

Public Document Pack



Executive Board

Thursday, 29 March 2012 2.00 p.m.
The Board Room - Municipal Building,
Widnes

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

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

PART 1

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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, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
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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:	Executive Board
DATE:	29 March 2012
REPORTING OFFICER:	Operational Director Legal & Democratic Services
SUBJECT:	The Localism Act 2011 – The Amended Standards Regime
PORTFOLIO:	Leader
WARDS:	Borough wide

1.0 PURPOSE OF REPORT

- 1.1 To present revised Standards arrangements for consideration and approval by Executive Board and referral to Council

2.0 RECOMMENDATIONS: That Council be recommended to adopt the proposals set out in Appendix 2.

3.0 SUPPORTING INFORMATION

The proposed changes are lengthy and complicated and for ease of reference, are contained in Appendix 1.

4.0 POLICY IMPLICATIONS

The Localism Act 2011 comes into effect in so far as Standards are concerned on 1st July 2012. After that time, Councils will have to adopt a code of conduct and put in place arrangements for dealing with complaints.

5.0 OTHER IMPLICATIONS

None

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton Borough Council

None

6.2 Employment, Learning and Skills in Halton Borough Council

None

6.3 A Healthy Halton

None

6.4 A Safer Halton

None

6.5 Halton's Urban Renewal
None

7.0 RISK ANALYSIS

The Council must as a matter of Law adopt a Code of Conduct and put in place arrangements for dealing with complaints. It must also advertise and appoint an Independent Person.

8.0 EQUALITY AND DIVERSITY ISSUES

The proposed arrangements are designed to enable the transparent and efficient handling of complaints relating to the Members Code of Conduct to the benefit of all sectors of the community.

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

The report has been prepared in consideration of legislation and appropriate guidance, available from Mark Reaney, Operational Director, Legal and Democratic Services, Municipal Building, Kingsway, Widnes.

1 The Localism Act 2011

The Localism Act 2011 makes fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors. The date for implementation of these changes is 1 July 2012.

This report describes the changes and recommends the actions required for the Council to implement the new regime.

2 Duty to promote and maintain high standards of conduct

The authority will remain under a statutory duty to promote and maintain high standards of conduct for its elected and co-opted members.

3 Standards Committee

The Act repeals Section 55 of the Local Government Act 2000, which provides for the current statutory Standards Committee. So, there will be no requirement for a Standards Committee. However, there will still be a need to deal with standards issues and case-work, so that it is likely to remain convenient to have a Standards Committee, it will be a normal Committee of Council, without the unique features which were conferred by the previous legislation. As a result –

3.1 The composition of the Committee will be governed by proportionality, unless Council votes otherwise with no member voting against. The present restriction to only one member of the Executive on the Standards Committee will cease to apply;

3.2 The current co-opted independent members will cease to hold office. The Act establishes for a new category of Independent Persons (see below) who must be consulted at various stages, but provides that the existing co-opted independent members cannot serve as Independent Persons for 5 years. The new Independent Persons may be invited to attend meetings of the Standards Committee, but are unlikely to be co-opted onto the Committee;

3.3 The Council will continue to have responsibility for dealing with standards complaints against elected and appointed members of Parish Councils, but the current Parish Council representatives cease to hold office. The Council can choose whether it want to continue to involve Parish Council representatives and, if so, how many Parish Council representatives it wants. The choice is between establishing a Standards Committee as a Committee of the Council, with co-opted but non-voting Parish Council representatives (which could then only make recommendations in respect of Parish Council members), or establishing a Standards Committee as a Joint Committee with the Parish Councils within the Borough (or as many of them as wish to participate) and having a set number of Parish Council representatives as voting members of the Committee (which could then take operative decisions in respect of members of Parish Councils, where the Parish Council had delegated such powers to such a Joint Standards Committee).

Issue 1 – The Council must decide whether to set up a Standards Committee, and how it is to be composed.

Recommendation –

- a. That the Council establish a Standards Committee comprising 9 elected members of the Council, appointed proportionally;**
- b. That the Leader of the Council be requested to nominate to the Committee only one member who is a member of the Executive;**
- c. That the Parish Councils be invited to nominate a maximum of 2 Parish Councillors to be co-opted as non-voting members of the Committee;**
- d. That the Standards Committee co-opt a maximum of 2 independent non – voting members**

4 The Code of Conduct

The current ten General Principles and Model Code of Conduct will be repealed, and members will no longer have to give an undertaking to comply with the Code of Conduct. However, the Council will be required to adopt a new Code of Conduct governing elected and co-opted members' conduct when acting in that capacity. The Council's new Code of Conduct must, viewed as a whole, be consistent with the following seven principles –

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

The Council has discretion as to what it includes within its new Code of Conduct, provided that it is consistent with the seven principles. However, regulations to be made under the Act will require the registration and disclosure of “Disclosable Pecuniary Interests” (DPIs), broadly equating to the current prejudicial interests. The provisions of the Act also require an authority's code to contain appropriate requirements for the registration (and disclosure) of other pecuniary interests and non-pecuniary interests. The result is that it is not possible yet to draft Code provisions which reflect the definition of DPIs which will appear in regulations, but it is possible to give an indicative view of what the Council might consider that it might be appropriate to include in the Code in respect of the totality of all interests, including DPIs, other pecuniary interests and non-pecuniary interests. Accordingly, it might be sensible at this stage to instruct the Monitoring Officer to prepare a draft Code which requires registration and disclosure for those interests which would today amount to personal and/or prejudicial interests, but only require withdrawal as required by the Act for DPIs. The Act prohibits members with a DPI from participating in authority business, and the Council can adopt a

Standing Order requiring members to withdraw from the meeting room. So the Council's new Code of Conduct will have to deal with the following matters –

- General conduct rules, to give effect to the seven principles. This corresponds broadly with Paragraphs 3 to 7 of the current Code of Conduct. In practise, the easiest course of action would be simply to re-adopt Paragraphs 3 to 7 of the existing Code of Conduct. The Council can amend its Code of Conduct subsequently if the need arises; and
- Registration and disclosure of interests other than DPIs – effectively, replacing the current personal interests provisions. The Act requires that the Code contains “appropriate” provisions for this purpose, but, until the regulations are published, defining DPIs, it is difficult to suggest what additional disclosure would be appropriate.

Issue 2 – The Council has to decide what it will include in its Code of Conduct

Recommendation -

a. That the Monitoring Officer be instructed to prepare and present to Council for adoption a draft Code of Conduct. That draft Code should –

i. equate to Paragraphs 3 to 7 of the current Code of Conduct applied to member conduct in the capacity of an elected or co-opted member of the Council or its Committees and Sub-Committees; and

ii. require registration and disclosure of interests which would today constitute personal and/or prejudicial interests, but only require withdrawal as required by the Act in relation to Disclosable Pecuniary Interests.

b. That, when the Disclosable Pecuniary Interests Regulations are published, the Monitoring Officer, after consultation with the Chair of Standards Committee and the Leader of the Council, add to that draft Code provisions which he considers to be appropriate for the registration and disclosure of interests other than DPIs.

5 Dealing with Misconduct Complaints

5.1 “Arrangements”

The Act requires that the Council adopt “arrangements” for dealing with complaints of breach of Code of Conduct both by Council members and by Parish Council members, and such complaints can only be dealt with in accordance with such “arrangements”. So the “arrangements” must set out in

some detail the process for dealing with complaints of misconduct and the actions which may be taken against a member who is found to have failed to comply with the relevant Code of Conduct.

The advantage is that the Act repeals the requirements for separate Referrals, Review and hearings Sub-Committees, and enables the Council to establish its own process, which can include delegation of decisions on complaints. Indeed, as the statutory provisions no longer give the Standards Committee or Monitoring Officer special powers to deal with complaints, it is necessary for Council to delegate appropriate powers to any Standards Committee and to the Monitoring Officer.

5.2 Decision whether to investigate a complaint

In practice, the Standards for England guidance on initial assessment of complaints provided a reasonably robust basis for filtering out trivial and tit-for-tat complaints. It is sensible to take advantage of the new flexibility to delegate to the Monitoring Officer the initial decision on whether a complaint requires investigation, subject to consultation with the Independent Person and the ability to refer particular complaints to the Standards Committee where he feels that it would be inappropriate for him to take a decision on it, for example where he has previously advised the member on the matter or the complaint is particularly sensitive. These arrangements would also offer the opportunity for the Monitoring Officer to seek to resolve a complaint informally, before taking a decision on whether the complaint merits formal investigation. If this function is delegated to the Monitoring Officer, it is right that he should be accountable for its discharge. For this purpose, it would be appropriate that he make a quarterly report to Standards Committee, which would enable him to report on the number and nature of complaints received and draw to the Committee's attention areas where training or other action might avoid further complaints, and keep the Committee advised of progress on investigations and costs.

5.3 "No Breach of Code" finding on investigation

Where a formal investigation finds no evidence of failure to comply with the Code of Conduct, the current requirement is that this is reported to Referrals Sub-Committee and the Sub-Committee take the decision to take no further action. In practice, it would be reasonable to delegate this decision to the Monitoring Officer, but with the power to refer a matter to Standards Committee if he feels appropriate. It would be sensible if copies of all investigation reports were provided to the Independent Person to enable him to get an overview of current issues and pressures, and that the Monitoring Officer provide a summary report of each such investigation to Standards Committee for information.

5.4 "Breach of Code" finding on investigation

Where a formal investigation finds evidence of failure to comply with the Code of Conduct, there may yet be an opportunity for local resolution, avoiding the

necessity of a local hearing. Sometimes the investigation report can cause a member to recognise that his/her conduct was at least capable of giving offence, or identify other appropriate remedial action, and the complainant may be satisfied by recognition of fault and an apology or other remedial action. However, it is suggested that at this stage it would only be appropriate for the Monitoring Officer to agree a local resolution after consultation with the Independent Person and where the complainant is satisfied with the outcome, and subject to summary report for information to the Standards Committee. In all other cases, where the formal investigation finds evidence of a failure to comply with the Code of Conduct, it would be necessary for the Standards Committee (in practice a Hearings Panel constituted as a Sub-Committee of Standards Committee) to hold a hearing at which the member against whom the complaint has been made can respond to the investigation report, and the Hearing Panel can determine whether the member did fail to comply with the Code of Conduct and what action, if any, is appropriate as a result.

5.5 Action in response to a Hearing finding of failure to comply with Code

The Act does not give the Council or its Standards Committee any powers to impose sanctions such as suspension or requirements for training or an apology on members. So, where a failure to comply with the Code of Conduct is found, the range of actions which the authority can take in respect of the member is limited and must be directed to securing the continuing ability of the authority to continue to discharge its functions effectively, rather than “punishing” the member concerned. In practice, this might include the following –

5.5.1 Reporting its findings to Council *[or to the Parish Council]* for information;

5.5.2 Recommending to the member’s Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;

5.5.3 Recommending to the Leader of the Council that the member be removed from the Executive, or removed from particular Portfolio responsibilities;

5.5.4 Instructing the Monitoring Officer to *[or recommend that the Parish Council]* arrange training for the member;

5.5.5 Removing *[or recommend to the Parish Council that the member be removed]* from all outside appointments to which he/she has been appointed or nominated by the authority *[or by the Parish Council]*;

5.5.6 Withdrawing *[or recommend to the Parish Council that it withdraws]* facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or

5.5.7 Excluding *[or recommend that the Parish Council exclude]* the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

There is a particular difficulty in respect of Parish Councils, as the Localism Act gives the Standards Committee no power to do any more in respect of a member of a Parish Council than make a recommendation to the Parish Council on action to be taken in respect of the member. Parish Councils will be under no obligation to accept any such recommendation. The only way round this would be to constitute the Standards Committee and Hearings Panels as a Joint Committee and Joint Sub- Committees with the Parish Councils, and seek the delegation of powers from Parish Council to the Hearings Panels, so that the Hearings Panels can effectively take decisions on action on behalf of the particular Parish Council.

5.6 Appeals

There is no requirement to put in place any appeals mechanism against such decisions. The decision would be open to judicial review by the High Court if it was patently unreasonable, or if it were taken improperly, or if it sought to impose a sanction which the authority had no power to impose.

Issue 3 – The Council has to decide what “arrangements” it will adopt for dealing with standards complaints and for taking action where a member is found to have failed to comply with the Code of Conduct.

Recommendation – That the Monitoring Officer be instructed to prepare and submit to Council for approval “arrangements” as follows –

- a. That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;**
- b. That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation and to arrange such investigation. He be instructed to seek resolution of complaints without formal investigation wherever practicable, and that he be given discretion to refer decisions on investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and to report quarterly to Standards Committee on the discharge of this function;**
- c. Where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be instructed to close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the**

Independent Person, and reporting the findings to the Standards Committee for information;

d. Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to Standards Committee. Where such local resolution is not appropriate or not possible, he is to report the investigation findings to a Hearings Panel of the Standards Committee for local hearing;

e. That Council delegate to Hearings Panels such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include –

§ Reporting its findings to Council *[or to the Parish Council]* for information;

§ Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;

§ Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;

§ Instructing the Monitoring Officer to *[or recommend that the Parish Council]* arrange training for the member;

§ Removing *[or recommend to the Parish Council that the member be removed]* from all outside appointments to which he/she has been appointed or nominated by the authority *[or by the Parish Council]*; § Withdrawing *[or recommend to the Parish Council that it withdraws]* facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or

§ Excluding *[or recommend that the Parish Council exclude]* the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

Recommendation – That a meeting be arranged between the Chair of Standards Committee and the Group Leaders for the Council and representatives of Parish Councils to discuss how the new system can best operate. 6 Independent Person(s)

The “arrangements” adopted by Council must include provision for the appointment by Council of at least one Independent Person.

6.1 “Independence”

The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all members of the Council (not just of those present and voting).

A person is considered not to be “independent” if –

6.1.1 he is, or has been within the last 5 years, an elected or co-opted member or an officer of the Council or of any of the Parish Councils within its area;

6.1.2 he is, or has been within the last 5 years, an elected or co-opted member of any Committee or Sub-Committee of the Council or of any of the Parish Councils within its area (which would preclude any of the current co-opted independent members of Standards Committee from being appointed as an Independent Person); or

6.1.3 he is a relative or close friend of a current elected or co-opted member or officer of the Council or any Parish Council within its area, or of any elected or co-opted member of any Committee or Sub-Committee of such Council.

For this purpose, “relative” comprises –

- (a) the candidate’s spouse or civil partner;
- (b) any person with whom the candidate is living as if they are spouses or civil partners;
- (c) the candidate’s grandparent;
- (d) any person who is a lineal descendent of the candidate’s grandparent;
- (e) a parent, brother, sister or child of anyone in Paragraphs (a) or (b);
- (f) the spouse or civil partner of anyone within Paragraphs (c), (d) or (e); or
- (g) any person living with a person within Paragraphs (c), (d) or (e) as if they were spouse or civil partner to that person.

6.2 Functions of the Independent Person

The functions of the Independent Person(s) are –

- They must be consulted by the authority before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member (this means on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding);
- They may be consulted by the authority in respect of a standards complaint at any other stage; and

· They may be consulted by a member or co-opted member of the Council or of a Parish Council against whom a complaint has been made. This causes some problems, as it would be inappropriate for an Independent Person who has been consulted by the member against whom the complaint has been made, and who might as a result be regarded as prejudiced on the matter, to be involved in the determination of that complaint.

6.3 How many Independent Persons?

The Act gives discretion to appoint one or more Independent Persons, but provides that each Independent Person must be consulted before any decision is taken on a complaint which has been investigated. Accordingly, there would appear to be little advantage in appointing more than one Independent Person, provided that a couple of reserve candidates are retained and can be activated at short notice, without the need for re-advertisement, in the event that the Independent Person is no longer able to discharge the function.

6.4 Remuneration

As the Independent Person is not a member of the authority or of its Committees or Sub-Committees, the remuneration of the Independent Person no longer comes within the scheme of members' allowances, and can therefore be determined without reference to the Independent Remuneration Panel.

In comparison to the current Chair of Standards Committee, the role of Independent Person is likely to be less onerous. He/she is likely to be invited to attend all meetings of the Standards Committee and Hearings Panels, but not to be a formal member of the Committee or Panel (he/she could be co-opted as a non-voting member but cannot chair as the Chair must exercise a second or casting vote). He/she will need to be available to be consulted by members against whom a complaint has been made, although it is unclear what assistance he/she could offer. Where he/she has been so consulted, he/she would be unable to be involved in the determination of that complaint. This report suggests that the Independent Person also be involved in the local resolution of complaints and in the grant of dispensations. However, it would be appropriate to undertake a proper review of the function before setting the remuneration.

Issue 4 – How many Independent Persons are required?

Recommendation –

a. That the Monitoring Officer, in consultation with the Chair of Standards Committee and the Leader of the Council, and with the advice of the Head of HR, be authorised to set the initial allowances and expenses for the Independent Person and any Reserve Independent

Persons, and this function subsequently be delegated to the Standards Committee

b. That the Monitoring Officer advertise a vacancy of the appointment of 1 Independent Person and 2 Reserve Independent Persons

c. That a Committee comprising the Chair and three other members of Standards Committee be set up to short-list and interview candidates, and to make a recommendation to Council for appointment.

7 The Register of Members' Interests

7.1 The register of members' interests

The Localism Act abolishes the concepts of personal and prejudicial interests. Instead, regulations will define "Disclosable Pecuniary Interests" (DPIs). The Monitoring Officer is required to maintain a register of interests, which must be available for inspection and available on the Council's website. The Monitoring Officer is also responsible for maintaining the register for Parish Councils, which also have to be open for inspection at the Council offices and on the District Council's website.

At present we do not know what Disclosable Pecuniary Interests will comprise, but they are likely to be broadly equivalent to the current prejudicial interests. The intention was to simplify the registration requirement, but in fact the Act extends the requirement for registration to cover not just the member's own interests, but also those of the member's spouse or civil partner, or someone living with the member in a similar capacity.

The provisions of the Act in respect of the Code of Conduct require an authority's code to contain appropriate requirements for the registration (and disclosure) of other pecuniary interests and non-pecuniary interests. The Monitoring Officer is required by the Act to set up and maintain registers of interest for each Parish Council, available for inspection at the Borough Council offices and on the Council's website and, where the Parish Council has a website, provide the Parish Council with the information required to enable the Parish Council to put the current register on its own website.

7.2 Registration on election or co-option

Each elected or co-opted member must register all DPIs within 28 days of becoming a member. Failure to register is made a criminal offence, but would not prevent the member from acting as a member. In so far as the Code of Conduct which the Council adopts requires registration of other interests, failure to do so would not be a criminal offence, but merely a failure to comply with the Code of Conduct. There is no continuing requirement for a member to keep the register up to date, except on re-election or re-appointment, but it is likely that members will register new interests from time to time, as this avoids the need for disclosure in meetings. When additional notifications are given,

the Monitoring Officer has to ensure that they are entered into the register. The preparation and operation of the register, not just for this authority but also for each Parish Council, is likely to be a considerable administrative task, especially where different Parish Councils adopt different Code requirements for registration and disclosure in respect of interests other than DPIs. There is no provision for the Council to recover any costs from Parish Councils.

Issue 5 – Preparation of the Registers

Recommendation –

- a. That the Monitoring Officer prepare and maintain a new register of members interests to comply with the requirements of the Act and of the Council’s Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;**
- b. That the Monitoring Officer ensure that all members are informed of their duty to register interests;**
- c. That the Monitoring Officer prepare and maintain new registers of members’ interests for each Parish Council to comply with the Act and any Code of Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act; and**
- d. That the Monitoring Officer arrange to inform and train Parish Clerks on the new registration arrangements.**

8 Disclosure of Interests and Withdrawal from Meetings

As set out above, DPIs are broadly equivalent to prejudicial interests, but with important differences. So –

8.1 The duty to disclose and withdraw arises whenever a member attends any meeting of Council, a committee or sub-committee, or of Executive Board or an Executive committee, and is aware that he/she has a DPI in any matter being considered at the meeting. So it applies even if the member would be absent from that part of the meeting where the matter in question is under consideration.

8.2 Where these conditions are met, the member must disclose the interest to the meeting (i.e. declare the existence and nature of the interest). However, in a change from the current requirements, the member does not have to make such a disclosure if he/she has already registered the DPI, or at least sent off a request to the Monitoring Officer to register it (a “pending notification”). So, members of the public attending the meeting will in future need to read the register of members’ interests, as registered interests will no longer be disclosed at the meeting.

8.3 Where the member does make a disclosure of a DPI, he/she must then notify it to the Monitoring Officer within the next 28 days, so that it can go on the register of interests.

8.4 If a member has a DPI in any matter, he/she must not –

8.4.1 Participate in any discussion of the matter at the meeting. The Act does not define “discussion”, but this would appear to preclude making representations as currently permitted under paragraph 12(2) of the model Code of Conduct; or

8.4.2 Participate in any vote on the matter, unless he/she has obtained a dispensation allowing him/her to speak and/or vote.

8.5 Failure to comply with the requirements (paragraphs 8.2, 8.3 or 8.4) becomes a criminal offence, rather than leading to sanctions;

8.6 The Council’s Code of Conduct must make “appropriate” provisions for disclosure and withdrawal for interests other than DPIs, but failure to comply with these requirements would be a breach of Code of Conduct but not a criminal offence.

8.7 The requirement to withdraw from the meeting room can be covered by Standing Orders, which would apply not just to Council, Committees and Sub-Committees, but can apply also to Executive Board and Executive Committee meetings, so that failure to comply would be neither a criminal offence nor a breach of Code of Conduct, although the meeting could vote to exclude the member.

Issue 6 – What Standing Order should the Council adopt in respect of withdrawal from meetings for interests?

Recommendation – The Monitoring Officer be instructed to recommend to Council a Standing Order which equates to the current Code of conduct requirement that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he/she has a DPI, except where he is permitted to remain as a result of the grant of a dispensation.

9 Disclosure and Withdrawal in respect of matters to be determined by a Single Member

9.1 Matters can be decided by a single member acting alone where the member is a Cabinet Member acting under Portfolio powers, or where the member is a Ward Councillor and the Council chose to delegate powers to Ward Councillors.

9.2 The Act provides that, when a member becomes aware that he/she will have to deal with a matter and that he/she has a DPI in that matter –

9.2.1 Unless the DPI is already entered in the register of members' interests or is subject to a "pending notification", he/she has 28 days to notify the Monitoring Officer that he/she has such a DPI; and

9.2.2 He/she must take no action in respect of that matter other than to refer it another person or body to take the decision.

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9.3 Standing Orders can then provide for the exclusion of the member from any meeting while any discussion or vote takes place on the matter.

9.4 Note that the Act here effectively removes the rights of a member with a prejudicial interest to make representations as a member of the public under Paragraph 12(2) of the current Code of Conduct

Issue 7 – In what circumstances should Standing Orders exclude single members from attending meetings while the matter in which they have a DPI is being discussed or voted upon?

Recommendation – The Monitoring Officer be instructed to recommend to Council a Standing Order which equates to the current Code of conduct requirement that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he/she has a DPI, except where he is permitted to remain as a result of the grant of a dispensation.

10 Sensitive Interests

The Act effectively re-enacts the existing Code of Conduct provisions on Sensitive Interests. So, where a member is concerned that disclosure of the detail of an interest (either a DPI or any other interest which he/she would be required to disclose) at a meeting or on the register of members' interests would lead to the member or a person connected with him/her being subject to violence or intimidation, he/she may request the Monitoring Officer to agree that the interest is a "sensitive interest". If the Monitoring Officer agrees, the member then merely has to disclose the existence of an interest, rather than the detail of it, at a meeting, and the Monitoring Officer can exclude the detail of the interest from the published version of the register of members' interests.

11 Dispensations

11.1 The provisions on dispensations are significantly changed by the Localism Act.

11.2 At present, a member who has a prejudicial interest may apply to Standards Committee for a dispensation on two grounds –

11.2.1 That at least half of the members of a decision-making body have prejudicial interests (this ground is of little use as it is normally only at the meeting that it is realised how many members have prejudicial interests in the matter, by which time it is too late to convene a meeting of Standards Committee); and

11.2.2 That so many members of one political party have prejudicial interests in the matter that it will upset the result of the vote on the matter (this ground would require that the members concerned were entirely predetermined, in which case the grant of a dispensation to allow them to vote would be inappropriate).

11.3 In future, a dispensation will be able to be granted in the following circumstances –

11.3.1 That so many members of the decision-making body have DPIs in a matter that it would “impede the transaction of the business”. In practice this means that the decision-making body would be inquorate as a result;

11.3.2 That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter. This assumes that members are predetermined to vote on party lines on the matter, in which case, it would be inappropriate to grant a dispensation to enable them to participate;

11.3.3 That the authority considers that the dispensation is in the interests of persons living in the authority’s area;

11.3.4 That, without a dispensation, no member of the Executive would be able to participate on this matter (so, the assumption is that, where the Executive would be inquorate as a result, the matter can then be dealt with by an individual Executive Member. It will be necessary to make provision in the scheme of delegations from the Leader to cover this, admittedly unlikely, eventuality); or

11.3.5 That the authority considers that it is otherwise appropriate to grant a dispensation.

11.4 Any grant of a dispensation must specify how long it lasts for, up to a maximum of 4 years.

11.5 The next significant change is that, where the Local Government Act 2000 required that dispensations be granted by Standards Committee, the Localism Act gives discretion for this power to be delegated to Standards Committee or a Sub-Committee, or to the Monitoring Officer. Grounds 11.3.1 and 11.3.4 are pretty objective, so it may be appropriate to delegate dispensations on these grounds to the Monitoring Officer, with an appeal to

the Standards Committee, thus enabling dispensations to be granted “at the door of the meeting”. Grounds 11.3.2, 11.3.3 and 11.2.5 are rather more objective and so it may be appropriate that the discretion to grant dispensations on these grounds remains with Standards Committee, after consultation with the Independent Person.

Issue 8 – What arrangements would be appropriate for granting dispensations?

Recommendation – That Council delegate the power to grant dispensations –

a. on Grounds set out in Paragraphs 11.3.1 and 11.3.4 of this report to the Monitoring Officer with an appeal to Standards Committee, and

b. on Grounds 11.3.2, 11.3.3 and 11.3.5 to the Standards Committee, after consultation with the Independent Person.

12 Transitional Arrangements

Regulations under the Localism Act will provide for –

a. transfer of Standards for England cases to local authorities following the abolition of Standards for England;

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b. a transitional period for the determination of any outstanding complaints under the current Code of Conduct. The Government has stated that it will allow 2 months for such determination, but it is to be hoped that the final Regulations allow a little longer;

c. removal of the power of suspension from the start of the transitional period; and

d. removal of the right of appeal to the First Tier Tribunal from the start of the transitional period

It is recommended as follows

- (a) That the Council establish a Standards Committee comprising nine elected Members of the Council, appointed proportionally;
- (b) That the Leader of the Council be requested to nominate to the Committee only one member who is a member of the Executive;
- (c) That the Parish Councils be invited to nominate a maximum of 2 Parish Councillors to be co-opted as non-voting members of the Committee;
- (d) That the Standards Committee co-opt a maximum of 2 independent non – voting members.
- (e) That the Monitoring Officer be instructed to prepare and present to Council for adoption a draft Code of Conduct. That draft Code should
 - i) equate to Paragraphs 3 to 7 of the current Code of Conduct applied to member conduct in the capacity of an elected or co-opted member of the Council or its Committees and Sub-Committees; and
 - ii) require registration and disclosure of interests which would today constitute personal and/or prejudicial interests, but only require withdrawal as required by the Act in relation to Disclosable Pecuniary Interests.
- (f) That, when the Disclosable Pecuniary Interests Regulations are published, the Monitoring Officer, after consultation with the Chair of Standards Committee and the Leader of the Council, add to that draft Code, provisions which he considers to be appropriate for the registration and disclosure of interests other than DPIs.
- (g) That the Monitoring Officer be instructed to prepare and submit to Council for approval “arrangements” summarised as follows and contained in Appendix 3 to this report –
 - i) That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;
 - ii) That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation and to arrange such investigation. He be instructed

to seek resolution of complaints without formal investigation wherever practicable, and that he be given discretion to refer decisions on investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and to report quarterly to Standards Committee on the discharge of this function;

- iii) Where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be instructed to close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person, and reporting the findings to the Standards Committee for information;
- iv) Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to Standards Committee. Where such local resolution is not appropriate or not possible, he is to report the investigation findings to a Hearings Panel of the Standards Committee for local hearing;
- v) That Council delegate to Hearings Panels such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include –
 - Reporting its findings to Council [or to the Parish Council] for information;
 - Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - Instructing the Monitoring Officer to [or recommend that the Parish Council] arrange training for the member;
 - Removing [or recommend to the Parish Council that the member be removed] from all outside appointments to which he/she has been appointed or nominated by the authority [or by the Parish Council]; Withdrawing [or recommend to the Parish Council that it withdraws] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or

- Excluding [or recommend that the Parish Council exclude] the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

That a meeting be arranged between the Chair of Standards Committee and the Group Leaders for the Council and representatives of Parish Councils to discuss how the new system can best operate.

- (h) That the Monitoring Officer, in consultation with the Chair of Standards Committee and the Leader of the Council, and with the advice of the Head of HR, be authorised to set the initial allowances and expenses for the Independent Person and any Reserve Independent Persons, and this function subsequently be delegated to the Standards Committee
- (i) That the Monitoring Officer advertises a vacancy of the appointment of 1 Independent Person and 2 Reserve Independent Persons
- (j) That a Committee comprising the Chair and three other members of Standards Committee be set up to short-list and interview candidates, and to make a recommendation to Council for appointment.
- (k) That the Monitoring Officer prepare and maintain a new register of members interests to comply with the requirements of the Act and of the Council's Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;
- (l) That the Monitoring Officer ensure that all members are informed of their duty to register interests;
- (m) That the Monitoring Officer prepare and maintain new registers of members' interests for each Parish Council to comply with the Act and any Code of Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act; and
- (n) That the Monitoring Officer arrange to inform and train Parish Clerks on the new registration arrangements.
- (o) The Monitoring Officer be instructed to recommend to Council a Standing Order which equates to the current Code of conduct requirement that a member must withdraw from the meeting room including from the public gallery, during the whole of consideration of any item of business in which he/she has a DPI, except where he or she is permitted to remain as a result of the grant of a dispensation.
- (p) The Monitoring Officer be instructed to recommend to Council a Standing Order which equates to the current Code of conduct requirement that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which

he/she has a DPI, except where he or she is permitted to remain as a result of the grant of a dispensation.

(q) That Council delegate the power to grant dispensations –

(i) on Grounds set out in Paragraphs 11.3.1 and 11.3.4 of this report to the Monitoring Officer with an appeal to Standards Committee, and

(ii) on Grounds 11.3.2, 11.3.3 and 11.3.5 to the Standards Committee, after consultation with the Independent Person.

Model Arrangements for dealing with standards allegations under the Localism Act 2011

1 Context

These “Arrangements” set out how you may make a complaint that an elected or co-opted member of this authority *[or of a parish council within its area]* has failed to comply with the authority’s Code of Conduct, and sets out how the authority will deal with allegations of a failure to comply with the authority’s Code of Conduct.

Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a member or co-opted member of the authority *[or of a parish council within the authority’s area]*, or of a Committee or Sub-Committee of the authority, has failed to comply with that authority’s Code of Conduct can be investigated and decisions made on such allegations.

Such arrangements must provide for the authority to appoint at least one Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the authority at any other stage, or by a member *[or a member or co-opted member of a parish council]* against whom an allegation as been made.

2 The Code of Conduct

The Council has adopted a Code of Conduct for members, which is attached as Appendix One to these arrangements and available for inspection on the authority’s website and on request from Reception at the Municipal Building Widnes.

[Each parish council is also required to adopt a Code of Conduct. If you wish to inspect a Parish Council’s Code of Conduct, you should inspect any website operated by the parish council and request the parish clerk to allow you to inspect the parish council’s Code of Conduct.]

3 Making a complaint

If you wish to make a complaint, please write or email to –
“The Monitoring Officer
Halton Borough Council
Municipal Building
Kingsway
Widnes
WA8 7QF”

Or –

mark.reaney@halton.gov.uk

The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the system in respect of complaints of member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please complete and send us the model complaint form, which can be downloaded from the authority's website, next to the Code of Conduct, and is available on request from Reception at the Municipal Building.

Please do provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the member against whom you make the complaint, without your prior consent. The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of the progress of your complaint.

4 Will your complaint be investigated?

The Monitoring Officer will review every complaint received and, after consultation with the Independent Person, take a decision as to whether it merits formal investigation. This decision will normally be taken within 14 days of receipt of your complaint. Where the Monitoring Officer has taken a decision, he/she will inform you of his/her decision and the reasons for that decision. Where he/she requires additional information in order to come to a decision, he/she may come back to you for such information, and may request information from the member against whom your complaint is directed. *[Where your complaint relates to a Parish Councillor, the Monitoring Officer may also inform the Parish Council or your complaint and seek the views of the Parish Council before deciding whether the complaint merits formal investigation.]*

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the member or the authority make a reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

5 How is the investigation conducted?

The Council has adopted a procedure for the investigation of misconduct complaints. If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see, and who the Investigating Officer needs to interview.

The Investigating Officer would normally write to the member against whom you have complained and provide him/her with a copy of your complaint, and ask the member to provide his/her explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the member, or delay notifying the member until the investigation has progressed sufficiently.

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer.

6 What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and, if he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the member concerned [*and to the Parish Council, where your complaint relates to a Parish Councillor*], notifying you that he is satisfied that no further action is required, and give you both a copy of the Investigating Officer's final report. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he may ask the Investigating Officer to reconsider his/her report.

7 What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel or, after consulting the Independent Person, seek local resolution.

7.1 Local Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee *[and the Parish Council]* for information, but will take no further action. However, if you tell the Monitoring Officer that any suggested resolution would not be adequate, the Monitoring Officer will refer the matter for a local hearing.

7.2 Local Hearing

If the Monitoring Officer considers that local resolution is not appropriate, or you are not satisfied by the proposed resolution, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel which will conduct a local hearing before deciding whether the member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member.

The Council has agreed a procedure for local hearings,

Essentially, the Monitoring Officer will conduct a "pre-hearing process", requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing, and the Chair of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel. The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Hearings Panel as to why he/she considers that he/she did not fail to comply with the Code of Conduct.

If the Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the member did not fail to comply with the Code of

Conduct, and so dismiss the complaint. If the Hearings Panel concludes that the member did fail to comply with the Code of Conduct, the Chair will inform the member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the member an opportunity to make representations to the Panel and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter..

8 What action can the Hearings Panel take where a member has failed to comply with the Code of Conduct?

The Council has delegated to the Hearings Panel such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearings Panel may –

8.1 Publish its findings in respect of the member's conduct;

8.2 Report its findings to Council [*or to the Parish Council*] for information;

8.3 Recommend to the member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;

8.4 Recommend to the Leader of the Council that the member be removed from the Executive, or removed from particular Portfolio responsibilities;

8.5 Instruct the Monitoring Officer to [*or recommend that the Parish Council*] arrange training for the member;

8.6 Remove [*or recommend to the Parish Council that the member be removed*] from all outside appointments to which he/she has been appointed or nominated by the authority [*or by the Parish Council*];

8.7 Withdraw [*or recommend to the Parish Council that it withdraws*] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or

8.8 Exclude [*or recommend that the Parish Council exclude*] the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

The Hearings Panel has no power to suspend or disqualify the member or to withdraw members' or special responsibility allowances.

