

HALTON BOROUGH COUNCIL



*Municipal Building,
Kingsway,
Widnes.
WA8 7QF*

1 April 2014

**TO: MEMBERS OF THE HALTON
BOROUGH COUNCIL**

You are hereby summoned to attend an Ordinary Meeting of the Halton Borough Council to be held in the Council Chamber, Runcorn Town Hall on Wednesday, 9 April 2014 commencing at 6.30 p.m. for the purpose of considering and passing such resolution(s) as may be deemed necessary or desirable in respect of the matters mentioned in the Agenda.

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

Chief Executive

-AGENDA-

Item No.		Page No.
1.	COUNCIL MINUTES	SEE MINUTE BOOK
	a) 5 February 2014	
	b) 5 March 2014	
2.	APOLOGIES FOR ABSENCE	
3.	THE MAYOR'S ANNOUNCEMENTS	
4.	DECLARATIONS OF INTEREST	
5.	LEADER'S REPORT	
6.	MINUTES OF THE EXECUTIVE BOARD	SEE MINUTE BOOK
	a) 6 February 2014	
	b) 27 February 2014	
	c) 13 March 2014	
	d) 27 March 2014	
7.	MINUTES OF THE MERSEY GATEWAY EXECUTIVE BOARD	SEE MINUTE BOOK
8.	MINUTES OF THE HEALTH AND WELLBEING BOARD	SEE MINUTE BOOK
9.	QUESTIONS ASKED UNDER STANDING ORDER 8	
10.	MATTERS REQUIRING A DECISION OF THE COUNCIL	
	a) Joint Health Scrutiny (Minute EXB 164 refers)	1 - 18
	Executive Board considered a report of the Strategic Director, Communities on the establishment of Joint Health Scrutiny arrangements across Cheshire.	
	RECOMMENDED: That Council approve the Joint Health Scrutiny Protocol.	
	b) Calendar of Meetings 2014/15 (Minute EXB 180 refers)	19 - 22

Executive Board considered a report of the Strategic Director, Policy and Resources, on the Calendar of meetings for the 2014/15 Municipal Year.

RECOMMENDED: That Council approve the Calendar of Meetings for the 2014/15 Municipal Year.

- c) Annual Review of the Constitution 2014 (Minute EXB 181 refers)

23 - 26

Executive Board considered a report of the Strategic Director, Policy and Resources, which sought approval to a number of changes to the Council's Constitution.

RECOMMENDED: That Council approve the revised Constitution, including the amendments, set out in Appendix 1.

- d) Polling Districts/Polling Stations Review (Minute EXB 182 refers)

27 - 38

Executive Board considered a report of the Strategic Director, Policy and Resources, on the results of the formal Polling District, Places and Stations Review.

RECOMMENDED: That Council adopt the amendments to the scheme, as detailed in the Appendix, for the period 2014/19.

- e) Appointment of Mayor and Deputy Mayor for 2014/15 (Minute MYR 3 refers)

The Mayoral Committee considered a Part II item making recommendations for the appointment of Mayor and Deputy Mayor for the 2014/15 Municipal Year.

Council is requested to note these recommendations as follows. Formal confirmation will be sought at the annual meeting of Council.

- 1) Councillor Shaun Osborne be appointed as the Mayor; and
- 2) Councillor Ellen Cargill be appointed as the Deputy Mayor.

11. MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD

SEE MINUTE BOOK

- a) Children, Young People and Families

- b) Employment, Learning, Skills and Community
- c) Health
- d) Safer
- e) Environment and Urban Renewal
- f) Corporate Services
- g) Business Efficiency Board

12. COMMITTEE MINUTES

- a) Development Control
- b) Regulatory
- c) Appeals Panel
- d) Mayoral

**SEE MINUTE
BOOK**

REPORT TO:	Executive Board
DATE:	13 March 2014
REPORTING OFFICER:	Strategic Director- Communities
PORTFOLIO:	Health and Wellbeing
SUBJECT:	Joint Health Scrutiny
WARDS:	Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 To present a protocol for the establishment of Joint Health Scrutiny arrangements across Cheshire and Merseyside.

2.0 RECOMMENDATION: That Executive Board recommend Council to approve the Joint Health Scrutiny protocol.

3.0 SUPPORTING INFORMATION

- 3.1 The new Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 required local authorities to form joint scrutiny committees where there was a substantial development/variation proposal which was to impact on more than one Local Authority area.
- 3.2 A joint Health Scrutiny Officer's meeting had taken place in September 2013, which had focused on how as a Cheshire and Merseyside region, we should respond to this requirement.
- 3.3 The Health Policy and Performance Board had considered a draft protocol (attached as Appendix 1), and at its meeting on 4 March 2014 recommended the protocol be approved and adopted by Council.

4.0 POLICY IMPLICATIONS

- 4.1 Having a protocol in place prior to the commencement of any joint scrutiny committees would help support a more structured approach to joint scrutiny.

5.0 OTHER IMPLICATIONS

- 5.1 None identified at this stage.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

None identified at this stage.

6.2 Employment, Learning and Skills in Halton

None identified at this stage.

6.3 A Healthy Halton

The remit of the Health Policy and Performance Board is directly linked to this priority.

6.4 A Safer Halton

None identified at this stage.

6.5 Halton's Urban Renewal

None identified at this stage.

7.0 RISK ANALYSIS

Not having an approved joint protocol could lead to a disjointed approach to joint scrutiny functions in future.

8.0 EQUALITY AND DIVERSITY ISSUES

None identified at this stage.

