

## COUNCIL

*At a meeting of the Council on Wednesday, 17 December 2008 in the Council Chamber, Runcorn Town Hall*

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

Apologies for Absence: Councillors Leadbetter, Morley and Wharton

Absence declared on Council business: None

Officers present: L. Cairns, L. Derbyshire, D. Johnson, I. Leivesley, A. McNamara, G. Meehan, D. Parr, M. Reaney, D. Tregaea and J. Whittaker

Also in attendance: None

### *Action*

#### COU49 COUNCIL MINUTES

The minutes of the Council meeting held on 22<sup>nd</sup> October 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.

#### COU50 THE MAYOR'S ANNOUNCEMENTS

The Mayor announced that she had been presented with a petition from Halton and District Women's Aid regarding the White Ribbon Campaign. The petition contained 600 signatures from people wishing to put an end to violence against women.

#### COU51 LEADER'S REPORT

The Leader reported on the following issues:

- There had already been a number of local indicators

of the current economic climate, for example the number of Council Tax benefit claimants had risen and mortgage repossessions were occurring. The Citizens' Advice Bureau had been inundated with requests for financial advice and the Council had now undertaken to pay all invoices within 10 days of receipt. In addition, the Authority was responding to the North West Development Agency's offer of firm assistance to fund gaps that were the difference between schemes being saved and lost. Opportunities to access venture capital funds were also being investigated.

- The Department for Transport had reaffirmed the Mersey Gateway's programme entry with grant and associated PFI credits.
- There had been accolades for the Children and Young People Service with education achievements and "Safeguarding Children" both being awarded outstanding status. The Children and Young People Portfolio Holder and all officers and Members concerned were congratulated. However, it was noted that there was no room for complacency and so a report on Haringey had been commissioned in order that further improvements could be made wherever possible.

*(NB Councillor Harris declared a personal interest in relation to Minute No. EXB70 in the following item of business due to being a Governor of Bankfield School.)*

## COU52 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board from meetings held on 9<sup>th</sup> and 16<sup>th</sup> October, and 6<sup>th</sup>, 13<sup>th</sup> and 20<sup>th</sup> November 2008.

In respect of minute number EXB69 from the meeting held on 6<sup>th</sup> November (Special Education Needs Review – Key Decision), concerns were expressed about the impact of reducing or removing special education needs units. In response, the Children and Young People Portfolio Holder advised that the review had taken place to ensure that provision was appropriate to need. In addition, it was confirmed that schools were being consulted on primary and secondary provision.

RESOLVED: That the minutes be received.

*(NB Councillors Jones and Nolan declared personal interests in ES49 in the following item of business due to being on the NPMT Board. Councillor Swain declared a personal interest in the same item for the same reason and also due to being the Trust President.)*

COU53 MINUTES OF THE EXECUTIVE BOARD SUB-COMMITTEE

The Council considered the Minutes of the Executive Board Sub-Committee from meetings held on 16<sup>th</sup> October and 6<sup>th</sup> November 2008.

RESOLVED: That the Minutes be received.

COU54 3MG EXECUTIVE SUB-BOARD

The Council considered the Minutes of the 3MG Executive Sub-Board held on 16<sup>th</sup> October 2008.

RESOLVED: That the Minutes be received.

COU55 MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD

The Council considered the Minutes of the Mersey Gateway Executive Board from the meeting held on 20<sup>th</sup> November 2008.

RESOLVED: That the Minutes be received.

COU56 QUESTIONS ASKED UNDER STANDING ORDER NO. 8

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

COU57 PROTOCOL FOR MEMBERS' ACCESS TO PART 2 ITEMS - EXECUTIVE BOARD 20TH NOVEMBER 2008 (MINUTE NO. EXB73 REFERS)

The Executive Board had considered a report proposing an amendment to the Constitution dealing with Members' access to Part 2 items.

In addition, it was requested that, where there were urgent items of business, the relevant Chair and Board/Committee use their discretion in determining whether or not the Councillor wishing to remain at the meeting had a "need to know" as the Councillor would not in this instance have had the opportunity to demonstrate this previously.

