

Public Document Pack



Safer Halton Policy and Performance Board

Tuesday, 14 November 2006 6.30 p.m.
Civic Suite, Town Hall, Runcorn

A handwritten signature in black ink, appearing to read 'David W R', positioned above a faint rectangular stamp.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Shaun Osborne (Chairman)	Labour
Councillor John Stockton (Vice-Chairman)	Labour
Councillor Susan Edge	Labour
Councillor Martha Lloyd-Jones	Labour
Councillor Keith Morley	Labour
Councillor Ernest Ratcliffe	Liberal Democrat
Councillor Linda Redhead	Liberal Democrat
Councillor Colin Rowan	Conservative
Councillor Geoffrey Swift	Conservative
Councillor Dave Thompson	Labour
Councillor Pamela Wallace	Labour

Please contact Michelle Simpson on 0151 424 2061 Ext. 1126 or e-mail michelle.simpson@halton.gov.uk for further information.

The next meeting of the Committee is on Tuesday, 23 January 2007

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

Part I

Item No.	Page No.
1. MINUTES	
2. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)	
<p>Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.</p>	
3. PUBLIC QUESTION TIME	1 - 2
4. EXECUTIVE BOARD MINUTES	3 - 8
5. DEVELOPMENT OF POLICY ISSUES	
(A) COMMUNITY SAFETY TEAM	9 - 10
(B) ANNUAL ROAD TRAFFIC CASUALTY ANALYSIS REPORT	11 - 18
(C) THE USE OF THE PROCEEDS OF CRIME ACT 2002 BY THE CONSUMER PROTECTION SERVICE	19 - 22
6. PERFORMANCE MONITORING	
(A) PERFORMANCE MONITORING REPORTS QUARTER 2	23 - 27

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Safer Halton Policy and Performance Board

DATE: 14th November 2006

REPORTING OFFICER: Chief Executive

SUBJECT: Public Question Time

WARD(s): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To consider any questions submitted by the Public in accordance with Standing Order 33 (5).

1.2 Details of any questions received will be circulated at the meeting.

2.0 RECOMMENDED: That any questions received be dealt with.

3.0 SUPPORTING INFORMATION

3.1 Standing Order 34(11) states that Public Questions shall be dealt with as follows: -

- (i) A total of 30 minutes will be allocated for members of the public who are residents of the Borough, to ask questions at meetings of the Policy and Performance Boards.
- (ii) Members of the public can ask questions on any matter relating to the agenda.
- (iii) Members of the public can ask questions. Written notice of questions must be submitted by 4.00 pm on the day prior to the meeting. At any meeting no person/organisation may submit more than one question.
- (iv) One supplementary question (relating to the original question) may be asked by the questioner which may or may not be answered at the meeting.
- (v) The Chair or proper officer may reject a question if it:-
 - Is not about a matter for which the local authority has a responsibility or which affects the Borough;
 - Is defamatory, frivolous, offensive, abusive or racist;
 - Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - Requires the disclosure of confidential or exempt information.

- (vi) In the interests of natural justice, public questions cannot relate to a planning or licensing application or to any matter, which is not dealt with in the public part of a meeting.
- (vii) The Chairperson will ask for people to indicate that they wish to ask a question.
- (viii) **PLEASE NOTE** that the maximum amount of time each questioner will be allowed is 3 minutes.
- (ix) If you do not receive a response at the meeting, a Council Officer will ask for your name and address and make sure that you receive a written response.

Please bear in mind that public question time lasts for a maximum of 30 minutes. To help in making the most of this opportunity to speak: -

- Please keep questions as concise as possible.
- Please do not repeat or make statements on earlier questions as this reduces the time available for other issues to be raised.
- Please note that public question time is not intended for debate – issues raised will be responded to either at the meeting or in writing at a later date.

4.0 POLICY IMPLICATIONS

None.

5.0 OTHER IMPLICATIONS

None.

6.0 RISK ANALYSIS

None.

7.0 EQUALITY AND DIVERSITY ISSUES

None.

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

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

REPORT TO: Safer Halton Policy and Performance Board

DATE: 14th October 2006

REPORTING OFFICER: Chief Executive

SUBJECT: Executive Board Minutes

WARD(s): Boroughwide

1.0 PURPOSE OF REPORT

- 1.1 The Minutes relating to the Safer Halton Policy and Performance Board which have been considered by the Executive Board and Executive Board Sub since the last meeting are attached at Appendix 1 for information.
- 1.2 The Minutes are submitted to inform the Policy and Performance Board of decisions taken in their area.

2.0 RECOMMENDATION: That the Minutes be noted.

3.0 POLICY IMPLICATIONS

None.

5.0 OTHER IMPLICATIONS

None.

6.0 RISK ANALYSIS

None.

7.0 EQUALITY AND DIVERSITY ISSUES

None.

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

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

APPENDIX 1

Extract of Executive Board Sub Committee Minutes Relevant to the Safer Halton Policy and Performance Board

EXECUTIVE BOARD 7th SEPTEMBER 2006

EXB029 BUDGET SAVINGS

The Board considered a report of the Strategic Director – Corporate and Policy providing details of budget savings.

It was noted that the Council set its 2006/07 revenue budget on 1st March 2006 and, in doing so, approved the inclusion of a savings reduction of £250,000 for each Directorate. Details of how the savings were to be implemented by each Directorate were presented in the Appendix to the report.

RESOLVED: That the savings proposals presented in Appendix 1 to the report be approved.

EXB030 WASTE MANAGEMENT THE NEXT STEPS

The Board considered a report of the Strategic Director – Environment outlining progress on the development of a potential waste management partnership working with the Merseyside Waste Disposal Authority (MWDA).

It was noted that, following the meeting of the Board on 22nd June 2006, the Council's intentions to formally request that Halton Borough Council be accepted as a partner by the MWDA to work towards securing appropriate waste treatment and disposal services and facilities had been declared in a letter to the MWDA; at its Annual Meeting held on 28th June 2006, MWDA Members resolved that:

- (1) the Authority agrees in principle to the acceptance of Halton Borough Council as a partner; and
- (2) officers be instructed to consider the implications of this proposal and produce a risk/benefit analysis for

consideration by Members at a future meeting of the Authority.

Warrington Borough Council had been formally advised of Halton's intentions to work with Merseyside and, as a result, it was jointly agreed that the Joint Halton and Warrington Waste Management Board should be disbanded.

The consequences of a Halton/MWDA partnership were outlined in the report for the Board's consideration. It was noted that the next key dates for Halton were to reach an "In Principle" agreement to work in partnership by 13th September 2006 and for a firm and binding decision to be reached by all parties by early October 2006.

