/07 and 2007/08:

- 72% of LTP mandatory indicator targets had been met or were on target to be met; and
- 73% of LTP local indicator targets had been met or were on target to be met.

Further information in relation to spend, key highlights from the LTP period, and proposed changes to indicators were also outlined within the report for Members' consideration.

In producing the final version of the report, consultation had taken place internally with key contacts within the Council and with the Urban Renewal Policy and Performance Board at its meeting on 17th September 2008. Should the report be approved, copies would be distributed internally and sent to all individuals currently on the LTP external mailing list. The final document would also be made available to view/download on the Council website.

Following the submission of the final report and completion of the presentation of Senior Officers to GONW, GONW would make an assessment of the review. It had been indicated that the results of the assessment would be sent to the Authority by the end of December 2008.

RESOLVED: That

- (1) the contents of the LTP2 Interim Review Report be noted; and
- (2) the LTP2 Interim Review Report and its submission to Government Office North West (GONW) be approved subject to any minor amendments being delegated to the Operational Director of Highways, Transportation and Logistics in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal.

Strategic Director
- Environment

EXB53 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - URGENT BUSINESS

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB55 refers) due to the timescales involved. Therefore, pursuant to Section 100 B(4) and 100 E, the Chairman ruled that the item be considered as a matter of urgency.

EXB54 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the

meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

(NB Councillor Redhead remained in the meeting during consideration of the following item of business having demonstrated a "need to know".)

EXB55 ACQUISITION OF BAYER CROPSCIENCE SITE

The Board considered a report of the Strategic Director – Environment seeking authorisation to submit a formal bid for the acquisition of Bayer Cropscience site. It was noted that, as the matter required immediate action, it was excluded from the call-in process.

RESOLVED: That

- (1) the report be noted;
- (2) the Strategic Director – Corporate and Policy be authorised to make a bid to acquire the Bayer Cropscience site at the terms referred to in the report, subject to a satisfactory form of contract and committed funding from the NWDA; and
- (3) the reasons why the acquisition requires immediate action which cannot await the next full Council Meeting be noted.

Strategic Director
- Corporate and
Policy

MINUTES ISSUED: 8TH OCTOBER 2008

CALL-IN: 15TH OCTOBER 2008

**ANY MATTER DECIDED BY THE EXECUTIVE BOARD
MAY BE CALLED IN NO LATER THAN 15TH OCTOBER
2008**

Meeting ended at 3.05 p.m.

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Friday, 25 July 2008 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman) and Harris

Apologies for Absence: Councillor Nelson

Absence declared on Council business: None

Officers present: M. Reaney, H. Coen, J. Downes, C. Halpin, N. MacFarlane, R. Apter and E. Dawson

Also in attendance: None

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

Action

COMMUNITY PORTFOLIO

ES13 INTRODUCTION OF CIVIL FUNERAL CEREMONIES

The Sub Committee received a report of the Strategic Director, Health and Community which sought approval for the Registration Service to introduce civil funeral ceremonies.

The Government White Paper "Civil Registration: Vital Change" set out an agenda for a modern, effective and high quality Registration Service. To underpin this, local authorities were given more responsibility for local service delivery that would meet both national standards and local community needs.

As part of this modernisation agenda, the Registration Service pursued new governance arrangements and the new "Halton Registration Scheme 2007" came into effect on 4 July 2007.

In relation to Civil Funerals, the White Paper reads, "As society changes and develops, there may be other celebratory services that local authorities would wish to provide such as civil funerals." The availability of celebratory services would be included as an element of national standards of service provision. Local authorities would be required to deliver these services locally or direct enquiries to other neighbouring authorities where such services were provided.

Since 2006 the Service had conducted naming ceremonies and ceremonies for the re-affirmation of marriage vows. These had proved to be, and continue to be popular with the residents of Halton. The Service would now like to extend the range of its discretionary services by offering a civil funeral ceremony. There had been a number of enquiries for civil funerals in recent years.

As part of the monitoring procedure for the Registration Service, customers were surveyed on their views on the possibility of offering a non-religious funeral service. Some 70% of those responding either strongly agreed/agreed, 28% had no views, and only 2% strongly disagreed. Surveys on this specific issue were also sent to local ministers and funeral directors. Out of 17 clergy responses, 53% strongly agreed/ agreed and out of three funeral director responses, two strongly agreed/agreed whilst the third contracted a humanist to provide civil funerals and was therefore not interested in a local service provision.

The Safer Halton Policy and Performance Board considered this matter when it met on 17 June 2008 and was supportive of extending discretionary Registration services in this way.

The Council were able to set and levy fees for the ceremonies. Following benchmarking with neighbouring authorities it was suggested that initial fee for a civil funeral on a weekday should be set at £165. A list of prices for funeral services charged by neighbouring authorities and religious ceremonies was circulated to the Committee. It was noted that the proposed fee was lower than that of neighbouring authorities and it was agreed that the fee be set at £180.

RESOLVED: That

- (1) the Registration Service extending its offer of discretionary services to include civil funeral ceremonies, as outlined in this report be approved.
- (2) the fee of £180 for such a ceremony be approved.

ES14 NATIONALITY CHECKING SERVICE

The Sub Committee received a report of the Strategic Director, Health and Community which sought approval for the Registration Service to enter into partnership with the Home Office to offer the Nationality Checking Service (NCS).

The NCS was a checking and advice service that helps those seeking citizenship make a good quality and complete application which the Home Office's Nationality Group would be able to determine more quickly.

A number of Registration Services already offer the NCS and the arrangements had proven to be a success for all concerned, but demand for the service still exceeds supply and the Home Office were keen to recruit more Council partners. The aim was to create a more cohesive service for citizenship ceremony, involving local authorities across the UK and the Nationality Group of the Home Office.

The NCS was introduced due to the large number of flawed applications received by the Home Office, one consequence of which was that the applicant lost the statutory fee for that application. Such fees were presently £655 for a single person, £735 for a couple and £400 for one or more children. From a financial point of view alone the importance to the applicant of ensuring their application was "right first time" via this checking service was clear.

The report outlined the benefits to the community of the Council becoming an NCS partner, the process for becoming an NCS partner and the suggested initial fees which would be charged for the service.

RESOLVED: That

- (1) the Registration Service extend its offer of discretionary services to include the Nationality Checking Service, as outlined in this report; and
- (2) the fees proposed for this service in paragraph 3.8 of this report be approved.

PLANNING, TRANSPORTATION, REGENERATION AND RENEWAL PORTFOLIO

ES15 HALTON VILLAGE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Sub Committee received a report of the Strategic Director, Environment which sought approval for the publication of the Halton Village Conservation Area Appraisal and Management

Plan for public consultation.

Halton Village was designated as a Conservation Area in April 1970. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 placed a duty on local authorities to formulate and publish proposals for designated conservation areas. It was with this statutory duty in mind that the draft Conservation Area Appraisal and Management Plan was produced.

Arising from the discussion the Sub Committee requested that a schedule and timetable for completing the Conservation Area Appraisals and Management Plans for all the conservation areas within the Borough be submitted to the next meeting.

RESOLVED: That an amended report be submitted to the next meeting of the Board including a schedule and timetable, as detailed above, added as an Appendix.

HEALTH AND SOCIAL CARE PORTFOLIO

ES16 REVIEW OF DIRECT PAYMENT HOURLY RATES

The Sub Committee received a report of the Strategic Director, Health and Community which sought approval to the proposed changes to the Direct Payments (DP) Policy and Procedure.

In 2007/8 Halton Borough Council's DP rates were reviewed for new and existing service users and benchmarked against neighbouring Local Authorities.

Options were considered and recommendations proposed to Executive Board Sub Committee on 20th March 2008, to consolidate and simplify the DP rates paid by the Council to an agency or a personal assistant (PA), for new and existing service users. The report outlined the approved rates for 2008/9.

Currently there was no criteria for assessing which level of hourly rate Service Users should be receiving, therefore a review had been carried out and a report produced, which outlined a number of proposed amendments to the DP Policy and Procedure, which included: -

- introducing eligibility criteria to determine the rate at which DPs would be set, based on current good practice, these were outlined in detail within the policy;
- reflecting the changes introduced by the Mental Capacity Act 2005, with additional detail on capacity; and
- reflecting the growth in PA's and, if required, include payroll charges in the set-up costs, and annually

thereafter as a supplement to be paid to the service user if required, when employing a PAs from 1 April 2008.

RESOLVED: That

- (1) the changes detailed above, and as set out in the DP Policy and Procedure be approved for public consultation; and
- (2) the findings of the consultation be incorporated into the report, and submitted to a future meeting of the Sub Committee.

ES17 REVIEW OF TRAVEL POLICY & PROCEDURE RELATING TO SOCIAL CARE SERVICES

The Sub Committee received a report of the Strategic Director, Health and Community which sought approval for the proposed changes to the Travel Policy & Procedure for the Health & Community Directorate.

A review of operational practice in 2007 revealed high usage of sole occupancy contracts. The annual cost of sole occupancy contracts at the time was £76,375 for 19 in-borough and 5 out-of-borough services. As a consequence of these high costs, criteria had been developed (Appendix 1) to ensure that a Panel subjected the costs of sole occupancy transport to approval as part of the care assessment process.

Given increased transport usage per day with day centre modernisation, demonstrable improvements in service quality, previous consultation responses and the need to cover a greater proportion of the service/petrol costs and assumed budgetary savings targets, increases to transport charges were approved by full Council on 5th March 2008 and Executive Board Sub Committee on 20th March 2008. The charge for a single journey increased from 50p to £1.00. Executive Board Sub Committee also approved an amendment to the maximum weekly charge, irrespective of the number of journeys undertaken, as follows, to charge a maximum weekly charge of:-

- £10.00, to those not in receipt of the higher rate mobility component of Disability Living Allowance
- 50% of the higher rate mobility component of Disability Living Allowance (£46.75/week), ie £23.00 per week to those in receipt of it.

On average, 520 service users currently receive transport services from Transport Co-ordination each month. The service continues to change and expand due to the redesign of the provision of day services, which has led to wider dispersal of

daytime activities including gardening, catering, crafts and drama across 14 centres.

A number of changes to the Travel Policy and Procedure had been proposed and covered the following areas, to: -

- promote a range of travel options available to adults over the age of 18 who access social care services:-
 - with an update on the concessionary travel pass which can now be used nationwide,
 - with information on the Blue Badge Scheme,
- introduce a criteria for the single occupancy use of taxis or other LA provided transport,
- place emphasis on reducing air pollution and encourage the use of sustainable resources by promoting the use of public transport,
- include an Eligibility Quick Practice Guide as Appendix 1 to this report, which professionals may detach and take with them on visits.

RESOLVED: That the Board approves the changes above and as outlined in detail in the Policy & Procedure document.

ES18 REVIEW OF VOLUNTEER DRIVER MILEAGE RATES

The Sub Committee received a report of the Strategic Director, Health and Community which set out the current position and the options to amend Volunteer Driver mileage rates.

The Volunteer Driver scheme was a long-running, person-centred service managed by Transport Co-ordination for Adult Social Care and Children's Services. There were 15 volunteer drivers, who drove 177,919 miles in 2007/08. The average number of miles per driver was 11,861.

Following an internal audit of operational practice of the volunteer driver scheme in 2006/7 and to ensure payments were in line with 'Volunteering England's' guidelines for tax-free mileage allowance payments, the mileage rate for all volunteers was reduced from 44.8p to 40p for the first 10,000 miles and 25p per mile thereafter.

In December 2007, the Council's volunteer mileage rate for driving above 10,000 miles was increased from the Inland Revenue approved mileage rate of 25p to 33.5p. The volunteer, if driving above 10,000 miles, should now declare payments made by the Council and their expenses to the Inland Revenue, who would then determine the volunteer's tax liability. Eleven volunteers stopped driving in 2007/08, 6 because of the rising cost of fuel/combined mileage rates and 5 for personal reasons.

Using information from the AA, the present rates of 40p for less than 10,000 miles and 33.5p above 10,000 miles, would allow the driver to recover their costs of motoring for a car costing under £10,000. However, if a volunteer drove a car costing more than £10,000 when new, the costs of motoring would not be recovered.

Any increase above these rates would lead to a "taxable profit" in the Inland Revenue's eyes with tax potentially being paid by the driver or the driver having to confirm their true cost of motoring.

By comparing Halton's rates against neighbouring local authorities responses to an email survey conducted by Transport Co-ordination, this revealed that the proposed option 2, as set out below, would be in line with payment rates of neighbouring and other Local Authorities.

The following options were considered:-

Option 1

Continue paying all volunteers the present mileage rates of 40p up to 10,000 miles and 33.5p above 10,000 miles or revert to the Inland Revenue Mileage approved rate of 25p above 10,000 miles.

This could lead to a loss of volunteers but would reduce costs.

Option 2

Pay volunteers a flat mileage rate of 40p.

Volunteers would be more inclined to drive over 10,000 miles as their costs would be covered, although they would have to submit details of the income and all motoring expenses to the Inland Revenue. Volunteer Drivers would need to be advised of their obligations in respect of a tax with a letter issued, as for the APS service.

The cost would be an additional £5550 if 7 of the existing drivers continued to drive above 10,000 miles.

Option 3

Pay volunteers a rate above 40p per mile or a salary for driving their own car on a casual basis.

If volunteers received payments which attracted income tax, they might need to licence their cars as a private hire vehicle. They

would have to declare all earnings as a self-employed person and could no longer claim that they were “volunteer” drivers.

Option 4

Employ volunteers as casual drivers using HBC fleet vehicles.

It may be necessary to purchase additional vehicles if the current fleet could not meet demand. The volunteer would become an employee of HBC. This would be at a considerable additional cost and, on a value for money basis, more costly than current arrangements.

Of the above, option 2 struck the best balance between appropriate remuneration, retaining volunteers and ease of process. In addition, the volunteer driver mileage rate would be subject to quarterly review, given that the current price of fuel would fluctuate. Benchmark information from the AA or Inland Revenue would be used to set the rate.

RESOLVED: That

- (1) Option 2, mileage rates for volunteer drivers be increased from 33.5p to 40p per mile, when driving in excess of 10,000 miles be approved; and
- (2) the Strategic Director - Health & Community, in consultation with the Portfolio Holder for Health & Social Care, be authorised to review and amend the volunteer driver mileage rate and arrangements having regard to the actual costs of motoring.

CORPORATE SERVICES PORTFOLIO

ES19 TREASURY MANAGEMENT 2008/09 1ST QUARTER: APRIL-JUNE

The Sub Committee received a report of the Operational Director, Financial Services which updated the Sub Committee about the activities undertaken on the money market, as required by the Treasury Management Policy.

The Sub Committee was advised that the base rate fell from 5.25% to 5.00% on 10th April 2008 and that this was the fourth consecutive cut in the base rate. This meant that the Monetary Policy Committee was facing a testing period. With inflation rising and the economy slowing, there was little room to manoeuvre with interest rates.

The Sub Committee was also advised that longer rates firmed

up during the period and were never attractive enough for the authority to consider new borrowing and the PWLB rates were for “lower quota” entitlements.

Furthermore the turnover during period, as shown in the table below:

	No. Of Deals Struck	Turnover £m
Short Term Borrowing	5	10.40
Short Term Investments	42	58.75

It was noted that 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.

The Sub Committee was informed of the position at Month End, as detailed below;

	April £m	May £m	June £m
Short Term Borrowing	1.00	NIL	2.50
Short Term Investments	41.20	48.25	45.20

It was noted that the authority’s cash flow through the period was positive, which was normal for the early part of the financial year as grant and council tax income was received.

The Sub Committee was informed of the forecast income and outturn for the quarter was 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	0	0.00	0.00
Quarter 3	1,331	0	0.00	0.00
Quarter 4	1,700	0	0.00	0.00

It was noted that the target income was exceeded due to the excellent rate of interest currently being earned on investments. By

locking investments in for slightly longer periods last year, the investment rate was secure well into the current year.

It was noted that the authority did not borrow any new long term money. Three longer investment deals (greater than 12 months) had been undertaken during the period all for £2.5m. They were placed at 6.20%, 6.52% and 6.56%.

The Sub Committee was advised of the actions taken in relation to policy guidelines

- Interest Rate Exposure was complied with;
- Approved Counterparty List – following various reports from the credit rating agencies, the authority had been particularly careful in placing money into investments, especially for those deals of longer duration. During the quarter a one year investment was made with Derbyshire Building Society which meant that the limit for funds lent (limit £2.5m actual £5m) for more than three months with that organisation was exceeded for 14 days. It was felt that the Derbyshire was the best counterparty on the day offering the particular rate which was being sought. This decision reflects the difficulty in finding a secure place for money being placed into the market for longer periods. The period of exposure had now lapsed and the current lending to this organisation was back within the set limits;
- Borrowing Instruments was complied with; and
- Prudential Indicators were 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.

RESOLVED: That the report be noted.

MINUTES ISSUED: 1st August 2008

CALL IN: 8th August 2008

Any matter decided by the Executive Board Sub Committee may be called in no later than 8th August 2008.

Meeting ended at 12.00 p.m.

EXECUTIVE BOARD SUB COMMITTEE

*At a meeting of the Executive Board Sub Committee on Thursday, 11 September 2008
in the Marketing Suite, Municipal Building*

Present: Councillors Wharton (Chairman) and Harris

Apologies for Absence: Councillor Nelson

Absence declared on Council business: None

Officers present: M. Reaney, G. Ferguson, R. Apter, A. Cross, B. Dodd,
A. McNamara and J. Potter

Also in attendance: None

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

ES20 MINUTES

The Minutes of the meeting held on 25th June and 25th July 2008 were taken as read and signed as a correct record.

**PLANNING, TRANSPORTATION, REGENERATION AND
RENEWAL PORTFOLIO**

ES21 APPOINTMENT OF GVA GRIMLEY LTD TO PREPARE A
SUPPLEMENTARY PLANNING DOCUMENT FOR
RUNCORN OLD TOWN

The Sub-Committee considered a request to waive Standing Orders to allow the appointment of consultants GVA Grimley Limited to prepare a Supplementary Planning Document (SPD) for Runcorn Old Town. This would take forward the proposals already prepared for the area as part of the Mersey Gateway Regeneration Strategy (prepared by GVA Grimley and approved by the Executive Board on 19th June 2008) into planning policy that could be used as evidence in any public inquiry into the Mersey Gateway Scheme.

It was noted that there was a cost advantage in

Action

appointing GVA Grimley to work up their regeneration strategy proposals for Runcorn Old Town into an SPD as they had already completed all the evidence gathering, public consultation, consideration of alternatives and sustainability appraisal that was necessary for the production of an SPD.

The quote from GVA Grimley for £16,128 dated 23rd May 2008 was considered good value. The cost could be met from the Housing and Planning Delivery grant recently awarded to the Council for help in preparing its local development framework.

RESOLVED: That for the reasons set out in the report, procurement Standing Order 4.1 be waived to allow the appointment of consultants GVA Grimley Limited to prepare a Supplementary Planning Document for Runcorn Old Town, without the need for competitive tender.

ES22 HALTON VILLAGE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Sub-Committee considered a report which sought approval for the publication of the Halton Village Conservation Area Appraisal and Management Plan for public consultation.

Halton Village was designated as a conservation area in April 1970. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 placed a duty on local authorities to formulate and publish proposals for designated conservation areas. It was with this statutory duty in mind that the draft conservation area appraisal and management plan was produced.

At its meeting on 25th July 2008, the Sub-Committee requested that schedule and timetable for completing the Conservation Area appraisals and management plans for all the conservation areas within the Borough be submitted to the next meeting.

A schedule for the future production of conservation area appraisals and management plans, along with explanatory notes was circulated with the report. It was intended that the Halton Village Conservation Area appraisal and management plan would be used as a template for undertaking area appraisals and management plans for other conservation areas in Halton.

Although there was no statutory obligation to engage in public consultation in respect of Conservation Area

appraisals and management plans, it was widely considered to be good practice to involve the community in assessing the value of the Conservation Area. It was therefore proposed that the plan would be circulated for public consultation for a four-week period. Once all the comments had been received and considered, they would be reported back to Executive Board along with the final draft of the conservation area appraisal and management plan for approval.

