

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 23 May 2013 in The Boardroom, Municipal Building

Present: Councillors Polhill (Chairman), D. Cargill, Harris, R. Hignett, Jones, Nelson, Philbin, J. Stockton, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

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

Also in attendance: None

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

		<i>Action</i>
EXB4	MINUTES	
	<p>The Minutes of the meeting held on 14 May 2013 were taken as read and signed as a correct record.</p>	
	HEALTH AND ADULTS PORTFOLIO	
EXB5	SECTOR LED IMPROVEMENT IN ADULT SOCIAL CARE – MEMORANDUM OF UNDERSTANDING	
	<p>The Board considered a report of the Strategic Director, Communities, which advised on the approach to Sector Led Improvement (SLI) in Adult Social Care.</p>	
	<p>The Board was advised that the Local Government Association, with the support of Government, had developed a new approach to improvement in Adult Social Care. The SLI approach was underpinned by a number of principles, as detailed in the report.</p>	
	<p>The Board was further advised, that at the last meeting of the North West Towards Excellence Board, it was agreed that Local Authority engagement with, and support for, the North West's approach to SLI, would be best achieved by inviting each of the twenty-three upper tier local authorities in the region to agree a formal signing of a</p>	

Memorandum of Understanding. A copy of the draft Memorandum was attached at Appendix 1.

It was noted that the North West approach to SLI was based on a number of complementary elements of sector led improvements. These were:

- Thematic reviews;
- Risk-based approach to peer challenge; and
- Risk triggers.

RESOLVED: That the Board

- 1) note the North West approach to Sector Led Improvement in Adult Social Care, as set out in the report; and
- 2) endorse the approach and agree that the Council will participate by giving the Chief Executive, Executive Board Member for Health and Adults and the Strategic Director, Communities, approval to sign the Memorandum of Understanding, shown at Appendix 1.

Strategic Director
- Communities

RESOURCES PORTFOLIO

EXB6 DIRECTORATE OVERVIEW REPORTS

The Board considered a report of the Strategic Director, Policy and Resources, on progress against key objectives/milestones and performance targets for the fourth quarter year-end to 31 March 2013.

The Board was reminded that in September 2011, it had approved a revision to reporting arrangements on performance, in the light of emerging national and local circumstances. The approved changes included presentation of Directorate Performance Overview Reports on a quarterly basis and progress against the Corporate Plan on a six monthly basis; the development and use of a priority based performance report for each Corporate Priority and Policy and Performance Board; and departmental performance reports to be made available via the intranet and the Members' Bulletin.

It was noted that a review of the Council's existing performance management and monitoring arrangements had been undertaken in 2011, based upon an agreed set of principles, which had been agreed by the Corporate Policy and Performance Board, based around the better

management of performance information in terms of both strategic focus and volume. The Directorate Performance Overview Report (DPOR) provided a strategic summary of the key issues arising from performance in the relevant Quarter for each Directorate. DPOR's from 2012/13 would be presented to Executive Board in line with the presentation of Quarterly Financial Statements. Information for each of the Council's Directorates were attached at Appendices 1-3. The Board noted that monitoring of all relevant high risks would be undertaken and progress be reported against the application of the risk treatment measures in Quarters 2 and 4.

RESOLVED: That the report and progress and performance information be noted.

EXB7 DISPOSAL OF SURPLUS LAND AND BUILDING

The Board considered a joint report of the Strategic Directors, Policy and Resources and Children and Enterprise, on the disposal of surplus land and buildings.

The Board was advised that the Council had a number of property assets which were no longer used, which were predominantly infill plots in secondary locations unlikely to yield high returns. Details of the sites identified as surplus were given on the schedule attached to the report.

The Board noted that the aim was to continue to dispose of surplus sites to sustain the flow of capital receipts, with sites identified and disposals undertaken when market conditions allowed. Following consultation with the relevant Ward Councillors, assets had been identified either for immediate disposal or to be put on hold subject to review; those on hold would be reviewed by the Asset Management Working Group and the Resources Portfolio holder by February 2014.