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

Document	Place of Inspection	Contact Officer
The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013	Municipal Buildings	Lynn Derbyshire Lynn.derbyshire@halton.gov.uk

REPORT TO:	Health Policy and Performance Board
DATE:	4 March 2014
REPORTING OFFICER:	Strategic Director - Communities
PORTFOLIO:	Health and Wellbeing
SUBJECT:	Joint Health Scrutiny
WARD(S)	Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 To present the Board with an update with regards to the development of a protocol for the establishment of Joint Health Scrutiny arrangements across Cheshire and Merseyside, since the last meeting of the Board on 7th January 2014.

2.0 **RECOMMENDATION: That the Board:**

- i) **Note the contents of the report; and**
- ii) **Endorse the revised draft protocol attached at Appendix 1 and agree that it be presented to the Executive Board and subsequently the Council for approval.**

3.0 **SUPPORTING INFORMATION**

3.1 At the Board on the 7th January the background to the development of a Cheshire and Merseyside regional protocol for dealing with joint scrutiny committees was presented, along with an initial draft.

3.2 It was highlighted that the Chair and Vice Chair of the Health Policy & Performance Board had meet with a small group of officers to review the draft protocol with a view to returning comments; comments returned included the need to choose **OPTION 1** and the need to include reference to officer support. At the time of presenting the report to the Board, we were still waiting for feedback from Knowsley as to comments returned by the other Local Authorities and how potentially the draft would change as a result.

3.3 Information has now been received from Knowsley in relation to the comments Halton made as outlined below :-

- Page 3 Footnote – this has now been amended to reflect the current NHS ‘architecture’.
- Page 6 – Membership
7 of the 9 authorities preferred **OPTION 1** (which included the sliding scale approach to nominations). Knowsley didn’t receive any alternative suggestions to the sliding scale.

Halton had suggested that there should only be 1 nominated elected member or nominated substitute from each participating authority whether it be 2 or 9 local authorities. However it was felt that a ‘blanket’ 1 member nomination would not

be a feasible approach as it would have the potential to allow a joint committee to consist of only 2 members.

The protocol now includes a minimum quorum of 3 and it is believed that this is the minimum number to allow a committee meeting to be viable. Membership of joint committee will therefore be as follows:-

- where 8 or more local authorities deem the proposed change to be substantial – the joint health overview and scrutiny committee will consist of 1 nominated elected member from each participating authority (or a nominated substitute)
- where between 4 and 7 local authorities deem the proposed change to be substantial, each authority will nominate 2 elected members
- where 3 or less local authorities deem the proposed change to be substantial, then each participating authority will nominate 3 elected members.

Local authorities who consider change to be ‘substantial’	No of elected members to be nominated from each authority
8 or more	1 member
Between 4 and 7	2 members
3 or less	3 members

- Page 7 Officer Support – An additional section 6.6.4 has been added to the protocol.

4.0 **POLICY IMPLICATIONS**

4.1 The aim of the joint protocol is that it would be used for all future joint scrutiny committees and would help support a more structured approach to joint scrutiny being undertaken.

4.2 Each Local Authority has been asked to consider the revised draft protocol via their appropriate political channels/structure with a view to getting it formally agreed across the Cheshire and Merseyside region.

4.3 It is hoped that the protocol can be agreed in advance of when there will be a requirement to establish another joint scrutiny committee. In terms of the current regional context this is likely to be when the cancer services proposals are made available and there will be a need for formal consultation to take place.

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**

None identified at this stage.

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

None identified at this stage.

6.3 **A Healthy Halton**

The remit of the Health Policy and Performance Board is directly linked to this priority.

6.4 **A Safer Halton**

None identified at this stage.

6.5 **Halton's Urban Renewal**

None identified at this stage.

7.0 **RISK ANALYSIS**

7.1 Not having a joint protocol agreed could lead to a disjointed approach to joint scrutiny committees being undertaken in the future.

7.2 Whilst each Local Authority must decide individually whether a proposal represents a substantial development/variation, it is only the **statutory joint health scrutiny committee** which can formally comment on the proposals if more than one authority agrees that the proposed change is "substantial". Determining that a proposal is not a substantial development/variation removes the ability of an individual local authority to comment formally on the proposal and exercise other powers, such as the power to refer to the Secretary of State.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 None identified at this stage.

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

Document	Place of Inspection	Contact Officer
The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013	Municipal Buildings	Lynn Derbyshire Lynn.Derbyshire@halton.gov.uk

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PROTOCOL FOR ESTABLISHMENT OF JOINT HEALTH SCRUTINY ARRANGEMENTS FOR CHESHIRE AND MERSEYSIDE

1. INTRODUCTION

1.1 This protocol has been developed as a framework for the operation of joint health scrutiny arrangements across the local authorities of Cheshire and Merseyside. It allows for:

- scrutiny of substantial developments and variations of the health service; and,
- discretionary scrutiny of local health services

1.2 The protocol provides a framework for health scrutiny arrangements which operate on a joint basis only. Each constituent local authority should have its own local arrangements in place for carrying out health scrutiny activity individually.

2. BACKGROUND

2.1 The Health and Social Care Act 2012 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 came into effect on 1 April 2013 revising existing legislation regarding health scrutiny.

2.2 In summary, the revised statutory framework authorises local authorities to:

- review and scrutinise any matter relating to the planning, provision and operation of the health service; and,
- consider consultations by a relevant NHS body or provider of NHS-funded services on any proposal for a substantial development or variation to the health service in the local authority's area.

2.3 Ultimately the regulations place a requirement on relevant scrutiny arrangements to reach a view on whether they are satisfied that any proposal that is deemed to be a substantial development or variation is in the interests of the health service in that area, or instead, that the proposal should be referred to the Secretary of State for Health. In instances where a proposal impacts on the residents of one local authority area exclusively, this responsibility lays with that authority's health scrutiny arrangements alone.

