

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 12 February 2009 in the Marketing Suite, Municipal Building*

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

Apologies for Absence: None

Absence declared on Council business: None

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

Also in attendance: Councillors Hodgkinson and Redhead

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

#### EXB101 MINUTES

The Minutes of the meeting held on 28<sup>th</sup> January 2009 were taken as read and signed as a correct record.

#### CHILDREN AND YOUNG PEOPLE PORTFOLIO

(NB: Councillors Gerrard, Harris and Nelson declared personal interests in the following item of business due to being Governors of Simms Cross Primary School, The Grange School and Bankfield High School respectively).

#### EXB102 SPECIAL EDUCATION NEEDS REVIEW WITHIN SECONDARY SCHOOLS - KEY DECISION

The Board considered a report of the Strategic Director – Children and Young People providing a summary of the progress of the review of Special Educational Needs (SEN) in secondary schools. It was noted that the local authority had been undertaking a review of SEN provision within the Borough. Views were now being sought on the location of the proposed secondary unit provision.

*Action*

The review of SEN provision within secondary schools “units” was only one part of the broader range of provision available to young people with special education needs within the Borough: the Council was committed to providing a range of SEN services that could meet the individual needs of particular children and their families. This started with mainstream inclusive services within all schools and was then complemented by SEN Unit provision within particular secondary schools. The Council also had a range of special education needs schools.

The proposals contained within the report for SEN units in secondary schools had been developed on the basis of an analysis of need. Needs changed over time, which was reflected in the number of surplus places there were at the moment. The SEN Units Review was therefore intended to bring need into line with the provision the Authority had within the mainstream schools.

The reasons for the review, together with the stages of the review that had already taken place, were outlined within the report for Members’ information, and the present position of units in primary and secondary mainstream schools was described in Appendix 1. It was noted that the responses to the first stage of informal consultation on secondary resource position had been received and analysed. The majority of those who had responded were in full support of the change of provision proposed; however, it was suggested that the distribution of the secondary unit provision across the Borough needed further consideration and that, although the numbers would remain the same, the unit provision for autism and speech and language should be offered in both Widnes and Runcorn.

Consultation was now taking place on a proposal for future provision as outlined in the report, and information was also provided in relation to the schools that had expressed an interest in developing particular specialisms in line with this.

It was noted that when it had been shown, through assessment, that a pupil’s needs could not be met in a mainstream school, alternative provision would be sought. Prior to this decision there would be an expectation that “reasonable adjustments”, i.e. the application of the Disability Discrimination Act, would be made using the totality of resources made available to the mainstream school. On closure of the informal consultation period, and pending no adverse feedback, it was proposed that the formal consultation process commence leading to Statutory

Notice if required.

#### Reason for Decision

At present there were surplus places within mainstream units. Mainstream SEN units were not matching the present and future requirements of the Borough. This was also required as part of the developing Building Schools for the Future (BSF).

#### Alternative Options Considered and Rejected

An alternative option was to leave provision as it was; however, this would potentially leave the Council vulnerable to challenge.

#### Implementation Date

The proposals for secondary SEN resourced provision had to be agreed by April 2009 and implemented by September 2011 in line with plans for BSF.

RESOLVED: That

- (1) the proposals and recommendations within the report be ratified; and
- (2) approval be given to proceed to formal consultation of the secondary school SEN review leading to Statutory Notice if appropriate.

#### **CORPORATE SERVICES PORTFOLIO**

(NB: The Councillors below declared personal and prejudicial interests in relation to the "Environment" element of the following item of business, and left the room during consideration of this part of the item:

Councillor Gerrard – due to her husband working in Landscape Services

Councillor Nelson – due to a member of his family, and also a friend, working in the department.)

#### **EXB103 DRAFT BUDGET 2009/10 - KEY DECISION**

The Board considered a report of the Operational Director – Financial Services, which outlined a recommendation to Council in respect of the Budget, Capital Programme and Council Tax for 2009/10.