9 What happens at the end of the hearing?

At the end of the hearing, the Chair will state the decision of the Hearings Panel as to whether the member failed to comply with the Code of Conduct

and as to any actions which the Hearings Panel resolves to take. As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel, and send a copy to you, to the member *[and to the Parish Council]*, make that decision notice available for public inspection and report the decision to the next convenient meeting of the Council.

10 Who are the Hearings Panel?

The Hearings Panel is a Sub-Committee of the Council's Standards Committee. The Standards Committee has decided that it will comprise a maximum of three members of the Council, including not more than one member of the authority's Executive and comprising members drawn from at least 2 different political parties. Subject to those requirements, it is appointed on the nomination of party group leaders in proportion to the strengths of each party group on the Council.

The Independent Person is invited to attend all meetings of the Hearings Panel and his views are sought and taken into consideration before the Hearings Panel takes any decision on whether the member's conduct constitutes a failure to comply with the Code of conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

11 Who is the Independent Person?

The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is appointed by a positive vote from a majority of all the members of Council.

A person cannot be "independent" if he/she –

11.1 Is, or has been within the past 5 years, a member, co-opted member or officer of the authority;

11.2 *[Is or has been within the past 5 years, a member, co-opted member or officer of a parish council within the authority's area], or*

11.3 Is a relative, or close friend, of a person within paragraph 11.1 or 11.2 above. For this purpose, "relative" means –

11.3.1 Spouse or civil partner;

11.3.2 Living with the other person as husband and wife or as if they were civil partners;

11.3.3 Grandparent of the other person;

11.3.4 A lineal descendent of a grandparent of the other person;

11.3.5 A parent, sibling or child of a person within paragraphs 11.3.1 or 11.3.2;

11.3.6 A spouse or civil partner of a person within paragraphs 11.3.3, 11.3.4 or

11.3.5; or

11.3.7 Living with a person within paragraphs 11.3.3, 11.3.4 or 11.3.5 as husband and wife or as if they were civil partners.

12 Revision of these arrangements

The Council may by resolution agree to amend these arrangements, and has delegated to the Chair of the Hearings Panel the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

13 Appeals

There is no right of appeal for you as complainant or for the member against a decision of the Monitoring Officer or of the Hearings Panel

If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman.

Appendix One The authority's Code of Conduct

REPORT TO:	Executive Board
DATE:	29 th March 2012
REPORTING OFFICER:	Strategic Director – Children & Enterprise
PORTFOLIO:	Children Young People and Families
SUBJECT:	School Admission Arrangements 2013
WARDS:	Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 This report fulfils the Local Authority's (LA's) statutory requirement to determine Halton's School Admissions Policy for LA maintained community and voluntary controlled schools, and coordinated admission schemes for all primary and secondary schools, for the September 2013 intake following statutory consultation.

2.0 RECOMMENDATION: That the Board approves the attached School Admissions Policy, Admission Arrangements and co-ordinated schemes for admission to primary and secondary schools for the 2013/14 academic year

3.0 SUPPORTING INFORMATION

3.1 In January 2012 Halton LA issued a statutorily required consultation paper on the proposed admission arrangements and coordinated admission schemes for the September 2013 intake (attached as Appendix 1). Details of the consultation were widely published and made available on the Council's website. The proposed arrangements were also issued via 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.

3.2 The consultation ran from 4th January 2012 until 29th February 2012 and proposed no changes to the current oversubscription criteria for admission to LA maintained community and voluntary controlled primary schools, and no change to the current oversubscription criteria for admission to LA maintained community schools. One response to the consultation was received after the closing date from the Governing Body and Senior Leadership of Wade Deacon High School (attached as Appendix 2). For information only, the request was that the zoning arrangements for Widnes High Schools (The Bankfield and Wade Deacon) be disbanded and replaced with the previously operated oversubscription criteria of criteria 1) Children in Public Care, Criteria 2) Siblings, Criteria 3) Distance.

- 3.3 Members will recall that the proposal to introduce zoning arrangements in Widnes arose from the extensive public consultation exercise undertaken by the LA in regard to closing Fairfield High School and expanding Wade Deacon High School as part of the School Organisation process, thereby ensuring that those residents in the east of Widnes (previously served by Fairfield High School) did not have to pass two secondary schools to access educational provision in the west of Widnes (the zoning arrangements are attached as Appendix 3). The LA would not wish to return to the previously operated system but the proposal by Wade Deacon is included for Members to consider.
- 3.4 The consultation advised that there would be no individual response to any submission made, but any responses submitted would be considered by the Council's Executive Board.
- 3.5 There are a number of points raised within the consultation response from Wade Deacon and the points raised are addressed below:
- The concept of catchment zones does not go against the spirit of the School Admissions Code. Catchment zones are recognised within the Code as a fair and commonly used oversubscription criteria. When determining the zones, the LA consulted widely upon the proposed arrangements and officers worked closely with elected members to ensure that the zones reflected the diversity of the community served by the schools.
 - The LA sought confirmation from central government that operating catchment zones in Widnes and a different set of oversubscription criteria in Runcorn was permitted, and this was confirmed, providing that the admission authority consulted upon its proposals which Halton did extensively (and received commendation from the Department on its extensive consultation in this regard).
 - Parents across Halton have the opportunity to express up to three school preferences regardless of whether they live within or outside of a particular school's catchment zone. For clarification, parents/carers in any authority do not have the right to simply choose a school, what they do have is the choice to express a preference for a school, following which their preferences are assessed against the relevant criteria, and Halton's arrangements allow for this. The attached Co-ordinated Secondary Scheme confirms to parents that they are not guaranteed a place at the school within whose catchment area they reside, and along with all other parents/carers in Halton they are required to complete a preference form which allows them to express up to three preferences.

- 3.6 The LA as commissioner of school places must ensure that the admission arrangements are fair, clear and objective, and fully comply with all statutory requirements. The arrangements currently in operation and proposed for continuation for the 2013/14 academic year reflect those requirements.

4.0 POLICY IMPLICATIONS

- 4.1 The Admissions Policy has been drawn up to maximize parental preference for Halton LA maintained community and voluntary controlled schools, and responds to the parental representations made at the time of the initial School Organisation and Building Schools for the Future consultations. The oversubscription criteria contained within the Policy reflect the criteria which are considered good practice and acceptable by the Department for Education.
- 4.2 The continued use of catchment zones for Widnes secondary schools does not remove the right of parents/carers to express a preference for any school. Parents/carers must complete an application form regardless of which catchment zone they live in, where they will have the opportunity to express a preference for any school. If the school of preference is undersubscribed then all applications will be successful. If the school is oversubscribed then the oversubscription criteria will be applied and places allocated in accordance with the criteria.

5.0 OTHER IMPLICATIONS

- 5.1 None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

The proposed policy complies with statutory requirements in ensuring that the admission arrangements are fair and do not disadvantage, either directly or indirectly, a child from a particular social or racial group, or a child with disability or special educational needs, thereby ensuring that the educational provision for children & young people in the borough is inclusive and accessible.

6.2 Employment, Learning and Skills in Halton

Educational achievement is critical to the life chances of all children in the borough and the School Admissions Policy detailing school admission arrangements in Halton underpins the requirement to promote fair access to educational opportunity.

6.3 A Healthy Halton

The School Admissions Policy is aligned to the Council's Sustainable School Travel Policy which promotes and supports measures that encourage local communities to use environmentally sustainable forms of travel, especially walking, cycling, and public transport.

6.4 A Safer Halton

The alignment of the School Admissions Policy and the Sustainable School Travel Policy promotes the safe travel and transfer of pupils to school.

6.5 Halton's Urban Renewal

The proposed admissions policy reflects the school reorganisation programme intended to ensure that 21st century provision is in place across both the primary and secondary sectors.

7.0 RISK ANALYSIS

- 7.1 The admission arrangements and co-ordinated schemes are proposed to maximise parental preference for Halton schools. Any amendment to the current arrangements at this time may reduce parental preference and lead to an increased number of admission appeals, adversely affecting the intake at some schools. Furthermore, any amendments may affect the LA's School Organisation planning.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 The proposed admission arrangements reflect any requirements of the Equality Act 2010.

9.0 REASON(S) FOR DECISION

- 9.1 The decision is statutorily required and any revision to the proposed arrangements may adversely affect school place planning as detailed in 7.1 above.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 10.1 Other options considered and rejected include the allocation of places through random allocation (lottery) as this method could be seen as arbitrary and random.

11.0 IMPLEMENTATION DATE

- 11.1 The Policy applies for the September 2013 academic intake.

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

Document	Place of Inspection	Contact Officer
School Admissions Code of Practice	Children & Young People's Directorate	Martin West
School Standards & Framework Act 1998	Children & Young People's Directorate	Martin West
Education Act 2002	Children & Young People's Directorate	Martin West
Education & Inspections Act 2006	Children & Young People's Directorate	Martin West



**HALTON LOCAL AUTHORITY
SCHEME FOR THE CO-ORDINATION OF ADMISSION
ARRANGEMENTS FOR SECONDARY SCHOOLS –
2013/14 ACADEMIC YEAR**

- 1.0** This document is intended to fulfil the statutory requirements for admissions into year 7 at secondary schools in September 2013.
- 2.0** Halton Local Authority is required to consult on its proposed admission arrangements and oversubscription criteria for community schools and determine a co-ordinated scheme which applies to all schools in the authority's area for the September 2013 intake.
- 3.0** The Scheme will apply to the following schools (the proposed published admission number detailed in brackets):

The Bankfield (190)	Community
The Grange (180)	Community
Wade Deacon High School (300)	Community
The Heath (240)	Academy
Ormiston Bolingbroke (180)	Academy
St Chad's Catholic & Church of England (190)	Voluntary Aided
Joint Faith Voluntary Aided High School	
Saints Peter & Paul Catholic College (289)	Voluntary Aided
Sandymoor Free School** (proposed) (90)	Free School

** At the time of writing, a Free School has been proposed in Sandymoor. The Management Committee has advised that they will adopt the same admissions criteria as the Local Authority, and in accordance with the School Admissions Code, must adhere to the co-ordinated scheme.

Halton Local Authority (LA) is the Admission Authority for the three community high schools. Each Academy School has a Trust who is responsible for determining the admission arrangements for its school. The Governing Bodies of the Voluntary Aided Schools are the admission authorities for these schools.

4.0 From September 2012 Halton residents will be given the opportunity to complete a common preference form and express a preference, with reasons, for up to 3 secondary schools using this form for a school place in September 2013. The LA must invite applications on the preference form and the preference form must comply with mandatory provisions and the requirements of the DfE School Admissions Code. This form will also be available on-line and parents/carers are encouraged to apply for a school place via the Halton Borough Council website at www.halton.gov.uk. Parents/carers should only complete one application form and preferences may include Halton schools and schools maintained by other LAs.

5.0 Admission authorities (the LA for community and voluntary controlled schools, and governing bodies for voluntary aided, academy and free schools) **must** ensure that their determined admission arrangements comply with the mandatory provisions of the School Admissions Code. All admission authorities must operate an Equal Preference Scheme. Within an equal preference scheme all preferences are considered against each school's published admission criteria. After all preferences have been considered, if only one school named on the preference form can offer a place, the LA will send out an offer of a place. If more than one school can offer a place, parents will be offered a place at whichever of those schools is ranked highest on the preference form. This may not be the first preference school. If a school becomes oversubscribed then places will be allocated in accordance with the oversubscription criteria.

6.0 APPLYING FOR A SECONDARY SCHOOL PLACE FOR SEPTEMBER 2013

6.1 Halton LA publishes an "Admission to Secondary School" booklet (a Composite Prospectus). The preference form will be contained within this booklet and the booklet will be issued to all year 6 pupils attending Halton Primary Schools and Halton resident pupils who attend schools in other LAs, and will be available at the Halton Direct Link Offices, Halton Libraries, on line via the council's website, and from the Child Place Planning Team. The booklet will be issued at the start of the Autumn Term, **September 2012**, and the on-line form will be available at the same time.

6.2 The preference form will seek three preferences in ranked order (regardless of which LA the school preferences are for). Forms, either on-line submissions or hard copy, must be returned no later than **Wednesday 31st October 2012**. Halton residents whose children attend primary schools in other authorities must return the form direct to Halton LA no later than **31st October 2012**. On-line forms must also be submitted by this date.

- 6.3** Halton resident parents may request information (a prospectus) regarding schools in neighbouring LAs but **must** complete their preferences on the Halton form. Halton LA will work with its neighbouring authorities: Cheshire West and Chester, Warrington, Liverpool, Knowsley, and St Helen's, together with any other admission authority where a parent has applied for a school place.
- 6.4** On-Line Admissions: LAs are required to have a facility for parents to apply on-line for a secondary school place. This facility is in place for Halton residents via Halton Borough Council's website at www.halton.gov.uk and on-line applications will be dealt with along with all other applications.
- 6.5** Halton LA will record all preferences on the admissions database, including those received from neighbouring LAs whose children are seeking a place at a Halton School and will forward, week beginning 19th November 2012, details of all first, second, and third preferences for admission to aided schools, for consideration in accordance with their published admission criteria.
- 6.6** The governing bodies of Voluntary aided schools should note that they must treat first, second, and third preferences equally against their admission criteria and **must** place in ranked order, against their criteria, the details of all pupils applying to their school, and must return the ranked list to the Child Place Planning Team by Friday 14th December 2012.
- 6.7** When all preferences have been considered Halton LA will notify Halton residents of their child's allocated school, regardless of whether the school is a Halton school, or a school in a neighbouring LA. These notification letters will be sent on **1st March 2013** together with details of the appeal process if applicable.

7.0 OVERSUBSCRIPTION CRITERIA

- 7.1** For admission to the community secondary schools in Widnes (The Bankfield and Wade Deacon) for the September 2013 intake, if a community school in Widnes becomes oversubscribed places will be allocated in accordance with the following criteria:
- 1) Looked after children and children who were looked after but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
 - 2) Children who are resident within the designated catchment zone of the school (see map attached as Appendix A)
 - 3) Siblings - pupils with elder brothers or sisters including half brothers and sisters and unrelated children living together as part of the

same household, already attending the school and expected to continue in the following year

- 4) Pupils living nearest to the school measured using an Ordnance Survey address-point system which measures straight line distances in metres from the address point of the school to the address point of the place of permanent residence of the pupil

Parents living within a particular catchment zone are not necessarily guaranteed a place at the school within the catchment zone. Generally there are sufficient places for all children living in a school's catchment zone. However, parents must still complete their home LA's preference form and express a preference (or preferences) along with all other parents. If the school is oversubscribed then the criteria detailed above will be applied. Parents may express a preference for a school other than their catchment school, but must do so on their home LA's preference form.

7.2 Ormiston Bolingbroke and The Heath School have agreed that if the schools become oversubscribed places will be allocated in accordance with the following criteria:

- 1) Looked after children and children who were looked after but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
- 2) Siblings – pupils with elder brothers or sisters including half brothers and sisters and unrelated children living together as part of the same household, already attending the school and expected to continue in the following year
- 3) Pupils living nearest to the school measured using an Ordnance Survey address-point system which measures straight line distances in metres from the address point of the school to the address point of the place of child's permanent residence of the pupil.

7.3 For admission to The Grange in Runcorn (a community all through school), as this is an all through school, pupils already attending The Grange in year 6 will automatically transfer to year 7 in the School and children will not be required to complete a preference form. The remaining places will then be allocated in accordance with the criteria detailed in 7.2 above. If parents of year 6 pupils already attending The Grange wish to seek admission to an alternative secondary school in year 7 they must request from the LA a preference form which must be completed and returned to the LA by the closing date. Alternatively they may apply on-line within the timescale.

7.4 For admission to all community schools in both Widnes and Runcorn the following notes apply:

a) Children who have a statement of special educational needs will be allocated a place at the school named in the statement. If this happens this will reduce the number of places available within any of the oversubscription criteria detailed above.

b) If oversubscription occurs within any one of the above criteria, places will be allocated on distance grounds as described within the distance criteria above.

c) Where applications are received for twins, triplets etc, the LA will apply the oversubscription criteria and will oversubscribe the school if a family would otherwise be separated.

d) The address to be used in measuring distance for the purpose of allocating school places will be the child's permanent address. Where a child lives with parents with shared responsibility, the LA will use the address of the person receiving Child Benefit for allocation purposes. Parents may be required to submit evidence of Child Benefit upon request from the LA. It may be necessary for the Council to carry out checks that the address given is genuine and parents may be requested to produce further documentary evidence of the child's address. The above criteria will apply without reference to the Halton Borough Council boundary.

e) Where applications are received from families of UK Service personnel and other Crown servants, school places will be allocated to children in advance of the approaching school year if accompanied by an official MOD, FCO or GCHQ letter declaring a return date with full address details and providing they would meet the criteria when they return to the UK.

f) If none of the parent's preferences can be met, Halton LA will allocate a school unless there are insufficient places remaining in the authority. In Halton, a place will be allocated at the nearest school to the home address measured in a straight-line distance measurement from the child's permanent residence to the school. This does not affect the parent's rights to appeal for a place at the school(s) they have been refused.

8.0 EARLY AGE TRANSFER TO SECONDARY SCHOOL

Children of exceptional ability and maturity can be considered for transfer to secondary schools one year earlier than normal. It is the responsibility of the Head teachers of primary/junior schools to put forward the names of any pupils whom they consider are physically, intellectually, and emotionally suitable to benefit from such a transfer, and who might be educationally disadvantaged by remaining in the primary sector for a further year. However, as a first step, head

teachers will discuss possible candidates with parents, the school's link adviser, and the Educational Psychologist. Parents who consider that early transfer might benefit their child should discuss this with the head teacher.

9.0 LATE APPLICATIONS FOR HALTON SECONDARY SCHOOLS

Late applications for places at Halton Local Authority maintained community schools received after the closing date will not be considered until after the main allocation of places has taken place for all those applications received on time. If an application is received after places have been allocated and the school(s) of preference are oversubscribed, the child will be placed on the school's waiting list, the child's position on the waiting list being determined by the admission policy. Parents have the right of appeal if admission is refused and details on the appeals process are given in paragraph 14 below.

If parents are making a late application to a voluntary aided school the school will advise how this will be dealt with.

10.0 CHANGE OF PREFERENCE

If parents decide to change their preference after the closing date they will need to complete another preference form. If places have already been allocated the LA may not be able to meet the change of preference and the child's name will be added to the waiting list.

11.0 CHANGE OF ADDRESS

If a pupil moves house after the closing date of 31st October 2012 parents must notify the LA and request a new preference form. This form must be completed and returned to the LA immediately. If there is a place available at the school of preference a place will be offered. If the year group is oversubscribed then parents will be offered the right of appeal and any other preferences will be considered. The child will also be placed on the waiting list. The LA will require documentary evidence to confirm a change of address.

12.0 WITHDRAWAL OF OFFER OF A SCHOOL PLACE

Halton LA reserves the right to withdraw the offer of a school place in limited circumstances. These may include where a fraudulent/intentionally misleading preference form is received claiming a false sibling or false residence.

13.0 WAITING LISTS

Waiting lists will be held for oversubscribed LA Maintained Community Secondary Schools. The waiting list will comprise of those pupils refused admission to the school(s) of preference. This list will be maintained from the time of initial allocation until the end of the Autumn Term, at which point the waiting list will cease. If a place becomes available at an oversubscribed school, the place will be reallocated in accordance with the published over-subscription criteria detailed above. Parents should be aware that their child's place on the waiting list might alter, either up or down, dependent upon the movement of other applicants. The waiting list forms part of the co-ordinated scheme, therefore applications received up to the end of the Autumn Term will be considered within the scheme, following which any applications received after this date will be dealt with as an in-year admission and the in-year admission process will be applied.

14.0 ADMISSION APPEALS

Parents who are not offered a place at any of their preferred LA maintained community, voluntary aided, trust, academy or Free schools have a right of appeal to an independent appeals panel under section 94 of the School Standards & Framework Act 1998. Appeals must be submitted in writing but parents have the right to present their case to the panel in person. The Chairman of the appeal panel will be a lay-person having no connection with the LA. Other members of the panel will be suitably experienced persons. The decisions of independent appeals panels are binding on the LA and on the school's governing body.

Applications for admission to Aided Church schools, Trust and Academy schools will be referred to the Admissions Committee of the governing body of the school concerned. The LA, acting on behalf of the governors, will notify parents of the result of their application. If the application is not approved parents will be notified of their statutory right of appeal.

15.0 SCHOOLS WITH SIXTH FORMS

Each school with a sixth form **must** include in its consultation paper the arrangements they propose to use to allocate places in Year 12. It is not intended that the LA will co-ordinate admissions to sixth form, therefore applications must be sent to the relevant admission authority (i.e. the school) for consideration. Parents and children above compulsory school age have the right to make separate applications for more than one school.

Each school **must** set an admission number for its sixth form, and should say in its published information what the anticipated sixth form capacity will be. However, the published admission number **must** only relate to those being admitted to the school for the first time and should

be based on an estimate of the minimum number of external candidates likely to be admitted. It is not necessary for children already in the school to apply formally for places in year 12, but the admission arrangements **must** give details of any entry requirements. Children in care **must** be given highest priority within the criteria, schools **must not** interview children or their families for entry to year 12, although meetings can be held to provide advice on options and entry requirements. Entry **must not** be dependent on attendance, behaviour record, or perceptions of attitude or motivation. Where the admission authority has not admitted up to its PAN it cannot refuse to admit applicants who have met the minimum entry. Any other applicant refused must be given the right of appeal to an independent appeal panel.

TIMETABLE FOR SEPTEMBER 2013 SECONDARY ADMISSIONS

SEPTEMBER 2012 – APPLICATION PROCESS COMMENCES

31ST OCTOBER 2012 CLOSING DATE FOR RECEIPT OF APPLICATIONS

19TH NOVEMBER 2012 LA PROVIDES DETAILS OF ALL 1ST 2ND AND 3RD PREFERENCES TO VA SCHOOLS

BETWEEN 19TH NOVEMBER AND 14TH DECEMBER 2012 ADMISSION COMMITTEES OF VA SCHOOLS MUST MEET TO CONSIDER ALL APPLICATIONS

NO LATER THAN 14TH DECEMBER 2012 VA SCHOOLS MUST HAVE RANKED ALL APPLICATIONS IN CRITERIA ORDER & SUBMITTED THIS LIST TO THE LA, FOLLOWING WHICH INTER-LA EXCHANGE OF DATA WILL ALSO OCCUR

1ST MARCH 2013 LA WRITES OUT TO ALL HALTON RESIDENTS SEEKING A PLACE AT A SECONDARY SCHOOL WITH THE OUTCOME OF ALLOCATION

MONDAY 18TH MARCH 2013 APPEALS TO BE LODGED WITH THE LA MAINTAINING THE SCHOOL



HALTON LOCAL AUTHORITY SCHEME FOR THE CO-ORDINATION OF ADMISSION ARRANGEMENTS FOR PRIMARY SCHOOLS – 2013/14 ACADEMIC YEAR

- 1.0 This document is intended to fulfil the statutory requirements for admissions into reception class in maintained infant and primary schools.
- 2.0 This Co-ordinated Primary Scheme applies to all those schools detailed on pages 16 and 17 of this document. Halton Borough Council (as the Local Authority - LA) is the Admission Authority for all community and voluntary controlled schools, and the Governing Body of each voluntary aided or academy school is the admission authority for the school.
- 3.0 Parents/carers **must** complete their home LA's preference form, therefore if a non-Halton resident is seeking admission to a Halton school, (or vice-versa) they must complete their own authority's form which will then be forwarded to the relevant authority and LAs will then share any cross border applications for consideration.
- 4.0 Halton residents will be required to complete a Halton preference form and will be given the opportunity to express a preference, with reasons, for up to 3 primary schools regardless of which authority the school is in. The LA must invite applications on the preference form and the preference form must comply with mandatory provisions and the requirements of the School Admissions Code. This form will also be available on-line and parents are encouraged to apply for a school place via the Halton Borough Council website at www.halton.gov.uk.
- 5.0 Where a Voluntary Aided School requires supporting information e.g. asking for a reference from a priest or other religious minister for a faith school, or details of baptism etc parents may be required to complete a

supplementary form and VA schools **must** inform parents of their requirements within their school's published admission arrangements.

6.0 Admission authorities (the LA for community and voluntary controlled schools, and governing bodies for voluntary aided and academy schools) **must** ensure that their determined admission arrangements comply with the mandatory provisions of the Code. In Halton, as statutorily required, an Equal Preference Scheme is operated. Within the equal preference scheme all preferences are considered equally against each school's published admission criteria. After all preferences have been considered if only one school named on the preference form can offer a place the maintaining LA will send out an offer of a place. If more than one school can offer a place parents will be offered a place at whichever of those schools is ranked highest on the preference form. This may not be the first preference school. If a school becomes oversubscribed then places will be allocated in accordance with the relevant oversubscription criteria.

7.0 Admission authorities **must** provide for the admission of all children in the September following their fourth birthday and parents are allowed to request that the date their child is admitted to the school is deferred until the child reaches compulsory school age in that school year. In Halton this already happens. Parents can request their child attends part-time until the child reaches compulsory school age and admission authorities **must** accommodate these requests where it appears to be in the best interest of the child.

7.1 As recommended in the School Admissions Code the LA will allow parents/carers to defer their child's entry to school until the child is of compulsory school age, providing the parent applies, is offered, and accepts the place within the normal admissions timetable, and the place is taken up within the same academic year. It should be noted that if a child is presently attending a nursery class/early years setting they do not have an automatic right to transfer to the primary school to which the nursery/early years setting is attached (the only exception being The Grange School which is an all-through school). Parents/carers are required to indicate a preference for a primary school along with all other parents/carers. The same applies for children who already have siblings already at a particular school, parents/carers must complete a preference form along with all other parents.

8.0 APPLYING FOR A PRIMARY SCHOOL PLACE FOR SEPTEMBER 2013

8.1 Halton LA publishes an "Admission to Primary School" booklet (a Composite Prospectus). The preference form will be contained within this booklet and the booklet will be issued to all Halton Primary Schools and will be available at Halton Direct Link Offices, Halton Libraries, on line via the council's website, and upon request from the Child Place

Planning Team. The booklet will be issued in **September 2012** and the on-line form will be available at the same time.

- 8.2** The preference form will seek three preferences in ranked order. If the form is being returned by post it should be returned to the Child Place Planning Team within the Children & Enterprise Directorate, parents may hand deliver their preference forms to the 4 Halton Direct Link Offices in Runcorn and Widnes. All forms must be submitted no later than 15th January 2013. On-line forms must also be completed by this date. This closing date is a statutorily set closing date.
- 8.3** Halton resident parents may request information (a prospectus) regarding schools in neighbouring local authorities but **must** complete their preferences on their home LA form.
- 8.4** The Child Place Planning Team will load all preferences onto the database including those received from neighbouring LAs whose children are seeking a place at a Halton school and, week beginning Monday 4th February 2013, will forward all application details, regardless of whether they are first, second and third preferences to all Voluntary Aided schools where admission is being sought. The Admissions Committee of those governing bodies **must** meet and place in ranked order against their criteria the details of all pupils applying to their school. Governing bodies must treat first, second, and third preferences equally against their admissions criteria. Voluntary Aided schools **must** then notify the Child Place Planning Team by Thursday 28th February 2013 all pupils' details in ranked order against their criteria.
- 8.5** The LA will then undertake a final data exchange with neighbouring LAs to ensure that all children have an allocated school on 28th March 2013.
- 8.6** When all preferences have been considered and allocations finalised, Halton LA will write out to all Halton residents advising on their allocated school regardless of whether the school is a Halton school or a school in a neighbouring LA. This notification letter will be sent on **Tuesday 16th April 2013**, together with details of the appeal process if applicable. Parents/carers will be required to decline any offer of the school place within 10 school days. If the LA does not hear from the parent/carers then it is assumed the place has been accepted.
- 8.7** Parents will have until Friday 3rd May 2013 to lodge any appeals with the LA.
- 9.0 OVERSUBSCRIPTION CRITERIA**
- 9.1** If a Halton community or voluntary controlled school becomes oversubscribed, places will be allocated in accordance with the following criteria:

- 1) Looked after children and children who were looked after but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
- 2) Siblings – pupils with elder brothers or sisters including half brothers and sisters and unrelated children living together as part of the same household, already attending the school and expected to continue in the following year
- 3) Pupils living nearest to the school measured using an Ordnance Survey address-point system which measures straight-line distances in metres from the address point of the school to the address point of the place of permanent residence of the pupil.

For admission to community and voluntary controlled schools the following notes apply:

a) Children who have a statement of special educational needs will be allocated a place at the school named in the statement. Where a child with a statement is allocated a place this will reduce the number of remaining places available to allocate within the above oversubscription criteria.

b) If oversubscription occurs within any one of the above criteria 1-3, places will be allocated on distance grounds as described within the distance criteria (3) above.

c) Where applications are received for twins, triplets etc, the LA will apply the oversubscription criteria and will oversubscribe the school if a family would otherwise be separated.

d) The address to be used in measuring distance for the purpose of allocating school places will be the child's permanent home address. Where a child lives with parents with shared responsibility the LA will use the address of the person receiving Child Benefit for allocation purposes. Parents may be required to submit evidence of Child Benefit upon request from the LA. It may also be necessary for the Council to carry out checks that the address given is genuine and parents may be requested to produce further documentary evidence of the child's address. The above criteria will apply without reference to the Halton Borough Council boundary.

e) Where applications are received from families of UK Service personnel and other Crown servants, school places will be allocated to children in advance of the approaching school year if accompanied by an official MOD, FCO or GCHQ letter declaring a return date with full address details and providing they would meet the criteria when they return to the UK.

f) If none of the parent's preferences can be met, Halton LA will allocate a school unless there are insufficient places remaining in the authority. In Halton, a place will be allocated at the nearest school to the home address measured in a straight-line distance measurement from the child's permanent residence to the school. This does not affect parent's rights to appeal for a place at the school(s) they have been refused.

9.2 THE GRANGE ALL THROUGH COMMUNITY SCHOOL

The Grange is a designated all through community school, therefore children enrolled in the school's nursery will automatically transfer from the nursery to infants, infants to juniors, and juniors to secondary within The Grange. Following the transfer of those children from the nursery to reception class any remaining places will be allocated in accordance with the admissions criteria as detailed in paragraph 9.1 above.

10.0 LATE APPLICATIONS FOR HALTON PRIMARY SCHOOLS

Late applications for places at Halton Local Authority maintained community and voluntary controlled schools received after the closing date will not be considered until after the main allocation of places has taken place for all those applications received on time. If an application is received after places have been allocated and the school(s) of preference are oversubscribed, the child will be placed on the school's waiting list, the child's position on the waiting list being determined by the admission policy. Parents have the right of appeal if admission is refused and details on the appeals process are given in paragraph 15 below.

If parents are making a late application to a voluntary aided school the school will advise how this will be dealt with.

11.0 CHANGE OF PREFERENCE

If parents decide to change their preference after the closing date they will need to request and complete another preference form. The on-line facility will not be available after the closing date. If places have already been allocated the LA may not be able to meet the change of preference and the child's name will be added to the waiting list as detailed in paragraph 14 below.

12.0 CHANGE OF ADDRESS

If a pupil moves house after the closing date parents/carers **must** notify the LA and request a new preference form. The preference form must be completed and returned to the LA immediately. If there is a place available at the school of preference a place will be offered. If the year group is oversubscribed then parents will be offered the right of appeal and any other preferences will be considered. The child will also be

placed on the waiting list. The Local Authority will require documentary evidence to confirm a change of address.

13.0 WITHDRAWAL OF OFFER OF A SCHOOL PLACE

Halton LA reserves the right to withdraw the offer of a school place in limited circumstances. These may include where a fraudulent/intentionally misleading preference form is received claiming a false sibling or false residence.

14.0 WAITING LISTS

The LA will maintain waiting lists for oversubscribed community and voluntary controlled primary schools. The waiting list will comprise of those pupils refused admission to the school(s) of preference. This list will be maintained from the time of initial allocation until the end of the Autumn Term, at which point the waiting list will cease. If a place becomes available at an oversubscribed school, the place will be reallocated in accordance with the published over-subscription criteria detailed above. Parents should be aware that their child's place on the waiting list might alter, either up or down, dependent upon the movement of other applicants. The waiting list forms part of the co-ordinated scheme, therefore applications received up to the end of the Autumn Term will be considered within the scheme, following which any applications received after this date will be dealt with as an in-year admission and the in-year application process will be applied.

15.0 ADMISSION APPEALS

Parents who are not offered a place at any of their preferred community, voluntary controlled, voluntary aided trust or academy schools have a right of appeal to an independent appeals panel under section 94 of the School Standards & Framework Act 1998. Appeals must be submitted in writing but parents have the right to present their case to the panel in person. The Chairman of the appeal panel will be a lay-person having no connection with the LA. Other members of the panel will be suitably experienced persons.

Parents should note that the law requires that no 5, 6, or 7 year old in an infant class should be in a class of more than 30 pupils. Parents will have a right of appeal but an appeal panel can only uphold this appeal if it is satisfied that:

- a) the child would have been offered a place if the admission arrangements had been properly implemented,
- b) the child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the School Standards & Framework Act 1998; and/or

- c) the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

The decisions of independent appeals panels are binding on the LA and on the school's governing body.

Applications for admission to Aided Church schools will be referred to the Admissions Committee of the governing body of the school concerned. The LA, acting on behalf of the governors, will notify parents of the result of their application. If the application is not approved parents will be notified of their statutory right of appeal.

16.0 SCHOOLS TO WHICH THIS SCHEME APPLIES:

The LA as commissioner of school places is continually reviewing and monitoring the number of places available against projected pupil numbers and updates head teachers accordingly. It is possible that occasionally, there may be certain geographical areas within the borough where demand for places is higher than the actual number of places available, and the LA will, in discussion with the school, give consideration to admitting above a school's Published Admission Number (PAN). Admitting above a school's PAN will only be agreed between the school and the LA where it is confirmed that to do so will not affect the school in the longer term and will not have a detrimental effect on neighbouring schools and providing it does not breach infant class size legislation.

The figure in brackets denotes the school's proposed Published Admission Number for 2013 but may alter as a result of any school reorganisation.

COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS TO WHICH THIS SCHEME APPLIES:

All Saints Upton C E Voluntary Controlled Primary (30)
Astmoor Primary (25)
Beechwood Primary (15)
Brookvale Primary (40)
Castleview Primary (20)
Daresbury Primary (15)
Ditton Primary (60)
Fairfield Infant (80)
Farnworth C E Voluntary Controlled Primary (56)
Gorsewood Primary (30)
Hale C E Voluntary Controlled Primary (25)
Halebank C E Voluntary Controlled Primary (15)
Hallwood Park Primary (25)
Halton Lodge Primary (30)
Hillview Primary (30)

Lunts Heath Primary (50)
Moore Primary (30)
Moorfield Primary (45)
Murdishaw West Community Primary (30)
Oakfield Community Primary (40)
Pewithall Primary (30)
Simms Cross Primary (40)
Spinney Avenue C E Voluntary Controlled Primary (30)
The Brow Community Primary (25)
The Park Primary (20)
Victoria Road Primary (40)
West Bank Primary (30)
Westfield Primary (25)
Weston Primary (20)
Weston Point Primary (20)
Windmill Hill Primary (25)
Woodside Primary (30)

ALL THROUGH COMMUNITY SCHOOLS TO WHICH THIS SCHEME APPLIES:

The Grange (60)

VOLUNTARY AIDED SCHOOLS TO WHICH THIS SCHEME APPLIES:

CHURCH OF ENGLAND:

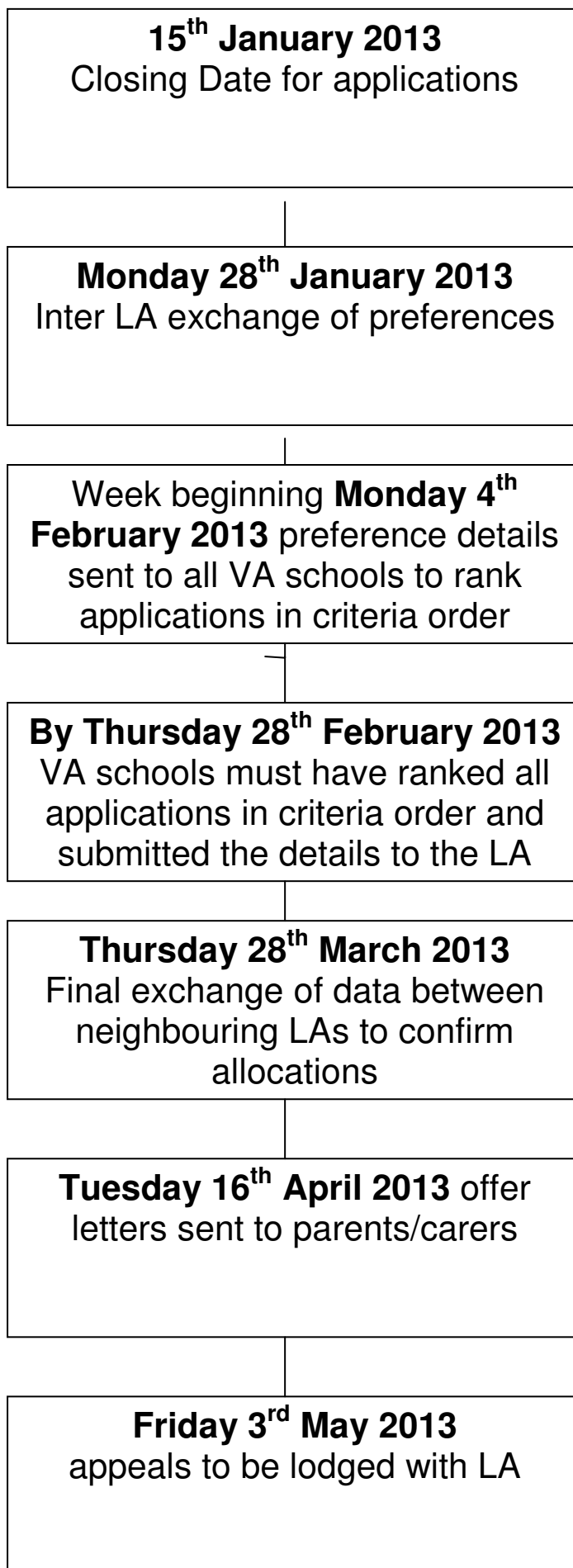
Runcorn All Saints' CE Aided Primary (20)
St Berteline's CE Aided Primary (43)
St Mary's CE Aided Primary (35)

CATHOLIC:

Our Lady Mother of the Saviour Catholic Primary (30)
Our Lady of Perpetual Succour Catholic Primary (30)
St Augustine's Catholic Primary (15)
St Basil's Catholic Primary (60)
St Bede's Catholic Infant (75)
St Bede's Catholic Junior (60)
St Clement's Catholic Primary (30)
St Edward's Catholic Primary (20)
St Gerard's Roman Catholic Primary & Nursery (25)
St John Fisher Catholic Primary (30)
St Martin's Catholic Primary School (30)
St Michael's Catholic Primary (35)
The Holy Spirit Catholic Primary (20)

ACADEMY SCHOOLS TO WHICH THIS SCHEME APPLIES:

Palace Fields (40)



25th February 2011

Martin West
Place Planning & Provision
Children & Young People's Directorate
Grosvenor House
Runcorn
WA7 2WD.

Dear Martin,

ADMISSIONS CONSULTATION – WIDNES ZONING/CATCHMENT

I am writing with regard to the above consultation. As a matter of principle, the Governing Body of Wade Deacon High School believes in the commitment to give all parents the right to choose a school for their child. The DFE Admissions Code aims to create a system where all parents feel that they have the same opportunities to apply for the schools they want for their child. An admissions authority has a duty to increase opportunities for parental choice; the concept of zoning simply serves to go against the spirit of the code.

School Governing Bodies have a duty to ensure when considering admissions policies/criteria, that practices do not disadvantage certain social groups or discourage some groups of parents from seeking a place at a school for their child.

Admission authorities for all schools must act upon any information that suggests that a school's or admission authority's policies or practices appear to be unfairly disadvantaging one group of children compared to another. The concept of a zoning arrangement in Widnes and an open parental choice in Runcorn results in non equitable system operating in Halton. The Governing Body acknowledges the needs of pupils residing in the Eastern side of Widnes. However, it must also consider the pupils who reside in the West of Widnes who would have traditionally had a high probability of obtaining a place at Wade Deacon High School prior to the introduction of zoning.

The zoning map can suggest to parents that a catchment zone exists within Widnes and does not demonstrate clearly to parents that they still have the right to express a preference for a high school of their choice.

As you will be aware the concept of catchment zones is seriously flawed; the Rotherham Judgment confirms that there is nothing unlawful in the principle of admission authorities operating catchment areas as part of their over-subscription criteria and thereby giving priority to local children whose parents have expressed a preference for the school. The advice then gives clear warnings that admission authorities must not guarantee places to parents in a local catchment area, in case the pattern of preferences expressed does not allow this guarantee to be met. In drawing up catchment areas, admission authorities should ensure that they reflect the diversity of the community served by the school and must not exclude particular housing estates or addresses in a way that might disadvantage particular social groups.

The Governing Body propose that the zoning system be removed and that the preference system as previously operated in Widnes and currently operated in Runcorn be expanded to cover all Halton High Schools with the application of the following criteria in the event of oversubscription:

1. Children in Public Care – children who are subject to a care order, or are accommodated by the Local Authority
2. Siblings – pupils with elder brothers or sisters including half brothers and sisters and unrelated children living together as part of the same household, already attending the school and expected to continue in the following year
3. Pupils living nearest to the school measured using an Ordnance Survey address-point system which measures straight line distances in metres from the address point of the school to the address point of the place of child's permanent residence of the pupil.

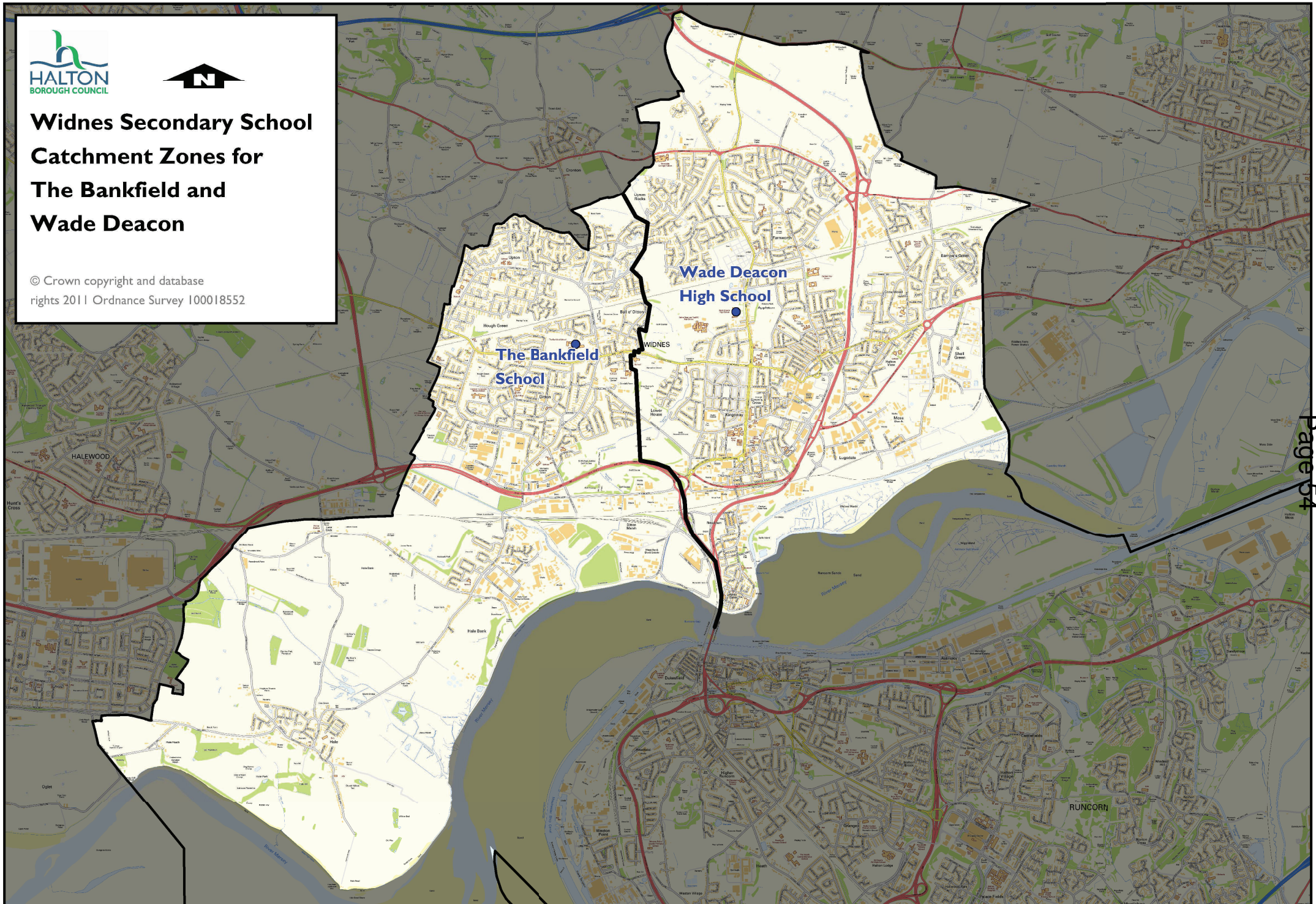
Yours sincerely

Governing Body and Senior Leadership of Wade Deacon High School



Widnes Secondary School Catchment Zones for The Bankfield and Wade Deacon

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REPORT TO	Executive Board
DATE:	29 March 2012
REPORTING OFFICER:	Strategic Director Children and Enterprise
SUBJECT:	The Heath Sixth Form Free School Proposal
PORTFOLIO:	Children Young People and Families
WARDS:	Runcorn

1.0 PURPOSE OF REPORT

1.1 This report provides an update on the proposed development of The Heath Sixth Form Free School.

2.0 RECOMMENDED: That Executive Board consider and agree a response to the The Heath Sixth Form Free School proposal.

3.0 BACKGROUND

3.1 The Heath School submitted an application to the DFE in February 2012 to establish a Sixth Form. The Heath School is the applicant and a second company, registered with Companies House has been set up, as the Sixth Form will be an Academy in its own right. The proposal submitted by The Heath provides information on the following areas:

- Applicant details and declaration;
- Outline of the School;
- Education Vision;
- Education Plan;
- Evidence of demand and marketing;
- Capacity and capability;
- Initial costs and financial viability;
- Premises; and
- Due diligence and other checks.

3.2 The proposed Sixth Form will cover the 16 to 19 age range and will be nonselective. It will admit up to 150 in Year 12 and Year 13 a total of 300 students across both age ranges. It is intended that it opens in September 2013 admitting up to 150 in Year 12.

- 3.4 The proposed Sixth Form will offer a wide range of A level courses, plus a Foundation Learning Pathway, students will be offered the opportunity to learn independently and pursue studies related to their own interest
- 3.5 The Heath will be instrumental in running the new Sixth Form and teachers will be shared between The Heath and the Sixth Form. A number of the services will be shared with the school. Students from The Heath will be encouraged to attend the Sixth Form for their post-16 studies. It is also intended to encourage other young people currently attending other secondary schools in the area to attend.
- 3.6 The Heath have widely circulated leaflets outlining their vision for the Sixth Form and asking for a response to their proposal. A copy of this leaflet is attached at Appendix A. To gauge the interest in this proposal the information has been sent out to students parents and the local community.
- 3.7 Those responding to the consultation are asked to provide their name and address.
- 3.8 The decision on the most appropriate premises for the Sixth Form will ultimately be made by the DFE however The Heath have been asked to provide options.
- 3.9 Consultation will need to take place locally if the proposal is supported by the DFE.
- 3.10 In addition, the Secretary of State has a duty to consider the impact any new free school will have on the existing schools and provision in the area. The Local Authority will be contacted by the DFE. The DFE will then consider the views and contextual information provided prior to entering into a Funding Agreement with the Free School.

4.0 IMPLICATIONS

- 4.1 There are already a number of post-16 providers offering provision in Runcorn. These include:
- Riverside College;
 - St Chad's Catholic and Church of England High School and Specialist College; and
 - Ormiston Bolingbroke.

- 4.2 Riverside College is made up of Cronton Sixth Form College, Riverside College Kingsway Centre, and Astmoor Construction Skills Centre based in Runcorn. Riverside College offers courses to suit all levels of ability from basic skills through to advanced level courses to all residents in Halton. The broad curriculum is designed to ensure that every learner reaches their full potential and is supported to progress through the course levels. The recently published 2012 performance tables places Riverside as fourth in the country for points score per exam entry. The College has also been rated as outstanding in the Advanced Level Performance Systems. Transport links to all Riverside College campuses from Runcorn are good.
- 4.3 In addition to the additional provision proposed by The Heath the Sandymoor Free School have also proposed an additional 300 place Sixth Form with 150 Year 12 and 13 places.
- 4.4 At the 14-19 Partnership in November it was agreed that where providers are interested in delivery of post-16 provision the authority would expect to see the following principles applied:
- The provision would offer choice and breadth;
 - It would be quality provision;
 - It would be sustainable;
 - There would be collaboration with existing providers; and
 - Information, advice and guidance would be available to all learners.
- 4.5 The information available to date provides an outline of the offer however no details have been provided about collaboration with any of the existing providers.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The level of additional provision proposed by The Heath and the Sandymoor Free school would be likely to de-stabilise the viability and offer of Riverside College and the other existing post-16 provision in the Borough.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

The establishment of The Heath Sixth Form Free school could impact on the sustainability and ultimately the offer of the existing providers.

6.2 Employment, Learning & Skills in Halton

N/A

6.3 A Healthy Halton

N/A

6.4 A Safer Halton

N/A.

6.5 Halton's Urban Renewal

N/A

7.0 RISK ANALYSIS

7.1 Halton is expected to experience a reduction in the post-16 cohort over the next few years at the same time that the number of places offered will increase. Although a number of students currently seek out of borough post-16 provision the range of providers offering the same provision in Halton and the lack of collaboration is likely to be a threat to the current breadth of provision on offer and its sustainability.

8.0 REASON(S) FOR DECISION

8.1 This report seeks to gain the views of Executive Board to the proposal to establish The Heath Sixth Form Free School so that a response can be made to the statutory consultation.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1 N/A

10.0 IMPLEMENTATION DATE

10.1 The Free School are looking to open in September 2013.

11.0 EQUALITY AND DIVERSITY ISSUES

11.1 The Free School will be a non-selective sixth form.

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

Document	Place of Inspection	Contact Officer
Pamphlet on The Heath Sixth Form	Floor 2 Rutland House, Runcorn	Ann McIntyre – Operational Director Children’s Organisation and Provision
Paper presented to Halton 14-19 Strategy Partnership (26-3-2012)	As above	As above

REPORT TO	Executive Board
DATE:	29 March 2012
REPORTING OFFICER:	Strategic Director Children and Enterprise/Operational Director Finance
SUBJECT:	Academies Status
WARDS:	Borough Wide

1.0 PURPOSE OF REPORT

- 1.1** This report aims to outline the potential financial implications of the transfer of schools to Academy status.

2.0 RECOMMENDED: That Executive Board

- 1) note the potential financial impact of schools becoming Academies;**
- 2) agree a further review of traded services to schools is undertaken to ensure full cost recovery is maintained; and**
- 3) propose individual meetings are held with each Secondary and Special School, and Runcorn and Widnes Primary Schools to determine if they are considering conversion to Academy Status, along with any proposed timescale.**

3.0 BACKGROUND

- 3.1** The Academies programme was first introduced by the previous Labour Government to tackle the problem of failing schools, for which a sponsor was required. The Coalition Government subsequently introduced an Academies Programme for high performing schools that can opt to convert to Academy status, for which a sponsor is not required. Currently there are 1,419 schools with Academy status nationally out of a total of just over 20,000 schools of which 3,127 are secondary. Only a handful of Primary Schools and no Special Schools have converted, so this figure represents approximately 40% of Secondary Schools now having Academy status
- 3.2** In June 2011, the Secretary of State, Michael Gove announced that the 200 worst performing Primary Schools will be subject to compulsory academisation unless there are exceptional circumstances. If there is any Council request to build a new school, it will automatically be assumed that this will be an Academy.
- 3.3** If a Council goes out to consultation regarding closure of any of its schools and parents lobby to keep the school open, the Department for Education (DFE) will look favourably on offering 'Free School' status to the parents. The Council will then be obliged to hand over the school and its land.

3.4 The current Academy position in Halton is as follows:-

School	Type	Conversion Date
Halton High – Ormiston Bolingbroke Academy	Sponsored	Sept 2010
Heath High School	Converted	June 2011
Palacefields Primary School	Converted	Mid Aug 2011

Ormiston Bolingbroke Academy and The Heath continue to purchase a number of services from the Council; Palace Fields purchase a limited number of services.

3.5 The current make up of Halton Schools is as follows:

- 3 Nursery schools;
- 49 Primary schools;
- 4 Secondary schools;
- 1 All Through school;
- 4 Special Schools; and
- 2 Pupil Referral Units

3.6 In Halton migration to Academy status has been slow. However, a number of Schools (both Secondary & Special) are now showing interest and this is likely to lead to others following. It would be reasonable to assume that the majority if not all of the Halton’s High schools will become Academies in the next few years. The Primary Schools are more reluctant to migrate and may possibly do so by way of clustering. However, as a key policy for the Secretary of State for Education, schools which are deemed to be under-performing can be directed to become an Academy.

4.0 FINANCIAL IMPLICATIONS

4.1 A school converting to an Academy receives funding which includes:-

- An amount equivalent to that which it would receive via the Council’s Schools Funding Formula. This is the same delegated budget that a maintained school receives, plus
- An amount for services provided to schools individually or as a whole, for which no charge is made i.e. a share of centrally borne costs. This is known as the ‘Local Authority Central Spend Equivalent Grant’ (LACSEG).

4.3 These LACSEG services are funded either by the Dedicated Schools grant or through the Councils formula grant dependant upon the nature of the service provided. Prior to the current financial year the DfE only recovered the Dedicated School Grant element from the Council, with no reduction for services funded directly by the Council through formula grant.

4.4 This left the DfE with an increasing funding gap, which is now being addressed, initially by a general top slice of the formula grant. For 2011/12 the Council was top sliced £362k, with no obvious link to the number of Academies in place or estimated to transfer in year.

- 4.5 This approach did lead to legal challenges, which in turn led to a short joint Department for Education/Department for Communities and Local Government LACSEG consultation over the summer 2011. At this stage, the future of formula grant is unclear, however it is expected that a deduction in Council funding will be made.
- 4.6 The LACSEG calculation is based on specific lines within the Section 251 Budget Statement that provides analysis of each LA's educational expenditure. It provides detail on both Dedicated Schools Grant (DSG) Funded and Council (formula grant) funded services.
- 4.7 The total value linked to the current LACSEG calculation (based on the 2011/12 s.251 return) for all schools is £6.1m, of which £2.9m is tied up in Corporate Services. Of the total corporate overhead recharge of £7.6m for the Directorate, 38% is linked to services which are included in the LACSEG calculation.
- 4.8 The following table (which is based on the LACSEG unit values for 2012 / 13 within the Academies section of the DfE website) provides an indication of the potential top slice for DSG for a typical school in each sector.

Indicative reductions	Grant	Typical School	
		Pupil No's	DSG
			£'000
Primary		210	13
Secondary		900	80
Special		90	24

- 4.9 Of concern is the DfE's view that services provided by the Council relate directly to the pupils they serve and the consequential funding reductions when schools move to Academy status are determined on that basis. There is no allowance for fixed costs or diseconomies of scale. However, it would be appropriate for the Council to consider incorporating potential losses within the Council's Medium Term Financial Forecast.

5.0 OTHER IMPLICATIONS

- 5.1 When a school moves to Academy status they have an automatic right to inclusion in the Pension Scheme for non-teaching staff, and are treated as a separate admitted body. All benefits and liabilities for existing staff transfer to the new body and the actuary will treat them as a separate entity when carrying out tri-annual valuations to determine future year's employer's contributions. In short, the risk is transferred to the Academy (DfE).
- 5.2 Many services are already traded with schools, which currently generate income in excess of £2.94m as summarised in **Appendix 1**.

Further work needs to be undertaken to ensure schools converting to Academy status continue to purchase Local Authority services out of

choice. A further review to confirm the true cost of the services currently traded with schools, as well as the potential impact should more schools convert to Academy status be undertaken.

- 5.3 The inclusion of maintained schools in certain corporate contracts enables the Council to achieve economies of scale and bulk purchasing discounts. The transfer of maintained schools to Academy status may put such discounts at risk.
- 5.4 Schools opting to convert to Academy status can choose the time of year they would like this conversion to happen. DFE guidance assumes this process will only take between two and three months. Although only three schools have converted to date in all cases the work involved to ensure an effective conversion has taken more than three months. It has also involved a significant input from Finance, Human Resources, Insurance, Legal, Property Services, Children's Organisation and Provision and others. It would therefore be useful to understand the position in Halton through meetings with schools so that the Council can plan and manage the conversion process and where appropriate agree with schools a manageable transfer date.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

The potential impact of a significant number of schools moving to Academy status would present a considerable financial challenge to the authority and would lead to reductions in services to children and young people in the borough.

6.2 Employment, Learning & Skills in Halton

N/A

6.3 A Healthy Halton

N/A

6.4 A Safer Halton

N/A.

6.5 Halton's Urban Renewal

N/A

7.0 RISK ANALYSIS

- 7.1 The potential impact of a significant number of schools moving to Academy status is significant and would present a considerable financial challenge to the Authority. Through early work with schools there will be a greater

understanding of the level of risk. It will also allow the promotion of appropriately packaged traded services to schools transferring to Academy status.

7.2 The Local authority could also incur significant financial liabilities due to the Failure of processes being undertaken by academies where the local authority has retained some statutory duties such as Education Welfare, SEN and Pupil Exclusion particularly if the academy chooses not to buy back non statutory support and training.

7.3 The conversion of a school to an academy however reduces the local authority Liabilities in relation to school staff and premises. In addition the Local Authority has no responsibility to intervene and provide resources to a failing Academy.

8.0 REASON(S) FOR DECISION

8.1 This report seeks to gain the views of Executive Board transfer of Halton Schools to Academy Status and outlines ways to mitigate the financial impact.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1 N/A

10.0 IMPLEMENTATION DATE

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

11.0 EQUALITY AND DIVERSITY ISSUES

11.1 Academies are non-selective state funded schools.

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

Document	Place of Inspection	Contact Officer
LACSEG UNIT VALUES FOR 2012/13	DfE website	Naheem Shafiq

Appendix 1

Service	Amount
Health & Safety SLA	37,800
Property Services - Repairs & Maintenance	31,930
Schools Cleaning (Contract)	627,830
Legal Support	45,750
HR & Pay Services	278,400
Employee Services	96,350
Schools IT Curriculum Support	3,900
Internet Transit & Web Filtering Service	124,580
Internet Service for Secondary Schools	19,030
Insurance – Premises	642,570
Creditors Service	47,110
Financial Support (Budget Management & Fin Admin)	130,660
Financial Support (Budget Management Only)	22,700
Grounds Maintenance	207,910
HBC Refuse	31,790
Support for Data Analysis	38,050
Schools SIMMS & Microsoft Support	315,280
Schools IT Support – Admin	53,450
Caretaking & Cleaning Support	16,000
Caretaking Support	20,090
Technical Support	67,030
Governor Support (Clerkship)	56,490
Governor Training & Development	31,120
	<u>2,945,820</u>

REPORT TO: Executive Board

DATE: 29th March 2012

REPORTING OFFICER: Strategic Director - Communities

PORTFOLIO: Health and Adults

SUBJECT: Bridgewater Community Healthcare NHS Trust

WARD(S): Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To outline for Executive Board members, Bridgewater Community Healthcare NHS Trust's proposals to become a Foundation Trust (FT).

2.0 RECOMMENDATION:

- i) **The Council supports**
 - a. **the proposal, submitted by Bridgewater Community Healthcare NHS Trust, to become a FT.**
 - b. **the membership arrangements proposed by Bridgewater Community Healthcare NHS Trust. (see paragraph 3.5)**
 - c. **the public membership constituencies proposed by Bridgewater Community Healthcare NHS Trust. (see paragraph 3.6.1)**
 - d. **the staff membership proposals proposed by Bridgewater Community Healthcare NHS Trust. (see paragraph 3.6.2)**
 - e. **the Governors structure and numbers proposed by Bridgewater Community Healthcare NHS Trust. (see paragraph 3.7)**
- ii) **That the Council Executive Board Portfolio Holder for Health be the nominated as the Halton Governor Representative should Bridgewater Community Healthcare NHS Trust achieve FT status.**
- iii) **The Council will encourage Halton residents to take up the opportunity to become Members of the proposed Bridgewater Community Healthcare NHS FT.**

3.0 SUPPORTING INFORMATION

3.1 Bridgewater provides NHS services to a population of 1,015,370 people living in Ashton, Leigh and Wigan, Halton & St Helens, Trafford and Warrington. They also provide specialist community dental services in these areas plus Bolton, Stockport, Tameside & Glossop and Western Cheshire.

- 3.2 Bridgewater Community Healthcare NHS Trust is aiming to become a Foundation Trust by April 2013 and as such is currently seeking views from patients and the public on its plans for becoming a FT. The FT will have unique governance arrangements which will include **Members** (public, patients and staff) and a **Council of Governors** (elected by members or nominated by partner organisations).
- 3.3 Patients, local people and partner organisations have been invited to express their views on the proposals for becoming a FT, including the governance arrangements during a 12 week consultation period, ending on April 30.
- 3.4 Kate Fallon, Chief Executive and Harry Holden, Chairman of Bridgewater Community Healthcare NHS Trust attended the Health Policy & Performance Board on 6th March to outline the proposals to become a FT.

Summary of Proposals

- 3.5 **Membership** – Bridgewater’s proposals outline that the membership base will reflect the communities that Bridgewater serves. It will be made up of patients, their carers and families, residents, its members of the local communities and Bridgewater’s staff. Bridgewater is proposing that to become a member will be free and will be open to anyone aged 14 or above, and that all members would be able to vote in governor elections from the age of 14. NB. Members aged 16 years or above, would be able to stand for election as a governor.

Bridgewater are also proposing three levels of membership :-

- **Level 1** - Receive information about the Trust and issues affecting local health services at regular intervals, including invitations to events including the Annual Members’ Meeting and Annual General Meeting, receive voting papers for the elections to the Council of Governors.
- **Level 2** - Members will receive the same information as Level 1 members and receive invitations to participate in surveys and discussion groups, which will allow members to comment on service developments and the Trust’s future strategic plans.
- **Level 3** - Members will receive the same information as Level 1 and 2 members and will also receive more detailed information about governor vacancies, how to stand for election as a governor and receive invites to events for potential governors.

- 3.6 **Membership Constituency** – Bridgewater are proposing two membership constituency categories :-

3.6.1 **Public Membership** – These will be divided into sub-constituencies which are based on local authority boundaries, Primary Care Trust boundaries and the operational divisions within

the Trust, as outlined below :-

- Ashton, Leigh and Wigan - comprising the Borough of Wigan and mirroring the area covered by Ashton, Leigh and Wigan Division of the Trust
- Halton - comprising the Borough of Halton and is part of the area covered by the Halton & St Helens Division of the Trust
- St Helens - comprising the Borough of St Helens and is part of the area covered by the Halton & St Helens Division of the Trust
- Warrington - comprising the Borough of Warrington and mirroring the Warrington Division of the Trust
- Trafford - comprising the Borough of Trafford and mirroring the Trafford Division of the Trust
- Community Dental - for people receiving specialist dental treatment in the boroughs of Bolton, Stockport and the PCT areas of Tameside & Glossop and West Cheshire
- Rest of England - comprises all other parts of England and will ensure that carers, or relatives of Bridgewater's patients can also have a say on services

3.6.2 Staff Membership – It is proposed that eligibility for staff membership will be open to any individual who is employed by the Trust under a contract of employment with the Trust provided they are:

- employed by the Trust under a contract of employment which has no fixed term or has a fixed term of at least 12 months; or
- been continuously employed by the Trust under a contract of employment for at least 12 months.

The Trust intends to operate a system of automatic membership for staff, the impact of which is that all staff eligible for membership will become members unless they advise that they do not wish to be included. All staff members will be entitled to vote to elect governors.

The Trust Propose to structure staff membership under sub-constituencies, as follows:-

- Registered Nurses/Midwives
- Allied Health Professionals/other registered healthcare professionals
- Clinical support staff, including Assistant Practitioners/Healthcare Assistants
- Medical
- Dental
- Non-clinical support staff, including managerial and administrative staff

3.7 Council of Governors - The Council will be made up of members of the public and staff constituencies as part of a democratic voting process. In addition to this, a number of governors will be appointed to represent the Trust's partner organisations.

Bridgewater is proposing a Council of Governors made up of 34 governors. This includes 18 governors (2 from Halton) elected by

members of Bridgewater's Public Constituency and nine governors elected by the Staff Constituency. The number of public governors must exceed the staff and partner governors combined. This will allow Bridgewater to invite nominations for seven governors from partner organisations/forums. One nomination from Halton's Health and Wellbeing Board has been identified within Bridgewater's consultation document

- 3.8 Bridgewater's consultation document containing full details of the proposals can be found below, along with a link to their website.

<http://www.bridgewater.nhs.uk/ft/>

- 3.9 By supporting Bridgewater's application for Foundation Trust status this will help ensure better outcomes for the residents of Halton by giving the Trust greater freedom to respond to their needs and giving local residents a greater say in how the services provided are run in the future.

4.0 POLICY IMPLICATIONS

- 4.1 None identified at this stage.

5.0 OTHER/FINANCIAL IMPLICATIONS

- 5.1 None identified at this stage.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

See section 6.3 below.

6.2 Employment, Learning & Skills in Halton

Not applicable

6.3 A Healthy Halton

All issues outlined in this report and Bridgewater Community Healthcare NHS Trust's proposals to become a FT from April 2013 focuses directly on this priority.

Some of the key benefits of becoming a FT would be :-

- Local decision making as opposed to being dictated by central government.
- Local people and organisations having a much greater say in services through becoming members.
- Public and staff members being able to elect the majority of representatives on the Council of Governors.
- The Council of Governors being able to influence key decisions about the Trust and having a say on senior appointments.
- Greater financial freedom to invest in new services.
- Independent regulation by Monitor

6.4 **A Safer Halton**
Not applicable.

6.5 **Halton's Urban Renewal**
Not applicable.

7.0 **RISK ANALYSIS**

7.1 None identified at this stage

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 Any services provided which seek to address the health needs of the residents of Halton needs to be fully accessible.

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

None under the meaning of the Act.

REPORT TO: Executive Board

DATE: 29th March 2012

REPORTING OFFICER: Strategic Director - Communities

PORTFOLIO: Health and Adults

SUBJECT: Liverpool Community Healthcare NHS Trust

WARD(S): Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To outline for Executive Board members, Liverpool Community Healthcare NHS Trust's proposals to become a Foundation Trust (FT).

2.0 RECOMMENDATION:

- i) The Council supports
 - a. the proposal, submitted by Liverpool Community Healthcare NHS Trust, to become a FT and its development plans. (see paragraph 3.6)
 - b. the membership arrangements proposed by Liverpool Community Healthcare NHS Trust. (see paragraph 3.7)
 - c. the public membership constituencies proposed by Liverpool Community Healthcare NHS Trust should give due regard to a dedicated Halton constituency (see paragraph 3.8.1)
 - d. the staff membership proposals proposed by Liverpool Community Healthcare NHS Trust. (see paragraph 3.8.2)
 - e. the Governors structure proposed by Liverpool Community Healthcare NHS Trust. However in respect of the composition of public governors, the Council will recommend to the Trust that Halton and St Helens should have two representatives for each area and not one for both. (see paragraph 3.9)
 - f. the plans for governance proposed by Liverpool Community Healthcare NHS Trust. (see paragraph 3.10).
- ii) The Council will encourage Halton residents to take up the opportunity to become Members of the proposed Liverpool Community Healthcare NHS FT.

3.0 SUPPORTING INFORMATION

3.1 Liverpool Community Healthcare NHS Trust provides NHS services to about 750,000 people living in Liverpool, Sefton, Knowsley and Halton & St Helens.

3.2 Liverpool Community Healthcare NHS Trust is aiming to become a Foundation Trust by April 2013 and as such is currently seeking views from patients and the public on its plans for becoming a FT.

3.3 Patients, local people and partner organisations have been invited to

express their views on the proposals for becoming a FT, including the governance arrangements during a 12 week consultation period, ending on April 30.

- 3.4 It should be noted that although Liverpool Community Healthcare NHS Trust do not provide any direct services to the residents of Halton, it is felt that the Board should support the Trust's application as there may be potential for business opportunities in the future.
- 3.5 Members of the Health Policy and Performance Board have received a copy of the above consultation and have had the opportunity to comment on Liverpool's proposals.

Summary of Proposals

- 3.6 **Development Plans** – Within its consultation document Liverpool outlines details of three development plans for 2012/13, as follows :-
- **One Call for All** – This outlines the way Liverpool intend to improve the way patients, cares and clinical staff access their services by setting up a single telephone number that will be available all day, every day; where trained staff will be available to answer queries and deal with a referral or appointment
 - **Being Productive – Being 'Green'** – Liverpool plan to provide patients and staff with the best quality environment for delivering healthcare and ensure that their services are located close to home. They want to make staff as mobile as possible, reducing time spent travelling between their clinical base and patient's homes giving them more time to spend with patients and enhancing the service they provide.
 - **Every Contact Counts** – Liverpool want to improve health in their communities and have trained a number of staff to support people in making changes to their lifestyle. At every appointment or home visit it is envisaged that staff will ask patients about ways to improve their health and wellbeing and find out more about the health issues that matter to them.
- 3.7 **Membership** – Liverpool's proposals outline that membership will be representative of the communities and groups that they serve and want members to be able to shape the future of the Trust. They are proposing that members must be aged 12 years and over and have chosen to recruit members from a younger age because Liverpool provide a wide range of children services. NB. Members aged 16 years and above, would be able to stand for elections as a governor.