2.4 Where such proposals impact on more than one local authority area, each authority's health scrutiny arrangements must consider whether the proposals constitute a substantial development or variation or not. The regulations place a requirement on those local authorities that agree that a proposal is substantial to establish, in each instance, a joint overview and scrutiny committee for the purposes of considering it. This protocol deals with the

proposed operation of such arrangements for the local authorities of Cheshire and Merseyside.

3. PURPOSE OF THE PROTOCOL

3.1 This protocol sets out the framework for the operation of joint scrutiny arrangements where:

- a) an NHS body or health service provider consults with more than one local authority on any proposal it has under consideration, for a substantial development/variation of the health service;
- b) joint scrutiny activity is being carried out on a discretionary basis into the planning, provision and operation of the health service

3.2 The protocol covers the local authorities of Cheshire and Merseyside including:

- Cheshire East Council
- Cheshire West and Chester Council
- Halton Borough Council
- Knowsley Council
- Liverpool City Council
- St. Helens Metropolitan Borough Council
- Sefton Council
- Warrington Borough Council
- Wirral Borough Council

3.3 Whilst this protocol deals with arrangements within the boundaries of Cheshire and Merseyside, it is recognised that there may be occasions when consultations/discretionary activity may affect adjoining regions/ areas. Arrangements to deal with such circumstances would have to be determined and agreed separately, as and when appropriate.

4. PRINCIPLES FOR JOINT HEALTH SCRUTINY

4.1 The fundamental principle underpinning joint health scrutiny will be co-operation and partnership with a mutual understanding of the following aims:

- To improve the health of local people and to tackle health inequalities;
- To represent the views of local people and ensure that these views are identified and integrated into local health service plans, services and commissioning;

- To scrutinise whether all parts of the community are able to access health services and whether the outcomes of health services are equally good for all sections of the community; and,
- To work with NHS bodies and local health providers to ensure that their health services are planned and provided in the best interests of the communities they serve.

5. SUBSTANTIAL DEVELOPMENT/VARIATION TO SERVICES

5.1 Requirements to consult

- 5.1.1 All relevant NHS bodies and providers of NHS-funded services¹ are required to consult local authorities when they have a proposal for a substantial development or substantial variation to the health service.
- 5.1.2 A substantial development or variation is not defined in legislation. Guidance has suggested that the key feature is that it should involve a major impact on the services experienced by patients and/or future patients.
- 5.1.3 Where a substantial development or variation impacts on the residents within one local authority area boundary, only the relevant local authority health scrutiny function shall be consulted on the proposal.
- 5.1.4 Where a proposal impacts on residents across more than one local authority boundary, the NHS body/health service provider is obliged to consult all those authorities whose residents are affected by the proposals in order to determine whether the proposal represents a substantial development or variation.
- 5.1.5 Those authorities that agree that any such proposal does constitute a substantial development or variation are obliged to form a joint health overview and scrutiny committee for the purpose of formal consultation by the proposer of the development or variation.
- 5.1.6 Whilst each local authority must decide individually whether a proposal represents a substantial development/variation, it is only the statutory joint health scrutiny committee which can formally comment on the proposals if more than one authority agrees that the proposed change is “substantial”.
- 5.1.7 Determining that a proposal is not a substantial development/variation removes the ability of an individual local authority to comment formally on the proposal and exercise other powers, such as the power to refer to the Secretary of State. Once such decisions are made, the ongoing obligation on

¹ This includes the NHS England, any Clinical Commissioning Group providing services to the residents of Cheshire and Merseyside, an NHS Trust, an NHS Foundation Trust and any other relevant provider of NHS funded services which provides health services to those residents, including public health.

the proposer to consult formally on a proposal relates only to those authorities that have deemed the proposed change to be “substantial” and this must be done through the vehicle of the joint committee. Furthermore the proposer will not be obliged to provide updates or report back on proposals to individual authorities that have not deemed them to be “substantial”.

5.2 Process for considering proposals for a substantial development/variation

5.2.1 In consulting with the local authority in the first instance to determine whether the change is considered substantial, the NHS body/ provider of NHS-funded service is required to:

- Provide the proposed date by which it requires comments on the proposals
- Provide the proposed date by which it intends to make a final decision as to whether to implement the proposal
- Publish the dates specified above
- Inform the local authority if the dates change²

5.2.3 NHS bodies and local health service providers are not required to consult with local authorities where certain ‘emergency’ decisions have been taken. All exemptions to consult are set out within regulations.³

5.2.4 In considering whether a proposal is substantial, all local authorities are encouraged to consider the following criteria:

- *Changes in accessibility of services:* any proposal which involves the withdrawal or change of patient or diagnostic facilities for one or more speciality from the same location.
- *Impact on the wider community and other services:* This could include economic impact, transport, regeneration issues.
- *Patients affected:* changes may affect the whole population, or a small group. If changes affect a small group, the proposal may still be regarded as substantial, particularly if patients need to continue accessing that service for many years.
- *Methods of service delivery:* altering the way a service is delivered may be a substantial change, for example moving a particular service into community settings rather than being entirely hospital based.
- *Potential level of public interest:* proposals that are likely to generate a significant level of public interest in view of their likely impact.

² Section 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

³ Section 24 *ibid*

5.2.5. This criteria will assist in ensuring that there is a consistent approach applied by each authority in making their respective decisions on whether a proposal is “substantial” or not. In making the decision, each authority will focus on how the proposals impacts on its own area/ residents.

6. OPERATION OF A STATUTORY JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE

6.1 General

6.1.1 A joint health overview and scrutiny committee will be made up of each of the constituent local authorities that deem a proposal to be a substantial development or variation. This joint committee will be formally consulted on the proposal and have the opportunity to comment. It will also be able to refer to the Secretary of State for Health if any such proposal is not considered to be in the interests of the health service.