RESOLVED: That

- (1) the draft Halton Village Conservation Area appraisal and management plan be approved for the purposes of public consultation for a four-week period, subject to the amendments detailed in Appendix A to these minutes;
- (2) any further editorial and technical amendments that do not materially affect the content of the document be agreed by the Operational Director (Environmental and Regulatory Services) in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, as necessary, before the document is published for public consultation;
- (3) the results of the public consultation exercise and consequent recommended modifications to the draft Halton Village Conservation Area appraisal and management plan, be reported back to the Executive Board, for resolution to adopt the document; and
- (4) consideration be given to identifying potential conservation areas within the Borough and a further report be brought to a future meeting of the Sub Committee.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

ES23 THE SETTING UP OF SERVICE LEVEL AGREEMENTS WITH KEY STAGE 4 PUPIL REFERRAL UNIT PROVIDERS KID'S FIRST AND RIVERSIDE COLLEGE

There was a statutory duty on local authorities to provide education for pupils who were permanently excluded from school. This was undertaken in most Councils through the provision of pupil referral units. The key stage 4 pupil referral unit in Halton employed a model of service delivery whereby the provision for pupils was made via external

providers, who were co-ordinated, supported and quality assured by the Council.

At the end of the last academic year, tenders were invited for provision in the following areas:

- support and emotional literacy;
- academic – GCSE

Specifications for these tenders were widely distributed to organisations in the region that provided in these areas and expressions of interest were requested. However, this year only single tenders were received in each of these areas of provision. This reflected the limited number of organisations who were willing and equipped to work with some of the most demanding and challenging young people within the Borough. Both tenders received were from existing providers who were part of the successful OFSTED inspection and who had met the quality assurance processes administered by the Head of Key Stage 4 Pupil Referral Unit.

RESOLVED: That the Strategic Director – Children and Young People be authorised to enter into Service Level Agreements with Key Stage 4 Pupil Referral Unit providers Kid's First and Riverside College.

CORPORATE SERVICES PORTFOLIO

ES24 SPENDING AS AT 30TH JUNE 2008

The Sub-Committee considered a report which summarised the overall revenue and capital spending position as at 30th June 2008.

In overall terms, Revenue Expenditure was below the budget profile. However, the budget profile was only a guide to eventual spending and spending was historically higher in the latter part of the financial year. Therefore, it was important that budget managers continue to closely monitor and control spending to ensure that overall spending remained in line with budget by year-end.

It was noted that income was already below budget profile in a number of areas including: trade and bulky waste collection, planning fees, building control fees, school meals, land search fees, market rents and industrial estate rents.

In addition, it was noted that investment returns were currently better than expected despite the volatility in the

financial market. As a result, investment income was expected to exceed the budget target by year-end.

With regard to Capital Spending, it was reported that spending to the 30th June 2008 totalled £7.3m, which was 87% of the planned spending of a £8.4m at this stage.

However, this only represented 15% of the total capital programme of £49m, although, historically capital expenditure was significantly higher in the last part of the financial year, it was important that Project Managers maintained pressure to keep projects and spending on schedule and in particular to ensure all external funding was maximised.

RESOLVED: That the report be noted.

ES25 TREASURY MANAGEMENT 2007/08

The Sub-Committee considered a report which reviewed activities on Treasury Management for the year 2007/08.

The Annual Report covered:

- the Council's current treasury position;
- performance management;
- the borrowing strategy for 2007/08;
- the borrowing outturn for 2007/08;
- compliance with treasury limits;
- investments strategy for 2007/08;
- investments outturn for 2007/08;
- debt re-scheduling; and
- other issues.

It was noted that during the year the Council had complied with the Treasury limits set out in the Council's Treasury Policy Statement and Treasury Strategy Statement.

RESOLVED: That the report be noted.

COMMUNITY PORTFOLIO

ES26 RETROSPECTIVE APPROVAL FOR THE AWARD OF CONTRACT FOR THE PROVISION OF SERVICES AT GRANGEWAY COURT

The Sub-Committee was advised that from 1st October 2008, Halton Housing Trust (HHT) would no longer

deliver homeless services in Halton, this included the provision of services at Grangeway Court Hostel for homeless families. As the Council had a statutory duty under the Housing Act 1996 Part VII (as amended by the Homelessness Act 2002) to provide temporary accommodation to homeless families, Executive Board gave approval in April 2008, to obtain a new service provider through an open tender process by September 2008.

Expressions of interest were invited through adverts and 6 tenders were submitted, out of which 1 was eliminated at Stage 2. Tenders were evaluated on price and quality and the outcome of the evaluation was outlined in the report.

The evaluation showed that whilst Arena Options Limited did not submit the lowest tender, the hourly rate for support to clients was lower than that submitted by the lowest tenderer. As the evaluation of cost was based on the tender price and the hourly rate, two organisations were scored equally on cost. However, 60% of the evaluation was based on quality and Arena Options Limited scored higher on quality and therefore represented the most economically advantageous tender.

The Sub-Committee considered a request for retrospective approval for the waiver of Standing Order 1.6, Procurement Orders 3.1 – 3.7 and 3.10, as compliance with Standing Orders was not practicable for reasons of urgency in that delaying award of the contract would not leave sufficient time for the new provider to be operational before the existing provider ends the service on 1st October 2008. Homeless families placed at Grangeway Court were amongst the most vulnerable members of our community and failure to act in a timely manner would increase the risk of a temporary loss of service to this vulnerable group.

In this event, as the Council has a duty to accommodate, the Council would be liable for increased costs to secure alternative bed and breakfast accommodation.

The report also sought retrospective approval for the Operational Director – Health and Partnerships in conjunction with the Portfolio Holder, Community to award the contract to Arena Options Limited.

RESOLVED: that

(1) subsequent to consultation, retrospective approval be given for the award of the contract for the provision of

services for homeless families at Grangeway Court to the contractor – Arena Options Limited, in the sum of £1,061,559 for a five-year contract, and that in light of the exceptional circumstances detailed, for the purpose of Standing Order 1.6, Procurement Orders 3.1 – 3.7 and 3.10 be waived on this occasion, as compliance with the tendering requirements of Standing Orders is not practicable for reasons of urgency, in that delaying the award of contract would not leave sufficient time for the new provider to be operational before the existing provider ends the service on 1st October 2008 and the potential closure of this service will place vulnerable homeless families at risk of loss of service and would result in the Council having to forego a clear financial benefit and bearing in mind that if Grangeway Court closed, the Council, in order to fulfil its statutory duty, would have to place families in more costly bed and breakfast accommodation; and

(2) in conjunction with Portfolio Holder – Community the Operational Director Health & Partnerships be authorised to take such retrospective and future action as is necessary to implement recommendation set out above.

MINUTES ISSUED: 22nd September 2008

CALL IN: 29th September 2008

Any matter decided by the Executive Board Sub Committee may be called in no later than 29th September 2008

Meeting ended at 10.50 a.m.

This page is intentionally left blank

EXECUTIVE BOARD SUB COMMITTEE

At a meeting of the Executive Board Sub Committee on Thursday, 25 September 2008 in the Marketing Suite, Municipal Building

Present: Councillors Wharton (Chairman) and Harris

Apologies for Absence: Councillor Nelson

Absence declared on Council business: None

Officers present: J. Downes, P. Esseen, I. Leivesley, A. McNamara, P. Oldfield, P. Searing, S. Williams and L. Derbyshire

**ITEMS DEALT WITH
UNDER POWERS AND DUTIES
EXERCISABLE BY THE SUB-COMMITTEE**

	<i>Action</i>
<p>ES27 MINUTES</p> <p>The Minutes of the meeting held on 11th September 2008 were taken as read and signed as a correct record.</p> <p>CORPORATE PORTFOLIO</p> <p>ES28 ACCEPTANCE OF TENDER CAVENDISH SCHOOL RUNCORN</p> <p>The Board considered a report which informed Members that the Strategic Director, Corporate and Policy had accepted a tender relating to the extension and remodelling of Cavendish School, Runcorn and a contract had been entered into with the successful contractor.</p> <p>It was noted that Tenders had been invited from six contractors in a two stage tendering process, designed to ensure that the contractor offering 'best value' was appointed to carry out the project. The first stage entailed the contractors tendering their percentage additions for preliminaries, overheads and profit only against a notionally priced document already prepared for them to make a comparison assessment.</p> <p>The Board was advised that from analysis of the stage one bids which were assessed on both price and quality,</p>	

three contractors were chosen to progress to stage two. A detailed presentation and rigorous interview of each of these contractors was undertaken by an appointed panel to further establish quality levels as part of the overall review. The aggregate of both price and quality from this two-stage process resulted in a preferred contractor, John Turner Construction Ltd, being chosen for the project.

RESOLVED: That the Strategic Director, Corporate and Policy accepted the tender submitted by John Turner Construction Ltd, and a contract has been entered into, with a contract sum of £1,239,218.00 be noted.

PLANNING, TRANSPORTATION, REGENERATION & RENEWAL PORTFOLIO

ES29 AWARD OF CONTRACT FOR SILVER JUBILEE BRIDGE, CABLE WRAPPING EAST ELEVATION

The Board considered a report of the Strategic Director, Environment which outlined that Procurement Standing Order 3.2 for Contracts between £100,000 and £1,000,000 required that when accepting a tender where fewer than three tenders had been received, the circumstances to be reported to the Executive Board Sub-Committee for information.

The purpose of the report was to advise Members in respect of the contract to install protective measures to the hanger cables on the east elevation of the Silver Jubilee Bridge to Clan Contracting Ltd who returned the only valid tender for the works.

RESOLVED: That the report be noted.

ES30 REPORT OF URGENT BUSINESS UPTON ROCKS DISTRIBUTOR ROAD ACCEPTANCE OF TENDER

The Board considered a report of the Strategic Director, Environment which informed Members of the urgent action taken by the Chief Executive in respect of the acceptance of a revised tender price for the Upton Rocks distributor road.

The Board was advised that a tender for the construction of the Upton Rocks Distributor road was accepted by the Operational Director, Highways & Transportation on 2nd March 2007. However, the award of

the contract was delayed due to a number of factors and it was not possible to proceed with the completion of the Contract formalities until early August, when all outstanding matters had been received.

The Board was further advised that seventeen months had elapsed since the original offer had been made by the successful tenderer, NMS Civil Engineering, and construction costs had risen during the intervening period due to inflation. Regular contact had been maintained with the contractor. Throughout the period NMS had been asked to provide a revised tender sum to take account of inflation since the acceptance of their original tender. The revised tender sum offered was £1,058,882.35, which represented a 9% increase over the original sum. The contractor also confirmed that they would be able to mobilise and commence construction in September.

Due to the committee summer recess, and to ensure that there was no further delay in progressing construction of the new road, the Chief Executive approved the acceptance of the revised tender sum on 7th August 2008 in accordance with Standing Orders – Procurement 1.7. This had enabled the contract completion formalities to proceed and pre-contract matters in relation to health and safety, programming & mobilisation and the date for commencement of works on site to be discussed and agreed with the contractor.

RESOLVED: That the urgent action taken by the Chief Executive in accordance with Standing Orders relating to Procurement 1.7, to accept the revised tender from MNS Civil Engineering Ltd in the sum of £1,058,882.35 for the Upton Rocks distributor road, be noted.

COMMUNITY PORTFOLIO

ES31 AMENDMENTS TO STANDING ORDERS RELATING TO DUTIES OF PROPER OFFICERS AND DELEGATION TO OFFICERS

The Board considered a report of the Strategic Director, Health and Community which requested that amendments be made to standing orders relating to duties of proper officers and delegation to officers, in light of changes to the system of home office style cautions (used by a number of the Council's officers as an enforcement tool) and to add Acts of Parliament to / delete Acts of Parliament from the list of Acts enforced by officers of the Consumer Protection Service.

The Board was advised that for some years the criminal justice system provided for a system of Home Office style 'formal cautions', which were available for use by enforcers as an alternative to instituting criminal Court proceedings, under particular circumstances. Earlier in the year this system of cautioning changed and 'formal cautions' were replaced with 'simple cautions' and 'conditional cautions'. Presently, only the Police may issue the latter. It was therefore necessary to replace any references to 'formal cautions' in the Council's Constitution, with the new reference of 'simple caution'.

RESOLVED: That the Council be recommended to amend Standing Orders relating to duties of proper officers and delegation to officers as follows:-

- (1) references to 'formal cautions' in paragraphs 152 and 172 of these Standing Orders be replaced with references to 'simple cautions'; and
- (2) the list of Acts included as Appendix B to these Standing Orders be amended by the addition of the Fraud Act 2006, the Licensing Act 2003 and the Protection of Children (Tobacco) Act 1986, and by the deletion of the Mock Auctions Act 1961 and the Trading Representations (Disabled Persons) Act 1958.

ES32 HALTON HOUSING TRUST GROUNDS MAINTENANCE CONTRACT FROM APRIL 09

The Board considered a report of the Strategic Director, Environment which sought retrospective approval to submit a Pre Qualification Questionnaire (PQQ) to Halton Housing Trust (HHT) for its advertised Grounds Maintenance Contract that will start on 1st April 2009. The report also sought approval to enter into the 'Competitive Dialogue' process and submit a Tender to HHT to deliver its Grounds Maintenance Contract from April 2009 for a three year period.

RESOLVED: That the Strategic Director, Environment;

- (1) in consultation with the Portfolio Holder, be granted, retrospective delegated authority to complete and submit a PQQ for the advertised HHT Grounds Maintenance Contract;

- (2) in consultation with the Portfolio Holder, be granted, delegated authority to prepare and enter into the 'Competitive Dialogue' process and bid for the advertised The Halton Trust, Grounds Maintenance Contract; and
- (3) in consultation with the Portfolio Holder, be granted delegated authority to bid for any further landscape maintenance contracts that are advertised by Registered Social Landlord's, Colleges, Landowning Trusts or other Public Bodies.

ENVIRONMENT, LEISURE & SPORT PORTFOLIO

ES33 THE APPLICATION OF THE BRAMM (BRITISH REGISTER OF ACCREDITED MEMORIAL MASONS) SCHEME IN HALTON'S CEMETERIES

The Board considered a report of the Strategic Director, Health and Community which advised Members of the issues that had arisen during the first twelve months of the operation of the British Register of Accredited Memorial Masons (BRAMMS) scheme in Halton's cemeteries. The report also sought support for the amendment of the Council's cemetery rules to clarify certain matters, including anomalies that had arisen to date.

RESOLVED: That

- (1) the report and comments made be noted;
- (2) the adoption of a local Memorial Mason Registration Scheme, from 1st January 2009, as set out in the draft attached to the report at Appendix 1 be approved;
- (3) the Operational Director, Health and Partnerships, in consultation with the Executive Board Member, Environment be delegated to finalise the document and any future amendments;
- (4) the amendment of the Cemetery Rules as outlined in Appendix 2 of the report, to take effect on 1st October 2008 be agreed; and
- (5) a new fee for the right to place on a grave a vase / book / tablet exceeding 18 inches width x 12 inches x 12 inches but not exceeding the

width of the grave or 30 inches (whichever is the least) x 12 inches x 12 inches, of £65 be agreed.

ES34 WILD ABOUT HALTON AND THE ARTERY OF LIFE

The Board considered a report of the Strategic Director, Environment which sought approval to make an application for future funding to build on the successes of the Wild About Halton project whose current funding comes to an end in March 2009. A new grant scheme from natural England called 'Access to Nature' appears to present an ideal opportunity that would allow the Landscape Services Division to continue with the most successful elements of 'Wild About Halton' but as a new project called the Artery of Life.

RESOLVD: That

- (1) the Artery of Life Project is progressed to a detailed application stage, which would be submitted to the Natural England 'Access to Nature' grant scheme so that the most successful elements of Wild About Halton can be continued; and
- (2) the application is made as a joint bid with Warrington Borough Council, subject to the additional revenue funding referred to in paragraph 3.5 in the report be subject to the Council's budgetary process.

ES35 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Committee during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

ES36 TRAVELLER TRANSIT SITE

The Board considered a report of the Strategic Director, Health and Community which sought approval for the award of a contract for the management of the new Traveller transit site, and to set the pitch change.

RESOLVED: That

- (1) the Operational Director, Health and Partnerships be authorised to award the contract for site warden services at the Warrington Road Transit Site to Mr M Murphy in the sum of £13,000.00 plus three fee paying pitches for occupation by his extended family, and in accordance with Procurement Standing Order 1.6 Standing Orders 3.1 to 3.7 and 3.10 be waived on this occasion in view of the circumstances outline in the report;
- (2) the contract be awarded for an initial one year term;
- (3) the Strategic Director, Health and Community be authorised to renew or terminate or otherwise adjust the contract annually , subject to satisfactory performance;
- (4) the contract sum be adjusted annually in line with the Consumer price Index (CPI);

- (5) the pitch charge be subject to a further report at the next meeting;
- (6) the Strategic Director, Health and Community be authorised to approve and subsequently modify detailed site licence conditions, including permitted length of stay, as there will be insufficient time to present proposals to the Board before the site becomes operational; and
- (7) the Committee noted that the award of the contract would result in reduced costs to the Council and represented good value for money.

ES37 DISPOSAL OF FORMER KINGSWAY MEDICAL CENTRE, KINGSWAY, WIDNES

The Board considered a report of the Strategic Director, Corporate and Policy which set out various proposals for the former Kingsway Health Centre.

Members of the Committed noted that an opportunity had been presented to the Council to bid for resources through the Youth Capital Plus Project.

RESOLVED: That

- (1) Given the opportunity provided by the Youth Capital Plus Fund, approval be granted for a submission of a bid for the My Place Project, in order to meet the deadline of 30th September 2008;
- (2) Assuming the bid was successful, the former Health Centre building be utilised for the My Place Project;
- (3) Any additional revenue funding required for the project be subject to the Council's normal budgetary process; and
- (4) The appropriate directorates work with the other two projects to establish if their needs can be met in other ways.

MINUTES ISSUED: 26th September 2008

CALL IN: 3rd October 2008

Any matter decided by the Executive Board Sub Committee may

be called in no later than 3rd October 2008

|

Meeting ended at 11.26 a.m.

This page is intentionally left blank

MERSEY GATEWAY EXECUTIVE BOARD

*At a meeting of the Mersey Gateway Executive Board on Thursday, 25 September 2008
in the Marketing Suite, Municipal Building*

Present: Councillors Polhill and Wharton

Apologies for Absence: Councillor McDermott

Absence declared on Council business: None

Officers present: B. Dodd, D. Parr, D. Tregaea, S. Nicholson, M. Noone and
L. Derbyshire

Also Present: Councillors Findon and Redhead

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

Action

MGEB7 MINUTES

The Minutes of the meeting held on 21st July 2008, having been printed and circulated, were taken as read and signed as a correct record.

MGEB8 BUDGET

The Board considered a report of the Strategic Director, Environment which dealt with the revised development cost budget forecast for delivering Mersey Gateway up to the construction phase when a contract would be in place with the private sector (the Concessionaire) to design, build, finance and operate the project. The information updated the forecasts made in the development budget approved by the Executive Board on 20th April 2006 and the information on budget monitoring report to the Mersey Gateway Board since then.

The Board was advised that the revised outturn forecast of £21.6m would require the Council to meet £11.7m (excluding pre Programme Entry cost of £2,1m) in total assuming that the DfT agreed to contribute the £6.4m and taking into account the £3.5m already secured from the Development Agency. It was assumed that it is appropriate to capitalise development costs allowing the Council to fund its contribution by prudential borrowing. Under the

constitution the revised budget would need to be approved by Council. A proportion of the strategic priorities fund had already been set aside to secure borrowing up to £8m and the Capital Programme was based on the current approved development cost budget (314m).

The Board was further advised that Table five in the report indicated the funding and financing required to support the estimated development costs assuming that the Council continued to use prudential borrowing and that the Authority received the full grant from DfT as requested.

Members noted the reasons for the increase in expenditure costs and the importance of delivering the project.

RESOLVED: That

- (1) the revised budget for Development Costs up to Final Funding Approval be approved;
- (2) the Council be recommended to amend the Capital Programme accordingly; and
- (3) the potential call on the Council Priorities Fund be noted.

MGEB9 MERSEY GATEWAY: APPOINTING COUNSEL FOR THE PUBLIC ENQUIRY

The Board considered a report of the Strategic Director, Environment which dealt with the appointment of legal Counsel to act as advocate for the Council in the expected Public Inquiry.