Liverpool are proposing two levels of membership :-

- **Level 1** – Members will receive information about the organisation on a regular basis, as well as an invitation to attend the Annual Members' Meeting and the Trust's Annual General Meeting. All members will be sent voting papers to elect a governor in their constituency area and will be given information on how they can stand for election to the Council of Governors
- **Level 2** – Members will receive the same information as Level 1. They will also be contacted by Liverpool to invite them to get

involved in a range of activities – from surveys to focus groups related to topics that interest them.

3.8 **Membership Constituency** – Liverpool are proposing two membership constituency categories :-

3.8.1 **Public Membership** – The proposal is for five constituency areas and each area will be based on the electoral wards of that area as outlined below :-

- Sefton
- Liverpool North
- Liverpool South
- Knowsley
- Halton and St Helens

Consideration should be given to identifying a dedicated Halton public membership.

3.8.2 **Staff Membership** - Membership will be available to staff if they are:

- employed by the Trust under a contract of employment which has no fixed term or has a fixed term of at least 12 months; or
- been continuously employed by the Trust under a contract of employment for at least 12 months.

The Trust intends to operate a system of automatic membership for staff, the impact of which is that all staff eligible for membership will become members unless they advise that they do not wish to be included.

The Trust propose to structure staff membership under three groups (classifications) :-

- Administration and Clerical, including Estates and Ancillary staff
- Nursing and Midwifery
- Allied Health Professions, Professional, Scientific and Technical, Medical and Dental staff and Additional Clinical Services.

3.9 **Council of Governors** – Liverpool is proposing that the Council of Governors will be made up of 22 Governors, which will include both elected and appointed governors, as follows :-

- **Public Governors** – 13 elected public governors representing the five constituencies. NB. Liverpool is proposing one public governor to represent Halton and St Helens and not one to represent each area.
- **Staff Governors** – Liverpool plan to elect four staff governors
- **Appointed Governors** – Liverpool propose to have five appointed governors from Liverpool City Council, Sefton Metropolitan Borough Council, NHS Merseyside, Liverpool John Moores University and one other from a local organisation they work with and want to hear from any community group that would like to put their organisation forward.

Liverpool propose to give elected governors two terms of office, however to ensure that they have a level of continuity they aim to give governors with the highest percentage of votes a terms of three years, and give the other elected governors a term of two years.

Consideration should be given to a dedicated Halton Governor.

3.10 **Governance** – It is proposed that the Trust’s Board of Directors will be made up of:-

- A Chair – the chair is a non-executive Director of the Board and will also be the Chair of the Council of Governors
- Up to 6 Non-Executive Directors (not including the Chair)
- Up to 6 Executive Directors, including a :-
 - Chief Executive
 - Director of Finance
 - Medical Director – a registered medical or dental practitioner
 - Executive Nurse – a registered nurse or midwife

NB. The Chief Executive will be the Accounting Officer of the FT and will be responsible for making sure that all the Trust’s legal and financial duties are met.

3.11 Liverpool’s consultation document containing details of the proposals can be found at the link below :-

http://issuu.com/membershipengagement/docs/liverpool_community_health_consultation?mode=window&backgroundColor=%23222222

NB. In terms of Liverpool’s consultation document, unfortunately it is not available via a downloadable document, rather an ‘E-Book’.

4.0 **POLICY IMPLICATIONS**

4.1 None identified at this stage.

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 None identified at this stage.

6.0 **IMPLICATIONS FOR THE COUNCIL’S PRIORITIES**

6.1 **Children & Young People in Halton**

All issues outlined in this report and Liverpool Community Healthcare NHS Trust’s proposals to become a FT from April 2013 focuses directly on this priority.

Some of the key benefits of becoming a FT would be :-

- Local decision making as opposed to being dictated by central government.
- Local people and organisations having a much greater say in services through becoming members.
- Public and staff members being able to elect the majority of

representatives on the Council of Governors.

- The Council of Governors being able to influence key decisions about the Trust and having a say on senior appointments.
- Greater financial freedom to invest in new services.
- Independent regulation by Monitor

6.2 Employment, Learning & Skills in Halton

None identified.

6.3 A Healthy Halton

As per 6.1 above.

6.4 A Safer Halton

None identified.

6.5 Halton's Urban Renewal

None identified.

7.0 RISK ANALYSIS

7.1 None identified at this stage

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 Any services provided which seek to address the health needs of the residents of Halton needs to be fully accessible.

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

None under the meaning of the Act.

REPORT TO: Executive Board

DATE: 28th March 2012

REPORTING OFFICER: Strategic Director - Communities

PORTFOLIO HOLDER: Health and Adults

SUBJECT: Health and Social Care Bill - Update

WARD(S): Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 To provide an update for Board Members on the progress of the Health and Social Care Bill.

2.0 **RECOMMENDATION: That the Board note the contents of the report.**

3.0 **SUPPORTING INFORMATION**

3.1 The Health and Social Care Bill was introduced in the House of Commons on 19th January 2011 and at the time of writing this report was still at its reporting stage within the House of Lords. Board Members can track progress of the Bill through the Parliamentary system at the link attached below :-

<http://services.parliament.uk/bills/2010-11/healthandsocialcare.html>

3.2 The Department of Health has produced a number of factsheets on various aspects of the proposed NHS reforms. These include the proposed NHS Commissioning Board, Public Health England, Clinical Commissioning Groups, Clinical Commissioning Support Services and Health Education and Training. These fact sheets give an indication of the work still to be done (subject to the passage of the Health and Social Care Bill) to create the proposed new system; and they provide useful links to other sources of information.

The latest information contained in the factsheets is outlined in this report, however further updates are available via the attached link below :-

<http://www.dh.gov.uk/health/2012/02/bill-factsheets/>

It is recognised that the Bill is complex, however the following attempts to provide a synopsis of the main features of the Bill.

3.3 **The NHS Commissioning Board (NHSCB)** - Strategic Health Authorities and Primary Care Trusts will be abolished and the NHS CB will take on its full responsibilities from 1 April 2013. It is proposed that the central headquarters of the NHS CB will be in

Leeds, with an office in London. There will be nine directorates, four sectors and 50 local offices around the country. The proposed nine director roles are:

- National Medical Director
- Chief Nursing Officer
- Chief Operating Officer
- National Director: Finance
- National Director: Commissioning Development
- National Director: Patient and Public Engagement, Insight and Informatics
- National Director: Improvement and Transformation
- National Director: Policy, Corporate Development and Partnership
- Chief of Staff

3.4 Clinical Commissioning Groups (CCGs) - Clinical Commissioning Groups will be developed to cover the whole of England. The Government aims to have the vast majority of CCGs fully authorised by April 2013. They will be responsible for commissioning the majority of healthcare for their local population.

Each CCG will decide the extent to which it carries out services in house, or shares or buys in support services especially from Commissioning Support Services (CSSs). It is expected that CCGs will start putting arrangements in place to identify their substantive appointments from April 2012.

3.5 NHS Commissioning Support Services (CSSs) - It is envisaged that the NHS CB will temporarily host commissioning support services (this means that the NHS CB will be the employer of CSS staff) that grow from PCT clusters from April 2013 where those services demonstrate, through the business review, that they will be viable. It is proposed that all these services will move to freestanding models by April 2016 at the latest.

Some of the national 'scale' offers for business intelligence, major clinical procurements, communications, and corporate or business support services, such as finance or HR, are likely to operate at a national and sub-national level with close links and working relationships with local CSS teams and CCGs. Early indications suggest there may be around 25 to 30 CSSs – this means that each will provide services to 10 or more CCGs (of which there are around 260 – 300 currently proposed). By the end of March 2012, it is expected that each CSS will have developed governance arrangements that allow it to operate at arms length from the PCT Cluster.

3.6 Public Health England - Public Health England (PHE), is to be established on 1 April 2013 as an Executive Agency of the Department of Health. Its overall mission will be "to protect and improve the health and wellbeing of the population, and to reduce

inequalities in health and wellbeing outcomes". It will do this in concert with the health and social care system, and with key delivery partners including Directors of Public Health, local government, the NHS and Police and Crime Commissioners, providing expert advice and services and showing national leadership for the public health system.

Further work to finalise the organisation design of PHE - including the number and location of staff and offices - will be conducted by the end of May 2012.

This work will be based on the overall functions and organisation structure as set out in the PHE operating model, which includes the following features:

- National office - PHE's senior management team will be based in a national office located in London. The national office will act as the service centre for the organisation, and provide national leadership, strategic direction and support the overall integration and coordination of the public health system.
- National centres of expertise and excellence for public health - PHE will build on and develop current arrangements for national centres which concentrate professional, scientific and analytical expertise to deliver a range of services and functions that support front-line public health activities.
- Hubs - some PHE national office functions will be distributed across geographic hubs, which will be part of the national office and act within a national framework. There will be four hubs that are coterminous with the four sectors of the NHS Commissioning Board and the Department for Communities and Local Government resilience structure: London, the South of England, Midlands and East of England, and North of England.
- Units - PHE will deploy expert and specialist advice capacity "at a level that allows it to understand and respond to local needs and support local leaders to tackle the health challenges they face". Units will be developed from the twenty-five current health protection units of the Health Protection Agency.

3.7 **Local Government and Public Health Services** - The Board has already received a number of reports on Public Health over the last few months and the expected date for any transfer of public health staff from the NHS to local government is 1 April 2013.

The provisions include a new duty on county councils, London borough councils and unitary authorities, to take steps to improve the health of their local population. One way those local authorities may fulfil their new health improvement duty will be through commissioning public health services. They will also work with clinical commissioning groups and representatives of the NHS Commissioning Board to integrate services.

- 3.8 **Health Education England and Local Education and Training Boards** - Health Education England (HEE) will be established as a Special Health Authority in June 2012 with a view to commencing operations from October 2012 and taking on full responsibilities by 1 April 2013. In due course the plan is to establish HEE in primary legislation as an Executive Non-Departmental Public Body (ENDPB).

The purpose of HEE is to ensure that the healthcare workforce has the right skills, behaviours and training and is available in the right numbers to support the delivery of excellent healthcare and health improvements. Its primary focus will be on professionally qualified healthcare and public health staff. However, HEE will take a wider leadership role in relation to the development of the whole healthcare workforce.

Local Education and Training Boards will take on the workforce planning and education and training functions of Strategic Health Authorities (SHAs), including post-graduate deaneries. LETBs will be hosted by HEE from April 2013

- 3.9 **NHS Property Services Ltd** - NHS Property Services Ltd will be a property company wholly owned by the Department of Health. The principal function of the company will be to hold and manage part of the estate that is currently owned by PCTs, together with surplus SHA and Arm's Length Bodies (ALB) estate. The abolition of PCTs and SHAs, and the transfer of their property, is however subject to the passage of the Health and Social Care Bill. This issue is of interest to local authorities as they may currently be occupiers or joint owners of or investors in some of the estate (for example through a Local Improvement Finance Trust) included in these provisions. Due to the complexities of the Estate, it is envisaged that properties and staff may transfer from PCTs in a number of waves, between September 2012 and March 2013. This is still to be confirmed.

- 3.10 **Department of Health** - The Department of Health (DH) provides strategic leadership for public health, the NHS and social care in England. It will be the place in government that leads the way on protecting and improving people's health. It will be the 'architect' for the new system of health and care and, in summary, will:

- continue to carry out its Department of State functions, supporting ministers, developing legislation, providing parliamentary accountability and liaising with Treasury for resources
- own the strategic design of the health and care system as a whole
- set the overall ambition for improvement in people's health and wellbeing
- have more responsibility for health and the prevention of ill health, and have national and local responsibility for public

health through Public Health England and the work of local Health and Wellbeing Boards

- set the strategic direction for the NHS, based on outcomes, and hold it to account for achievements
- set the vision, policy framework, and funding system for social care
- ensure that all parts of the health and care system work in partnership and collaboratively
- have an increased role in cross-government research and development
- act to ensure health is embedded into cross-governmental policy

It is expected that the Department will be reduced from its current 2,400 staff to around 1,700, including some staff leaving to join other new NHS organisations.

3.11 **Healthwatch** – The Government has tabled amendments to the Bill to make clear that local authorities, which will be under statutory duty to commission effective and efficient local Health watch organisations, will have some choice over the organisational form that local Healthwatch takes. The amendments to the Bill are designed to ensure local authorities have some flexibility and choice over the organisational form of local Healthwatch, so they can determine the most appropriate way to meet the needs of their communities. The key requirements are :-

- Local Healthwatch organisations must be corporate bodies carrying out statutory functions;
- They must be not-for-profit organisations;
- Local Health watch must be able to employ staff and (if they choose) be able to sub contract statutory functions

Local Health watch will need to be inclusion so that it operates for the benefits of its local community.

It will be up to the local authority to decide how they commission and fund local Healthwatch and although the final decision about how each local Healthwatch will look like is down to the local authority to decide, the decision should be made in consultation with local community stakeholders and the existing LINK.

4.0 **POLICY IMPLICATIONS**

4.1 As Members will note much of the Bill is still been developed and debated. It is recognised that the Bill is complex and complicated however in Halton we are engaging with the Clinical Commissioning groups regarding greater integration and potential partnership opportunities including commissioning. In addition over the last few months good progress has been previously reported to the Board on the emerging Public Health agenda.

5.0 **FINANCIAL IMPLICATIONS**

5.1 None identified at this stage.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

A range of the areas will impact upon children's services in particular within Public Health and commissioning.

6.2 **Employment, Learning & Skills in Halton**

There will be a range of new and varied employment opportunities created within the new NHS structures.

6.3 **A Healthy Halton**

All issues outlined in this report focus directly on this priority.

6.4 **A Safer Halton**

None identified.

6.5 **Halton's Urban Renewal**

None identified.

7.0 **RISK ANALYSIS**

7.1 None identified at this stage

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 Any services provided which seek to address the health needs of the residents of Halton needs to be fully accessible.

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

None under the meaning of the Act.

REPORT: Executive Board

DATE: 29th March 2012

REPORTING OFFICER: Strategic Director, Policy & Resources

SUBJECT: Street Lighting – Energy Saving Options

PORTFOLIO: Transportation

WARDS: Boroughwide

1.0 PURPOSE OF REPORT

- 1.1 To consider options to reduce revenue costs for the Council's stock of highway electrical equipment that includes street lighting, traffic signals and illuminated traffic signs and bollards. Information is also provided on future lighting provision, the condition of the Council's current lighting stock and the potential future costs of adequately maintaining it.

2.0 RECOMMENDATIONS: 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 this report;**
- (2) Approval be given to turning off street lighting on those high speed roads (over 40 mph speed limits) listed in Appendix A 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 be noted and be implemented where appropriate and as resources permit;**
- (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(s) of the Board for consideration.**

3.0 SUPPORTING INFORMATION

- 3.1 The cost to the Council of energy for its highway electrical assets (including street lighting, traffic signals, illuminated signs, etc.) is approximately £1.06m per annum. It currently has a contract with Haven Power (via UPG (Utilities Procurement Group)) to supply energy until April 2013. This contract fixes the unit rate for electricity for the period of the contract. An itemised listing of our equipment is declared to Scottish Power (Distribution Network Operator (DNO)), who issue a Certificate of Estimated Annual Consumption (EAC). This listing includes the following equipment which is in place on the highways of Halton:-

- 19,500 conventional lighting columns plus 400 lighting columns for HHT
- 141 high mast lighting columns
- 1,700 illuminated traffic signs
- 450 illuminated bollards
- 57 traffic signal controlled junctions
- 1 Pelican crossing
- 20 Puffin Crossings
- 5 Toucan crossings
- 18 Zebra crossings
- 11 Variable Message Signs (VMS)
- 67 CCTV cameras
- 12 Speed cameras
- 24 Real Time Passenger Information (RTPI) Signs (at bus stops)

The EAC determines the amount to be paid by the Council each month and this is passed to Haven Power who then invoice us each month. The EAC is updated every month; therefore any equipment removed/added is included within a relatively short period of time.

- 3.2 There is no statutory duty to provide street lighting. However, under S97 of the Highways Act 1980, local highway authorities have the powers, should they chose to use them, to provide lighting and contract with any persons to construct and maintain such lamps, posts and other works as they consider necessary. A highway authority may also alter or remove any works constructed by them. If street lighting is provided under the Highways Act, then it needs to be maintained in a serviceable condition.
- 3.3 The original purpose of street lighting was to prevent crime. It was unrelated to highway safety. The fact that street lighting outside of urban areas is still unusual, is a reflection of this fact. It is recognised that street lighting has a vital role to play in reducing fear and improving community safety after dark. Lighting can reduce crimes involving street robbery, theft from the person and assault, theft of/from and damage to motor vehicles, vandalism and burglary. One of its greatest benefits is to reduce the fear of crime especially for the more vulnerable members of our community. Street lighting also makes our roads and pavements safer.
- 3.4 A number of local authorities and the Highways Agency are now, however, switching off street lamps or reducing lighting levels in order to cut energy bills and carbon emissions. These measures are being applied across a range of road types including motorways, high speed rural roads and residential estate roads. Many of these are being treated as trials to assess the impact of the cuts on road safety, community safety and public acceptability. It is still relatively early days to determine the true impact of these trials. Whilst some cuts appear to have been generally accepted others have generated adverse public reaction, especially where road casualties have been blamed on the removal of lighting. The Risk Analysis section of this report and Appendix B lists a number of examples of where street lighting cuts have taken place and some feedback on the potential consequences of these cuts.
- 3.5 The options for reducing street lighting costs are as follows:
- Adaptive street lighting (reduce lighting levels during periods of low traffic flow)
 - Change switching levels for columns (come on later and go off earlier)

- Switch off street lights for part of the night
- Do not switch on/remove street lighting
- Use of solar panels
- Use of more energy efficient luminaires (lighting units/lanterns) including Light Emitting Diodes (LEDs)
- Removal of decorative lighting
- Removal of high mast lighting

Each of these options is considered in more detail in Appendix C.

- 3.6 St. Helens Council have for a number of years been participating in a European project to research and test methods to reduce street lighting energy consumption. A summary of their experience and findings to date is attached as Appendix D. This briefly sets out the various technologies that have been tested and the potential energy savings from them. It also presents some of the feedback from stakeholders and residents in particular, of the various trials where lighting levels have been reduced or where more efficient types of lighting unit have been installed.
- 3.7 In summary, the St. Helens trials predict potential savings of between 2% (for trimming or making lights come on slightly later and go off slightly earlier) and 40% (for part-night operation where lights are switched off from say midnight to 6.00am). One important conclusion of the studies is that the payback period for the simplest lighting modification is 6 years.

4.0 PROPOSED POLICY

- 4.1 Due to the increasing energy costs for street lighting, it is recognised that action must be taken to minimise future growth in energy consumption. This requires a complete reassessment of lighting policies, which are currently included in the Highway Maintenance Strategy. It is therefore proposed that a separate **Street Lighting Policy and Strategy be prepared**, which will be submitted to a future meeting of the Executive Board for approval.
- 4.2 However, in order to respond to a more immediate need to cut the cost of energy consumption, it is proposed, in the first instance, 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.** In the main these roads do not have any residential properties adjacent to them nor do they have any footways. Therefore the potential for crime and disorder issues are limited. It is estimated that this would save approximately £148,000 per year. The accident records of these roads for the three year period 2009 -2011 show that there have been a total of 7 accidents resulting in slight injuries. They occurred between midnight and 04.30 am. Two involved alcohol and two were stolen cars. In summary, all the accidents had factors that would not be affected by the fact of street lighting being present or not. Because of the nature of these accidents it is difficult to predict any potential impacts of removing street lighting. It is therefore proposed that these roads be monitored following any subsequent switch off to determine whether there has been any adverse effect on road safety that can be attributed to a lack of lighting. A report of any subsequent findings can be brought to this Board for its consideration. Consultation on these proposals had commenced prior to the preparation of this report and it may be possible to present a verbal update at the meeting.

- 4.3 It is also proposed that there should be **no net increase in the lighting stock other than for:**
- statutory requirements (e.g. the illumination of certain road signs);
 - road safety reasons, for example, where signs and/or bollards need to be illuminated or where traffic control equipment including traffic signals and Puffin crossings, are to be installed as part of Local Safety Schemes at collision sites; and
 - the adoption of new developments (including industrial and residential).
- 4.4 It is further proposed that **there be a presumption against new lighting schemes or additional highway electrical equipment** (e.g. CCTV) funded either through the Area Forums (such as lighting of footpaths, traffic management/engineering schemes requiring illuminated signs, lighting of car parks or recreational areas) or from the Council's other capital budgets, unless the additional revenue budget is available to fund the on-going lighting/highway electrical equipment and maintenance indefinitely. This proposal could also restrict the installation of new traffic signal equipment, Vehicle Activated signs (VAS), Variable Message signs (VMS), etc.
- 4.5 Obviously, each case would have to be judged on its merits, as each could impact on the safe and efficient movement of pedestrians and vehicles as well as on crime and disorder in the community, but it is evident that difficult choices will now have to be made. Where it is possible to avoid adding to the Council's stock of highway electrical equipment then this must be done.
- 4.6 **All proposed improvement and safety schemes or those currently being constructed are being reviewed** to reduce or remove any additional energy requirements whilst still meeting relevant design standards. **Traffic signs will not be lit unless it is a legal requirement**, highly reflective materials will be used for both direction signs and bollards to obviate the need for lighting. **The provision of vehicle activated signs will be reviewed**, where they are provided they will continue to be solar powered and their maintenance costs closely monitored.
- 4.7 Following structural tests to the lighting columns on the Widnes side of the Silver Jubilee Bridge (SJB) in April 2007, it was necessary to remove a number of columns from A533/A562 Queensway, for safety reasons. Since that time there have been a number of queries as to when this lighting is going to be replaced. The cost of replacing these columns would be in the order of £100,000 but many, if not all, of these replacements could become redundant once construction on the Mersey Gateway starts at the end of 2013. Records indicate that there have been no reported collisions within the area where the columns have been removed during the hours of darkness since the columns were removed. Two lighting columns on the off-slip to Ditton roundabout from the Runcorn direction have recently been demolished during the hours of darkness, but these were on a lit section of road. The speed limit within most of this area is 50 mph. **It is proposed that new lighting columns be installed on this access to the SJB only once the final road layout is constructed and lighting column positions can be accurately determined.** Also the speed limit will be 40 mph or less on the revised layout.

5.0 FUTURE LIGHTING PROVISION

- 5.1 There are 19,500 columns within in the Borough, 40% of which are over 30 years old and hence past their design life. These will need replacing in the next few years. The lanterns also need replacing on approximately 40% of columns in order to bring the lighting up to current standards. The cost of these works is estimated to be in the region of £8.0m; the current budget for this sort of (structural) maintenance is currently £200k per annum. As well as this identified need, the rest of the stock is continuing to age towards the end of its design life and will need to be replaced in the coming years.
- 5.2 There is currently a revenue budget of £1.54m available for the maintenance and energy requirements of all the equipment listed in paragraph 3.1. However, £1.06m of this is required for energy costs alone. It follows that little, if any, funding remains for structural maintenance of lighting columns. This, in turn, means that it will be difficult to sustain the existing number of columns on the network with current levels of funding.
- 5.3 Paragraph 7.0 of Appendix C also sets out the issues surrounding the high mast columns on the Runcorn Expressway system. These are nearing the end of their design life and it will cost approximately £1.4m to replace them with conventional lighting. Currently, there is only £130k available per annum for this work, funded through the Local Transport Plan. It could, therefore, take up to 15 years to replace the high masts which would take them beyond their design life and this assumes that the current level of funding remains available.
- 5.4 There is an unavoidable incremental growth in the street lighting stock through the adoption of streets in new residential areas and the construction of new roads e.g. the Upton Rocks distributor road and the Widnes Waterfront Boulevard. New additional lighting units have also been funded through the Area Forum. Annually, these initiatives increase the inventory by approximately 250 units per year at a cost of approximately £12,500, but with no increased budget to cover the additional costs. Due to the downturn in the housing market the number of new units is lower at present, but is beginning to show signs of increasing again. The current total stock of highway electrical equipment is now in the order of 23,000 units.
- 5.5 In order to achieve further savings and ensure the Council's lighting stock is structurally sound and fit for purpose, it will be necessary to continue to invest in the asset. This will enable more efficient technologies to be introduced (recognising however that there will be long pay-back periods) and allow for columns that are past their design life to be replaced. It is anticipated that the subject of the Council's longer term liabilities for lighting assets will be the subject of a future report to the Board.
- 5.6 Many local authorities are now looking to cut their energy bills and carbon emissions by reducing or removing street lighting even in residential areas. Consideration may, therefore, need to be given in the future to the removal of lighting from secondary independent footpaths (i.e. where there is a suitable alternative route and it is not the main access route to properties) and gated routes to the rear of residential properties (i.e. rear entries and passageways). This could be carried out when the existing lighting columns and lanterns reach the end of their life and it is not viable to replace them. It would need to be done on an area basis to provide a consistent approach and

it would also overcome a current maintenance issue, where it is difficult to gain access to carry out maintenance to some columns due to the locked gates.

- 5.7 Where there are suitable alternative lit routes, then consideration may also need to be given to no longer installing lighting on independent footpaths, unless they are a primary route to a school or major employment areas. This would be particularly applicable to independent cycleways and bridleways, which are provided primarily for recreational purposes.
- 5.8 A presumption against any future growth in street lighting provision would be difficult to endorse due to the need to provide it on new residential roads and high profile regeneration schemes. Also there could be a need to install new lighting both for road safety and community safety reasons. A reduction in street lighting standards, such as turning off every other light, would leave the Council exposed to liability claims, because street lighting is provided to national industry standards, and hence cannot be recommended. It has also been noted that the removal of street lighting could have serious impacts on the Council's priorities for road safety and community safety.
- 5.9 Any proposal to remove street lighting from residential areas would be more cost effective if carried out in complete areas (estates or distinct parts of an estate) as opposed to individual streets or alternate columns. This would also avoid patches of light and shadow/darkness as well as liability claims due to the area not being lit to the current design standards (or the standards at the time of installation). To be most cost effective, the oldest lighting units would be decommissioned first. It would cost around £700 to remove each column and this would need to be phased in over a period of years.
- 5.10 Clearly, it is possible that any of the above measures could prove to be unpopular and all could have road safety and community safety implications. There is concern that removing street lighting, or even switching it off between specified periods, has the potential for reversing the very encouraging downward trend in road casualties. It follows, therefore, that any measures that are imposed to save energy costs would have to be very closely monitored to determine their impact on road casualties in particular. A number of the Council's key priorities could also be adversely affected especially in terms of promoting social inclusion and accessibility.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The proposal to switch off street lighting on high speed roads as listed in Appendix B would save an estimated £148,000 per year. However, for this saving to be realised it will be necessary to spend approximately £20,000 to procure the equipment and have the electrical work done to the relevant lighting columns that would accommodate a switch off between midnight and 6.00am. It is proposed that this sum is funded from the "Invest to Save Budget".

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES.

7.1 Children & Young People in Halton

Reductions in street lighting, especially on residential estates, could impact on: child pedestrian casualties; the desire to walk to school during the dark mornings and nights; young drivers and the incidence of anti social behaviour.

7.2 Employment, Learning & Skills in Halton

There are no direct implications on the Council's 'Employment, Learning & Skills in Halton' priority.

7.3 A Healthy Halton

Reduced street lighting could discourage walking and cycling and the use of public transport, which have implications for the health of those affected.

7.4 A Safer Halton

Street lighting can contribute to road safety and a reduction in accidents. It can also help reduce crime and anti-social behaviour which affects how safe people feel during the hours of darkness.

7.5 Halton's Urban Renewal

Street lighting is often part of Urban Renewal schemes and does have a positive impact on improving the environment.

8.0 RISK ANALYSIS

- 8.1 Street lighting is not a statutory function and there is no legal requirement for roads to be lit. However, it is recognised that street lighting contributes strongly to road safety, community safety and the prevention of crime. Street lighting fits with the Council's strategic priorities. Since 1998 the Council is required by statute to exercise all of its functions with a view to preventing crime and disorder. It should be noted that the introduction of street lighting was originally to assist pedestrians as a result of crime and disorder issues. It continues to be accepted as a major contributor to the prevention of crime and disorder or its perception. Whilst the Council may not be challenged under the Highways Act about removing lighting, there may well be challenges under section 17 of the Crime and Disorder Act 1998, as happened in Essex when the Police intervened with the proposal to turn off lights.
- 8.2 Studies undertaken by the Transport Research Laboratory (TRL) have concluded that switching off lights between midnight and 5am is not recommended on traffic routes because 'when traffic flow is at its lowest, vehicle speeds will be at their highest, so the accidents will be more severe'. In the dark, drivers' reactions tend to be slower and stopping distances longer. The same study indicates that if part-night lighting is considered, this should be based on 'a full evaluation of the accident statistics'. A recent study (2009) from Newcastle University stated that there is evidence that street lamps save the lives of a 'significant number' (45% on average) of pedestrians, cyclists and motorists each year.
- 8.3 However, there is evidence available to suggest that switching off lighting may not be detrimental in all cases. For example, in 2009 following an 18 month trial in two residential areas, Essex County Council concluded that where lights were switched off between midnight and 5.00am, crime had fallen and there had been no police-reported traffic accidents. Notwithstanding this, it could be argued that this limited period is too short to determine the true impacts of the cuts, especially in terms of road casualties, and that the trials did not consider high speed roads. It is felt that more detailed evidence is needed before the potential impacts of any cuts on all road types can be predicted with more certainty.

- 8.4 A recent statement by the Institute of Lighting Professionals (ILP) states that local authorities are required to advise their energy supplier of their load profile (i.e. when they are using electricity) and their energy tariff is based upon this. Where lighting is on all night, the overall tariff is low, as the lighting uses energy at periods of low demand which offsets consumption at peak hours, such as 4.00pm to 8.00pm. By changing their load profile and removing consumption during the low demand periods, an authority's average energy tariff will increase considerably and could negate any savings. The ILP alleges that this unrecognised effect is not being considered by many authorities and that these changes will cost to implement. The ILP is in favour of utilising technology to allow variable lighting levels instead of cutting lighting altogether. By monitoring traffic flows, light levels can be raised to provide appropriate lighting levels at peak times, while during quieter periods, they can be lowered. This would be in accordance with lighting standards and provide a safe environment. These sorts of technology are referred to in Appendices C and D and whilst the theory cannot be disputed, there are costs attached to their implementation.
- 8.5 The ILP has praised Highway Agency (HA) plans to dim lights along major 'A' roads. The HA plans were recently confirmed to the Commons by transport minister Norman Baker in a written answer to a Parliamentary question. Mr Baker wrote: 'The Highways Agency has plans to reduce the level of lighting on 'A' roads when traffic levels are significantly below road capacity. It is right that lighting authorities consider, in the interests of cost-saving and the environment, whether lighting can be sensibly dimmed or turned off, consistent with proper safety assessments.'
- 8.6 It is a risk that if a decision is taken to switch off lights for part of the night as is proposed in paragraph 4.2 above, then the electricity supplier could, in time, adjust the rate per unit that it charges this authority. This would mean that any saving could indeed be negated. However, the current supplier has not given any indication of this at this stage. In response to the ILP's concerns, a Buckinghamshire CC spokeswoman has stated that a three-year trial into cutting street lighting, launched by the authority back in 2007, has saved money and cut carbon emissions. A statement from the council said: 'On average, using the number of lights turned off and the costs saved, each lamp turned off is saving around £57 per year.' It also stated that accidents were actually reduced by 26% during periods of darkness at the trial sites. North Somerset Council has also defended its streetlight reduction scheme. It said: 'Switching off lights at night saves us money. More than £300,000 will be saved annually following the completion of part-night street lighting. And the cost of electricity is very likely to rise in the coming years. Even if our price went up by 1p a unit, with the amount we use this could see our bill going up more than £50,000 a year'.
- 8.7 Providing lighting to reduced standards could increase the Council's exposure to liability claims. It is proposed that every road in the borough where lighting is switched off be monitored to assess the impact, especially on traffic accidents. If required, it would always be possible to revert back to having lighting on all through the night but this would obviously mean that the anticipated budget savings on the revenue budget would not be achieved.
- 8.8 It is important that any risk is put into context with the significant reduction that is taking place in the grants the Council receives from central Government. The Council has to identify £15m of savings from its 2012/13 revenue budget, together with a

further £25m in the following two years. Initiatives such as the one proposed in this report are seen as “least worst” options, rather than the ideal. However, it is important that the Council uses the momentum that this set of circumstances provides to review its overall long-term approach to lighting.

9.0 EQUALITY & DIVERSITY ISSUES.

- 9.1 Any reduction or failure to provide street lighting could unfairly disadvantage pedestrians and certain population groups who would not feel safe on the public highway during the hours of darkness.

10.0 REASONS FOR DECISION

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

11.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

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

12.0 IMPLEMENTATION DATE

- 12.1 1 April 2012 subject to all equipment being installed.

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

- 13.1 There are several background papers under section 100D of the Local Government Act 1972, which include reports to Environment and Urban Renewal PPB.

