

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 29 March 2012 in The Board Room - Municipal Building, Widnes*

Present: Councillors Polhill (Chairman), D. Cargill, Harris, Jones, T. McInerney, Nelson, Stockton, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Reaney, D. Johnson, I. Leivesley, G. Meehan, D. Parr, A. Scott, G. Cook and A. Jones

Also in attendance: None

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

*Action*

#### EXB114 MINUTES

The Minutes of the meeting held on 15 March 2012 were taken as read and signed as a correct record.

#### LEADER'S PORTFOLIO

#### EXB115 THE LOCALISM ACT 2011 - THE AMENDED STANDARDS REGIME

The Board considered a report of the Operational Director, Legal and Democratic Services which provided an update on the amended Standards Regime.

The Board was advised that the Localism Act 2011 would come into effect from 1 July 2012. After that time, Councils would have to adopt a code of conduct and put in place arrangements for dealing with complaints. It was noted that the authority would remain under a duty to promote and maintain high standards of conduct for its Elected and Co-opted Members.

Full details of the proposed changes were attached to the report at Appendix 1; this covered the creation of a newly constituted Standards Committee, the adoption of a

new Code of Conduct governing Elected and Co-opted Members, arrangements for dealing with Misconduct Complaints, the appointment by Council of an Independent Person, the register of Members' Interests, Dispensations and Transitional Arrangements.

It was further noted that Appendix 3 contained details of model "arrangements" for dealing with standards allegations. It was proposed that these arrangements would provide for the Monitoring Officer to be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct and to be given delegated power to determine (after consultation with the Independent Person), whether a complaint merited formal investigation.

RESOLVED: That Council be recommended to adopt the proposals as set out in Appendix 2 attached to the report.

Operational  
Director, Legal  
and Democratic  
Services

## **CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO**

*(The following Councillors declared a personal interest in the following item of business for the reasons stated:*

*Councillor Nelson as Chair of Governors of The Grange School*

*Councillor Stockton as a Governor of The Grange School*

*Councillor Harris as a Governor of The Bankfield School*

*Councillor D Cargill as a Governor of Windmill Hill Primary School)*

### **EXB116 SCHOOL ADMISSIONS ARRANGEMENTS 2013**

The Board considered a report of the Strategic Director, Children and Enterprise, on School Admission Arrangements for 2013.

The Board was advised that statutory consultation had taken place on the proposed admission arrangements and coordinated admission schemes for the September 2013 intake. In addition to publication via the Council's website, details were also included in the Strategic Director's Spring 2012 Report to Governors, and sent to the four Diocesan authorities responsible for voluntary aided schools in Halton and to neighbouring authorities.

The report contained details of the responses made for Members' consideration.

RESOLVED: That the School Admissions Policy, Admission Arrangements and the co-ordinated schemes for admission to primary and secondary schools for 2013/14 academic year, be approved.

Strategic Director  
- Children and  
Enterprise

*(Councillor Harris declared a personal interest in the following item of business as a Governor of The Bankfield School)*

#### EXB117 THE HEATH SIXTH FORM FREE SCHOOL PROPOSAL- KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise, on The Heath Sixth Form Free School Proposal.

The Board was advised that The Heath School had submitted an application to the Department for Education (DfE) to establish a Sixth Form for 16-19 age range for a total of 300 students across Years 12 and 13, opening in September 2013. The proposed Sixth Form would offer a wide range of 'A' level courses plus a Foundation Learning Pathway. Consultation to a wide range of people had been undertaken by The Heath School.

The Board noted that at the 14-19 Partnership meeting in November, it had been agreed that where providers were interested in delivery of post-16 provision, the authority would expect to see a set of principles applied, which were listed in the report for Members' information.

It was further noted that the Secretary of State had a duty to consider the impact any new free school would have on existing schools and provision in the area. The report provided a summary of existing sixth form provision for Members' information.

#### Reason(s) For Decision

The report sought to gain the views of the Executive Board to the proposal to establish The Heat Sixth Form Free School, to submit a response to the statutory consultation.

#### Alternative Options Considered and Rejected

Not applicable

#### Implementation Date

September 2013.

RESOLVED: That the Board do not support the proposal for The Heath Sixth Form, as there was currently sufficient provision in Halton and its establishment could destabilise the provision of other settings and compromise the quality and breadth of education provision available across the Borough.

Strategic Director  
- Children and Enterprise

*(Councillor Harris declared a personal interest in the following item of business as a Governor of The Bankfield School)*

#### EXB118 ACADEMIES STATUS - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise outlining the potential financial implications of the transfer of schools to Academy status.

The Board was advised that the Academies Programme had been introduced to tackle the problem of failing schools for which a sponsor was required. In addition, the Coalition Government had introduced an Academies Programme for high performing schools wishing to opt to Academy status for which a sponsor was not required.