The Board was advised that the preparation of the Mersey Gateway had reached a stage where the project team required a routine access to legal Counsel so that they could deal effectively with objections and representations to the proposals and to prepare a robust presentation of the Council case at Public Inquiry.

The Board was further advised that alternative Barristers and Junior Barristers have been proposed by the legal advisers DLA Piper and their assessment was reported to the Mersey Gateway Project Board by the Project Director in April 2008. The office Project Board noted that the appointment of Counsel was now an urgent requirement to support the project delivery timetable.

Three candidates were assessed on the grounds of cost and their experience in dealing with complex infrastructure projects at inquiries. Previous experience with the Transport and Works Act was a particularly important requirement.

Although there was some difference in fees the assessment was focussed on selecting Counsel on quality grounds. The officer Project Board noted the critical influence that the barrister team would have on the outcome of the statutory process. The assessment had revealed doubts about cheaper options and this was not an area where the project should invite additional delivery risks.

The officer Project Board instructed the Mersey Gateway Project Director to appoint Timothy Straker QC and Christopher Boyle (Junior Barrister) to represent the Council at the forthcoming public inquiry. The appointment would be made at the earliest opportunity in order to enable engagement to take place on the preparations for the Public Inquiry.

RESOLVED: That the decision of the officer Mersey Gateway Project Board to appoint Timothy Straker QC and Christopher Boyle (Junior Barrister) to represent the Council at the forthcoming public inquiry be noted.

MINUTES ISSUED: 26th September 2008

CALL IN: 3rd October 2008

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 3rd October 2008

Meeting ended at 3.30 p.m.

This page is intentionally left blank

CHILDREN AND YOUNG PEOPLE POLICY AND PERFORMANCE BOARD

At a meeting of the Children and Young People Policy and Performance Board on Monday, 8 September 2008 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Dennett (Chairman), Horabin (Vice-Chairman), Browne, Drakeley, Gilligan, J. Lowe, Parker, M. Ratcliffe, Stockton and Mr. C. Chorley

Apologies for Absence: Councillors Fraser and Higginson

Absence declared on Council business: None

Officers present: P. Boyce, L. Butcher, J. Kirk, A. McIntyre, G. Meehan, M. Simpson and A. Villiers

Also in attendance: Councillor McInerney

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

CYP11 MINUTES

The Minutes of the meeting held on 2nd June 2008 were taken as read and signed as a correct record.

CYP12 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

CYP13 EXECUTIVE BOARD MINUTES

The Minutes of the Executive Board and the Executive Board Sub-Committee relating to the work of the Children and Young People Policy and Performance Board were submitted for information.

The Board discussed Minute number EXB28 Sustainable School Travel Policy. Members required clarification with regards to what distance and what assistance was given to children from defined low income families.

Action

In response it was noted that assistance with travel was provided for primary children, if the school is situated more than a distance of two miles, and for secondary children if more than a distance of three miles.

RESOLVED: That the Minutes be noted.

NB: COLIN CHORLEY DECLARED A PERSONAL INTEREST IN THE FOLLOWING ITEM IN RELATION TO DISCUSSIONS CONCERNING CONNEXIONS.

CYP14 QUESTION AND ANSWER SESSION - GERALD MEEHAN

Mr Gerald Meehan, Strategic Director Children and Young People, updated the Board on the following:-

Strategic Director-
Children & Young
People

- Inspectors from OFSTED had rated the Council's services for Safeguarding Children as outstanding. Halton was the only authority in the North West to receive this rate;
- Services for looked after children were rated as good;
- The outcome for young people with learning disabilities and / or disabilities was good;
- In relation to infant mortality, low levels of breastfeeding and obesity it was reported that services in this area were adequate therefore an effective strategic action plan and proposals were being developed;
- In the past the Youth Service had appeared poor whereas now arrangements for the delivery of integrated youth support was rated as good; and
- The service management and leadership within Children's services was rated good and the capacity to improve was outstanding;

Members raised the following issues:

- How would the authority achieve NEET (Not in Education or Employment) services once the new government regulations - for young people to remain in education and training until 18 - where in place?
- Did the Council have any powers available to it, to prevent fast food outlets opening near schools in order to lower figures of child obesity;
- Higher than average infant mortality issues;
- The Council not being informed of looked after children entering the borough from other authorities and the knock on effect this could

cause;

- Possibility of rolling dentists and nurses visiting schools; and
- The need to promote breastfeeding;

In response the following was noted

- Integrated youth support arrangements would be implemented and the government had not yet determined what the statutory role would be should the older age group not attend any education or training;
- Children were being educated about healthy eating in all schools and there was a need to educate parents also. Issues around providing licences to fast food outlets would be investigated;
- Halton had been in discussion with the Primary Care Trust regarding child obesity and had received useful support and guidance;
- A child death overview panel had been set up to discover and explore reasons for the high child mortality rate;
- Host authorities were legally bound to notify Halton of any looked after children entering the borough, however this did not seem to be the case, therefore, a team was currently obtaining a list detailing all the looked after children from other authorities;

RESOLVED: That

1. the information and comments made be noted; and
2. notes of results of dialogues with Halton and St Helens Primary Care Trust be forwarded to Members of this Board.

CYP15 SUMMARY OF EDUCATIONAL ATTAINMENT 2008

The Board considered a report of the Strategic Director, Children and Young People which informed Members of the 2008 performance data for Foundation Stage Profile and Key Stages 1 to 4. The report outlined attainment only and did not indicate the effectiveness of service delivery. A more detailed report was tabled at the meeting. (Copy available on line)

Strategic Director-
Children & Young
People

In this respect, the Board was advised of performance results and percentage increases for Foundation Stage Profile (FSP), Key Stage 1, Key Stage 2, Key Stage 4 and Key Stage 5. It was reported that performance could not be reported for Key Stage 3 due to the high number of missing results at some schools. The main headlines for Halton were detailed within the tabled report.

Arising from the discussion, the Board noted that, overall, the results achieved for Halton proved that it had been a very successful year and this was due to a culmination of factors, including work within schools and families that supported the schools.

The Board also discussed the issue of low results from one secondary school, the improvement panel and intervention strategies which would be put in place.

Members discussed the Foundation Stage Profile results and what was expected from a child in relation to their parents understanding the whole process better. Narrowing the gap with reference to attainment and achievement of pupils, was also noted and the Board requested that reports on both these subjects be brought to a future Policy and Performance Board meeting.

RESOLVED: That

1. the attainment of children in Halton schools for the 2007-08 academic year be noted;
2. a report on the current analysis of narrowing the gap with reference to attainment and achievement of pupils, be brought to a future meeting; and
3. a report on the foundation stage profile results be brought to a future meeting.

CYP16 QUARTERLY MONITORING REPORTS

The Board considered a report of the Chief Executive on progress against service plan objectives and performance targets, performance trends / comparisons and factors affecting the services for:

- Specialist Services;
- Universal and Learning Services;
- Preventative Services; and
- Business Planning and Resources.

Arising from the discussion the Board considered the following:

- support mechanisms and care and learn packages in relation to the high teenage pregnancy termination rates;
- working with care leavers to discover what they require when starting a career, and a presentation be brought back to a future meeting; and
- the need to investigate how to provide more of an opportunity for care leavers to work for Halton Borough council.

RESOLVED: That the quarterly performance management reports be received.

CYP17 SPECIAL MEETING

The Chairman reported that a Special Meeting of the Board had been arranged on 9th October 2008, at 6.30 pm in the Civic Suite, Runcorn Town Hall to consider how Members could become involved in the Service Planning process and monitor high level outcomes within Children and Young People's services. The Chairman also reported that the theme for the Board this municipal year would be health.

RESOLVED: That the date of the special meeting be noted.

Meeting ended at 8.50 p.m.

This page is intentionally left blank

EMPLOYMENT, LEARNING AND SKILLS POLICY AND PERFORMANCE BOARD

At a meeting of the Employment, Learning and Skills Policy and Performance Board on Monday, 29 September 2008 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Jones (Chairman), Fraser (Vice-Chairman), Austin, M. Bradshaw, Edge, Findon, Howard, Parker, Rowe, Stockton and Worrall

Absence declared on Council business: None

Officers present: H. Cockcroft, G. Collins, L. Derbyshire and A. Villiers

Also in attendance: Mr J Leake and Mr H Gun-why

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

	<i>Action</i>
<p>ELS10 MINUTES</p> <p>The Minutes from the meeting held on 23rd June 2008, were taken as read and signed as a correct record.</p>	
<p>ELS11 PUBLIC QUESTION TIME</p> <p>It was reported that no public questions had been received.</p>	
<p>ELS12 EXECUTIVE BOARD MINUTES</p> <p>The minutes of the Executive Board relating to the work of the Employment, Learning and Skills Policy Performance Board were submitted for information.</p> <p>RESOLVED: That the report be noted.</p>	
<p>ELS13 DARESBURY SCIENCE AND INNOVATION CAMPUS</p> <p>The Board received two presentations from Mr Henry Gun-why (STFC Daresbury Laboratory) and Mr John Leak (Daresbury Innovation Centre).</p> <p>The first presentation by Mr Gun-why gave the Board an update on STFC progress and future vision for Daresbury Science and Innovation Centre which:-</p>	

- Outlined the Council's science and technology facilities;
- Set out the STFC mission summary;
- Set out and explained the issues and challenges in respect of the merger;
- Gave a history of the Daresbury Laboratory and the open days and celebrations that had taken place;
- Showed photographs of the Laboratory in 1960 – 1970's and aerial views of 2002 and 2007;
- Detailed the impact of the SRS closure;
- Outlined the current research facilities;
- Showed photographs of the proposed detector Technology Centre, Technology Gateway Centres, the proposed Hartree Centre and the New Daresbury Reception Building – October 2004; and
- Outlined the science and innovation campus model.

The second presentation by Mr Leake gave the Board an update on progress and the future vision for Daresbury SIC which:-

- Gave an update on the companies within the Daresbury Innovation Centre in respect of the planned closure of the Synchrotron, the formation of the new body STFC, the development of the campus model and the ambitious vision for the future;
- Gave an introduction and overview of the campus;
- Outlined that the centre had opened in April 2005 and comprised of 77 high tech companies and focussed on healthcare, digital/ICT, instrumentation/electronics and energy and environmental technologies; and
- Explained what campus companies looked like and the vision for the future which included developing a major international 'Technology Village' which would be delivered through JV and Strategic Partnership and would engage with all stakeholders especially Halton Borough Council; and

- Set out the next stage of the development in respect of private investment of £25m from St Modwen Properties and the establishment of Vanguard House by 2009.

Arising from the discussion, reference was made to a number of issues including:-

- It was noted that the proposals could create significant job opportunities in the Borough, provide an opportunity to develop the East Runcorn area and infrastructure used by local people and public transport facilities;
- The percentages in respect of private and central funding to the Centre was noted;
- The importance of all stakeholders having the same aims and objectives in respect of the development of the centre was noted;
- The issues in respect of Rutherford and Daresbury competing for investment was noted;
- It was noted that the redundancies, although regretful, had been handled sensitively and in a civilised manner;
- In respect of the Student Mentoring Programme launch with local A Level students from local colleges, it was agreed that it would be beneficial to involve young people at primary school age in the science programme instead of at the A Level stage. It was suggested that a meeting could be arranged with relevant parties to look at ways of extending the programme to children of primary school age. It was also agreed that it would be beneficial for the Operational Director, to look at incorporating this within the Topic Group;
- It was noted that the Council would be monitoring the development of the STFC to ensure a consistent focus on Daresbury and provide a legacy that the Borough could be proud of;
- In respect of addressing the skill gap in the Borough to enable to get people into jobs it was noted that it was important to raise standards and awareness in the Borough. It was suggested that this could be

addressed by the schools holding a science competition in which they could use the laboratory and mentoring programme and which would result in a link with the companies. This would help to demonstrate to young people the potential opportunities that were available in the Borough. It was also suggested that Halton Schools be aligned to Higher Education Institutes in order to heighten awareness;

- The situation in respect of Jodrell Bank was noted;
- It was noted that it was vital that the site had a good public transport infrastructure to enable young people access to the potential job opportunities. Public transport to the site would need to be quick and efficient;
- It was noted that the majority of people currently working on the site did not live in Halton;
- It was agreed that Members of the Board visit the site in the future;
- Concern was raised that the Daresbury site had a Cheshire postcode and telephone number which resulted in the perception that it was not part of Halton. It was agreed that the Operational Director look into this matter to ascertain what could be done to address this issue; and
- It was suggested that the history of Mr Charles Barkla, from Halton, who received a nobel prize in physics could be used in a marketing campaign to raise awareness of opportunities and achievements.

RESOLVED: That

- (1) the presentation be noted;
- (2) Mr Gun-why and Mr Leake be thanked for their informative presentations;
- (3) the progress on the development of the STFC be monitored by the Board;
- (4) the Operational Director, Economic Regeneration, look into the possibility of the postcode and telephone number of the Daresbury site being changed to indicate it was part of Halton;

Strategic Director
- Environment

- (5) a site visit be arranged for Members of the Board at a future date;
- (6) the Operational Director, Economic Regeneration, look at how the topic group could support the involvement of young people of primary school age into the Mentoring Programme; and
- (7) the possibility of using the history of Mr Charles Barkla for future marketing events be considered.

ELS14 QUARTERLY MONITORING REPORTS

The Board considered a report of the Chief Executive on progress against service plan objectives and performance targets, performance trends/comparisons and factors affecting the services for Economic Regeneration, and Culture and Leisure for the first quarter.

Arising from the discussion, reference was made to a number of issues including:-

Culture and Leisure

- The Board was advised that £253,000 had been distributed from Sports England to employ Sports Development Officers. They had been set targets in order to give people the opportunity to access clubs.
- The achievements of the UK cycling and rowing activities this year and the resources that had been provided for these events was noted.

Economic Regeneration

- In respect of the difficulties filling the vacancy of Skills Strategy Officer which had recently been advertised – concern was raised on the impact this would have on the services provided in the Borough.
- The Board was advised that there had been some difficulties in relation to the recent Job Evaluation process, in that some jobs were now graded below market value. This had resulted in people in key positions within the organisation leaving. The appeals process was also taking a considerable time. The post had been advertised

but as a result of the grade, there had been no suitable candidates.

In this respect, the Board agreed that the Barriers to Work Topic Group undertake an analysis of the impact of the vacancies within the Directorate which would include how many people there were, the current grades, how many had been downgraded and the impact on the delivery of services;

- The Job Evaluation process and the pending appeals process was noted. It was also noted that the Job Evaluation scheme had been established nationally to address issues relating to equality of pay.

RESOLVED: That

- (1) the report be noted;
- (2) the Board requests that an analysis of the impact of vacancies on the ability of this Directorate to deliver services. The analysis should be made in the form of a report, presented to the Barriers to Work Topic Group and this group should report back to the Board with its findings and recommendations.

Strategic Director
- Environment

ELS15 BARRIERS TO WORK

The Board considered a report of the Strategic Director, Environment which provided a briefing on the recent employment focussed research undertaken in the neighbourhood management areas.

Arising from the discussion, reference was made to the following issues:-

- It was noted that the report was an excellent piece of work;
- Members were advised that the full report was available on request;
- It was noted that the list of types of work people would like did not include any job groups that were available at the Daresbury Science Innovation Centre; and
- It was noted that people did not feel that self

employment was an option due to the record keeping and accounting involved. It was suggested that the Business Start Up Team could look at providing a hands on service for book keeping.

RESOLVED: That the research findings be referred to the Barriers to Work Topic Group for detailed consideration.

Strategic Director
- Environment

ELS16 ENTERPRISE UPDATE

The Board considered a report of the Strategic Director, Environment which provided a Members with information on the progress of Enterprise Action Plan.

The Board was advised that since the report had been written the NDWA, next year would be commissioning £180,000 to Business Start Ups as a 'one off'. The details relating to this were as yet to be determined.

The Board was further advised that a report would be presented to a future meeting on the additional £630,000 of Working Neighbourhoods Funding which had been secured to expand the enterprise programme, In addition, the Board was advised that it was time to update the Action Plans set out on Page 60 of the report.

Arising from the discussion, reference was made to the following issues:-

- In relation to Halton's Enterprise Business Grant in comparison to Knowsley's £500, it was suggested that this be increased and that they be given guidance on completing a Business Plan which would encourage more people to consider starting their own business;

The Board was advised that the funding was as a result of budget constraints and pressures. However, applicants would be required to complete the Business Plan in order to obtain the grant. External Business Advisors were also available to give support with Business Plans. It was agreed that the Topic Group look at the possibility of providing a 12/18 month sustainability grant for new business start ups; and

- Clarity was sought on the number of professional trades people had applied for a Business Start Up Grant.

It was reported that this information would be emailed to all Members of the Board.

RESOLVED:

- (1) That progress on the action plan be noted;
- (2) that the Topic Group review the Action Plans;
- (3) the Topic Group look at the possibility of providing a 12/18 month sustainability grant for new business start ups; and
- (4) information on how many professional people had applied for a Business Start Up Grant be emailed to all Members of the Board.

Strategic Director
- Environment

ELS17 LOCAL AREA AGREEMENT & COMMUNITY STRATEGY
PROGRESS 2007/08

The Board considered a report of the Strategic Director, Corporate and Policy which advised Members on progress towards targets set in the Community Strategy and 2007 Local Area Agreement.

The Board was advised that other Policy and Performance Boards had agreed to place the minutes of the relevant Specialist Strategic Partnership on the agenda of future meetings. Members were also asked to consider how often they would like to receive a progress report. It was agreed that a report be presented to the next meeting outlining the various timescales in respect of performance monitoring indicators.

RESOLVED: That

- (1) the progress report be noted;
- (2) the Board receive the minutes of the Employment Learning and Skills SSP at future meetings; and
- (3) a report outlining the various timescales in respect of performance monitoring indicators be presented to the next meeting.

Strategic Director
- Environment

Meeting ended at 9.00 p.m.

HEALTHY HALTON POLICY AND PERFORMANCE BOARD

At a meeting of the Healthy Halton Policy and Performance Board held on Tuesday, 16 September 2008 at Civic Suite, Town Hall, Runcorn

Present: Councillors E. Cargill (Chairman), J. Lowe (Vice-Chairman), Austin, Gilligan, Horabin, Lloyd Jones, Philbin, E. Ratcliffe, Swift and Wallace

Apologies for Absence: Councillor Gerrard

Absence declared on Council business:

Officers present: A. Villiers, A. Williamson, C. Halpin, J. Hunt and R. Mackenzie

Also in attendance: Mr. A. Rice, Dr. K Milson and 2 Members of the Public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

Action

URB14 MINUTES

The Minutes of the meeting held on 10th June 2008 having been printed and circulated were signed as a correct record.

URB15 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

URB16 EXECUTIVE BOARD MINUTES

The Board considered the Minutes of the meetings of the Executive Board Sub Committee relevant to the Healthy Halton Policy and Performance Board.

RESOLVED: That the minutes be noted.

(NB: Councillor Lloyd Jones declared a personal interest in the following item due to her husband being a Non-Executive Director of Halton and St Helen's Primary Care Trust).

URB17 ORAL HEALTH UPDATE

The Board received a presentation from Mr Rice and Dr. Milson of Halton and St Helen's Primary Care Trust on the progress made in relation to dental services in Halton.

The presentation set out:

- Levels of tooth decay in children across the Country as an indicator of the population as a whole;
- What was being done to address these levels and the Oral Health Strategy;
- How the new dental contract operates;
- The number of enquiries received from Halton residents and their purpose; and
- That additional dentist visits that had been commissioned to alleviate the lack of availability of dental appointments.

The Board outlined a number of issues with the new contract and how it operates, in particular the relationship between dentists and patients, the difference between registration and nominal lists and the trials being undertaken in other parts of the country that may become operational in Halton in the future.

In addition Members discussed the difficulty of residents in accessing dental services and that the additional dentist visits would hopefully resolve this issue.

RESOLVED: That the presentation be received.

URB18 LAA AND COMMUNITY STRATEGY PROGRESS REPORT

The Board received a report of the Strategic Director, Corporate and Policy which advised on progress towards targets set in the Community Strategy and 2007 Local Area Agreement.