RESOLVED: That the following amendment to the Constitution as set out below be approved:

“For the avoidance of doubt, Councillors who are not Members of a particular committee/sub-committee/board have no automatic right to remain in a meeting of a committee/sub-committee/board once a resolution has been passed under Section 100 (A) (4) of the Local Government Act 1972 excluding the press and public from the Meeting. A Councillor would only be entitled to remain in the Meeting if he or she had been able to establish a “need to know” as described above, to the satisfaction of the committee/sub-committee/board. In these circumstances, a Councillor who is not a Member of the committee/sub-committee/board wishing to remain in a meeting following a passing of the appropriate resolution shall demonstrate the “need to know” on a report by report basis to the Chief Executive no later than the day preceding the Meeting or as soon as possible. The Chief Executive will then consult the relevant Chair. This will enable due consideration to be given to the request, in order that appropriate advice may be given to the committee/sub-committee/board to assist them in making the decision.”

COU58 DETERMINATION OF COUNCIL TAX BASE - EXECUTIVE BOARD 4TH DECEMBER 2008

The Executive Board had considered a report regarding the determination of the “Tax Base” for the area and the tax base for each of the Parishes. It was noted that the Council was required to notify the figure to the Cheshire Fire Authority, the Cheshire Police Authority and the Environment Agency by 31<sup>st</sup> January 2009. The Council was also required to calculate and advise, if requested, the Parish Councils of their relevant tax bases.

The Leader undertook to respond in writing to Councillor Findon’s question regarding how much the tax base had increased by over the last year.

RESOLVED: That

- (1) the 2009/10 Council Tax Base be set at 38,200 for the Borough, and the Cheshire Fire Authority, the Cheshire Police Authority, and the Environment Agency be so notified; and
- (2) the Council Tax Base for each of the Parishes be set as follows:

Parish	Tax Base
Hale	729
Halebank	569
Daresbury	141
Moore	345
Preston Brook	347
Sandymoor	913

#### COU59 CASTLEFIELDS WARD - CHANGE OF NAME

Council considered a report of the Chief Executive outlining the results of a consultation exercise on the change of name of the Castlefields Ward.

Following the Council meeting on 13<sup>th</sup> August 2008, a Working Party of Members had been established as agreed in order to consider whether to change the name of the Castlefields Ward.

Under the Local Government and Public Involvement in Health Act 2007 there was a provision for a Local Authority to change the name of an electoral area following consultation with interested parties. The consultation process that had been undertaken was outlined within the report for Members' information and it was subsequently recommended that the name of Castlefields Ward be changed to "Halton Castle Ward".

RESOLVED: That the name of Castlefields Ward be changed to "Halton Castle Ward".

#### COU60 CALL-IN - WASTE MANAGEMENT COMMUNICATIONS CAMPAIGN - EXECUTIVE BOARD SUB-COMMITTEE 16TH OCTOBER 2008 (MINUTE NO. ES41REFERS)

The following call-in had been received in accordance with Standing Order No. 9:

"Need to justify suspending standing orders for a communications campaign on re-cycling when the money could be spent on improving existing recycling facilities."

The call-in was moved and seconded by Councillors P. Blackmore and Hodgkinson respectively.

In considering the call-in, concerns were expressed relating to:

- the expenditure of £140,000 when the Council

- already employed trained officers;
- the need for the extension of the existing recycling schemes to take priority over a communication campaign; and
- the overall amount being spent by the Council on consultants when, in this instance in particular, it was considered that in-house resources could be utilised.

In response to these concerns, the following was advised:

- it had previously been acknowledged that, due to design, it was difficult to introduce recycling schemes to some areas, however steps were being taken to address this;
- according to professional advice, the campaign was much needed and efforts to increase recycling, and the resulting savings that could be achieved, had been delayed by the call-in process;
- there had been an increase during the summer months in the required recycling targets and the aim of the campaign was to achieve financial benefits;
- a large part of the campaign would involve door-to-door canvassing which, if undertaken in-house, would result in the need for the employment of a number of short term staff: this was the principal reason that the work could not be carried out internally within existing resources;
- in-house staff would be involved in the campaign in relation to communications and marketing; and
- there was a commitment to provide every household in the Borough with the opportunity to recycle and there had already been heavy investment to facilitate this.

The Council considered a motion to reject resolution ES41 of the Executive Board Sub-Committee from the meeting held on 16<sup>th</sup> October 2008 in relation to the Waste Management Communications Campaign. The motion was put to the vote and rejected and so it was:

RESOLVED: That resolution ES41 of the Executive Board Sub-Committee meeting held on 16<sup>th</sup> October 2008 be affirmed.