APPENDIX A

High Speed Roads (Speed limits in excess of 40 mph) where it is proposed to switch off street lighting between midnight and 6.00am

A56 Daresbury Bypass

From M56 Junction 11 to 40 mph limit near Keckwick Lane

A533 Bridgewater Expressway

From 40 mph limit near Astmoor Road junction to Bridgewater Interchange

A533 Central Expressway

From Bridgewater Interchange to Lodge Lane Interchange

A533 Southern Expressway

From Lodge Lane Interchange to Murdishaw Roundabout

A557 Watkinson Way

From M62 Junction to 40 mph limit north of Fiddlers Ferry Road

A557 Weston Point Expressway

From North of M56 Junction 12 Clifton

A558 Daresbury Expressway

From Lodge Lane Interchange to Innovation Way Roundabout

A562 Dans Road

From Borough Boundary to Warrington Road Roundabout (excluding roundabout)

A562 Fiddlers Ferry Road

From Warrington Road Roundabout to Tanhouse Lane Roundabout (excluding roundabouts)

A562 Speke Road

From Borough Boundary to 40 mph limit north of SJB

A5126 Weston Link

From Lodge Lane Interchange to Weston Point Expressway

Slip roads will also be switched off unless subject to a speed limit of 40 mph or less

APPENDIX B

Examples of highway authorities that have already implemented or are considering implementing reductions in street lighting levels and preliminary feedback on these schemes

- Essex CC – conducted trials in the residential areas of Uttlesford and Maldon over 18 months switching off lights between midnight and 5.00am. Proposals to extend scheme, but petitions against extending it to residential areas have been submitted (January 2012)
- Powys CC - turned off 64% of its lights completely in 2008, although some were quickly switched back on following ‘a substantial amount of discontent with the current policy’.
- Buckinghamshire CC has recently completed a three year energy saving trial at 46 locations across the county and has concluded public consultation on 37 of these sites. The results of this exercise are now being evaluated (see further reference in para. 8.6 of the main report. A pensioner was recently killed resulting in calls from the coroner for the CC to review its policy.
- A413 at Gerrards Cross 1 April 2009 – cyclist fatality, part of the driver’s defence was that the street lighting being off contributed to the accident. The cyclist was wearing high visibility clothing and had lights on his bike.
- Leicestershire CC - After carrying out a risk assessment, it will be switching off some lights completely in rural areas or in other locations where there are no houses fronting onto the roads. Only a small number of lights (about 2 - 3% of all the lights in the County) are expected to be affected. Once switched off, the lights will be kept in place for about 3 years whilst monitoring is carried out to ensure there are no adverse impacts as a result of the changes (in monitoring stage)
- Pembrokeshire CC - carrying out trials since 2008 for midnight to 5.00am with dimming and complete switch off. An update on this trial is on the following website: <http://mgenglish.pembrokeshire.gov.uk/mgAi.aspx?ID=15583>
- The Highways Agency now have stretches of its motorway network without lighting between midnight and 5.00am e.g. on the M6 (in North West from junctions 21a to 23; 26 to 27; 27 to 29 and 31 to 31a), a section of the M4 near Bristol, a part of the M5 near Exeter.
- In the North West, the Highways Agency permanently switched off street lighting at three locations from Tuesday, 29 March 2011 to reduce carbon emissions and light pollution:
 - M58 between Skelmersdale Jct 4 to Orrell Jct 6 (approximately 3.8 miles);
 - M65 between Dunkenhalgh Park Jct 7 to Burnley Jct 10 (approximately 5.5 miles);
 - M66 between Walmersley Jct 1 to Simister Roundabout Jct 4 (approximately 6.6 miles).

The stretches of motorway have a good safety record and following careful

assessment, analysis shows that the lights can be switched off without increasing risks to road user safety.

- Ealing Council is actually upgrading and installing street lighting to reduce anti-social behaviour
- Northamptonshire CC – in Thorplands (East Northamptonshire) there has been a reported increase in knifepoint robberies at shops where the lighting has been turned off
- Gloucestershire dimmed 10,000 lamps and switched a further 7,000 to part-night operation in 2009. Police say there has been a fall in criminal activity at night.
- Cardiff City Council decided not to proceed with an early-hour switch-off, after there was a fatal accident during a trial on a traffic route.
- Clevedon – petition recently submitted to get lights switched back on following the death of a soldier in December 2011 in which it is alleged that the lack of lighting was a contributory factor - lights switched off by North Somerset Council between midnight and 5.00am to save money.
- Nottinghamshire – 1,000 street lights turned off in Bingham between midnight and 5.30 am, plans to expand to 90,000 lights over next four years
- Hertfordshire – The decision was made to convert the majority of the county's street lights to part-night operation. This means some streetlights will only be switched on from dusk to around midnight and, during the winter, in the morning rush hour. While up to 80 per cent of the county's street lights will switch to part-night lighting, areas where there is significant pedestrian activity after midnight and busier road junctions will remain lit throughout the night. The changes will be implemented over 18 months and began in June-July 2011.
- Westminster Council – Dimming during non-peak periods, rather than switching off. Four years to install dimming equipment throughout the area
- Kirklees (Huddersfield & Dewsbury) Council – switching street lights off between midnight and 5.00 am; exact numbers not yet determined

OPTIONS FOR REDUCING STREET LIGHTING COSTS

1.0 ADAPTIVE STREET LIGHTING

- 1.1 Adaptive street lighting varies the lighting levels and, in turn, energy demand to suit the pedestrian and vehicular traffic levels at the time. It is applied predominately in the early hours of the morning when pedestrian and vehicular traffic levels are at their lowest. Adaptive lighting has been installed on various sites and on over 500 columns throughout the Borough since January 2010. It is achieved by retrofitting smart electronic components into existing lanterns, or when installing new lanterns with the appropriate components. The saving in energy consumption varies dependant upon the amount the light is dimmed and the number of hours it is dimmed during the night. Typically, the light levels have been dimmed by 30%, between the hours of midnight and 6.00am. However, it needs to be noted that dimming light levels by 30% only gives an energy saving of around 17% due to the energy requirements of the control gear. Dimming from midnight until 6.00am through the year equates to 1895 dimmed hours and 2252 non-dimmed hours per column. These reduced energy consumptions and hence savings are currently agreed and accepted by the electricity suppliers. The time at which the lighting is dimmed is also the low demand period for the power stations but they need to be kept running and any significant reduction in demand may possibly impact on their operations. Our current electricity contracts are based on a constant demand through the hours of darkness. Whilst it is hoped not to be the case, it is possible that suppliers may try to compensate for night-time reductions by charging higher rates during the periods of higher demand. It therefore follows that any current and expected savings may be reduced in the future.
- 1.2 Where possible all new lighting installations, whether in residential developments, regeneration sites or on existing roads, are fitted with equipment suitable for adaptive lighting. This technology is well established on units typically used in residential areas (wattages up to 150W), and this year has seen the introduction of suitable technology for adaptive lighting on the equipment used more commonly on the expressways and main roads (higher wattages of 250W and 400W).
- 1.3 Some of the existing lantern equipment in Halton is suitable for adaptive lighting (around 4000 columns) provided the appropriate lighting standards (class) can be met when in the dimmed state. The cost of this modification will typically be around £40 per column which saves around £5 per annum in reduced energy costs, giving a payback period of 8 years. Other equipment could be upgraded with electronic dimmable ballasts to permit adaptive lighting, but the payback periods are longer and may not be achieved within the life of the equipment.

2.0 CHANGE SWITCHING LEVELS FOR COLUMNS

- 2.1 The idea of changing the switching levels so that lights come on later and go off earlier is sometimes referred to as trimming. The lanterns are controlled by photoelectric cells, which are set to switch on and off at pre-determined light levels. These light levels can be reduced so that lights come on slightly later and go off slightly earlier and hence reduce energy consumption. Prior to 2001 all photoelectric cells fitted were designed to switch on at a light level of 70Lux and turn off at 105Lux which equates to 4211 burning hours per annum. All photoelectric cells fitted since

2001 until May 2008 had been set to switch on at 70Lux and off at 35Lux which equates to 4147 burning hours per annum. Since May 2008, all photoelectric cells have been set to switch on at 55Lux and off at 28Lux which equates to 4127 burning hours per annum. (N.B. a Lux is the unit of illuminance and is a measure of the intensity of light that hits or passes through a surface). The current cells, therefore, save around 4 burning hours per year compared with the oldest cells. This saves between 70p and £4.00 per annum in energy dependant on the power consumption of the lamp.

- 2.2 There are around 4500 of the oldest photocells, 500 of which are on the higher wattage lanterns (150W +). To replace these with new cells would cost around £30 per column or £20 if replaced at the same time as routine maintenance is carried out. Therefore, to change the cells on the 500 higher wattage columns would cost between £15k and £20k. However, this would only save £1500 per annum and it would take at least 10 years to break even on any investment based on current electricity costs. The units have a design life of at least 25 years. The electricity companies currently accept the reduced energy consumption and therefore the energy cost saving can be realised.

3.0 SWITCHING OFF LIGHTS FOR PART OF THE NIGHT

- 3.1 Switching off street lighting on selected roads or in selected areas, between say midnight and 06.00am can be implemented via two methods. The first is to install time clocks in HBC electricity supply feeder pillars (the Electricity Company's supply comes into the pillar from the electricity distribution network, the outgoing supply to a number of separate columns is via private cables owned by HBC). The second is where the supply to the columns is direct from Electricity Company's cables and which will require the installation of both intelligent control gear and new cells in every column to enable them to be switched off.
- 3.2 The energy cost savings can be realised, because they would be declared on the Energy Return as units switched off between the selected times. For columns supplied directly by the electricity company, the initial cost would be around £30 per column, but the saving would be around 2000 burning hours per year per column meaning the maximum payback period would be 2 years. The cost for feeder pillars will vary dependent upon the number of units fed from the supply point, but should have a similar or better payback period.
- 3.3 This proposal could have an impact on road safety, crime and disorder and the ability of people to feel safe to go out at night. It is perhaps worth noting that street lighting was originally provided for the benefit of pedestrians and not vehicles. Paragraph 4.2 of the main report is recommending part night operation on Halton's high speed roads. The Highways Agency has carried out the trial implementation of part night lighting on carefully selected sections of the motorway network (see Appendix B), where there are lower traffic volumes and accident rates between midnight and 5.00am, albeit with the backup that lighting can be remotely turned back on from control centres in the event of an incident. Here, signs are displayed to warn road users that the lights are intentionally turned off, and road casualties are being monitored. Initial indications are that casualties have not increased on these selected locations, but this is on a limited observation period at this stage. Appendix B also refers to experiences elsewhere when lights have been switched off for specific periods.

4.0 USE OF SOLAR PANELS

- 4.1 Use of solar panels is often thought of as an easy way to reduce energy costs. However, there is a high initial cost for purchase and installation and at the present time the technology does not produce enough power to light a streetlight for the whole period of darkness. It would need to be supplemented by a wind turbine, which is likely to be unacceptable in residential areas. There is also a higher risk of the equipment being stolen due to its perceived value. If the equipment is damaged then there is a higher replacement cost. The life of the batteries is also unknown and creates an environmental disposal issue.
- 4.2 At the present time solar panels are being used to power vehicle activated signs with mixed success. The use of solar panels to power lights for road signs is a possibility, but they are only considered viable where the signs must be provided as stand alone units – if the proposed signs are near to an existing electricity supply in a lighting column it is as cheap to take a feed from that column than provide a solar panel and this does not have the disadvantages referred to in 4.1 above. Panels have been installed in several areas and they seem to be working well. The use of solar panels to power sign lanterns was the subject of a previously unsuccessful Spend to Save Capital bid, due to the high capital cost and low pay back. It would cost about £1200 to convert an existing sign but the energy saving would only be £10 pa. It follows that it would take 120 years to pay back the cost of the panel.

5.0 USE OF LIGHT EMITTING DIODES (LEDS)

- 5.1 Another option to save energy is to use Light Emitting Diodes (LED) light units, which use less energy and last longer than conventional lamps. These are currently being used in certain situations where equipment permits e.g. in school crossing patrol warning lights (amber flashing lights), zebra crossing beacons, illuminated bollards and lights for road signs. The use of LEDs within traffic signals is being carried out, but there have been initial reliability problems due to the regular switching (on and off). The electricity companies now recognise the reduced energy consumption associated with LEDs and therefore the energy cost saving can be realised but it is a slow process as each manufacturer needs to have their equipment tested and the energy consumption agreed.
- 5.2 Manufacturers are now producing LED street lighting lanterns, and increasing competition is driving down the cost of these lanterns. Over the last year, most new developments in Halton have been fitted with LED lanterns, and prices are now at a level where their implementation is also being used for HBC own schemes. These have been mainly in residential areas where there is a greater range of lower wattages available, suitable to meet the required lighting standard. The energy saving with LED's is typically between 30% and 60%. This was backed up by trials in St. Helens where the new lighting was received well by the residents. The lamps are guaranteed to last 10 years with an expected life of 25 years, so this would reduce the cost of replacing the lamp every few years.
- 5.3 LED traffic signals heads have been installed at several sites throughout the Borough and initial results indicate an energy saving for the whole junction of between 60 and 70%.
- 5.4 All future new traffic signal installations and refurbishments of existing signals will incorporate extra low voltage (ELV) equipment. This will not only save energy by

using LED signal heads, it will also be safer as there will be less risk of electric shock in the event of a fault/vandalism.

6.0 REMOVAL OF DECORATIVE LIGHTING

- 6.1 Within the Borough the main decorative lighting installations are the floodlighting of the Silver Jubilee Bridge (SJB) and the Seasonal (Christmas) lighting in the town centres. When these were considered by the Street Lighting Topic Review Group some years ago, its members felt that these should be retained due to the feel good factor that is generated. Due to previous increases in energy costs and reductions in budget for the bridge floodlighting, the lights are now only on during the winter, outside the months of British Summer Time, between the hours of dusk and 2200. The Silver Jubilee Bridge floodlighting is costing about £30,000 per annum.

7.0 REMOVAL OF HIGH MAST LIGHTING ON EXPRESSWAYS

- 7.1 The Expressway network in Runcorn is predominately lit using high mast columns. These are reaching the end of their design life and are suffering from structural defects and a programme of replacement with modern low-level lighting is underway. It will cost about £1.4m to replace the high masts with conventional lighting. Funding is drawn from the LTP allocations at the level of £130,000 pa. At this current level of investment it will take approximately 15 years to replace all high mast columns with conventional lighting. However, due to the number that have already reached the end of their design life, the work ideally needs to be carried out as quickly as possible and in the short term it may be necessary to remove some masts, leaving no lighting in place.
- 7.2 The option of removing high mast lighting from the Expressway Network and not replacing it could result in an energy cost saving in the order of £130,000pa. However, while it would be relatively inexpensive to decommission and remove the lighting units at approximately £200 per mast, it would cost about £2,000 to remove each mast. With 141 high masts left, the removal costs would be approximately £280,000.
- 7.3 Leaving the decommissioned masts in situ for any length of time would retain the liabilities referred to above and structural safety surveys would still be required at a cost of up to £50,000 pa, until they are removed (conventional lighting columns do not require such structural surveys). Once removed, the surveys would not be required but, as it says above, it would still take a number of years to remove all masts if this option were pursued.
- 7.4 Whilst, in theory, it would be possible to remove all lighting from the whole of the high speed expressway network, it would mean abandoning a large number of new low level installations (approximately 725 columns at a cost of approximately £1.2m have been installed to replace 125 high masts over the last 10 years). These recent high mast replacement schemes have all resulted in improved lighting and a reduction in energy consumption. The scheme on Weston Point Expressway, near Picow Farm Road, resulted in a 50% reduction in energy consumption, which equates to a saving of £17,000 per annum and was part of the budget savings required in 2009/10. The retention of lighting at junctions with local roads would always be recommended for safety reasons. On the approaches to the Silver Jubilee Bridge it would also be necessary to retain/replace about 20 high masts due to the network of bridge structures in place and the difficulties of installing conventional lighting. In March

2009, 10 masts were replaced by 9 new masts on the approach to the bridge. This now leaves 10 masts to replace but these are on hold until the de-linking proposals following the construction of the Mersey Gateway are finalised.

- 7.5 If the complete removal of street lighting on the expressway network were ever considered, it would be recommended that a trial be carried out first on one section to determine the potential impacts. As Appendix B indicates, a number of trials of switching off street lights are being undertaken by various local authorities across England, generally on non-residential and rural roads and the impacts are being closely monitored. Some rural villages have also had lighting turned off, or made part night, where it has been agreed in consultation with the residents. Following two fatal accidents in Buckinghamshire, where the street lights had been turned off, opinions were expressed that the street lighting not being on had contributed to the deaths. The coroner has requested the local authority to review its policy of turning off street lighting. With this in mind, it is not recommended that lighting on the Expressway be switched off completely (as opposed to between midnight and 6.00am only) until more conclusive evidence of the impacts of removing street lighting on high speed roads is available. It is proposed that the situation be kept under review.

Better Lighting in Sustainable Streets (BLISS)

BLISS is a European project to research and test methods to reduce street lighting energy consumption in different real life situations without detriment to crime, anti-social behaviour and road accidents. St Helens are one of the four project partners.

A key aim of the project is to look at ways of reducing energy consumption and CO₂ emissions. This is being tested by:

- Install more energy efficient lanterns and control gear
- Remote monitoring and controls
- Dimming lights at selected times
- Trimming lights – on later, off earlier
- Passive infra-red movement detection to control lights
- Review design standards – to ensure roads are not over-lit
- Analysing road accident and crime data

Acceptability of these trials has or is being determined through selected public consultations undertaken by Ipsos MORI through focus groups, interview and canvassing.

The project is looking at recent innovations in exterior lighting.

New light sources technology:

White Light, CPO (Cosmo lamps), LED (Light Emitting Diodes), OLED (Organic Light Emitting Diodes – next generation technology), Electro-Luminance

Central Management Systems:

Dynamic Lighting Control, Variable lighting levels, fault logging and pro-active management

Reduction in energy consumed:

Smart Ballast, Energy efficient lamps, trimming/dimming techniques
Re-evaluation of lighting levels and illuminated signage requirements

Control of Street Lighting

	Photocells			Central Management System	Ballasts
	Standard	Part-night	Dimming		
	Trimming and Consumption	Part-night operation (to Off)	Part-night Dimming Operation	Advanced Control Regimes	High Efficiency Ballasts
Savings =	2%	>40%	>20%	40%	13%

A number of trials took place in 2009 including in a public open space where 24 No. 70 watt SON-T lanterns (consuming 90 watts) were replaced with 24 luminaires incorporating 36 LEDs (rated at 52 watts). The new luminaires consume 38 watts less energy i.e. savings of over 40%.

Outcome of the above trial:

- LED lighting gives sharper “white” light
- True colours of objects visible
- Light spillage reduced
- Survey of residents, “friends” of the park, police, indicates high satisfaction with scheme
- Savings 40% of energy

Other trials in residential areas achieved energy savings of 46% and 63%.

The overall conclusions from the 2009 trials were:

- Significant energy and carbon savings can be made (30-63%)
- Concerns from some people with “cut off” from LED lanterns i.e. a more sharply defined cut off between light and darker areas
- 78% of respondents preferred new “white” lighting
- Initial stakeholder research confirmed that improved street lighting contributed to the perception of safety and comfort as well as safe movement of pedestrian and cyclists at night

Dimming lights to 66% of full light between midnight and 6.00 a.m. showed that energy and CO₂ savings of 36% were possible.

However results from a postal survey of another trial to study the impact of dimming by 25% and 50% gave rise to the following comments:

- Those feeling “very unsafe” increased from 10% before to 21% after works
- 58% felt there were not enough street lights compared to 75% before
- 50% felt the neighbourhood was evenly lit after compared to 70% before
- 35% felt there were enough lights to see objects at a distance after the works compared to 56% before
- 58% felt that the front of their house was adequately lit after the works compared to 75% before (the “cut off” effect)

Some of the more significant early outcomes of these trials include:

- No “one size fits all”
- LEDs are not a universal panacea. At present the high capital cost negates energy cost savings. Reliability is unknown but lifetimes could be 30 years
- Payback for simplest lighting modification is 6 years
- Age and stock condition is a key issue in decision making
- Simple retro fit interventions may deliver optimum cost/benefit
- High potential for savings
- 70w SON (pink light) reduced to 50w with modern control could save £450 per lantern over 30 years for minimal investment. Colour of lantern affects community acceptance.
- If “Invest to Save” is applied to all street lighting installations, the energy costs could reduce by 40%

Some of the results and comments from the resident consultation include:

- 6 of 8 had not noticed a difference
- Respondents did not see any benefits for them
- Once told about the dimming, the reduction was deemed irresponsible by the Council
- The environmental argument did not strike a chord with participants
- Reassurance was needed about crime and benefits must be publicised
- “If we are suffering, what’s in it for us”?
- “A thief’s paradise”
- “Who benefits from the money anyway, it never gets passed on”
- “It takes a lot longer for it to brighten up”
- “Kids think they can get away with things when lights are darker”

REPORT TO: Executive Board

DATE: 29th March 2012

REPORTING OFFICER: Strategic Director Children & Enterprise

PORTFOLIO: Economic Development

SUBJECT: Ofsted 2011–12 survey inspection programme: employability - the impact of skills programmes for adults on achieving sustained employment

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To share with the Executive Board the outcomes from the recent Ofsted Survey Inspection of the Employment, Learning & Skills Division

2.0 RECOMMENDATION: That Executive Board

- (1) notes the successful Ofsted Inspection of Employment, Learning and Skills; and**
- (2) endorses the actions arising from the Inspection.**

3.0 SUPPORTING INFORMATION

- 3.1 The last full Ofsted inspection of the Employment, Learning and Skills Services was in June 2009 and the service was awarded a Grade 2 – Good.**
- 3.2 The Ofsted Survey Inspection took place over 3 days (2 days in November 2011 and a day in January 2012). The final report will be published on the Ofsted website and it may be used to inform decisions about any future inspection.**
- 3.3 The evidence was collected in a number of ways including interviews with staff, participants, employers; scrutiny of relevant documents; analysis of participants' work; and observation of four learning sessions. Additionally, the inspector selected four individuals to take part in a longitudinal survey**

3.4 Key findings from the Survey Inspection were as follows:

- **Very good** strategy for reducing unemployment and assisting local residents to secure employment.
- **Good** collaboration with employers to ensure that they offer jobs to unemployed local people.
- **Effective** tailoring of provision to support participants with multiple barriers to employment.
- **Good** participant skills to help them sustain employment.
- **Very good** initial assessment of literacy and numeracy which continued throughout the programmes.
- **Areas for improvement** focused on greater access to work experience and trials. The setting of smarter individual employability goals. The further development of the Employment, Learning and Skills database to monitor participants' progress and job outcomes.

4.0 POLICY IMPLICATIONS

- 4.1 The Government has recently consulted on proposed changes to the Common Inspection Framework, which is used as the basis for Ofsted inspections.
- 4.2 Additionally, the Skills Funding Agency has streamlined adult learning funding and will retain a proportion of funding, which will be released dependent upon evidence of qualifications achieved and sustainable job outcomes.

5.0 OTHER IMPLICATIONS

- 5.1 The Ofsted Survey Inspection report will be published on the Ofsted website and the results of it may be used to inform decisions about any future inspection.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

The inspection focused on 19+ provision

6.2 Employment, Learning and Skills in Halton

- 6.2.1 The Ofsted 2011–12 survey inspection focused on employability and the impact of skills programmes for adults on achieving sustained

employment. The Employment, Learning & Skills Division provides a range of programmes and interventions aimed at upskilling individuals with core employability skills and supporting them to obtain employment.

6.2.2 The survey inspection identified key findings in relation to how Halton Borough Council is responding to initiatives launched on 1 August 2011 to use Skills Funding Agency funds flexibly to support people on benefits.

6.2.3 The outcomes from the survey inspection will demonstrate how the Council is meeting inspectorate requirements as well as those of the funding agency and will be used to enhance future employability provision.

6.3 **A Healthy Halton**

There is a clear link between positive employment and good health.

6.4 **A Safer Halton**

None

6.5 **Halton's Urban Renewal**

The delivery of employability provision and subsequent sustainable job outcomes will be dependent upon the Division maximising forthcoming regeneration schemes. For example, the construction of the Tesco Extra store is part of the wider development around Widnes Retail Park/Widnes Waterfront, which has regenerated previously unused industrial land and created new employment opportunities.

7.0 **RISK ANALYSIS**

7.1 Risks associated with poor inspection grades can include removal of funding, re-inspection, potential loss of provision and a damaged reputation. The opportunities associated with a good inspection grade can include additional contracts being awarded, a reduced inspection regime and an up take in places.

7.2 The areas for improvement identified from the Survey Inspection will be translated into a quality improvement action plan – see appendix 1.

8.0 **EQUALITY AND DIVERSITY ISSUES**

The Survey Inspection judged the Division's Equality and Diversity standards to be outstanding.

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

None under the meaning of the Act.

Appendix 1

Area Development	Action	By Who	When
Access to work experience	To encourage individuals to source work experience for themselves	ELS Division	1.9.12
Setting SMART employability goals	To revise the Individual Learning Plan document to include employability targets	ELS Division	1.4.12
Database development to capture employment outcome	To implement a new database and module to track individuals' process	ELS Division	1.6.12

REPORT TO: Executive Board

DATE: 29th March 2012

REPORTING OFFICER: Strategic Director Policy and Resources

PORTFOLIO: Resources

SUBJECT: The People Plan (2012-2015)

WARDS: All

PURPOSE OF THE REPORT

- 1.1 To seek the views of the Executive Board on the contents of the draft Council's People Plan 2012-2015.
- 1.2 To seek Executive Board approval for the implementation of the Council's People Plan 2012-2015.

2.0 RECOMMENDATION: That Executive Board fully endorse and support the implementation of the Council's People Plan 2012-2015

3.0 SUPPORTING INFORMATION

- 3.1 Attached to this report is a copy of the draft People Plan (2012-2015) – Appendix A. This has been developed by the Organisational Development Group, chaired by the Strategic Director, Policy and Resources, with the membership across the 3 Directorates, and including the Trade Unions.
- 3.2 The previous Plan covered the period 2009/10 and therefore needed reviewing and refreshing. Since the last plan and, as a result of the austerity measures, the Council has reduced its number of managers by 33% and staff generally by 10%. It was therefore even more important that its remaining staff were appropriately trained and motivated. Two key pieces of work were undertaken at the start of the process, which have been used extensively in the production of this plan. A Staff Survey and a Workplace Profile.
- 3.3 The Staff Survey sought the views of staff on what the Council was like to work for, whilst the Workforce Profile looked, in depth, at the characteristics of the workforce. Whilst some of that data could be derived from the Trent System, not all of it could. Staff were therefore asked to fill in a simple proforma. This has resulted in the Council having more information about the make up of its workforce than ever before.
- 3.4 The draft Plan was considered in some detail at the Corporate Services Policy and Performance Board at its meeting on 21 February 2012. The Board received it positively and have recommended that the Executive Board approve its adoption. The PPB have asked for an annual report to them on progress against the Plan.

3.5 As mentioned earlier, the Plan has been developed as a result of key research and findings derived from The Staff Survey (2011) and the Workforce Profile (2011).

- The Staff Survey can be found at Appendix B to the Plan
- The overall response rates were:
 - Overall Response: 1240 = 46%
 - Children & Enterprise: 269 = 38%
 - Communities: 577 = 48%
 - Policy & Resources: 319 = 42%
 - Not declared: 75
 - Electronically completions: 785 = 63%
 - Hard Copies completed: 455 = 37%

Comment: Highest overall response of all time / Number of return`s from Non-computer based staff – Highest of all time.

- The Workforce Profile:
 - Overall Completion: 2287/2690 = 87%
 - Children & Enterprise: 488/711 = 69%
 - Communities: 1086/1214 = 89%
 - Policy & Resources: 672/765 = 88%
 - (41 respondents did not answer)
 - Electronically completed: 1569 = 69%
 - Hard Copies completed: 718 = 31%

Comment: The first time with any degree of certainty that the organisation has been able to fully map out its workforce profile.

The results of that work show that the average Halton Employee:

- Permanent position
- Full time (ie. 37 hours)
- Length of service with HBC – 6 to 10 yrs
- Salary – HBC 4
- Female
- Age: 45-54
- Live within the Borough
- White British
- Without a disability
- Level 2 qualification

3.6 The draft People Plan identifies of 4 Key Strategic Aims:

- ❖ Attract, Develop and Retain Excellent People
- ❖ Excellence in Leadership and Management Development
- ❖ Being an Excellent Employer

❖ Promoting Organisational Excellence

Each Strategic Aim contains a number of objectives, a number of actions, a number of success measures, with linked outcomes and time scales.

The Plan will be monitored by the Organisational Development Group and as part of the evaluation process and annually by the Corporate Services PPB. A further Staff Survey will be carried out in 2015

4.0 POLICY IMPLICATIONS

4.1 The People Plan underpins key documents such as Halton's Sustainable Community Strategy, the Council's Corporate Plan and Directorate Plans in ensuring that the workforce has the appropriate skill set to deliver the priorities identified in those documents.

4.2 There are specific links also to national, regional and local drivers, such as 'Delivering through people, The Local Government Workforce Strategy 2010' (Local Government Association), 'Local Government Workforce Survey 2010' (Local Government Association, 'The Brilliant Local Authority of the Future' (KPMG, 2011), Halton Borough Council People Strategy (2009-2012), The Equality Act 2010 and the Public Sector Equality Duty 2011, National Minimum Data Set (NMDS) in Adult and Children's Social Care, Skills for Sustainable Growth Strategy, Department for Business, Innovation and Skills (2010) and the Staff Survey 2011 and Workforce Profile 2011.

5.0 OTHER IMPLICATIONS

5.1 This People Plan has a number of key outcomes and in order to achieve them the Council will need to do the following:

- Maintain and up-date the Workforce Profile
- Make appropriate links to Directorate Workforce Plan's
- Ensure continued investment in the workforce
- Devise and introduce a 'Talent Strategy'
- Introduce an Employee Recognition & Award Scheme
- Devise and introduce a 'Talent Pool'

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

There are indirect implications in that the People Plan will be introducing a 'Talent Strategy', of which key elements will be of specific interest to the young people of Halton, namely 'The Apprenticeship Scheme', 'The Graduate Scheme' and 'The Volunteer Project'. It is envisaged that these people will help to form the workforce of the future and in doing so ensure that the organisation has in place a more balanced workforce.

6.2 Employment, Learning and Skills in Halton

Critical to the success of this Plan will be ensuring that the Council has a workforce that are appropriately skilled and can respond to change effectively. Integral to this is the desire to increase the minimum level of qualification, as well as an expectation to lead by example in being the biggest employer within the Borough.

6.3 A Healthy Halton

The People Plan highlights the need to be a 'Healthy Organisation', one which promotes the health of the workforce and which in turn also benefits the health of Halton employee's families and the wider community at large.

6.4 A Safer Halton

No specific implications.

6.5 Halton's Urban Renewal

One of the key elements of the People Plan will be a desire to establish greater links with local businesses and education providers, thus ensuring that both the current and future workforce possesses the appropriate skills and knowledge to help to achieve this.

7.0 RISK ANALYSIS

7.1 There is a risk to the Council if its workforce is not appropriately trained and supported that it will be unable to deliver on the priorities with less employees. It is important that their capacity is used to the maximum. It is also important that staff have appropriate support available, given that ore is expected from less of them.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 The successful implementation of the People Plan will aid the Council in meeting the requirements of the Equality Act 2010 and the Public Sector Equality Duty 2011.

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

None under the meaning of the Act.

Foreword

Halton Borough Council recognises that the success of its business is built upon the knowledge, expertise, and the commitment of its workforce.

The aim of the Council's People Plan is to place our workforce at the heart of the organisation as we recognise that this is our most valuable resource.

Given the current economic climate it is even more important that we have a workforce that are appropriately skilled and can respond to change effectively. Within these challenging and uncertain times it is most essential that the Council remains proactive and this People Plan is the vehicle to achieving this.

Integral to the success of this People Plan is a framework comprising of 4 Key Strategic Aims:

1. Attract, Develop and Retain Excellent People
2. Excellence in Leadership & Management Development
3. Being an Excellent Employer
4. Promoting Organisational Excellence

This Plan also strongly links to the wider demands of the organisation which includes The Equality Act 2010 and mandatory requirements such as the National Minimum Data Set (NMDS) Adult and Children's Social Care.

In conclusion the Council's People Plan will ensure that we support our workforce to be fulfilled, skilled and proud to work for Halton Borough Council.

Councillor Mike Wharton
Executive Board Member, Resources

David Parr
Chief Executive

Overview of the Key Strategic Aims

1. Attract, Develop and Retain Excellent People

- Workforce Profiling
- Introduction of a Talent Strategy
- Effective Succession Planning

2. Excellence in Leadership and Management Development

- Promoting the Council's Vision through clear leadership and direction
- Managing change effectively and successfully
- Managing consistency across the organisation
- Developing effective Leaders and Managers
- Collaborative leadership in a partnership/multi agency context

3. Being an Excellent Employer

- Open, honest and Transparent
- Striving to become a more Healthy Organisation:
- Employee Recognition and Award Scheme
- Become a more effective Learning Organisation
- Valuing and encouraging Equality & Diversity

4. Promoting Organisational Excellence

- High performing and effective organisation/ promoting improvement.
- Embracing change and innovation
- Introduction of a Talent Pool

Key Strategic Aim 1: Attract, Develop and Retain Excellent People

Working for Halton Borough Council can be both rewarding and challenging. Therefore it is important that the Council possesses a complete and thorough knowledge of our workforce profile ranging from total numbers through to age, gender breakdown and qualification achieved (see Appendix 1: Workforce Overview)

This key workforce data was initially acquired in the summer of 2011 and will be updated here on in on an annual basis.

Possessing this key workforce data will enable the Council to effectively attract, develop, and retain excellent people. This is vitally important if the Council are to have the workforce needed for the future and to compete in a rapidly changing labour market. Analysis of this data will also enable the Council to ensure a workforce that more closely representative of the local community by identifying emerging gaps and future skills shortages.

The council will strive to continuously develop our existing workforce, so that as many of them as possible reach their full potential, as well as attracting future employees through a career pathway. Furthermore the Council will continue to offer opportunities through a range of initiatives such as The Apprenticeships Scheme, The Graduates Programme and The Volunteer Project.

The vehicle to achieve all of these will be the Council's Talent Strategy (see below) thus ensuring a more proactive approach to succession planning.

Talent Strategy

- Career pathway (Qualification and vocational routes) to support employees to make full use of their talents.
- Skills for the future/ Address recruitment challenges facing the organisation
- Attracting future employees from both within and outside the borough
- The Apprenticeship Scheme
- The Graduate Programme
- The Volunteer Project

Key Strategic Aim 1: Attract, Develop and Retain Excellent People

Objectives	Action(s)	Success Measures	Outcomes	Time Scale
Workforce Profiling	<ul style="list-style-type: none"> • Maintain and up date a profile of the workforce • Electronic pro forma in place 	<ul style="list-style-type: none"> • Data analysis to feed into Talent Strategy • Workforce pro forma updated on a regular basis 	<ul style="list-style-type: none"> • Possess accurate, up to date and relevant workforce information 	Year 1
Introduction of a Talent Strategy	<ul style="list-style-type: none"> • Multi skilling the workforce via the introduction of a Career Pathway, Apprenticeship Scheme, Graduate Programme, Volunteer Project 	<ul style="list-style-type: none"> • Less of a skills shortage within the Council in key areas • Increased retention of the workforce • Increased interest across the age spectrum and from within the Borough in wanting to join the organisation 	<ul style="list-style-type: none"> • Have a Career Pathway, Apprenticeship Scheme, Graduate Programme and Volunteer Project all in place 	Year 1 & Ongoing
Effective Succession Planning	<ul style="list-style-type: none"> • Striving towards a workforce more reflective of the community • Respond to vacancy levels in skill shortage areas should they arise • Develop current workforce to reach their full potential • Closer links with education providers, Job Centre Plus etc. 	<ul style="list-style-type: none"> • Increased % of BME / younger employees / employees with a disability / an improved retention of young people • A reduction in vacancy levels in skill shortage areas • Increased % of workforce residing in the borough • Workforce with the appropriate skills set 	<ul style="list-style-type: none"> • Workforce possess the right skills and knowledge to do the job 	Ongoing

Key Strategic Aim 2: Excellence in Leadership and Management Development

The Council already possesses excellent leaders and managers.

Effective Leadership & Management Development is critical to ensure that the Council continues to exist in an environment in which the workforce are motivated, skilled and focused, that services are transformed, that key outcomes are delivered and that as a result the people of Halton benefit accordingly.

At this present moment in time clear leadership and direction is pinnacle in promoting the council, both to the workforce and the community it serves. This needs to be provided by elected members, senior management and all managers alike. This is particular prevalent in times of great change.