The Council and its partners adopted a revised Community Strategy in April 2006. The Strategy contained targets for its key objectives for the period 2006 to 2011. These targets were subsequently incorporated into the 2007 Local Area Agreement.

The Board was advised of the progress made in 2007/08 and the likelihood of achieving the Local Area Agreements and Community Strategy targets in relation to the remit of the Board.

In particular the Board discussed concerns over how

the performance information was collected for each of the targets and how achievability of targets changed over time. The Board requested an update on 'Ambition for Health'

RESOLVED: That

- (1) the progress report be received;
- (2) a further report on the areas of concern identified be submitted to a future meeting; and
- (3) a further report on the progress of 'Ambition for Health' be submitted to a future meeting.

(NB: Councillor Lloyd Jones declared a personal interest in the following item due to her husband being a Non-Executive Director of Halton and St Helen's Primary Care Trust).

URB19 AUDIT OF EQUIPMENT/HICES

The Board received a report of the Strategic Director, Health and Community on the progress made in relation to recommendations of response of the audit report on Halton Integrated Community Equipment Service.

The audit was conducted between October and June 2007. A report detailing the findings and recommendations was considered by the Business Efficiency Board in June this year. The Business Efficiency Board recommended '*consideration be given to a topic group being established in relation to Halton Integrated Community Equipment Service*'.

It was noted that this would need to be considered in the context of the Central Government Initiative, Transforming Community Equipment Services, developments within Halton and St Helens PCT and the need to relocate the service from Picow Farm Road to Dewar Court.

The report outlined the work undertaken in transforming Community Equipment services, Halton and St Helens PCT and Picow Farm and the recommendations contained with the audit report and the responses to these.

The Board noted that work was still ongoing so it would be difficult to scrutinise the changes at present.

RESOLVED: That

- (1) the content of the report be noted; and

- (2) a decision on whether to establish a topic group on Halton Integrated Community Equipment Service be deferred until the work programme for 2009/10 is considered.

(NB: Councillor Lloyd Jones declared a personal interest in the following item due to her husband being a Non-Executive Director of Halton and St Helen's Primary Care Trust).

URB20 HEALTH OF CARERS TOPIC REPORT

The Board received a report of the Strategic Director, Health and Community which presented the topic report for the 'Health of Carers' work topic.

The Board had selected the topic in July 2007 and a number of methods had been utilised to gather information that could be fed into the review, these methods included carers interviews, desktop research and a number of visits. The use of visits was the main method for gathering relevant information.

A scrutiny team conducted these visits, to GP practices and Carers Centres and consisted of:

- A Member of the Board;
- A Carer
- An Executive Board member from Halton Carers Forum; and
- A representative from the Local Authority

The Board discussed future of the Widnes Carers Centre, drop in facilities and the need to continue to support carers.

RESOLVED: That

- (1) the contents of the report be noted; and
- (2) the recommendations outlined in Paragraph 6.0 of the topic report.

URB21 WORK TOPIC: PHYSICAL AND SENSORY DISABILITY SERVICES - CONTRACTS WITH THE VOLUNTARY SECTOR

The Board received a report of the Strategic Director, Health and Community on the final report of the work topic undertaken by the Board between October 2007 and June

2008.

Nine members participated in a small working group working with officers to examine service provision through contracts with three voluntary sector organisations.

The report covers the findings of this work gathered through both desktop exercises and visits to all services.

It was noted that overall the review identified one organisation that was not delivering the contracted service. The other two organisations were generally delivering appropriate support with some areas requiring improvement.

A number of recommendations had been made for the two organisations including updating of service specifications monitoring to give clarity around the service requirements of the contract and improve performance. In addition, further work would be undertaken to examine the strategic direction of in-house service provision for visual impairment rehabilitation.

Members were further advised that the contract to deliver an information service for disabled people was not being fulfilled and over recent years the Council was meeting the need for such a service through Halton Direct Link and the Contact Centre. Many individuals also had to a wealth of information through the internet. The recommendation relating to this contract was that it be de-commissioned and three months notice had been served to end this contract with Halton Disability Services.

The three services reviewed were given the opportunity to read the draft report and their comments have been incorporated into the final version of the report, however, the recommendations had not been changed as a result of these comments.

RESOLVED: That

- (1) the comments made on the findings be noted;
- (2) the recommendations of the report set out in Paragraph 7.0 be agreed; and
- (3) the Board scrutinise and monitor the Action Plan.

URB22 SAFEGUARDING TOPIC REPORT

The Board received a report of the Strategic Director,

Health and Community which introduced the draft report on the scrutiny review of Safeguarding Vulnerable Adults.

The Safer Halton and Healthy Halton, Policy and Performance Board's commissioned the report and a joint scrutiny working group was established.

It was noted that the report was commissioned because referrals of alleged abuse of vulnerable adults in the category of "older people" received by Halton Borough Council had risen year on year, with Halton having the highest level of referrals in the North West. The work undertaken was to understand the reasons for this and consider if appropriate procedures were in place to safeguard vulnerable adults.

It was noted that there was a conference on Adaptations being held on 16 October 2008 and that an invite would be circulated to Members in the near future.

RESOLVED: That the scrutiny review and its recommendations set out in paragraph 5.0 of the topic review be agreed.

URB23 UPDATE ON LINKS

The Board received a report of the Strategic Director, Health and Community which identified the implications of the LINKs powers for Overview and Scrutiny Committees.

The report set out why LINKs were being setup, the key characteristics of Local Involvement Networks (LINKs) and the relationship the LINK would have with the Healthy Halton PPB.

It was noted that the report was requesting the Boards approval for the appointment of a LINK representative to be co-opted on the PPB. At present the LINK was still under development, however, once the LINK had been formalised a Member could be nominated.

RESOVLED: That the Executive Board and Full Council be requested to agree the appointment of a LINK representative (name to be confirmed once LINK established), as a non-voting co-optee on the Policy and Performance Board for a period of one year, commencing from the date approval is given.

(NB: Councillor Lloyd Jones declared a personal interest in the following item due to her husband being a Non-Executive Director of

Halton and St Helen's Primary Care Trust).

URB24 CHANGING FOR THE BETTER

The Board received a report of the Strategic Director, Health and Community which briefed Members on the policy context for guidance when undertaking major changes to NHS Services.

'Changing for the Better' had been produced to provide clear guidance for patients, the public and NHS Staff on the processes underpinning changes to acute NHS Services. Clinicians and staff working in the NHS as well as patient group representatives developed the guidance. It draws heavily on their experiences of major service change, offers a guide for action to all Health services and set out a total of 15 recommendations that would help ensure the process would be more open, transparent and fair.

It was noted that in implementing this guidance, the key to success would be involvement of the public and staff in the planning, development and decisions for service change rather than simply being asked for comments during formal consultation exercises.

In addition the report set out a number of key principles for all major service change, links to Healthy Halton PPB and the LINK, the four broad themes that the proposals came under and the key implications for local government.

RESOLVED: That

- (1) the report be noted; and
- (2) the implications of the guidance are discussed with Halton and St Helens PCT to ensure they are clear of requirements for early involvement of the Board.

URB25 ANNUAL REPORT OF HALTON'S MULTI-AGENCY SAFEGUARDING VULNERABLE ADULTS PARTNERSHIP BOARD

The Board received a report of the Strategic Director, Health and Community which presented the Annual Report of Halton's Safeguarding Vulnerable Adults Partnership Board, for the year 2007/08, and gave a brief on key issues and progression of the agenda for Safeguarding Vulnerable Adults.

RESOLVED: That the Annual Report of the Safeguarding Vulnerable Adults Partnership Board for 2007/8 and current issues be noted.

URB26 QUARTERLY MONITORING REPORTS

The Board considered a report of the Strategic Director, Corporate and Policy regarding the 1st quarter monitoring report for the Older People's and Physical and Sensory Impairment Services, Adults of Working Age and Health and Partnerships.

The Board expressed its thanks to the Physical and Sensory Disability Team for their hard work.

RESOLVED: That the 1st quarter year-end performance monitoring reports be received.

Meeting ended at 9.00 p.m.

SAFER HALTON POLICY AND PERFORMANCE BOARD

At a meeting of the Safer Halton Policy and Performance Board on Tuesday, 23 September 2008 in the Council Chamber, Runcorn Town Hall

Present: Councillors Osborne (Chairman), Stockton (Vice-Chairman), M. Bradshaw, Edge, Lloyd Jones, Redhead, Rowan, Shepherd and Thompson

Apologies for Absence: Councillor Morley and M. Ratcliffe

Absence declared on Council business: None

Officers present: M. Andrews, H. Cockcroft, J. Downes, R. Mackenzie, M. Noone, D. Parr, J. Unsworth, A. Villiers and L. Derbyshire

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

Action

SAF9 MINUTES

The Minutes of the meeting held on 17th June 2008 were taken as read and signed as a correct record.

SAF10 PUBLIC QUESTION TIME

It was confirmed that no public questions had been received.

SAF11 PERFORMANCE MONITORING REPORTS

The Board considered a report regarding the First Quarter Monitoring Reports for the Environment and Regulatory Services, Culture and Leisure, Health and Partnerships and Highways, Transportation & Logistics.

Arising from the discussion reference was made to a number of issues including:

Environmental & Regulatory Services

- Clarity was sought on the commitment to building an average annual build rate of 600 dwellings per year;

- EAR2, Page 10 - Securing funding from the National Lottery Fund for Runcorn Hill Park and Local Nature Reserves restoration – clarity was sought on the lack of resources;
- Local Strategic Partnership 2008/09 – Clarity was sought on 7372, (Pride of Place Action Team,) 737 (Neighbourhood Pride) and 7390 (Graffiti Team).

In respect of the three bullet points above, Officers undertook to provide a written response to the questions.

- The progress in respect of the extension to kerbside multi material recycling service to a further 20,000 households was noted;
- EAR4, Page 14 – The commitment that a blue bin would be provided to properties that had been identified as suitable for a blue bin by the end of the financial year was noted; and

Health & Partnerships

- Progress on the construction of the new Traveller transit site at Warrington Road was requested. Officers undertook to provide a written response to the question.

RESOLVED: That the report be noted.

SAF12 PRESENTATION - UPDATE ON COMMUNITY SAFETY REVIEW

The Board received a presentation from the Community Safety Manager which updated the Members of the progress made with the ongoing review of the Community Safety Team and its existing structures. In this respect, the presentation:-

- Outlined the priorities;
- Set out the new developments and what had been achieved during the last month in respect of the Family Intervention Project (Compass) which had been established from Home Office funding;
- Explained the new developments in respect of the Witness Support Officer, the Marketing Officer and the new Licensing Officer which was currently being advertised. It was also explained that that the

Witness Support service was free and had been funded by the Council;

- Set out the activities in respect of meetings and performance;
- Highlighted the Authority was currently working with 35 different agencies on a daily basis;
- Explained the Youth Crime, Youth Alcohol, Youth Task Force Action Plans, the Engaging Communities in Fighting Crime (32 proposals), the Policing Green Paper and the Local Area Agreements;
- Set out the various funding that was allocated within the Action Plans and how the funding was utilised; and
- Outlined the progress that had been made within the service.

The Chief Executive took the opportunity to thank the Community Safety Manager for his work in developing and building the team. He indicated that the team had been supported by multi agencies and during the last 12 months there had been significant improvements in respect of community safety. Burglaries and theft from motor vehicles had been reduced significantly. Violent crime, however, continued to be a challenge, but anti social behaviour had also been significantly reduced. A number of Members had indicated that there had been improvements in their wards and this was a credit to the Community Safety Team and the agencies who undertook to reduce crime in the Borough. He added that crime and disorder was also being monitored through the Safer Halton Partnership.

In this respect, the Chief Executive suggested that the minutes of the last meeting of the Safer Halton Partnership be presented to the Board meetings. This would enable a greater sharing of information and give the Board the opportunity to give feedback to the Local Strategic Partnership. He added that if Members had any issues on crime and disorder they could also speak to Inspector Hill at Runcorn or Inspector Nadia Brew at Widnes. However, it was reported that they would be leaving soon, but assurance had been given that the new Officers would get up to speed very quickly.

Arising from the discussion reference was made to a

number of issues including:

- It was noted that Victim Support was one of the agencies outlined in the presentation;
- It was requested that information in relation to the allocation/spend of past and present core budgets be circulated to all Members of the Board. In this respect, it was reported that the minutes from the Safer Halton Partnership which would enable Members to have a greater awareness and understanding of investments and where they had been allocated could be added to the Boards agenda. It was also noted that there was no mainstream budget for Community Safety;
- The number of schemes such as alleygating and the purchase of dog fouling bins being provided by Area Forum Funding rather than from corporate budgets was noted. It was also noted that there were no alleygating schemes in the Halton Lea area;
- The reduction in crime and disorder in the Borough during the last twelve months was noted;
- The importance of gathering and sharing community intelligence in the respective wards with the Community Safety Team and the Police was noted;
- It was acknowledged that addressing anti-social behaviour was not the sole responsibility of the Community Safety Team;
- It was noted that there were three strands to addressing crime and disorder, prevent and deter, punish and detect and re-habilitate. It was also noted that the Authority had invested a significant amount of time and effort into the prevent and deter strand within the Borough;
- Members requested that a report be presented to a future meeting detailing the 35 agencies and discussing the concept of co-location;
- Clarity was sought on the funding in relation to the Blue Lamp. Officers undertook to write to the Member concerned;

- The importance of continuity in respect of the service in the community from the Police and the work that was taking place to ensure it continued was noted; and
- The Board requested that the LGA document 'Answering To You' Policing in the 21st Century be circulated to all Members.

RESOLVED: That

- (1) the presentation be received;
- (2) Mike Andrews be thanked for his informative presentation;
- (3) a report be presented to a future meeting detailing the 35 agencies and discussing the concept of co-location; and
- (4) the Board receive the minutes of the Safer Halton Partnership on the agenda of future meetings.

Strategic Director
– Health and
Community

SAF13 SAFEGUARDING VULNERABLE ADULTS

The Board considered a report of the Strategic Director, Health and Community which introduced the draft report of the Scrutiny Review of Safeguarding Vulnerable Adults for Members consideration.

The Board was advised that a Seminar for basic awareness training in safeguarding vulnerable adults had been arranged on Thursday, 2nd October 2008, at 1.30 pm at the Stobart Stadium, Halton. All Members were encouraged to attend. It was suggested that consideration be given to holding a further seminar in the evening to ensure that all Members have the opportunity to attend.

The Chairman, took the opportunity to pay tribute to the work that had been undertaken by everyone in the topic group. He also took the opportunity to place on record his thanks and appreciation to all concerned.

RESOLVED: That

- (1) the comments be noted; and
- (2) the Scrutiny Review and its recommendations as set out in Appendix 1 to the report be endorsed as follows:

Strategic Director
– Health and
Community

Performance Monitoring (Statistical Data)

- To support the implementation of a national data collection/recording system for all agencies to use and more legislation in place to ensure procedures are compulsory for all agencies involving in safeguarding vulnerable adults;
- The Police to complete the development of a Quality Assurance process monitoring the outcomes of their investigations; and
- Advocacy support to be considered internally to support victims of alleged abuse through the process;

Publicity

- To ensure there are trigger mechanisms in place, regularly distribute the promotional leaflet (in particular to domiciliary agencies) explaining what to look out for in terms of abuse and what steps can then be taken; and
- Launch and promote the findings from the scrutiny review, including an article in Inside Halton and on the website.

Training

- Halton Borough Council to continue providing/co-ordinating a rolling programme of basic awareness training in safeguarding vulnerable adults involving both the Police and Age Concern for all agencies and monitoring this training on a regular basis; and
- Halton Borough Council to organise specific safeguarding vulnerable adults training for Members through a Seminar Day during 2008/09;

Vetting Procedures in Provider Services

- Lay-assessment of residential and nursing homes by Members be considered, taking

into account the necessary protocols, training and resource issues that would arise; and

- Ensure the standard contract continues to be regularly reviewed, taking particular note of standards affecting safeguarding of vulnerable adults.

Police Protocol

- Continue with the regular quarterly operational management meetings, reviewing the Police Protocol on an ongoing and annual basis; and
- Review the current resource allocation within the Police focussing on safeguarding vulnerable adults;

Member Representation on Safeguarding Board

- Full Council to consider if Member representations on the Safeguarding Board would be appropriate;

Role of Adult Protection Co-ordinator

- Consider how the staffing structure for safeguarding vulnerable adults could be enhanced at Halton Borough Council;

Dignity in Care

- Monitor the work/success of the Dignity Board; and

Research Project

- Support the recommendations within the research project.

SAF14 LOCAL AREA AGREEMENT AND COMMUNITY STRATEGY PROGRESS REPORT

The Board considered a report of the Strategic Director, Corporate and Policy which advised Members on the progress towards targets set in the Community Strategy and 2007 Local Area Agreement (LAA).

The Board was advised that when appropriate, six monthly reports on progress made against the LAA's would be presented to the Board.

The Members requested that information be reported to a future meeting on the process of the surveys and how the information had been collated.

RESOLVED: That

- (1) the progress report be noted;
- (2) that a report detailing the process of the surveys and how the information within them had been collated; and
- (3) when appropriate, six monthly progress reports would be presented to the Board.

Strategic Director
– Corporate &
Policy

SAF15 THE APPLICATION OF THE BRAMM (BRITISH REGISTER OF ACCREDITED MEMORIAL MASONS) SCHEME IN HALTON'S CEMETERIES

The Board considered a report of the Strategic Director, Health and Community which advised Members of the issues that had arisen during the first twelve months of the operation of the British Register of Accredited Memorial Masons (BRAMM) scheme in Halton's cemeteries. The report also sought support for the amendment of the Council's cemetery rules to clarify certain matters, including anomalies that had arisen to date.

It was noted that 'No Smoking' signs had been placed in the cemetery. Members requested that clarity be sought on who had authorised them and why they had been placed there. Officers undertook to look into this matter.

RESOLVED: That

- (1) the report and comments made be noted;
- (2) the Executive Board Sub-Committee be requested to agree to the adoption of a local Memorial Mason Registration Scheme, from 1st January 2009, as set out in the draft attached to the report at Appendix 1;
- (3) the Operational Director, Health and Partnerships, in consultation with the

Strategic Director
– Health and
Community

Executive Board Member, Environment be delegated to finalise the document and any future amendments;

- (4) the Executive Board Sub Committee be requested to agree to the amendment of the Cemetery Rules as outlined in Appendix 2 of the report, to take effect on 1st October 2008; and
- (5) the Executive Board Sub Committee be requested to agree a new fee for the right to place on a grave a vase / book / tablet exceeding 18 inches width x 12 inches x 12 inches but not exceeding the width of the grave or 30 inches (whichever is the least) x 12 inches x 12 inches, of £65.

SAF16 ANNUAL TRAFFIC COLLISION REPORT

The Board considered a report of the Strategic Director, Environment which outlined road traffic collision and casualty numbers within the Borough in the year 2007 and recommended a continuance of road traffic accident reduction work.

The report set out full details of the numbers of traffic collisions and casualties in the year 2007 and compared these figures with those for previous years. The report also gave details of progress towards various national and local targets for casualty reductions.

The Board was advised that there had been a continual reduction in accidents. The results illustrated the success of recent casualty reduction work, funded through Halton's second Local Transport Plan and the Cheshire Safer Roads Partnership, supported by targeted enforcement and local road safety education, training and publicity initiatives.

Reference was made to a previous presentation made to the Board on the effectiveness of traffic calming schemes throughout the Borough and Members requested that a similar presentation be made on the effectiveness of accident reduction schemes. It was agreed that this could be done with reference being made to various education training and publicity initiatives employed to reduce accidents and collisions.

RESOLVED: That

- (1) the report be noted;
- (2) the current programme of road traffic collision reduction schemes and road safety education, training and publicity be endorsed; and
- (3) a report outlining the effectiveness of accident reduction schemes and Road Safety Education, Training and Publicity initiatives over the last few years be presented to the Board.

Strategic Director
- Environment

SAF17 CHESHIRE SAFER ROADS PARTNERSHIP ANNUAL REPORT

The Board considered a report of the Strategic Director, Environment which outlined the Cheshire Safer Roads Partnership's (CSRP) Annual Report for 2007/08.

