

**HALTON BOROUGH COUNCIL**



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

*7 July 2015*

**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, 15 July 2015 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-**

<b>Item No.</b>		<b>Page No.</b>
<b>1.</b>	<b>COUNCIL MINUTES</b>	<b>SEE MINUTE BOOK</b>
<b>2.</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>3.</b>	<b>THE MAYOR'S ANNOUNCEMENTS</b>	
<b>4.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>5.</b>	<b>LEADER'S REPORT</b>	
<b>6.</b>	<b>MINUTES OF THE EXECUTIVE BOARD</b>	<b>SEE MINUTE BOOK</b>
	a) 9 April 2015	
	b) 19 May 2015	
	c) 4 June 2015	
	d) 2 July 2015	
<b>7.</b>	<b>MINUTES OF THE HEALTH AND WELLBEING BOARD</b>	<b>SEE MINUTE BOOK</b>
<b>8.</b>	<b>QUESTIONS ASKED UNDER STANDING ORDER 8</b>	
<b>9.</b>	<b>MATTERS REQUIRING A DECISION OF THE COUNCIL</b>	
	a) Annual Reports of the Policy and Performance Boards	<b>1 - 40</b>
	b) Annual Report of the Standards Committee (Minute STC 2 refers) Standards Committee had considered the Annual Report of the Operational Director/ Monitoring Officer, which summarised the work of the Committee in the last Municipal Year.  RECOMMENDED: That the report be noted and referred to Council for information.	<b>41 - 44</b>
	c) Basic Need Capital Funding - KEY DECISION (Minute EXB 13 refers)  Executive Board considered the attached report.  RECOMMENDED: That Council be recommended to approve the Basic Need Capital Funding.	<b>45 - 48</b>

<p>d) 2015/16 to 2017/18 Capital Programme (Minute EXB 18 refers)</p> <p>Executive Board considered the attached report.</p> <p>RECOMMENDED: That Council be recommended to approve the updated Capital Programme for 2015/18, including forecast spend and funding as set out in Table 1 and Table 2.</p>	<p><b>49 - 56</b></p>
<p>e) Liverpool City Region Major Maintenance bid for the SJB Complex (Minute EXB 22 refers)</p> <p>Executive Board considered the attached report.</p> <p>RECOMMENDED: That Council be recommended to approve the inclusion of £330,000 in the Capital Programme to provide the partial match funding required for the Major Maintenance bid.</p>	<p><b>57 - 60</b></p>
<p>f) Amendments to Standing Orders relating to Staff and the Officer Employment Rules and Establishment of an Independent Persons Panel</p> <p>RECOMMENDED: That Council approve the report.</p>	<p><b>61 - 80</b></p>
<p>g) Mersey Gateway Bridge - Proposed River Mersey (MGB) (Modification) Order and Proposed Mersey Gateway Bridge and A533 (Silver Jubilee Bridge) Road User Charging Scheme Order</p> <p>RECOMMENDED: That Council approve the report.</p>	<p><b>81 - 84</b></p>
<p><b>10. MINUTES OF THE POLICY AND PERFORMANCE BOARDS AND THE BUSINESS EFFICIENCY BOARD</b></p> <p>a) Children, Young People and Families</p> <p>b) Employment, Learning, Skills and Community</p> <p>c) Health</p> <p>d) Safer</p> <p>e) Environment and Urban Renewal</p> <p>f) Corporate Services</p> <p>g) Business Efficiency Board</p>	<p><b>SEE MINUTE BOOK</b></p>

**11. COMMITTEE MINUTES**

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

**SEE MINUTE  
BOOK**

**Annual Review of Scrutiny by the  
Council's Scrutiny Co-ordinator for 2014/15**

I am pleased to provide this brief overview of scrutiny activity at Halton Borough Council for 2014/15 and to commend to you the individual Annual Reports of each Policy & Performance Board (PPB). These reports provide many examples of the excellent work our PPB's do in holding the Executive to account, developing policy and reviewing performance. The detailed work done through the individual topic groups makes a significant contribution in moving things forward.

The PPB meetings that took place over the last Municipal Year covered issues ranging from reviewing service and financial performance, undertaking pre-scrutiny of items in advance of Executive Board consideration and the development of recommendations to the Executive Board through the Topic Group work each PPB engages in.

It is particularly clear to me that where pre-scrutiny takes place that the added value provided by our PPB's is very much appreciated by Executive Board colleagues.

The involvement of PPB Chairs in the Budget Working Party has continued to ensure that PPB views and concerns are well represented in the budget process. A process that is getting more and more challenging each year. PPB involvement in focusing the Council's priorities will remain an extremely important role.

Finally, I would like to thank the Chairs Group for the support they have provided me in carrying out the role of Scrutiny Co-ordinator over the past 12 months.

**Cllr Tony McDermott**  
Scrutiny Co-ordinator

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Cllr. Mark  
Dennett  
Chairman  
Children &  
Young People  
PPB

**ANNUAL REPORT  
CHILDREN AND YOUNG PEOPLE POLICY AND PERFORMANCE BOARD  
APRIL 2014 – MARCH 2015**

“I always like to start by looking back over the previous twelve months. The focus of the Board was very much around the scrutiny of our social care services, ensuring that we continue to provide the support for our children in care and families who come into contact with the social care system, ensuring that the systems and support are in place to protect our young people. The critical need for these services has been highlighted by the cases in Rotherham, and we continue to make sure they are fully supported, especially in these times of savage government cuts.

We have also examined how the education reforms have affected our schools. All of our primary schools are still wrestling with how they can assess our children's progress without levels of attainment to measure against. This is even more highlighted when Her Majesty's Chief Inspector singled out Halton for it's high performance in our schools notably, the proportion of disadvantaged pupils (pupils on Free School Meals (FSM) achieving 5+ A\*- C including English and Mathematics at GCSE was the highest in the North West and in the top 10 nationally. Unfortunately, proving these kinds of successes will be even more difficult now with the educational reforms.

As I have done over the last few years, I would like to take this opportunity to congratulate our students who did so well this year, and also thank the parents, carers and teachers who supported them in achieving these fantastic results. The results show Halton's continued commitment to drive up standards and improve the opportunities available to all of our young people as they move into adulthood.

Looking back I think it has been a good and varied ninth year for the board and I would like to thank all of the members of the board, as well as all of the officers involved for their continued support and contribution.

Going forward I intend to look further at the educational reforms and look at ways we can help our family of schools to come together and ensure that our children continue to get the best educational start in life. We will also continue to scrutinise our social care and safeguarding services, ensuring that we do everything we can to support our most vulnerable children and young people.

Finally, I would like to conclude this report by thanking all of the officers and members (of all parties) involved in all of the 'additional duties' that take place to make sure that the children and young people receive that best care and support. Duties such as being a school governor with all of the responsibilities that that entails, statutory inspections of our care homes (Regulation 33) or of our social worker teams (Climbié visits), membership of the Local Safeguarding Board, the Adoptions Panel, the Children and Young People's Trust, to name but a few of the 'extra duties' that both members and officers perform to support and improve the lives of the children and young people of our Borough.”

**Councillor Mark Dennett**

**Chairman, Children, Young People and Families Policy and Performance Board**

## MEMBERSHIP AND RESPONSIBILITIES

During 2013/14 the Board comprised Eleven Councillors – Councillors M. Dennett (Chairman) Cllr G. Logan (Vice Chairman), L.Cassidy, P.Hignett, M. Horabin, K Loftus, A McInerney, J.Roberts, J. Stockton, A. Wall, B.Woolfall, and Co-optee E Lawler.

The Board is responsible for scrutinising performance and formulating policy in relation to the work of the Council (and its partner agencies within Children's Trust Arrangements) in seeking: to ensure that children and young people in Halton have the best possible start in life and opportunities to fulfil their potential and succeed; and to scrutinise progress against the Corporate Plan and the Children and Young People's Plan.

## REVIEW OF THE YEAR

The full Board met five times during the year, and set out below are some of the main initiatives that the Board has worked on during the year.

### **Children and Enterprise Directorate Business Plan**

The Board considered a report of the Strategic Director, Children and Enterprise on the Directorate Business Plan.

It was noted that each Directorate of the Council was required to develop a medium-term business plan, in parallel with the budget, that was subject to annual review and refresh. The key priorities for development or improvement for the various functional areas were considered previously by the Board at a special meeting held on 19 November 2013 and the Board now endorsed the departmental activities and performance measures and targets that would provide a focus for on-going monitoring of performance throughout the 2014-15 financial year.

### **Care Leavers**

The Board explored the Leaving Care Act (2000) defining the duties of a local authority towards those young people who left its care, and the four categories under the Act. The board discussed key challenges and changes to the benefits system that was having an impact upon care leavers the charter for Care Leavers and the 'Moving on' booklet that had also been reissued to care leavers to explain some of the services available to them when they left care.

### **SEND Reforms**

The Board received a presentation and later in the year an update on Special Educational Needs and Disability (SEND) Reforms, which set out an overview on the current requirements from Government regarding the reforms. The Board considered the Key themes of the reforms and the statutory duty to provide a local offer from 1 September 2014. The Board further noted the difficulties faced by the reforms and that Halton was on schedule to meet the deadline. The Board endorsed the continuing actions to deliver the Send reforms.



**Missing from Home and Child Sexual Exploitation**

The Board discussed an update on the development of the Missing from Home and Care Service and Child Sexual Exploitation activity and a Pan-Cheshire Joint Protocol for Children and Young People who ran away or went missing from Home or Care. The joint protocol sought to identify and manage the risks and ensure a consistency in approach across borders and agencies and had been revised in April 2014 to take in account new definitions concerning children who went missing which now had 3 classifications, absence, missing and away from placement without authorisation. The new protocol also defined agencies roles and responsibilities including the collation and analysis of data to assist with trends around missing but to also make links to Child Sexual Exploitation and trafficking and next steps in the form of preventative measures.

Members highlighted the dangers of social media and network sites, and were informed of targeted work across primary schools. The Board queried whether there was an issue of trafficking of young people across Halton. In response it was noted that there was no evidence of this at the moment in Halton. In addition Members requested that the zcards and posters with the helpline be circulated. Members endorsed the proactive response to Child Sexual exploitation.

**Children's Emotional Health and Well Being**

The Board received an update regarding Children's Emotional and Mental Health and Wellbeing review. It was noted that in England one in six adults and one in ten children would experience a mental illness at any one time. The Board considered what Halton had done, locally, including the work of Halton Mental Health and Wellbeing Strategy and the objectives which were outlined in the national strategy that were identified in Halton's Strategy 2013-2016. The Board endorsed the five priorities which had been identified as areas for work to meet the needs of children and local people in Halton.

**Children's Social Work Reform Restructure**

The Board received a presentation from the Operational Director Children and Families on the Children's Social Work Reform Restructure. Following a consultation exercise with staff within the Department and service users a new structure for Children's Social Work had been agreed and would be in place on 30<sup>th</sup> September 2014. Members were advised on why change was necessary, the outcome of the consultation exercise, and the key principles agreed with staff:

**Haltons Neglect Strategy**

The Board Endorsed Halton's Neglect Strategy for Children and Young People which outlined the pattern and nature of neglect, an analysis of the prevalence of neglect in Halton by ward and recommendations supported by an action plan for the years 2014-16

**Raising Participation Age**

The Board considered progress in support of the Local Authority's statutory duties in relation to raising the Participation age and progress in working alongside other Greater Merseyside Local Authorities to jointly commission services for economy of scale. Members received information on the positive increases in participation and reduction in NEET and endorsed the progress to date.

Members regularly considered matters relating to Safeguarding in particular in the work of the Halton Children's Trust and Safeguarding Children's Board. Members also received reports on complaints and the compliments services had received and the learning from these. Reports were also received on Independent Living, The Sustainable Community Strategy, Proposed cuts to the Education Services Grant, Troubled Families, Use of Pupil Premium, Halton's Early Intervention Model and a summary of recent and forthcoming changes in education

Members of the Public are welcome at the meetings of the Board. If you would like to know where and when meetings are to be held or if you would like any more information about the Board or its work, please contact Ann McIntyre on 0151 511 7332 [ann.mcintyre@halton.gov.uk](mailto:ann.mcintyre@halton.gov.uk)



## **CORPORATE PPB ANNUAL REPORT**

'The council continues to face a difficult task in dealing with a reduction in government funding of £45million with a further reduction of £33 million to follow I appreciate the endeavours of Council officers and staff in maintaining the quality services we provide to our residents under such difficult circumstances. I am grateful for the help and support I receive from lead officer Mark Reaney and the members support team and the officers who supply the reports to the board so we can be more effective in our scrutiny of the councils operations.

The board will continue to monitor the progress of its topic group recommendations on Corporate complaints and the Discretionary Support scheme and acknowledges the good work done by the staff who implement these schemes.

I would like to thank my Vice Chair Alan Lowe for the support he has given me, and to all of the Members of the Board for the contributions which they have made to the Topic Groups during the past year.'

– Councillor Bob Gilligan, Chair of Corporate Policy & Performance Board

### **MEMBERSHIP AND RESPONSIBILITIES**

During 2014/2015, the Board comprised of eleven councillors – R. Gilligan (Chairman), A Lowe (Vice Chairman), E Cargill, M Dennett, S Hill, C Loftus, A McInerney, N Plumpton Walsh, J Roberts, C Rowe and K Wainwright.

The Board is responsible for scrutinising performance and formulating policy in relation to Resources, HR and Training, ICT, Property, Democratic Services, Legal Services, Communications and Marketing, Stadium, Civic Catering, Procurement, Corporate Complaints and Area Forums. The Board also has responsibility for monitoring the performance of the reporting departments which during the last year have been Legal and Democratic Services including Communications and Marketing, Human Resources, Financial Services, ICT and Support Services, and the Policy and Performance Divisions.

### **REVIEW OF THE YEAR**

The full Board met five times during the year. Set out below are some of the main initiatives upon which it has worked during that time.

### **CORPORATE COMPLAINTS**

At its first meeting of the year in June, the Board was presented with

the findings of a review of the Council's existing Corporate Complaints Handling Procedures which was undertaken as part of its 2013/14 work programme. It was considered appropriate to undertake a review of existing arrangements to ensure that the system remained fit for purpose, was consistent with recognised good practice and reflected best value principles in terms of economy, efficiency and effectiveness.

A thorough review had been undertaken by the Corporate Complaints Topic Group which included a review of existing good practice literature, a bench marking exercise with a number of authorities and a small number of other organisations, and in depth discussions between elected members and officers.

As a result of this work, it was concluded that the existing arrangements had a number of strengths, although there was considered to be some scope to further improve arrangements.

The recommendations from the reivew were intended to ensure that the collection of information was more consistent and complete, but the procedure was simplified to reduce potential/actual operating costs and avoid matters becoming protracted from a complainant's perspective, and staff dealing with complaints were provided with sufficient support, resources and skills to allow them to deal with complaints effectively.

Members of the Board supported the recommendations and agreed that the Topic Group report be submitted to the Executive Board for consideration.

Executive Board subsequently considered and approved the revised policy.

### **DISCRETIONARY SUPPORT SCHEME**

Also at the June meeting, the Board received a report on the delivery of the Council's Discretionary Support Scheme following its first twelve months of operation and was requested to consider the findings of the Topic Group which had maintained oversight of the scheme over the past twelve months.

The scheme had previously been administered by the Department for Work and Pensions until it was abolished by the Welfare Reform Act 2012. In April 2013 crisis loans for living expenses and community care grants were replaced by a new grants scheme administered by the Council. The Board played a key role in developing the scheme and were asked by the Executive Board to keep the scheme under review. The Board's Topic group had met twice during the previous municipal year.

It had been noted that the Council was keen to develop a scheme which was affordable and sustainable given the significant budget reductions which had and would continue to take place. There was a strong desire from the Council to establish a scheme that supported individuals in crisis situations and those who required support establishing a place to live.

The full Board considered the findings and recommendations of the Topic Group and agreed that the scheme should continue.

A further report was brought to the Board at its meeting in January. This took the form of an update regarding the operation of the scheme. The Topic Group had met again on 24 November 2014 to review progress. The Board noted the progress with the operation of the scheme, and recommended that amendments be made to it to take account of the introduction of universal credit, to clarify the position regarding the number of awards permitted each year and to enable the scheme to assist customers who were in full time education and where they had no alternative support. A further report on the options for the future of the scheme in Halton would be brought forward to a future meeting.