It was noted that there were a number of other disposals underway, which would be reported separately at the appropriate time. In addition, surplus sites following the construction for the Mersey Gateway Scheme were not readily identifiable until the preferred bidder stage. However, the timescales for such disposals was unlikely to be before the completion of construction in 2016/17.

RESOLVED: That

- 1) the sites on the schedule, declared as surplus and for disposal, be approved;
- 2) the sites on hold be approved for review by February 2014; and
- 3) a further report be brought to Executive Board following this review.

Strategic Director
- Policy &
Resources

EXB8 RELEASE OF RESTRICTIVE COVENANT ON PART OF BRENTFIELD ST MARIE'S - KEY DECISION

The Board considered a report of the Chief Executive, on the release of the restrictive covenant on part of Brentfield St Marie's, Heath Road, Widnes.

The Board was advised that the Council had been approached with a proposition to develop part of the land at St Marie's club for social housing and to secure the future use of playing pitches. Plans attached at Appendix 1 to the report showed the frontage of land which was proposed for sale to HHT for social housing, subject to planning permission, and the two playing pitches which would be transferred to the Wids. It was noted that the removal of the restrictive covenant would apply to the frontage land only. Appendix 2 showed land edged red, where a new restrictive covenant would be applied which would restrict the use of land for playing pitches and leisure uses.

It was further noted that the proposal supported the Borough's Housing and Leisure objectives and was in line with the Unitary Development Plan and upcoming Core Strategy.

Reason(s) for Decision

To ensure a sustainable use of playing pitches and provide new social housing.

Alternative Options Considered and Rejected

The 'do nothing' option had been considered but this would impact on the long-term viability of the rugby pitches.

Implementation Date

Once approval had been agreed, the recommendations would be implemented immediately.

RESOLVED: That the Board approve the variation to the restrictive covenant on Brentfield St Marie's, subject to the following conditions:

Chief Executive

- 1) the release of the covenant shall apply only to the frontage land formerly used as clubhouse, car park, etc and identified on the plan at Appendix 1. The Operational Director, Legal and Democratic Services to ensure that the release is only implemented when the following conditions have been satisfied;
- 2) the land released from the covenant shall be used for the development of social housing only;
- 3) the restrictive covenant shall continue for the remaining two rugby pitches at Brentfield; and
- 4) a new restrictive covenant in favour of the Council shall be applied to the land shown at Appendix 2 at Prescott Road playing fields for the land to be used for playing pitches and leisure only.

EXB9 LIVERPOOL CITY REGION SUBMISSION TO THE 2013 SPENDING REVIEW

The Board considered a report of the Operational Director, Finance, which sought agreement to the Liverpool City Region (LCR) submission ahead of the Government's 2013 Spending Review.

The Board was advised that the 2013 Spending Review, the H M Treasury-led process which allocated resources across government departments, would be published on 26 June 2013. Although the review would be effective from 2015/16, no confirmation had been given on the number of years it would cover. In his 2013 budget report, the Chancellor announced that the themes driving the 2013 Spending Review would be growth, efficiency and public service reform.

The LCR Submission, details of which were attached at Appendix 1, had been drafted to emphasise the level of cuts the region had to deal with before and during the 2010 Spending Review. The Submission had sought the views of Finance and Policy leads in the six LCR Council's as well as Merseyside Police Service, Merseyside Fire and Rescue

Service, Merseyside Recycling and Waste Authority and Merseytravel.

The Board was advised that the submission set out key areas of concern and risk for the LCR Authorities, including :

- Localisation of Council Tax Support;
- Council Tax Referenda;
- Protection of Specific Grants including Public Health Funding;
- Increasing costs of Adult Social Care;
- Business Rate Retention;
- New Homes Bonus; and
- Scope for Further Cuts.

It was noted that the Submission would be presented to the LCR Cabinet on 24 May 2013 and then to H M Treasury and the local Members of Parliament. In addition, it would also be provided to the Local Government Association, Sigoma, Local Government Information Unit and New Local Government Network, for consideration as part of their submissions.

RESOLVED: That the Liverpool City Region submission to the 2013 Spending Review, as set out in the Appendix to the report, be approved.