The Board was advised that in 2001 Halton had installed its first eight safety cameras as a Local Transport Plan funded safety initiative. In 2002 the Cheshire Area Safety Camera Partnership (CASCP) had been formed and accredited under the national hypothecation programme. The project had continued to develop and Halton currently had 21 safety cameras in the Borough, all positioned at sites which complied with the national guidelines.

The Board was advised that in December 2005 the Secretary of State had announced changes in the organisation of camera partnerships. As from April 2007, the management and operation of the safety cameras was required to be integrated into the delivery of each highway authority's road safety strategy.

In response to these changes, the Cheshire Safer Roads Partnership had been established in April 2007, with a remit that not only included the management and development of Cheshire's speed and red light cameras, but also delivering Cheshire wide strategic road safety, education, training and publicity initiatives.

In respect of there being a 60% reduction in accidents, Members requested that Officers look at ways of demonstrating the effectiveness of cameras. It was suggested that this could be achieved by identifying the statistics five years before and after the camera's were installed and comparing them against the current statistics. These facts could be circulated to Members of the Board,

the press and the leaflet 'Inside Halton'.

RESOLVED: That

- (1) the work of the CSRP in reducing road casualties continue to be welcomed and supported; and
- (2) Officers look at ways of demonstrating the effectiveness of the cameras, by comparing statistics from five years before and after installation and to circulate this information to Members, the local press, and the leaflet 'Inside Halton'.

Strategic Director
- Environment

SAF18 NOTES OF WORKING PARTY MEETINGS

The Board considered a report of the Strategic Director, Health and Community which informed Members of the topics and issues discussed at meetings of Working Parties set up by the Board.

RESOLVED: That the report be noted.

Meeting ended at 8.45 p.m.

This page is intentionally left blank

URBAN RENEWAL POLICY AND PERFORMANCE BOARD

At a meeting of the Urban Renewal Policy and Performance Board held on Wednesday, 17 September 2008 at Civic Suite, Town Hall, Runcorn

Present: Councillors Hignett (Chairman), Balmer, P. Blackmore, E. Cargill, Hodgkinson, Leadbetter, Murray, Nolan and Thompson

Apologies for Absence: Councillors Morley and Rowe

Absence declared on Council business: None

Officers present: D. Sutton, I. Bisset, G. Collins, A. Cross, N. MacFarlane, R. Mackenzie, P. Watts and L Derbyshire

Also in attendance: Councillor Polhill (in accordance with Standing Order No. 33)

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

	<i>Action</i>
<p>URB60 MINUTES</p> <p>The Minutes of the meeting held on 18th June 2008 having been printed and circulated were signed as a correct record.</p>	
<p>URB61 PUBLIC QUESTION TIME</p> <p>It was confirmed that no public questions had been received.</p>	
<p>URB62 EXECUTIVE BOARD MINUTES</p> <p>The Board considered the Minutes of the meetings of the Executive Board and Executive Board Sub Committee relevant to the Urban Renewal Policy and Performance Board.</p> <p>RESOLVED: That the Minutes be received.</p>	
<p>URB63 QUARTERLY MONITORING REPORTS</p> <p>The Board considered a report regarding the First Quarter Monitoring Reports for the Highways & Transportation, Environment & Regulatory Services,</p>	

Cultural & Leisure, Major Projects, Economic Regeneration and Health and Partnerships Services.

It was noted that the departmental revenue service charges were not included in the report. Officers undertook to look into whether it would be possible to include this information in future reports.

RESOLVED: That the report be noted.

URB64 LOCAL AREA AGREEMENT AND COMMUNITY STRATEGY PROGRESS 2007/08

The Board considered a report of Strategic Director, Corporate and Policy which advised on progress towards targets set in the Community Strategy and the 2007 Local Area Agreement.

RESOLVED: That the report be noted

URB65 THE 'HEART OF HALTON' PLAQUE SCHEME - COSTS AND OPERATIONAL REQUIREMENTS

The Board considered a report of the Strategic Director, Environment which set out the costs and operational requirements for implementing a 'Heart of Halton' plaque scheme to identify and celebrate where Halton's achievers, people and notable activities took place or lived.

Arising from the discussion reference was made to a number of issues including:

- The current budget constraints were noted and it was suggested that the proposals be amended and be implemented in two phases. Phase One would be the purchase of 50 plaques and include £1,000 maintenance, with a total cost of £11,000. The Board agreed to the amendment; and
- The achievements of individuals in Halton was recognised and the positive benefits of the scheme was noted.

RESOLVED: That

- (1) the scheme as amended (50 plaques and maintenance costs at a total cost of £11,000 in Phase 1) be endorsed for implementation, subject to securing the necessary funding as part of the

Strategic Director
- Environment

Council's 2009/10 budget settlement; and

- (2) the scheme be referred to the Executive Board for consideration during the Council's 2009/10 budget settlement process.

URB66 AWARD OF GROWTH POINT STATUS

The Board considered a report of the Strategic Director, Environment which informed the Members of developments concerning Growth Point Status.

The Board was advised that Halton Borough Council together with St Helens MBC and Warrington BC as the Mid-Mersey Housing Market Area had been awarded Growth Point Status in the recent Government announcement of the 16th July 2008. The formal DCLG letter confirming this status and conditions that would need to be fulfilled were set out in Appendix A to the report.

RESOLVED: That the Board Recommends to the Executive Board:

Strategic Director
- Environment

- (1) The acceptance of the offer of Growth Point Status; and
- (2) that officers work with our partners in the Mid-Mersey area and where appropriate private landowners to further work on the successful delivery of the Growth Point agenda, including submission of returns for Community Infrastructure Fund and Growth Fund.

URB67 LOCAL TRANSPORT PLAN INTERIM REVIEW REPORT

The Board considered a report of the Strategic Director, Environment which advised Members on the contents of the Local Transport Plan (LPT2) Interim Review Report due to be submitted to Government Office North West (GONW) at the end of September 2008.

Arising from the discussion reference was made to a number of issues including:

- The issues concerning car parking in the Borough, particularly in the town centre and Runcorn Rail Station;
- It was noted that a car parking study for Runcorn town centre had been undertaken and that the

one for Halton lea and Widnes town centre was due for completion in October. It was suggested that the findings of the studies could be available for the Board to consider at the next meeting;

- The implications of implementing Residents Parking Schemes in the Borough was noted and Members were informed that a review of the Council's policy on Resident Parking Schemes would be undertaken and reported to a future meeting of the Board; and
- Concern was raised regarding landscaping surrounding highways in the Borough and the number of trees restricting signage. It was reported that this was being addressed currently and the trees were being cut down around signage to alleviate this problem.

Strategic Director
- Environment

RESOLVED: That

- (1) the contents of the Local Transport Plan (LTP2) Interim Review Report be noted;
- (2) the Board supports taking the Local Transport Plan (LPT2) Interim Review Report to Executive Board for approval to submit to Government Office North West; and
- (3) the findings of the town centre car parking studies and the review of the Council's policy on Resident Parking Schemes be brought to a future meeting of the Board.

URB68 NOMINATION OF MEMBERS TO THE HALTON PUBLIC TRANSPORT ADVISORY PANEL

The Board considered a report of the Strategic Director, Environment which requested Members agree nominations of Members to sit on the Council's Public Transport Advisory Panel for the 2008/09 municipal year.

RESOLVED: That the nomination for Halton Public Transport Advisory Panel for 2008/09 be Councillors Hignett (Chair), Morley, Polhill and Hodgkinson be approved.

Strategic Director
- Environment

URB69 EMERGING REGIONAL SPATIAL STRATEGY FOR THE NORTH WEST

The Board considered a report of the Strategic

Director, Environment which informed Members of recent developments in relation to emerging Regional Spatial Strategy for the North West.

In this respect Appendix A was tabled at the meeting which summarised the main implications of the Secretary of State's Proposed Changes to the Draft Regional Spatial Strategy for Halton.

Arising from the discussion reference was made to a number of issues including:

- The new previously developed land target for residential development for Halton with St Helens which had been confirmed to be at least 65% was noted. It was reported that this target should be achievable; and
- Halton's requirement to deliver 9,000 dwellings net of clearance over the period 2003-2021 being confirmed, which equated to an annual average figure of 500 dwellings per annum (excluding Growth Point) was noted. It was also noted that this included replacement housing and should be achievable.

RESOLVED: That

- (1) the contents of the report be noted; and
- (2) once it is adopted, a further report be produced detailing the implications of Regional Spatial Strategy for the North West.

Strategic Director
- Environment

URB70 PROGRESS ON THE HALTON CORE STRATEGY

The Board considered a report of the Strategic Director, Environment which informed the Members of the progress of the preparation of the Halton Core Strategy.

The Board was advised that the Core Strategy was the central document in the Council's Local Development Framework and would provide the overarching spatial planning policy for the Borough until 2026. The Core Strategy would also plan for the spatial delivery of the aims of the Borough's Community Strategy. Therefore, once adopted, the document would be an extremely important policy tool for the Council overall, forming part of the development plan along with the Regional Spatial Strategy for the North West.

The Board was advised that a meeting of the Local Development Framework Working Party was provisionally being arranged during the week commencing 3rd November 2008.

RESOLVED: That

- (1) the policy implications set out in the report be noted; and
- (2) the drafting of the Core Strategy as a central enabling document in the delivery of Corporate priorities be supported.

Strategic Director
- Environment

Meeting ended at 7.25 p.m.

CORPORATE SERVICES POLICY AND PERFORMANCE BOARD

At a meeting of the Corporate Services Policy and Performance Board on Tuesday, 9 September 2008 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Gilligan (Chairman), A. Lowe (Vice-Chairman), J. Bradshaw, Browne, E. Cargill, Dennett, Edge, D. Inch and Norddahl

Apologies for Absence: Councillors Nolan and Wainwright

Absence declared on Council business: None

Officers present: M. Reaney, G. Ferguson, I. Leivesley, R. Mackenzie, N. Mannion, S. Riley and A. Villiers

Also in attendance: None

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

	<i>Action</i>
CS11 MINUTES	
<p>The Minutes from the meeting held on 3rd June 2008 were taken as read and signed as a correct record.</p>	
CS12 PUBLIC QUESTION TIME	
<p>It was confirmed that no public questions had been received.</p>	
CS13 EXECUTIVE BOARD MINUTES	
<p>The Minutes of the Executive Board and the Executive Board Sub-Committee relating to the work of the Corporate Services Policy & Performance Board since its last meeting was submitted for information.</p> <p>Members queried the membership of the Member Working Party and the proposed name change of Castlefields Ward to Castle Ward referred to in Minute EXB9. Members were advised that membership of the Working Party would be made up of Ward Councillors, relevant Portfolio Holder and a member of the opposition group. The Working Party would consider suggestions</p>	

regarding the proposed change of ward name.

RESOLVED: That the minutes be received.

CS14 THE EMPOWERMENT WHITE PAPER – "COMMUNITIES IN CONTROL"

The Board received an update report on the Government's Empowerment White Paper – Communities in Control. The Empowerment White Paper was published in July 2008. This was the latest in a series of Government Papers that put strongly Empowerment at its heart.

Previous to this, in 2006, the White Paper, Strong, Safe and Prosperous Communities, set out a radical agenda for change with reforms to empower citizens and communities. This was followed by the Local Government and Public Involvement in Health Act 2007, which introduced a range of measures to ensure that local government gave local people more influence over the services and decisions that affect their communities.

The Board was advised that there had been a number of papers, research and guidance, which had built up a clearer picture of the ways in which the Government expected local authorities to deliver the Community Empowerment agenda and the implications for Council's on how they operate and deliver services.

Although there were many existing examples of good practice of community empowerment including the Youth Parliament and Youth Forum and Community Engagement with Service user groups, for example carers, and neighbourhood management, all current practices, including petitions, would need to be examined against these new or emerging requirements from Government.

It was suggested that the Executive Board be requested to develop an action plan with the Council's partners as to how this new agenda should be developed in Halton. In addition, it was also agreed that a further report be brought back to the Board at its January 2009 meeting.

RESOLVED: That

- (1) the contents of the report and the implications for the Council be noted;
- (2) the Executive Board be asked to develop an action plan with partners to take this agenda forward;

- (3) future reports on Community Empowerment be made as new guidance and legislation is published; and
- (4) a further update report be submitted to the Board meeting on 6th January 2009.

CS15 NEIGHBOURHOOD MANAGEMENT UPDATE

Since 2006, Halton had continued to develop neighbourhood management in those areas of the Borough that fell within the 3% most deprived under the 2004 Index of Multiple Deprivation. Work was currently being focused in three pilot neighbourhoods, each of which fell within the above category: Central Widnes, Hallwood Park and Palacefields and Castlefields and Windmill Hill.

A Strategic Partnership Board made up of key local service providers, elected Members, resident representatives and the voluntary sector, currently oversaw the development of neighbourhood management in Halton. The Board reports directly to the Halton Strategic Partnership Board. In addition to the Strategic Board, there were well-established neighbourhood boards working in each of the three neighbourhoods. The three neighbourhood boards included local residents, key local service providers, local stakeholders and ward councillors.

The Board received a presentation from the Neighbourhood Management Director which outlined the key developments over the past quarter within neighbourhood management. The Halton Neighbourhood Management Board had met twice on 3rd June and 15th July 2008. In addition, the Board also had an away day at Norton Priory on 8th July 2008. The key issues at these meetings were outlined in the report. In addition, it was reported that the three neighbourhood management boards were continuing to development with all three having evolving Neighbourhood Action Plans and growing programmes of events and interventions.

It was reported that the Halton Neighbourhood Management Board Away-Day had been well attended and proved to be productive. The away-day set the following key areas of work for the partnership over the coming months:-

- A restatement of the Partnerships Neighbourhood Management Vision;
- to track the closing the gap with regard to key indicators between the Neighbourhood Management

- areas and Halton;
- to investigate the value for money/business case for the sustaining neighbourhood management beyond 2010; and
- to reach a consensus about if, when and how to rollout neighbourhood management after 2010 beyond the current pilot areas.

It was noted that with regard to intervention activity and expenditure, the partnerships overall level of expenditure was in line with its budgets for 2008/09.

On behalf of the Board the Chairman thanked Neighbourhood Management for their contribution towards the Council's recent Comprehensive Performance Assessment.

RESOLVED: That the report be noted.

CS16 MARKETS

The Board received a presentation from the Strategic Director, Corporate and Policy on the most up to date position with regard to the current performance of the Council's two markets based in Widnes and Runcorn. The presentation provided an outline of the facilities, occupancy rates, financial performance and current issues at both markets.

The Board discussed the following initiatives which could be implemented at Runcorn Market to improve occupancy and financial performance including; a street market, a continental Christmas market, and a reindeer promotion near to Christmas. It was agreed that a Market Working Party be arranged to examine initiatives for possible improvements at both Widnes and Runcorn Markets.

RESOLVED: That

- (1) the presentation be noted; and
- (2) a Market Working Party be arranged consisting of the following membership:

Councillors Browne, Gilligan, Lowe, Inch and Wainwright.

CS17 REVIEW OF CUSTOMER CARE

The Board had previously agreed a number of topics for review this year.

A main recommendation of the review of compliments and complaints from last year was for the Council to use the Customer Excellence model to develop a customer care strategy across the organisation. A draft topic brief for the review of customer care had been previously circulated to Members for consideration and endorsement.

RESOLVED: That the draft topic brief for the review of customer care be endorsed.

(N.B Councillor Inch requested that her vote against this decision be noted)

CS18 PERFORMANCE MANAGEMENT REPORTS TO 30 JUNE 2008

The Board considered a report which outlined the progress of Performance Management 1st Quarter against the Service Plan objectives and performance targets, performance trends/comparisons, factors affecting the services, etc, for:

- Exchequer and Customer Services;
- Financial Services;
- ICT Services;
- Legal and Member Services;
- Personnel Services;
- Policy and Performance;
- Halton Stadium;
- Property Services;

RESOLVED: The 1st Quarter Performance Management Reports be received.

Meeting ended at 8.35 p.m.

This page is intentionally left blank

BUSINESS EFFICIENCY BOARD

At a meeting of the Business Efficiency Board held on Thursday, 25 September 2008 at the Civic Suite, Town Hall, Runcorn

Present: Councillors Leadbetter (Chairman), Lloyd Jones (Vice-Chairman), Jones, A. Lowe, Norddahl, Osborne, Philbin and Swift

Apologies for Absence: Councillors Higginson and Worrall

Absence declared on Council business: Councillor Murray

Officers present: C. Halpin, I. Leivesley, M. Murphy and B. Dodd

Also in attendance: C. Williams and M.Thomas (Audit Commission)

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

Action

BEB6 MINUTES

The Minutes of the meetings held on 4th and 26th June 2008 were taken as read and signed as a correct record.

BEB7 ANNUAL GOVERNANCE REPORT 2007/08

The Board received a presentation from Colette Williams and Michael Thumas, from the Audit Commission (AC) on the role of external auditors and the new CAA process.

The presentation set out:

- the role and responsibilities of the Audit Commission;
- how the AC carried these out locally;
- the areas that the AC assesses including Financial Statements, Value for Money and Use of Resources;
- the AC's other auditing responsibilities;
- how audits were reported;
- the changes and key differences from CPA to Corporate Area Assessments (CAA); and
- How the CAA would be assessed.

Arising from the discussion Members noted some concerns that the other organisations, which would be

assessed along with the Council, for the Area Assessment did not have directly elected representatives who were accountable to the electorate.

The Board also felt that the CAA could be a more subjective judgement and as such it could be open to more interpretation than the CPA.

The Board then went on to note the contents of the Annual Governance report. In particular the Board noted that since the Board had agreed the Statement of Accounts at it's meeting on 26th June 2008, the AC had undertaken their audit of the Council's financial statements.

The district auditor confirmed that he intended to issue an 'unqualified' audit opinion for the 2007/8 financial statements and a 'except for' conclusion on the Council's Value for Money assessment, further details of which were outlined within the report.

The Board further noted a number of adjustments to the financial statements, although it was noted that these did not affect the overall baseline figures and were outlined in detail within the report.

When the AC completes an audit there was a requirement for it to obtain any written representations from Councillors and Management. This letter of representation was presented to the Board for approval. The Board approved the letter and it was signed by the Chairman in the presence of all in attendance.

The Board expressed its thanks to the District Auditor for his work on the audit.

RESOLVED: That

- (1) the Audit Commission's Annual Governance Report 2007/8 be received;
- (2) the Audit Commission's role and responsibilities be noted; and
- (3) the Council's Summary Accounts for 2007/8 be noted.

PART II

BEB8 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO

INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

BEB9 INTERNAL AUDIT PLAN - QUARTER 1

The Board considered a report of the Operational Director, Financial Services which provided a summary of Internal Audit work for the period April to June 2008. The report set out the internal audit reports finalised since the last progress report, key issues and recommendations arising from the audit reports issued and the results of the work undertaken following up the implementation of previous Internal Audit recommendations.

It was noted that there were a number of vacancies within the Internal Audit Team and that this had impacted upon the programme completion of the Audit Plan for the

year.

The Board requested assurance that the recommendations made by Internal Audit would, when implemented, address the control weaknesses identified in the report. In response the Board was informed the actions agreed were considered satisfactory and that follow up work would be undertaken in due course to ensure that the recommendations were actually implemented.

The Board expressed its thanks for the work undertaken by the Internal Audit Team.

RESOLVED: That the key issues arising from the Internal Audit report for Quarter 1 of 2008/09 be noted.

Meeting ended at 8.05 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 28 July 2008 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, S. Blackmore, J. Bradshaw, Hignett, Hodgkinson, Leadbetter, Morley and Osborne

Apologies for Absence: Councillors None

Absence declared on Council business: None

Officers present: M. Baker, S. Baxter, G. Cook, D. Cunliffe, Eccles S, J. Farmer, C. Hall, M. Noone, A. Plant, M. Simpson, J. Tully, R. Wakefield and P. Watts

Also in attendance: A Fuller and S Wood from Urban Vision, Councillor A. Lowe and 15 members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

Action

Councillor Polhill was not present at the meeting having declared a personal and prejudicial interest due to being a member of the Executive Board.