#### **FEES AND CHARGES**

In September, Members of the Board received a report proposing the establishment of a Cross Policy and Performance Board Topic Group to examine the potential the Council had to increase income from Fees and Charges, given the current pressures on its budget and its ability to continue to deliver essential services.

The report referred to a piece of work which had already been initiated which benchmarked the Council with similar authorities in relation to the income it was currently generating from Fees and Charges. Given the results of this research and the Council's current financial position, the issue was deemed to be worthy of more detailed examination. The Chairs Group therefore suggested that a Topic Group be set up under the auspices of the Board with cross PPB representation. It was also recommended that Chairs of the Development Control and Regulatory Committees be invited to attend. The findings of the group would be reported back to the Corporate Policy and Performance Board with a view to forming final recommendations to the Executive Board.

#### **MARKETS**

A report was submitted in June updating the Board on the management and operation of the borough's markets and setting out future priorities and actions. A summary of progress was provided on the following areas

- Refurbishment work to the public toilets
- Wifi access
- Traders Committee
- Effective competition

Members wished these priorities to be focussed upon in future.

In October, the Board considered a report providing an update on the adoption of a Markets Charging Policy. Changes and improvements had been made during the previous twelve months. Members made a number of suggestions and observations relating to future priorities and actions. It was noted that a review of the market hall rents had been carried out and it was acknowledged that a payment system was required that accurately reflected an equitable distribution of expenditure/costs across the market and distinguished between popular or conversely difficult to let stalls. A review of the way in which the Council charged traders had been undertaken to ensure that rents were consistent, competitive and viable. Also, a Charging Policy had been implemented to ensure that there was a consistent starting point for any future rent reviews.

#### **CODE OF PRACTICE – DATA TRANSPARENCY**

In January, the Board was reminded that in September 2011 the Government had published a Code of Recommended Practice for local authorities on Data Transparency. In Autumn 2012, the Government undertook a consultation exercise in which it was suggested that the original code would be substantially revised with its basic requirements becoming mandatory and its scope extended. Following the publication of the Government's response to the consultation the DCLG finalised and published the Local Government Transparency Code. This set out specific data sets that were both required to be published and recommended for publication on a quarterly and annual basis.

After this publication, the Code was further revised by DCLG in October 2014, and it was specified that authorities were required to publish quarterly data by 31 December 2014 and annual data by 2 February 2015. The Code also stated that the requirements had been made mandatory. Although compliance with the Code would not be monitored by the Information Commissioner's Office, the ICO would react to complaints being received from interested parties under existing frameworks. Members were advised on a number of data sets that must be published and were recommended for publication, and specific officer resource implications.

#### **PERFORMANCE ISSUES**

During the course of the year, the Board considered in detail the performance of the reporting departments. Issues which were

	<p>overseen by the Board during the year included:</p> <ul style="list-style-type: none"><li>• Accident statistics</li><li>• Sickness absence</li><li>• School catering and the operation of the Select Stadium</li></ul> <p><b>WORK PROGRAMME 2014/15</b></p> <p>The Board had received reports during the year on the topics which it had identified for examination, namely the final report on the Complaints Topic Group, The Discretionary Support Scheme, and the establishment of a Fees and Charges Topic Group. For the year 2015/16 Members indicated they wished to develop the work of the Discretionary Support Scheme Topic Group, and to focus attention on the Fees and Charges Topic, which was a major piece of work and still in its infancy. It would require significant Member involvement during the year.</p>
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**ANNUAL REPORT  
EMPLOYMENT LEARNING, SKILLS AND COMMUNITY POLICY AND  
PERFORMANCE BOARD  
APRIL 2014 – MARCH 2015**



Cllr. Sue Edge  
Chairman

**Introduction from Councillor Sue Edge**

**Chair of the Employment Learning, Skills and Community Performance Board**

This has been my fifth year as Chair of this committee, and this year has brought a significant number of both challenges and opportunities. These include the contribution of the Mersey Gateway to improving skills and providing job opportunities for residents of Halton. We are continuing to work together with our partners across the Liverpool City Region, as part of the new Combined Authority to promote economic growth and provide employment opportunities for residents. In addition we continue to deliver essential services through our libraries, community centres, sports facilities and the continued neighbourhood activity supported by our Community Development Team. The Government's welfare reforms continue to put added pressure on our Employment, Learning and Skills services as we strive to help people improve their employment opportunities in a difficult economic climate. That said, through Halton's ELS and C PPB we have overseen a number of positive activities aimed at helping people to find work, growing our local businesses and increase the skills and qualifications of our residents. The review below provides a snapshot of these activities.

I would like to take this opportunity to thank my Member colleagues for their valuable contributions and the support they have shown throughout the year and in particular I want to thank members who have agreed to give up their time to serve on the Welfare Reform Scrutiny Topic Group and the new Inward Investment Scrutiny Topic Group. I would also like to thank officers for working with me to develop an interesting and important range of topics and agenda items for consideration.

Although, there will be difficult times in the year ahead, I am confident that this PPB will continue to explore new and innovative ways of working to ensure that we provide the best possible Employment, Learning, Skills and Community services to the people of Halton.

I look forward to continuing to work together to make the most of the opportunities ahead and rise to challenges we will undoubtedly face.

**Councillor Sue Edge**

**Chair, Employment, Learning, Skills and Community Policy and Performance Board**

## MEMBERSHIP AND RESPONSIBILITIES

During 2014/15, the Board comprised eleven Councillors – Councillors S. Edge (Chair) A. McManus (Vice Chair), L. Cassidy, H. Howard, P. Lloyd-Jones, G. Logan, C. Plumpton Walsh , S. Parker, J. Roberts, M. Ratcliffe and S. Baker.

## REVIEW OF THE YEAR

The full Board met five times during the year. Set out below are some of the main initiatives that the Board has worked on:

### **Liverpool City Region Enterprise Strategy**

The Board considered a report on progress towards development of an Enterprise Strategy for the Liverpool City Region. The Strategy aims to develop and deliver a coherent plan of action to tackle the chronic shortage of businesses in the City region, which will impede economic performance. The Liverpool City region shortfall from the UK average currently stands at 18,500 and assuming an up-lift in UK business density in the next 20 years this will equate to at least 20,000 businesses in 20 years. The Strategy aims to create an environment where we can grow and develop new business opportunities across the City region.

### **Welfare Reform Scrutiny Review Report and Recommendations**

The Board received a report on the process undertaken by the Scrutiny Topic group members to prioritise the recommendations from the Welfare Reform Scrutiny Topic Group. The aim of this work was to identify actions that are most likely to be of most benefit, so that resources can be targeted more effectively. A prioritisation tool was used to rank the recommended actions, based on agreed criteria, including costs and added benefits that were determined to be important.

### **Sport and Recreation Annual Report 2013-14**

The board considered the priorities within the Halton Sports Strategy 2012 - 2015 which illustrated how sport had, and continued to enrich the lives of people living and working in Halton. Activities were used as an essential component in supporting and developing the infrastructure of the community and to improve the quality of life both physically and mentally.

### **Library Service Annual Report 2013-14**

The Board considered a report on the Library Service which provides key resources in their communities, where they provide books, information and technology which promoted lifelong learning, digital inclusion and encouraged and celebrated reading. Libraries are important community spaces which offer a welcoming neutral environment and hosted a range of cultural activities, events and opportunities for all sections of the community. Libraries provided access to the Internet and quality assured online resources through more than 100 public computers and laptops. In 2013-14 a total of 415,406 items were borrowed and visits had risen which reflected the significant proportion of people using libraries for other purposes i.e. to access public computer facilities.

**Advice Service Transition Fund**

The Board received a presentation from Hitesh Patel, Halton CAB regarding the Advice Services Transition Fund. Halton CAB have secured "Advice Services Transition Fund" Lottery Funding to improve partnership working amongst Halton's numerous advice agencies. One of the key tasks had been to undertake a mapping exercise of all the agencies based in Halton which provide 'information', 'advice' or 'tribunal/court advocacy/representation' services. This work has been undertaken in partnership with Halton BC who are taking the "lead" to develop a multi-agency approach to helping people deal with the impact of the government's "Welfare Reform" agenda.

**Halton's Work Programme Contracts**

The Board received a presentation which provided an update on progress regarding Halton's Work Programme Contracts. The presentation set out the background to the programme, its delivery and the customer journey, performance against targets and challenges and opportunities ahead. The successful programme, works with customers referred via Job Centre plus to help them into employment.

**Adult Learning Update**

The board considered a report which provided an update on changes to Adult and Family Learning offered in the borough. This included amendments to the curriculum for 2014-15 to better align with the Council's priorities and reflect the wider economy. The 2014-15 curriculum contains more accredited provision with a bigger focus on progression routes into further or higher education. Longer courses spanning a full academic year, such as Counselling and a Teaching Assistant course are now offered.

**Youth Employment Gateway**

The Board received information on the Youth Employment Gateway Programme which commenced at the beginning of November. The Liverpool City Region has secured £5.9m of Government investment to deliver a programme to reduce youth unemployment across the City Region over the next three years. Each Local Authority has been given an allocation to deliver their scheme in their respective areas. The Programme will support young people aged 18-24 years old, who had been unemployed between 2 and 9 months.

**Universal Credit – Welfare Reforms**

The Board considered a presentation from the Council's Revenue and Benefits and Customer Services Division on the introduction of the Universal Credit Scheme. Universal Credit is a single payment for people who are looking for work or are on low incomes. It went live in Halton on 17 November 2014, bringing three key changes: a single household payment; being paid monthly; and rent being paid directly to the claimant. The presentation included an overview of the advice and support provided by the council's Welfare Rights Service to residents.

**Community Centres Annual Report**

The Board considered a report on the Community Centres service, which consists of five buildings, Castlefields, Ditton, Grangeway, Murdishaw and Upton. The centres deliver programmes of community activity, varying models of community cafés and service outlets, i.e children's centre, youth centre, day

services. These centres provide a community hub, a central point at the heart of these communities for residents to enjoy chosen activities and receive services in their neighbourhoods. They are based in the most severely deprived wards in the Borough and are well utilised.

### **Merseylink Employment & Skills Performance Update**

The Board received a presentation on progress made to date against the Employment & Skills Key Performance Indicators associated with the new Mersey Gateway crossing, which include:

- *'A minimum of 3,000 hours per year **volunteer opportunities** delivered linked to the activities of the Visitor Centres and Community Relations Programme.'*
- *'A minimum of **10% of all new construction employees** to be sourced from Job Centre Plus, Work Programme and current local employment and career development.'*
- *'A minimum of **40 days per year (during Works) work based learning opportunities** for young people and adults living within Halton.'*
- *'To deliver **15 weeks work experience** placements per annum, during the construction works to support both adults and young people.'*
- *'**10% of all labour on the construction works being delivered by New Apprenticeships**, including higher apprenticeses.'*
- *'The target of **80% of all new apprenticeships** recruited through the Mersey Gateway Project to **complete their framework**'.*
- ***100 days Timebank support per annum** during the construction period for the delivery of targeted and meaningful support for Halton Borough Council, local third sector community organisation and educational establishments.'*

### **European Programme 2014 - 2020**

The Board received an update on the European Structural and Investment Funds (ESIF) Programme for Halton 2014 to 2020 and advised that the Local Enterprise Partnership (LEP) was co-ordinating the implementation of the Programme. The Board also considered a Halton 'position paper' aimed at presenting to the LEP how Halton could contribute to the delivery of the European Programme. The Liverpool City Region has received approximately £185 million, with an indicative allocation of £16.9 million ring fenced for Halton.

### **Inward Investment Scrutiny Topic Group 2015**

In March 2015, the Board established an Inward Investment Scrutiny Topic Group to determine if:

- The inward investment service provided in Halton is fit for purpose;
- There is synergy between a local and city-region wide inward investment service and where added value can be obtained.

Members of the Public are welcome at the meetings of the Board. If you would like to know where and when meetings are to be held or if you would like any more information about the Board or its work, please contact Wesley Rourke on 0151 511 8645 or e-mail: [Wesley.rourke@halton.gov.uk](mailto:Wesley.rourke@halton.gov.uk)

## ENVIRONMENT AND URBAN RENEWAL POLICY AND PERFORMANCE BOARD ANNUAL REPORT



"I would like to thank all of the Members of the Environment and Urban Renewal PPB for their support during this, my first year as Chair.

Members have considered and responded to a broad range of issues relevant to Halton's physical environment. These have covered corporate responsibilities including business planning, through to road safety, highway maintenance, waste management and planning.

The Board's response to these matters was given during what are becoming increasingly challenging times as we all come under more pressure to deliver our services with less resources. The fact that the Board was able to respond so effectively to these matters reflects not only their commitment and positive attitude to their roles but also their experience in helping our communities to improve their quality of life and address real concerns.

Councillor Bill Woolfall  
Chair, Environment and Urban Renewal Policy  
and Performance Board

### MEMBERSHIP AND RESPONSIBILITIES

During 2014/15 the Board comprised eleven Councillors:-

<b>Councillor Bill Woolfall (Chairman)</b>	<b>Labour</b>
<b>Councillor Mike Fry (Vice-Chairman)</b>	<b>Labour</b>
<b>Councillor Pauline Hignett</b>	<b>Labour</b>
<b>Councillor Valerie Hill</b>	<b>Labour</b>
<b>Councillor Chris Loftus</b>	<b>Labour</b>
<b>Councillor Andrew MacManus</b>	<b>Labour</b>
<b>Councillor Keith Morley</b>	<b>Labour</b>
<b>Councillor Pauline Sinnott</b>	<b>Labour</b>
<b>Councillor Gareth Stockton</b>	<b>Liberal Democrat</b>
<b>Councillor Andrea Wall</b>	<b>Labour</b>
<b>Councillor Geoff Zygadlo</b>	<b>Labour</b>

The Environment and Urban Renewal Policy and Performance Board's primary function is to focus on the work of the Council (and its partners) in seeking to bring about the Environmental and Urban Renewal of the Borough. It is also charged with scrutinising progress against the Corporate Plan in relation to the Urban Renewal Priority.

The Board is responsible for scrutinising performance and formulating policy in relation to the following areas:

- Highways, Transportation and Logistics (including road maintenance, street lighting, road safety, traffic management, supported bus services and flood risk management)
- Landscape Services, Parks & Countryside, Cemeteries & Crematoria
- Environmental and Regulatory Services
- Major Projects
- Economic Regeneration and Business Development
- Waste Management and Waste Strategy
- Derelict and contaminated Land
- Housing Strategic Policy
- Sustainability, Climate Change and Biodiversity
- Physical Environment and Planning policies

## **REVIEW OF THE YEAR**

During 2014/15, the Board met 5 times. As well as considering Executive Board decisions relevant to the work of the Environment and Urban Renewal Board, agreeing the Service Plans of the relevant Departments and monitoring their general activities and performance against them, set out below are some of the main activities and issues which have come before the Board during the year.

The Board received, considered reports, endorsed recommendations and put forward relevant actions on the following issues:-

### **Corporate Responsibilities**

- Minutes of the Environment and Regeneration SSP.
- Regular progress reports on achieving targets contained with the Sustainable Community Strategy for Halton.
- Updates on Business Plans for the period 2013-16 and the Directorate priorities, objectives and targets for the services that fell within the remit of the Board for this period. It also considered and commented on Quarterly Monitoring reports which

detailed progress against service objectives/milestones, performance targets and factors affecting the services that fell with the remit of the Board. Members were invited to identify a small number of priorities for development or improvement that they would like to see reflected in the plans.

- Draft Business Plans for 2015-18.