Operational
Director - Finance

PHYSICAL ENVIRONMENT PORTFOLIO

EXB10 DARESBUY RGF PROJECT - WAIVER OF STANDING ORDERS

The Board considered a report of the Strategic Director, Children and Enterprise, on the waiver of Standing Orders in respect of the Daresbury Regional Growth Fund (RGF) Project.

The Board was advised that there was an urgent need to secure the power element of the RGF programme at Daresbury. This required Halton Borough Council entering into a contract with Scottish Power within the necessary timescales. Details of the process and critical timeframe were given in the report for Members' information.

RESOLVED; That the Board note that a waiver of Standing Orders under SO1.8.1 "Emergency Waiver via the Chief Executive" was obtained to allow the Council to contract for the electricity connection for Daresbury Laboratory with Scottish Power Power Systems Ltd in the

sum of £3.93m. This allowed the Council to contract within the necessary timescales for Regional Growth Funding.

EXB11 STATEMENT OF COMMUNITY INVOLVEMENT LOCAL PLAN DOCUMENT

The Board considered a report of the Strategic Director, Policy and Resources, which sought approval to publish the draft Statement of Community Involvement (SCI) Local Plan Document for public consultation.

The Board was advised that the SCI set out the way the Council would involve the local community, stakeholders and statutory bodies in the preparation and revision of Local Plans. The SCI described the Council's procedures and arrangements for involving the community when considering planning applications and major proposals for development. It was noted that the procedures contained within an adopted SCI must be followed for consultation on all Local Plan documents and all planning applications in Halton.

It was reported that the Council's first SCI was adopted in 2007. An updated version had been prepared to include a number of legislative changes in the way planning documents were prepared. In addition, technological advances had seen the emergence of online and electronic communication as the preferred media for many individuals and organisations. A copy of the draft consultation document was attached at Appendix A. The period of consultation would be four weeks.

RESOLVED: That

- 1) the consultation draft Statement of Community Involvement, attached at Appendix A, be approved for the purposes of public consultation for a four week period; and
- 2) any minor drafting amendments which may be made to the draft Statement of Community Involvement prior to public consultation, be delegated to the Operational Director, Policy, Planning and Transportation, in consultation with the Physical Environment Executive Board Member.

Strategic Director
- Policy &
Resources

EXB12 SHARED SERVICES: HISTORIC ENVIRONMENT SERVICE LEVEL AGREEMENT 2013-2018 AND SERVICE LEVEL AGREEMENT FOR MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE 2013-2018

The Board considered a report of the Strategic Director, Policy and Resources, on shared service agreements.

The Board was advised that the Council's Planning Service utilised shared services for the provision of 'rare expert' advice in relation to ecological and heritage conservation matters. The shared service contracts with Sefton Borough Council and Cheshire West and Chester Councils respectively, were due for renewal. The report provided details of the Service Level Agreements (SLA's) provided for the Historic Environment Service and the Merseyside Environmental Advisory Service.

The Board noted that a renewal of the existing SLA's would ensure that the Council was able to comply with statutory duties and with the National Planning Policy Framework (2012).

RESOLVED: That

- 1) the Service Level Agreement between Halton Borough Council and Cheshire West and Chester Council for the provision of historic environment services through the Archaeology Planning Advisory Service be renewed for a period of five years from 1st April 2013, to 31st March 2018 for an annual sum of £14,693.74. The Operational Director - Policy, Planning and Transportation be delegated the power to agree the sum payable annually under the contract within the limits of the existing budgetary provision;
- 2) the Service Level Agreement between Halton Borough Council and the Merseyside Environmental Advisory Service for the provision of environmental technical advice in connection with planning matters be renewed for a period of five years from 1st April 2013, to 31st March 2018 for an annual sum of £14,660. The Operational Director - Policy, Planning and Transportation be delegated the power to agree the sum payable annually under the contract within the limits of the existing budgetary provision; and

Strategic Director
- Policy &
Resources

- 3) use of Procurement Standing Orders 1.8.4 (e) and (f) to waive Procurement Standing Order 4.1 for contracts up to but not exceeding £173,934 in value to allow the Archaeology Planning Advisory Service and the Merseyside Environmental Advisory Service to supply services as outlined in paragraph 1.2 be approved.