DEV24 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Chairman welcomed everybody to the meeting and informed the Committee of the additional information tabled at the meeting, which provided an update and additional information in relation to the applications. It was reported that a further 398 letters of objections had been received, details of which were outlined in the report. A petition containing 85 signatures had also been received and an objection letter from Friends of the Earth.

The additional report set out a supplementary commentary for the Mersey Gateway Regeneration Strategy, a consultation update, editorial changes to the report, listed building application and comments on the TWA report.

The Committee received a presentation from Ms Claire Hall – Project Manager for Mersey Gateway which outlined the following:

- reassurance about the project;
 - no residential properties would be acquired;
 - piers or other structures would not be constructed in people's gardens;
 - a new elevated expressway would not be build through Runcorn, however there would be some local level increased at Lodge Lane Runcorn;
- a brief reminder of the history of the Mersey Gateway;
- the applications;
- project aims of the Mersey Gateway;
- benefits and disbenefits of the scheme and the proposed mitigation;
- strategic routes across the River Mersey;
- journey reliability;
- policy compliance; and
- evidence of support for the scheme.

Arising from the presentation Members raised concerns in relation to current images of the pedestrian footpaths across the Silver Jubilee Bridge (SJB) not having barriers. It was felt not separating pedestrians from the traffic could be dangerous. In response it was reported that the comments would be noted.

The Committee also discussed the possibility of light rail, it was noted that the design of the new crossing would allow for light rail but was not introduced at this stage as there was not a business case for it at the moment.

Members further discussed the potential for open road tolling with vehicle recognition systems. In response it was reported that at the moment it was felt that there was not a robust case for such systems.

Members also raised concern in relation to mustard gas being disturbed on Randall Island. In response it was reported that new routes would not lead through the Island as they would only go through the edge of Wigg Island. It was advised that contamination studies had been carried out and the Mersey Gateway Team had had dialogue with the Ministry of Defence in relation to these matters.

Ward Councillor A. Lowe addressed the Committee and stated that whilst in full support of the Mersey Gateway he did have concerns with regard to the exit roads on the

Runcorn side of the bridge. It was suggested that signs could be erected providing alternate routes to Manchester and North Wales.

Councillor Lowe also made representation in respect of excessive pollution, noise nuisance and risk of injury from vandals damaging cars from footbridges and confirmed that the was also speaking on behalf on Councillor Loftus.

Mr MacLoughlin addressed the Committee and spoke against the application raising issues such as lack of consultation, noise mitigation and the existing road infrastructure.

Miss McCarrick addressed the Committee and spoke against the application in respect of volumes of traffic using the Central Expressway.

Mrs Burns addressed the Committee and spoke against the application and raised concerns with regard to the impact on the flow of the river, underestimated costs of the scheme, how the concessionaire would handle waste and issues around tolling.

Miss Newman addressed the Committee and spoke against the application raising issues such as environmental assessments, toxic contamination and a requirement for a full health impact assessment.

The Committee held a wide ranging discussion in relation to the following points:

- temporary traffic measures during re-building of junctions;
- height of new junction at Halton Lodge;
- possibility of concessions of tolls for residents;
- whether caging of foot bridges could be implemented;
- importance of a signage strategy; and
- the need for a health impact assessment.

It was reported that any contaminated land issues would be properly addressed, issues of noise mitigation, signage and health impacts could be resolved by way of condition. Risk assessments would be carried out at various stages by contractors over the length of the project period.

It was advised that as both application no's 08/00200/FULEIA and 08/00201/FULEIA were bound up integrally with the Transport and Works Act (itself to be determined by the Secretary of State), it was appropriate for

those applications to be referred to the Secretary of State to determine them at the same time. It was therefore recommended, notwithstanding that the Committee were unanimously in support of these applications, that those applications be referred to the Secretary of State so that he could consider whether or not the applications should be "called in".

Following a lengthy debate, decisions made on the applications listed below were as follows:

Plan No. 08/00200/FULEIA: Part of the existing highway network within Runcorn, comprising the A533 Central Expressway from a point south of its junction with the A533 Bridgewater Expressway and the A558 Daresbury Expressway, and including the Central Expressway/Lodge Lane Junction and the Central Expressway/Weston Link Junction up to and including Junction 12 of the M56 Motorway; and

Plan No. 08/00201/FULEIA: Plan No. South of the Ditton Junction, the existing A533 Silver Jubilee Bridge into Runcorn and up to and including the on-slip road from the Weston Point Expressway, and off-slip road to the Bridgewater Expressway.

RESOLVED: That both applications listed above be referred to the Secretary of State with a recommendation that they be called-in and approved subject to the following conditions:

1. Time Limits 10 years;
2. Notification of Commencement;
3. Development to be carried out in accordance with approved details;
4. Phasing Programme;
5. Design, External Appearance and Materials;
6. Construction Environmental Management Plan;
7. Construction Transportation Management Plan;
8. Code of construction practice;
9. Travel Plan (including personnel travel and parking);
10. Landscaping – submission of scheme;
11. Landscaping - Maintenance of landscaping;
12. Street furniture street furniture;
13. Lighting details (Including toll booth lighting and design);

14. Permanent and temporary highway and footpath access, access, phasing and specification (including bridleways)
 - Highway access and junction improvements to serve construction works
 - Alternative access routes and diversions during construction works
15. Contaminated Land;
16. Surface Water Quality;
17. Drainage / Flood Risk (from the Environment Agency);
18. Terrestrial and Avian Ecology;
19. Noise Monitoring;
20. Archaeology;
21. Construction Compound;
22. Wheel Cleaning Facilities;
23. Implementation;
24. Conditions at end of the Environment Agency comments under contamination;
25. Signage Strategy (including speed limits);
26. Gantry Signing;
27. Abnormal load routing;
28. Requisite approvals, including Highway Authority as Technical Approval Authority; and
29. Extent and reinstatement of demolition/relocation works;

INFORMATIVE

1. Approval must be obtained from Network Rails Territory Outside Party Engineers from any works that may impact on, or be near close proximity to the operational railway.
2. The details of the development, including the position and height of the three towers of the crossing shall be supplied to the Defence Geographic Centre so that it may be included on civil aviation maps.
3. United Utilities Wastewater Adoption Engineer, Graham Perry should be contacted (01925 428 267) to arrange a sewer diversions.
4. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
 - United Utilities will only consider the adoption of surface water sewer

draining to balancing ponds, providing the following criteria are met;

- The Local Authority take responsibility for the maintenance of the ponds;
 - The freehold of the land on which the pond lies is transferred to the Local Authority;
 - United Utilities is provided with a deed of "Grant of Rights" to discharge into the pond in perpetuity. Such a deed would necessarily contain provision against development within the balancing pond, and against altering its topography, or making connections to it;
 - That measures have been taken to prevent flooding of properties; and
 - That a legal agreement is in place between all parties.
5. A section 104 (Water Industry Act 1991) agreement for the surface water sewers draining to the balancing pond, will not be entered into until every condition described above has been met.
 6. The applicant should check the location and conditions of any easement with United Utilities Facilities and Property Management Ltd, Coniston Buildings, Lingley Mere, Lingley Green Avenue, Great Sankey, Warrington. WA5 3UU. The route of the work covers a large area and will affect a number of our mains.
 7. Written consent will need to be sought from the Environment Agency to culvert of Stewards Brook to the South Side of Speke Road, in accordance with the Water Resources Act 1991. The balancing pond outfalls are to be into Steward's Brook and prior written consent under the above Act will also be required for the headwall structures.
 8. The Project will cross both legs of Bowers Brook and our prior written consent will be required for the proposals in accordance with the Water Resources Act 1991 and the Land Drainage Byelaws.
 9. The proposals at the existing roundabout to

the north of the M56 Junction 12 may affect Flood Brook. The details of these should be submitted for comment and to determine whether our prior written consent is required in accordance with the Land Drainage Act 1991.

10. The Environment Agency advise that should the development involve the import or deposit of waste materials for the purpose of construction or landscaping, or if contaminated soils are treated on site the activity may require an Environmental Permit, or may require an exemption.
11. The Environment Agency advise that any hazardous waste which is removed from the site will need to be moved in accordance with the Hazardous Waste (England and Wales) Regulations 2005.
12. The applicant must submit details to, and seek approval from the Environment Agency for any intended abstraction of raw water, or impoundment of any watercourses.
13. The Environment Agency advise that it is the responsibility of the applicant to ensure that the development will not affect any water features (i.e. wells, boreholes, springs, streams or ponds) in the area, including licensed and unlicensed abstractions.
14. The Environment Agency advises that all breeding birds in the wild are protected under the Wildlife & Countryside Act (1981). It is therefore an offence to disturb or kill any wild bird while it is nest building, or at a nest containing eggs or young, or to disturb the dependent young of such a bird.
15. Should protected species be identified in Local Wildlife Sites and SSSI (Flood Brook) a Licence should be obtained to carry out the works in accordance with the Wildlife & Countryside Act (1981).

Should the Secretary of State decide not to call-in these applications both applications be approved subject to the conditions detailed above.

Plan No. 08/00211/HBCLBC – The A533 Silver Jubilee Bridge.

RESOLVED: That the application be referred to the Secretary of State with a recommendation that the Secretary of State approves the application subject to the following conditions.

1. Time Limit – 10 years
2. In accordance with the plans; and
3. Notwithstanding the submitted details
 - Colour of asphalt;
 - Design of proposed gating / railings; and
 - Plain colour finish

Plan No. 08/00325/TWA: South of Ditton Junction, Ditton Road, land north of Hutchinson Street, Victoria Road, Catalyst Trade Park, Ashley Way, St. Helens Canal, Widnes Warth, Runcorn Sands/River Mersey, Wigg Island, Astmoor Industrial Estate, the A533 Central Expressway with its junction with the A533 Bridgwater Expressway and the A558 Daresbury Expressway, and part of the A533 Central Expressway to Halton Brow

RESOLVED: that Halton Borough Council having regard to all the observations made and all the issues raised has no objection to the application, subject to the conditions accompanying the submission and the suggested changes or additions detailed below.

1. Time Limits 10 years;
2. Notification of Commencement;
3. Development to be carried out in accordance with approved details;
4. Phasing Programme
5. Design, External Appearance and Materials;
6. Construction Environmental Management Plan;
7. Construction Transportation Management Plan;
8. Code of construction practice;
9. Travel Plan (including personnel travel and parking);
10. Landscaping – submission of scheme;
11. Landscaping - Maintenance of landscaping;
12. Street furniture street furniture;
13. Lighting details (Including toll booth lighting

- and design);
14. Permanent and temporary highway and footpath access, phasing and specification (including bridleways);
 15. Highway access and junction improvements to serve construction works;
 16. Alternative access routes and diversions during construction works;
 17. Contaminated Land;
 18. Hydrodynamics;
 19. Removal of all temporary construction works;
 20. Morphological monitoring of the upper Mersey Estuary;
 21. Surface Water Quality;
 22. Drainage / Flood Risk (from the Environment Agency);
 23. Terrestrial and Avian Ecology;
 24. Aquatic Ecology;
 25. Noise Monitoring;
 26. Archaeology;
 27. Navigation;
 28. Construction Compound;
 29. Wheel Cleaning Facilities;
 30. Implementation;
 31. Conditions at end of the Environment Agency comments under contamination;
 32. Signage Strategy (including speed limits);
 33. Gantry Signing ;
 34. Mitigation for the culverting of Stewards Brook;
 35. Stones used to temporarily fill the St Helens Canal shall contain properties to prevent the release of fine pieces of material into the water course;
 36. Abnormal load routing;
 37. Requisite approvals, including Highway Authority as Technical Approval Authority;
 38. Extent and reinstatement of demolition/relocation works;

INFORMATIVES

1. Approval must be obtained from Network Rails Territory Outside Party Engineers from any works that may impact on, or be near close proximity to the operational railway.
2. The details of the development, including the position and height of the three towers of the crossing shall be supplied to the Defence

Geographic Centre so that it may be included on civil aviation maps.

3. United Utilities Wastewater Adoption Engineer, Graham Perry should be contacted (01925 428 267) to arrange a sewer diversions.
4. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
 - United Utilities will only consider the adoption of surface water sewer draining to balancing ponds, providing the following criteria are met
 - The Local Authority take responsibility for the maintenance of the ponds;
 - The freehold of the land on which the pond lies is transferred to the Local Authority;
 - United Utilities is provided with a deed of "Grant of Rights" to discharge into the pond in perpetuity. Such a deed would necessarily contain provision against development within the balancing pond, and against altering its topography, or making connections to it;
 - That measures have been taken to prevent flooding of properties; and
 - That a legal agreement is in place between all parties.
5. A section 104 (Water Industry Act 1991) agreement for the surface water sewers draining to the balancing pond, will not be entered into until every condition described above has been met.
6. The applicant should check the location and conditions of any easement with United Utilities Facilities and Property Management Ltd, Coniston Buildings, Lingley Mere, Lingley Green Avenue, Great Sankey, Warrington. WA5 3UU. The route of the work covers a large area and will affect a number of our mains.
7. Written consent will need to be sought from the Environment Agency to culvert of Stewards

Brook to the South Side of Speke Road, in accordance with the Water Resources Act 1991. The balancing pond outfalls are to be into Steward's Brook and prior written consent under the above Act will also be required for the headwall structures.

8. The Project will cross both legs of Bowers Brook and our prior written consent will be required for the proposals in accordance with the Water Resources Act 1991 and the Land Drainage Byelaws.
9. The proposals at the existing roundabout to the north of the M56 Junction 12 may affect Flood Brook. The details of these should be submitted for comment and to determine whether our prior written consent is required in accordance with the Land Drainage Act 1991.
10. The Environment Agency advise that should the development involve the import or deposit of waste materials for the purpose of construction or landscaping, or if contaminated soils are treated on site the activity may require an Environmental Permit, or may require an exemption.
11. The Environment Agency advise that any hazardous waste which is removed from the site will need to be moved in accordance with the Hazardous Waste (England and Wales) Regulations 2005.
12. The applicant must submit details to, and seek approval from the Environment Agency for any intended abstraction of raw water, or impoundment of any watercourses.
13. The Environment Agency advise that it is the responsibility of the applicant to ensure that the development will not affect any water features (i.e. wells, boreholes, springs, streams or ponds) in the area, including licensed and unlicensed abstractions.
14. The Environment Agency advises that all breeding birds in the wild are protected under the Wildlife & Countryside Act (1981). It is therefore an offence to disturb or kill any wild

bird while it is nest building, or at a nest containing eggs or young, or to disturb the dependent young of such a bird.

15. Should protected species be identified in Local Wildlife Sites and SSSI (Flood Brook) a Licence should be obtained to carry out the works in accordance with the Wildlife & Countryside Act (1981).

Meeting ended at 7.55 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 18 August 2008 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, S. Blackmore, J. Bradshaw, Hignett, Hodgkinson, Leadbetter, Morley, Osborne and Polhill

Apologies for Absence: None

Absence declared on Council business: None

Officers present: P. Watts, R. Cooper, A. Pannell, J. Tully and C. Halpin

Also in attendance: 1 Member of the Public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

DEV26 MINUTES

The Minutes of the meetings held on 7th and 28th July 2008, having been printed and circulated, were taken as read and signed as a correct record.

DEV27 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE

The Committee considered the following applications for planning permission and, in accordance with its powers and duties made the decision described below.

DEV28 - PLAN NO. 08/00003/FUL PROPOSED CONVERSION OF CHAPEL AND MEETING HALL INTO 2 NO. THREE BED DWELLINGS, DEMOLITION OF CARETAKERS COTTAGE AND ERECTION OF 1 NO. THREE BED DWELLING, MOORE METHODIST CHURCH, RUNCORN ROAD, MOORE

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

Action

The Committee was advised that the applicant had withdrawn the part of the application which related to demolition of caretaker's cottage and erection of 1. no three bed dwelling.

The Committee considered the remaining part of the application and subject to the appropriate conditions from those within the report.

RESOLVED: That approval be given subject to those conditions relating to the remaining proposal from the following:

1. Condition specifying amended plans (BE1)
2. Materials condition, requiring the submission and approval of the materials to be used (BE2)
3. Landscaping condition, requiring the submission of both hard and soft landscaping. (BE2)
4. Boundary treatments to be submitted and approved in writing. (BE2)
5. Wheel cleansing facilities to be submitted and approved in writing and used. (BE1)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. Submission and agreement of finished floor and site levels. (BE1)
9. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
10. Protection of trees (BE1)
11. Restricting permitted development rights relating to extensions, outbuildings and addition of windows and dormers and fencing (BE1)
12. Bin Provision (BE1)
13. Requiring landscaping/ fencing of works compound in accordance with scheme and timetable to be approved (BE2)
14. Requiring implementation of energy and sustainability measures in accordance with details agreed with Local Planning Authority. Specifically requiring implementation of green roof, solar power for electricity and hot water and passive ventilation to unit 3 (new build dwelling) unless otherwise agreed (BE2)
15. Requiring conversion of chapel and meeting hall to habitable status prior to occupation of unit 3 (new build) or in accordance with phasing plan agreed with Planning Authority (BE13)

16. Retention of glazing within retained windows to Chapel and meeting hall unless otherwise agreed (BE12)
17. Ensuring provision/ protection of sightlines (BE1)
18. Securing hedgerow works in accordance with agreed details (BE1)
19. Provision of waste/re-cycling bins (BE1)

DEV29 - PLAN NO. 08/00273/FUL PROPOSED DEMOLITION OF THREE STOREY HOTEL AND ERECTION OF 15 NO. SELF CONTAINED FLATS IN A THREE STOREY BLOCK AT PANORAMA HOTEL, CASTLE ROAD, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

RESOLVED: That approval be given subject to the following conditions:

1. Standard condition relating to timescale and duration of the permission.
2. Entering into a suitable legal agreement relating to a developer contribution in lieu of on site recreation open space provision (S25 & BE1).
3. Submission of sample materials (BE2)
4. Conditions for access (including visibility splay) and parking/layout, cycle parking provision (BE1, TP12)
5. Site investigations and remediation required (PR14)
6. Details of drainage (BE1)
7. Condition for landscaping scheme to be approved in writing (BE1)
8. Condition for details of boundary treatment and retention of stone boundary wall (BE12)
9. Condition specifying construction hours (BE1)
10. Wheel wash facilities (BE1)
11. Details of site levels (BE1, BE2)
12. Provision of recycling separation inside each apartment (BE1)
13. Full details of bin external bin store and provision of receptacles prior to occupation (BE1, BE2)
14. Conditions for tree protection measures (GE27)
15. Condition for the details of any retaining walls to be agreed in writing (BE1, BE2)
16. Condition for the recording of the existing building and boundary walls prior to demolition (BE12)
17. Condition for method statement for the demolition and construction including highway management (BE1)
18. Condition for Archeological watching brief (BE6)
19. Submission and agreement of site and finished floor

levels (BE1)

DEV30 - PLAN NO. 08/00296/FUL PROPOSED COMPREHENSIVE EARTHWORKS , DRAINAGE WORKS AND GROUND LEVEL CHANGES TO LAND IN SANDYMOOR SOUTH AND THE CREATION OF A NEWT RESERVE AREA AT THE SOUTHERN END OF LAND TO THE EAST OF BRIDGEWATER CANAL, SANDYMOOR, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

RESOLVED: That approval be given subject to conditions relating to the following:

1. Standard 3 year condition (BE1)
2. Prior to commencement submission of details of temporary construction and site staff car parking area (BE1 and BE2)
3. Prior to commencement submission of details of wheelwash facilities, including method statement and location plan (BE1)
4. Prior to commencement newt protection measures as specified in the Amphibian Mitigation Strategy shall be implemented in full (GE21)
5. Prior to the commencement of development repeat surveys shall be undertaken to assess presence of great crested newts and water voles along the areas affected by the development. Measures of mitigation, where necessary and as approved shall be implemented in full prior to commencement (GE21)
6. Prior to the commencement of development provision of details of the temporary protective fencing to be installed during the course of construction along the top of Sandymoor Main Ditch shall be submitted to and approved in writing by the Local Planning Authority. Such details to as approved shall be implemented in full prior to commencement (GE10 and BE22)
7. Prior to the commencement of development provision of details of newt exclusion fencing to be installed in accordance with the Amphibian Mitigation Strategy May 2008 (Drawing D.KGCOOAT103.005) shall be submitted to and approved in writing by the Local Planning Authority. Such details to as approved shall be implemented in full prior to commencement (GE21 and BE22)
8. Prior to commencement details of planting to be provided adjacent to Sandymoor Main Ditch and

great crested newt reserve shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be carried out in accordance with a programme for planting and maintenance related to stages of completion of the development. The scheme must incorporate native species. (BE1)

9. The amphibian mitigation shall take place in accordance with the submitted and approved Amphibian Mitigation Strategy 2008 (Report Ref: KGIPAT331.001) May 2008, in particular from paragraph 3.0 to 4.1 and to the satisfaction of the Local Planning Authority. (BE1 and GE21)
10. The water vole mitigation shall take place in accordance with the submitted and approved Water Vole Mitigation Method Statement 2008 (Report Ref: KGIPAT331.004) May 2008, in particular from paragraph 2.0 and 3.0 and to the satisfaction of the Local Planning Authority. (BE1 and GE21)
11. Prior to any commencement of works, a detailed survey is recommended to check for ground nesting birds. Where nests are found in any land to be developed, a 4m exclusion zone is left around the nest until breeding is complete (BE1 and GE21)
12. Prior to the commencement of development details to be submitted for fencing to protect existing trees on the site throughout the course of development (BE1)
13. At no time shall any loaded vehicles access the site from Windmill Hill Avenue which are over 7 tonnes (BE1)
14. All site traffic to access the development site via the access road off Windmill Hill Avenue and at no time via Walsingham Drive (BE1)
15. Construction Hours limitation (BE1)

DEV31 - PLAN NO. 08/00344/FUL PROPOSED INSTALLATION OF SINGLE STREAM FLUIDIZED BED COMBUSTOR TO PRODUCE RENEWABLE ENERGY, RAISING HEIGHT OF EXISTING BUILDING FROM 8.8M TO 20M WITH NEW STEEL PORTAL FRAME TO ACCOMMODATE FLUIDIZED BED COMBUSTOR AND WASTE HEAT RECOVERY BOILER, EXTERNAL EQUIPMENT INCLUDING A DEDICATED 30M CHIMNEY, AIR COOLED CONDENSER, BRICK BUILDING ACCOMMODATING STEAM TURBINE, AIR POLLUTION ABATEMENT EQUIPMENT, ASH LOADING FACILITIES AND ANCILLARY DEVELOPMENT AT GRANOX (PDM) LTD, DESOTO

RESOLVED: That the application be deferred to the next meeting of the Committee.