### **Highways and Transportation**

- Nominations were agreed for Members to sit on the Council's Public Transport Advisory Panel for the 2014/15 Municipal Year. These were Councillors B. Woolfall (Chair), K. Morley, G. Stockton, and T. McInerney (Portfolio holder – Transportation).
- It was also agreed that the Chair and Vice-Chair would sit on the Consultation Review Panel as may be required from time to time.
- A petition requesting removal of bollards and provision of parking at Manor Place, Widnes. It was noted that Ward Councillors were consulted prior to the installation of the bollards and had been involved in the ongoing discussions, and continued to support the need for bollards. It was resolved to refuse the petition request and that the appropriate petitioner be informed.
- A petition concerning traffic issues on and around Halton Station Road, Runcorn. It was noted that problems had arisen since work was started by Cheshire West and Chester Council to renovate and repair the Sutton Weaver Swing Bridge, and the subsequent traffic flow issues that related to that work. The petition raised several problems including lack of consultation by both local authorities, extra volume of traffic, excessive speed, damage to roads and properties, and concerns that the temporary traffic routing would be made permanent when the works were completed. It was resolved that Officers contact CWaC Council on behalf of residents setting out the concerns, contact Cheshire Police requesting enforcement of existing vehicle weight restrictions and that the Board endorse the proposal to formally object to any attempts by CWaC Council to make permanent the current temporary traffic arrangements.
- Following a revision to the National Code of Practice for Highway Maintenance – Winter Service, Halton's Winter Service Plan had been reviewed and revised. The Board endorsed the updated plan.
- Following discussions at previous meetings, a formal consultation had been undertaken on a proposed Traffic Regulation Order to implement "At Any Time" waiting restrictions on both sides of Cronton Lane, Widnes. Only two objections had been received and it was the decision of the Board to support the Council's intention to introduce the Order. A report for the Executive Board to consider would be prepared.
- A formal public consultation had taken place on a proposed Traffic Regulation Order to introduce "At Any Time" waiting restrictions on part of Hill Top Road, Preston on the Hill, Preston Brook. Eight individual objections were received as well as ones from Warrington Anglers Association and Preston Brook Parish Council. Whilst the Board considered all of the objections, it was still believed that most of the benefits

of introducing waiting restrictions could be achieved whilst leaving space for resident parking. The Board agreed to support the intention to introduce the Order as set out in Appendix B of the report, and asked for a report for the Executive Board to be prepared highlighting the Board's recommendation.

- The Annual Road Traffic Collision and Casualty report. This showed overall progress on reductions, but noted that overall numbers have remained essentially the same as in the previous four years. It was highlighted that the number of child casualties (i.e. those aged under 16 years) had reduced to the lowest recorded total known in Halton. Whilst this tally was known to be volatile and could fluctuate from year to year, such a low number was unprecedented. The figures confirmed the success of the casualty reduction work, which was supported via Council revenue funds and the Local Transport Plan. This consisted of targeted enforcement and local road safety education, training, publicity and traffic management initiatives, and was undertaken both independently and jointly with partner organisations. It was resolved that progress be noted and an appropriate press release be issued, along with an endorsement for the current programme of activities. Members also asked that concerns regarding the achievement of further casualty prevention, as a result of resource reductions, be noted.
- A petition and objections to proposed "At Any Time" waiting restrictions at Parklands and Ash Priors, Widnes. Members were informed that the Club had taken various steps to deal with some of the concerns raised by residents, however, it was felt more action was needed. It was resolved that a wider consultation exercise be undertaken, with a further report to be brought back to the Board.
- Following discussions and additional information from Cheshire Police, it was noted that a petition from Hale Parish Council requesting the introduction of vehicle weight restrictions would not be supported, although a further traffic count would be carried out in 12 months' time.
- An update on the preparation of the statutory Local Flood Risk Management Strategy was brought before the Board for consideration. It was noted that the draft version of the strategy, following a period of formal consultation in late 2014, would be sent to statutory consultees for their comments. It was resolved that the Strategy be noted and a report prepared for Executive Board recommending approval and adoption of the final Strategy.
- Public questions relating to parking issues along School Way, Widnes were brought before the Board, by local residents. Waiting and loading restrictions, with three trial gaps in the restrictions, had been introduced around Moorfield Primary School. Officers advised the Board that all points highlighted by these residents had been addressed, and as a compromise it was being recommended that only one section of Halton Borough Council (Various roads Widnes) (Prohibition of Waiting) Order 2011 and the Halton Borough Council (Various Roads, Widnes) (No Loading) Order 2011, rather than the proposed three, be revoked. A written response would be provided to all those who submitted a public question, with a report, and



recommendation for approval, prepared for the Executive Board's attention.

### **Environmental and Regulatory Services**

- An annual review of the Council's current Household Waste Recycling and Collection Policy had been undertaken, to ensure that it reflected current service, provision, policies and other decisions of the Council. The review, done by the Waste Management Working Party, did not highlight any areas of concerns, although it was noted that the waste collection schedules were currently being revised so that each property in the Borough had the same day each week for collection. The Board endorsed the draft updated Policy, although they did ask for a further report to be brought back to them following the roll out of the new collection scheme in summer 2015. A report and recommendation for endorsement to be prepared for the Executive Board.
- The Council's garden waste collection service. A presentation gave Members an overview of the current arrangements and highlighted that there was no duty on the Council to provide a service and a charge for an optional scheme could be put in place if agreed. It would be completely optional and only those receiving the service would pay, thus ensuring the service was self-financing, sustainable and would contribute towards budget savings. The annual cost would be £25 for online payments and £30 via alternative methods. The new arrangements would be monitored on a regular basis and an update report should be presented to a future meeting of the Board.
- The first annual (2013/14) monitoring report for the Joint Waste Local Plan (WLP) for the Liverpool City Region, which Halton formally adopted in July 2013. The report, which was noted, showed progress with initial WLP implementation against several performance indicators and included information on the Duty to Co-operate to ensure interested parties were aware of that progress.

### **Physical Environment and Planning**

- A summary of the results of the annual housing and employment land monitoring survey were noted.
- A report advising that following investigatory work a Community Infrastructure Levy (CIL) would be viable for Halton, and it was agreed that a charging schedule targeted at residential development (in the viable areas of Halton) be supported and prepared, with a report to be submitted to the Executive Board recommending formal adoption.
- A report was noted which aimed to understand how town centres were responding to broader trends in consumer behaviour and preferences and to highlight any policy responses to these trends, and how these might be tailored to various types of town centres.

### **Communities**

- An update on the Armed Forces Covenant and the Armed Forces and Veteran support available in Halton was provided to the Board, focussing on the 20

pledges and 5 key themes of Housing, Employment and Benefits, Education, Health, and Wellbeing. The report was noted.

- A petition/request for a sports play area in Somerville Road, Widnes. Members were advised that the Council had adequate resources to maintain its current sites but were unable to resource additional facilities. It was resolved that the petitioner should be directed to the Council's External Funding Team to explore potential funding opportunities to progress this initiative.

### **Work Programme for 2014/15**

The Board was asked to consider whether it wished to carry out Topic Reviews for the 2014/15 Municipal year.

Members of the Public are welcome at the meetings of the Board. If you would like to know where and when meetings are to be held or if you would like any more information about the Board or its work please contact Mick Noone on 0151 511 7604 or [mick.noone@halton.gov.uk](mailto:mick.noone@halton.gov.uk)

## Health Policy and Performance Board

### Annual Report

April 2014 - March 2015



As Chairman of the Health Policy and Performance Board I am very pleased to report on the work of the Board for 2014/15.

The remit of the Board is to scrutinise the Health and Social Care Services provided to the residents of the Borough; we also have a responsibility to scrutinise Hospital Services, including Mental Health Services.

I am proud to announce that Councillor Mark Dennett a member of the Health Policy and Performance Board was selected by the Board to take on the responsibility of Mental Health Champion for Halton. Mark gave his first report to the Board in January 2015; we were very impressed with his report and pleased to hear that Mark chairs the Council's Mental Health Strategy Board.

We take our responsibilities very seriously and as such choose at least one Scrutiny topic to focus on each Municipal year.

This year we have scrutinised the services to older people who receive Care in their own home. We looked closely at those providing that care, received reports from various providers and also interviewed a number of our residents receiving Care at home, with their permission of course.

Regional Scrutiny of Health is a new responsibility for the Board and if there is a substantial change in the way in which Health Services are provided we have a right to be consulted and take part in the Joint Scrutiny of that service. Over the last twelve months we were involved in a Regional Scrutiny exercise with Liverpool, Sefton, Chester West and Chester, Wirral, Knowsley, St Helens and Warrington Council's, all looking at how our Cancer Treatment Services will be delivered in the near future.

Clatterbridge Hospital are extending the services to us all, a new build will be established in Liverpool City Centre, one of the new services will be a Critical Care Unit, which will be a big improvement.

The new Clatterbridge Hospital will be built next to the new Royal Hospital and close to the Liverpool University's which is a plus both for the students studying Cancer research, and staff and Patients at the new hospital.

Parking will also be free; I am pleased to say, for Visitors and Patients receiving Care in this new hospital.

A big thank you must be expressed to all members of the Halton Health Scrutiny Board for all the dedicated work done over the last year. Thanks must also go to Emma Bragger, our Policy Officer on the topic group, for all the work and many extra hours spent on this project.

We would also like to thank Simon Banks and his team at the NHS Halton Clinical Commissioning Group (CCG) and Sue Wallace Bonner for all the help and support given to the Board over the past year too.

*Cllr Ellen Cargill, Chair*

## **Health Policy and Performance Board Membership and Responsibility**

### **The Board:**

Councillor Ellen Cargill (Chairman)  
Councillor Joan Lowe (Vice-Chairman)  
Councillor Sandra Baker  
Councillor Mark Dennett  
Councillor Margaret Horabin  
Councillor Chris Loftus  
Councillor Marjorie Bradshaw  
Councillor Martha Lloyd Jones  
Councillor John Gerrard  
Councillor Pauline Sinnott  
Councillor Pamela Wallace

During 2014/15, Tom Baker was Halton Healthwatch's co-opted representation on the Board and we would like to thank Tom for his valuable contribution.

The Lead Officer for the Board is Sue Wallace-Bonner, Operational Director, Prevention and Assessment - Communities Directorate.

## **Responsibility:**

The primary responsibility of the Board is to focus on the work of the Council and its Partners, in seeking to improve health in the Borough. This is achieved by scrutinising progress against the aims and objectives outlined in the Council's Corporate Plan in relation to the Health priority.

The Board have met five times in 2014/15. Minutes of the meetings can be found on the [Halton Borough Council website](#).

This report summarises some of the key pieces of work the Board have been involved in during 2014/15.

## **GOVERNMENT POLICY- NHS AND SOCIAL CARE REFORM**

### **Care Act**

In May 2014, the Care Bill received Royal Assent and became the Care Act 2014. Some elements come into effect from April 2015; others come into effect from April 2016.

The significance of the Care Act should not be underestimated as it replaces much of the legislation that has governed Adult Social Care since 1948.

To oversee the implementation of the Care Act in Halton, the Council have established an overarching Care Act Strategic Group chaired by Operational Director Prevention and Assessment. The strategic group in turn oversees six sub-groups each working to their own implementation plan that includes working towards completion of reviewing relevant documents, policies, considering training and workforce development, charging and cost implications as well as understanding and identifying potential risks.

In January and March 2015 the Board received detailed reports outlining progress towards implementation which provided the Board with the necessary assurances that Halton were on track with the required changes that were required by April 2015.

### **NHS Five Year Forward View**

Following the publication of the Five Year Forward View in October 2014, which sets out a vision for the future of the NHS, the Board received a report from Simon Banks, Chief Officer of NHS Halton Clinical Commissioning Group (CCG), outlining how health service needs to change over the next five years if it is to close the widening gaps in the health of the population, quality of care and the funding of services.

The Forward View has been developed by the partner organisations that deliver and oversee health and care services including NHS England, Public Health England, Monitor, Health Education England, the Care Quality Commission and the NHS Trust Development Authority. Patient groups, clinicians and independent experts also contributed to its development.

As part of the report presented, the Board was provided with details of Halton's response to the NHS led strategic view. This response will ensure that there is congruence with the CCG's 5 Year Commissioning Strategy, 2 Year Operational Plan, Halton's Better Care Fund and other initiatives that are shared with partners across the borough.

### **Primary Care Co-Commissioning**

In January 2015, the Board received a report outlining NHS England's 'Next Steps towards primary care co-commissioning'. The document presented to the Board outlines how NHS England aims to provide clarity and transparency around co-commissioning options, providing CCGs and area teams with the information and tools they need to choose and implement the right form of co-commissioning for their local health economy. The Board were provided with details as to the level of primary care co-commissioning NHS Halton CCG wished to undertake with NHS England.

## **SERVICES**

### **Community Wellbeing Practices**

The Board received an interesting update in relation to the Community Wellbeing Practices (CWP) initiative which provides a wraparound service for all 17 GP practices in the borough to ensure patients whose needs are predominantly psychosocial in origin are identified and provided with effective community based interventions.

The Board were interested to hear how the CWP initiative has continued to provide three core services for patients and the public over the last 12 months, as follows:-

- *The provision of psychosocial support* - such as life skills training, community events and a comprehensive, fully integrated social prescribing programme;
- *A community navigation service* - a holistic wellbeing assessment in conjunction with a community brokerage service to link patients to support provided by the wider voluntary, community and social enterprise sector (VCSE); and
- *Asset based community projects* - empowering patients and the public to play a lead role in designing and delivering community based activities that improve wellbeing. Working with VCSE partners the CWP initiative have empowered young people to run their own wellbeing projects linked to GP

practices, enabled patients to run their own hobby and interest groups and encouraged volunteers to play an active role in the CWP initiative as community champions.

### **Improving Access to Psychological Therapies (IAPT)**

In November 2014, the Board received a presentation from Mr Paul Campbell, Clinical Psychologist from the IAPT Service, regarding the main principles behind the service, how the service operates and current performance.

The Halton model developed, implemented and presented to the Board had been based on the Award winning Wigan service provided by the 5 Borough's Partnership. This service was recently identified as being in the top ten services in the country with regard to quality. The model used a self-referral system that improved access to talking therapies for clients and had the highest recovery rates in the North West. The Board is hopeful that this success will be replicated within Halton.

## **POLICY**

### **A strategy for General Practice services in Halton**

During 2014/15, the Board received regular reports/information regarding the development of Halton's GP Strategy, with the final Strategy being presented to the Board in March 2015.

General Practice is often described as the cornerstone of the NHS. The basic delivery model of General Practice has evolved over time but not radically changed. There have been seismic shifts and environmental pressures in health and social care in recent years that have challenged the sustainability of General Practice.

The Strategy presented to the Board recognises the challenges General Practice services face but also seeks to address them within Halton by building upon the foundations of the good work that are already in place.

The Strategy looks at how we can continue to improve the quality, capability and productivity of our General Practice services through a collaborative approach with key stakeholders and, most importantly, with our wider population.

The principle approach throughout the development of the Strategy has been about engagement with local practices, NHS England, providers and partners and the public and a range of patient groups. Initially NHS CCG worked to develop a shared understanding of the problem that needed to be solved and then worked on co-designing and co-producing what a sustainable model of General Practice should look like for Halton.

### **Commissioning Strategy for Adult of Working Age Living with Physical Disability in Halton**

In Halton the number of working age adults reporting that their activity is limited by illness or health problems is significantly higher than nationally. Projections show that numbers of people living with more than one long term condition will increase and potentially this will limit the activity of more people.

As such in September 2014, the Board received 'Choice, Control and Inclusion' the Commissioning Strategy for Adult of Working Age Living with Physical Disability in Halton. The integrated strategy brings together the commissioning intentions of Public Health, the Clinical Commissioning Group, and Adult Social Care. The Board were pleased to see how this holistic approach will strengthen informal support and through effective prevention and early intervention minimise the need for more formal care.

### **Commissioning Strategy for those living with Sensory Impairment in Halton**

Halton's ageing population means by 2020 there will be more than a 20% increase in numbers over age 65 living with hearing impairment and a similar increase for those living with visual impairment. Both are contributing factors to falls in older people and many over 65's will experience loss in both senses. 50-70% of sight loss in the older population is avoidable or treatable.

As with the above Strategy, 'SeeHear', the Commissioning Strategy for those living with Sensory Impairment takes an integrated approach to improve the quality of life for Halton residents living with sensory impairment and brings together the commissioning intentions of Public Health, the Clinical Commissioning Group, and Adult Social Care.