Managing change effectively is a key component of a successful manager/leader and critical to this is the ability to communicate effectively at all times. More than ever in the current economic climate it is crucial that the workforce is consulted on any change(s) effecting the organisation. This can be via both formal and informal means ie. 1 to 1's, structured supervision, team meetings or even an informal chat when making a drink.

The Council believe that leaders exist across the organisation in every post and are not restricted just to employees in management positions. The Council requires managers who are visible and who can provide inspiration and engaging leadership which will persuade the workforce to go the 'extra mile'. Equally important is the consistent application of the Council's policies across the organisation, thus ensuring that the workforce is managed in a fair and equal manner regardless of Directorate, Division or Team.

In terms of Management Development we will fully utilise Halton's Management Career Pathway, which caters for aspiring managers right through to senior managers. This also links to the concept of 'growing our own' and a firm commitment to developing the next generation of leaders and managers.

A new type of leader is emerging within a partnership/multi-agency context. The Council needs to develop this role further by ensuring the leaders and managers of the future possess the appropriate skills set and can work collaboratively across a range of partner organisations. This will also be pertinent to the role of the Elected Member, who in providing a crucial link between the council and the community, will help to enhance their existing skill set - in particular those of being a facilitator and enabler.

Key Strategic Aim 2: Excellence in Leadership and Management Development

Objectives	Action(s)	Success Measures	Outcomes	Time Scale
Promoting the Councils Vision through clear leadership and direction	<ul style="list-style-type: none"> Elected members and management are clear about the vision and communicate this across the Council 	<ul style="list-style-type: none"> Workforce retention rates improved (Workforce Profile 2015) Satisfaction rates have increased (Staff Survey 2015) 	<ul style="list-style-type: none"> Workforce is aware of the vision of the Council and how their work contributes to the success of this 	Year 1 & Ongoing
Managing change effectively and successfully	<ul style="list-style-type: none"> Encourage managers to use a variety of communication methods 	<ul style="list-style-type: none"> The way change is implemented by the organisation is perceived favourable by the workforce (Staff Survey 2015) The workforce feeling empowered and supported through change (Staff Survey 2015) 	<ul style="list-style-type: none"> Good practice of implementing change is shared across the organisation 	Ongoing
Managing consistency across the organisation	<ul style="list-style-type: none"> Equip managers with skills set and knowledge of the organisation's policy and procedures 	<ul style="list-style-type: none"> All workforce treated in the same manner in line with a 'one council' approach (Staff Survey 2015) 	<ul style="list-style-type: none"> All managers treat their staff fairly and consistently 	Ongoing
Develop effective leaders and managers	<ul style="list-style-type: none"> Actively promote a number of existing leadership and management initiatives i.e. competency framework, formal qualifications 	<ul style="list-style-type: none"> Evidence of leadership and management potential being developed throughout the Council 	<ul style="list-style-type: none"> Increased number of employees being promoted to managerial positions internally 	Year 1 & Ongoing
Collaborative leadership in a partnership/multi-agency & community context	<ul style="list-style-type: none"> Introduce a variety of learning interventions to equip managers with a range of new skills 	<ul style="list-style-type: none"> Increased number of community/collaborative leaders within and outside the organisation 	<ul style="list-style-type: none"> All managers and elected members are equipped with the necessary skill set to ensure achievement of partnership objectives 	Ongoing

Key Strategic Aim 3: Being an Excellent Employer

The Council has a good reputation nationally, regionally and locally. This is borne out by the many surveys and external assessments which continue to be positive for the Council.

Today's working environment places high expectations on employees in terms of increased efficiency and effectiveness and so the Council recognises that a combination of benefits, flexibility in working patterns and support in achieving a healthy balance between work and home/family life are vital in attracting and retaining the calibre of employees needed to deliver outstanding services.

The Council are currently facing extraordinary challenges and demands with many factors existing outside the organisation's control. That said, the Council will make every effort to ensure that all our employees are treated in a fair, open and honest manner. In return the Council expects the workforce to remain committed and professional at all times. '*The Organisational Development Charter*' explains these roles and responsibilities more fully (See back cover).

Being an 'Excellent Employer' highlights the need to be a '*Healthy Organisation*' one which promotes the health of the workforce and in turn also benefits the health of their families and the wider community. Often referred to as Employee well being, this ensures that all employees enjoy a healthy balance between work and home life, recognising that balance means different things to different people at different times. Creating the right work-life balance is about adjusting working patterns so that everyone, regardless of age, race, disability, gender, sexual orientation, religion or belief is able to combine work with their other responsibilities, aspirations and wishes whilst continuing to meet the needs of the organisation. Gaining a work-life balance is not about working less – it is about how, when and where individuals work.

As an employer, the People Plan will ensure that we engage with our workforce in a meaningful way to enable every employee to help shape the direction of the organisation, be fulfilled by their work and be connected to the community we serve. It is proposed that the soon to be introduced *Employee Recognition and Award Scheme* will reinforce this ideal.

In order to ensure that our workforce possesses the right skill set in order to face both current and future challenges it is essential that the organisation continues to develop as a '*Learning Organisation*'. In short this means that we provide continuous learning opportunities and use learning to reach key goals.

The benefits of getting this right will ensure that as an organisation we:

- maintain levels of innovation and remain competitive
- are better placed to respond to external pressures
- improve quality of outputs at all levels

As the largest employer in the borough the Council take its responsibility seriously in terms of leading by example and ensuring that the workforce is truly representative of the community it serves. To this end the Council remains committed to these principles and to the importance of Equality and Diversity.

Key Strategic Aim 3: Being an Excellent Employer

Objectives	Action(s)	Success Measures	Outcomes	Time Scale
Open, honest and Transparent	<ul style="list-style-type: none"> The Organisational Development Charter developed and adopted by the workforce 	<ul style="list-style-type: none"> More open, honest and transparent as indicated in the satisfaction levels of the Staff Survey 2015 	<ul style="list-style-type: none"> The workforce and the Council are each aware of their responsibilities and are committed to the Organisational Development Charter 	Year 1
Striving to become a more Healthy Organisation	<ul style="list-style-type: none"> Update and re-launch the Family, Friendly, Flexible Benefits Package Better education of initiatives available 	<ul style="list-style-type: none"> Increase % of workforce working flexibly via 'agile working' i.e. equipping staff with the resources to undertake the job in a more flexible way Reduced sickness absence 	<ul style="list-style-type: none"> Workforce have a greater awareness of the range of benefits on offer 	Year 1 & Ongoing
Employee Recognition and Award Scheme	<ul style="list-style-type: none"> Employee Recognition and Award Scheme devised 	<ul style="list-style-type: none"> The introduction of an Employee Recognition & Award Scheme 	<ul style="list-style-type: none"> Recognising and valuing workforce contributions 	Year 1
Become a more effective Learning Organisation	<ul style="list-style-type: none"> Introduction of a Talent Strategy and Talent Pool Sharing results of the Staff Survey 2011 	<ul style="list-style-type: none"> More of the non-qualified workforce skilled to a minimum of level 2 qualification within the Qualifications Credit framework Increased % of the workforce who have gained promotion Increased % of employees undertaking regular supervision and annual EDR (Staff Survey 2015) 	<ul style="list-style-type: none"> Successful implementation of a Talent Strategy and Talent Pool Managers embracing Supervision/EDR concept more fully 	Year 1 & Ongoing
Valuing and encouraging Equality and Diversity	<ul style="list-style-type: none"> Encourage more people to attend the Equality & Diversity courses Ensure that everything the council undertakes is equality impact assessed 	<ul style="list-style-type: none"> Our workforce more representative of the community it serves – as indicated by workforce profile and staff survey 2015 	<ul style="list-style-type: none"> Meeting the requirements of the Equality Act 2010 and the Public Sector Equality Duty 2011 	Ongoing

Key Strategic Aim 4: Promoting Organisational Excellence

The People Plan is integral to achieving and maintaining organisational excellence. This is particularly pertinent within the current economic climate, uncertain and challenging times and the growing need 'to do more with less'. This in itself places great emphasis on having a skilled workforce that can respond not only to current challenges but to those of the future as well.

The council have transparent and workable processes in place to ensure that all employees are clear about what is expected of them and how their performance and effectiveness will be measured both internally and externally. This takes the form of audits, inspections and various surveys, such as the 2011 Staff Survey which indicated that the workforce believed that the Council is a good employer, as well as public surveys which state that the Council provides excellent services.

The People Plan will underpin our ambition to continue to be a high performing and effective organisation. In order to do this the Council will actively encourage the workforce to come forward with innovative and creative ideas. This does not only help to respond to future services, but ensures that the Council will remain at the forefront of new and emerging trends. Examples of this include the planned inclusion of Public Health and the increase of 'agile working'.

Wider to the organisation is the work the council does in supporting the Voluntary, Faith and Community Groups. The People Plan advocates that the Council continues to build upon the progress to-date and in doing so ensure that it promotes stronger communities with a sense of cohesion, which in turn promotes excellence throughout the Borough.

In the future the Council will need to develop the flexibility and culture in a manner that will enable one to deploy skills and knowledge where they are needed most and which maybe outside their current job role and Directorate. To this end we are going to create a '**Talent Pool**' capturing the skills and knowledge of willing employees who through joint agreement by all parties maybe deployed to other parts of the Council that are in greater need, thus breaking down Directorate silos and promoting a 'One Council' approach.

The '**Talent Pool**' could also be a forum for those of the workforce who may find themselves 'at risk' but nevertheless possess an invaluable skills set that could be utilised else where within the organisation e.g. Prince 2 Project Management Qualification and Coaching and Mentoring Qualifications.

In addition it could be used as a mechanism to re-skill, re-train and possibly re-deploy individuals wherever needed.

Talent Pool

- Utilising the skills of the workforce more effectively across the organisation
- Promotes a 'One Council' ethos
- Provides an opportunity to re-skill, re-train and re-deploy
- Ensuring that the Council continues to value its workforce

Key Strategic Aim 4: Promoting Organisational Excellence

Objectives	Action(s)	Success Measures	Outcomes	Time Scale
High performing and effective organisation/ promoting improvement	<ul style="list-style-type: none"> • Providing a range of opportunities for the workforce to come forward with ideas, both within the Council and in a community context throughout the Borough 	<ul style="list-style-type: none"> • Level of organisational performance has improved (surveys, audits and inspections) • Levels of staff motivation has increased as indicated by the Staff Survey 2015 	<ul style="list-style-type: none"> • A number of successful initiatives implemented • Closer working with Volunteers, Faith & Community Groups 	Year 1/2
Embracing change and innovation	<ul style="list-style-type: none"> • Equip the workforce with the appropriate skill set to embrace change and innovation 	<ul style="list-style-type: none"> • Creating and promoting a culture of continuous improvement • Workforce more receptive to change and innovation • More productive workforce 	<ul style="list-style-type: none"> • Workforce more equipped to implement new ways of working quicker ensuring organisational excellence 	Ongoing
Introduction of a 'Talent Pool'	<ul style="list-style-type: none"> • Create and develop a 'Talent Pool' 	<ul style="list-style-type: none"> • This concept is supported and embraced by all • Opportunities provided to re-skill, re-train and or re-deploy where required • Increased levels of satisfaction across the workforce (Staff Survey 2015) • 'One Council' approach fully embraced 	<ul style="list-style-type: none"> • The skills of the workforce utilised more effectively across the organisation 	Year 1 & Ongoing

Appendix A: Workforce Overview 2011

2287 staff completed in total.

%'s reported are valid percents – from the number who responded to a question not the overall response.

Directorate

	Number	%
Children and Enterprise	488	21.7
Communities	1086	48.4
Policy and Resources	672	29.9

2246 answered 41 respondents did not answer this question

Employee Status

	Number	%
Permanent	1968	86.9
Temporary / Fixed Term	210	9.3
Casual	79	3.5
Secondment	8	0.4

2265 answered 22 respondents did not answer this question

Employment type

	Number	%
Full time i.e. 37 hours	1365	60.6
Part time i.e. up to 30 hours	781	34.7
Reduced hours	32	1.4
Casual	74	3.3

2252 answered 35 respondents did not answer this question

Length of service

	Number	%
Less than 2 years	201	9
2 - 5 years	475	21.2
6 - 10 years	665	29.6
11 - 15 years	423	18.9
16 - 20 years	176	7.8
21 - 25 years	155	6.9
26 - 30 years	72	3.2
31 years +	76	3.4

2243 answered 44 respondents did not answer this question

Salary

	Number	%
HBC 1	247	12.1
HBC 2	207	10.1
HBC 3	227	11.1
HBC 4	282	13.8
HBC 5	231	11.3
HBC 6	238	11.6
HBC 7	222	10.8
HBC 8	134	6.5
HBC 9	77	3.8
HBC 10	61	3
HBC 11	54	2.6
Higher than HBC 11	67	3.3

2047 answered 240 respondents did not answer this question

Gender

	Number	%
Male	632	27.7
Female	1638	71.8
Prefer not to say	11	0.5

2281 answered 6 respondents did not answer this question

Marital Status

	Number	%
Single	463	20.4
Married	1284	56.6
Civil Partnered	20	0.9
Co-habiting	206	9.1
Divorced	148	6.5
Separated	36	1.6
Widowed	38	1.7
Prefer not to say	75	3.3

2270 answered 17 respondents did not answer this question

Age Group

	Number	%
Under 18	6	0.3
18 - 24	70	3.1
25 - 34	416	18.5
35 - 44	576	25.6
45 - 54	720	31.9
55 - 64	422	18.7
65+	44	2

2254 answered 33 respondents did not answer this question

Religion

	Number	%
No religion	431	19.2
Buddhist	8	0.4
Christian (all denominations)	1582	70.5
Hindu	7	0.3
Jewish	2	0.1
Muslim	3	0.1
Other	47	2.1
Prefer not to say	163	7.3

2243 answered 44 respondents did not answer this question

Sexual Orientation

	Number	%
Bisexual	12	0.6
Gay Man	8	0.4
Lesbian	7	0.3
Heterosexual	1903	88.3
Prefer not to say	224	10.4

2154 answered 133 respondents did not answer this question

Where you live

	Number	%
Within the Borough	1568	70.3
Outside of the Borough	663	29.7

2231 answered 56 respondents did not answer this question

Disability

	Number	%
Yes	74	3.7
No	1855	93.1
Prefer not to say	64	3.2

1993 answered 294 respondents did not answer this question

Ethnic Group

	Number	%
British	2173	95.7
Irish	14	0.6
White other please tell us in the box below	29	1.3
Indian	3	0.1
Pakistani	1	0
Bangladeshi	1	0
Chinese	5	0.2
Caribbean	2	0.1
African	1	0
Black other please tell us in the box below	1	0
White & Black Caribbean	4	0.2
White & Black African	3	0.1
White & Asian	3	0.1
Mixed other please tell us in the box below	2	0.1
Other ethnic group please tell us in the box below	2	0.1
Prefer not to say	26	1.1

2270 answered 17 respondents did not answer this question

Level of qualification

	Number	%
1	97	4.5
2	488	22.8
3	457	21.3
4	108	5
5	215	10
6	319	14.9
7	296	13.8
8	5	0.2
1 2 3	16	0.7
88	143	6.7

2144 answered 143 respondents did not answer this question

Other qualifications

	Number	%
First Aid	281	12.3
IT qualification	169	7.4
Coaching / Mentoring	147	6.4
Teaching	126	5.5
Other please tell us in the boxes below	124	5.4
Nursing / Care work	121	5.3
Catering	108	4.7
Social Work	103	4.5
HGV, Agricultural or other driving licence (please	73	3.2
Counselling	71	3.1
Languages	34	1.5
Occupational Therapy	4	0.2

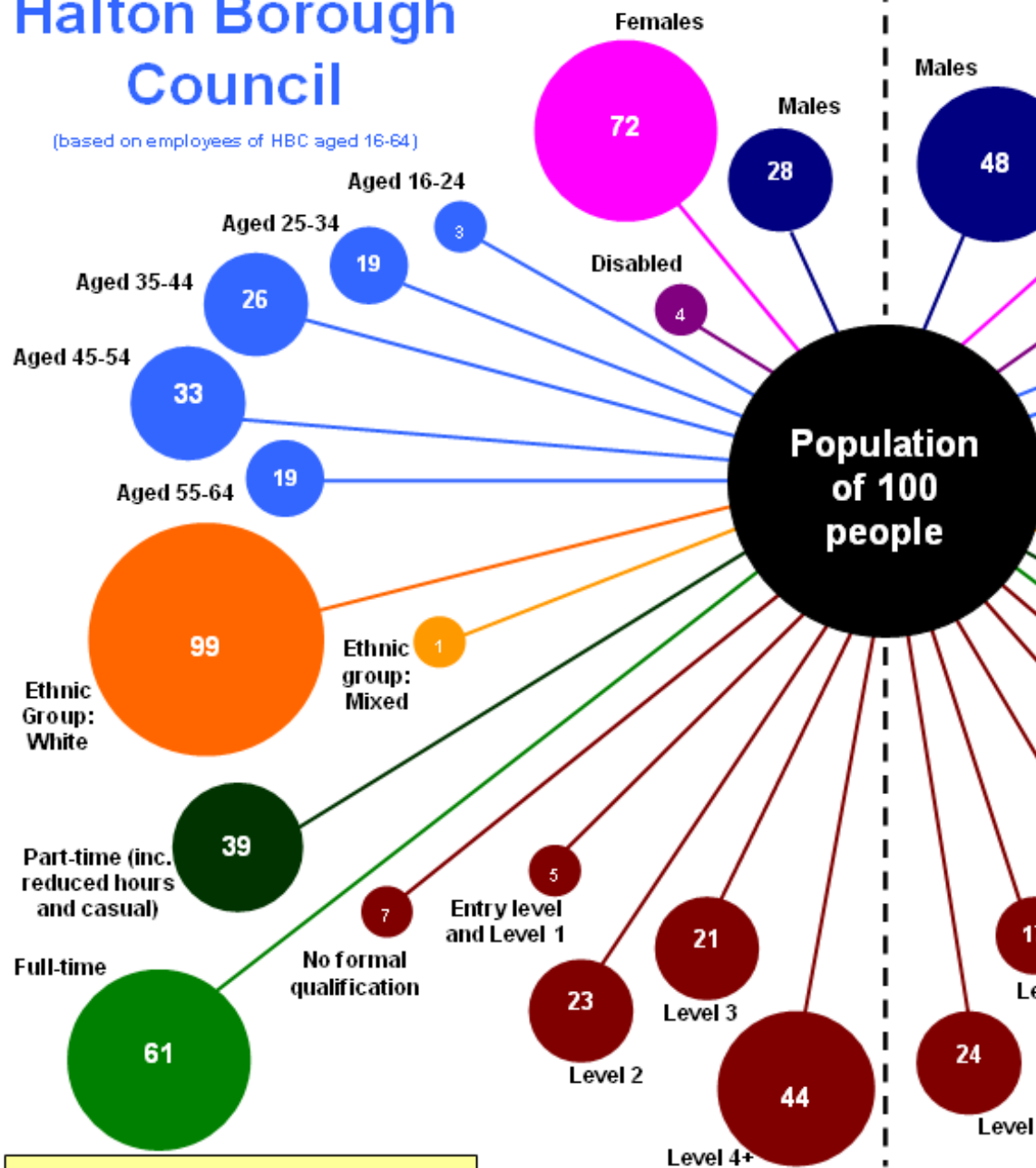
Multiple choice question - did not have to be answered

DRAFT

Comparison of Halton Borough Council's workforce (from the Workforce Profile 2011) to the overall profile for the Borough of Halton...

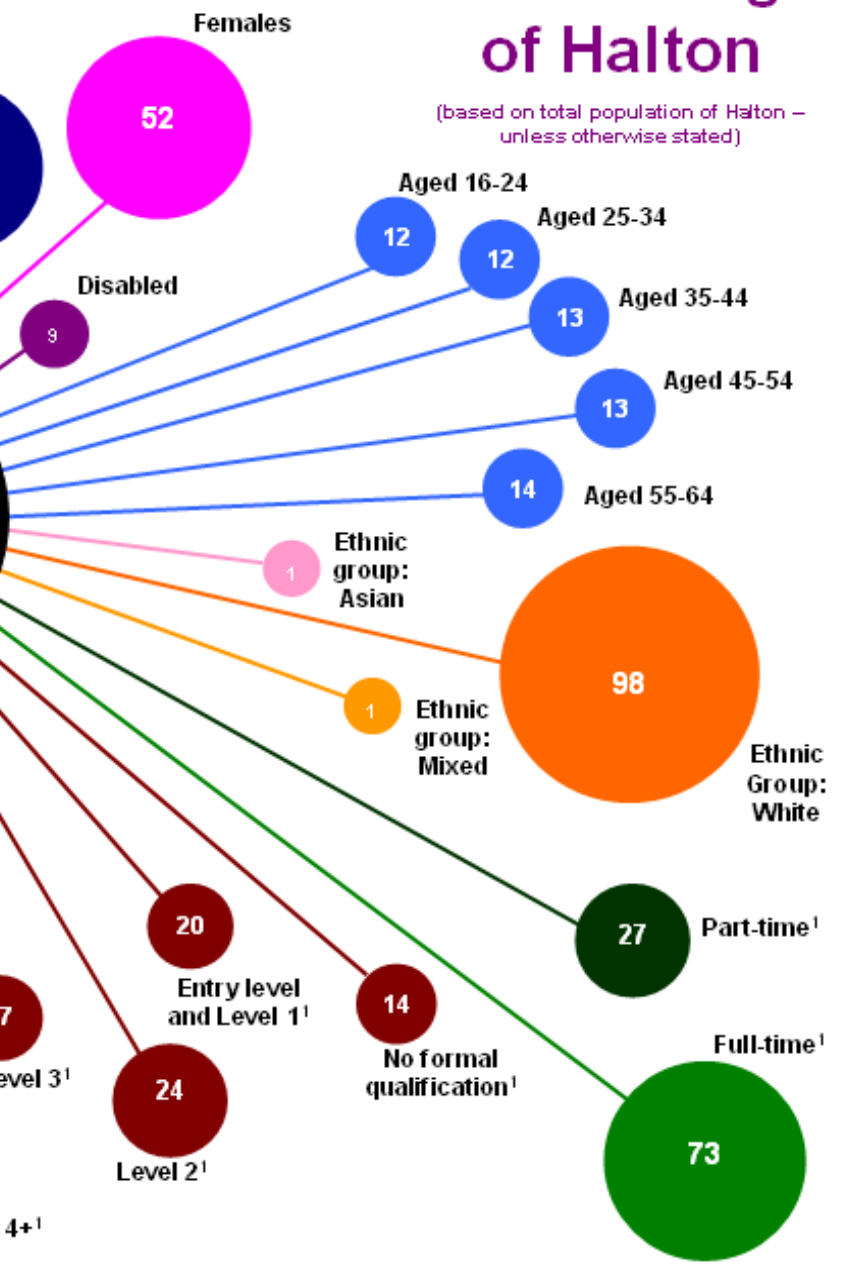
Halton Borough Council

(based on employees of HBC aged 16-64)



The Borough of Halton

(based on total population of Halton – unless otherwise stated)



Halton Borough Council `s Organisational Development Charter (Back Cover)

What you can expect from Halton B.C. as an Employer	What Halton B.C. expect from you in return as an Employee
Opportunities provided to influence and contribute ideas about how things could be changed for the better at individual team or organisational level's.	To actively contribute, participate and suggest creative and innovative ideas.
Ensure that you have an awareness and understanding of the organisation's vision, priorities and key objectives.	To adhere and support the organisation's vision, priorities and objectives and understand how your work contributes to the achievement of these.
To be treated with respect, fairness, dignity and honesty.	To treat colleagues and customers with respect and honesty and to be friendly, helpful and attentive at all times.
Give praise and recognise a job "well done".	Work diligently, be self motivated productive and effective.
A safe work environment which will provide you with the means to work effectively and efficiently.	To treat your working environment with respect and beware of Health & Safety policies and procedures.
Friendly, flexible policies are in place which helps and ensures that every employee achieves a healthy work/life balance.	To achieve and maintain a healthy work/life balance and at the same time ensuring that the needs of the service are paramount at all times.
Opportunities provided to take part in making decisions that effect how you do your job.	A commitment to actively participate and take ownership in this process.
Provide a thorough and professional induction on joining the organisation, transferring position, or on promotion.	To fully participate and engage in this process.
Opportunities provided to take part in regular team meetings, 1 to 1's with line manager and be updated and informed through many different and wide-ranging mediums.	To actively participate in this process.
Have an annual Employee Development Review (EDR) / annual appraisal during which your objectives for the coming year will be agreed, as well as Learning & Development needs.	To recognise that an EDR is a 2 way process and to take full responsibility in preparing, completing and implementing the agreed actions. Have a desire to fulfil one's potential.
A strong commitment to personal development ensuring that everyone, where appropriate, has access to learning opportunities which support personal development and growth.	To take full advantage of learning & development opportunities and to transfer the learning readily back into the workplace.

REPORT TO: Executive Board

DATE: 29 March 2012

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Resources

SUBJECT: Annual Review of Constitution: 2012

1.0 PURPOSE OF REPORT

1.1 The purpose of the report is to seek the approval of the Council to a number of changes to the Constitution.

2.0 RECOMMENDATION: That Council be recommended to approve the changes to the Constitution as set out in Appendix 1.

3.0 BACKGROUND

3.1 The revised version picks up the changes to the Council's working arrangements that have taken place during the year, as well as other changes which are intended to assist the Council to operate more effectively.

3.2 The proposals for change have been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. Apart from the purely technical changes, the proposed amendments that are considered to be of particular significance are listed in Appendix 1 to this report.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

4.1 The implications of the Localism Act 2011 and the Health and Social Care Bill 2010-12 have been considered as well as other changes in the law. However, further amendments, over and above those already outlined in the revised version circulated, may be required, once the Government has produced regulations dealing with a new category of declarable interests (to be known as Disclosable Pecuniary Interests). Any other required changes during the period 2012/13 will be the subject of further reports when dates and details are available.

4.2 The cross party Constitutional Working Group, set up following the Members' seminar on Governance and Structure in September 2011, has recommended a number of the changes, which are included in Appendix 1.

4.3 Changes to the Standards Regime, as contained in the Localism Act 2011, will be reported separately to Members, but a brief summary of the necessary changes in the Constitution are included in Appendix 1.

4.4 Changes to Public Health arrangements have also been incorporated.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 **Children and Young People in Halton.**

5.2 **Employment, Learning and Skills in Halton.**

5.3 **A Healthy Halton.**

5.4 **A Safer Halton.**

5.5 **Halton's Urban Renewal.**

The changes proposed are designed to support the continued delivery of the Council's priorities.

6.0 RISK ANALYSIS

6.1 The Council needs to ensure that its Constitution is regularly updated so that it continues to support efficient, transparent and accountable decision-making by the authority.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

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

None under the meaning of the Act.

Proposed Significant Changes to the Constitution

Finance Standing Orders

- Minor amendments to Finance Standing Orders to keep procedures up to date and to reinforce anti-fraud and corruption arrangements.
- In addition, text has been inserted before existing paragraph 3.5.1 – “All Officers and Members” -to ensure that all senior officers are aware of their obligations as they relate to the requirements under Finance Standing Orders.

Procurement Standing Orders

These have been amended to keep up with changes in procedures. A full set of the Procurement Standing Orders, showing tract changes, together with a summary of those changes, is available for inspection.

Standing Orders Relating to Duties of Proper Officers and Delegation to Officers

- Traffic Regulation orders – delegated to OD (as at present), but in discussion with the relevant Ward Members. Where objections or differences of opinion exist, these would be resolved by the Environment and Urban Renewal PPB and Executive Board.

Responsibilities of PPB's

The following additional responsibilities be added

- Business Efficiency Board – current page 277
To ensure that the Council has effective processes in place to obtain value for money from its contractual arrangements with third parties.
- Corporate PPB – current page 265
To receive the minutes of the Member Services/Development Group

Changes to the Sub Committees of the Executive Board

- 3MG – this Board will cease at the end of the current Municipal Year, be removed from the Constitution and any remaining business after this date be dealt with by Executive Board.
- Mersey Gateway Executive Board – the membership be extended to five to include the Leader plus the Portfolio holders for Resources, Transportation, Physical Environment and Economic Development. Observers from the Opposition Groups will be invited to attend together with the Chair of the Mersey Crossing Group. However, approval must

be sought prior to the start of the meeting for observers to remain in the meeting when Part II business is conducted.

- Executive Board Sub Committee – the membership be increased to five drawn the from Executive Board membership. However, it is proposed that meetings of the Board be suspended for a period of six months from 1 April 2012, with all business dealt with by Executive Board. This arrangement will be kept under review.

Standards Committee

- Although no longer a statutory requirement, it is recommended that the authority retain a Standards Committee. This will be made up of 9 Elected Members, one of which will be an Executive Board Member, together with two non-voting Independent co-optees and two non-voting Parish Council co-optees. Meetings to be held quarterly with the quorum for meetings being 3.
- In addition, arrangements must be put in place for investigating allegations made against an Elected Member, (or a Parish Councillor within the HBC Authority area), as well as having arrangements so decisions can be made. To this end, it will be necessary for the Authority to advertise for and recruit an Independent Person, who would be approved by Council majority, whose views must be taken into consideration before the authority makes a decision on an allegation it has decided to investigate.

Public Health responsibilities

Subject to the enactment of the Health and Social Care Bill 2012, the transfer of NHS functions to local authority control from April 2013, will result in the post of Director of Public Health reporting to the Chief Executive at Strategic Director level.

In preparation, the following amendments in the Constitution will need to be made:

Scheme of Delegation –

- Add Director of Public Health Job Title (current page 330)
- Add the following responsibilities

<i>FUNCTION</i>	<i>JOB TITLE</i>
<i>280 All local authority powers and duties referred to in sections 28-31 of the Health and Social Care Act 2012 when enacted and in each case commenced .</i>	<i>Director of Public Health</i>
<i>281 All those powers and duties listed in section 73A(1)(a)-(f) of the National Health Service Act 2006.</i>	<i>Director of Public Health</i>

Health PPB – (current page 267)

- Add as first bullet under Corporate Policies/Responsibilities

‘To oversee the Council’s health functions’

Shadow Health and Wellbeing Board

The Shadow Health and Wellbeing Board, as a Committee of the Council, is responsible for guiding and overseeing the implementation of the ambitions outlined in the Health White Paper “Healthy Lives, Healthy People”.

It has been operating in Shadow form since December 2011 and the terms of reference were agreed at the first meeting. Subject to the enactment of the Health and Social Care Act 2012, it will become fully operational from April 2013.

Its Terms of Reference and Powers and Duties have been included in this version of the Constitution in preparation.

REPORT TO: Executive Board

DATE: 29 March 2012

REPORTING OFFICER: Strategic Director – Policy and Resources

SUBJECT: Calendar of Meetings – 2012/13

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To approve the Calendar of Meetings for the 2012/2013 Municipal Year attached at Appendix 1 (N.B. light hatched areas indicate weekends and Bank Holidays, dark hatched areas indicate school holidays).

2.0 RECOMMENDATION: That Council be recommended to approve the Calendar of Meetings for the 2012/2013 Municipal Year, attached at Appendix 1.

3.0 SUPPORTING INFORMATION

3.1 The draft calendar of meetings for 2012/13 takes account of the proposed changes made by the Members Constitutional Working Group, as they affect the scheduling of the Executive Board Sub Committee and the deletion of the 3MG Sub Board.

3.2 Dates have been retained in the calendar for meetings of a Standards Committee, subject to the decision of Council to retain such a Committee. (This is the subject of a separate report on this agenda).

4.0 POLICY IMPLICATIONS

None.

5.0 OTHER IMPLICATIONS

None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None.

6.2 Employment, Learning and Skills in Halton

None.

6.3 A Healthy Halton

None.

6.4 A Safer Halton

None.

6.5 Halton's Urban Renewal

None.

7.0 RISK ANALYSIS

Should a Calendar of Meetings not be approved, there will be a delay in publishing meeting dates. This would result in practical difficulties in respect of the necessary arrangements to be made and the planning process regarding agenda/report timetables.

8.0 EQUALITY AND DIVERSITY ISSUES

Once a Calendar of Meetings has been approved the dates will be published, hence assisting public involvement in the democratic process.

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

None under the meaning of the Act.

NB Lightly shaded areas indicate weekends and Bank Holidays; dark shaded areas indicate school holidays.