6.1.2 A decision as to whether the proposal is deemed substantial shall be taken within a reasonable timeframe and in accordance with any deadline set by the lead local authority, following consultation with the other participating authorities.

6.2 Powers

6.2.1 In dealing with substantial development/variations, any statutory joint health overview and scrutiny committee that is established can:

- require relevant NHS bodies and health service providers to provide information to and attend before meetings of the committee to answer questions
- make comments on the subject proposal by a date provided by the NHS body/local health service provider
- make reports and recommendations to relevant NHS bodies/local health providers
- require relevant NHS bodies/local health service providers to respond within a fixed timescale to reports or recommendations
- carry out further negotiations with the relevant NHS body where it is proposing not to agree to a substantial variation proposal; and
- where agreement cannot be reached, to notify the NHS body of the date by which it intends to make the formal referral to the Secretary of State

6.2.2 A joint health overview and scrutiny committee has the power to refer a proposal to the Secretary of State if:

- the committee is not satisfied that consultation with the relevant health scrutiny arrangements on any proposal has been adequate

- it is not satisfied that reasons for an 'emergency' decision that removes the need for formal consultation with health scrutiny are adequate
- it does not consider that the proposal would be in the interests of the health service in its area

6.2.3 Where a committee has made a recommendation to a NHS body/local health service provider regarding a proposal and the NHS body/provider disagrees with the recommendation, the local health service provider/NHS body is required to inform the joint committee and attempt to enter into negotiation to try and reach an agreement. In this circumstance, a joint committee has the power to report to the Secretary of State if:

- relevant steps have been taken to try to reach agreement in relation to the subject of the recommendation, but agreement has not been reached within a reasonable period of time; or,
- There has been no attempt to reach agreement within a reasonable timeframe.

6.2.4 Where a committee disagrees with a substantial variation and has either made comments (without recommendations) or chosen not to provide any comments, it can report to the Secretary of State only if it has:

- Informed the NHS body/local health service provider of its decision to disagree with the substantial variation and report to the Secretary of State; or,
- Provided indication to the NHS body/local health service provider of the date by which it intends to make a referral.

6.2.5 In any circumstance where a committee disagrees with a proposal for a substantial variation, there will be an expectation that negotiations will be entered into with the NHS body/local health service provider in order to attempt to reach agreement.

6.2.6 Where local authorities have agreed that the proposals represent substantial developments or variations to services and agreed to enter into joint arrangements, it is only the joint health overview and scrutiny committee which may exercise these powers.

6.2.7 A statutory joint health overview and scrutiny committee established under the terms of this protocol may only exercise the powers set out in 6.2.1 to 6.2.3 above in relation to the statutory consultation for which it was originally established. Its existence is time-limited to the course of the specified consultation and it may not otherwise carry out any other activity.

6.3 Membership

6.3.1 Each participating local authority should ensure that those Councillors it nominates to a joint health overview and scrutiny committee reflect its own

political balance.⁴ However, overall political balance requirements may be waived with the agreement of all participating local authorities.

6.3.2 A joint committee will be composed of Councillors from each of the participating authorities within Cheshire and Merseyside in the following ways:

- where 4 or more local authorities deem the proposed change to be substantial, each authority will nominate 2 elected members
- where 3 or less local authorities deem the proposed change to be substantial, then each participating authority will nominate 3 elected members.

(Note: In making their nominations, each participating authority will be asked to ensure that their representatives have the experience and expertise to contribute effectively to a health scrutiny process)

Local authorities who consider change to be 'substantial'	No' of elected members to be nominated from each authority
4 or more	2 members
3 or less	3 members

6.3.3 Each local authority will be obliged to nominate elected members through their own relevant internal processes and provide notification of those members to the lead local administrative authority at the earliest opportunity.

6.3.4 To avoid inordinate delays in the establishment of a relevant joint committee, it is suggested that constituent authorities arrange for delegated decision making arrangements to be put in place to deal with such nominations at the earliest opportunity.

6.5 Quorum

6.5.1 The quorum of the meetings of a joint committee shall be one quarter of the full membership of any Joint Committee, subject to the quorum being, in each instance, no less than 3.

6.5.2 There will be an expectation for there to be representation from each authority at a meeting of any joint committee established. The lead local authority will attempt to ensure that this representation is achieved.

6.6 Identifying a lead local authority

⁴ Localism Act 2011, Schedule 2 9FA, 6 (b)

- 6.6.1 A lead local authority should be identified from one of the participating authorities to take the lead in terms of administering and organising a joint committee in relation to a specific proposal.
- 6.6.2 Selection of a lead authority should, where possible, be chosen by mutual agreement by the participating authorities and take into account both capacity to service a joint health scrutiny committee and available resources. The application of the following criteria should also guide determination of the lead authority:
- The local authority within whose area the service being changed is based; or
 - The local authority within whose area the lead commissioner or provider leading the consultation is based.
- 6.6.3 Lead local authority support should include a specific contact point for communication regarding the administration of the joint committee. There will be an obligation on the key lead authority officer to liaise appropriately with officers from each participating authority to ensure the smooth running of the joint committee.
- 6.6.4 Each participating local authority will have the discretion to provide whatever support it may deem appropriate to their own representative(s) to allow them to make a full contribution to the work of a joint committee.

6.7 Nomination of Chair/ Vice-Chair

The chair/ vice-chair of the joint health overview and scrutiny committee will be nominated and agreed at the committee's first meeting. It might be expected that consideration would be given to the chair being nominated from the representative(s) from the lead authority.