In Halton, three schools had already changed to Academy status, with a number of others showing interest in doing so. Details of funding arrangements which schools received upon conversion to an Academy, were outlined in the report and included:

- an amount equivalent to that which it would receive via the Council's Schools Funding Formula; and
- an amount for services provided to schools individually or as a whole, for which no charge was made.

The Board noted the other financial implications when schools convert to Academy status, such as inclusion in the pension scheme for non-teaching staff, traded services with the local authority, economies of scale in corporate contracts and bulk purchasing arrangements and the length of time it took for conversion to be completed.

#### Reason(s) for Decision

The report sought to gain the views of Executive Board on the transfer of Halton schools to Academy status, and outlined ways to mitigate the financial impact.

## Alternative Options Considered and Rejected

Not applicable

## Implementation Date

As schools may be considered for transfer to Academy status in September 2012, it was essential that the Council agree its approach to academisation by April 2012.

RESOLVED: That

- 1) the potential financial impact of schools becoming Academies be noted;
- 2) a further review of traded services to schools be undertaken to ensure full cost recovery was maintained; and
- 3) individual meetings be held with each Secondary and Special School, and Runcorn and Widnes Primary Schools to determine whether they were considering conversion to Academy Status, along with any proposed timescales.

Strategic Director  
- Children and  
Enterprise

## **HEALTH AND ADULTS PORTFOLIO**

### EXB119 BRIDGEWATER COMMUNITY HEALTHCARE NHS TRUST

The Board considered a report of the Strategic Director, Communities, on proposals for Bridgewater Community Healthcare NHS Trust to become a Foundation Trust.

The Board was advised that Bridgewater Community Healthcare NHS Trust provided NHS services to a population of over 1 million people living in Ashton, Leigh and Wigan, Halton and St Helens, Trafford and Warrington. In addition it provided community dental services in a wider area.

Bridgewater Community Healthcare NHS Trust was aiming to become a Foundation Trust by April 2013 and was currently seeking views from patients and the public. The report provided details of the proposed membership arrangements and a summary of the proposals.

RESOLVED: That Council be recommended to

Strategic Director,  
Communities

- 1) support
  - a) the proposal by Bridgewater Community Healthcare NHS Trust to become a Foundation Trust;
  - b) the membership arrangements proposed by Bridgewater Community Healthcare NHS Trust;
  - c) the public membership constituencies proposed by Bridgewater Community Healthcare NHS Trust;
  - d) the staff membership proposals proposed by Bridgewater Community Healthcare NHS Trust; and
  - e) the Governor's structure and numbers proposed by Bridgewater Community Healthcare NHS Trust;
- 2) nominate the Portfolio holder for Health and Adults as the Halton Governor Representative, should Bridgewater Community Healthcare NHS Trust achieve Foundation Trust status; and
- 3) encourage Halton residents to take up the opportunity to become members of the proposed Bridgewater Community Healthcare NHS Foundation Trust.

## EXB120 LIVERPOOL COMMUNITY HEALTHCARE NHS TRUST

The Board considered a report of the Strategic Director, Communities, on proposals for Liverpool Community Healthcare NHS Trust to become a Foundation Trust.

The Board was advised that Liverpool Community Healthcare NHS Trust provided NHS services to a population of 750,000 people living in Liverpool, Sefton, Knowsley and Halton and St Helens.

Liverpool Community Healthcare NHS was aiming to become a Foundation Trust by April 2013 and was currently seeking views from patients and the public. The report provided details of the proposed membership arrangements and a summary of the proposals

Strategic Director,  
Communities

RESOLVED: That Council be recommended to

- 1) support
  - a) the proposal submitted by Liverpool Community Healthcare NHS Trust to become a Foundation Trust;
  - b) the membership arrangements proposed by Liverpool Community Healthcare NHS Trust;
  - c) the public memberships constituencies proposed by Liverpool Community Healthcare NHS Trust should give due regard to a dedicated Halton constituency;
  - d) the staff membership proposals proposed by Liverpool Community Healthcare NHS Trust;
  - e) the Governors structure proposed by Liverpool Community Healthcare NHS Trust. However, in respect of the composition of Governors, Halton Borough Council recommend that they be allocated one dedicated Elected Member to represent Halton on the Governing Body;
  - f) the plans for governance proposed by Liverpool Community Healthcare NHS Trust; and
- 2) Halton residents be encouraged to take up the opportunity to become members of the proposed Liverpool Community Healthcare NHS Foundation Trust.

#### EXB121 HEALTH & SOCIAL CARE BILL UPDATE

The Board considered a report of the Strategic Director, Communities, which provided an update on the progress of the Health and Social Care Bill.