EXB13 JOINT MERSEYSIDE AND HALTON JOINT WASTE LOCAL PLAN - ADOPTION OF PLAN - KEY DECISION

The Board considered a report of the Strategic Director, Policy and Resources on the adoption of the Joint Merseyside and Halton Joint Waste Local Plan.

The Board was advised that Government planning policy required Local Plans to address sustainable waste management. Local Authorities were required to put in place a Local Plan which provided a policy framework and land allocations for new waste management infrastructure to meet the identified needs of each Council.

Following full Council resolution, Halton entered into a joint arrangement with the five Merseyside District Authorities to prepare the Joint Merseyside and Halton Waste Local Plan (WLP). The Board was advised that the WLP was primarily focused on providing new capacity and new sites for waste management uses and for the delivery of a robust policy framework to control waste development.

It was noted that the WLP principally contained:

- a Vision statement to guide future waste management decisions over the next 15 years;
- strategic objectives and a Spatial Strategy to guide delivery of the Vision;
- controlling and enabling Development Management Policies designed to provide certainty in planning decisions;
- site allocations for both local and sub-regional sites which were broadly distributed across all six Council areas; and
- an Implementation and Monitoring Framework.

Reason(s) for Decision

Government Policy (PPS 10) required that waste must be dealt with in a sustainable way. The Council was producing a Joint Waste Local Plan for the Merseyside sub-region. Drafting of the Plan had reached the stage where the policy

framework contained in the Waste Local Plan needed to be subject to public scrutiny.

Alternative Options Considered and Rejected

The Waste Local Plan had been prepared through a multi stage process. Previous public consultation stages had been completed and were detailed in section 5.2 of the report.

These reports documented the evolution of the Plan and the options for policies and sites that had been considered and rejected. The results of the public consultation, engagement with stakeholders, industry and the Local Authorities and detailed technical assessments, had all been used to inform preparation of the Local Plan. The Preferred Options stage reports set out the alternative options considered.

Implementation Date

The Joint Merseyside Waste Local Plan was scheduled to be adopted by all six partner Districts in the Summer of 2013.

RESOLVED: That Council be recommended to

- 1) note the results of public consultation on the proposed modifications to the Merseyside and Halton Joint Waste Local Plan that was undertaken between November 2012 and January 2013 (Appendix 1);
- 2) welcome the report from the Planning Inspector which concluded that, subject to the proposed modifications, the Plan “meets the criteria for soundness in the National Planning Policy Framework” and “provides an appropriate basis for waste planning for Merseyside and Halton over the next 15 years” (Appendix 2);
- 3) agree that the Waste Local Plan (Appendix 3) be adopted as part of the statutory development plan by each of the districts on a single date which shall be one working day after the final (sixth) Full Council resolution has been received;
- 4) note that several of the adopted Unitary Development Plan saved policies (listed in paragraph 4.11, Table 2 of the report) will be replaced by Waste Local Plan policies including the site allocations; and

Strategic Director
- Policy &
Resources

- 5) grant delegated authority to the Operational Director, Policy, Planning and Transportation, in consultation with the Physical Environment Portfolio Holder to make minor typographical changes to the Waste Local Plan, prior to its final publication.

EXB14 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board 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 paragraph 3 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 outweighed the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items 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.

PHYSICAL ENVIRONMENT PORTFOLIO

EXB15 FORMER CROSSVILLE DEPOT, RUNCORN AND LAND
AT EARLE ROAD, WIDNES WATERFRONT,
REGENERATION

The Board considered a report of the Chief Executive, on the development of the former Crossville depot, Runcorn and land at Earle Road, Widnes Waterfront.

The report advised Members on the progress that had been made to bring about the development of the sites. It also asked the Board to note the commercial changes to the terms of the respective development agreements.

RESOLVED: That Council be recommended to note the changes made under powers of delegation as detailed in the report.

Chief Executive

CALL IN

MINUTES ISSUED: 29 May 2013

CALL-IN: 5 June 2013

Any matter decided by the Executive Board may be called in no later than 5.00pm on 5 June 2013

Meeting ended at 2.35pm