6.8 Meetings of a Joint Committee

- 6.8.1 At the first meeting of any joint committee established to consider a proposal for a substantial development or variation, the committee will also consider and agree:
- The joint committee's terms of reference;
 - The procedural rules for the operation of the joint committee;
 - The process/ timeline for dealing formally with the consultation, including:
 - the number of sessions required to consider the proposal; and,
 - the date by which the joint committee will make a decision as to whether to refer the proposal to the Secretary of State for Health – which should be in advance of the proposed date by which the NHS body/service provider intends to make the decision.

6.8.2 All other meetings of the joint committee will be determined in line with the proposed approach for dealing with the consultation. Different approaches may be taken for each consultation and could include gathering evidence from:

- NHS bodies and local service providers;
- patients and the public;
- voluntary sector and community organisations; and
- NHS regulatory bodies.

6.9 Reports of a Joint Committee

6.9.1 A joint committee is entitled to produce a written report which may include recommendations. As a minimum, the report will include:

- An explanation of why the matter was reviewed or scrutinised
- A summary of the evidence considered
- A list of the participants involved in the review
- An explanation of any recommendations on the matter reviewed or scrutinised

The lead authority will be responsible for the drafting of a report for consideration by the joint committee.

6.9.2 Reports shall be agreed by the majority of members of a joint committee and submitted to the relevant NHS body/health service provider or the Secretary of State as applicable.

6.9.3 Where a member of a joint health scrutiny committee does not agree with the content of the committee's report, they may produce a report setting out their findings and recommendations which will be attached as an appendix to the joint health scrutiny committee's main report.

7. DISCRETIONARY HEALTH SCRUTINY

- 7.1 More generally, the Health and Social Care Act 2012 and the 2013 Health Scrutiny Regulations provide for local authority health scrutiny arrangements to scrutinise the planning, provision and operation of health services.
- 7.2 In this respect, two or more local authorities may appoint a joint committee for the purposes of scrutinising the planning, provision and operation of health services which impact on a wider footprint than that of an individual authority's area.
- 7.3 Any such committee will have the power to:
- require relevant NHS bodies and health service providers to provide information to and attend before meetings of the committee to answer questions
 - make reports and recommendations to relevant NHS bodies/local health providers
 - require relevant NHS bodies/local health service providers to respond within a fixed timescale to reports or recommendations
- 7.4 A discretionary joint committee will not have the power to refer an issue to the Secretary of State for Health.
- 7.5 In establishing a joint committee for the purposes of discretionary joint scrutiny activity, the constituent local authorities should determine the committee's role and remit. This should include consideration as to whether the committee operates as a standing arrangement for the purposes of considering all of the planning, provision and operation of health services within a particular area or whether it is being established for the purposes of considering the operation of one particular health service with a view to making recommendations for its improvement. In the case of the latter, the committee must disband once its specific scrutiny activity is complete.
- 7.6 In administering any such committee, the proposed approach identified in sections 6.3 – 6.9 (disregarding any power to refer to the Secretary of State) of this protocol should be followed, as appropriate.

8. CONCLUSION

- 8.1 The local authorities of Cheshire and Merseyside have adopted this protocol as a means of governing the operation of joint health scrutiny arrangements both mandatory and discretionary. The protocol is intended to support effective consultation with NHS bodies or local health service providers on any proposal for a substantial development of or variation in health services. The protocol also supports the establishment of a joint health overview and scrutiny committee where discretionary health scrutiny activity is deemed appropriate.
- 8.2 The protocol will be reviewed regularly, and at least on an annual basis to ensure that it complies with all current legislation and any guidance published by the Department of Health.

DRAFT

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REPORT TO: Executive Board
DATE: 27 March 2014
REPORTING OFFICER: Strategic Director – Policy and Resources
SUBJECT: Calendar of Meetings – 2014/15
WARDS: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To approve the Calendar of Meetings for the 2014/2015 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 2014/2015 Municipal Year, attached at Appendix 1.

3.0 SUPPORTING INFORMATION

None.