	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APR
F		1								1	1	
S		2			1			1		2	2	
S		3	1		2			2		3	3	
M		4	2 Dev Control Cttee		3 Children, Young People & Families PPB	1 AF – G, HB, H AND M		3 Dev Control Cttee		4	4 Employment, Learning, Skills & Community PPB	1 Easter Monday
T	1	5	3 AF – A, K & R		4 Corporate Services PPB	2		4 SEMINAR	1	5 SEMINAR	5 Health PPB	2
W	2	6	4 AF – H C, NN, NS & WH		5 Standards Committee	3 AF – B & HL		5	2 Environment & Urban Renewal PPB	6 COUNCIL	6 SPECIAL COUNCIL	3
T	3 LOCAL ELECTIONS	7	5 SEMINAR	1	6 Executive Sub Executive Board	4 Executive Sub Executive Board	1 SEMINAR	6	3 Children, Young People & Families PPB SEMINAR	7 Executive Sub Executive Board	7	4
F	4	8	6	3	7	5		7	4	8	8	5
S	5	9	7	4	8	6	3	8	5	9	9	6
S	6	10	8	5	9	7	4	9	6	10	10	7
M	7	11 Dev Control Cttee	9	6 Development Control Committee	10 Dev Control Cttee	8 Dev Control Cttee	5 Dev Control Cttee	10	7 Dev Control Cttee	11 Dev Control Cttee	11 Dev Control Cttee	8
T	8	12 Safer Halton PPB	10	7 SEMINAR	11 Health PPB	9 AF – H C, NN, NS & WH	6 Health PPB	11	8 Health PPB	12	12 Safer PPB	9 SEMINAR
W	9	13 Environment & Urban Renewal PPB	11 Standards Committee AF – B & HL	8	12 Shadow HWB Environment and Urban Renewal PPB	10 Shadow HWB AF – B, F & HV SEMINAR	7 Standards Committee	12 Shadow HWB COUNCIL	9 Employment, Learning, Skills & Community. PPB	13 Standards Committee AF – Daresbury	13 Environment & Urban Renewal PPB	10
T	10	14 Executive Sub Executive Board MGEB	12 Executive Sub Executive Board	9	13 SEMINAR		8 Executive Sub Executive Board MGEB	13 Executive Sub Executive Board	10 Executive Sub Executive Board Corporate Services PPB	14 Executive Sub Executive Board MGEB		11
F	11	15	13	10	14	12	9	14	11	15	15	12
S	12	16	14	11	15	13	10	15	12	16	16	13
S	13	17	15	12	16	14	11	16	13	17	17	14
M	14 Dev Control Cttee	18 AF – B, D, H & HG	16 AF- Daresbury	13	17 Employment, Learning, Skills & Community PPB	15 AF Daresbury	12 Employment, Learning, Skills & Community PPB	17	14 Regulatory Committee	18	18 Regulatory Committee	15
T	15 Executive Board (Selection)	19	17	14	18 Safer PPB	16	13 Safer PPB	18	15 Safer PPB	19	19 SEMINAR	16 Dev Control Cttee
W	16	20 Shadow HWB AF – B, F & HV	18 Shadow HWB COUNCIL	15	19 Regulatory Committee	17 COUNCIL	14 Shadow HWB Business Efficiency Board	19	16 Business Efficiency Board	20	20 Mayoral Committee	17 COUNCIL
T	17	21	19	16	20 Executive Sub Executive Board MGEB	18 Executive Sub Executive Board	15 PCC ELECTIONS	20	17	21	21	18
F	18 ANNUAL COUNCIL	22	20	17	21	19	16	21	18	22	22	19
S	19	23	21	18	22	20	17	22	19	23	23	20
S	20	24	22	19	23	21	18	23	20	24	24	21
M	21 Children Young People and Families PPB	25 AF – G,HB,H AND M	23	20	24 AF – B, D, H & HG	22	19 Regulatory Committee	24	21 AF – B, D, H & HG	25 Children, Young People & Families PPB	25	22
T	22 Corporate Services PPB	26	24	21	25 AF – A, K & R	23	20	25 Christmas Day	22 AF – A, K & R	26 Corporate Services PPB	26	23
W	23 Shadow HWB Business Efficiency Board	27 Business Effic'y Brd (Closure of Accounts)	25	22	26 Business Efficiency Board	24	21 Environment and Urban Renewal PPB	26 Boxing Day	23 AF – B, F & HV	27 Business Efficiency Board	27	24
T	24 Executive Sub Executive Board	28 Executive Sub Executive Board	26	23	27	25	22	27	24 Executive Sub Executive Board MGEB	28 Executive Sub Executive Board	28 Executive Sub Executive Board	25
F	25	29	27	24	28	26	23	28	25		29 Good Friday	26
S	26	30	28	25	29	27	24	29	26		30	27
S	27		29	26	30	28	25	30	27		31	28
M	28 Regulatory Committee		30	27		29 Children, Young People & Families PPB	26	31	28 AF – G, HB, H AND M			29
T	29 SEMINAR Health PPB		31	28		30 Corporate Services PPB	27		29AF – H C, NN, NS & WH			30
W	30 Employment, Learning, Skills & Community PPB			29		31	28		30 AF – B & HL			
T	31			30			29 Executive Sub Executive Board					
F				31			30					

REPORT TO: Executive Board

DATE: 29th March 2012

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Physical Environment

SUBJECT: Approval for the formal adoption of the Hot Food Takeaway Supplementary Planning Document (SPD)

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek approval for the formal adoption of the Hot Food Takeaways Supplementary Planning Document (SPD): as part of the Halton Local Development Framework.
- 1.2 It also proposes responses to representations made and amendments to the text of the SPD to accommodate these representations as listed in the Statement of Consultation, Appendix 1, where appropriate.

2.0 RECOMMENDATION: That

- (1) The Hot Food Takeaway SPD (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 (Appendix B) be noted.**
- (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.**

3.0 SUPPORTING INFORMATION

- 3.1 The draft Hot Food Takeaway SPD was approved for the purposes of public consultation by the Executive Board on 8th September 2011. It was resolved that the results of the public consultation exercise and the

revised SPD be reported back to the Executive Board for adoption as a Local Development Document.

- 3.2 The policies in the SPD will be supplementary to the emerging Core Strategy Policy CS22: Health and Wellbeing and adopted Unitary Development Plan policies.
- 3.3 Once adopted this guidance will be a material planning consideration in the determination of planning applications for proposed Hot Food Takeaway establishments in the Borough.

Public Participation

- 3.4 Public consultation on the draft SPD was undertaken between 22nd September and the 4th November 2011, to coincide with the Halton 'Foodie Fortnight' event which focused on providing food, health and healthy-eating related information and advice in public venues throughout Halton. The event featured in Runcorn & Widnes Weekly News, Runcorn & Widnes World, Radio Merseyside, and Cheshire Life website, Liverpool Daily Post, Wire FM and Halton Community Radio. In addition to the Foodie Fortnight publicity, the document was placed in 'deposit locations' throughout the Borough and on the Council's website, individual notification letters were sent to statutory consultees and those individuals and organisations on our consultation database who had requested to be informed of the production of SPD's.
- 3.5 The Consultation undertaken complied with or exceeded the requirements of the adopted Statement of Community Involvement (2006) and Regulation 17 of the Town and Country Planning (Local Development)(2004)(England) (Amendment) Regulations.
- 3.6 A total of six responses to the consultation were received. Appendix B to this report is a 'Statement of Consultation' in accordance with Regulation 18 (4) (b), which summarises the representations received and provides the recommended Council responses at Appendix 1, for the Executive Board's approval.

Adoption

- 3.7 Following a resolution to adopt, and in line with regulations the document will be made available for inspection on the Council's website and at the same deposit locations where it was available during public consultation. There is a 3 month period within which anyone aggrieved by the content of the SPD can apply to the High Court for permission to apply for a judicial review of the decision to adopt the SPD.

4.0 POLICY IMPLICATIONS

- 4.1 It is considered that the Hot Food Takeaway SPD will provide valuable additional guidance for applicants or their agents proposing a new Hot Food Takeaway establishment in the Borough.

5.0 OTHER IMPLICATIONS

- 5.1 None at this stage.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

It is anticipated that once adopted this SPD will have a positive effect on the health of children and young people in Halton by restricting further increases in the overabundance of hot food takeaway establishments in the Borough. This will be achieved by restricting the number of new hot food takeaways within walking distance (excluding town and neighbourhood centres) of primary and secondary schools, sixth form colleges, playing fields and children's play-spaces.

6.2 Employment, Learning and Skills in Halton

None identified

6.3 A Healthy Halton

The Hot Food Takeaway SPD supports and provides more detailed guidance to Core Strategy Development Plan Document policy CS22: Health and Well-being which specifically looks to support healthy environments and lifestyles in the Borough particularly children and young people as aforementioned.

6.4 A Safer Halton

This SPD provides additional guidance on the impact hot food takeaways can have on traffic flow, road safety and crime and anti-social behaviour. It is anticipated to have a positive effect and supplement guidance provided in the already adopted Designing for Community Safety SPD.

6.5 Regeneration and Environment

When compared against other uses, hot food takeaways can generate unacceptable levels of noise, vibrations, odours, traffic disturbance and litter. It is therefore important that such uses are controlled or restricted to protect the environment, and amenity of businesses in Halton's town and neighbourhood centres, as this SPD contains specific reference to these areas of nuisance and provides guidance so that they can be controlled and minimised.

7.0 RISK ANALYSIS

- 7.1 There should be no legal risks to the Council from the adoption of this document, as the statutory procedures for its preparation and adoption have been met. The planning policy content of the Hot Food Takeaway SPD may be subject to challenge through the planning appeals process should it be used in the refusal of planning permission or the imposition of conditions on the grant of permission..

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 None identified

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

Document	Place of Inspection	Contact Officer
Halton Core Strategy Development Plan Document	Planning Policy – LDF Municipal Building	Alasdair Cross
Halton Unitary Development Plan	Planning Policy - LDF Municipal Building	Alasdair Cross
Halton Local Development Scheme 2009 (as electronically amended)	Planning Policy - LDF Municipal Building	Alasdair Cross
Halton Statement of Community Involvement (2006)	Planning Policy - LDF Municipal Building	Alasdair Cross
Copies of representations received	Planning Policy - LDF Municipal Building	Alasdair Cross
Town and Country Planning (Local Development)(England)(Regulations) (2004, as amended 2008, 2009)	Planning Policy - LDF Municipal Building	Alasdair Cross
Planning and Compulsory Purchase Act 2004	Planning Policy - LDF Municipal Building	Alasdair Cross

Halton Borough Council

**Hot Food Takeaway
Supplementary Planning Document**

March 2012

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Operational Director
Policy, Planning and Transportation
Halton Borough Council,
Municipal Building,
Kingsway,
Widnes,
WA8 7QF

Foreword

This SPD has been prepared to address the over-abundance of hot food takeaways in Halton and to assist in the contribution that planning can make to the health of the Borough's residents by improving the retail food offer and built environment in the Borough.

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1. Purpose of the Supplementary Planning Document

- 1.1 In order to provide a holistic approach to tackling concerns over community health and childhood obesity, recent government guidance¹ aimed at promoting healthier communities, encourages planning authorities to control the availability of fast food outlets. The guidance also advises local authorities to manage the proliferation of fast food outlets within their area. Therefore, this Supplementary Planning Document (SPD) aims to address the over-abundance of hot food takeaway establishments in Halton and advises on the appropriate location and concentration of such premises. It is to be used as a guide for applicants seeking planning permission for a Hot Food Takeaway (A5 use) in Halton.
- 1.2 This SPD explains the Council's overall approach to hot food takeaway development, and sets out considerations related to:
- ❖ Over-concentration and clustering
 - ❖ Proximity to Schools, Playing Fields and Outdoor Play-spaces
 - ❖ Highway Safety
 - ❖ Protection of Residential Amenity
 - ❖ Hours of Operation
 - ❖ Control of Odours and Cooking Smells
 - ❖ Disposal of Waste Products
 - ❖ Litter
 - ❖ Crime and Anti-Social Behaviour
- 1.3 Hot food takeaways differ in purpose, in trading patterns and their contribution to the vitality and viability of the retail centres within which they are located than restaurants or cafés (Class A3), drinking establishments (Class A4) and shops (Class A1). In 2005², the use class order was amended to subdivide the A3 use class, resulting in the

¹ HM Government, Healthy Weight Healthy Lives (2008); Healthy Lives Healthy People: Our strategy for Public Health in England (November 2010)

² Town and Country Planning (Use Classes) (Amendment) (England) Order 2005

creation of the additional classes of class A4 (drinking establishments) and class A5 (hot food takeaways). This SPD specifically applies to hot food takeaways, designated in planning terms as Use Class A5 under the Town and Country (Use Classes) Order 1987³ as amended.

1.4 Establishments whose primary business is the sale of hot food for consumption off the premises fall within the A5 class. The proposed layouts of such premises provide a clear guide as to whether the use will fall into A3 or A5 Use Class. In determining the dominant use of the premises, consideration will be given to:

- The proportion of space designated for hot food preparation and other servicing in relation to designated customer circulation space; and/or
- The number of tables and chairs to be provided for customer use.

1.5 The Council will expect the applicant to demonstrate that the proposed use will be the primary business activity at the premises. For clarity, the table below provides examples, distinguishing between shop types that would either fall within the A5 Use Class or not. This list is not exhaustive.

Examples of shop types falling within the A5 Use Class	Examples of shop types <u>NOI</u> within the A5 Use Class
Fried Chicken Shops	Restaurants
Fish and Chip Shops	Cafés
Pizza Shops	Public Houses
Chinese, Indian or other Takeaway Shops	Wine Bars
Kebab Shops	Night Clubs
Food Establishments with drive through premises Unless ancillary to use class A3 (Restaurants and Cafés)	Bistros, Bakeries and Sandwich Shops

Table 1: Examples of premises falling within/not within A5 Use Class.

1.6 This guidance has been prepared in collaboration with St Helens Council and in consultation with the Halton and St.Helens NHS Primary Care Trust and is in accordance with the framework provided in the Government's Planning Policy Statement 12: Local Spatial Planning (2008)⁴.

³ Town and Country Planning (Use Classes Order) 1987, as amended

⁴ CLG (2008) PPS12: Local Spatial Planning

2. Policy Framework

- 2.1 The Hot Food Takeaway SPD draws on and is consistent, where appropriate, with policy from the national to the local level.

National Context

- 2.2 National planning policies are currently set out in the form of Planning Policy Statements (PPSs) and Guidance (PPGs). National planning policy recognises the role which planning takes in enabling people to live healthier lifestyles. Planning Policy Statement 1 (PPS 1, 2005)⁵ states that development plans should aim to reduce inequalities and deliver safe and healthy places to live.
- 2.3 Planning Policy Statement 4 'Planning for Sustainable Economic Growth' (2009)⁶ states that the Government's overarching objective is sustainable economic growth by promoting the vitality and viability of town and other centres as important places for communities. To do this, the Government wants new economic growth and development of town centre uses to be focused in town centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities.
- 2.4 This SPD draws on national planning policy statements and guidance. It should, however, be acknowledged that national planning policy is intended by Government to be consolidated into the National Planning Policy Framework (NPPF) which will cover all forms of development and which will set out national economic, environmental and social priorities. At the time of adoption, a consultation draft of the NPPF had been published by Government⁷.
- 2.5 In addition to the planning policy framework, a number of Government documents have drawn attention to the need for a more holistic approach to tackle health inequalities. Published in October 2007, the Foresight Report 'Tackling Obesities – Future Choices'⁸, led to the Improvement and Development Agency (IDEA) commissioning Sheffield Hallam University to analyse the implications of the report for local government⁹. Following this, the government published 'Healthy

⁵ CLG (2005) PPS 1: Delivering Sustainable Development

⁶ CLG (2009) PPS 4: Planning for Sustainable Economic Growth

⁷ CLG (2011) Draft National Planning Policy Framework

⁸ Sheffield Hallam University (2008) Tackling Obesities: The Foresight Report and Implications of Local Government

Weight, Healthy Lives: A Cross Government Strategy for England¹⁰, which then led to the launch of the 'Change4life Strategy' in January 2009 and in March 2009 published the Health Committee Report¹¹ for Health Inequalities, which highlighted the need to address the rising numbers of fast food takeaways on the high streets of our towns and cities.

Regional Context

- 2.6 Regional planning policies are currently set out in the Regional Spatial Strategy (RSS) for the North West; The North West of England Plan (2008). The most applicable policies relating to this Hot Food Takeaway SPD are DP 1: Spatial Principles, which makes reference to promoting environmental quality and DP 2: Promote Sustainable Communities, which makes reference to improving the health of the region's population by reducing present inequalities. The regional context has evolved during the production of this SPD with the Government stating its intention to abolish Regional Spatial Strategies (RSSs)¹² including RSS for the North West¹³. Following various successful procedural challenges in the High Court, the Government has recently consulted on Environmental Assessments concerning revocation as a prerequisite to revocation under the provisions of the Localism Act¹⁴. Until formally revoked, lower level plans and policies should be in conformity with the RSS.

Local Context

- 2.7 Whilst it is recognised that hot food takeaways contribute to the retail mix of town centres, the over-proliferation of such uses can have a negative effect, creating 'dead frontages' during core shopping hours, the displacement of other shops impacting on the vitality and viability of designated town, local and neighbourhood centres.
- 2.8 Halton Borough Council's Local Development Framework (LDF) will eventually replace the Council's current statutory development plan, the Unitary Development Plan (UDP)¹⁵. Halton's LDF consists of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) in addition to a number of process documents,

¹⁰ HM Government (2008 p.18) Healthy Weight, Healthy Lives

¹¹ HM Select Committee Report (2009) Health Inequalities

¹² CLG (2010) Letter from Steve Quartermain, Chief Planner, CLG, Revocation of Regional Spatial Strategies

¹³ GONW (2008) North West of England Plan: Regional Spatial Strategy to 2021

¹⁴ HM Government (2011) The Localism Act

¹⁵ Halton Council (2005) Halton Unitary Development Plan

including the Statement of Community Involvement and Annual Monitoring Reports.

2.9 The Core Strategy DPD is the central document within the LDF and sets out the overarching strategy for the LDF. At the time of adopting this SPD, the Core Strategy itself was nearing adoption. The statutory development plan is the starting point when determining planning applications for the development or use of land and when the Core Strategy is adopted, this will be both the Halton UDP and the Core Strategy. This SPD provides further detail on the implementation of the following emerging Core Strategy DPD Strategic Objectives and Policies:

- ❖ Strategic Objective 5: Maintain and enhance Halton's town and local centres to create high quality retail and leisure areas that meet the needs of the local community, and positively contribute to the image of the Borough.
- ❖ Strategic Objective 8: Ensure that all developments achieve high standards of design and sustainability and provide a positive contribution to their locality.
- ❖ Strategic Objective 11: Improve the health and well-being of Halton's residents throughout each of their life stages, through supporting the achievement of healthy lifestyles and healthy environments for all.
- ❖ Policy CS 1: Halton's Spatial Strategy
- ❖ Policy CS 2: Sustainable Development Principles
- ❖ Policy CS 5: A Network of Centres
- ❖ Policy CS 18: High Quality Design
- ❖ Policy CS 22: Health and Well-Being

This SPD principally supplements Policy CS 22: Health and Well-Being which is reproduced at Appendix 2.

2.10 This SPD also supplements the following saved policies of the Halton UDP 2005.

- ❖ Policy S 16: Retail Hierarchy
- ❖ Policy S 17: Retail Development

- ❖ Policy TC 8: Non-retail uses within primary and secondary shopping areas.
- ❖ Policy TC 9: Non-retail uses within neighbourhood centres
- ❖ Policy TC 11: Food and drink outlets
- ❖ Policy BE 1: General requirements for development
- ❖ Policy BE 2: Quality of design

2.11 As part of an integrated, multi-disciplinary and multi-agency approach to tackling ill health and promoting healthy living in Halton the LDF, and as such this SPD, also has a close relationship to Halton's Sustainable Community Strategy (SCS)¹⁶ which outlines the long-term vision to achieve sustainable improvements in the health of Halton's residents and improve environmental quality in the Borough. Health is a major priority of the Sustainable Community Strategy and therefore this SPD is part of an integrated policy approach tackling the wider determinants of health and particularly Halton's obesity challenges as described in more detail in Appendix 1. This SPD also has close ties with the aims of Halton's Children and Young People's Plan¹⁷ which seeks to ensure that schools are based in the heart of the community which makes them ideal to offer a variety of extended services aimed at improving the health of children and young people in Halton.

2.12 This SPD should also be read in conjunction with other adopted SPDs, namely the Shop Fronts, Signage and Advertising SPD¹⁸ and the Designing for Community Safety SPD¹⁹.

¹⁶ HBC (2011) Sustainable Community Strategy (2011-2026)

¹⁷ Halton Children's Trust (2011) Halton Children & Young People's Plan 2011-2014

¹⁸ HBC (2005) Shop Fronts, Signage and Advertising Supplementary Planning Document

¹⁹ HBC (2005) Designing for Community Safety Supplementary Planning Document

3. Guidance – Hot Food Takeaways (HFT)

HFT 1 - Over-concentration and clustering

Where a hot food takeaway (Use Class A5) is to be located within a defined Town, District or Local centre it should not result in:

- i) more than one unit or 5% of the total ground floor units (whichever is the greater) within a defined primary frontage (or primary shopping area where individual frontages have not been defined) being hot food takeaways.
- ii) more than two units or 10% of the total ground floor units (whichever is the greater) being hot food takeaways within
 - o a defined secondary shopping frontage (or secondary shopping area where individual frontages have not been defined),
 - o within the Runcorn Town Centre Mixed Use Area, and
 - o other areas within defined town centre boundaries other than above,
- iii) more than two A5 units being located adjacent to each other
- iv) any less than two non-A5 units between individual or groups of hot food takeaways

Where a hot food takeaway (Use Class A5) is to be located within a defined neighbourhood or local centre it should not result in:

- v) hot food takeaways becoming the dominant use, or more than two units' or 10% of the total ground floor units (whichever is greater) being a hot food takeaway.

Town and District Centre boundaries are reproduced in Appendix 4 Primary, secondary and mixed use areas / frontages are reproduced in Figures 1 and 2 below

Defined Local (Core Strategy Terminology) and Neighbourhood Centres (UDP Terminology) are listed in Appendix 5

Justification

Basis for Calculation of Frontages

- 3.1 The policy seeks to control the over proliferation and excessive clustering of hot food takeaways within defined centres and defined primary, secondary and other frontages or areas within the town and district centres.

- 3.2 Concentration will be calculated as a percentage of total ground floor retail (use class A1 to A5) units within the defined area. In individual primary shopping frontages, up to 5% of units will be allowed for hot food use. Where 5% represents less than a single unit (i.e. in frontages of less than 20 units) a single takeaway unit will be allowed.
- 3.3 In local centres, up to two units or 10% of the total ground floor retail (use class A1 to A5) units will be allowed for hot food takeaway use, except in smaller centres comprising three or less units where this would make takeaway establishments the dominant use.
- 3.4 The percentage referred to in this policy is based on the frontage in relation to both:
- The proportion of non-A1 uses in each identified Primary or Secondary frontage as illustrated in Figures 1 and 2 below.
 - The proportion of non-A1 uses across the entire Primary frontages, secondary frontages in question

Insert Figure 1 & 2

- 3.5 An overabundance of hot food takeaways, particularly where they form clusters both within and outside of designated centres, can have an adverse impact on the vitality and viability of existing designated shopping parades. There are currently 68 hot food takeaways in Halton which equates to 1 hot food takeaway outlet per 1,745 of the current population²⁰. Takeaway premises in areas with a greater focus on commercial activity generally serve other establishments, which form a part of the evening economy. To reflect this, restrictions on opening hours in such locations will be less rigid as compared to the more residentially focused takeaway premises.
- 3.6 Increased numbers of customers around A5 uses, particularly in the late evening when trading activity tends to reach its peak, can lead to problems of disturbance, increased noise and a focus for anti-social behaviour.
- 3.7 Within town centres and other shopping areas, it is important that such cases do not detract from the centre's primary retail function, or result in a loss of shops to the detriment of local residents. Clustering of hot food takeaways can lead to dead frontages during daytime hours.
- 3.8 Where groups of A5 uses develop, they displace other retail shops, breaking up the continuity of the retail frontage. Particularly in the

²⁰ HBC (2011) Environmental Health Database: Snapshot data as at April 2011

designated shopping centres, such “clustering” can undermine the primary retailing function of these areas, reducing the viability, vitality and general attractiveness of such centres.

3.9 Consequently, to ensure that shopping areas are diverse and balanced, especially in designated centres (Appendix 4), applications for hot food takeaways will be assessed for their cumulative impact.

3.10 Increased numbers of customers around A5 uses, particularly in the late evening when trading activity tends to reach its peak, can lead to problems of disturbance, increased noise and be a focus for anti-social behaviour.

3.11 This test supplements UDP policies TC1-TC11 and Core Strategy policies CS5 and CS22

HFT 2 - Proximity to schools, playing fields and play-spaces

Planning permission for hot food takeaways (Use Class A5) will only be granted provided that they are located;

- Beyond a 400m exclusion zone around any primary or secondary school and sixth form college either within or outside Local Education Authority control
- Beyond a 400m exclusion zone around playing fields and children's play-spaces
- Within the defined centre boundary of Widnes Town Centre, Halton Lea Town Centre or Runcorn Old Town centre, or a defined local centre as shown on the UDP Proposals Map.

Proposals within primarily residential areas are unlikely to be acceptable and will be subject to the tests of Policy HFT4.

Where the 400m exclusion zone boundary as identified in Appendix 3 cuts across a building or curtilage in whole or part, for the purposes of this policy, that whole site shall be considered to be within the exclusion zone. Defined Town, District and Local/Neighbourhood centres are excluded from the 400m exclusion zone.

Indicative exclusion zones are illustrated in Appendix 3. More detailed maps of the exclusion zones can be viewed on the Council's website www.halton.gov.uk

Justification

- 3.12 Research indicates that once an obese weight is reached, it is difficult to treat²¹. An obese adolescent is likely to remain so during adulthood, which may lead to obesogenic diseases and reduced life expectancy²². In an effort to establish appropriate healthy eating habits and reduce the rate of childhood obesity in the local population, the Council is seeking to restrict the number of new hot food takeaways within 400 metres (5 minute walk) of primary and secondary schools, sixth form colleges' playing fields and children's play-spaces.
- 3.13 A 2009 report²³ found that food outlets in close proximity to, and surrounding schools were an obstacle to secondary school children eating healthily. Takeaways within easy walking distance of schools are therefore a contributing factor to the rising levels of obesity in the Borough. It is for this reason that the exclusion zone is set at 400 metres from a primary school, secondary school or sixth form college.
- 3.14 Whilst pupils attending LEA primary schools in the Borough are not allowed out of school premises during the school day, research indicates that the most popular time for purchasing food from shops is after school²⁴. Since not all primary school pupils will be accompanied home, applying the exclusion zone around primary schools is deemed appropriate. In addition, this will also impact upon the habits of parents / guardians.
- 3.15 Given the extent of the exclusion zone around schools' playing fields and play-spaces it is deemed unnecessary to implement further buffers around children's centres and leisure centres. The effectiveness and extent of the exclusion zone will be reviewed in monitoring this SPD and reported in the LDF Annual Monitoring Report.
- 3.16 For the purposes of this document, the 400m exclusion zone is established from the boundary of each Local Education Authority (LEA) school, the assumed boundary of non-LEA schools and the boundary of playing fields and play-spaces.

HFT 3 - Highway Safety

²¹ Summerbell C, Waters E, Edmunds LD, Kelly S, Brown T, Campbell KJ. Interventions for preventing obesity in children. The Cochrane Database of Systematic Review, 3, 2005

²² British Medical Association Board of Science and Education. Adolescent Health BMA publications, 2003. Available online at: http://www.bma.org.uk/health_promotion_ethics/child_health/AdolescentHealth.jsp (Accessed 20 July 2011)

²³ Sinclair S. Winkler JT, Nutrition Policy Unit, London Metropolitan University: The School Fringe, From Research to Action. Policy Options within schools on the Fringe, January 2009

²⁴ Sarah Sinclair, JT Winkler, Nutrition Policy Unit, London Metropolitan University; The School Fringe, From Research to Action. Policy Options within schools on the Fringe. Education Research, January 2009

The impact of a proposal for a hot food takeaway (Use Class A5) on the safety of pedestrians and road users will be considered with regard to:

- a** The existing use of the site
- b** Existing traffic conditions
- c** The availability of public parking provision in close proximity to the premises, including on-street parking
- d** The availability of safe and legal loading areas in close proximity
- e** The implications for the amenity of the surrounding area (particularly on residential amenity)

Justification

- 3.17 The impact of hot food takeaways on traffic flow and road safety is an important consideration when determining planning applications. These establishments tend to attract a high proportion of car-borne and short-stay customers and present a particular issue where there is limited parking provision.
- 3.18 Increased levels of activity between lunchtime and closing time tend to result in increased noise and traffic disturbance from vehicles and their occupants around these times. This can create a nuisance for neighbouring occupiers.
- 3.19 Often, in the vicinity of hot food takeaways, there is an increased occurrence of obstructed parking and interruption to the steady flow of traffic along the roads adjacent to these premises. Customers may be tempted to park for short periods to quickly pop in and out of takeaway premises, often jeopardising the safety of other road users.
- 3.20 Short-term parking activity in the vicinity of hot food takeaways can have a negative impact on bus operation and accessibility. Customers may be tempted to park at bus stops preventing buses from stopping close and parallel to the kerb.
- 3.21 Insufficient parking facilities in and around hot food takeaways can also have an adverse impact on the amenity of the immediate and surrounding areas. The increased demand for on-street parking, particularly in the evenings and weekends when the demand for on-street parking is at its highest, often inconveniences local residents.
- 3.22 Proposals located near to traffic-signal-controlled junctions, pedestrian-controlled crossings, bus bays and bus stops are likely to be refused permission unless impacts can be mitigated.

HFT 4 - Protection of Residential Amenity

Applications for hot food takeaways within close proximity to residential units will only be allowed where it is considered that there will be no significant adverse impacts on residential amenity in terms of noise, vibrations, odours, traffic disturbance, litter or hours of operation as a result of the proposed premises.

Applications for hot food takeaways are unlikely to be approved if a party wall is shared with a dwelling.

If there is a flat above the premises it is unlikely that planning permission will be granted unless the flat is used in relation to the takeaway.

Justification

- 3.23 The protection of the living conditions of residents in close proximity to any existing or proposed A5 use will form a major consideration in assessing applications for hot food takeaways.
- 3.24 Compared against other uses, hot food takeaways can generate unacceptable levels of noise, vibrations, odours, traffic disturbance and litter. It is therefore important that such uses are appropriately located to prevent undue nuisance on the residential.
- 3.25 Often, the activities of hot foot takeaway establishments tend to peak at times when the surrounding background noise levels are considered to be low (e.g. Late evenings). Noise and vibrations generated both from the cooking activities and the essential extraction equipment used in these premises, along with increased levels of customer movement in and out of the premises, can cause significant and undue levels of disturbance to residents. Late night opening hours act to further exacerbate the problem, attracting higher customer numbers in the afternoons and late evenings.
- 3.26 In areas where A5 uses are concentrated, these problems are intensified further exacerbating their negative impact on amenity.

HFT 5 - Hours of Operation



When considering appropriate hours of operation for hot food takeaways (Use Class A5), regard will be had to:

- a** The existence of an established or emerging evening economy in the area;
- b** The existence of primary or secondary schools or sixth form colleges either within or outside Local Education Authority control within 400m;
- c** The character and function of the immediate area; and
- d** The potential benefits of the proposal for the wider community; and
- e** Impact on residential amenity

Sites outside of designated centres will usually be subject to more restricted opening hours.

Justification

3.27 As compared with other retail type uses, it is recognised that hot food takeaways often have later opening times incidence of noise generated from the cooking process, customer activity, vehicular movements and other forms of disturbance can be difficult to control.

3.28 The Council accepts that often the viability of hot food takeaway premises is dependent on their reliance on late evening trade. However, the need to protect residential amenity will often dictate the extent to which limitations may need to be placed on hours of operation for such establishments.

3.29 In order to minimise any adverse impacts such longer opening hours may have on residential amenity, it is important that such premises are firstly located in areas where minimum harm can occur in accordance with HFT1 and HFT2. In defined centres within 400m of a primary or secondary school or sixth form college, or when considering applications to vary conditions controlling opening hours on existing consented hot food takeaways, within 400m of such establishments, restrictions around school closing times may be required.

Restrictions on hours of operation

3.30 Within designated centres and key shopping areas, where there is no residential accommodation in close proximity to the premises, it is not

likely that any restrictions will be placed on the hours and days of operation. Takeaway premises in areas with a greater focus on commercial activity generally serve other establishments, which form a part of the evening economy. To reflect this, restrictions on opening hours in such locations will be less rigid as compared to the more residentially focused takeaway premises.

- 3.31 In designated centres, with residential use in close proximity, opening hours are likely to be restricted to between 08:00 and midnight.
- 3.32 The proposed hours and days of opening should be specified as part of applications for hot food takeaway development. Hours of opening will be made a condition of the planning permission if it is granted.
- 3.33 Within residential areas, opening times will be restricted to protect residential amenity. Takeaway premises in areas with a greater focus on commercial activity generally serve other establishments, which form a part of the evening economy. To reflect this, restrictions on opening hours in such locations will be less rigid as compared to the more residentially focused takeaway premises.

HFT 6 - Odours and Cooking Smells

Extraction systems should be installed to effectively disperse odours from hot food takeaway premises. Extraction systems should be designed so that they do not have an unacceptable impact on visual amenity. Consequently, the installed systems must not appear as an incongruous feature in the street scene.

To be acceptable, the proposed extraction system will have to be: -

- a** Located preferably to minimise its visual impact on the street scene and neighbouring land uses
- b** Of a colour, finish and design to blend in with the building to which it is attached, and;
- c** Installed within the building where practicable. This is particularly important where the proposal is within a Conservation Area or within the setting of a Listed Building.

If smells and fumes cannot be adequately controlled by means of an effective extraction or abatement system, or if necessary ducting and extraction equipment cannot be installed without significant detriment to visual amenity, planning permission will not normally be granted.

Where an external flue is proposed / required on a property in joint or separate ownership, or involving a party wall, the legal consent of all parties concerning the installation and operation of the required equipment must be demonstrated to the satisfaction of the Local Planning Authority prior to the granting of planning permission.

Justification

- 3.34 Odours produced primarily as a result of the cooking process in hot food takeaways can cause amenity problems, particularly in areas which are residential in character. Often, natural ventilation is not adequate to dissipate such odours and an effective system incorporating an extract duct, fan and filters is required for the extraction and dispersal of cooking odours. It is the operator's responsibility to maintain this equipment.
- 3.35 Regardless of the form or effectiveness of extraction equipment installed, it is almost impossible to fully eliminate the odours, which result primarily from the cooking activities undertaken within A5 premises. Often, such odours penetrate the fabric of buildings to the detriment of the occupiers of any surrounding properties. In this context, it is not usually considered acceptable to locate A5 premises directly adjacent to residential properties, regardless of the nature or effectiveness of the extraction system utilised.
- 3.36 For further information on the suitability of extraction systems, please contact the Council's Environmental Health Department. Contact details are provided in Appendix 6.

HFT 7 - Disposal of Waste Products

Commercial bin stores should be contained within the premises. Where this is not possible, secure storage structures should be provided.

All applications for new build and change of use for hot food takeaway premises must identify adequate and appropriate space on-site for the secure storage and safe collection of waste products.

Suitable grease traps must be installed on all drains for hot food takeaway shops to prevent blockages and the flooding of properties.

Justification

- 3.37 Hot food takeaway shops can generate a significant volume of waste. Inadequate storage facilities for refuse can result in harm to visual amenity as well as serious risk to public health. Consequently, it is important to ensure that there is sufficient physical space for their accommodation and safe collection by suitably licenced operators. Proposals for hot food takeaway shops must include details of adequate facilities on the premises for the storage of waste generated by the business.
- 3.38 Consideration must be given to providing bins that are of a suitable size, appropriately sited and screened. These should be accessible at all times for the proprietor as well as for servicing without affecting adjacent residents. Bin stores should be sited in a location so as not to cause a nuisance to neighbouring residential or commercial properties with regard to odours. They should also be conveniently located for clear, convenient access for refuse collection services.

HFT 8 - Litter

A planning condition requiring the installation of litter bins on land within the applicant's control will be applied to all permissions for hot food takeaway establishments.

It is the proprietor's responsibility to maintain and empty these litter bins on a regular basis and to keep the area adjacent to the premises clear.

Justification

- 3.39 Litter is inherently unsightly and causes considerable annoyance to residents and adjoining businesses. It also raises concern about the potential attraction of pests and vermin.
- 3.40 Often, hot food takeaways tend to generate large amounts of litter in their immediate vicinity and further afield, particularly in areas where customers settle to eat their takeaway meals. Objectors often cite litter dropped by the customers of hot food takeaways as a nuisance. Although the proprietor has little control over where customers drop their litter, they can act to significantly reduce the potential of its occurrence by providing litterbins within or on their premises including the forecourt.

HFT 9 - Crime and Anti-Social Behaviour

In assessing planning applications for proposed hot food takeaways, the Council will consider issues around community safety, crime and disorder.

The Council will seek the advice of the Cheshire Police Architectural Liaison Officer when considering applications for hot food takeaways, regardless of their location in the Borough.

Planning permission for any new development or change of use to a hot food takeaway will be subject to considerations of the local context with regard to the potential for crime and disorder,

Proposals considered to be an unacceptable risk will be refused.