RESOLVED: That

- (1) the Council agree, in principle, to work in partnership with the MWDA to secure appropriate waste treatment and disposal services and facilities;
- (2) a Memorandum of Understanding (MoU) containing partnership principles between Halton Borough Council and MWDA be drawn up and signed by both parties, and approval be given for officers to work through the detail of a formal Inter Authority Agreement (IAA) with the MWDA;
- (3) Halton's Municipal Waste Management Strategy be updated and aligned with the strategic approaches contained within the Merseyside Waste Management Strategy;
- (4) the Strategic Director – Environment, in consultation with the Executive Board Member for Environment, be authorised to commission work, as needed, from the external consultants appointed by the MWDA; and
- (5) a further report be presented to the Executive Board on 21st September 2006.

EXB040 WASTE MANAGEMENT THE NEXT STEPS

At its meeting on 7th September 2006, the Board approved an in principle agreement to work in partnership with the Merseyside Waste Disposal Authority (MWDA) to secure appropriate waste treatment and disposal services and facilities. The Government's Project Review Group would consider the MWDA Outline Business

Case for PFI Credits by mid-October and the MWDA had made it clear that they would not allow any delay by Halton to jeopardise their bid and had made it clear that by the end of September the Council must demonstrate a clear commitment in writing to working in partnership with Merseyside.

Should the Council fail to meet this requirement, the opportunity to work with MWDA would disappear.

A draft memorandum of understanding containing partnership principles between Halton and MWDA had been agreed by both parties. In addition, work had commenced on the preparation of a former inter-authority agreement with the MWDA. It was planned that the agreement would be completed by December 2006 and a draft would be presented to Members for consideration at a future meeting.

With the support of external consultants, work had commenced on the preparation of Halton's Waste Action Plan. This plan, which was the equivalent of the District Council's Action Plans produced by each of the District Authority's in Merseyside, would form part of the agreement. Completion of the Action Plan was expected by the end of October 2006. A household waste composition analysis was also being produced to support the production of the Halton Waste Action Plan. With the support of external consultants, officers would continue to work towards developing the following documents that would be presented to a future meeting of the Executive Board Sub-Committee:

- (i) a draft updated Waste Management Strategy for Halton;
- (ii) a draft Halton Waste Action Plan;
- (iii) a draft formal inter-authority agreement;
- (iv) a Joint Communications and Awareness Protocol to be developed with the MWDA;
- (v) discussions would continue on exits/succession strategies in relation to Halton's current waste management contracts;
- (vi) arrangements would be made to ensure that the Council engages with residents and other stakeholders through consultation, this would require a structural public relation strategy to be developed for both the short and medium term.

RESOLVED: That

- (1) a formal partnership with the Merseyside Waste Disposal Authority be established for the procurement of appropriate waste treatment and disposal for services and facilities;
- (2) Merseyside Waste Disposal Authority be advised of Halton's intentions; and
- (3) further reports be presented to the Executive Board Sub-Committee on progress made with the development of the formal Inter-Authority Agreement (IAA), the Council's updated Waste Management Strategy, and relevant supporting plans.

EXB042 JOINT MERSEYSIDE WASTE MANAGEMENT PLAN

The Board considered a report which sought approval for Halton's inclusion in the preparation of a Joint Merseyside Waste Development Plan document in collaboration with other Merseyside authorities. The Waste Development Plan document would allocate sites for waste related development as well as providing detailed policies.

The report also sought agreement that Halton contributes to the stages of the preparation of the Waste Plan Document for a three-year period and that delegated authority be granted to the Operational Director Environmental and Regulatory Services to determine certain states of the document's production.

RESOLVED: That the Council be recommended that subject to the prior adoption of the revised Halton Local Development Scheme 2006/07:

- (1) Halton's formal inclusion in the preparation of the Joint Merseyside Waste Development Plan Document (to be known as the Halton Borough Council, Liverpool City Council, Knowsley Metropolitan Borough Council, Sefton Metropolitan Borough Council, St. Helens Borough Council and Wirral Borough Council Joint Waste Development Plan Document) be approved;
- (2) the necessary financial arrangements be put in place to fund Halton's contribution to the Joint Merseyside Waste Development Plan Document for the next three financial year, commencing with the current financial year 2006/07; and

- (3) the Operational Director – Environmental and Regulatory Services (ODERS) be given delegated authority to determine all matters as indicated in column 1 of the table below in accordance with column 2 of the same table (other than those matters indicated to be determined by full Council).

REPORT TO: Safer Halton PPB

DATE: 14 November 2006

REPORTING OFFICER: Strategic Director, Health and Community

SUBJECT: Community Safety Team

WARDS: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To receive a presentation about the work and current issues of the Community Safety Team.

2.0 RECOMMENDATION: That

- 1)** The presentation be received.
- 2)** Members of the PPB comment and question about issues as appropriate.

3.0 SUPPORTING INFORMATION

3.1 The arrangements for Community Safety have changed recently. The Drug Action Team Co-Ordinator is now responsible for drug related issues, alcohol related issues and domestic violence.

The Community Safety Team focus on repeat offending, anti-social behaviour and general liveability issues. The presentation will focus on their activities.

4.0 FINANCIAL ISSUES

4.1 None at this stage

5.0 POLICY IMPLICATIONS

5.1 None at this stage. The Community Safety Strategy is in place, but comment and scrutiny is always welcome.

6.0 RISK ANALYSIS

6.1 None by virtue of the presentation.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None at this stage, although the whole issue of community cohesion impacts on the work of the Community Safety Team.

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

8.1 None.

Document

Place of Inspection

Contact Officer

REPORT: Safer Halton Policy & Performance Board

DATE: 14 November 2006

REPORTING OFFICER: Strategic Director - Environment & Development

SUBJECT: Annual Road Traffic Casualty Analysis Report

WARDS: Borough-wide

1. PURPOSE

- 1.1 To report on road traffic collision and casualty numbers within Halton for 2005 to enable members to review the effectiveness of the Council's casualty reduction strategy.

2. RECOMMENDATIONS

It is recommended that the:

- (a) Work undertaken on casualty reduction continues to be supported; and**
(b) Progress towards the achievement of the national casualty reduction targets be noted and welcomed;

3. SUPPORTING INFORMATION

- 3.1 The report attached as Appendix "A" sets out a full analysis of the numbers of traffic collisions and casualties for the year 2005 comparing performance with previous years. The report also gives details of progress towards various national and local targets for casualty reductions.
- 3.2 In summary during 2005:
- There were 394 road crashes involving personal injury in Halton, producing 590 casualties;
 - 73 of the casualties were serious, and there were 4 deaths;
 - The figures show a slight increase in serious injuries over 2004 but a decrease in the total numbers of crashes, slight injuries and children killed or seriously injured;
 - There was a significant increase in the numbers of motorcyclists killed or seriously injured, although the number of incidents involving motorcycles actually decreased.
 - Casualty numbers in the three key nationally-set target areas are on course to meet the 2010 national targets.
- 3.3 For the past few years Halton Borough Council has engaged in a number of successful large-scale accident reduction schemes at sites with acute accident records. However, the vast majority of such sites have now been treated, leaving, in general, sites with less severe casualty histories. The need for a

new approach to casualty reduction was recognised in the development of our Safer Roads Strategy, which was included in the new Local Transport Plan, covering the period 2006/7 – 2010/11. The new strategy focuses addressing a larger number of smaller scale problems and the enhancement of our road safety, education, training and publicity programme.

