

COUNCIL

At a meeting of the Council on Wednesday, 17 April 2013 in the Council Chamber, Runcorn Town Hall

Present: Councillors T. McInerney, Baker, J. Bradshaw, M. Bradshaw, D. Cargill, E. Cargill, Cassidy, Dennett, Edge, Fraser, Fry, Gilligan, Harris, S. Hill, V. Hill, Hodge, Horabin, Howard, Jones, Lea, M Lloyd Jones, P. Lloyd Jones, K. Loftus, C. Loftus, Logan, A. Lowe, J. Lowe, Macmanus, McDermott, A. McInerney, Morley, Nelson, Nolan, Osborne, Parker, Philbin, C. Plumpton Walsh, N. Plumpton Walsh, Polhill, Rowe, Ratcliffe, Roberts, Sinnott, G. Stockton, J. Stockton, Thompson, Wallace, Wharton, Woolfall, Wright and Zygadlo

Apologies for Absence: Councillors Cole, Gerrard, P. Hignett, R. Hignett and Wainwright

Absence declared on Council business: None

Officers present: M. Reaney, A. Scott, G. Meehan, D. Parr and P. McWade

Also in attendance: One member of the public

Action

COU81 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

Council was advised that a matter had arisen which required immediate attention by the Council (Minute 94 refers), therefore, pursuant to Section 100 B(4) and 100 E, and due to the need for the Council to adopt and advertise the final version of the Core Strategy, incorporating all editorial amendments, the Mayor ruled that the item be considered as a matter of urgency.

COU82 COUNCIL MINUTES

The minutes of the meetings held on 6 February 2013 and 6 March 2013, having been printed and circulated, were taken as read and signed as a correct record.

COU83 THE MAYOR'S ANNOUNCEMENTS

The Mayor thanked Officers and fellow Members in helping to make his Mayoral Year successful and enjoyable. He briefed Council on some of the highlights of the year which included a visit to Tongling, China, the hosting of the Olympic Torch event in the Borough, and his attendance at the event in Liverpool which commemorated the

Hillsborough tragedy.

He wished the Mayor-elect, Councillor Ratcliffe, every success for 2013/14.

COU84 LEADER'S REPORT

The Leader reported on the following items:-

- The timetable for the consideration of the three tender submissions for the Mersey Gateway project;
- An update on the latest negotiations with the Department for Education and the re-location of staff from Castle View House; and
- Thanked the Mayor and Mayoress for their year of service and congratulated them on the large amount of money raised for charity.

(N.B. The following Councillors declared a Disclosable Other Interest in the following items of business for the reasons stated: Councillor Harris in EXB 185 as a Governor of The Bankfield School; Councillor S Hill in EXB 186 as a Governor of Ashley School.)

COU85 MINUTES OF THE EXECUTIVE BOARD

The Council considered the minutes of the Executive Board meetings from 7 February 2013, 28 February 2013, 14 March 2013 and 28 March 2013.

Councillor Ratcliffe made an observation on item EXB 141 Runcorn Hill Park, "Parks For People" Project and thanked Officers and Members for their work in achieving the Heritage Lottery Fund funding.

RESOLVED: That the minutes be received.

COU86 MINUTES OF THE SHADOW HEALTH AND WELLBEING BOARD

The Council considered the minutes of the Shadow Health and Wellbeing Board meeting from 13 March 2013.

RESOLVED: That the minutes be received.

COU87 QUESTIONS ASKED UNDER STANDING ORDER 8

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

(N.B. Councillor Dennett declared a Disclosable Other Interest in the following item of business as he was a Governor of Weston Point Primary School.)

COU88 CHILDREN AND ENTERPRISE CAPITAL PROGRAMME - 2013/14 - KEY DECISION (MINUTE EXB 185 REFERS)

Council considered a report of the Strategic Director, Children and Enterprise, which provided a summary of the Capital Programmes for 2013/14 for the Children and Enterprise Directorate.

Council was advised that in March 2013, the Department for Education announced the schools capital grant allocations for 2013/14, as set out in the table in the report. It was noted that this funding would support the following projects:

- Capital Maintenance and Capital Expenditure Revenue Account funding;
- Early Education for Two Year Olds 2013/14;
- Short Breaks Capital 2012/13.

RESOLVED: That

- 1) the capital funding available for 2013/14 be noted;
- 2) the position in respect of Basic Need be noted;
- 3) the proposals to be funded from Capital Maintenance and Capital Expenditure Revenue Account be approved;
- 4) the proposal for the Two Year Old capital funding be approved;
- 5) the proposal for the Short Breaks capital be approved; and
- 6) the Capital Programme 2013/14 be approved.