COU61 CALL-IN - TRAVELLER TRANSIT SITE - PITCH CHARGES  
- EXECUTIVE BOARD SUB-COMMITTEE 16TH  
OCTOBER 2008 (MINUTE NO. ES42 REFERS)

The following call-in had been received in accordance

with Standing Order No. 9:

“The intention of the Council for this site to be “cost neutral” is unlikely to be achieved. The pitch price should be increased and a pitch charge should be levied against all caravans that occupy a pitch in order that revenue is greater than expenditure thereby avoiding the need to ask Halton residents to subsidise this site. The present manner of allocating pitches may mean that the extended powers given to the Police when this Transit site opens will be diminished if pitches on this Transit site are un-available. To rectify this problem all pitches should be occupied for no more than two weeks and the pitches when initially allocated should be on a staggered basis to help pitches to become available more frequently.”

The call-in was moved and seconded by Councillors Murray and Findon respectively.

In considering the call-in the following comments were made in relation to:

- the need to ensure the correct charges were set for the site from the outset in order to negate the need for Council subsidies;
- how charges were to be implemented and the apparent differing interpretations of this between various Members and officers;
- how charges should be made and the amount the charge should be – ie £12 per caravan;
- the need for clarification in relation to how many pitches the manager and his family would occupy and whether these four pitches equated to potentially eight paying families, for which the additional charges would be lost;
- the potential impact that increased charges could have and the advantages of having spaces on the site due to the legalities of police only being able to move other encampments elsewhere in the Borough if there were places available there; and
- the need to reduce the amount of time families were able to stay on the site.

In response the following was advised:

- since the site had been established on a pilot basis there had been only 14 encampments in two years and the Borough had seen a resultant saving of £117,000;
- based upon full occupancy a charge of £11 per night

would result in the operational costs of the site being cost neutral;

- if the site were full the police could use existing powers to move travellers on – a written protocol was in place to this effect;
- the site manager would receive a free pitch – his extended family would occupy a further three pitches for which charges would be paid in accordance with the scheme outlined;
- the general period of occupation of pitches would be 6 weeks although this could be extended to 13 weeks in certain circumstances due to individual needs;
- had the site been opened in September at the time of the original Executive Board Sub-Committee decision, the Council would already have been in receipt of £4700. However, the call-in had resulted in costs to the Council of £1500 to secure the site.

The Council considered a motion to reject resolution ES42 of the Executive Board Sub-Committee from the meeting held on 16<sup>th</sup> October 2008 in relation to the Traveller Transit Site – Pitch Charges with a request that the Sub-Committee consider the concerns outlined. The motion was put to the vote and rejected and so it was:

RESOLVED: That resolution ES42 of the Executive Board Sub-Committee meeting held on 16<sup>th</sup> October 2008 be affirmed.

#### COU62 CHANGES TO BOARD MEMBERSHIP

It was noted that the following changes to Board Membership had been made in accordance with Standing Order No. 30(4):

Councillor Higginson filled the vacancy on the Healthy Halton Policy and Performance Board; and

Councillor Inch replaced Councillor Higginson on the Business Efficiency Board.

#### COU63 OUTSIDE BODY APPOINTMENTS

It was noted that the following outside body appointments had been confirmed since the last meeting of the Council:

North West Local Government Association – Councillor Hodgkinson  
Custody Suite – Councillor M. Ratcliffe



Widnes Educational Foundation – Councillor Findon  
National Society for Clean Air – Councillor Findon  
Merseyside Steering Committee – Councillor Findon

COU64 MINUTES OF POLICY & 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 22<sup>nd</sup> October 2008:

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

In receiving the Minutes, relevant staff were thanked for their daily professionalism in relation to social services, which had resulted in an “outstanding” assessment.

In addition, the Chairman of the Urban Renewal Policy and Performance Board extended his thanks to Mr S O’Connor for attending the meeting of the Board on 19<sup>th</sup> November (Minute No. URB76 refers).

Also in relation to these minutes (Minute No. URB79), Councillor Balmer outlined his concerns in relation to the charge to pensioners to attend day centres and stated that this should be removed.

*(NB Councillor Balmer declared a personal interest in the following item of business in relation to development and highways close to Runcorn Dock Road.)*

COU65 COMMITTEE MINUTES

The Council considered the reports on the work of the following Committees in the period since the meeting of the Council on 22<sup>nd</sup> October 2008:

Development Control  
Standards  
Regulatory

*Meeting ended at 8.05 p.m.*