It was noted that, at the time of writing the report, the Cheshire Police and Fire Authorities had not set their budgets and Council Tax precepts. However the Board were informed that the Fire Authority had now confirmed that its precept was 2.9% and it was advised that the Police Authority was to meet on 24<sup>th</sup> February to make a decision on its precepts.

The Board was advised that the Medium Term Financial Strategy, approved on 20<sup>th</sup> November 2008, had identified a funding gap of around £6m in each of the next three years. The Strategy had the following objectives:

- to prioritise investments in the five priority areas;
- to avoid excessive Council Tax rises;
- to deliver a balanced and sustainable budget; and
- to achieve significant cashable efficiency savings to enable this to happen.

As part of the Budget Strategy each Directorate had managed its budget to generate underspend of £500,000 each. This had generated £2m to be transferred to the Invest to Save Fund. The Board noted that it was anticipated that balances at 31<sup>st</sup> March 2009 would be around £6.6m broadly as planned when the budget had been set the previous year.

In order to close the £6 m funding gap a number of proposed savings had been identified. A list of the proposed savings was outlined in Appendix C to the report. The Policy and Performance Boards had been consulted on these proposals, and comments made in relation to the following items were noted:

- relocating Murdishaw and Woodlands Play Centre Services;
- Transport Services for Children's Services – it was noted that this saving was a reflection of the lower demand for the service;
- reorganise litter picking in Neighbourhood areas – it was reported that the current standard would be maintained by deploying staff in a more flexible way;
- revised arrangements for pest control;
- street lighting pilot – the proposal related to turning off lights on the Daresbury Expressway, A56 and Watkinson Way. However, an alternative for making equivalent savings within the Highways Department had been found from Street Lighting Efficiencies and

following consideration of the feedback received this proposal was withdrawn; and

- delete attendants' posts at Widnes Town Centre toilets – it was noted that the toilets would still be cleaned but would no longer be staffed, and the situation would be monitored.

In relation to the item headed "Cease Trade Waste" it was noted that, although the Council was to cease providing this service directly, trade waste would continue to be collected by the private sector.

In addition, the Board noted that the Area Forums had been provided with the opportunity to feed into the consultation process and a list of comments made at the recent Area Forum meetings was provided for Members' consideration.

The Departmental analysis of the budget was shown in Appendix D to the report and the major reasons for change from the current budget were outlined for Members' information. It was noted that, after taking account of the windfall gain arising from the commutation adjustment in 2004/05 (the last year the Council could do this), the budget requirement was £105.117m.

Further information was provided in respect of the Local Government Finance Settlement, Halton's Council Tax, Parish Precepts, the Capital Programme, the Prudential Code and school budgets. In relation to the Council Tax, it was expected that Halton's total Council Tax would continue to be amongst the lowest in the North West, with residents in Band D experiencing a weekly rise of 71p per week and residents in Band A, ie half the properties in the Borough, experiencing a weekly rise of 47p.

RESOLVED: That the Council be recommended to adopt the resolution set out in Appendix A of the report, which includes setting the budget at £105.467m and the Band D Council Tax for Halton (before Parish, Police and Fire Precepts) of £1,116.69.

#### EXB104 TREASURY MANAGEMENT AND INVESTMENT STRATEGY 2009/10

The Board considered a report of the Operational Director – Financial Services proposing the Treasury Management Strategy for 2009/10.

The Treasury Management Strategy Statement was

shown in Appendix A to the report and detailed the expected activities of the Treasury function in the forthcoming financial year (2009/10).

The Local Government Act 2003 required the Council to “have regard to” the Prudential Code and to set Prudential indicators for the next three years to ensure that the Council’s capital investment plans were affordable, prudent and sustainable. The Act therefore required the Council to set out its Treasury Strategy for borrowing as well as an Investment Strategy, which set out the Council’s policies for managing its investments and for giving priority to the security and liquidity of those investments.