The holistic approach undertaken will again strengthen prevention and early intervention and help minimise the impact that people living with sensory impairment has on daily living.

## **SCRUTINY REVIEWS**

### **Care at Home Provision in Halton**

The Care at Home Provision scrutiny review focused on the quality of services provided to those who are supported to live at home within Halton. The review examined the effectiveness of a selection of social care and health services in meeting the needs of the local population.

The scrutiny group sought evidence via presentations from a number of sources that enable people to remain living well within the community and provide care at home, in addition to undertaking visits to services. Contributors to the review included those



from Sure Start to Later Life, Community Nursing, Halton Borough Council Quality Assurance Team, Lifeline/Community Warden Service, Enablement Team and Extra Care Housing.

As a result of the review the Board has made a number of recommendations, including that:-

- Adult Social Care to be consulted on/contribute to any developments in the provision of telehealth to help people maintain independence.
- The Sure Start to Later Life Service should continue to have an important role in delivering personalised wellbeing outcomes.
- The Council's Quality Assurance Team to have an increased role in market oversight, supporting quality improvements and preventing provider failure as a result of the Care Act.
- The role of staff in supporting tenants within extra care schemes to be made explicit in the contract between the provider and the prospective tenant.

### **Cancer Services**

The Transforming Cancer Care Project was established by the Clatterbridge Cancer Centre. The aim of the review was to ensure that services were delivered in the best way to improve outcomes for patients. A key issue addressed as part of the review was consideration of the geographical location of the specialist Cancer Centre on the Clatterbridge hospital site.

As outlined earlier on in this annual report a Joint Health Scrutiny Committee was established across Merseyside and Cheshire to consider the proposals. The Committee reviewed all the materials presentation and considered a number of factors including:-

- Case for change;
- Patient perspectives;
- Frontline staff perspectives;
- Financial Issues;
- Project Management; and
- Clinical Case for Change.

An analysis of responses to the formal public consultation conducted was also considered by the Committee.

As a result of the review the Committee agreed the proposals to develop a new Cancer Centre in Liverpool adjacent to the redeveloped Royal Liverpool University Hospital. The Committee also agreed that they would set up a further Joint Scrutiny Committee for Cheshire and Merseyside in order to monitor the project over the next few years.

## **PERFORMANCE**

During the course of the year the Board received priority based quarterly monitoring reports and was provided with information on progress in achieving targets contained within the Sustainable Community Strategy for Halton.

## **INFORMATION BRIEFING**

During 2014/15 the Board introduced an information briefing bulletin that is sent out to all Board members in advance of each of the Board meetings.

The introduction of the Information Briefing is a way of trying to manage the size of the agendas of the Board meetings better, as the Board found that many reports going to Board were only being presented for information. As such, including these reports/information now into the Information Briefing it allows the Board to focus more on areas where decisions etc. are needed.

Members have the opportunity to review the information in the briefing and return any questions, comments or concerns they wish to discuss further to Committee Services who in turn collate and forward through to the Chair of the Board for consideration and response.

Areas that have been included in the Information Briefing over the last 12 months have included:-

- Provider Quality Accounts 2013/14;
- Social Care Bill – Progress towards implementation;
- NorthWest Ambulance Service (NWAS) - 5 year plan;
- Customer Care Annual Report 2013/14; and
- Healthwatch Annual Report 2013/14.

## **WORK TOPICS FOR 2015/16:**

### **Discharge from Hospital**

Discharge planning is a routine feature of the Health and Social Care system and consists of the development of an individualised discharge plan for the patient prior to leaving hospital, with the main aim of improving a patient's outcome.

Planning for discharge helps reduce hospital length of stay and unplanned/emergency readmissions to hospital, relieves pressure on hospital beds and improves the co-ordination of services following discharge from hospital.

This topic will focus on the quality of the Discharge planning process and associated pathways to those Halton residents who have been admitted to the local Acute

Trusts for both elective and emergency care. It will examine the services that are already in place with a view to evaluating their effectiveness in meeting the needs of the local population.

*Report prepared by Louise Wilson, Development Manager – Urgent and Integrated Care, Communities Directorate*

*Email: [louise.wilson@halton.gov.uk](mailto:louise.wilson@halton.gov.uk) Tel: 0151 511 8861*

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<b>ANNUAL REPORT SAFER POLICY AND PERFORMANCE BOARD APRIL 2014 – MARCH 2015</b>	
 Cllr. Dave Thompson Chairman	<p>“The safety of Halton’s residents and the continuing efforts to provide environments in which they can thrive remains a key priority for the Council as a whole. The Safer Policy and Performance Board continues to recognise and meet the challenges of the diverse needs of our communities, not least in their geographic structure, in a proactive and forward-thinking way.</p> <p>As Chair of this Board for the past year I feel we have achieved a wide remit of activity and considered some new areas of community safety activity not previously recognised by the Board. This includes recognising the role played in a Safer Halton by organisations like the RSPCA and RNLI. My Board colleagues and contributing officers have brought up stimulating issues and topics for consideration and I would like to thank them for their contributions and scrutiny.</p> <p>My appreciation is offered to Chris Patino, Mike Andrews, Emma Sutton-Thompson, Nicola Hallmark, Natalie Chase-Caffyn, Janet Guy, Elspeth Anwar, Simon Bell, John Williams, Jimmy Unsworth, Paul Wright and Lynn Derbyshire for their responsive and thorough involvement in the coverage of issues discussed.”</p> <p>Councillor Dave Thompson Chairman, Safer Policy and Performance Board</p>
<b>MEMBERSHIP AND RESPONSIBILITIES</b>	
	<p>During 2014/15 the Board comprised 11 elected members: Councillors Thompson, Edge, Gerard, Gilligan, Hill, M. Lloyd-Jones, Nolan, Ratcliffe, Sinnott and Zygadlo. My particular thanks go to Cllr Lea who is Vice Chair.</p> <p>The Board is responsible for scrutinising performance and formulating policy in relation to Community Safety, Domestic Abuse, Safeguarding Adults, Environmental Health and Safer Halton Partnership. The Board is also represented on the Cheshire Police &amp; Crime Panel.</p> <p>Topic Groups for 14/15:</p> <ul style="list-style-type: none"> <li>• Domestic Abuse</li> <li>• Novel/New Psychoactive Substances (Legal Highs)</li> </ul>

	<b>REVIEW OF THE YEAR</b>
	<p>The full Board met 5 times during the year.</p> <p>The main initiatives of the Board's work for 2014/15 are as follows:</p>
	<b>Overview and Scrutiny</b>
	<p>A working group was formulated with the specific remit of scrutinising the extent of <b>domestic abuse</b> as an issue in Halton. The group examined the multi-agency approach to tackling domestic abuse and explored additional opportunities to raise awareness of the issue. The group endorsed the Halton Domestic Violence Forum (HDAF) Strategy and in addition they worked with Community Safety to adopt White Ribbon Status and roll out a series of profile-raising promotions.</p> <p>In order to reinvigorate focus for the Board the incumbent Chair met with Officers to take a pre-emptive look at agenda items. It was agreed that future meetings should involve input from:</p> <ul style="list-style-type: none"> <li>• The Police and Crime Commissioner (Annually);</li> <li>• The Ambulance Service (Annually);</li> <li>• Cheshire Fire and Rescue Service (Annually);</li> <li>• The RSPCA; and</li> <li>• The RNLI.</li> </ul> <p>Consultation with Officers fed into the Business Planning process and set the following themes as areas for concentration for 15/16:</p> <ul style="list-style-type: none"> <li>• Alcohol abuse</li> <li>• Domestic abuse</li> <li>• Anti-Social Behaviour – new tools and power</li> <li>• Consumer Protection</li> </ul> <p>As well as core activity for Council services the themes will shape the focus of Board enquiries.</p>
	<b>COMMUNITY SAFETY</b>
	<p>Throughout the year the Board has received presentations related to initiatives which impact on both the immediate and longer-term needs of the community in relation to safety.</p> <p>The change in Council remit to include Public Health has provided</p>

some significant focus on crucial agendas which affect both the health and the safety of Halton residents.

Over the course of the municipal year the Board has received updates and feed-in on the issue of alcohol harm across the Borough. The Board were advised that **Alcohol Harm Reduction** is a priority of the Halton Health and Wellbeing Board and that alcohol issues impacted substantially on other areas considered under the Safer remit, including influence on domestic violence, anti-social behaviour and crime. The Board heard reports on activity aimed at alleviating alcohol harm, including a 'social norms' programme with young people, the development of a 'dry bar' project, and proposals to conduct a 'community conversation' to identify the influences on residents' relationship with alcohol.

It was reported that Halton had been awarded the status of **Local Alcohol Action Area (LAAA)**. This was a national campaign which had asked for pilot areas to self-nominate and receive support in addressing the harm from alcohol across three areas – health, the night time economy and crime and anti-social behaviour. The Board were updated throughout the year on progress against the project plan.

The **Halton Alcohol Strategy** was considered by the Board. This set out actions aimed at rebalancing the relationship that Halton has with alcohol. It was reported that alcohol problems cut across the entire population of Halton and affected local residents of all ages. For this reason, the strategy is to take a 'life course' approach to the reduction of alcohol harm. The Board were advised that the Strategy builds upon the effective work already undertaken by the Authority and its partners. The Strategy was noted and endorsed.

The multi-agency **Halton Suicide Prevention Strategy** was presented to the Board. Suicide prevention is an important aspect of community safety. Locally, the Silver Jubilee Bridge is renowned as a suicide hot-spot. The Board heard that responding to suicide threats and attempts places a considerable burden on the time and resources of partners locally, including the police. The Strategy is contextualised with background information which sets out the policy framework in which it has been developed, considers the factors that influence why a person takes their own life, reviews the evidence on suicide prevention, outlines what is known about suicide in Halton and sets out actions to reduce the risk of suicide occurrences. The plans will be monitored by the Halton Suicide Prevention Partnership and outcomes are to be reported back to relevant bodies including the Safer Halton Partnership as well as the Health and Wellbeing Board.

Commissioned services for substance misuse (drugs and/or

alcohol) came under review and an update was brought to the Members on the plans to remodel provision. It was reported that the **Halton Specialist Community Substance Misuse Service**, delivered by Crime Reduction Initiatives (CRI), is to be altered to establish services across two new venues. The review of the Widnes service site was forced by a lease expiry. A new location has been sourced and is envisaged as giving greater scope for service-user led activity. A new Runcorn site secures parity for the provision of services across the Borough. Outreach activity will continue to be developed alongside venue-based services.

The Board received a presentation on the emergence of **Novel/New Psychoactive Substances (NPS)**, known as 'legal highs', and related issues. Members were informed of the national context and the scale and impact of the issue. Enlightening details were given around the design and sale of the substances and the evasion techniques employed to escape prosecution. The Board agreed that the matter presented the potential for substantial public interest and impacted on the safety of the community.

Updates were presented to the Board on the subject of **Anti-Social Behaviour**. In particular, the emergence of issues related to a small peer group in the Ditton area of Widnes raised concerns and actions involving multi-agency operations and interventions were reflected upon. The Board were informed of wider activity aimed at tackling anti-social behaviour including the establishment of injunctions; successful evictions of problematic residents; parental responsibility instructions being issued along with physical removals of young people to places of safety; victim support interventions; and collaborations with other agencies such as the Alcohol Harm Reduction Team. Reductions in anti-social behaviour were attributed to the tactics employed and agencies involved were commended for their tenacity.

Under the **Crime and Policing Act 2014** new tools and powers came into statute covering Anti-Social Behaviour and an organisation's ability to act on it. The Board were informed of the developments and notified that one of the purposes of the Act was to ensure that responses to anti-social behaviour are victim-focussed. The Board were advised that reforms (under Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014) gave a civil power to apply an injunction to deal with anti-social individuals. The injunction could offer fast and effective protection for victims and communities and sets clear standards of behaviour for perpetrators, stopping the person's behaviour from escalating. In addition, it was reported that a number of agencies could apply for the injunction to ensure that the body best placed to lead on a specific case could do so.

Community Safety is a primary concern for the Safer Board and



updates were also heard on scheme and resources aimed at alleviating community tensions and promoting safe and prosperous neighbourhoods. These included: **The Navigation Scheme**, which focussed on re-offending; the **Inspiring Families** programme, working with vulnerable families to consider issues of worklessness, school attendance and domestic violence; **ArcAngel** branding and the **Pub Watch** scheme to support safe practices of licenced premises.

One specific period of concern around public safety was highlighted in a report to the Board. The so-called '**Mischief Night**', the night before Halloween, but including the period right up to bonfire night was considered. The Board heard plans to tackle anti-social behaviour through co-ordinator partnership approaches covering the historical duration of incidence. A follow-up report drew attention to the success of the campaign and praised the efforts of those agencies involved. A reduction in the incidence of anti-social behaviour was evidenced and the proactive preventative approach in respect of bonfires saw positive outcomes.

Representatives from the RNLi and Cheshire Fire and Rescue delivered informative presentations to the Board on their respective work areas.

With a community that spans either side of the Mersey estuary it was felt that the **RNLi** could provide valuable insight into waterside safety issues. A presentation was heard around the RNLis remit to cover the Borough's water boundaries and rescues made therein. It was reported that Halton is covered by the New Brighton station and that an average of 60 incidents a year were dealt with from this base. Within the previous year nine incidents had been in Halton, seven of which had involved issues with the Silver Jubilee Bridge. The Board supported the work being undertaken by the RNLi and agreed that the profile of the charity could be raise across the Borough, including fund raising work.

Cheshire Fire and Rescue Safety Centre delivered a report to the Board on the development of their new Safety Education Centre in Warrington. The Centre's catchment audience includes those in the Borough of Halton. The Board were informed of the innovative design of the Centre, as a purpose-build facility, which will include realistic learning zones that simulate the environments in which injury or harm are most likely to occur. Visitors will be encouraged to experience a range of hazards in order to learn how to stay safe, well and be independent. The interactive education base would benefit the residents of Halton; in particular school visits would be arranged. The Centre has received grant capital funding from the Department for Communities and Local Government and intends to run as a charitable enterprise.