- 3.4 Our work on casualty reduction has been enhanced by the continuing success of the Cheshire Safety Camera Partnership in improving road safety. During the first three years of the scheme there has been, throughout Cheshire, an average speed reduction of 3.9mph at camera sites. There has also been a 36% reduction in collisions at these sites as well as 58% fewer people killed or seriously injured. These casualty and accident reductions have been achieved at no cost to the partners or council tax payers.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications associated with this report.

5.0 RISK ANALYSIS

- 5.1 Failure to implement an annual programme of road traffic accident prevention measures on the highway will lead to an escalation of accident and casualty numbers.

6. OTHER IMPLICATIONS

- 6.1 None identified.

BACKGROUND PAPERS

Information held in the Traffic Section, Environmental Services, Grosvenor House, Halton Lea, Runcorn. Contact S.Johnson, ext. 3010.

There was a slight increase in the number of people seriously injured on Halton's roads in 2005, but overall, Halton has continued to make progress in its campaign to reduce road traffic crashes and casualty numbers.

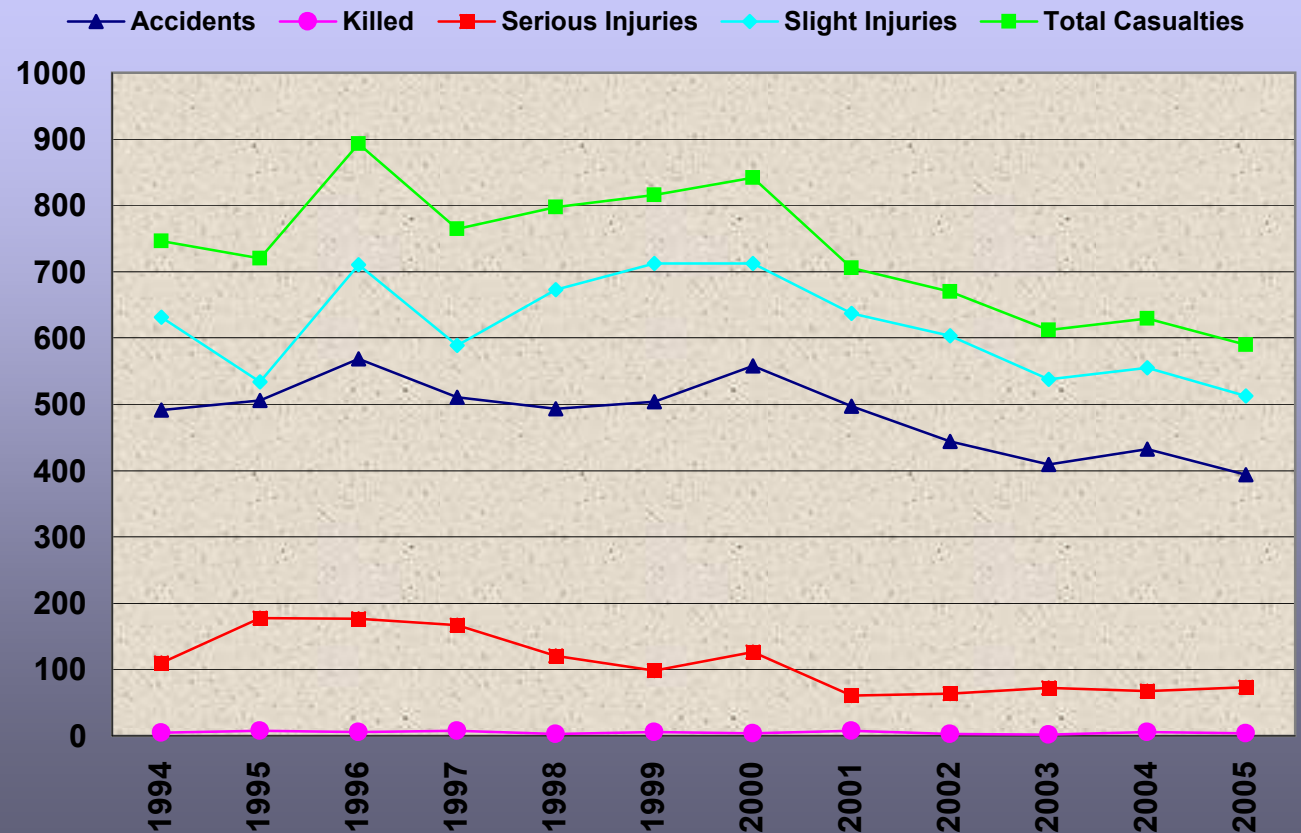
However, it is regrettable that four people died on our roads in 2005, although this figure represents a 33% decrease on 2004's total. Despite the total number of those killed or seriously injured ('KSI') increased by a small amount; encouragingly, the number of slight injuries ('SLI') dropped by 8%. In addition, fewer children were seriously injured ('CKSI') last year and the total number of accidents and casualties are at the lowest level for over 10 years.

Overall, Halton appears on-course to meet the nationally-set casualty reduction targets by 2010.