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 2015	FEB	MARCH	APR
S		(31 May)			(30 August)		1			(31 January)		
S		1			(31 August)		2			1	1	
M		2			1 Children, Young People & Families PPB		3 Dev Control	1 Dev Control Cttee		2 AF – Daresbury	2	
T		3 Executive Board (Selection Committee)	1 AF – A, K & R		2 Corporate PPB		4 Health PPB	2 SEMINAR		3 AF – H C, NN, NS & WH	3 Corporate PPB	
W		4	2 AF – B & HL		3 Standards Committee	1 AF – B & HL	5			4 COUNCIL	4 SPECIAL COUNCIL	1
T	1	5	3 SEMINAR		4 Executive Board	2 Executive Board	6 Executive Board	4	1 New Year's Day	5 SEMINAR	5	2
F	2	6 Annual Council	4	1	5	3	7	5	2	6	6	3 Good Friday
S	3	7	5	2	6	4	8	6	3	7	7	4
S	4	8	6	3	7	5	9	7	4	8	8	5
M	5 Early Spring Bank Holiday	9 Children Young People & Families PPB	7 Development Control	4 Development Control Committee	8 Dev Control Cttee	6 Dev Control Cttee	10 Employment, Learning, Skills & Community PPB	8	5 Children, Young People & Families PPB	9 Dev Control Cttee	9 Dev Control Cttee	6 Easter Monday
T	6	10 Corporate PPB	8 H C, NN, NS & WH	5 SEMINAR	9 Health PPB	7 AF – H C, NN, NS & WH	11 Safer PPB	9	6 Corporate PPB	10	10 Health PPB	7 SEMINAR
W	7 Health & Wellbeing Board	11 Business Efficiency	9 Health and Wellbeing Board AF- B, F & HV	6	10 Environment and Urban Renewal PPB	8 AF – B, F & HV SEMINAR	12 Health & W Board	10 COUNCIL	7 Employment, Learning, Skills & Community, PPB	11 Standards Committee	11 Health & W Board	8
T	8	12 Executive Board SEMINAR	10 Executive Board	7	11 SEMINAR	9	13	11 Executive Board	8	12 Executive Board	12 Executive Board	9 Executive Board
F	9	13	11	8	12	10	14	12	9	13	13	10
S	10	14	12	9	13	11	15	13	10	14	14	11
S	11	15	13	10	14	12	16	14	11	15	15	12
M	12 Development Control	16 Development Control	14 AF - Daresbury	11	15 Employment, Learning, Skills & Community PPB	13 AF Daresbury	17 Regulatory Committee	15	12 Dev Control Cttee	16	16 Schools Forum	13
T	13	17 Health PPB	15	12	16 Safer PPB	14	18	16	13 Health PPB	17	17 Safer PPB	14 Dev Control Cttee
W	14	18 Regulatory Committee	16 COUNCIL	13	17 Health & W Board Regulatory Committee	15 COUNCIL	19 Environment and Urban Renewal PPB	17	14 Health & W Board Regulatory Committee	18	18 Regulatory Committee Mayoral Committee	15 COUNCIL
T	15	19	17	14	18 Executive Board	16 Executive Board	20 Executive Board	18	15 Executive Board SEMINAR	19	19	16
F	16	20	18	15	19	17	21	19	16	20	20	17
S	17	21	19	16	20	18	22	20	17	21	21	18
S	18	22	20	17	21	19	23	21	18	22	22	19
M	19	23 Employment, Learning Skills & Comm PPB Schools Forum	21 AF – G, HB, H & M	18	22 AF – B, D, H & HG	20 Children, Young People & Families PPB	24	22	19 AF – G, HB, H & M	23 Children, Young People & Families PPB	23 Employment, Learning Skills and Community PPB	20
T	20	24 Safer PPB	22	19	23 AF – A, K & R	21 Corporate PPB	25	23	20 Safer PPB	24	24	21
W	21	25 Environment & Urban Renewal PPB	23	20	24 Business Efficiency Board	22	26 Business Efficiency Board	24	21 AF – B, F & HV Schools Forum	25 Business Efficiency Board	25 Environment & Urban Renewal PPB	22
T	22 Elections (Local & European)	26 Executive Board	24	21	25	23 SEMINAR	27	25 Christmas Day	22	26 Executive Board	26 Executive Board	23
F	23 Local Election Count	27	25	22	26	24	28	26 Boxing Day	23	27	27	24
S	24	28	26	23	27	25	29	27	24	28	28	25
S	25 European Election Count	29	27	24	28	26	30	28	25	29	29	26
M	26 Spring Bank Holiday	30 AF – B, D, H & HG	28	25 Summer Bank Holiday	29 AF – G, HB, H & M	27		29	26 AF – B, D, H & HG		30	27
T	27		29	26	30	28		30	27 AF – A, K & R		31	28
W	28		30	27		29		31	28 Environment & Urban Renewal PPB			29
T	29		31	28		30			29 Executive Board			30
F	30			29		31			30			

REPORT TO: Executive Board

DATE: 27 March 2014

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Resources

SUBJECT: Annual Review of Constitution 2014

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 Act 2012 have been considered as well as other changes in the law. However, no further amendments, over and above those already outlined, are required at the present time. Any other required changes during the period 2014/15 will be the subject of further reports when dates and details are available.

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

- Virement – section has been updated to reflect a review of the budget virement rules in section 5.2.2.2
- Purchase Orders – additional guidance on how orders are raised and processed to accommodate e-procurement payment methods in section 8.2.7
- Treasury Management – additional paragraph inserted at 6.5.7 on authorisation limits for borrowings and for investments
- New section on Construction Industry Tax Scheme at 6.10
- Invoices and Creditor Payments - Additional guidance inserted relating to Construction Industry Tax Scheme invoices at 8.3

Procurement Standing Orders

These have been amended to keep up with changes in procedures. Of note are the proposed changes to the procedures for the Waiver of Procurement Standing Orders (Emergency Procedures and non-Emergency Waiver). A full set of the Procurement Standing Orders, showing track changes, together with a summary of those changes, is available for inspection.

Trading Standards – for information

Executive Board had approved the return of the Trading Standards Service in house at its meeting on 19 September 2013. This would become effective from 1 April 2014, and the necessary amendments to the Constitution to enable the implementation of delegated powers have already been approved by Council on 5 February 2014. No further changes are required as part of this review and those previously identified will be incorporated into the new version of the Constitution document.

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

New Standing Orders have been added under the following sections:

- Licensing, Environmental Health and Consumer Protection

- Changes in delegation to reflect transfer of powers to Director of Public Health
- Regulation of Investigatory Powers Act 2000 (RIPA)

(Changes to Authorising Officers, Senior Responsible Officer and RIPA Co-ordinator)

Confidential Reporting Code (Whistleblowing Policy)

This has been updated to reflect changes in the law. Trade Unions have also been consulted on the amended document.

Members' Allowance Scheme

This has been updated to reflect the NJC pay award effective from 1 April 2013.

General references to Policy Documents

These have been updated throughout the document to reflect the up to date Policy Framework.

Standing Orders relating to the Conduct of Council Business:-

- **SO 16 Voting at Council meetings**

There is now a requirement for a Recorded Vote at Council meetings where a decision is taken on the Budget, setting Council Tax or issuing Precepts. (Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 refers).