The Board was advised that the Bill had received Royal Assent on 27 March 2012 and that prior to this, the

Department of Health had produced a number of factsheets on various aspects of the proposed NHS reforms. These included the NHS Commissioning Board, Public Health England, Clinical Commissioning Groups, Clinical Commissioning Support Services and Health Education and Training.

The report provided a synopsis of the main features of the Health and Social Care Act 2012.

RESOLVED: That the contents of the report be noted.

## **TRANSPORTATION PORTFOLIO**

### **EXB122 STREET LIGHTING - ENERGY SAVING OPTIONS - KEY DECISION**

The Board considered a report of the Strategic Director, Policy and Resources, on energy saving options for street lighting.

The report detailed options to reduce revenue costs for the Council's stock of highway electrical equipment, including street lighting, traffic signals and illuminated traffic signs and bollards. The report contained details of the equipment in place on the highways in Halton, together with information on the supply and costs of energy.

The Board was advised that, due to increasing energy costs for street lighting, action must be taken to minimise future growth in energy consumption. A complete re-assessment of lighting policies, currently included in the Highway Maintenance Strategy, would be needed in order to carry this out. A Street Lighting Policy and Strategy would be prepared and submitted to a future meeting of the Board. However, in order to respond to an immediate need to cut the cost of energy consumption, it was proposed that street lighting be switched off on high speed roads between midnight and 6.00am throughout the year, starting with those sections of road listed in Appendix A.

The report also considered the future lighting provision within the Borough and the options for reducing street lighting costs. This included:

- Adaptive street lighting
- Change switching levels for columns
- Switching off lights for part of the night
- Use of solar panels
- Use of light emitting diodes (LEDs)



- Removal of decorative lighting and
- Removal of high mast lighting on expressways

The Board noted that local authorities were required to advise their energy supplier of their load profile in terms of electricity use. By reducing consumption during the low demand periods of midnight to 6.00am, the authority's average energy tariff could increase considerably, and negate any savings.

#### Reasons for Decision

In order to achieve budget savings it had been necessary to turn off street lights on high speed roads between midnight and 6.00am.

#### Alternative Options Considered and Rejected

A total switch off was considered, but was rejected in order to reduce the impact.

#### Implementation Date

1 April 2012, subject to all equipment being installed.

RESOLVED: That

- 1) approval be given to the policy to regulate energy consumption by highway electrical equipment, in order to reduce costs and carbon emissions, as set out in item 4 of the report;
- 2) approval be given to turning off street lighting on those high speed roads (over 40mph speed limits), listed in Appendix A attached to the report, between midnight and 6.00am throughout the year and to any potential impacts of this action being monitored;
- 3) the potential options to reduce energy consumption as set out in Appendix C attached to the report, be noted and implemented where appropriate and as resources permit; and
- 4) other potential actions that may be needed to maintain the Council's street lighting stock and reduce its street lighting energy bill be noted and be brought forward to a future meeting of the Board for consideration.

Strategic Director,  
Policy and  
Resources

## **ECONOMIC DEVELOPMENT PORTFOLIO**

### **EXB123 OFSTED 2011-12 SURVEY INSPECTION PROGRAMME: EMPLOYABILITY - THE IMPACT OF SKILLS PROGRAMMES FOR ADULTS ON ACHIEVING SUSTAINED EMPLOYMENT**

The Board considered a report of the Strategic Director, Children and Enterprise, on the outcomes from the recent Ofsted Survey Inspection of the Employment, Learning and Skills Division.

The last full Ofsted inspection in June 2009 awarded the service a Grade 2 – Good. The current inspection took place over three days between November 2011 and January 2012, with evidence collated in a number of ways, including staff and participant interviews, scrutiny of relevant documents and observation of four learning sessions.

The Board noted the key findings and areas for improvement from the Survey Inspection, as detailed in the report.

RESOLVED: That

- 1) the successful Ofsted Inspection of the Employment, Learning and Skills service be noted; and
- 2) the actions arising from the Inspector be endorsed.

Strategic Director  
- Children and  
Enterprise

## **RESOURCES PORTFOLIO**

### **EXB124 THE PEOPLE PLAN (2012-2015)**

The Board considered a report of the Strategic Director, Policy and Resources, on the implementation of the Council's People Plan 2012-2015 (the Plan).

The Board was advised that in order to produce the draft version of the Plan, two key pieces of work had been undertaken at the start of the process, which had been used extensively in its production. These were a Staff Survey which sought the views of the staff on what they thought the Council was like to work for, and a Workplace Profile which looked in depth at the characteristics of the workforce. Both documents were appended to the report.

The Plan identified four Key Strategic Aims, as detailed in the report, each of which contained a number of objectives, a number of actions, a number of success measures with linked outcomes and timescales. The Board was advised that the Plan would be monitored by the Organisational Development Group and that a further Staff Survey would be carried out in 2015.