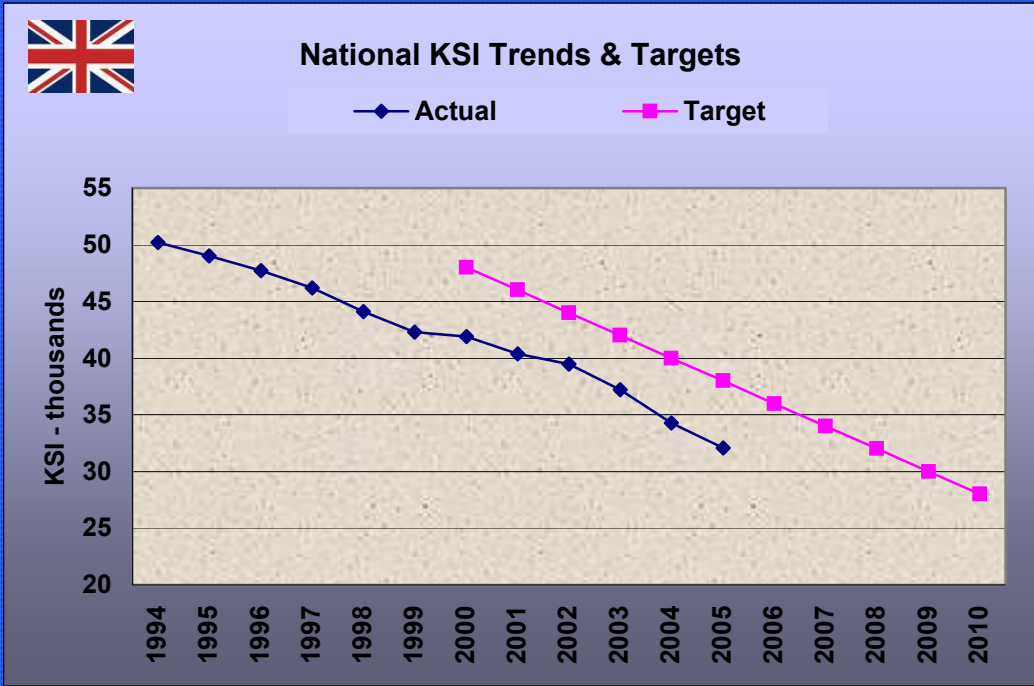
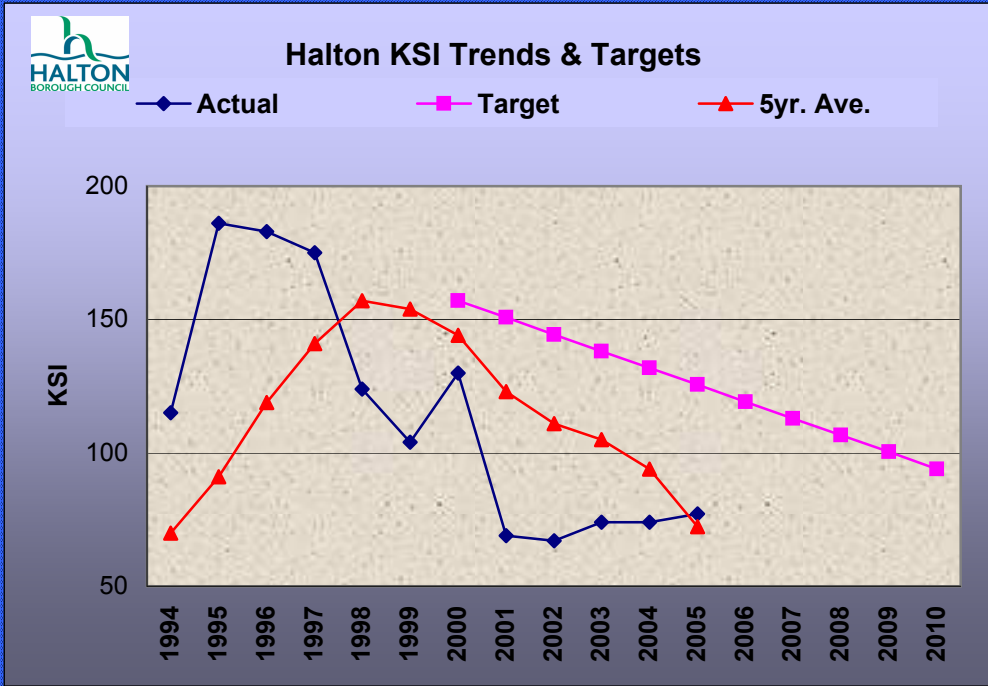
Year	Accidents	Killed	Seriously Injured	Slight Injuries	Total Casualties
1994	491	5	110	631	746
1995	506	8	178	534	720
1996	569	6	177	710	893
1997	511	8	167	589	764
1998	493	3	121	673	797
1999	504	6	98	712	816
2000	558	4	126	712	842
2001	497	8	61	637	706
2002	444	3	64	603	670
2003	409	2	72	538	612
2004	432	6	68	555	629
2005	394	4	73	513	590

Halton 2005 Traffic Accident Review

Accident & Casualty Trends



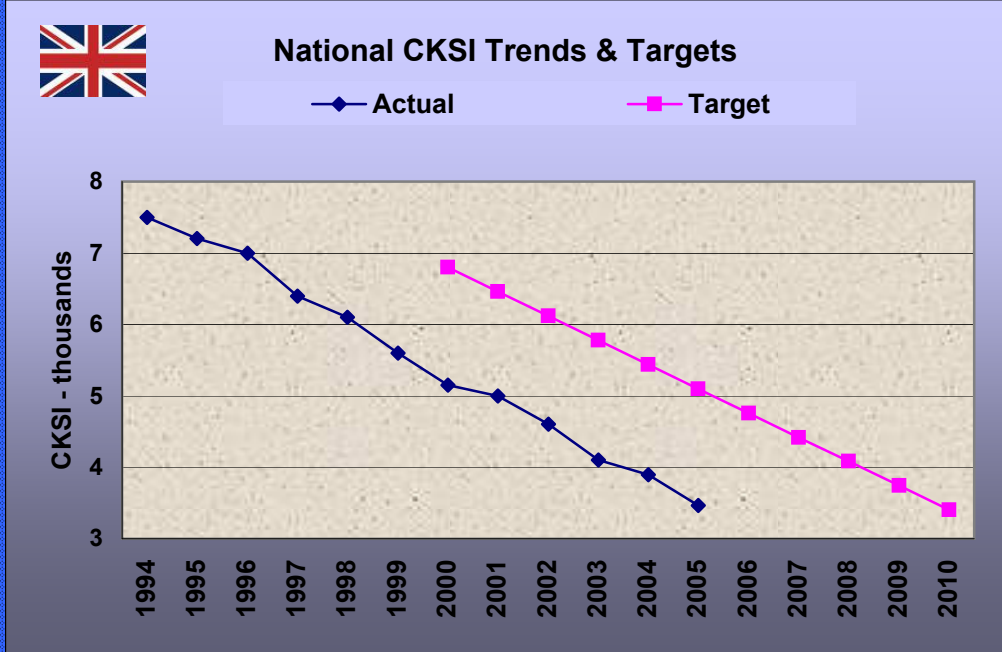
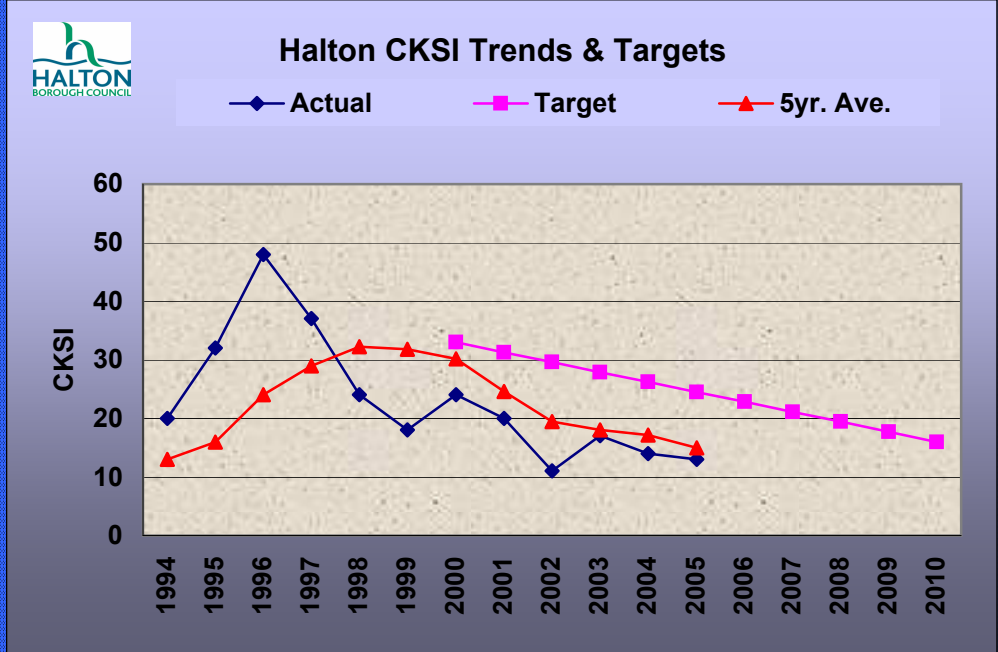
Killed / Seriously Injured All Ages (KSI) (National Indicator)					
	94-98 base average	2004	2005	% change over base for 2005	% change 2004 - 2005
Halton	157	74	77	-51% down	+5% up
National	47,656	34,351	32,155	-28% down	-6% down