Policy and Performance Board Procedure Rules – Remit of PPB's

This amendment makes arrangements for dealing with topics which fall within the remit of more than one PPB. At present, this matter is determined by the Executive Board. To ensure that PPB Chairs and the Scrutiny Co-ordinator have an involvement in this, it is proposed to give the Scrutiny Co-ordinator, in consultation with the relevant PPB Chairs, the task of determining which PPB shall assume responsibility.

The Scrutiny Chair's Group will be consulted on this proposed amendment prior to the meeting of full Council.

REPORT TO:	Executive Board
DATE:	27 March 2014
REPORTING OFFICER:	Strategic Director – Policy & Resources
PORTFOLIO:	Resources
SUBJECT:	Polling Districts/Polling Stations Review
WARDS:	All Wards

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of the results of the formal Polling District, Places and Stations Review, highlight any recommended changes to the polling scheme and put forward a polling scheme for approval.

2.0 RECOMMENDATION: That Council be recommended to adopt the scheme detailed in the appendix to the report for the period 2014-2019.

3.0 SUPPORTING INFORMATION

- 3.1 The Electoral Administration Act 2006 requires the Council to carry out a review of all its polling stations every four years. The main purpose of the review is to ensure that all residents have reasonable facilities for voting.
- 3.2 As part of the review process we have to consult electors, councillors and other interested parties. Details of all polling districts and polling stations have been published on the Council's website. Comments were required by 10 March. No comments have been received.
- 3.3 The Polling Station Review Working Party has considered the scheme detailed in the Appendix and recommend it for approval for the period 2014–2019.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

- 4.1 There are no specific policy implications although it is important to ensure that all electors have equal access to polling stations and places in line with the Council's priority on accessibility of services.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 5.1 **Children and Young People in Halton** – If polling stations are situated in the right places it could encourage voter turnout for electors in this age group.

- 5.2 **Employment, Learning and Skills in Halton** – There are no implications arising from this report.
- 5.3 **A Healthy Halton** – The provision of polling stations in suitable locations could encourage engagement with the democratic process and in turn promote a healthy living environment.
- 5.4 **A Safer Halton** – The location of polling stations in a safe environment for all electors could encourage voter turnout.
- 5.5 **Halton's Urban Renewal** - There are no implications arising from this report.

6.0 RISK ANALYSIS

- 6.1 There are no risk assessment implications.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 Historically every effort has been made to make sure that all polling buildings are accessible for electors with disabilities. It is important to ensure that all electors have equal access to polling stations and places in line with the Council's priority on accessibility of services.

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

None under the meaning of the Act.

APPENDIX**POLLING PLACES AND ELECTORATE****APPLETON WARD**

Polling District	Polling Place	Electorate	Suggested Changes
BA	Ice Cream Parlour, Victoria Park, (Lockett Road entrance), Widnes	1406	None
BB	St Bedes Catholic Junior School, Appleton Village, Widnes	1172	None
BC	Fairfield Primary School, Peelhouse Lane, Widnes	1599	None
BD	Mobile Polling Station, Frederick Street/Dickson Street, Widnes	247	None
BE	St Maries Church & Parish Hall, Lugsdale Road, Widnes (Shared with Riverside Ward – polling district EA)	536	None

BEECHWOOD WARD

Polling District	Polling Place	Electorate	Suggested Changes
PA	Beechwood Community Centre, Beechwood Avenue, Runcorn	1359	None
PB	Hillview Primary School, Beechwood Avenue, Runcorn	1679	None

BIRCHFIELD WARD

Polling District	Polling Place	Electorate	Suggested Changes
XA	Mobile Polling Station, Upton Tavern Car Park, Upton Lane, Widnes	3502	None
XB	Mobile Polling Station, Queensbury Way, Widnes	1870	None

BROADHEATH WARD

Polling District	Polling Place	Electorate	Suggested Changes
FA	Our Lady's Church Hall, Mayfield Avenue, Widnes (Shared with Ditton Ward – polling district GD)	731	None
FB	Mobile Polling Station, Delamere Avenue (rear of Quarry Court), Widnes	851	None
FC	Mobile Polling Station, The Bankfield School, Liverpool Road, Widnes	889	None
FD	Mobile Polling Station, Blundell Road/Hanley Road, Widnes	1255	None
FE	Widnes Rugby Union Football Club, Heath Road, Widnes	1243	None

DARESBURY WARD

Polling District	Polling Place	Electorate	Suggested Changes
TK	Milner Institute, Runcorn Road, Moore, Runcorn	663	None
TL	The Lewis Carroll Centre, All Saints Parish Church, Daresbury Lane	223	None
TM	Preston Brook Village Hall, Sandy Lane, Runcorn	638	None
TT	Sandymoor Community Centre, Pitts Heath Lane, Sandymoor, Runcorn	1992	None

DITTON WARD

Polling District	Polling Place	Electorate	Suggested Changes
GA	Nursery Unit, Oakfield Community Primary School, Edinburgh Road, Widnes	839	None
GB	Our Lady of Perpetual Succour Catholic Primary School, Clinton View, Widnes	1114	None
GC	Halebank Youth Club, Baguley Avenue, Widnes	1450	None
GD	Mobile Polling Station, Ditchfield Road, Widnes	1021	None
GE	Our Lady's Church Hall, Mayfield Avenue, Widnes (Shared with Broadheath Ward – polling district FA)	665	None
GF	Scout Hut, Hall Avenue, Widnes	571	None

FARNWORTH WARD

Polling District	Polling Place	Electorate	Suggested Changes
AA	Lunts Heath Primary School, Wedgewood Drive, Widnes	2801	None
AB	Farnworth CE Voluntary Controlled Primary School, Pit Lane, Widnes	1652	None
AC	Moorfield Primary School, Moorfield Road, Widnes (shared with Halton View Ward)	929	None
AD	Farnworth Methodist Church Hall, Derby Road, Widnes	678	None