	<b>DOMESTIC ABUSE</b>
	<p>Within update presentations the Board were advised on new powers to issue <b>Domestic Violence Protection Notices (DVPN)</b> and <b>Domestic Violence Protection Orders (DVPO)</b>. These new enforcement laws give the police the power to remove the perpetrator from residence for a period of time. The Notice and Orders give greater scope for infrastructure support to be put in place for the victims during the intervening period.</p> <p>The Board were informed of a <b>public consultation (by the Home Office)</b> on proposals to strengthen the law on domestic abuse to offer better protection to victims. In particular it was noted that views were sought on whether there should be a specific offence in relation to domestic abuse and whether that should include wording on patterns of coercive and controlling behaviours. The Board were apprised of arguments for and against making a specific domestic abuse offence and concluded to feedback comments through Community Safety.</p>
	<b>SAFEGUARDING ADULTS</b>
	<p>Safeguarding the welfare of vulnerable adults across Halton remains a priority for Authority and its business. Details of the Council performance in relation to Safeguarding were reported back to the Board regularly. Performance measures were consistently met.</p> <p>The Board were updated on the impact of <b>Operational Emblem</b>, a joint initiative between Cheshire Police the 5 Boroughs Partnership, aimed at providing 'Street Triage' in situations requiring immediate response and interventions from Mental Health Services. The project has seen a significant reduction of detentions under Section 136 of the Mental Health Act. Figures were presented to show substantial savings on arrests and detentions of those exhibiting the appearances of acute mental health disorders. The Board heard that the 'Street Triage' model involved police working alongside psychiatric nursing staff and learnt 'through direct liaison subjects have not only been assessed far quicker but have been taken to the most appropriate site' for intervention. The Board were informed that the scheme was to be extended and widened through support from the Police and Crime Commissioner and Halton and Warrington Clinical Commissioning Groups. The Board agreed to continue to support Operational Emblem and Members are justifiably proud that this initiative began in Halton. Cheshire Police are now committed to seeing it rolled out across the County</p>
	<b>ENVIRONMENTAL HEALTH</b>

	<p>The Board were informed of activity involving <b>Environmental Health</b>, in particular joint interventions with <b>Licensing</b> where intelligence on licenced premises serving food was shared across the two services.</p>
	<p><b>SAFER HALTON PARTNERSHIP</b></p>
	<p>Feed-in from the <b>Safer Halton Partnership</b> continues to be received, with minutes and reports being brought to the attention of the Board. As Chair I have attended all meetings and also update the Partnership specifically on the Cheshire Police &amp; Crime Panel. This joined-up approach ensures a co-ordination of efforts and encourages collaborative working. For example, concerns about Novel/New Psychoactive Substances first emerged with the Partnership but have since been led by a Topic Group of the Safer PPB.</p> <p>The <b>Blue Lamp Reports</b> from Widnes and Runcorn provided valuable insight into community policing and we now share these with other Members to raise wider awareness.</p> <p>The Board received a progress update on targets contained in the <b>Sustainable Communities Strategy for Halton (SCS)</b>. The SCS was considered as an essential approach for the Council and its partners to set out an evidence-based framework through which actions and shared performance targets can be developed and communicated. The Strategy replaces the performance measures under the Local Area Agreement (LAA) which was removed by the Coalition Government in 2010.</p>
	<p><b>CHESHIRE POLICE AND CRIME PANEL</b></p>
	<p>The Chair &amp; Vice Chair of Safer PPB are the Council's nominated lead representatives on the <b>Cheshire Police &amp; Crime Panel</b>. The Panel forms a statutory scrutiny role of the undertakings and decisions made by the Police &amp; Crime Commissioner (PCC). There has been active scrutiny of the PCC over the last year and the Chair and Vice Chair have contributed to the review of the Cheshire Police &amp; Crime Plan 2015/16 and the statutory setting of the Police precept.</p>
	<p>Members of the Public are welcome at the meetings of the Board. If you would like to know where and when meetings are to be held or if you would like any more information about the Board and its work, please contact Chris Patino (0151 5118556) or email at <a href="mailto:chris.patino@halton.gov.uk">chris.patino@halton.gov.uk</a></p>

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<b>REPORT TO:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>11 February 2015</b>
<b>REPORTING OFFICER:</b>	<b>Operational Director Legal and Democratic Services/Monitoring Officer</b>
<b>PORTFOLIO:</b>	<b>Leader</b>
<b>SUBJECT:</b>	<b>Standards Committee Annual Report</b>
<b>WARDS:</b>	<b>Boroughwide</b>

### **1.0 PURPOSE OF THE REPORT**

**1.1 To summarise the work of the Committee in the last municipal year and to recommend Members to invite Council to note the Report**

**2.0 RECOMMENDATION: That the Report be noted and referred to Council for information.**

### **3.0 SUPPORTING INFORMATION**

**3.1** The major change made to the standards regime by the Localism Act 2011 became embedded in the Council's processes during the municipal year. Throughout the year, the Standards Committee was made up of nine elected Members, Councillors Peter Lloyd Jones (Chairman) Marjorie Bradshaw, Arthur Cole, , Joan Lowe, Tony McDermott, Tom McInerney, Stan Parker, Kevan Wainwright, and Bill Woolfall. In addition, there were two co-opted Independent Members, Mr Tony Luxton and Mrs Anita Morris. The positions for two co-opted Parish Council Members remained vacant throughout the year. The Council appointed three independent persons under the provisions of the Localism Act, Professor David Norman, Mrs Diane Howard, and Mr Roy Radley. All were invited to each meeting. The Committee met on two occasions during the year.

**3.2** The role of the Standards Committee is to:-

- Help Councillor and Co-opted Members to observe the Members Code of Conduct.
- Promote and maintain high standards of conduct by Councillors, co-opted Members, and Church and Parent Governor Representatives.
- Advise the Council on the adoption or revision of the Members Code of Conduct.
- Monitor the operation of the Members Code of Conduct.
- Provide training to Councillors and Co-opted Members on matters relating to the Members Code of Conduct.
- Deal with complaints against Councillors and Parish Councillors.

- Deal with matters concerning politically restricted posts.
- Deal with dispensations relating to Declarations of Interest.

3.3 The September meeting received the Annual Report of the Committee, an update on cases across the country, and also a report on Declaration of Interests by Members.

3.4 In April, the Leader and Chief Executive attended to discuss standards issues from their perspective, and to demonstrate their commitment to the work of the Committee and the upholding of the highest possible standards of conduct in Halton. The meeting also received a verbal report on the outcome of a complaint, and the usual digest of cases elsewhere.

#### **4.0 POLICY IMPLICATIONS**

4.1 None

#### **5.0 OTHER IMPLICATIONS**

5.1 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**

7.1 **No risks have been identified which require control measures.**

**8.0 EQUALITY AND DIVERSITY ISSUES**

**8.1** None

**9.0 BACKGROUND PAPERS**

**9.1** There are no background papers within the meaning of the Act.

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<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	2 July 2015
<b>REPORTING OFFICER:</b>	Strategic Director – Children & Economy
<b>PORTFOLIO:</b>	Children, Young People & Families
<b>SUBJECT:</b>	Basic Need Capital Funding
<b>WARDS:</b>	Borough-wide

### **1.0 PURPOSE OF THE REPORT**

**1.1** This report provides an update for the allocation and spending of Basic Need capital funding.

### **2.0 RECOMMENDATION: That**

- (1) The proposal to allocate Basic Need capital funding to Hale CE Primary School project be approved.
- (2) To note the position in respect of the balance of Basic Need capital funding.
- (3) The report is submitted to Full Council for approval.

### **3.0 SUPPORTING INFORMATION**

#### **3.1 Halton - Basic Need Capital Funding**

The Basic Need allocation supports the capital requirement for providing new pupil places by expanding existing maintained schools, free schools or academies and by establishing new schools. In Halton pupil forecast data is used to determine if there is a need to provide additional school places in order to meet demand by comparing forecast data with school capacity data.

#### **3.2 Basic Need Capital Allocations**

The total Basic Need funding allocated to Halton for 2015/16 to 2017/18 is £1,898,909. Halton has used Basic Need capital funding to carry out building works to provide additional school places at Lunts Heath Primary (35 places), Windmill Hill Primary (28 places), St Bedes Infants (45 places) & Juniors (60 places), Weston Primary (35 places) and Beechwood Primary (35 places) therefore alleviating pressure for the demand for school places in these areas. Basic Need funding has also been used to provide vocational, 6<sup>th</sup> form and independent living facilities at Ashley School following the re-designation of the school.

Following a recent analysis of forecast and school capacity data there is not an immediate pupil place Basic Need issue to address and therefore it is proposed to use Basic Need capital funding to address significant modernisation and suitability issues within schools.

### **3.3 Capital Allocation for Hale CE Primary School.**

Currently the school operates from six classrooms with mixed year groups in in Years 3 and 4. The school has a Planned Admission Number of 25. In September 2014 the reception class intake was 27 and following the current admissions process it is anticipated the intake in September 2015 will be 25. In future years, as reception class numbers are maintained at 25 and other year groups of high numbers work through the school, it will not be possible to accommodate mixed year groups and by 2017 the school will be short of classroom space. It is therefore proposed to provide an extension at one end of the school for an additional classroom at an estimated cost of £116,000. It is proposed to fund the works from Basic Need capital funding. The school will be required to make a contribution to the cost of the works.

### **3.4 Balance of Basic Need Capital Funding.**

The balance of Basic Need capital funding will be retained to respond to any pupil place planning/demographic issues arising in either the primary or secondary sectors. A further report will be submitted to the Executive Board detailing any proposed expenditure.

## **4.0 POLICY IMPLICATIONS**

**4.1** The project will allow the Council to continue to meet its requirement to enhance learning environments through capital projects.

## **5.0 OTHER IMPLICATIONS**

None

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

### **6.1 Children and Young People in Halton**

The project being funded from Basic Need capital funding will address condition and suitability issues within school buildings and will improve the learning environment for children and young people.

### **6.2 Employment, Learning and Skills in Halton**

As 6.1 above

### **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 Funding has been retained to enable the Authority to respond to future pupil changes.

**8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 Consideration to access issues is given in all building projects. The capacity of schools to meet the needs of children with more complex needs and disabilities will be developed further through building works at schools.

**9.0 REASON FOR DECISION**

9.1 The decision is required to deliver and implement the capital programme.

**10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

N/A

**11.0 IMPLEMENTATION DATE**

July 2015 following agreement from Full Council.

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

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
<b>DfE Schools Capital Announcement</b>	<b>C&amp;E Directorate</b>	<b>P Dove</b>

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**REPORT TO:** Executive Board

**DATE:** 2 July 2015

**REPORTING OFFICER:** Operational Director - Finance

**SUBJECT:** 2015/16 to 2017/18 Capital Programme

**WARD(S):** Borough-wide

**PORTFOLIO:** Resources

## **1.0 PURPOSE OF REPORT**

1.1 Council approved an updated capital programme for 2015/16 on 04 March 2015. Since then other reports covering planned capital expenditure for 2015/16 and future years have been reported. In addition new capital grant allocations have been received and slippage to capital projects for 2014/15 has been rolled forward to 2015/16. The purpose of this report is to bring all the separate elements together and report on the Council's total forecast capital programme expenditure and associated funding over the next three years.

## **2.0 RECOMMENDED: That Council be recommended to**

- 1) approve the updated capital programme for 2015-18, including forecast spend and funding, as set out in Table 1 and Table 2; and**
- 2) the Strategic Director, Policy and Resources in consultation with the Portfolio holder Transportation, be delegated to agree a detailed implementation programme of Highways and Transportation schemes to be delivered in 2015/16.**

## **3.0 SUPPORTING INFORMATION**

3.1 The capital strategy covering the period 2015/16 to 2017/18 was approved on 20 November 2014, as part of the Medium Term Financial Strategy. It summarised the expected capital spend over the medium term and the sources of funding available.

3.2 The overall capital programme for 2015/16 to 2017/18 was approved by Council on 04 March 2015. Estimates of capital allocations at that time were known to be subject to variations. This report updates the latest position, which includes confirmed and indicative capital grant allocations for 2015/16 and future years.

- 3.3 The capital programme is subject to regular review and monitoring reports are presented on a quarterly basis. Information is presented to show the actual spend incurred to date and how this compares to the capital allocation for the year. A forecast is provided to indicate if the capital programme will be utilised in full during the year or if there is any expected slippage to capital schemes.

**Planned Capital Programme Expenditure**

- 3.4 Table 1 below presents the planned Capital Programme for 2015/16 onwards based on current information for approved schemes, funding available and slippage of scheme expenditure from 2014/15. The capital programme is subject to continuous change as new resources and projects are identified, and will be updated throughout the year as revisions are approved by Council.

**Table 1 - Planned Capital Programme Expenditure 2015/16-2017/18**

	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000
<b>Children &amp; Enterprise Directorate</b>				
Asset Management Data	5	0	0	5
Fire Compartmentation	62	0	0	62
Capital Repairs	1,015	0	0	1,015
Asbestos Management	20	0	0	20
Inglefield	12	0	0	12
Schools Access Initiative	75	0	0	75
Education Programme (General)	70	0	0	70
Basic Need Projects	0	936	71	1,007
School Modernisation Projects	460	0	0	460
St Bedes Junior School	28	0	0	28
Ashley School	31	0	0	31
Early Education for 2 Year Olds	183	0	0	183
Universal Infant Free School Meals	2	0	0	2
Halebank Primary School	40	0	0	40
Responsible Bodies Bids – Capital Improvement Works	475	0	0	475
St Edwards Catholic Primary	35	0	0	35
Fairfield Primary School	1,898	243	0	2,141
Castlefields Regeneration	635	0	0	635
3MG	3,493	0	0	3,493
Widnes Waterfront (including Bayer)	1,000	0	0	1,000
Johnsons Lane Infrastructure	450	0	0	450
Decontamination of Land	6	0	0	6
SciTech Daresbury – Tech Space	10,965	0	0	10,965
Former Crosville Depot	518	0	0	518
Former Fairfield High Site – Contingency Costs	27	0	0	27
Former Fairfield High Site – Highways	810	106	0	916
Former Fairfield High Site – Cemetery	900	50	50	1,000
John Briggs House / Police Station	350	0	0	350
Travellers Site Warrington Road	1,286	0	0	1,286
Widnes Town Centre Initiative	21	0	0	21
Lowerhouse Lane Depot - Upgrade	38	0	0	38
Equality Act Improvement Works	250	300	300	850
<b>Directorate Total</b>	<b>25,160</b>	<b>1,635</b>	<b>421</b>	<b>27,216</b>

<b>Policy &amp; Resources Directorate</b>				
ICT Rolling Programme	1,719	1,100	1,100	3,919
LTP – Highways Maintenance	2,228	2,043	1,981	6,252
LTP – Integrated Transport	908	908	908	2,724
STEP – Mersey Corridor Business Hubs	327	0	0	327
STEP – Sustainable ‘Sci-Tech’ Links	207	0	0	207
STEP – Silver Jubilee Corridor Business Hubs	0	171	0	171
STEP – Widnes Connect	0	369	0	369
Section 106 Schemes	384	0	0	384
Street Lighting	4,900	200	200	5,300
Risk Management	120	120	120	360
Fleet Replacements	2,134	1,940	624	4,698
Early Land Acquisition – Mersey Gateway	10,125	1,461	567	12,153
Mersey Gateway Crossings Board	2,843	2,858	2,153	7,854
Mersey Gateway – Contribution to Construction Costs	0	70,000	32,500	102,500
Mersey Gateway – Loan Interest During Construction	3,587	3,989	356	7,932
Mersey Gateway – Liquidity Fund	0	0	10,000	10,000
<b>Directorate Total</b>	<b>29,482</b>	<b>85,159</b>	<b>50,509</b>	<b>165,150</b>
<b>Communities Directorate</b>				
Stadium Minor Works	42	30	30	102
Frank Myler Sports & Recreation Centre	741	0	0	741
Norton Priory	3,426	151	190	3,767
Norton Priory Biomass Boiler	140	0	0	140
Children’s Playground Equipment	138	65	65	268
Crow Wood Play Area	13	0	0	13
Runcorn Hill Park	250	0	0	250
Open Spaces Schemes	18	0	0	18
Runcorn Cemetery Extension	9	0	0	9
Cremators Widnes Crematorium	109	0	0	109
Landfill Tax Credit Schemes	340	340	340	1,020
Upton Improvements	13	0	0	13
Litter Bins	20	20	20	60
Disabled Facilities Grant	500	0	0	500
RSL Adaptations	200	0	0	200
Stair Lifts	250	0	0	250
ALD Bungalows	300	100	0	400
Grangeway Court	400	0	0	400
Social Care Capital Grant	356	0	0	356
Halton Carers Centre Refurbishment	34	0	0	34
Lifeline Telecare Upgrade	100	0	0	100



Community Meals	10	0	0	10
Section 256 Grant	57	0	0	57
The Halton Brew	16	0	0	16
<b>Directorate Total</b>	<b>7,482</b>	<b>706</b>	<b>645</b>	<b>8,833</b>
<b>Total Capital Programme</b>	<b>62,124</b>	<b>87,500</b>	<b>51,575</b>	<b>201,199</b>

3.5 The Council receives two principal sources of formula based capital funding from Government to improve local transport conditions, namely Integrated Transport Block (ITB) used to fund small transport improvements and Highways Maintenance Block (HM) used to maintain the highway, associated structures and covering works such as resurfacing, bridge maintenance and street lighting.

3.6 The way in which the ITB allocations are granted changed in 2015/16 as a result of the formation of the Liverpool City Region Combined Authority. ITB funding is paid direct to LCRCA, as the co-ordinating body for the funding. For 2015/16 funding is redistributed from LCRCA to the 6 local highway authorities in line with DfT indicative allocations, future years are to be agreed, for consistency it is assumed within the capital programme that allocations for the final 2 years are in line with 2015/16.

3.7 In 2014 DfT consulted on proposed changes to the way highway maintenance funding is allocated. The major part of the allocation continues to be based upon a needs based formula, in addition a new incentive element has been introduced, the proportion of which increases year on year. Whilst overall the amount allocated nationally to highway maintenance remains constant, the amount allocated by way of the needs based formula reduces due to the incentive element. Highway authorities will have to demonstrate they are making progress to embrace and adopt good practice in respect to efficiencies and asset management to qualify for the incentive element. The needs based element has been set for the three years from 2015 to 2018 by DfT and is included within the capital programme.