Disappointingly, the number of KSI casualties within the Borough rose slightly during 2005, despite the number of crashes actually reducing by 9%. This illustrates the volatility of accident data in Halton, due to the relatively low numbers of casualties recorded. Nevertheless, Halton's figures remain well below the targets set and it is believed that we will still attain our 2010 national target.

In recent years Halton has successfully carried out a number of high profile casualty reduction schemes at sites with high numbers of casualties. However the number of these 'hotspots' is diminishing and as such it has been necessary to change our approach to casualty reduction. The new strategy focuses on a larger number of smaller, more diverse schemes, at locations with less severe casualty records and an increased emphasis on road safety education, training and publicity for both adults and children.

Children Killed / Seriously Injured All Ages (CKSI) (National Indicator)					
	94-98 base average	2004	2005	% change over base for 2005	% change 2004 - 2005
Halton	33	14	13	-61% down	-7% down
National	6,860	3,905	3,472	-43% down	-11% down



Once again, the number of children killed or seriously injured fell slightly in 2005. The 5 year rolling average also fell for the seventh year in succession. However, there is an indication that the CKSI figures are 'flattening out' and further reductions may be difficult to achieve.

With such a small statistical base, Halton's figures can vary greatly year on year. However, given current long term trends it is believed that Halton can still realise its CKSI reduction target by 2010.

Nationally, with such a large statistical base to start with there is no sign of the reduction in CKSI numbers relenting. However, it is likely that these numbers will eventually 'flatten out' as has occurred in Halton.

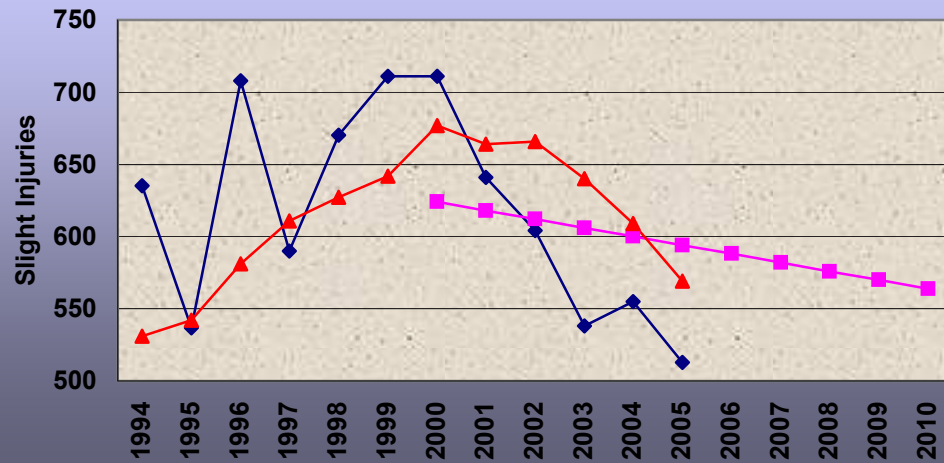
Slight Injuries, All Ages (National Indicator)

	94-98 base average	2004	2005	% change over base for 2005	% change 2004 - 2005
Halton	627	555	513	-18% down	-8% down
National	272,272	246,489	238,862	-12% down	-3% down



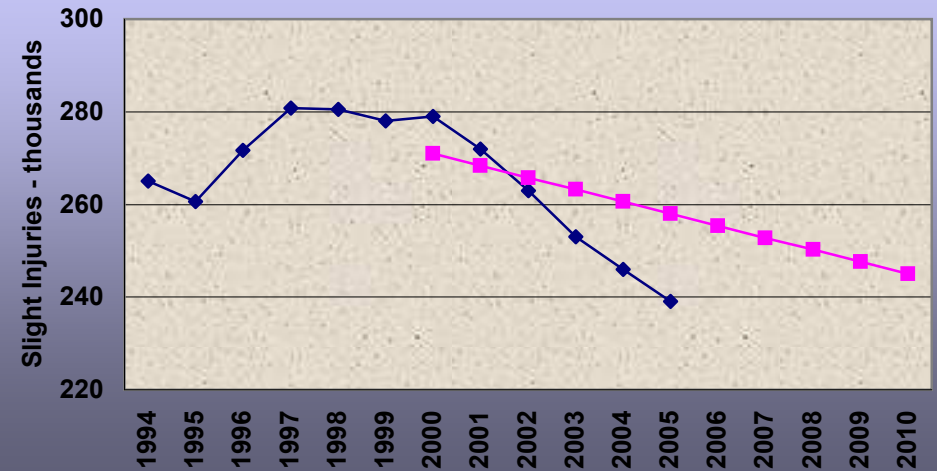
Halton Slight Injuries & Trends

◆ Actual ■ Target ▲ 5yr. Ave.



National Slight Injuries Trends & Targets

◆ Actual ■ Target



2005 saw a significant reduction in slight injuries in Halton. The 8% decrease easily surpassed the reduction achieved nationally.

Since 2000 there has been a reduction of 28% in the number of slight injuries in Halton and it is believed that we are well on track to achieve the 2010 national target.