Members noted that a new requirement for 2009/10 was the production of a minimum revenue provision policy statement: there was a detailed explanation of why this was required within the Strategy, together with a formal statement for approval.

RESOLVED: That

- (1) the Council adopt the policies, strategies and statements outlined in the Treasury Management Strategy; and
- (2) delegated authority be given to the Operational Director – Financial Services, in consultation with the Corporate Services Portfolio Holder, to set the Minimum Revenue Provision repayment periods.

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

### **EXB105 LOCAL DEVELOPMENT SCHEME 2009 - KEY DECISION**

The Board considered a report of the Strategic Director – Environment, seeking approval of the Local Development Scheme (LDS) attached as Appendix 1 to the report.

It was noted that the LDS was a public statement of Halton Borough Council’s three-year work programme for producing the Local Development Framework (LDF): all Councils were required by the Planning and Compulsory Purchase Act (2004) to produce an LDS.

This LDS formed the 5<sup>th</sup> LDS that had been prepared by Halton Borough Council and moved the preparation of the LDF forward to the 2009/2010 period. The LDS had

been reviewed at this stage following the issues highlighted in the Annual Monitoring Report and to ensure that the requirements of PPS12 had been met.

The Board was advised that Government Office for the North West (GONW) was keen for LDSs to become definitive programme management documents and, from 1<sup>st</sup> April 2009, would only expect them to be departed from in exceptional circumstances or as agreed in response to annual monitoring. The process for the LDS' production was outlined within the report for Members' information and it was noted that this new LDS involved the production and adoption of further Supplementary Planning Documents (SPDs), the next stage of consultation on the Core Strategy Development Plan Documents (DPD), and the second stage of consultation on the Waste DPD.

Requirements of the LDS were outlined within the report for Members consideration, together with the questions that GONW would be considering when assessing whether the LDS was "fit for purpose". Following approval by the Executive Board, the LDS had to be submitted to GONW. It should then come into effect four weeks after being submitted to GONW unless the Secretary of State intervened in this period or requested more time.

#### Reason for Decision

As required by the Planning and Compulsory Purchase Act 2004 and Part 3 Section 10 of the Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Development) (England) Regulations 2008.

#### Alternative Options Considered and Rejected

Not applicable.

#### Implementation Date

The Local Development Scheme 2009 to be implemented with effect from 1 April 2009.

RESOLVED: That

- (1) the revision to the Local Development Scheme, appended to the report, shall come into effect from 31<sup>st</sup> March 2009, or from the date on which the Council receives notification from the Secretary of State in accordance with Regulation 11 (2) of the

Town and Country Planning (Local Development) (England) Regulations 2008, whichever is earlier;

- (2) the Operational Director – Environmental and Regulatory Services, in consultation with the Executive Board Member for Planning, Transportation, Regeneration and Renewal, be authorised to make any changes to this document as required by the Planning Inspectorate or the Government Office for the North West; and
- (3) further editorial and technical changes and/or correction of printing errors that do not affect the content be agreed by the Operational Director - Environmental and Regulatory Services before the document is published.

#### EXB106 LOCAL EMPLOYMENT PARTNERSHIP

The Board considered a report of the Strategic Director – Corporate and Policy outlining an opportunity to sign up to the Local Employment Partnership (LEP) Initiative with Jobcentre Plus.

It was noted that LEP's had been introduced in 2007 by the Government as a way of tackling the increasing recruitment and skills challenges of the labour market and economy. The Partnership was between employers and Jobcentre Plus and was a way of building on existing approaches to recruitment and developing a skilled workforce from within the local community.

By signing up to a LEP, employers were demonstrating a commitment to looking at the untapped potential of working age people claiming benefits by opening up employment and training opportunities to disadvantaged job seekers and, in particular, those from economically deprived wards.