Strategic Director
- Children and
Enterprise

COU89 TRANSPORT CAPITAL IMPLEMENTATION PROGRAMME 2013/14 (MINUTE EXB 196 REFERS)

Council considered a report of the Strategic Director, Policy and Resources, on the Transport Capital Implementation Programme 2013/14.

Halton's Local Transport Plan (LTP3) was approved on 17 March 2011. It contained the key issues for transport in Halton, identified through a public consultation exercise, and were attached at Appendix 1. These issues were addressed by LTP3 through a series of local goals which linked to both national and local priorities.

It was reported that capital funding for local transport was provided by central Government through the Integrated Transport and Highway Maintenance Block Allocations. The grant was based on needs-based formulae which took account of a wide range of road, transport and other related data, specific to the authority.

The Department for Transport (DfT) confirmed the funding settlement for 2013/14 on 21 December 2012. The report provided details of the Major Scheme Capital Funding, Additional Maintenance Funding, Transport Block Implementation Programmes and Detailed Implementation Programmes.

RESOLVED: That

- 1) the Local Transport Settlement final allocations for 2013/14 and 2014/15 be noted;
- 2) the following sums be approved for incorporation into the Council's Capital Programme for 2013/14:
 - Transport Implementation Programme £2,685,000;
 - Transport Major Scheme Capital Funding (SJB) £2,460,000
 - Additional Local Highways Maintenance Funding £355,000; and
- 3) authority to agree the detailed programme of schemes, based, where appropriate, upon the four year Implementation Programme described in the Local Transport Plan, be delegated to the Strategic Director, Policy and Resources, in consultation with the Executive Board Member for Transportation.

Strategic Director
- Policy &
Resources

COU90 ANNUAL REVIEW OF THE CONSTITUTION 2013
(MINUTE EXB 199 REFERS)

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

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

The proposals for change had been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. It was reported that apart from the purely technical changes, the proposed amendments that were considered to be of particular significance were listed as an appendix to the report.

RESOLVED: That the revised Constitution, including the amendments set out in Appendix 1 attached to the report, be approved.

Strategic Director
- Policy &
Resources

COU91 CALENDAR OF MEETINGS 2013/14 (MINUTE EXB 200
REFERS)

Council received a report of the Strategic Director, Policy and Resources which set out the proposed Calendar of Meetings for the 2013/14 Municipal Year which was appended to the report for information.

RESOLVED: That the Calendar of Meetings for the 2013/2014 Municipal Year as appended to the report, be approved.

Strategic Director
- Policy &
Resources

(N.B. Councillor C Plumpton Walsh declared a Disclosable Other Interest in the following item of business as she was related to the report author)

COU92 3MG FUNDING AND INFRASTRUCTURE (MINUTE EXB
205 REFERS)

Council considered a report of the Strategic Director, Children and Enterprise, on the 3MG Funding and Infrastructure.

The report provided a Preliminary Estimate Report for rail and road access infrastructure to the 3MG HBC Fields development site, in accordance with Procurement Standing

Orders. In addition it sought approval to go out to tender for Phase 2 of the western access road works, to appoint a Contractor and to amend the Capital Programme to allocate funding to the 3MG Programme for the construction of the western access road Phase 2.

RESOLVED: That

- 1) the appointment of Waterman's as Project Manager for the Rail Sidings following competitive tender be noted;
- 2) the Operational Director for Economy, Enterprise and Property be authorised to procure the design and build of the Rail Sidings at 3MG HBC Field at an estimated cost of £2.5 M;
- 3) tenders be invited by the Operational Director, Planning, Policy and Transportation, for a contract to complete construction of the western access road at 3MG HBC Field at an estimated cost of £1.2m in accordance with Procurement Standing Order Part 2;
- 4) development and award of the contract be conducted in accordance with Procurement Standing Orders;
- 5) a revision in the Capital Programme for £1.2m for the completion of the western access road to 3MG HBC Field be approved; and
- 6) the Chief Executive, in consultation with the Leader and the Portfolio holders for Physical Environment, Transportation and Resources be authorised to take such action as judged necessary to implement the 3MG HBC Field development.

Strategic Director
- Children and
Enterprise

COU93 APPOINTMENT OF MAYOR AND DEPUTY MAYOR FOR THE MUNICIPAL YEAR 2013/14 (MINUTE MYR 2 REFERS)

The Mayoral Committee had considered a report making recommendations for the appointment of Mayor and Deputy Mayor for the 2013/14 Municipal Year as follows:

Mayor – Councillor Margaret Ratcliffe
Deputy Mayor – Councillor Shaun Osborne

The Council noted these recommendations, which would be formally confirmed at the Annual Meeting.

COU94 CORE STRATEGY - KEY DECISION

Council considered the report of the Strategic Director, Policy and Resources which sought the adoption of the final version of Halton's Core Strategy.