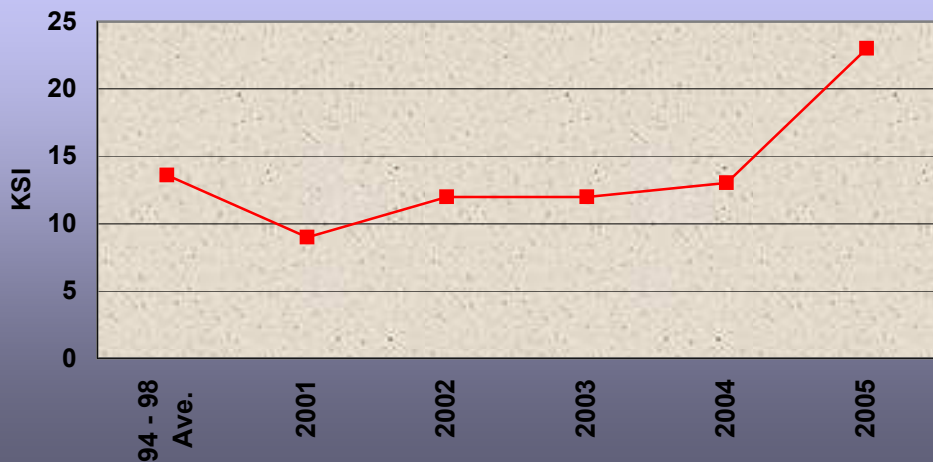
Nationally, the Government targets for slight injury accidents are expressed as a rate per kilometre travelled, whereas in Halton the figures are expressed as a pure number. Allowing for the growth in vehicle numbers etc. the figures for Halton appear even more favourable.

Killed / Seriously Injured - Two wheel motor vehicles					
	94-98 base average	2004	2005	% change over base for 2005	% change 2004 - 2005
Halton	14	13	23	+64% up	+76% up
National	5,988	6,255	6,142	+3% up	-2% down



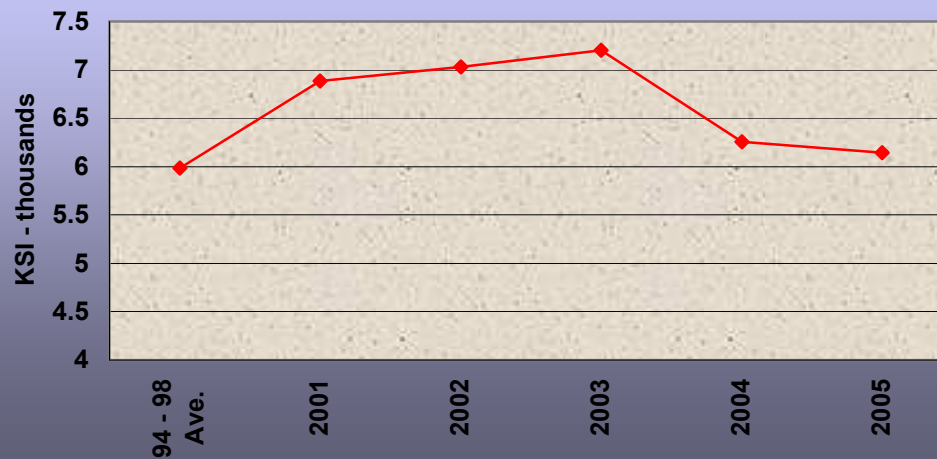
Halton KSI - Two wheel motor vehicles

—■— KSI - Motorcyclists



National KSI - Two wheel motor vehicles

—◆— KSI - Motorcyclists



2005 witnessed a sharp increase in the number of motorcyclists killed or seriously injured in Halton. A total of 22 motorcyclists were seriously injured and regrettably one was killed. Once again, with such a small statistical base the accident data is extremely volatile. This is illustrated by the fact that one single accident accounted for approximately 17% of the KSI casualties, when four motorcyclists were seriously injured.

It is anticipated that an increased emphasis on educational presentations, publicity and rider training provided by Halton Borough Council's Road Safety Unit in line with national campaigns may help to reduce these accident and casualty rates.

2005 Accident and Casualty Figures - Good or Bad?

In 2005 the total number of accidents and casualties decreased. This is very encouraging, although it was disappointing that the number of people seriously injured on Halton's roads increased by 7%. However, with such a small statistical base, a better approach to determining KSI casualty trends is to analyse the five year rolling averages. This avoids inappropriate comparisons, due to year on year fluctuations and is considered to be a more accurate barometer. Encouragingly, these also showed a significant decrease in 2005 in both KSI categories.

For the past few years Halton Borough Council has engaged in a programme of accident remedial measures at known 'hot spots'. This has dramatically reduced the KSI figures by over 50% from its high-water mark of the late 1990's. If traffic growth was taken into account, these figures would look even more favourable. The excellent progress made on KSI figures now appears to be levelling out at between 60 to 80 per year. It has therefore been necessary to review our approach to casualty reduction by focusing on a programme of diverse, small scale, lower yield schemes with increased emphasis on road safety, education, training and publicity.

Although Halton endeavours to 'engineer out' any accident risk from the design of its highway network, there are factors beyond our control that can significantly affect our accident figures. The M56 motorway passes through the southern fringe of the Borough. The road is maintained by the Highways Agency, and we, as the local Highway Authority have no control over its design or maintenance. The motorway comprises approximately 2% of our adopted highway network, but significantly accounts for over 7% of KSI casualties in 2005. With the number of KSI and CKSI casualties at such low levels, a single multiple vehicle accident on the M56 can have a major impact on our overall performance.

Conclusions

The significant reductions in crashes and slight injury casualties on Halton's roads continue to demonstrate that good progress is still being made on our casualty targets, although increases in the number of motorcyclists injured, raises particular concern.

To achieve further improvements, particularly in the KSI categories, it has been necessary to adopt a new strategy which incorporates increased emphasis on smaller, more diverse local safety schemes and on road safety, education, training and publicity for all road users.

However, it is clear from the 2005 casualty statistics that trends continue to show overall falls in the number of people injured and as such it is believed that we are on track to achieve our 2010 casualty reduction targets.

REPORT TO: Safer Halton Policy and Performance Board

DATE: 14 November 2006

REPORTING OFFICER: Strategic Director, Health and Community

SUBJECT: The use of the Proceeds of Crime Act 2002 by the Consumer Protection Service

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To seek Members' support for the use of the full 'confiscation regime' and 'offences' under the Proceeds of Crime Act 2002 by the Consumer Protection Service.