GRANGE WARD

Polling District	Polling Place	Electorate	Suggested Changes
NA	Bertha's Room, St Edwards Parish Centre, Ivy Street, Runcorn	1376	None
NB	Grangeway Community Centre, Grangeway, Runcorn	1545	None
NC	Halton Lodge Childrens Centre, Grangeway, Runcorn	2076	None

HALE WARD

Polling District	Polling Place	Electorate	Suggested Changes
JA	Hale Village Hall, High Street, Hale	1551	None

HALTON BROOK WARD

Polling District	Polling Place	Electorate	Suggested Changes
MA	Wicksten Drive Christian Centre, Wicksten Drive, Runcorn	1975	None
MB	Brook Chapel, Boston Avenue, Runcorn	1407	None
MC	Castle View Primary School, Meadway, Runcorn	1546	None

HALTON CASTLE WARD

Polling District	Polling Place	Electorate	Suggested Changes
OA	St Augustine's Catholic Primary School, Nigel Walk, Runcorn	1448	None
OB	Castlefields Community Centre, Tyrell Way, Runcorn	860	None
OC	St Mary's Halton CE Aided Primary School, Castlefields Avenue South, Runcorn	1247	None
OD	The Brow Community Primary School, The Clough, Runcorn	1051	None

HALTON LEA WARD

Polling District	Polling Place	Electorate	Suggested Changes
QA	Palacefields Community Centre, The Uplands, Runcorn	2008	None
QB	The Lapwing Centre, Lapwing Grove, Runcorn	1149	None
QC	Hallwood Park Primary School, Hallwood Park Avenue, Runcorn	957	None
QD	Halton Lodge Community Centre, Whitchurch Way, Runcorn	598	None

HALTON VIEW WARD

Polling District	Polling Place	Electorate	Suggested Changes
CA	Mobile Polling Station, Weates Close, Widnes	1569	None
CB	Mobile Polling Station, Bancroft Road, Widnes	1865	None
CC	St Ambrose Church Hall, Warrington Road, Widnes	1334	None
CD	Moorfield Primary School, Moorfield Road, Widnes (Shared with Farnworth Ward)	548	None

HEATH WARD

Polling District	Polling Place	Electorate	Suggested Changes
LA	Christ Church Hall, Sandy Lane, Runcorn	752	None
LB	St Clements Catholic Primary School, Oxford Road, Runcorn	1433	None
LC	St John's CE Church Hall, Heath Road South, Weston Village, Runcorn	903	None
LD	Church of Jesus Christ of Latter Day Saints, Clifton Road, Runcorn	1624	None

HOUGH GREEN WARD

Polling District	Polling Place	Electorate	Suggested Changes
HA	All Saints Upton CE Controlled Primary School, Hough Green Road, Widnes	2208	None
HB	Upton Community Centre, Hough Green Road, Widnes	890	None
HC	Mobile Polling Station, Arley Drive, Widnes	1192	None
HD	St Basil's Catholic Primary School, Hough Green Road, Widnes	1052	None

KINGSWAY WARD

Polling District	Polling Place	Electorate	Suggested Changes
DA	6 th Form Building, Saints Peter & Paul Catholic College, Highfield Road, Widnes	1089	None
DB	Ditton Primary School, Liverpool Road, Widnes	538	None
DC	Creche - Fitness Suite – Halton Stadium, Lowerhouse Lane, Widnes	2329	None
DD	Simms Cross Primary School, Kingsway, Widnes (Entrance on Kingsway, near Sharp Street)	656	None
DE	Creche - Fitness Suite – Halton Stadium, Lowerhouse Lane, Widnes	393	None

MERSEY WARD

Polling District	Polling Place	Electorate	Suggested Changes
KA	Runcorn Spiritualist Church, Ashridge Street, Runcorn	1668	None
KB	The Partnership Centre, Old Police Station, Bridge Street, Runcorn	823	None
KC	Victoria Road Primary School, Victoria Road, Runcorn	796	None
KD	West Runcorn Youth Club, Russell Road, Runcorn	949	None
KE	Westfield Primary School, Clayton Crescent, Runcorn	1128	None

NORTON NORTH WARD

Polling District	Polling Place	Electorate	Suggested Changes
RA	St Bertelines CE Primary School, Norton Lane, Runcorn	2673	None
RB	Gorsewood Primary School, Gorsewood Road, Runcorn	2386	None

NORTON SOUTH WARD

Polling District	Polling Place	Electorate	Suggested Changes
ZX	Brookvale Community Centre (Higher House), Old Northwich Road, Runcorn	1082	None
ZY	Murdishaw Community Centre, Barnfield Avenue, Runcorn	1540	None
ZZ	Brookvale Community Centre (Higher House), Old Northwich Road, Runcorn	2146	None

RIVERSIDE WARD

Polling District	Polling Place	Electorate	Suggested Changes
EA	St Maries Church & Parish Hall, Lugsdale Road, Widnes (Shared with Appleton Ward – polling district BE)	528	None
EB	West Bank Primary School, Cholmondeley Street, Widnes	1011	None
EC	Ditton Community Centre, Dundalk Road, Widnes	838	None
ED	St Michael's Parish Centre, St Michaels Road, Widnes	1355	None

WINDMILL HILL WARD

Polling District	Polling Place	Electorate	Suggested Changes
SA	Priory View Community House, 231-233 Lockgate West, Runcorn	872	None
SB	Windmill Hill Primary School, Windmill Hill, Runcorn	824	None