It was noted that the draft Plan had been considered in some detail by the Corporate Policy and Performance Board on 21 February 2012, with a recommendation that Executive Board approve its adoption.

RESOLVED: That the Board fully endorse and support the implementation of the Council's People Plan 2012-2015.

Strategic Director  
- Policy &  
Resources

#### EXB125 ANNUAL REVIEW OF THE CONSTITUTION 2012

The Board received a report of the Strategic Director, Policy and Resources which sought the approval of the Council to a number of changes to the Constitution.

Members were advised that the revised version picked up the changes to the Council's working arrangements that had taken place during the year, as well as other changes which were intended to assist the Council to operate more effectively.

The proposals for change had been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. It was reported that apart from the purely technical changes, the proposed amendments that were considered to be of particular significance were listed as an appendix to the report. The review also took account of the recommendations by the cross party Constitutional Working Group, legislative changes to the Standards regime as well as changes to Public Health arrangements.

RESOLVED: That Council be recommended to approve the changes to the Constitution as set out in Appendix 1 attached to the report.

Strategic Director  
- Policy &  
Resources

#### EXB126 CALENDAR OF MEETINGS 2012/13

The Board received a report of the Strategic Director, Policy and Resources which set out the proposed Calendar of Meetings for the 2012/13 Municipal Year appended to the

report for information.

The Board was advised that, subject to Council agreeing to retain meetings of the Standards Committee, dates had been allocated for this in the 2012/13 calendar. In addition, adjustments had been made to reflect other changes proposed by the cross party Constitutional Working Group as they affected the scheduling of the Executive Board Sub Committee and the deletion of the 3MG Executive Board.

RESOLVED: That the Council be recommended to approve the Calendar of Meetings for the 2012/2013 Municipal Year as appended to the report.

Strategic Director  
- Policy &  
Resources

## **PHYSICAL ENVIRONMENT PORTFOLIO**

### **EXB127 ADOPTION OF HOT FOOD TAKEAWAY SPD**

The Board considered a report of the Strategic Director, Policy and Resources, on the adoption of the Hot Food Takeaways Supplementary Planning Document (SPD).

The Board was reminded that at its meeting on 8 September 2011, Executive Board approved a public consultation exercise to be conducted on the draft SPD. A total of six responses to the consultation were received, which were summarised in the Statement of Consultation attached at Appendix B. It was noted that the policies in the SPD would be supplementary to the emerging Core Strategy Policy CS22: Health and Wellbeing, and adopted Unitary Development Plan policies. Once adopted, the guidance would be a material planning consideration in the determination of planning applications for proposed Hot Food Takeaway establishments in the Borough.

RESOLVED: That

- 1) the Hot Food Takeaway SPD (attached at Appendix A) be adopted as a Local Development Document and the procedures for adoption, as set out in the Town and Country Planning (Local Development) 2004 (England) Regulations be carried out;
- 2) the results of the public consultation as set out in the Statement of Consultation (attached at Appendix B) be noted; and

Strategic Director  
- Policy &  
Resources

- 3) any further editorial and technical changes that do not materially affect the content or intended purpose of the SPD be agreed by the Operational Director, Policy, Planning and Transportation in consultation with the Portfolio Holder for the Physical Environment if necessary, before the document is published.

## EXB128 SANKEY CANAL RESTORATION PROJECT

The Board considered a report of the Strategic Director, Communities, on the progress and preliminary discussions with Heritage Lottery Fund on the Sankey Canal Restoration Project.

The Board was advised that the area under consideration as part of this project was a section of the Sankey Canal from Spike Island to Fiddlers Ferry Marina in Warrington. It was noted that this was a joint project with Warrington Borough Council, involving volunteer representatives from Sankey Canal Restoration Society with other partner organisations being consulted.

A Project Development Steering Group had been set up to guide the development of the project. An outline project programme/timeline was attached at Appendix 1, which illustrated the key dates for deadlines and decision periods. It was noted that this would be a lengthy application process, with submission of a Round 1 application to the Heritage Lottery Fund in November 2012.

RESOLVED: That delegated authority be given to the Strategic Director, Communities, in consultation with the Portfolio Holder for Physical Environment, to progress the project and to prepare and submit all necessary information for a Round 1 submission to the Heritage Lottery Fund.

Strategic Director  
- Communities

*The Board noted that this was the final meeting of the 2011/12 Municipal Year, and wished to record their thanks to Councillor Tom McInerney for his support to the Board and his commitment in the past and wished him well in his year as Mayor of the Borough.*

**MINUTES ISSUED: 3 April 2012**

**CALL-IN: 12 April 2012**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 12 April 2012**

*Meeting ended at 2.45 p.m.*