2.0 RECOMMENDATION: That

- (1) the report be noted; and**
- (2) the Executive Board be requested to agree to the use of the full 'confiscation regime' and 'offences' under the Proceeds of Crime Act 2002 by the Consumer Protection Service, as outlined below.**

3.0 SUPPORTING INFORMATION

- 3.1 The Proceeds of Crime Act 2002 (POCA) was introduced by the Government because it recognised that leaving illicitly obtained assets in the hands of criminals was damaging to society in that such assets:
- provided the working capital for further crime, leading to a vicious circle of criminality,
 - enabled those criminals that were jailed to enjoy a life of luxury on their release, and often to run their criminal empires from behind bars, and
 - provided a lavish lifestyle for many criminals, and in doing so sent the wrong message that crime pays, particularly to young people.
- 3.2 In recent years, there has been concern within the Trading Standards profession that courts often imposed low financial penalties on defendants in trading standards prosecutions. In some instances defendants were able to pay immediately as fines were so low. This did nothing to deter future offending, was demoralising for investigators and such low penalties did not remove the financial means from offenders to prevent them from continuing their criminality. Nor did it send a strong message to other would be offenders that 'crime does not pay'.

- 3.3 To address this concern, some consumer protection/trading standards services have worked in partnership with the Asset Recovery Agency to pursue asset recovery in appropriate cases. Nationally, this year, this arrangement has secured confiscation orders of nearly £1 million, linked to trading standards offences. The confiscation regime under the Proceeds of Crime Act has been successfully used in doorstep crime cases; car clocking cases and against rogue traders and counterfeiters. In recent weeks in the North West, three market traders have been ordered to pay over nearly £850,000 in assets following convictions of selling counterfeit goods and benefit fraud.
- 3.4 The Local Authority Coordinators of Regulatory Services (LACoRS) recognised that this was a powerful enforcement tool that supported the normal prosecution process, but was aware that the Asset Recovery Agency, the Regional Asset Recovery Teams and police forces could not provide all of the support that Trading Standards would need. It therefore secured funding from the Home Office for the training of a number of Trading Standards Officers in each region as “Accredited Financial Investigators” under Parts 2 and 8 of the POCA.
- 3.5 The Council’s Consumer Protection Service now has an officer fully trained and accredited under the above provisions of the POCA, one of only 27 officers in local government as a whole, trained to undertake this work. This officer is now capable of using the provisions of the Act in certain criminal investigations where the person under investigation has benefited by over £5,000 from their criminal conduct.
- 3.6 An analysis of criminal investigations under taken by the Consumer Protection Service has revealed that since the introduction of the legislation, 13 local cases could have utilised the confiscation regime under the Act. Currently there are four cases under investigation that would merit financial investigation, one of which represents potential criminally acquired assets in excess of £200,000. However, LACoRS always intended that those local authority financial investigators trained in this way would offer their services within the region, and that requirement can be delivered via the Council permitting this officer to act for other local authority services on a chargeable, consultancy basis.
- 3.7 A “Recovered Assets Incentivisation Fund” (RAIF) has been developed by the Home Office to allow a percentage of confiscated assets to be returned to the agency undertaking the criminal investigation and/or confiscation work. This means that:
- in confiscation cases where the Council were both the prosecutors of the criminal matter and the financial investigators under the terms of the scheme, there is potential for one third of the recovered assets to be handed back to the Council.
 - where the Council’s investigator undertakes financial investigation work for another local authority, the potential return would be one sixth of the recovered assets.

- 3.8 However, the Home Office has ring-fenced the use of what it calls “incentive monies” and has advised that it will monitor the use of such monies to assess issues of propriety and regularity. Annually, we will be expected to account for any use of incentive payments received by providing details of:
- how funds have been used
 - how much has been allocated to each initiative / project
 - how this has contributed to improving asset recovery performance or tackling crime
 - what are the particular asset recovery outcomes?
- 3.9 There will of course be no shortage of legitimate ideas for the use of such monies, including:
- recouping legitimate officer costs that are not covered by a specific agreement with a third party, and ploughing these costs back into the Consumer Protection Budget so that Halton’s consumers do not lose out from our involvement in this work
 - directing some of the monies back into assets recovery work
 - directing some of the monies to support consumer protection criminal enforcement functions, including funding intelligence resources

4.0 POLICY IMPLICATIONS

- 4.1 The Council’s scheme of delegation of officer powers requires amendment to include the Proceeds of Crime Act 2002. The Borough Solicitor should be the delegated person for instituting legal proceeds for the Council, whilst Trading Standards Officers / Consumer Protection Officers should be delegated as the investigating officers.
- 4.2 In agreeing to the above, the Council would be committing to undertake confiscation cases at Crown Court in consumer protection prosecutions where it can be shown that assets are available for confiscation.
- 4.3 The Council is being asked to permit the financial investigator to act on a chargeable consultative basis for other Local Authority services requiring the use of an Accredited Financial Investigator in appropriate cases.

5.0 OTHER IMPLICATIONS

- 5.1 There are positive financial implications associated with this work, which will support the Consumer Protection Service’s move to an “external funding first” culture. However, receipt of incentive monies is likely to be piecemeal and unpredictable and there are risks (see below). It will probably take up to three years to get a better idea of potential incentive funding streams. The Service will therefore undertake an annual review of incentive money received, and report the findings to this Board.

6.0 RISK ANALYSIS

- 6.1 If assets recovery work does prove to be an effective enforcement tool, more authorities may consider training their own officers as financial investigators. This may reduce the number of external referrals we receive over time. In addition, obtaining a confiscation order is one thing, obtaining the money is quite another as incentivisation monies will only be distributed when the order is satisfied.
- 6.2 There are risks for any criminal enforcer/investigator especially when dealing with the more unsavoury characters of society. The risks to the financial investigator will therefore be assessed in the usual way, though for the most part the financial investigation is a desktop exercise.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 There are no equality or diversity issues flowing from this report.

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

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

REPORT TO: Safer Halton PPB

DATE: 14 November 2006

REPORTING OFFICER: Operational Director-Policy & Performance

SUBJECT: Performance Monitoring Reports for the 2nd quarter (2006/07)

WARDS: Boroughwide

1. PURPOSE OF REPORT

- 1.1 The departmental service plans set out what the services are planning to achieve and demonstrate how they contribute to the Council's strategic priorities. The service plans are central to the Council's performance management arrangements and the Policy and Performance Board has a key role in monitoring performance and strengthening accountability.
- 1.2 The 2nd quarter monitoring reports for the services that come within the remit of this Policy & Performance Board are available in both electronic and hard copy formats. These reports enable Board Members to scrutinise progress towards achieving the service objectives, milestones and performance targets contained in the 2006/07-service plans for the following:

Environment Directorate

1. Highways & Transportation
2. Environment & Regulatory Services

Health & Community Directorate

3. Health & Partnerships
4. Culture & Leisure

2. RECOMMENDED: That the Policy & Performance Board

- 1) Scrutinise service performance and progress towards achieving objectives and targets and raise any questions or points for clarification in respect of the information contained in the quarterly monitoring reports; and**
- 2) Highlight areas of interest and/or concern that require further information or action to be reported at a future meeting of the Policy and Performance Board where appropriate.**

3. SUPPORTING INFORMATION

- 3.1 At the last meeting the Board received a performance briefing paper that was intended to highlight aspects contained in the full versions of the monitoring reports (that were available electronically) that Members might wish to consider further. Although performance briefing papers will continue to be provided, the Board decided that hard copies of the quarterly monitoring

reports be made available to Members prior to the meeting. The performance briefing paper for the 2nd quarter is attached (*See Appendix 1*)

4. POLICY IMPLICATIONS

4.1 Any policy implications arising from emerging issues or key developments that will impact upon the service or any action required to address performance issues, will be identified in the respective quarterly monitoring report.