3.8 In May 2015, the Council received confirmation of funding for 4 Sustainable Transport Improvement Schemes (STEP) as part of the approved LCR Combined Authority STEP programme. The schemes will be delivered using Growth Deal funding over a two year period with a match contribution from ITB and Section 106 budgets.

### Funding the Programme

3.9 Table 2 below summarises how the capital programme will be funded.

**Table 2 Capital Programme Funding 2015/16 to 2017/18**

	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000
Specific & General Grants	14,717	8,641	3,316	26,674
External Contributions	6,395	457	496	7,348
Borrowing	30,518	76,259	45,844	152,621
Revenue Contributions	1,268	0	0	1,268
Capital Receipts	9,226	2,143	1,919	13,288
<b>Total Funding</b>	<b>62,124</b>	<b>87,500</b>	<b>51,575</b>	<b>201,199</b>

3.10 The Council will continue to seek and secure further additional external resources to reduce on-going revenue implications and enhance the capital programme. For example, through Section 106 agreements.

3.11 Revenue contributions have been set aside to fund capital repairs for schools and to assist with funding the rolling ICT Rolling Programme.

3.12 Borrowings undertaken to support the capital programme are undertaken in line with the Prudential Code and Council's Treasury Management Strategy. This ensures that external borrowings are affordable and within prudent and sustainable levels. Borrowings to fund the capital programme over the three years will be repayable in future years from either Government grant, forecast capital receipts or funded from future revenue streams.

3.13 Repayments and interest costs for borrowings of £102.5m which will be used to fund Council's contribution to Mersey Gateway construction costs in 2016/17 and 2017/18 will be re-paid through future toll revenue.

3.14 Prudential borrowing remains an option to fund future capital schemes, but the financing costs as a result of the borrowing will need to be found from savings within the revenue budget.

### Capital Receipts

3.15 Available capital receipts are used to fund the capital programme. Sales from the disposal of surplus land and buildings may only be used to fund capital expenditure. These funds cannot be used to fund revenue expenditure, with the exception of up to 4% of the proceeds of the sale of capital assets being allowable to fund the revenue cost of disposing of an asset.

- 3.16 Estimates of capital receipts over the medium term are based on forecast land and building sales. Although there is some optimism in the property market seeing a upturn in fortunes, the cautious approach the Council has adopted over the past number of years needs to be continued and as such there are no funds available for new capital starts unless external funding is generated to finance the cost.
- 3.17 Table 3 below shows the expected balance of capital receipts over the next three years. The Council attempts to maintain a minimum value of £3m of retained receipts towards funding the capital programme. However, the table shows that the balance of capital receipts for year 2015/16 and 2016/17 of the programme is forecast to fall below this level, although in 2017/18 the balance increases to £3.4m. The reason for the discrepancy is due to the timing of cash required for capital projects compared to the expected capital receipt being received; this is particularly evident with regards to the new cemetery and associated highway works and the 3MG project.
- 3.18 The shortfall in capital receipts for 2015/16 and 2016/17 will be managed by the Treasury Management function to ensure that costs relating to financing the short term cashflow needs of the schemes are kept to a minimum.

**Table 3 Capital Receipts**

	<b>2015/16 £'000</b>	<b>2016/17 £'000</b>	<b>2017/18 £'000</b>
Balance B/F	3,390	-2,714	471
In-Year Anticipated Receipts	3,122	5,328	4,893
Receipts Utilised	-9,226	-2,143	-1,919
<b>Balance C/F</b>	<b>-2,714</b>	<b>471</b>	<b>3,445</b>

#### **4.0 POLICY IMPLICATIONS**

- 4.1 None

#### **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

- 5.1 The capital programme supports the delivery and achievement of all the Council's priorities.

#### **6.0 RISK ANALYSIS**

- 6.1 There is a risk that slippage to the capital programme, could result in increases to the cost of delivering schemes. Additional revenue costs could be incurred if the schemes are not delivered in time.

- 6.2 Many grants which fund capital expenditure come with conditions to how funding can be used and outcome targets for when the asset is brought into use. Deviation against these conditions may result in requests for clawback to the funding from approving bodies.
- 6.3 The capital programme is heavily funded from prudential borrowing, of total capital expenditure, £152.6m or 76% will come from future and existing borrowings. Risks exist in schemes funded from prudential borrowing. It is important to recognise on undertaking borrowing that a clear plan exists which identifies how the principal and interest will be re-paid on the borrowing end date.
- 6.4 The current economic climate poses a risk to the availability of capital receipts from forecast land and building sales. There is a cashflow risk to capital schemes funded from future capital receipts, the cost to the Council of the short to medium term cashflow impact needs to be recognised at the start of each scheme.
- 6.5 Regular monitoring and reporting of spending against the capital programme will seek to mitigate the above risks.

## **7.0 EQUALITY AND DIVERSITY ISSUES**

- 7.1 There are no equality and diversity issues.

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

- 8.1 None under the meaning of the Act.

**REPORT TO:** Executive Board

**DATE:** 2 July 2015

**REPORTING OFFICER:** Strategic Director - Policy & Resources

**PORTFOLIO:** Transportation

**SUBJECT:** Liverpool City Region Major  
Maintenance bid for the SJB Complex

**WARDS:** Boroughwide

### **1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to seek approval to submit a Major Maintenance bid to the Liverpool City Region Combined Authority (LCR CA) for the Silver Jubilee Bridge Complex, utilising prudential borrowing to provide the necessary partial match funding.

### **2.0 RECOMMENDATION: That**

- 1) The Silver Jubilee Bridge Complex Major Maintenance bid to the Liverpool City Region Combined Authority for an element of the Regional Growth Fund, be approved; and**
- 2) Council be asked to approve the inclusion of £330,000 in the capital programme to provide the partial match funding required for the Major Maintenance bid.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 The Silver Jubilee Bridge (SJB) was given Grade II listed status by English Heritage in 1988 (scheduled as the Runcorn Widnes Road Bridge). The steel structure when opened was the largest steel arch bridge in Europe. The bridge is a landmark feature in the North West and remains the seventh largest bridge of its type in the world.
- 3.2 The Silver Jubilee Bridge Complex (SJBC) includes the Silver Jubilee Bridge (SJB), its three approach viaducts, eighteen other major highway bridges, eighteen retaining walls and two sign gantries, with all 41 structures forming part of the strategically important River Mersey and Manchester Ship Canal crossing.
- 3.3 The availability of this strategic link within the regional road network is dependent on the condition and serviceability of all structures forming the SJB Complex.

- 3.4 Due to the age of the SJB Complex and the historical under investment in lifecycle maintenance prior to the formation of Halton Unitary Authority in 1998, the complex requires a continual programme of structural and maintenance works to maintain it in a steady state condition and hence available for use.
- 3.5 In 2006, having identified the poor condition of much of the SJB Complex, Halton developed a long term maintenance strategy. This set out a number of interventions necessary to allow the structure to continue to perform and carry the excessive traffic load that it does today. In 2009, the Department for Transport (DfT) approved a major maintenance scheme and £38 million of funding to remove a significant amount of maintenance backlog to the structures forming the SJB Complex including significant structural works. This scheme was subsequently delivered between 2010 and 2014. As part of the business case for this major capital intervention, it was also established that in order to maintain a steady state of maintenance long-term and to retain the value of the major capital investment, it would be necessary to continue to undertake between £1.6 and £2.2 million of maintenance works each and every year, on average. While this position was accepted it was also noted that Halton's funding under the Formula Funding regime would never provide sufficient funds to cover the on-going maintenance at the necessary level. The result of ignoring this aspect would ultimately be to devalue the investment made in removing the backlog and eventually create the same maintenance deficit situation again.
- 3.6 Halton's Bridges team and its Consultants have examined a number of options with regard to the SJB Complex for its on-going maintenance and remain convinced that timely and appropriate investment in maintenance is the right way forward. This is also the only way of safeguarding the previous capital investment and to continue to remove the longstanding maintenance deficit carried over from the pre-Unitary days.
- 3.7 The proposed scheme includes a programme of maintenance works with particular focus on the Silver Jubilee Bridge and approach viaducts. The intention is to carry out the programme of works over a three year period from April 2016 through to March 2019. Halton is seeking a contribution from the Liverpool City Region (LCR) Growth Fund towards the capital elements of the scheme.
- 3.8 To that end, a Major Maintenance Bid is being submitted to the Liverpool City Region essentially to provide gap-funding for capital maintenance works otherwise unfunded by the Formula Funding system.
- 3.9 One of the requirements of the bid process is that the proposed LCR contribution is partially matched funded, which in this instance would total £330,000. Whilst the Structures element of the Highways Block Grant is circa £1M, using this to provide the match funding would lead to

a disproportionate spend in the SJB Complex to the detriment of the other 213 structures that the Council is responsible for maintaining.

3.10 It is therefore proposed that the partial match funding required of £330,000 per year for each of the three years is funded from prudential borrowing, with the revenue borrowing costs of approximately £25,000 per annum being met from the Council's contingency budget.

3.11 It is also worth noting that whilst the Department for Transport has announced the Highways Maintenance Block Grant that Halton is entitled to for the next two years and indicatively for a further three years, this is subject to the LCR CA distributing the monies back to Halton. It was a requirement of the CA's Transport Protocol that distribution of this funding be reviewed to determine whether it should continue to be allocated to highway authorities according to the current formulaic basis or whether it should be distributed according to prioritised need. Work on this issue is currently underway and no conclusions have been reached to date. It could be the case in forthcoming years that the anticipated allocations are not fully received by HBC and are used somewhere else within the City Region. Consequently, there is still uncertainty around the size of the actual Block Grant that will be received in future years.

#### **4.0 POLICY IMPLICATIONS**

4.1 None

#### **5.0 FINANCIAL IMPLICATIONS**

5.1 It is proposed that the partial match funding required of £330,000 over the three years, will be provided from prudential borrowing, with the revenue borrowing costs of approximately £25,000 per annum being met from the Council's contingency budget.

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

##### **6.1 Children and Young People in Halton**

There are no direct implications on the Council's 'Children and Young People in Halton' priority

##### **6.2 Employment, Learning and Skills in Halton**

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

##### **6.3 A Healthy Halton**

There are no direct implications on the Council's 'A Healthy Halton' priority

**6.4 A Safer Halton**

There are no direct implications on the Council's 'A Safer Halton' priority

**6.5 Halton's Urban Renewal**

There are no direct implications on the Council's 'Urban Renewal' priority

**7.0 RISK ANALYSIS**

7.1 A full risk assessment is not required for this proposal.

**8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 There are no direct equality and diversity issues associated with this report

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

9.1 None under the meaning of the Act.



**REPORT:** Council

**DATE:** 15 July 2015

**REPORTING OFFICER:** Strategic Director – Policy and Resources

**SUBJECT:** Amendments to Standing Orders relating to Staff and the Officer Employment Rules and Establishment of an Independent Persons Panel

**WARDS:** Boroughwide

### **1. PURPOSE OF REPORT**

The report describes changes to the statutory employment protection for the Head of Paid Service, Chief Finance Officer and Monitoring Officer, and recommends changes to the Constitution to comply with the new requirements.

### **2. RECOMMENDED:**

- 1) To amend the Standing Orders relating to Staff and Officer Employment Procedure Rules as set out in Appendix 2.**
- 2) To amend the Matters Reserved to Full Council, Terms of Reference for the Committees and the Standing Order relating to the Conduct of Council Business which relates to the Constitution of Forums and Panels as set out in Appendix 4.**
- 3) To authorise the Strategic Director – Policy and Resources to invite the Council’s Independent Persons to be considered for appointment to the Panel.**

### **3. SUPPORTING INFORMATION**

- 3.1 Under the Local Government Act 1972, the Local Government Finance Act 1988 and the Local Government and Housing Act 1989 local authorities must designate officers as the “head of paid service”, the “monitoring officer” and the officer “responsible for the administration of the authority’s financial affairs” (called the “chief finance officer” or “section 151 officer”), each of whom has a personal statutory duty to report to Cabinet or full council in certain circumstances, very broadly to prevent or highlight organisational, legal or financial problems. The Council has designated the Chief Executive, Operational Director (Legal and Democratic Services) and Operational Director - Finance to these respective roles.
- 3.2 Because of the personal duty, the post holders have a degree of statutory protection from dismissal or other disciplinary action. Under section 8 of the Local Government and Housing Act 1989, local authorities must make the standing orders relating to staff that are specified in Regulations. Regulations

were made in 1993 about the appointment of chief officers, and in 2001 about the appointment, discipline and dismissal of certain senior officers. Under the Local Authorities (Standing Orders) (England) Regulations 2001/3384, as amended, standing orders had to provide that, beyond suspension on full pay for no more than two months, disciplinary action could not be taken in relation to the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer unless it was recommended by a Designated Independent Person (“DIP”) appointed to carry out an investigation.

- 3.3 The Council’s standing orders, made to comply with those requirements, are the Standing Orders relating to Staff and the Officer Employment Rules in the Council’s Constitution.
- 3.4 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015/881 have changed that protection. The Government believed that the old requirements were too expensive and slow, and led to unnecessarily costly settlements.
- 3.5 The 2015 Regulations replace the DIP arrangements with a new system.
- 3.6 Firstly, the principle that full Council must approve the dismissal of the head of paid service is extended to the other two protected officers. That decision must be taken before notice of dismissal is given. This applies to dismissal for any reason.
- 3.7 Secondly, the following procedure must be followed before a protected officer can be dismissed. The Council must invite a number of the independent persons appointed to advise on member conduct complaints under the Localism Act 2011 (“IPs”) to be appointed to a Panel. If the Council has fewer than two IPs, it must extend the invitation to one or more IPs from another authority. If more accept the invitation than are needed, the appointments must give priority to IPs of the Council who are on the Council’s electoral roll, then to IPs of the Council who are not, then to other authorities’ IPs. At least two IPs must be appointed, but there is no limit. The appointment must be made at least 20 days before Council takes a decision to approve the dismissal of a protected officer. At the full Council meeting, the authority must take into account any advice, views or recommendations of the Panel as well as the conclusions of any investigation and any representations made by the officer.
- 3.8 This procedure only applies to dismissal on disciplinary grounds. Disciplinary action other than dismissal is not now covered by the Regulations. It is currently delegated to the Appointments Committee.
- 3.9 The Council must amend its Standing Orders relating to Staff and Officer Employment Rules, no later than its first ordinary meeting falling after 11th May 2015. Therefore a decision must be taken at this meeting.
- 3.10 The current Standing Orders relating to Staff and the Officer Employment Rules are attached as Appendix 1. The proposed amendments are attached as Appendix 2.

3.11 Although other approaches are theoretically possible, a straightforward approach is recommended, whereby (as at present) the Appointments Committee will conduct a hearing and decide whether or not the officer should be dismissed, subject to full Council approval, and, if so, check if executive members object. The Committee will forward its proposal and the necessary information to a Panel of two IPs. The Panel will consider the proposal and the necessary particulars and decide what advice, views or recommendations to make to full Council, if any. Full Council will decide whether or not to approve dismissal having regard to any advice, views or recommendations of the Panel, the conclusions of any investigation and any representations from the officer.

3.12 It is recommended that a standing Panel should be established, comprising two IPs appointed in priority order in accordance with the Regulations. The Strategic Director – Policy and Resources would invite the Council’s IPs to be considered for appointment and recommend the appointments of two of the IPs who accept the invitation to Council at a future meeting.

3.13 The current Matters Reserved to Full Council, Terms of Reference for the Appeals Committee and Appointments Committee and the Standing Order relating to the Conduct of Council Business which relates to the Constitution of Forums and Panels, Boards and Committees are attached at Appendix 3. Revised versions, and the proposed Terms of Reference for the Independent Panel, are attached at Appendix 4.

3.14 Although the abolition of the DIP process will reduce the cost and length of the disciplinary procedure, there will be a new element to the process, there may in practice still be a need for an external investigation, and work will be needed to review terms and conditions of employment and disciplinary procedures at a national level and locally. This will be reported to the Appointments Committee.