Council was advised that the report presented at its meeting on 12 December 2012, set out the detailed process Council would have to follow in respect of the development of, consultation on and adoption of the Core Strategy. Editorial amendments had now been made to the document, as authorised by Council Minute COU 55. The final version of the Core Strategy was attached to the report.

RESOLVED: That Council adopt the final version of the Core Strategy, incorporating authorised editorial amendments, as attached to the report.

Strategic Director
- Policy &
Resources

(N.B. The following Councillors declared a Disclosable Other Interest in the following items of business for the reasons stated:

Councillor Roberts in HEA 57 as he was employed by the Wirral University Hospitals Foundation Trust; Councillor M Lloyd Jones in BEB 28 as a Governor of Beechwood School; Councillor Osborne on SAF 54 as an employee of the Co-Op Food Wholesale.)

COU95 MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

The Council considered the reports of the following Boards in the period since the meeting of Council on 6 February 2013:

- Children, Young People and Families;
- Employment, Learning, Skills and Community;
- Health;
- Safer;
- Environment and Urban Renewal;
- Corporate; and
- Business Efficiency.

In considering the minutes the following comments/observations were made:-

- CYP44 – Councillor Dennett observed that, with the impact of the recently implemented changes to welfare benefits, it was unlikely that Halton would be able to meet the Government target of eradicating

- child poverty by 2020;
- Councillor Nelson announced that the new Grange School had opened;
- HEA55 – Councillor E Cargill noted that Warrington and Halton Hospitals NHS Foundation Trust would make £11m of cuts likely to affect around 200 jobs;
- SAF54 – Councillor Osborne brought Members' attention to the work of the Halton Credit Union;
- SAF61 – it was noted that Councillor Dave Cargill had been appointed as the Chair of the Cheshire Police and Crime Panel; and
- CS43 – Councillor Gilligan commended the Legal Services Department for achieving the renewal of the Lexcel Accreditation.

(N.B. Councillor P Lloyd Jones declared a Disclosable Pecuniary Interest in minute DEV 58 and left the room during consideration of that item.)

COU96 COMMITTEE MINUTES

The Council considered the reports of the work of the following Committees in the period since the meeting of Council on 6 February 2013:

- Development Control;
- Standards;
- Regulatory; and
- Mayoral.

COU97 NOTICE OF MOTION UNDER STANDING ORDER 6

The following motion was moved and seconded by Councillors M Wright and E Cargill respectively:

BEDROOM TAX

That Council:

- Asked the Government to re-examine the measures it was putting in place to cut housing benefit from some of Halton's most vulnerable residents on the grounds that their social housing had a spare bedroom;
- Believed it to be an unworkable policy given that if people moved house it would not save any money;
- Noted that according to the Government's own impact assessment, two thirds of the households affected had a disabled person;
- Further noted that if people do want to downsize there were no suitable properties for them to move to, thus

- forcing them to be disadvantaged;
- And called on the Government to drop this policy and think again.

A recorded vote was requisitioned in accordance with Standing Order 16 (1) (b).

Moved by Councillor E Cargill

Seconded by Councillor Wright

The following Councillors voted for the motion:

Councillors Baker, J Bradshaw, M Bradshaw, D Cargill, E Cargill, Cassidy, Dennett, Edge, Fraser, Fry, Gilligan, Harris, S Hill, V Hill, Hodge, Horabin, Howard, Jones, Lea, M Lloyd Jones, P Lloyd Jones, C Loftus, K Loftus, Logan, A Lowe, J Lowe, Macmanus, McDermott, A McInerney, T McInerney, Morley, Nelson, Nolan, Osborne, Parker, Philbin, C Plumpton Walsh, N Plumpton Walsh, Polhill, Ratcliffe, Roberts, Rowe, Sinnott, G Stockton, J Stockton, Thompson, Wallace, Wharton, Woolfall, Wright and Zygadlo.

RESOLVED: That the motion be agreed.

COU98 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Council considered:

- (1) whether Members of the press and public should be excluded from the meeting of Council during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining

the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

(N.B. The following Councillors declared a Disclosable Other Interest in the following item of business as they were Board Members of Halton Borough Transport Ltd and left the room during consideration of the item:

Councillors MacManus, Morley, Wallace, Wharton and Woolfall)

COU99 HALTON BOROUGH TRANSPORT LTD (MINUTE EXB 211 REFERS)

Council considered a report of the Operational Director, Finance, on Halton Borough Transport Limited (the Company).

The report outlined proposals received from the Company's Board for consideration. The proposals were intended to support the Company in the continuing development and improvement of their services for the benefit of the community and to enhance the customer experience.

RESOLVED: That the developments made by Halton Borough Transport Limited as outlined in the report be noted, and the recommendations i) to v) as set out in the report be approved.

Operational
Director - Finance

Meeting ended at 7.25 p.m.