5. OTHER IMPLICATIONS

5.1 Any other implications associated with issues connected with the service will be identified in the respective quarterly monitoring report.

6. RISK ANALYSIS

6.1 The risk control measures associated with the service objectives that were initially assessed as having 'HIGH' risks are summarised in the quarterly monitoring reports to monitor their implementation.

7. EQUALITY AND DIVERSITY ISSUES

7.1 The actions identified arising from the Equality impact/needs assessments that are regarded as 'HIGH' priority for each service are in the Equality Action Plans and progress on their implementation is included in the respective quarterly monitoring reports.

8. REASON(S) FOR DECISION

Not applicable

9. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable

10. IMPLEMENTATION DATE

Not applicable

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

Document	Place of Inspection	Contact Officer
Quarterly monitoring reports for:		
1. Highways & Transportation	Municipal Building 2 nd floor	Martin Holland Performance Management Officer
2. Environmental & Regulatory Services		
3. Culture & Leisure Services		
4. Health & Partnerships		

PERFORMANCE CONSIDERATIONS

(2nd Quarter 2006/07)

SERVICE: Highways & Transportation *(Road Safety ONLY)*

Overview

The half-yearly report comments on the progress towards achieving the set of objectives, milestones and performance targets set out in the service plan. However, there are no key or other service objectives that come within the remit of the Safer Halton PPB to report. There are seven performance indicators that are relevant to this PPB but quarterly figures are only available for three of them. Therefore, an overall assessment of progress towards achieving the set of targets is not possible.

Areas of Further Consideration

- The audit of the performance indicator that calculates the % of pedestrian crossings with facilities for disabled people revealed that the 100% figure reported should have been 80.9%. This was due to resurfacing work at some sites had increased the kerb heights but had not been picked up when the indicator was calculated. This has now been corrected and the Audit Commission are satisfied with the reliability of the current figure produced. However, the amended figure may affect Halton's top quartile ranking but this will not be known for certain until the quartile rankings for all English local authorities are produced at the end of 2006.

SERVICE: Environment & Regulatory Services *(Waste Management and Environmental Health ONLY)*

Overview

The half-yearly report comments on the progress towards achieving the set of objectives, milestones and performance targets set out in the service plan that fall within the remit of the Safer Halton PPB. All the key objectives are on course to be met and 7 out of the 9 performance indicator targets relevant to this Board look set to be achieved. Therefore, the prospects for the year at this stage are very good. Some of the key developments and emerging issues that will impact on the service highlighted in the 1st quarter monitoring report remain and will be the focus of further scrutiny by the Board at future meetings.

Areas of Further Consideration

- A Strategic Flood Risk Assessment is currently being undertaken to highlight all areas in the Borough where flooding issues could threaten regeneration development opportunities. Therefore, the date or period when the findings are expected to be available maybe of interest to the Board.
- The monitoring report raises some doubt about meeting the target of 100% score against a checklist of enforcement best practice for Environment Health due to a staff vacancy

(Performance Indicator: BV 166a). It maybe of interest to the Board to know what the implications are (if any) if the target is not met or whether the results could focus attention on particular aspects of enforcement practice.

- There is surprise expressed regarding the reduction in the level of satisfaction with cleanliness in the parks (*Performance Indicator: LI 03*) compared to last year and further analysis will be undertaken to understand the reasons for the decline. In January 2007 the results of the General Best Value Survey (currently underway) will become known and will be of interest to the Board to see if there is any correlation between the results and trends highlighted by the two surveys.
- The volume of household waste collected per head of population (*BV: 84a*) is higher compared to the same period last year and Halton looks set to remain in the bottom 25% of local authorities. Whilst Halton's recycling % is increasing and the % of household waste land filled is reducing, the overall amount of household waste collected per head is not reducing. This is a concern and is an area that the Board may wish to scrutinise further.

SERVICE: Culture & Leisure (*Community Safety & the Drug Action Team ONLY*)

Overview

The half-yearly report comments on the progress towards achieving the set of objectives, milestones and performance targets in the service plan that come within the remit of the PPB. The only objective relevant to the Safer Halton priority was to establish a single point for drug users and those in recovery by mid-2006 which was achieved with the opening of Ashley House in September.

Areas of Further Consideration

- There are a set of key performance indicators relating to burglaries, domestic violence, violent and vehicle crime and Library standards that are reported quarterly. These come from a number of sources but were not available when this briefing paper was prepared. However, if they are received before the Safer Halton PPB agenda goes on deposit, they will be included in the 2nd quarter monitoring report.

SERVICE: Health & Partnerships (*Registration Service, Consumer Protection & Bereavement Services ONLY*)

Overview

The half-yearly report comments on the progress towards achieving the set of objectives, milestones and performance targets set out in the service plan that fall within the remit of the Safer Halton PPB. All the key objectives are on course to be met and the majority of performance indicator targets relevant to this Board look set to be achieved. Therefore, the prospects for the year at this stage are very good. The key developments and the emerging issues highlighted in the quarterly monitoring report do not point to any serious issues that will have an adverse impact upon the service.

Areas of Further Consideration

- The exercise to temporarily make safe large numbers of headstones in the cemeteries and work on phase 2 in Widnes to prepare a section of land for burial ground are both scheduled to start in the autumn 2006.
- The next section of land to be used as burial ground in Runcorn cemetery will require preparation work to provide drainage. Therefore, the level of investment needed for the drainage work and the timescale for this work maybe of interest to the Board.
- The implementation of the Action Plan to improve access to the Consumer Protection Service for people who are socially excluded (*Key Objective: HP16*) has experienced delay. There will be an attempt to make up for lost ground and therefore, an update (possibly at the next quarter) on the success of these steps and whether the delay presents any risks to achieving the key objective would be appropriate.
- As part of the prevention measures to protect vulnerable adults from doorstep crime, funding has been secured to pilot a 'No Cold-callers Zone' in one street. The pilot is presently in the planning stage and the proposed launch date will need to be reported to the Board when it is known.