#### **4. POLICY IMPLICATIONS**

None, the changes are required to comply with new legislation.

#### **5. FINANCIAL IMPLICATIONS**

5.1 The administrative and legal costs of making the changes are limited and can be contained within 2015/2016 budgets.

5.2 The cost of a Panel meeting will only arise if disciplinary proceedings are taken against a protected officer and the Appointments Committee decides to recommend dismissal.

#### **6. 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. RISK ANALYSIS**

None.

**8. EQUALITY AND DIVERSITY ISSUES**

None.

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

None under the meaning of the Act.

## APPENDIX 1

### Current Standing Orders relating to Staff and Officer Employment Rules

#### STANDING ORDERS RELATING TO STAFF

1. In these standing Orders –
  - "the 1989 Act" means the Local Government and Housing Act 1989;
  - "the 2000 Act" means the Local Government Act 2000;
  - "disciplinary action" has the same meaning as in the Local Authorities (Standing Orders) (England) Regulations 2001;
  - "Executive" and "Executive Leader" have the same meaning as in Part II of the 2000 Act;
  - "member of staff" means a person appointed to or holding a paid office or employment under the authority; and
  - "Proper Officer" means the Head of Paid Service (or the Monitoring Officer if the Head of Paid Service is unable to act for any reason) for the purposes of the provisions in these Standing Orders.
  
2. Subject to paragraphs 3 and 7, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the Head of Paid Service or by an Officer nominated by him.
  
3. Paragraph 2 shall not apply to the appointment or dismissal of, or disciplinary action against –
  - (a) the Head of Paid Service;
  - (b) a statutory Chief Officer within the meaning of section 2(6) of the 1989 Act (politically restricted posts);
  - (c) a non-statutory Chief Officer within the meaning of section 2(7) of the 1989 Act;
  - (d) a Deputy Chief Officer within the meaning of section 2(8) of the 1989 Act; or
  - (e) a person appointed in pursuance of section 9 of the 1989 Act (assistants for political groups).
  
4. (1) Where a Committee, Sub-committee or Officer is discharging, on behalf of the Authority, the function of the appointment or dismissal of the Head of Paid Service, the Authority must approve that appointment before an offer of appointment is made to him or, as the case may be, must approve that dismissal before notice of dismissal is given to him.  
(2) Where a Committee or a Sub-committee of the Authority is discharging, on behalf of the Authority, the function of the appointment or dismissal of any Officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3, at least one Member of the Executive must be a Member of that Committee or Subcommittee.
  
5. (1) In this paragraph, "appointor" means, in relation to the appointment of a person as an Officer of the Authority, the Authority or, where a Committee, Sub-committee or Officer is discharging the function of appointment on behalf of the Authority, that Committee, Sub-committee or Officer, as the case may be.  
(2) An offer of an appointment as an Officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be made by the appointor until –
  - (a) the appointor has notified the Proper Officer of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment;

- (b) the Proper Officer has notified every Member of the Executive of the Authority of –
    - (i) the name of the person to whom the appointor wishes to make the offer;
    - (ii) any other particulars relevant to the appointment which the appointor has notified to the Proper Officer; and
    - (iii) the period within which any objection to the making of the offer is to be made by the Executive Leader on behalf of the Executive to the Proper Officer; and
  - (c) either –
    - (i) the Executive Leader has, within the period specified in the notice under sub-paragraph (b)(iii), notified the appointor that neither he nor any other Member of the Executive has any objection to the making of the offer;
    - (ii) the Proper Officer has notified the appointor that no objection was received by him within that period from the Executive Leader; or
    - (iii) the appointor is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.
6. (1) In this paragraph, "dismissor" means, in relation to the dismissal of an Officer of the Authority, the Authority or, where a Committee, Sub-committee or another Officer is discharging the function of dismissal on behalf of the Authority, that Committee, Sub-committee or other Officer, as the case may be.
- (2) Notice of the dismissal of an Officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be given by the dismissor until –
- (a) the dismissor has notified the Proper Officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;
  - (b) the Proper Officer has notified every Member of the Executive of the authority of –
    - (i) the name of the person who the dismissor wishes to dismiss;
    - (ii) any other particulars relevant to the dismissal which the dismissor has notified to the Proper Officer; and
    - (iii) the period within which any objection to the dismissal is to be made by the Executive Leader on behalf of the Executive to the Proper Officer; and
  - (c) either –
    - (i) the Executive Leader has, within the period specified in the notice under sub-paragraph (b)(iii), notified the dismissor that neither he nor any other Member of the Executive has any objection to the dismissal;
    - (ii) the Proper Officer has notified the dismissor that no objection was received by him within that period from the Executive Leader; or
    - (iii) the dismissor is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.
7. Nothing in paragraph 2 shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by –
- (a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
  - (b) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.
8. In paragraph 9, "Chief Finance Officer", "disciplinary action", "Head of the Authority's paid service" and "Monitoring Officer", have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001 and "designated independent person" has the same

meaning as in regulation 7 of those Regulations.

9. No disciplinary action in respect of the Head of the Authority's paid service, its Monitoring Officer or its Chief Finance Officer, except action described in paragraph 10, may be taken by the Authority, or by a Committee, a Subcommittee, a Joint Committee on which the Authority is represented or any other person acting on behalf of the Authority, other than in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct).
10. The action mentioned in paragraph 9 is suspension of the Officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

## **Officer Employment Procedure Rules**

### **1. Recruitment and appointment**

#### (a) Declarations

- i) The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or Officer of the Council, or of the partner of such persons.
- ii) No candidate so related to a Councillor or an Officer will be appointed without the authority of the relevant Chief Officer or an Officer nominated by him/her.

#### (b) Seeking support for appointment.

- i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- ii) Subject to paragraph (iii), no applicant will seek support for any person for any appointment with the Council.
- (iii) Nothing in paragraphs (i) and (ii) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment

### **2. Recruitment of Head of Paid Service and Chief Officers**

Where the Council proposes to appoint a Chief Officer, (i.e. a Strategic or Operational Director) and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

#### (a) draw up a statement specifying:

- i) the duties of the Officer concerned; and
- ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and~
- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

### **3. Appointment of Head of Paid Service**

- (a) The full Council will appoint the Head of Paid Service on recommendation from the Council's

Appointments Committee.

(b) The Appointments Committee will consist of the following Members:-

Leader of the Council

Deputy Leader of the Council

The Resources Portfolio Holder (or another Portfolio Holder to be selected by the Leader if the Leader considers the nature of a particular post warrants a particular Portfolio Holder)

The Scrutiny Co-ordinator or a Chair of a Policy and Performance Board (to be selected by the Leader of the Council)

Leader of the Liberal Democrat Group

Leader of the Conservative Group

(or their substitute provided that the Committee includes at least one Member of the Executive)

(c) The appointment of the Head of Paid Service may only take place where the requirements of the Council's Standing Orders relating to staff have been observed.

4. **Appointment of Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services)**

(a) The Council's Appointments Committee will appoint all Strategic Directors and Operational Directors, and the Operational Director (Legal and Democratic Services)

(b) The appointment of Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services) may only take place where the requirements of the Council's Standing Orders relating to Staff have been observed.

5. **Other appointments**

(a) **Officers below Operational Director.** Appointment of Officers below Operational Director (other than assistants to political groups and an assistant to the Mayor) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.

(b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

(c) Appointments may only be made where the requirements of the Council's Standing Orders relating to Staff have been observed.

6. **Disciplinary action**

(a) **Suspension.** The Head of Paid Service, Monitoring Officer and Operational Director – Finance may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.

(b) **Independent person.** No other disciplinary action may be taken in respect of any of those Officers except in accordance with a recommendation in a report made by a designated independent person.

(c) Councillors will not be involved in the disciplinary action against any Officer other than those appointed by or on the recommendation of the Appointments Committee except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

(d) Disciplinary action against the Head of Paid Service and the Strategic Directors shall be the responsibility of the Council's Appointments Committee.

(e) Disciplinary action may only be taken when the requirements of the Council's Standing Orders relating to Staff have been observed.

7. **Dismissal**

(a) Councillors will not be involved in the dismissal of any Officer other than those appointed by/or



on the recommendation of the Appointments Committee except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

(b) The decision to dismiss the Head of Paid Service may only be taken by full Council on recommendation from the Appointments Committee.

(c) The decision to dismiss the Strategic Directors, Operational Directors and the Operational Director (Legal and Democratic Services) may only be taken by the Appointments Committee.

(d) A decision to dismiss an Officer from their employment with the Council may only be taken where the requirements of the Council's Standing Orders relating to Staff have been complied with.

**8. Appointments Committee**

(a) The Appointments Committee will have responsibility for all decisions concerning the pay and terms and conditions of the Head of Paid Services, Strategic Directors, Operational Directors and the Operational Director (Legal and Democratic Services).

(b) The Appointments Committee will have responsibility for all decisions concerning the pay and terms and conditions of all other staff except to the extent such matters are delegated to others in the Council's scheme of delegation.

## APPENDIX 2

### Proposed Standing Orders relating to Staff and Officer Employment Rules

#### STANDING ORDERS RELATING TO STAFF

1. In these standing Orders –

"the 1989 Act" means the Local Government and Housing Act 1989;

"the 2000 Act" means the Local Government Act 2000;

"the 2001 Regulations" means the Local Authorities (Standing Orders) Regulations 2001;

"Chief Finance Officer" has the same meaning as set out in Regulation 2 of the 2001 Regulations;

"disciplinary action" has the same meaning as in the 2001 Regulations;

"Executive" and "Executive Leader" have the same meaning as in Part II of the 2000 Act;

"Head of the Paid Service" has the same meaning as set out in Regulation 2 of the 2001 Regulations;

"Independent Person" means a person appointed under section 28(7) of the Localism Act 2011 by the Authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Authority considers appropriate;

"Independent Persons Panel" means a committee appointed by the Authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the Authority on matters relating to the dismissal of relevant officers of the Authority in accordance with Schedule 3 to the 2001 Regulations, including or comprising at least two Independent Persons who have accepted an invitation to be considered for appointment to the Panel and who have been appointed to it in accordance with the following priority order—

(a) an independent person who has been appointed by the Authority and who is a local government elector in the Authority's area;

(b) any other independent person who has been appointed by the Authority;

(c) a independent person who has been appointed by another authority or authorities.

"member of staff" means a person appointed to or holding a paid office or employment under the Authority;

"Monitoring Officer" has the same meaning as set out in Regulation 2 of the 2001 Regulations; and

"Proper Officer" means the Head of Paid Service (or the Monitoring Officer if the Head of Paid Service is unable to act for any reason) for the purposes of the provisions in these Standing Orders.

2. Subject to paragraphs 3, 4, 7 and 8, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the Head of Paid Service or by an Officer nominated by him.

3. Paragraph 2 shall not apply to the appointment or dismissal of, or disciplinary action against –

(a) the Head of Paid Service;

(b) a statutory Chief Officer within the meaning of section 2(6) of the 1989 Act (politically restricted posts);

(c) a non-statutory Chief Officer within the meaning of section 2(7) of the 1989 Act;

(d) a Deputy Chief Officer within the meaning of section 2(8) of the 1989 Act; or

(e) a person appointed in pursuance of section 9 of the 1989 Act (assistants for political groups).

4. (1) Where a Committee, Sub-committee or Officer is discharging, on behalf of the Authority, the function of the appointment or dismissal of the Head of Paid Service, the Authority must approve that appointment before an offer of appointment is made to him or, as the case may be, must approve that dismissal before notice of dismissal is given to him.  
(2) Where a Committee, Sub-committee or Officer is discharging, on behalf of the Authority, the function of the dismissal of the Chief Finance Officer or the Monitoring Officer, the Authority must approve that dismissal before notice of dismissal is given to that officer.  
(2) Where a Committee or a Sub-committee of the Authority is discharging, on behalf of the Authority, the function of the appointment or dismissal of any Officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3, at least one Member of the Executive must be a Member of that Committee or Subcommittee.
5. (1) In this paragraph, "appointor" means, in relation to the appointment of a person as an Officer of the Authority, the Authority or, where a Committee, Sub-committee or Officer is discharging the function of appointment on behalf of the Authority, that Committee, Sub-committee or Officer, as the case may be.  
(2) An offer of an appointment as an Officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be made by the appointor until –
  - (a) the appointor has notified the Proper Officer of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment;
  - (b) the Proper Officer has notified every Member of the Executive of the Authority of –
    - (i) the name of the person to whom the appointor wishes to make the offer;
    - (ii) any other particulars relevant to the appointment which the appointor has notified to the Proper Officer; and
    - (iii) the period within which any objection to the making of the offer is to be made by the Executive Leader on behalf of the Executive to the Proper Officer; and
  - (c) either –
    - (i) the Executive Leader has, within the period specified in the notice under sub-paragraph (b)(iii), notified the appointor that neither he nor any other Member of the Executive has any objection to the making of the offer;
    - (ii) the Proper Officer has notified the appointor that no objection was received by him within that period from the Executive Leader; or
    - (iii) the appointor is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.
6. (1) In this paragraph and paragraph 7, "dismissor" means, in relation to the dismissal of an Officer of the Authority, the Authority or, where a Committee, Sub-committee or another Officer is discharging the function of dismissal on behalf of the Authority, that Committee, Sub-committee or other Officer, as the case may be.  
(2) Notice of the dismissal of an Officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be given by the dismissor until –
  - (a) the dismissor has notified the Proper Officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;
  - (b) the Proper Officer has notified every Member of the Executive of the authority of –
    - (i) the name of the person who the dismissor wishes to dismiss;
    - (ii) any other particulars relevant to the dismissal which the dismissor has notified to the Proper Officer; and

- (iii) the period within which any objection to the dismissal is to be made by the Executive Leader on behalf of the Executive to the Proper Officer; and
  - (c) either –
    - (i) the Executive Leader has, within the period specified in the notice under sub-paragraph (b)(iii), notified the dismissor that neither he nor any other Member of the Executive has any objection to the dismissal;
    - (ii) the Proper Officer has notified the dismissor that no objection was received by him within that period from the Executive Leader; or
    - (iii) the dismissor is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.
- 7. (1) This paragraph applies if the dismissor proposes disciplinary action involving the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer.  
(2) Where this paragraph applies, the Staffing Committee will provide the Independent Persons Panel with the matters provided to members of the Executive under paragraph 6 and any other particulars relevant to the dismissal that the dismissor considers appropriate or that the Panel may reasonably require.  
(3) The Independent Persons Panel will meet to consider what, if any, advice, views or recommendations to give to the Authority in deciding whether or not to approve the dismissal.  
(4) The Authority will not meet to consider whether or not to approve the proposal of the Staffing Committee to dismiss the officer until a period of at least 20 working days has elapsed from the appointment of the Independent Persons Panel.  
(5) Before the Authority takes a vote at a meeting on whether or not to approve such a dismissal, they must take into account, in particular—
  - (a) any advice, views or recommendations of the Independent Persons Panel;
  - (b) the conclusions of any investigation into the proposed dismissal; and
  - (c) any representations from the officer.
- 8. Nothing in paragraph 2 shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by –
  - (a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
  - (b) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

## **Officer Employment Procedure Rules**

### **1. Recruitment and appointment**

#### **(a) Declarations**

i) The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or Officer of the Council, or of the partner of such persons.

ii) No candidate so related to a Councillor or an Officer will be appointed without the authority of the relevant Chief Officer or an Officer nominated by him/her.

#### **(b) Seeking support for appointment.**

i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this

paragraph will be included in any recruitment information.

ii) Subject to paragraph (iii), no applicant will seek support for any person for any appointment with the Council.

(iii) Nothing in paragraphs (i) and (ii) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment

**2. Recruitment of Head of Paid Service and Chief Officers**

Where the Council proposes to appoint a Chief Officer, (i.e. a Strategic or Operational Director) and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

(a) draw up a statement specifying:

i) the duties of the Officer concerned; and

ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and~

(c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

**3. Appointment of Head of Paid Service**

(a) The full Council will appoint the Head of Paid Service on recommendation from the Council's Appointments Committee.