Justification

- 3.41 Hot food takeaways often attract a gathering of people and can result in "hot spots" for crime and disorder, particularly at night. An excerpt from a Home Office Publication "Safer Places: The Planning System and Crime Prevention"²⁵ highlights this link: "*Crime and antisocial behaviour are more likely to occur if potential offenders and/or victims are concentrated in the same place at the same time, such as bus stops, taxi ranks or fast food outlets after pubs close, or areas of the town centre throughout the evening*".
- 3.42 Where there are concerns over crime and antisocial behaviour in the area, the applicant may be asked to enter into a legal agreement (planning obligation) which may require the provision of a financial contribution to fund the provision of safety and security measures such as CCTV systems. The implementation of these will need to be in accordance with the guidance provided in the Designing for Community Safety Supplementary Planning Document.

²⁵ CLG Safer Places: The Planning System and Crime Prevention April 2004 available at: <http://www.communities.gov.uk/publications/planningandbuilding/saferplaces> (Accessed 20 July 2011)

4. Monitoring, Implementation and Review

Monitoring

- 4.1 Preparation of LDF documents is not a once and for all activity. It is essential to monitor that the SPD is being successfully implemented, that the desired outcomes are being achieved and if not, what corrective action needs to be undertaken.
- 4.2 This will be done through a regular process of monitoring the success of this SPD and its policies against a set of indicators and targets in the Annual Monitoring Report. This could include the following indicators;
- Use of this SPD in Planning Application Decisions
 - Number of Hot Food Takeaways in the Town, District and Local Centres
 - Number of Hot Food Takeaways in the Borough (baseline 2011=67)

Implementation and Review

- 4.3 The SPD will primarily be implemented through the development management process and the determination of planning applications. Although the SPD does not have the status of the development plan (for the purpose of Section 38 of the Planning and Compulsory Purchase Act 2004 as amended), it will be an important material consideration in the determination of planning applications.
- 4.4 The Council's Annual Monitoring Report will monitor the SPD's progress and highlight any issues that may require review. Where such a review is required, a timetable for this activity will be included in the AMR which is available on the Council's website available at:
<http://www3.halton.gov.uk/environmentandplanning/planning/localdevelopmentframework/121650/>

APPENDIX 1

Obesity – The UK and Halton’s Challenge

The UK Challenge

Obesity is one of the biggest health challenges facing the UK. Currently one in four adults, and over one in ten children aged 2-10 in England are obese.²⁶ There is a clear link between increased body fat (obesity) and risk of medical conditions including type 2 diabetes, cancer, heart and liver disease.²⁷ The Government estimates the annual cost of overweight and obese individuals to the National Health Service (NHS) to be £4.2 billion, a figure which is predicted to more than double by 2050.²⁸

England’s obesity epidemic has attracted considerable policy attention in recent years.²⁹ The Government’s White Paper, *Choosing Health: Making Healthier Choices Easier* was published in November 2004 and set out a wide-ranging plan to improve the nation’s health. The Paper called for NHS, local authorities, schools and workplaces to deliver joined up action to make healthier lifestyles easier to attain.³⁰

Published in October 2007, the Foresight report *Tackling Obesities – Future Choices*³¹, led to the Improvement and Development Agency (IDEA) commissioning Sheffield Hallam University to analyse the implications of the report for local government³²

In addition, the Government published ‘Healthy Weight, Healthy Lives: A Cross Government Strategy for England’, launched the ‘Changes4life’ strategy in January 2009 and in March 2009 published the Health Committee Report for Health Inequalities³³, highlighting the need to address the rising numbers of fast food takeaways on the high street.

²⁶ Department of Health, Obesity. Available online at:

<http://www.dh.gov.uk/en/Publichealth/Obesity/index.htm> (accessed 28/06/11)

²⁷ HM Government, *Healthy Weight, Healthy Lives: One Year On*, April 2009

²⁸ Department of Health, Obesity, Available online at:

<http://www.dh.gov.uk/en/Publichealth/Obesity/index.htm> (accessed 28/06/11)

²⁹ HM Select Committee Report, *Health Inequalities*, March 2009

³⁰ HM Government, *White Paper – Choosing Health: Making Healthy Choices Easier*, November 2004

³¹ Foresight, *Tackling Obesities: Future Choices – Project Report*, October 2007

³² Sheffield Hallam University, *Tackling Obesities: The Foresight Report and Implications of Local Government*, March 2008

³³ HM Select Committee Report, *Health Inequalities*, March 2009

Healthy Weight Healthy Lives³⁴ also encourages local authorities to use existing planning regulations to control more carefully the number and location of fast food outlets.

³⁴ HM Government, Healthy Weight, Healthy Lives, January 2008, p.18

Halton's Challenge

According to 2009 & 2010 Health Profiles³⁵ (Table 1) the percentage of adults classified as obese in Halton has risen between 2003-05 and 2006-08. Rates remain above the England average of 24.2 with the worst rate in England being 32.8 in 2006-08 (down from 40.9 2003-05) and the best remaining fairly constant at 13.2 (compared to 13.7 in 2003-05). This is based on synthetic estimates using combined Health Survey for England data, applied to local populations. This means they are estimates based on a model and represent the expected prevalence of behaviour for any area, given the demographic and social characteristics of that area (JSNA 2010).

Table 1: Synthetic estimates of obesity, borough, North West and England level, 2003-05 and 2006-08

	Prevalence rate (%) 2009 Health Profile (using 2003-5 HSfE)	Prevalence rate (%) 2010 Health Profile (using 2006-8 HSfE)
Halton	26.8	27.0
St Helens	25.3	25.4
North West	24.5	23.4
England	23.6	24.2

Source: APHO, 2009

The Halton Lifestyle Survey (2006) asked respondents to state their weight and height. From this data, a measure of obesity could be derived. Those with a body mass index (BMI) of 25 or over are considered overweight. A body mass index of 30 plus indicates obesity.

The percentage of overweight residents has increased from 52% in the 2001 survey to 56.6% in 2006. This suggests that approximately 54,200 adults in Halton are overweight. A higher proportion of Widnes residents are overweight, 58.4% compared with 54.9% in Runcorn. A higher proportion of males are overweight, (63% compared with 50% of females) with highest prevalence amongst males in the 40-64 age band (71%).

Obesity within Halton has also increased quite substantially since 2001; with 20.2% of residents measuring as obese, this compares with 15.1% at the time of the last survey³⁶.

Whilst it is recognised that hot food takeaways contribute to the retail mix of town centres, there remains an over proliferation in the local retail food offer

³⁵ Halton and St Helens PCT – Health Profile (2009+2010) - Although updated estimated prevalence data has been calculated in the 2010 Health profiles this has not been worked out below borough level. For consistency with lower-level geographical analysis also presented in this report the older estimates have been used. Newer estimates show an increase in obesity.

³⁶ St Helens and Halton PCT: Joint Strategic Needs Assessment 2010

in the Borough. This results in the displacement of other shops and food options impacting on the vitality and viability of designated town and neighbourhood centres. Because of this, communities in the Borough have a limited choice and access to fresh, nutritious food.

APPENDIX 2

EXTRACT FROM HALTON CORE STRATEGY

Policy CS22: HEALTH AND WELL-BEING

Ensuring the Borough's communities have good health and well-being is a major priority for Halton. Statistics show that health standards in Halton are amongst the worst in the country and highlight that this is an aspect of life in the Borough in need of urgent improvement. It is essential that policies are put in place that tackle the underlying causes of health problems in the Borough, and facilitate the provision of healthy lifestyles and healthy environments for all.

Policy CS22: Health and Well-Being

Healthy environments will be supported and healthy lifestyles encouraged across the Borough by ensuring:

- proposals for new and relocated health and community services and facilities are located in accessible locations with adequate access by walking, cycling and public transport;
- applications for large scale major developments are supported by a Health Impact Assessment to enhance potential positive impacts of development and mitigate against any negative impacts
- the proliferation of Hot Food Take-Away outlets (Use Class A5) is managed; and,
- opportunities to widen the Borough's cultural, sport, recreation and leisure offer are supported.

Justification

When compared with other areas in England, Halton is within the worst 10% of areas for life expectancy³⁷ and ranks 11th out of 326 Local Authorities (1 = most deprived) in terms of health deprivation³⁸. As referred to in Halton's Story of Place, the Lancaster University Health Study³⁹ showed that the Borough's health issues are connected to poor lifestyles and levels of deprivation. Some particularly prevalent health problems include obesity and diabetes, respiratory disease, cardiovascular

³⁷ ONS (2007-2009) Life Expectancy at Birth

³⁸ CLG (2010) The English Indices of Deprivation

³⁹ Lancaster University (2003) Understanding Factors Affecting Health in Halton

disease, cancers, alcohol abuse, depression and mental illness, and smoking related diseases.

Current studies have shown that improving health and well-being is a cross-cutting issue and cannot be achieved in isolation. In accordance with the Borough's partners and applicable strategies, including the Halton Joint Strategic Needs Assessment⁴⁰, and the "Our Ambition for Health" Commissioning Strategic Plan⁴¹, many of the policies in the Core Strategy promote healthy environments and lifestyles by, for example, promoting travel by walking and cycling, protecting the Borough's open spaces and improving air quality through reducing congestion. However, in order to address the significant problem of health and well-being in Halton, it is necessary to support further measures which will help to facilitate healthy lifestyles and environments, and alleviate health problems.

It is imperative to ensure that there is sufficient access for Halton's communities to a whole range of health and community services and facilities, especially when considering that the Borough's population is ageing, potentially putting even greater demands on these services and facilities. Such services and facilities can contribute to community cohesion and identity, and can present opportunities for residents to pursue healthy and fulfilling lifestyles. As such proposals for new and the relocation of health and community services and facilities should ensure that they are sited in the most accessible locations and support access by a range of sustainable transport modes.

It is considered that some development, particularly large schemes, may have negative impacts on health. To ensure that development will not create or exacerbate health problems and equally to take advantage of opportunities to improve health and well-being in the Borough, the production of Health Impact Assessments to identify and address potential health impacts for large scale major developments⁴² will be required.

In addition to these interventions there is a need to manage the concentration and clustering of hot food takeaway shops across the Borough which can have potential adverse impacts on community health and on the viability of the Borough's town, district and local centres (CS5: A Network of Centres). The prevalence of uses such as these can influence eating habits and has been linked to the risk of obesity⁴³. In Halton, 37% of Year 6 pupils were classed as overweight or obese in 2008/09, this is higher than both the North West (23.1%) and England (32.6%)⁴⁴. A Hot Food Take-Away SPD will be developed to set out specific criteria for the assessment of proposals for new hot food take-aways (Use Class A5) to ensure that possible adverse effects caused by an over-abundance of hot food take-aways are minimised.

Culture, sport, recreation and leisure can also significantly contribute to health and well-being and as such should be supported. The Borough has many positive

⁴⁰ Halton and St Helens NHS (2008 and refresh 2009) Halton Joint Strategic Needs Assessment

⁴¹ Halton and St Helens PCT (2009) "Our Ambition for Health" Commissioning Strategic Plan

⁴² Large Scale Major Developments: Residential - 200 dwellings / 4ha or more

All other uses - 10,000sq.m or more / 2ha or more

⁴³ Government Office for Science (2010) Tackling Obesity: Future Choices – Project Report 2nd Edition

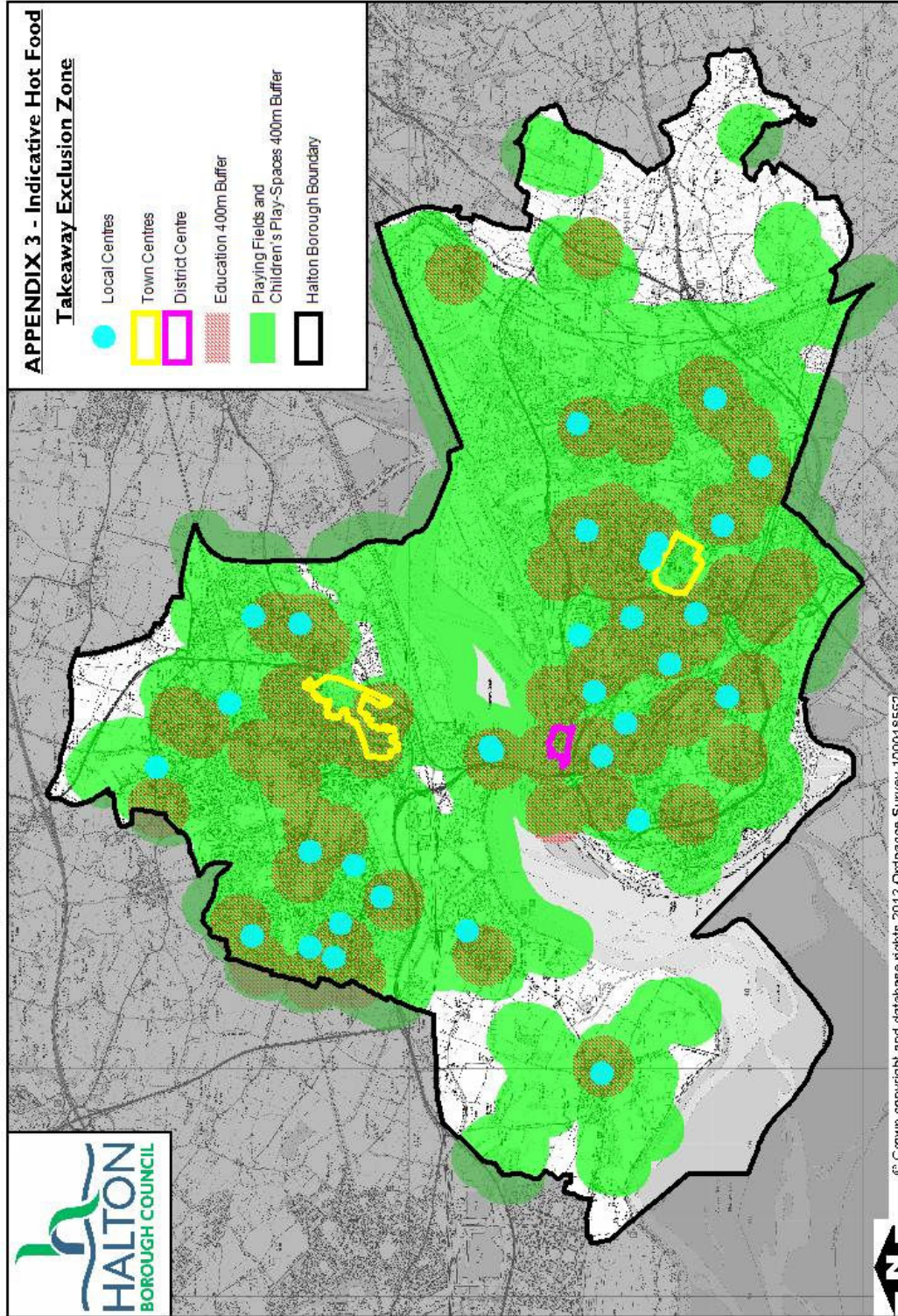
⁴⁴ HBC (2010) State of the Borough Report (National Child Measurement Programme)

attributes including a multifunctional green infrastructure network, extensive pedestrian and cycle routes, facilities for culture and the arts, including the Brindley Arts Centre, and a number of waterfront environments afforded by the Mersey Estuary and the Borough's waterways which present opportunities for leisure and recreation. In accordance with other policies in the Core Strategy and to sustain positive lifestyle choices, opportunities to improve and extend this offer should be taken.

POLICY FRAMEWORK:	
National Policy	PPS1: Delivering Sustainable Development (CLG, 2005)
Local Evidence	Understanding Factors Affecting Health in Halton (Lancaster University, 2003); Halton Joint Strategic Needs Assessment (Halton and St Helens NHS, 2008 and refresh 2009); "Our Ambition for Health" Commissioning Strategic Plan (NHS Halton and St Helens, 2009); State of the Borough Report (HBC, 2010)
Strategic Objectives	11
SCS Priorities	A Healthy Halton
SA Objectives	11 – Accessibility 12 – Health
SA Outcome	This policy is expected to have significant positive benefits for health.

APPENDIX 3

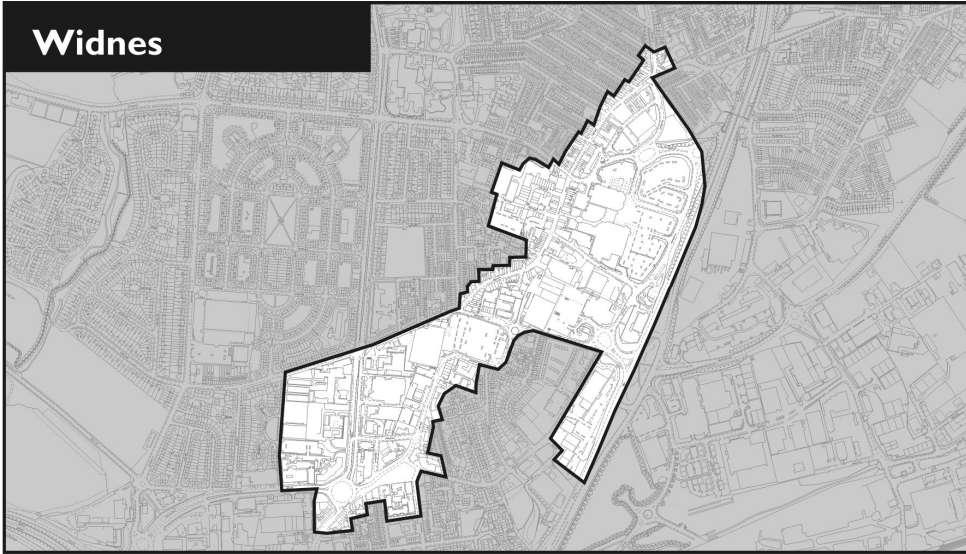
Indicative Hot Food Takeaway Exclusion Zones



APPENDIX 4

Town and District Centre Boundaries

Widnes



Runcorn Old Town



Halton Lea



APPENDIX 5

Local / Neighbourhood Centres

LOCAL/NEIGHBOURHOOD CENTRES
Runcorn
Ascot Avenue Beechwood Brook Vale Castlefields Greenway Road Halton Brook Halton Lodge Halton Road Halton Village Langdale Road Murdishaw Centre Palacefields Picton Avenue Preston Brook Russell Road Grangeway Windmill Hill
Widnes
Alexander Drive Bechers Cronton Lane Ditchfield Road Farnworth Hale Bank Hale Road Halton View Road Liverpool Road Moorfield Road Queens Avenue Warrington Road West Bank
Hale
Ivy Farm Court, Hale
Proposed Local Centres
<p>New retail development of an appropriate scale to meet local need will be required in the following locations to serve the new residential and business populations at:</p> <ul style="list-style-type: none"> • Upton Rocks; • Sandymoor (see Core Strategy policy CS11 East Runcorn) • Daresbury (see Core Strategy policy CS11 East Runcorn) • Runcorn Waterfront (see Core Strategy policy CS10 West Runcorn)

- **West Bank (see Core Strategy policy CS9 South Widnes)**

APPENDIX 6**Contact Information**

For more information relating to this SPD or for any other LDF document, including the saved policies of the UDP please contact:

Places, Economy and Transport
Policy, Planning and Transportation
Halton Borough Council
Municipal Building
Kingsway
Widnes
WA8 7QF
Tel: 0151 511 7662
Email: forward.planning@halton.gov.uk

For advice relating to submitting a planning application and for pre-application discussion please contact:

Development Management
Policy, Planning and Transportation
Halton Borough Council
Municipal Building
Kingsway
Widnes
WA8 7QF
Tel: 0151 511 7606
Email: dev.control@halton.gov.uk

If further highways or transport information is required, please contact:

Highway Development
Policy, Planning and Transportation
Halton Borough Council
Rutland House
Halton Lea
Runcorn
WA7 2GW
Tel: 0151 511 7572
Email: transport.policy@halton.gov.uk

If further information is required regarding the collection and disposal of waste, please contact:

Waste and Environmental Improvement Services
Community and Environment
Halton Borough Council
Rutland House
Halton Lea
Runcorn
WA7 2GW
Tel: 0151 471 7379
Email: waste.management@halton.gov.uk

Halton Borough Council
Supplementary Planning Document
Hot Food Takeaways
February 2012

Statement of Consultation

Operational Director
Policy, Planning and Transportation
Halton Borough Council,
Municipal Building,
Kingsway,
Widnes,
WA8 7QF

1 Introduction

- 1.1 This statement sets out the main issues raised by formal representations received on the Consultation of the Draft Hot Food Takeaway SPD which was undertaken between 22nd September and the 4th November 2011, in accordance with regulation 18 of the Town and Country (Local Development)(England) regulations 2004, as amended.

2 The Purpose of the SPD

- 2.1 This Supplementary Planning Document (SPD) aims to address the over-abundance of hot food takeaway establishments in Halton and advises on the appropriate location and concentration of such premises. It is to be used as a guide for applicants seeking planning permission for a Hot Food Takeaway (A5 use) in Halton.
- 2.2 The SPD explains the Council's overall approach to hot food takeaway development, and sets out considerations related to:
- ❖ Over-concentration and clustering
 - ❖ Proximity to Schools, Playing fields and play-spaces
 - ❖ Highway Safety
 - ❖ Protection of Residential Amenity
 - ❖ Hours of Operation
 - ❖ Odours and Cooking Smells
 - ❖ Disposal of Waste Products
 - ❖ Litter
 - ❖ Crime and Anti-Social Behaviour
- 2.3 The SPD provides further detail on the implementation of the Halton Core Strategy Development Plan Document (DPD), objectives and policies and will be a material consideration in the determination of planning applications for new hot food takeaway establishments in the Borough.

3 Methods of Consultation

- 3.1 Local Development Framework documents must be prepared in accordance with the local Authority's adopted Statement of Community Involvement (SCI), which sets out guidelines for public and stakeholder involvement in the preparation of documents within Halton's Local Development Framework, including SPD's.
- 3.2 Halton's SCI was adopted by the Council on 19th July 2006. The SCI aims to develop continuous community involvement in an effort to improve the effectiveness of consultation and frontload the process. The SCI sets out the standards the Council is committed to achieving in involving stakeholders in the local planning process. The different methods of public consultation used to maximise community and stakeholder engagement in the process are shown in Section 15, page 24, of the SCI: available at: www3.halton.gov.uk/environmentandplanning/localdevelopmentframework/
- 3.3 In the formulation of the LDF and to allow as many individuals and organisations as possible to be involved in the consultation process of LDF documents, a consultation database was constructed for the LDF. This database was used to identify those individuals and organisations who had requested to be kept informed of the production of SPD's.
- 3.4 The planning system requires that a record be kept of any consultees, their comments and how they have been taken into account, throughout the production of an SPD. An informal draft of the Hot Food Takeaway SPD was circulated internally between 8th August and 22nd August 2011 to a number of key stakeholders for comment. This consultation stage was essentially concerned with seeking technical observations from individuals within organisations that would either use or potentially endorse the document once it becomes an adopted SPD. This consultation was not looking for ratification of the document by those organisations.
- 3.5 A number of minor amendments were made to the SPD as a consequence of this consultation and on the 8th August 2011, the Council formally approved the Draft Hot Food Takeaway SPD for the purpose for public consultation.

- 3.6 The Draft Hot Food Takeaway SPD was published for a six week consultation period between 22nd September 2011 and 4th November 2011 in accordance with the Council's adopted SCI¹ and under regulation 17 of the Town and Country (Local Development)(England)(Regulations) 2004.
- 3.7 The consultation was timed to coincide with the Halton 'Foodie Fortnight' which focused on providing food, health and healthy-eating related information and advice in public venues throughout Halton and featured in Runcorn & Widnes Weekly News, Runcorn & Widnes World, Radio Merseyside, Cheshire Life website, Liverpool Daily Post, Wire FM and Halton Community Radio. . In addition to the Foodie Fortnight publicity, the document was placed in 'deposit locations' throughout the Borough and on the Council's website, individual notification letters were sent to statutory consultees and those individuals and organisations on our consultation database who had requested to be informed of the production of SPD's.
- 3.8 A total of six responses to the consultation were received. A summary of the responses received and how the comments have been incorporated in the SPD are listed in Appendix 1. As can be seen from the responses, no significant points were raised during the public consultation.

¹ HBC (2006) Statement of Community Involvement

Summary of Representations received following the Public Consultation 22nd September – 4th November 2011

Respondent	Comment Received	HBC Comment	Change Included
Health and Safety Executive	Ensure all proposed new establishments falling within the consultation zone of a Major Accident Hazard site consult the HSE.	Comments welcomed and noted.	N/A
Mr A I Newton	In agreement with policy HFT 2 Over proliferation.	Comments welcomed and noted.	N/A
Heart of Mersey (HOM)	Fully support HFT 1 Proximity to Schools. In particular 400 metre restriction of primary, secondary schools and sixth form colleges. (page 9 para6.1)	Comments welcomed and noted.	N/A
Highways Agency	Support HFT 3 Highway Safety in particular that highway safety will be a main consideration of any planning application for a new hot food takeaway establishment.	Comments welcomed and noted.	N/A
Halton and St Helens NHS - PCT	Fully support HFT1 Proximity to Schools and HFT 2 Over proliferation and clustering.	Comments welcomed and noted.	N/A
Paul Mullane, Halton Housing Trust	The Trust acknowledges and generally supports the arguments put forward for introducing the 400m exclusion zone around schools. However for clarity the policy needs	Comments welcomed and noted.	Additional text added to policy: Town, District and Local Centre Boundaries are excluded from the

	to exclude town centre boundaries from the 400m exclusion zone mapping and incorporate additional text to provide clarification.		400 metre exclusion zone around primary and secondary schools and sixth form colleges.
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REPORT TO:	Executive Board Committee
DATE:	29 th March 2012
REPORTING OFFICER:	Strategic Director – Communities
PORTFOLIO:	Physical Environment
SUBJECT:	Sankey Canal Restoration Project
WARDS:	Riverside, Halton View and Warrington

1.0 PURPOSE OF THE REPORT

1.1 To update Members on progress and preliminary discussions with Heritage Lottery Fund (HLF).

2.0 RECOMMENDATION: That the Board give delegated authority to the Strategic Director for Communities, in consultation with the Executive Member for Physical Environment, to progress the project and to prepare and submit all necessary information for a Round 1 submission to Heritage Lottery Fund (HLF).

3.0 SUPPORTING INFORMATION

3.1 Members may recall Executive Board report 25th September 2008 outlining the next phase of major refurbishment to key Borough Parks and Open Spaces.

3.2 The area under consideration as part of this project is a section of the Sankey Canal (also referred to as St. Helens Canal in the above report) from Spike Island to Fiddlers Ferry Marina in Warrington. The working title for the scheme is '*Sankey Interlocks*'.

3.3 This is a joint project with Warrington Borough Council and also involves volunteer representatives from Sankey Canal Restoration Society (SCARS). Other partner organisations consulted so far include the Catalyst Science Discovery Centre and Fiddlers Ferry Power Station.

3.4 Initial discussions with representatives from HLF have indicated that a bid to support this project would be appropriate. Due to the anticipated size and cost of this type of project it would be an application that HLF would consider at a national level with applications from all over the Country.

3.5 A Project Development Steering Group, has been set up to guide the development of the project. Currently the group comprises of relevant Council Officers from both Authorities and a representative from SCARS. Open Space Services, Design & Development Team are leading the Project. An outline project programme/timeline is included in Appendix 1. This illustrates the key dates for deadlines and decision periods. It should be noted that this is a long

term project with a lengthy application process. It is aimed to submit a Round 1 application for the November 2012 deadline.

- 3.6 At present the exact project proposals are not fully determined and are being developed by the Steering group, and will be further refined following consultation with members, interested groups and local people. In order to attract maximum interest and backing from HLF it is thought that a combination of physical restoration works, for instance to make the canal navigable again, will need to be balanced with a robust development plan for activities, attractions and educational opportunities. Any potential business links that can be created will also be beneficial. These could include the Catalyst Centre as one of the main access points to the site providing café facilities and historical interpretation. A smaller centre would be located at Fiddlers Ferry Marina. The boat yards at Spike and Fiddler Ferry will also benefit from increased usage of the canal, with the potential to run a 'pleasure' type boat service along the canal with several stops along the route. See Appendix 2 – Concept Plan.
- 3.7 In order to complete work to support the Round 1 bid, it is hoped that the bulk of the information can be divided up and prepared by members of the Project Group. The final documentation will be produced and submitted by Open Space Services Design & Development Team on behalf of both Authorities.

4.0 POLICY IMPLICATIONS

- 4.1 The Sankey Interlocks Project will restore and enhance this part of the Borough and create new recreation and outdoor facilities for the benefit of local communities, and wider audiences. It will provide potential for improved leisure industries and educational links, helping to achieve the objectives of 'A Healthy Halton', 'Urban Renewal' and 'Employment, Learning and Skills'.

5.0 FINANCIAL IMPLICATIONS

- 5.1 No detailed financial costs have been prepared yet. For a Round 1 submission an indication of likely costs will be required. Based on detailed survey work undertaken by Warrington for structural repair works to their section of the canal, it is anticipated that physical works for the whole canal under consideration could be in the order of £20m in total.
- 5.2 If a Round 1 pass is gained, the work required to progress to Round 2 will include detailed cost elements for the whole scheme.
- 5.3 Should a Round 2 pass be successful a minimum match funding package of at least £2.5m would be needed. This would be made up of direct capital money from Halton & Warrington Borough Councils combined, and other external funding the project may be able to lever in. For instance Fiddlers Ferry Power Station have been approached and in principle are willing to contribute towards the project; an exact figure is to be confirmed.

6.0 OTHER IMPLICATIONS

- 6.1 Sustainability: the restored canal and associated facilities will provide a new attraction for people to visit in the area. Through a combination of good design,

working closely with partners, such as Fiddlers Ferry Power station, the Catalyst Centre as well community group involvement. It is hoped that this approach will provide additional income to allow the efficient management and operation of all the facilities over the long term, safeguarding the investment.

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 7.1 A Healthy Halton: improved facilities will encourage more recreation and exercise in the area, helping to combat obesity, to encourage cardio vascular and muscular activity and to promote mental well-being for local communities.
- 7.1 Halton's Urban Renewal: improvements to Halton's green infrastructure will further improve the image of the Borough and help retain and attract residents, business and visitors.
- 7.1 Employment, Learning and Skills in Halton: community enablement will offer opportunities for local people to gain additional knowledge and skills which will support personal development and will be transferable for future employment.

7.0 RISK ANALYSIS

- 7.1 If the HLF Round 1 bid should not be successful, the development/research work prepared for the application could be used to source funding from other external grants to deliver smaller elements and improvements in a series of phases as and when funds are available.

8.0 EQUALITY AND DIVERSITY

- 8.1 No significant Equality and Diversity issues have been identified.

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

Document	Place of Inspection	Contact Officer
Executive Board Report 25 th September 2008	Open Space Services)) Nick Martin)
HLF Guidance notes for grants.	On line – HLF))

THE SANKEY NAVIGATION PROJECT
Outline Project Programme for Lottery Application & Works

16.01.12

Project Start date: 20/04/2011

- Key:**
- Project Planning
 - Preparation of material for Round 1. Submission
 - Heritage Grant Decision Period
 - Preparation of material for Round 2. Submission
 - Tender Period
 - Contract Preparation / mobilisation
 - Construction / Works on site
 - Section Completed Project milestones achieved)

- ◆ Halton: Environment & Urban Renewal Policy & Performance Board, Ex. Board (Sub)., Planning Committee
- Warrington:

Year	Yr 1 2011												Yr 2 2012									
	Date	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12

Description	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13			
Planning Stages																									
Project Steering Group	*1		*2		*3		*4	*4	*5	*5	*6		*7		*8		*9		*10						
Define Project parameters																									
Halton/Warrington Approvals Promotion/Consultation							◆Ex. B.	*				◆Ex. B.		*			◆P.Comm								
Collate research																									
Prepare Round 1 submission																							submit		
Prepare Round 2 submission																									
Lottery key deadline dates								√													√ R.1				
Tender																									
Works on site																									
Halton Works																									
Warrington Works																									
None construction works																									
Project Completion																									

16.01.12

Project Start date: 20/04/2011

Year	Yr 5 2015												Yr 6 2016										
	Date	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	
Description																							
Planning Stages																							
Project Steering Group																							
Define Project parameters																							
Halton/Warrington Approvals Promotion/Consultation																							
Collate research																							
Prepare Round 1 submission																							
Prepare Round 2 submission																							
Lottery key deadline dates																							
					Decision	HLF Perm. to start												√					
						Prepare information for tender																	
Tender																							
Works on site																							
										TBC													
Halton Works																							
Warrington Works																							
None construction works																							
Project Completion																							

Sankey Interlocks - Concept

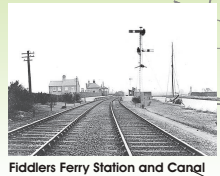
Linking Spike Island Dock to Fiddlers Ferry Marina



Project Synopsis and Mission Statement: The project aims to promote and enhance the unique industrial heritage of the area with the Sankey Navigation Canal being the central feature and attraction.

The story of two competing transport systems vying for overall control during the early 1800's had a profound effect in establishing new industries in this area and a dramatic and long lasting impact on the local landscape.

The re-opening of the canal will make a valued contribution and link for both Boroughs and provide a leisure opportunity that can promote this unique heritage to a diverse audience.



Warrington Town Centre

River Mersey

Gatewath Community Park

Fiddlers Ferry Marina

Fiddlers Ferry Power Station

Halton Borough Council / Warrington Borough Council

Appleton Station 1942

Spike Island, Runcorn Gap Railway swing bridge canal crossing

Widnes Dock Crossing

Chemical Industry of Widnes, view of Spike



Wreck of Eustace Carey

Widnes Town Centre

Venture Fields Leisure Park

Spike Island Park & Visitor Centre

River Mersey

Runcorn Rail Bridge

Historic West Bank Promenade
Silver Jubilee Road Bridge
Manchester Ship Canal

Cattle grazing on the salt marsh



Carterhouse Swing Bridge restored 2009



The Future Flower 2010 & Widnes Warth walkway 2006 overlooking salt marsh



Fiddlers Ferry Power Station



Fiddlers Ferry Marina



Canal boat trips along restored route



Return rail trip via St Helens Line

Key

- Point of Interest / Major Attraction
 - 1. Catalyst Centre / Spike Island Park; Canal, Rail, Industrial Interp.
 - 2. Future Flower / Widnes Warth
 - 3. Fiddlers Ferry Power Station Visitor Centre
 - 4. Fiddlers Ferry Marina, boatyard and locks
 - 5. Gatewath Community Park
- Access Point Pedestrian/Cycle
- Access Point Vehicular
- Lock - River to Canal Access Point
- Canal Corridor (Built circa 1833)
- Competing St Helens Railway
- Swing Bridge / Crossing Point
- Outer Project Boundary
- Inner Project Working Boundary
- Point of Special Historic Interest
 - A West Bank Promenade
 - B Dock to Rail transfer point / River Docks
 - C St Helens & Runcorn Gap Railway 1833
 - D Sankey Canal
 - E Fiddlers Ferry Marina
- Present Day Industry
- Proposed new corridor links with canal (includes Trans Pennine Trail)
- Open views over salt marsh to River Mersey
- Proposed return leisure trip-canal and rail
- Line of proposed Mersey Gateway bridge crossing

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