The advice received from Jobcentre Plus was that the Council was already meeting the LEP recruitment standards as all job seekers were signposted to any advertised vacancies by Jobcentre staff and there was a well-established Apprenticeship Scheme in place.

The Board was advised that, following discussion with Jobcentre Plus, it would appear that by signing up to a LEP the Council would be re-confirming, in a more public arena, the commitment to work it was already undertaking. The signing of the LEP would be publicised by Jobcentre Plus to



encourage other employers in the Borough to take advantage of what was available.

RESOLVED: That

- (1) the report be received; and
- (2) the commitment to the LEP be supported.

## **QUALITY AND PERFORMANCE PORTFOLIO**

### **EXB107 DEPARTMENTAL SERVICE PLANS 2008-11 - KEY DECISION**

The Board considered a report of the Strategic Director – Corporate and Policy regarding the adoption of the Council’s Departmental Service Plans for 2009-2012 as a basis for action and performance monitoring.

It was noted that Departmental Service Plans sat within an established planning framework and were central to the Council’s Performance Management arrangements. They provided a clear statement on what individual services were planning to achieve, particularly in terms of service objectives and performance indicators, and how this contributed to the corporate priorities of the Council. They were an essential tool for making key decisions about future service provision and the level of resources required.

It was noted that, as final year-end performance information became available, future targets for both national and local performance indicators may require some revision. Following the approval of the budget by full Council in March, budgetary statements would be inserted into plans. Any revisions that were necessary as a result of this approval would be incorporated before plans were finalised. In addition, service plans were subject to ongoing discussion to ensure that they were of the highest quality and met organisational requirements. This may result in some minor refinement, for example of “Smart” target/key milestone data.

#### **Reasons for Decision**

Departmental Service Plans were central to the Council’s Performance Management arrangements. As such, it was necessary for them to be approved before the start of the new financial year in order that the effective monitoring of progress could take place.

## Alternative Options Considered and Rejected

None.

## Implementation Date

1<sup>st</sup> April 2009.

RESOLVED: That

- (1) this set of advanced draft service plans be received;  
and
- (2) authority be delegated to the Chief Executive, in consultation with the Leader, to make any final amendments and adjustments that may be required and to approve the final Service Plans.

## EXB108 PUBLIC ART - KEY DECISION

The Board considered a report of the Strategic Director – Health and Community seeking endorsement of a Public Art Strategy for Halton.

It was noted that the Employment, Learning and Skills Policy and Performance Board had recognised the value of Public Art at a meeting in November 2008 and had supported the proposal to develop a strategic approach for its development in Halton. The Arts Council had agreed to fund consultants to help develop an approach to Public Art in Halton. Their brief was to produce a practical, working document, which concentrated on planning issues, recognising opportunities for the short to medium term.

The National Public Art Think Tank Definition of Public Art was outlined within the report for Members' consideration, together with potential for the community. It was noted that the Strategy suggested the creation of a post to kick-start the development of Public Art and it was proposed that the post sit within the Planning Department within the Environment Directorate. The Arts Council had indicated that they would fund a part time post for two years, and as such, there was no financial risk to the Council. All other actions and opportunities were dependent on funding being identified, but at no extra cost to the Council.

## Reason for Decision

To develop a strategic and informed approach to public art

work in Halton.

#### Alternative Options Considered and Rejected

An alternative option would be to not adopt a strategic approach but to continue to add piecemeal pieces of public artwork across the Borough.

#### Implementation Date

This was dependent upon drawing up a brief for the post with the partners involved and then advertising.

RESOLVED: That

- (1) the proposed strategy identified at Appendix 1 be noted; and
- (2) the Strategy for Halton be endorsed.

**MINUTES ISSUED: 24 February 2009**

**CALL IN: 3 March 2009**

**Any matter decided by the Executive Board may be called in no later than 3<sup>rd</sup> March 2009.**

*Meeting ended at 3.10 p.m.*