DEV32 - PLAN NO. 08/00357/HBCFUL PROPOSED ERECTION OF 2M HIGH ALLEY GATES AT ENTRANCES TO ALLEYWAYS ADJACENT TO NO.S 2 & 22 CURZON STREET AND NO.S 3 & 25 HAVERGAL STREET, RUNCORN

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was noted that one further representation had been received in favour of the application, and highlighting that they have vehicle access through the rear. Property Services was aware of this, residents would receive keys for the gates.

RESOLVED: Approval be given subject to the following conditions;

1. Standards time limit for implementation
2. Requiring colour coating Dark Green BE22.

DEV33 MISCELLANEOUS ITEMS

It was reported that appeals had been received following the Council's refusal of the following applications:

07/00767/FUL Proposed erection of 10 No. nursery units for B1 and B8 uses at Catalyst Trade Park, Waterloo Road, Widnes

08/00203/FUL Proposed single storey side extension at 85 Moughland Lane, Runcorn, Cheshire

The Committee was advised that the following applications had been withdrawn:-

08/00226/FUL Proposed single storey/two storey rear extension at 248 Moorfield Road, Widnes, Cheshire

08/00234/FUL Proposed remodelling to shop frontages inclusive of entrances to flat Nos 110, 112, 118 and 120, new canopy and

	ramp (for DDA 2004 compliance) at 110/112 and 118/120 Bancroft Road, Widnes, Cheshire
08/00246/FUL	Proposed detached garage at 199 Barrows Green Lane, Widnes, Cheshire
08/00263/FUL	Proposed two storey side/single storey rear extensions and front porch at 15 Beaconsfield Grove, Widnes, Cheshire
08/00311/FUL	Proposed single storey rear extension at 25 Cherry Tree Avenue, Runcorn, Cheshire

The Committee was advised of a miscellaneous report which sought agreement to the Councils Local Validation Checklist and advice notes.

At a recent training session of the Committee the changes in the application and validation procedures were outlined. The changes to the process had been introduced by the Government to engender a quicker, more predictable and efficient Planning Service. The changes came into effect on 6th April 2008 through the Town & Country Planning (General Development Procedure) Order 1995, as amended and included the electronic and standardised application form and national validation standards. In addition the legislation encouraged local planning authorities to adopt their own local validation checklists.

It was recommended in the "The Validation of Planning Applications' Guidance for Local Planning Authorities December 2007", that Authorities adopt local lists that were tailored to the types of application covered by the standard application form and be based on the local context.

It was noted that a consultation process had been undertaken including statutory and non-statutory consultees, Parish Councils and agents. Details of the proposed validation checklists were sent to all and a period of 6 weeks was allowed to make responses. At the end of this period a total of 15 responses had been received.

Whilst some alterations were suggested, it had not yet been established whether these should be incorporated into the local list. It was considered that the Validation

Checklist, as it currently stands was appropriate and that if changes were found to be appropriate then these, could be added later. Local Planning Authorities were encouraged to review their adopted local checklists every three years and could undertake a re-consultation process for anything other than minor amendments.

It was further noted that there was no reason to prevent immediate use of the checklists and advice note to reinforce the already robust practices in validation and registration of applications. All relevant documents were now fully available on the Council's website, as were links to more obscure documentation and lesser-used papers. The checklists would be reviewed and updated periodically.

Meeting ended at 6.41 p.m.

DEVELOPMENT CONTROL COMMITTEE

At a meeting of the Development Control Committee on Monday, 15 September 2008 at Civic Suite, Town Hall, Runcorn

Present: Councillors Nolan (Chairman), Thompson (Vice-Chairman), P. Blackmore, S. Blackmore, J. Bradshaw, Hodgkinson, Leadbetter, Osborne and Polhill

Apologies for Absence: Councillors Hignett and Morley

Absence declared on Council business: None

Officers present: J. Farmer, G. Henry, A. Pannell, A. Plant, P. Shearer, M. Simpson, J. Tully and P. Watts

Also in attendance: Councillors McInerney and Parker and 18 members of public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
DEV34 MINUTES	
The Minutes of the meeting held on 18 August 2008, having been printed and circulated, were taken as read and signed as a correct record.	
DEV35 PLANNING APPLICATIONS TO BE DETERMINED BY THE COMMITTEE	
The Committee considered the following applications for planning permission and, in accordance with its powers and duties made the decisions described below.	
NB. ALTHOUGH COUNCILLOR POLHILL HAD NO PERSONAL INTEREST IN THE FOLLOWING 3 APPLICATIONS, TO AVOID ANY SUGGESTION OF BIAS HE DECIDED TO TAKE NO PART IN THE CONSIDERATION OR VOTING ON THE ITEM.	
DEV36 - PLAN NO. 08/00367/COU - PROPOSED USE OF EXISTING BUILDING FOR SECURE CARE AND TREATMENT OF MEDIUM AND LOW SECURE MENTALLY ILL PATIENTS (25 NO. MEDIUM SECURE	

AND 50 LOW SECURE) USE CLASS C2A AT MEADOW LODGE, BENNETS LANE, WIDNES. PLAN NO. 08/00368/COU - PROPOSED USE OF EXISTING BUILDING FOR SECURE CARE AND TREATMENT OF LOW SECURE MENTALLY ILL PATIENTS (MAXIMUM 75 PATIENTS) USE CLASS C2A AND PLAN NP. 08/00382/FUL PROPOSED EXTERNAL ALTERATIONS TO PLANNING APPROVAL 05/00903/FUL TO MEADOW LODGE BE

The Committee considered the above mentioned proposals as one item as they all related to Meadow Lodge Bennets Lane Widnes.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that 84 letters of objection had been received and a further 85 letters were received which did not identify a specific planning reference number, details of which were outlined in the report.

The Committee considered a letter of support that had been received from LMMC (a company working for the applicant) which stated that 75% of job posts created would be filled locally contributing £8million to the local economy and could be included within a Section 106 Legal Agreement. The letter also stated that the site would be regulated by the Healthcare Commission – an independent watchdog of healthcare in England, the facility was likely to become centre of mental healthcare excellence and emergency evacuation would be regulated and approved through the Healthcare Commission.

It was advised that an additional letter of objection had been received from a member of the Halton View Action Group stating that Halton and Cheshire had more than adequate provision for mental health patients and concerns were raised regarding the recent news report of 116 escapes from medium secure units in the last 12 months.

Members were informed of comments received from Ward Councillor Parker as follows:

- Applicant could not give guarantees as they would not be the end user;
- The company took a long time to discover the previous end user as Priory Group of Mental Healthcare Clinics;
- Concerns as the company omitted low / medium secure unit from the application at the time the

previous permission was granted for the residential care home, this was deceptive; and

- Allowing a change in the use of this building would result in an unwelcome precedent in the entire Borough.

Mr Pope from Halton View Residents Group addressed the Committee and spoke against the applications.

Ward Councillor McInerney also addressed the Committee and spoke against the applications.

The Committee was advised as per report that application numbers 08/00367/COU and 08/00368/COU be recommended for refusal on the basis of the following:

- the use is incompatible with the surrounding uses, in particular the nearby residential area as it would result in a perception of an increase in crime and harm to public safety within the existing local community;
- the employment creation and the wider need for this type of this facility would not outweigh the resulting harm from the perceived fear of the local residents;
- there is no proven need for the facility in this location or indeed with the wider PCT boundaries and as such and unsustainable end use would result; and
- the proposals would fail to comply with Policy BE1 of the Halton Unitary Development Plan.

The Committee was advised that application number 08/00382/FUL be recommended for refusal due to it being intrinsically linked to the Council's consideration of the two concurrent applications listed above. It was noted that given that the first two applications were recommended for refusal, it was recommended that this application also be refused in the interests of retaining the approved use of the building for a residential care home, and for no further use as a secure facility.

RESOLVED: That application numbers 08/00367/COU, 08/00368/COU and 08/00382/FUL be refused.

NB: COUNCILLOR POLHILL DECLARED A PERSONAL AND PREJUDICIAL INTEREST IN THE FOLLOWING ITEM DUE TO BEING THE CHAIR OF 3MG EXECUTIVE SUB-BOARD AND LEFT THE ROOM DURING ITS

CONSIDERATION.

DEV37 - PLAN NO. 08/00031/HBCFUL - PROPOSED NEW LINK ROAD AND LANDSCAPING TO THE LAND OFF NEWSTEAD ROAD, DITTON STRATEGIC RAIL FREIGHT PARK, HALEBANK ROAD, WIDNES.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. One letter of objection had been received, details of which were outlined in the report.

It was noted that mitigation could be adequately secured through appropriate conditions detailed in the report and with time and maturity of associated landscaping, the proposals would become an accepted part of the landscape. The Committee was advised of an amendment to one of the existing conditions for the need to re-design the overspill pond into two ponds with foraging habitat.

The Committee raised concerns in relation to large volumes of traffic queues and requested that a letter be sent to Knowsley Borough Council asking them to mitigate effects of large traffic flows to the southern end of the expressway.

RESOLVED: The application be approved subject to the following conditions:

1. Specify amended plans (BE1);
2. Submission and agreement of construction code of practice (BE1);
3. Submission and agreement of lighting (PR4);
4. Submission and agreement of construction environmental management plan including noise and dust suppression (PR1);
5. Submission and agreement of acoustic barriers (PR2);
6. Scheme of 'low noise' wearing course (PR2);
7. Securing provision of replacement pond(s) and terrestrial habitat including toad spawn translocation (GE25);
8. Restricting noise levels during construction phase unless otherwise agreed (PR2);
9. Restricting working and delivery hours unless otherwise agreed (BE1);
10. Requiring that the development be designed and implemented in full accordance with the submitted/approved details unless otherwise agreed (BE1);
11. Implementation of a surface water regulation

- system in accordance with details to be submitted and agreed (PR16);
12. Requiring water vole, bat and black poplar tree surveys prior to commencement and agreement of appropriate mitigation as required (GE21);
 13. Securing programme of archaeological work (BE6);
 14. Submission and agreement of drainage details (PR16);
 15. Mitigation scheme for barn owls, swallows, house martins (GE21);
 16. Implementation of agreed landscaping scheme unless otherwise agreed (BE1);
 17. Agreement of finished site levels (BE1);
 18. Submission and agreement of wheel cleansing (BE1); and
 19. Routing of traffic and vehicles during construction phase to be agreed BE1);

DEV38 - PLAN NO. 08/00173/FUL - PROPOSED 4 BED DETACHED DORMER BUNGALOW WITH INTEGRAL DOUBLE GARAGE TO THE LAND ADJACENT TO 18A HOUGH GREEN ROAD, WIDNES

The consultation procedure undertaken was outlined in the report together with background information in respect of the site. It was reported that five letters of objection had been received, details of which were outlined in the report. The Committee was advised that a further letter of objection had been received raising issues regarding the impact on trees and wildlife.

It was reported that following detailed measurement and discussion from a site visit including the Council's Tree Officer, amended plans had been supplied reducing the footprint of the dwelling slightly and to accurately show current locations of trees and proposed relocation of one tree.

It was noted that Council Officers were now satisfied with the latest amended plans and that the dwelling could be built to meet the Council's current guidance.

RESOLVED: That the application be approved subject to the following conditions:

1. Condition specifying amended plans (BE1);
2. Requiring the applicant to enter into a Section 106 or other appropriate agreement in relation to the

- payment of a commuted sum for the provision and establishment of off-site open space (H3/ S25);
3. Materials condition, requiring the submission and approval of the materials to be used (BE2);
 4. Landscaping condition, requiring the submission of both hard and soft landscaping to include tree planting (BE2);
 5. Boundary treatments to be submitted and approved in writing (BE2);
 6. Wheel cleansing facilities to be submitted and approved in writing and used (BE1);
 7. Construction and delivery hours to be adhered to throughout the course of the development (BE1);
 8. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use (BE1);
 9. Submission and agreement of finished floor and site levels (BE1);
 10. Site investigation, including mitigation to be submitted and approved in writing (PR14);
 11. Protection of trees (BE1);
 12. Restricting permitted development rights relating to extensions, outbuildings and addition of windows and dormers (BE1); and
 13. Bin/ Store Provision (BE1).

DEV39 - PLAN NO. 08/00344/FUL - PROPOSED INSTALLATION OF SINGLE STREAM FLUIDIZED BED COMBUSTOR TO PRODUCE RENEWABLE ENERGY, RAISING HEIGHT OF EXISTING BUILDING FRO 8.8M TO 20M WITH NEW STEEL PORTAL FRAME TO ACCOMMODATE FUIDIZED BED COMBUSTOR AND WASTE HEAT RECOVERY BOILER, EXTERNAL EQUIPMENT INCLUDING DEDICATED 30M CHIMNEY , AIR COOLED CONDENSER, BRICK BUILDING ACCOMMODATING STEAM TURBINE, AIR POLLUTION ABATEMENT EQUIPMENT, ASH LOADING FACILITIES AND ANCILLARY DEVELOPMENT AT GRANOX (PDM) LTD, DESOTO R

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was reported that one letter of representation was originally received from an adjoining business raising no objection providing improvements were made to current odour problems and no additional odour was created as a result of the operation. It was noted that three additional letters of representation had been received details of which

were outlined in the report. The Committee was also advised of one further letter of objection which raised issues of air pollution and HGV movement.

Miss L Taberer from PDM Ltd, addressed the Committee and spoke in favour of the application.

Arising from the discussion the Committee noted the following:

- the potential that the proposal will destroy current odours;
- control issues, staff training and conditions; the minor increase in ground-level concentration of some pollutants associated with emissions from the proposal; and
- the location of where the produced ash would be landfilled.

The Committee was advised that as per previous deferment of this application a bat survey was due to be carried out and an appropriate assessment screening was being undertaken. It was reported that this work was not 100% completed but was considered to be sufficiently progressed to give confidence that legislation could be complied with. To avoid further delay, it was requested that authority be delegated to the Operational Director Environmental and Regulatory Services in consultation with the Chair or Vice Chair, to approve the scheme once this work had been satisfactorily completed.

RESOLVED: that

A. the application be approved subject to the following conditions:

1. Requiring submission and agreement of materials (BE2);
2. Requiring submission and agreement of boundary treatments (BE22);
3. Requiring implementation of detailed landscape works (BE2);
4. Restricting external storage (E5);
5. Control of design/ installation/maintenance of external lighting (PR4);
6. Survey/ protection of nesting birds (GE19);
7. Submission and agreement/ implementation of Environmental/ Construction Management Plan (BE1);
8. Ground Investigation and mitigation (PR14);

9. Submission and agreement of pile design to show no perforation of boulder clay/ aquifer;
10. Requiring development to be carried out in strict accordance with all approved documents and associated supporting information submitted in support of the application including implementation of all mitigation measures unless otherwise agreed;
11. Submission and agreement of finished ground/ floor levels (BE1);
12. Laying out of access/parking and servicing BE1);
13. Drainage (PR5);
14. Conditions relating to storage, handling etc of fuels, chemicals etc (PR5);
15. Provision of cycle parking (TP6) ;
16. Requiring wheel cleansing facilities throughout construction phase (BE1);
17. Restricting construction and delivery hours (BE1);
18. Securing provision of airlocks to external doors (BE1); and

B. that authority be delegated to the Operational Director Environmental and Regulatory Services in consultation with the Chair or Vice Chair, to approve the scheme once the bat survey and appropriate assessment screening work has been satisfactorily completed.

DEV40 - PLAN NO. 08/00363/FUL - PROPOSED NEW UNIT (1,1613SQ.M) WITH ASSOCIATED OFFICES, CAR PARKING AND SERVICING TO THE LAND AT CANALSIDE, WARRINGTON ROAD, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was reported that the Environment Agency had been consulted who had responded with no objection but with a suggested condition requesting a ground investigation and any necessary remediation was carried out.

RESOLVED: That the application be approved subject to the following conditions:

1. Standard condition relating to timescale and duration of the permission;
2. Prior to commencement, materials and colours to be submitted for approval (Policy BE2);
3. Prior to commencement details of external lighting to be submitted for approval (Policy BE2);

4. Prior to commencement details of hard and soft landscaping to be submitted for approval (Policies BE1, BE2 and E5);
5. Prior to commencement details of soft landscaping to be submitted for approval (Policy BE1);
6. Prior to commencement details of boundary treatment to be submitted for approval (Policy BE22);
7. No outside storage of plant, good or materials without prior written consent (Policy BE1 and E5);
8. Prior to commencement details of wheel wash facility during construction phase to be submitted for approval (Policy BE1);
9. Prior to commencement details of bin storage to be submitted for approval (Policy BE1 and E5);
10. Prior to commencement details of cycle storage to be submitted for approval (Policy TP6);
11. Prior to occupation vehicle parking and servicing areas laid out (Policy TP12);
12. Construction hours condition (Policy BE1);
13. Delivery hours condition (Policy BE1);

DEV41 - PLAN NO. 08/00383/FUL - RETROSPECTIVE APPLICATION FOR THE DEMOLITION OF ELDERLY PERSONS HOME AND THE PROPOSED CONSTRUCTION OF 5 TWO STOREY BLOCKS, ACCOMMODATING 28 TWO BED APARTMENTS (TO BE SOCIAL RENTED) TO OAK LODGE, RICHARDS CLOSE, RUNCORN.

The consultation procedure undertaken was outlined in the report together with background information in respect of the site.

It was reported that one neighbour objection had been received, details of which were outlined in the report and was considered that the applicant had provided a satisfactory response which addressed the issues raised.

The Committee was advised that amended plans had been received which addressed highways comments and required additional conditions as listed in the resolution.

It was advised that amended plans to accurately plot trees to be felled or retained had been received in addition to details of protection measures for the trees to be retained.

RESOLVED: That the application be approved subject to the following conditions.

1. Standard full permission;
2. Subject to amended plans to address Highway and tree issues (Policies BE1, TP7, TP17);
3. Prior to commencement the submission of material samples for approval (Policy BE2);
4. Details of tree protection measures and tree replacement (Policy BE1);
5. No trees shown to be retained shall be damaged in any way as a result of the development (Policy BE1);
6. Prior to commencement the submission of all boundary treatments for approval (Policy BE22);
7. Prior to commencement the submission of details of a hard and soft landscaping scheme (Policy BE1);
8. Prior to commencement the submission of detailed species of soft landscaping for approval (including replacement tree planting) (Policy BE1);
9. Prior to commencement the submission of details of bin and cycle stores to be secured for approval (Policy BE2);
10. Prior to commencement the submission of details of sub station to be secured for approval (Policy BE2);
11. Prior to commencement the submission of a ground investigation and undertaking any remedial works if required (Policy PR14);
12. Prior to commencement the submission of existing ground levels and finished floor levels / ground levels for approval (Policy BE1);
13. Prior to commencement details of wheel wash to be used throughout the course of the construction period (Policy BE1);
14. Access, roads, car parking and service areas to be laid out prior to occupation of premises (Policies BE1, TP6, TP7, TP12 and TP17);
15. No lighting to be installed within the site without further approval from the Local Planning Authority (Policies BE1 and PR4);
16. Restricted hours of construction (Policy BE1);
17. Restricted hours of delivery (Policy BE1); and
18. The provision of bins for each residential unit prior to occupation. (Policy BE1).

Additional conditions were agreed as follows:

19. submission and agreement of details relating to any necessary retaining walls and temporary footpaths;
20. proposed bin collection point;

21. on-site parking for site vehicles during construction; and
22. a grampian condition relating to off site highway works.

DEV42 MISCELLANEOUS ITEMS

It was reported that no appeals had been lodged following the Council's refusal of an application.

The Committee was advised that the following applications had been withdrawn:-

08/00336/CAC Application for Conservation Area Consent for conversion of chapel and attached hall into 2 No. dwellings, together with erection of a detached two storey dwelling with parking area, incorporating the demolition of the existing cottage at Moore Methodist Church & Hall, Runcorn Road, Moore

08/00375/FUL Proposed two storey side extension and internal alterations at 33 Addingham Avenue, Widnes, Cheshire

08/00402/FUL Proposed part rendering of external elevations at Aldi Foodstore Ltd, Lugsdale Road, Widnes

Meeting ended at 7.25 p.m.

This page is intentionally left blank

STANDARDS COMMITTEE

At a meeting of the Standards Committee on Wednesday, 10 September 2008 in Committee Room 1, Runcorn Town Hall

Present: Mr B. Badrock (Chairman), Crawford, T. Luxton, Balmer, Parker, Redhead, Wainwright and Wharton

Apologies for Absence: Mr R. Garner

Absence declared on Council business: None

Officers present: L. Cairns and M. Reaney

Also in attendance: None

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

STC4 MINUTES

The Minutes of the meeting held on 4th June 2008, having been printed and circulated, were signed as a correct record.

STC5 ACTION LIST

The Committee considered the Action List in detail and noted/agreed the following:

- Action 1 – The joint training with Warrington Borough Council had taken place on 18th June 2008. A number of Members could not attend this event and so the possibility of arranging a new date with a role play training exercise was being investigated. This would incorporate the new Independent Member who had recently been appointed. It was agreed that Members be canvassed for a training date after 13th November 2008.
- Action 3 – No information had been forthcoming from Wigan Council to date.
- Action 6 – It was confirmed that the cost of a training

Action

Monitoring Officer

day could be met from within existing resources and the Parish Councils would be included in this.

- Action 7 – The website had been updated to state that complaints must now be submitted to the Councils Standards Sub-Committee. In addition, if the Committee agreed the filter arrangements before it today, information in this respect would also be added to the website.

Monitoring Officer

- Action 9 – Training on the Code was now rolled out regularly and was well attended and this had negated the need for a DVD. It was agreed that the opportunity of including an article in “Inside Halton” be investigated to increase the profile of the Standards Committee. Information could be provided about protocols, should they be agreed by the Committee, together with links as to how these could be accessed with a timeframe for the review of requests. It was confirmed that this information would be ready following the next meeting of the Committee.

Monitoring Officer

- Action 16 – Two Sub-Committees to be chaired an Independent Member had now been established. Further information had been circulated with the agenda outlining a proposed protocol for dealing with complaints based on guidance issued by the Standards Board. The Committee considered the documents that had been circulated in detail and agreed the following:

- 1) **Draft Monitoring Officer Protocol** – Agreed with no changes.
- 2) **Terms of Reference of the Assessment Sub-Committee** – agreed subject to the following amendments – 1b(iv) add “or the allegation is in respect of another body of which the Councillor is a member” and in respect of 1c(iii) the words “of the Standards Board for England” be included after “Adjudication Panel”.
- 3) **Terms of Reference of the Review Sub-Committee** – agreed subject to additional wording to be added to paragraph 2, for the avoidance of doubt, stating that Members who sat on the Review Sub-Committee could not have already sat on the Assessment Sub-Committee.
- 4) **Draft Complaint/Assessment Criteria** – agreed

subject to the last paragraph under No. 1 being made impersonal, the penultimate paragraph under No. 2 being amended to read “the Sub-Committee will then consider whether, on the basis of the complaint and that additional information, there is a case to answer or there has been a possible breach of the Code of Conduct”.

- Action 17 – The Monitoring Officer had written to the Standards Board for England about the allocation of places on conferences and had requested a response. In the meantime, the Monitoring Officer and the Chairman would be attending the Annual Conference the following month.

STC6 APPOINTMENTS TO VACANCIES

The Board considered a report of the Strategic Director – Corporate and Policy providing an update on the current position in respect of the appointment to the vacant post of “Independent Member” and “Parish Council Representative”, which had been established in order that the Committee could fulfil its requirements in terms of the new filtering process.

It was advised that the vacancy for an Independent Member had been advertised in accordance with statutory requirements and Mr. Robert Garner had been subsequently appointed. Steps had also been taken to fill the Parish Council vacancy. Unfortunately, Officers had not been able to secure an appointment to date.

RESOLVED: That

- 1) Mr. Garner be welcomed as the new additional Independent Member of the Committee; and
- 2) the current position relating to the Parish Council vacancy be noted and an individual letter be sent to each Parish Councillor in the Borough to ask if they would be interested in filling the vacancy.

Monitoring Officer

STC7 STANDARDS BOARD INFORMATION ROUND-UP

The Board considered a report of the Strategic Director – Corporate and Policy bringing Members up to date with the latest news from the Standards Board.

A copy of Bulletin 39, released since the last meeting of the Committee, was attached at Appendix 1 to the report.

In particular, Members' attention was brought to the following:

- the Standards Board would no longer publish summaries of completed investigations on their website. Instead, quarterly statistics about cases handled across the country would be produced. In addition, the Board intended to compile an annual report highlighting notable practice in local case handling. The Monitoring Officer reported that he had submitted the first quarterly response confirming that no complaints had been received in that period;
- new guidance had been published to support local authorities in the implementation of the local framework; and
- Dr. Robert Chilton had been appointed as the new Chair of the Standards Board for England with effect from 1st July 2008 for a three-year term.

In addition, two press releases had been circulated for information, providing details of an investigation in Cornwall that had resulted in the disqualification of two Members for a twelve-month period, and outlining the initial impact of the local filtering system on local authorities across the country.

RESOLVED: That

- 1) the report be noted; and
- 2) the press release relating to the investigation in Cornwall be circulated to all Members of the Council for information.

Monitoring Officer

Meeting ended at 4.40 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Thursday, 7 August 2008 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), D. Inch, A. Lowe, E. Ratcliffe and Wainwright

Apologies for Absence: Councillors Bryant, Howard and Nelson

Absence declared on Council business: None

Officers present: L. Capper, K. Cleary and J. Tully

Also in attendance: Mr K Barry and Mr I Seville

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

REG6 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Action

It was noted that the following report had been placed in Part II of the agenda as it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100(1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

However, Members of the Committee considered the officer recommendation that the item should be placed in Part I of the agenda and

RESOLVED: That the item be discussed in Part 1 of the agenda in the presence of the press and public.

REG7 APPLICATION TO TRANSFER PREMISES LICENCE NEW YORK CAFÉ BAR 2-4 HIGH STREET RUNCORN

The Committee met to consider an application for the transfer of the Premises Licence at the New York Café Bar 2 - 4 High Street Runcorn.

The applicant The Dog House Pub Company Limited was represented by Karl Barry and the objectors Cheshire Constabulary attended and were represented by Ian Seville Police Licensing Officer.

RESOLVED: That the application be rejected for the following reasons:

1. the Council had regard to the Notice of Objection and to representations made on behalf of the Chief Officer of Police and the Applicant and to all other material considerations;
2. at the date of the Application an application for a review of the premises licence at the Premises had been applied for by the Chief Officer of Police which application commenced the Review Process;
3. the Council accepted the first ground stated in the Notice of Objection that the Application was an artifice to try to circumvent the Review Process;
4. the second ground stated in the Notice of Objection was withdrawn by the Chief Officer of Police;
5. the Council upheld the view of the Chief Officer of Police that the grant of the Application would seriously undermine the crime prevention objective and that the Review Process should not be allowed to be circumvented by the Application; and
6. the Council considered it necessary for the promotion of the crime prevention objective that the Application be rejected and consequently was under a duty to reject the application by virtue of section 44(5)(b) of the Act.

Meeting ended at 7.40 p.m.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Tuesday, 23 September 2008 in the Civic Suite, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Drakeley, Howard, D. Inch, A. Lowe, Murray, E. Ratcliffe and Wainwright

Apologies for Absence: Councillor Wharton

Absence declared on Council business: None

Officers present: L. Capper, K. Cleary, J. Findlow and J. Tully

Also in attendance: 5 applicants/members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

Action

REG8 TAXI LICENSING MATTER - HACKNEY CARRIAGE
VEHICLE LICENCE NO. 314

The Committee met to consider an application from Mr John Minogue to reissue Hackney Carriage Vehicle Licence 314.

Members took into account the information provided to them by the Licensing Section and the representations made by Mr and Mrs Minogue.

RESOLVED: That vehicle licence No 314 be reissued to Mr Minogue.

(NB Councillor Bryant declared a personal and prejudicial interest in the following item of business due to the relationship with one of the parties involved in the matter, and took no part in the application or the decision.)

REG9 TAXI LICENSING MATTER - HACKNEY CARRIAGE
VEHICLE LICENCE NO. 102

The Committee met to consider an application from Mr Lee Nolan to reissue Hackney Carriage Vehicle Licence No 102.

Members took into account the information provided to them from the Licensing Section and Mr Nolan's explanation as to why the vehicle renewal application was not submitted to the Council before the expiry date of the licence.

RESOLVED: That the application be rejected.

REG10 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

(1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

(2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REG11 TAXI MATTERS

The Committee met to consider if a Single Status Driver was a fit and proper person to hold a SSD Licence following notification of a conviction.

Members took into account the information provided

by the Licensing Section and the driver's explanation regarding the offence.

RESOLVED: That the Single Status Drivers Licence Number 881 be suspended for one month and the applicant be further advised that if they were to be brought back before the Regulatory Committee for any reason the Members would not be as lenient in the future.

Meeting ended at 9.07 p.m.

This page is intentionally left blank

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 24 September 2008 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Howard, D. Inch, A. Lowe, E. Ratcliffe, Wainwright and Wharton

Apologies for Absence: None

Absence declared on Council business: Councillor Philip Drakeley and Councillor Peter Murray

Officers present: L. Capper, K. Cleary, L. Derbyshire, J. Findlow and J. Tully

Also in attendance: 2 applicants/members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

Action

REG12 APPLICATION TO (1) VARY A PREMISES LICENCE AND (2) TWO PREMISES LICENCES THE GALA BINGO WINDMILL CENTRE LUGSDALE ROAD WIDNES

The Committee was advised that this item had been withdrawn by the applicant.

REG13 REVIEW OF QUALIFYING VEHICLES

The Committee received a report on the outcome of the consultation process which had been requested on 16 June 2008. The consultation process had produced a number of matters which were non-contentious and some matters which required further consideration. A summary document was produced to the Committee comprising two tables. Table 1 set out the non-contentious matters and Table 2 the contentious matters. Both tables identified specific matters set out in Appendix 3 of the agenda report.

Table 1 referred to the following parts of Appendix 3: Definition of wheelchair accessible (paragraph 1.5); definition of fully wheelchair accessible (paragraph 1.6); new general conditions (paragraphs 1.7 to 1.9); minimum front knee room condition (paragraph 3.7); 4 useable wheels

condition (paragraph 3.11); deletion of engine capacity requirement (paragraphs 3.4 etc); horse drawn vehicles condition (paragraph 6.2); trailers condition (paragraph 9); and roof pods conditions (paragraph 10).

Table 2 referred to the following elements within Appendix 3: front bench seats; seat configuration; passenger numbers; and privacy glass.

RESOLVED: That

- (1) the above mentioned amendments set out in Table 1 be adopted; and
- (2) the issues outlined above in Table 2 be referred to the Taxi Consultative Group for further consideration and ultimately be referred back to the Committee for determination.

REG14 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee was advised that new information regarding the use of Hackney Carriage Vehicle 316 was to be included as part of the next item and, due to the nature of this information, the whole of the item should be considered in the absence of the press and public. This new information had been conveyed to the applicant on 16th September 2008 during an interview with the Council's Licensing Manager and confirmed in writing on 17th September 2008.

The Committee considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Committee during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 3 and 7 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and

exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REG15 TAXI LICENSING MATTER - HACKNEY CARRIAGE VEHICLE LICENCE 316

The Committee considered an application to reissue Hackney Carriage Vehicle Licence 316, including the urgent information tabled that had previously been conveyed to the applicant on 16th September 2008 during an interview with the Council's Licensing Manager and confirmed in writing on 17th September 2008.

Members were advised of a change in the options available to them and it was noted that the decision regarding the vehicle licence and the Single Status Drivers Licence were independent of each other and that a decision taken on one item did not imply any corresponding decision on the other.

The Committee heard representations from the Council's Taxi Enforcement Officer and from a Council Solicitor regarding a particular incident which had occurred on 22nd August 2008.

Members took note of the representations made by the applicant and the incident which occurred on Friday 22nd August 2008. The applicant stated that the vehicle licence was not renewed on time because the vehicle required a considerable amount of work and he intended to dispose of it. The applicant also stated that he had had the required works carried out. However, the applicant was unable to provide receipts for the work alleged to have been carried out on the vehicle.

The applicant was unable to satisfactorily explain why the vehicle was seen by a Council Solicitor apparently

dropping off a fare in Lunts Heath Road Widnes with vehicle plate number 316 attached to the rear of the vehicle when this plate had been returned to the Council Offices on 18 August 2008 and the vehicle licence had expired on 20 July 2008.

The Committee did not consider that any satisfactory reason had been given for the failure to have the vehicle licence renewed on time, and found that the use of the vehicle on 22nd August 2008 was a very serious matter.

RESOLVED: That

- (1) the application to “renew” vehicle licence 316 be refused; and
- (2) the applicant be found not to be a fit and proper person to hold a Single Status Drivers Licence and, consequently, Single Status Drivers Licence No 580 be revoked.

REG16 TAXI LICENSING MATTER - SSD LICENCE NO 974

The applicant had enquired about how to apply for the “renewal” of an expired SSD Licence No 974. The applicant disclosed that he had been driving a licensed Hackney Carriage Vehicle without a Single Status Drivers Licence for 14 months.

It therefore fell to the Committee to consider whether the applicant was a fit and proper person to hold a licence.

The Committee heard representations from the Licensing Section as to the explanation of why the Single Status Drivers Licence was not renewed in April 2007.

RESOLVED: That

- (1) the applicant was a fit and proper person to hold a SSD licence;
- (2) the applicant could apply for a new SSD Licence without having to provide Driving Standards Agency test, knowledge test and references - however, the licence would not be issued until the application procedure had been fully completed including a CRB application and a medical; and
- (3) a reprimand be issued to the applicant with a statement that the Committee was unlikely to be as

lenient in the future.

|

Meeting ended at 9.25 p.m.

This page is intentionally left blank

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 1 October 2008 in the Council Chamber, Runcorn Town Hall

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, D. Inch, E. Ratcliffe, Wainwright and Wharton

Apologies for Absence: Councillor Howard

Absence declared on Council business: Councillor Philip Drakeley and Councillor Peter Murray

Officers present: L. Capper, K. Cleary, S. Hurley, W. Salisbury and J. Tully

Also in attendance: Councillor A. Lowe and 4 applicants/members of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

REG17 APPLICATION TO REVIEW THE STOCKHAM LODGE RACQUET AND HEALTH CLUB PREMISES LICENCE

Action

The Committee considered an application to review the premises licence at Stockham Lodge Racquet and Health Club Runcorn. The application had been made by Mr J. McGrellis of 51 Greenhouse Farm Road Runcorn as an interested party who called Cllr A. Lowe as a witness.

Other representations received in support of the application were from Halton Borough Council's Environmental Health Department as a Statutory Body, which was represented by Mrs W Salisbury.

The Premises Licence Holder TRB Estates (Liverpool) Limited was represented by Mr S Beilin who called Mr D Wating the General Manager of Stockham Lodge as a witness. Mr Beilin had indicated that he would be calling three other people as witnesses, however one was unable to attend because of illness and the other two did not attend but a report on acoustic work carried out to the premises had been prepared by one of the other witnesses. However, as the report had not been presented to the other parties prior to the hearing, it was agreed by Mr

Beilin that, because of the complexity of the information contained in the report, it could not be considered at the hearing.

The parties were invited to address three questions as part of the cases to be put before the Committee. The questions related to: (1) whether a public nuisance existed within the meaning of the Licensing Act 2003 as claimed by the applicant; (2) which element of Regulated Entertainment being carried on at the premises was alleged to be the source of the nuisance; and (3) whether any breaches of condition were alleged to be the source of the nuisance.

The Committee heard the application from Mr McGrellis and his witness Councillor Lowe. Representations were then made by Mrs Salisbury on behalf of Halton Borough Council Environmental Health Department. Mrs Salisbury also produced a recording of noise from the premises picked up by equipment at Mr McGrellis' house. The Premises Licence holder's representative Mr Beilin then presented his case and called Mr Wating as a witness. All parties were then invited to sum up. Numerous points were raised by members and the parties put a number of questions through the Chairman. The Committee then retired to consider the application.

RESOLVED: That having considered the application in accordance with Section 4 of the Licensing Act 2003 and all other relevant considerations the following determination be made:

The Committee must act with a view to promoting the relevant licensing objective, in this case the prevention of public nuisance; and

The Committee must also have regard to-

- (a) the Council's Statement of Licensing Policy, and
- (b) the Statutory Guidance issued by the Secretary of State.

The Committee finds that the allegation that public nuisance exists arising from regulated entertainment carried on at the premises has been proven to its satisfaction.

The Committee has also taken into account that it reduced the hours during which regulated entertainment could take place at the review hearing in 2006.

The Committee, having regard to the application and all relevant representations, has decided to take the following

steps as provided by Section 52 of the Licensing Act 2003 because it considers them necessary for the promotion of the licensing objectives.

The steps are—

- (a) to modify the existing condition of the premises licence relating to the installation of a noise limiter as follows: “A suitable hard-wired sound level limiter shall be installed and calibrated and shall be operated at all times when regulated entertainment is taking place. The selection of the said noise limiter and the calibration thereof shall be subject to the approval of the Council’s Environmental Health Department”.
- (b) to exclude a licensable activity from the scope of the premises licence: specifically, regulated entertainment within category F and category H insofar as it relates to category F. This exclusion shall apply until such time as the Council’s Environmental Health Department certifies in writing that the noise limiter referred to in the above mentioned modified condition has been installed and calibrated in accordance with that condition.

Reason for the determination

For the reasons stated above this determination is considered necessary for the promotion of the Licensing Objectives, specifically the prevention of public nuisance.

Time that the review decision shall take effect

This determination shall come into effect in accordance with Section 52(11) of the Licensing Act 2003 at the end of the period given for appealing against the decision or if the decision is appealed against as soon as the appeal is disposed of.

Meeting ended at 9.25 p.m.

This page is intentionally left blank