(b) The Appointments Committee will consist of the following Members:-

Leader of the Council

Deputy Leader of the Council

The Resources Portfolio Holder (or another Portfolio Holder to be selected by the Leader if the Leader considers the nature of a particular post warrants a particular Portfolio Holder)

The Scrutiny Co-ordinator or a Chair of a Policy and Performance Board (to be selected by the Leader of the Council)

Leader of the Liberal Democrat Group

Leader of the Conservative Group

(or their substitute provided that the Committee includes at least one Member of the Executive)

(c) The appointment of the Head of Paid Service may only take place where the requirements of the Council's Standing Orders relating to Staff have been observed.

**4. Appointment of Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services)**

(a) The Council's Appointments Committee will appoint all Strategic Directors and Operational Directors, and the Operational Director (Legal and Democratic Services)

(b) The appointment of Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services) may only take place where the requirements of the Council's Standing Orders relating to Staff have been observed.

**5. Other appointments**

(a) **Officers below Operational Director.** Appointment of Officers below Operational Director (other than assistants to political groups and an assistant to the Mayor) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.

(b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

(c) Appointments may only be made where the requirements of the Council's Standing Orders

relating to Staff have been observed.

**6. Disciplinary action**

(a) Councillors will not be involved in the disciplinary action against any Officer other than those appointed by or on the recommendation of the Appointments Committee except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

(b) Disciplinary action against the Head of Paid Service and the Strategic Directors shall be the responsibility of the Council's Appointments Committee.

(c) Disciplinary action may only be taken when the requirements of the Council's Standing Orders relating to Staff have been observed.

**7. Dismissal**

(a) Councillors will not be involved in the dismissal of any Officer other than those appointed by or on the recommendation of the Appointments Committee except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

(b) The decision to dismiss the Head of Paid Service, Strategic Directors, and Operational Directors and may only be taken by the Appointments Committee.

(c) The decision to dismiss the Head of Paid Service, Chief Finance Officer or Monitoring Officer is subject to approval by full Council.

(d) A decision to dismiss an Officer from his or her employment with the Council may only be taken in compliance with the requirements of the Council's Standing Orders relating to Staff.

**8. Appointments Committee**

(a) The Appointments Committee will have responsibility for all decisions concerning the pay and terms and conditions of the Head of Paid Services, Strategic Directors, Operational Directors and the Operational Director (Legal and Democratic Services).

(b) The Appointments Committee will have responsibility for all decisions concerning the pay and terms and conditions of all other staff except to the extent such matters are delegated to others in the Council's scheme of delegation.

## **APPENDIX 3**

### **Matters reserved to Council, Terms of Reference and Standing Orders - current**

#### **1. MATTERS RESERVED TO THE COUNCIL**

...

#### **STAFFING**

47. To appoint the Chief Executive on recommendation from the Appointments Committee
48. To deal with the dismissal of the Chief Executive in accordance with the Standing Orders relating to staffing.
49. To ensure equality of opportunity for all applicants for employment, existing employees and inhabitants of the borough, including equality in the delivery of services by the Council.

#### **12. TERMS OF REFERENCE FOR THE APPEALS PANEL**

1. To pursue the principles of Best Value at all times.
2. To be responsible for implementing and monitoring the Council's Single Equality Framework and compliance with the Equalities Act and Public Sector Equality Duty.
3. To hear and determine appeals in relation to any disciplinary, grievance, dispute or re-grade processes (including appeals from teachers working in schools with or without a delegated budget) and any other appeals made in connection with employment issues with the exception of appeals relating to the job evaluation process.
4. To hear and determine all other appeals and decision review processes including the following appellate and decision review functions:-
  1. Housing Homelessness, Discretionary Housing Payment and Council Tax - Discretionary Reduction in Liability appeals
  2. School Transport
  3. Contracts
  4. Assets of Community Value and Community Right to Bid

...

#### **14. TERMS OF REFERENCE FOR THE APPOINTMENTS COMMITTEE**

1. To deal with Appointments, Disciplinary Matters and Dismissals relating to the Head of Paid Service, Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services) as set out in the Officer Employment Procedure Rules and subject to the Standing Orders relating to Staff.
2. To deal with all matters concerning the pay and terms and conditions of staff (including procedures for dismissal), except to the extent that such matters are delegated to others under the Standing Orders relating to Powers of Proper Officers and Delegation to Officers or fall to be dealt with by the Council's Appeals Panel under the Standing Orders relating to Powers and Duties of Executive Boards, Policy and Performance Boards, Committees and Forums and Panels.
3. To consider and deal with requests for ill-health retirement in respect of the Head of Paid Service, Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services) and to approve any redundancy/severance arrangements in accordance with the Council's Policy (subject to the approval of full Council in the case of matters relating to the Chief Executive).

## STANDING ORDERS RELATING TO CONDUCT OF COUNCIL BUSINESS

...

31. **Constitution of Forums and Panels, Boards and Committees**

(1) The following Forums and Panels, Boards and Committees shall be the Standing Committees of the Council:-

	Membership	
Executive Board	10	(quorum 5)
Executive Board Sub-Committee	5	(quorum 3)
Mersey Gateway Executive Board	5	(quorum 3)
Health and Wellbeing Board	25	<b>(see note)</b>
Schools Forum	<b>See note</b>	(quorum 40%)
Development Control Committee	13	(quorum 6)
Appeals Panel	Pool of 20	
	Composition 3	(quorum 2 or such number statutorily required)
Corporate Policy and Performance Board	11	(quorum 5)
Health Policy and Performance Board	11	(quorum 5)
Employment, Learning, Skills and Community Policy and Performance Board	11	(quorum 5)
Children, Young People and Families Policy and Performance Board	11	(quorum 5)
Safer Policy and Performance Board	11	(quorum 5)
Environment and Urban Renewal Policy and Performance Board	11	(quorum 5)
Business Efficiency Board	*11	(quorum 5)
Standards Committee	**9	
	Plus up to 4 nonvoting co-optees	(quorum 3)
Appointments Committee	6	(quorum 3)
Mayoral Committee	5	(quorum 3)
Regulatory Committee	11	(quorum 5)
Regulatory Sub-Committees	3	(quorum 2)

Note:

**Health and Wellbeing Board** – the meeting shall be quorate provided at least 50% of all members are present. This should include the Chair or Vice Chair and at least one Officer of the PCT and one Officer of the Local Authority. Where a Board is not quorate, business may proceed but decisions will need to be ratified.

**Schools Forum** – must have Schools Members, Academy Members and Non-Schools Members; Schools and Academy Members together must number at least two-thirds of the total membership of the Schools Forum and the balance between Primary, Secondary and



Academies Members must be broadly proportionate to the pupil numbers in each category. The meeting shall be quorate provided at least 40% of the total current membership is present. Where a Forum is not quorate, the meeting can respond to authority consultation and give views to the authority.

(\*NB Membership may include up to 2 Executive Board Members.)

(\*\* NB Membership may include one Executive Board Member)

## **APPENDIX 4**

### **Matters reserved to Council, Terms of Reference and Standing Orders – proposed**

#### **1. MATTERS RESERVED TO THE COUNCIL**

...

#### **STAFFING**

47. To appoint the Chief Executive on recommendation from the Appointments Committee.
48. To approve the dismissal of the Chief Executive (Head of Paid Service), Chief Finance Officer or Monitoring Officer.

#### **12. TERMS OF REFERENCE FOR THE APPEALS PANEL**

1. To pursue the principles of Best Value at all times.
2. To be responsible for implementing and monitoring the Council's Single Equality Framework and compliance with the Equalities Act and Public Sector Equality Duty.
3. To hear and determine appeals in relation to any disciplinary, grievance, dispute or re-grade processes, (including appeals from teachers working in schools with or without a delegated budget) and any other appeals made in connection with employment issues with the exception of appeals relating to the job evaluation process, where this function is not discharged by the full Council.
4. To hear and determine all other appeals and decision review processes including the following appellate and decision review functions:-
  1. Housing Homelessness, Discretionary Housing Payment and Council Tax – Discretionary Reduction in Liability appeals
  2. School Transport
  3. Contracts
  4. Assets of Community Value and Community Right to Bid

...

#### **14. TERMS OF REFERENCE FOR THE APPOINTMENTS COMMITTEE**

1. To deal with Appointments, Disciplinary Matters and Dismissals relating to the Head of Paid Service, Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services) as set out in the Officer Employment Procedure Rules and subject to the Standing Orders relating to Staff.
2. To deal with all matters concerning the pay and terms and conditions of staff (including procedures for dismissal), except to the extent that such matters are delegated to others under the Standing Orders relating to Powers of Proper Officers and Delegation to Officers or fall to be dealt with by the Council's Appeals Panel under the Standing Orders relating to Powers and Duties of Executive Boards, Policy and Performance Boards, Committees and Forums and Panels.
3. To consider and deal with requests for ill-health retirement in respect of the Head of Paid Service, Strategic Directors, Operational Directors, and the Operational Director (Legal and Democratic Services) and to approve any redundancy/severance arrangements in accordance with the Council's Policy (subject to the approval of full Council in the case of matters relating to the Chief Executive).

....

**18. TERMS OF REFERENCE FOR THE INDEPENDENT PERSONS PANEL**

1. To advise the Council on matters relating to the dismissal of the officers designated as the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

**STANDING ORDERS RELATING TO CONDUCT OF COUNCIL BUSINESS**

...

**31. Constitution of Forums and Panels, Boards and Committees**

(1) The following Forums and Panels, Boards and Committees shall be the Standing Committees of the Council:-

	Membership	
Executive Board	10	(quorum 5)
Executive Board Sub-Committee	5	(quorum 3)
Mersey Gateway Executive Board	5	(quorum 3)
Health and Wellbeing Board	25	<b>(see note)</b>
Schools Forum	<b>See note</b>	(quorum 40%)
Development Control Committee	13	(quorum 6)
Appeals Panel	Pool of 20	
	Composition 3	(quorum 2 or such number statutorily required)
Corporate Policy and Performance Board	11	(quorum 5)
Health Policy and Performance Board	11	(quorum 5)
Employment, Learning, Skills and Community Policy and Performance Board	11	(quorum 5)
Children, Young People and Families Policy and Performance Board	11	(quorum 5)
Safer Policy and Performance Board	11	(quorum 5)
Environment and Urban Renewal Policy and Performance Board	11	(quorum 5)
Business Efficiency Board	*11	(quorum 5)
Standards Committee	**9	
	Plus up to 4 non voting co-optees	
		(quorum 3)
Appointments Committee	6	(quorum 3)
Mayoral Committee	5	(quorum 3)
Regulatory Committee	11	(quorum 5)
Regulatory Sub-Committees	3	(quorum 2)
Independent Persons Panel	2	(quorum 2)
	<b>(see note)</b>	

Note:

**Health and Wellbeing Board** – the meeting shall be quorate provided at least 50% of all members are present. This should include the Chair or Vice Chair and at least one Officer of the PCT and one Officer of the Local Authority. Where a Board is not quorate, business may proceed but decisions will need to be ratified.

**Schools Forum** – must have Schools Members, Academy Members and Non-Schools Members; Schools and Academy Members together must number at least two-thirds of the total membership of the Schools Forum and the balance between Primary, Secondary and Academies Members must be broadly proportionate to the pupil numbers in each category. The meeting shall be quorate provided at least 40% of the total current membership is present. Where a Forum is not quorate, the meeting can respond to authority consultation and give views to the authority.

**Independent Persons Panel** – comprises two of the Independent Persons appointed under section 28(7) of the Localism Act 2011 (to advise on member conduct allegations) by the Council. If there are fewer than two such persons, independent persons appointed by another authority may be appointed. The Panel will be appointed from those Independent Persons who have accepted an invitation to be considered for appointment, in accordance with the following priority order—

- (a) an Independent Person who has been appointed by the authority and who is a local government elector in the Council's area;
- (b) any other Independent Person who has been appointed by the authority;
- (c) a Independent Person who has been appointed by another authority or authorities.

(\*NB Membership may include up to 2 Executive Board Members.)

(\*\* NB Membership may include one Executive Board Member)

**REPORT TO:** COUNCIL

**DATE:** 15 July 2015

**REPORTING OFFICER:** Operational Director – Legal & Democratic Services

**PORTFOLIO:** Transportation

**SUBJECT:** Mersey Gateway Bridge – Proposed River Mersey (Mersey Gateway Bridge) (Modification) Order and Proposed Mersey Gateway Bridge and A533 (Silver Jubilee Bridge) Road User Charging Scheme Order

## **1.0 Executive Summary**

1.1 This report asks the Council to formally confirm its wish to continue promoting its application for the River Mersey (Mersey Gateway Bridge) (Modification) Order (“Proposed Order”) to modify the River Mersey (Mersey Gateway Bridge) Order 2011 (“2011 Order”) (“Application”) so as to allow:

1.1.1 a Road User Charging Scheme Order (“RUCSO”) to be made in relation to the Mersey Gateway Bridge as well as in relation to the Silver Jubilee Bridge (together, the “Bridges”); and

1.1.2 the application of the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (“Regulations”) to tolls collected by the Council under the 2011 Order.

1.2 The Application was made by the Council on Thursday, 26 March 2015 pursuant to a resolution made by the Council on Thursday, 18 March 2015 to promote the Application.

1.3 The first resolution was - and this further resolution of the Council is - required because it is an “Authority” for the purposes of Section 239 (4) of the Local Government Act 1972, and the Proposed Order is one to which Section 239 applies by virtue of Section 20 of the Transport and Works Act 1992. Under Section 239, it is required that the resolution be made by a majority of the whole number of members of the Council whether present and voting at the meeting or not.

## **2.0 RECOMMENDATION: Council is recommended to:**

**1) confirm its wish to continue promoting the Application; and**

**2) authorise the Operational Director – Legal & Democratic Services to take all necessary steps to secure the Proposed Order.**

**3.0 Background**

3.1 At a special meeting of the Council on 18<sup>th</sup> March 2015, its Members (by a decision of those present, who comprised a majority of all its Members), agreed that an application should be made to the Secretary of State for Transport for the Proposed Order which would have the effect of amending the 2011 Order so as to allow:

3.1.1 a RUCSO to be made in relation to both Bridges; and

3.1.2 the application of the Regulations to tolls collected by the Council under the 2011 Order.

3.2 Before making that decision, Members at the meeting received and duly considered a detailed report and a further, supplemental report explaining the reasons for making the Application and the process for doing so.

3.3 The necessary statutory procedures have subsequently been followed. In particular:

a) the Application was made to the Secretary of State on 26 March 2015, including all necessary supporting documentation; and

b) notice of the Application was published in the local press on 25 March 2015 giving formal notice that the Application was to be made; and statutory notices were also published on 1 April 2015 in both the local press and the London Gazette advising that the Application had been made. Those notices advised the public of the general effect of the Proposed Order and of the fact that anyone wishing to object to it, or make representations about it, should do so in writing to the Secretary of State within the statutory period, which expired on 14 May 2015.

3.4 These notices also advised that copies of the Application, including the Proposed Order and other documents submitted, were available for public inspection throughout the objection period in Halton Direct Link at Brook Street, Widnes and also at Halton Lea Shopping Centre, Runcorn.

3.5 In addition, formal notice of the Application and a copy of the documents associated with it were served on the Council; and notice that the Application had been made was served on the Liverpool City Region Combined Authority.

3.6 On 11 June 2015 the Secretary of State informed the Council that it had been decided that it was not necessary to hold an inquiry or hearing in respect of the Application. Instead, the Secretary of State indicated that none of the objectors have a statutory right to be heard and stated that the issues raised by, and the objections to, the Application can be adequately

presented and examined through the written representations procedure. This would be subject to the Council satisfying its obligations under the Local Government Act 1972 in relation to the application, as set out below in section 4 of this Report.

- 3.7 Three (3) objections were received by the Secretary of State during the statutory period that expired on 14 May 2015. All three were lodged by residents of Halton and all objected to the imposition of tolls/charges on the bridges. The principle of tolling was established in the 2011 Order. Accordingly, it is not a subject of the Proposed Order and the Application documents made this clear. One objector also raised the following as reasons for the objection:-
1. The enforcement powers being sought are unfair as they would be applied by a private sector entity contracted to the Council.
  2. The cost of registering for the Local User Discount Scheme.
  3. The toll/charge system's need to access the DVLA records is an invasion of privacy.
  4. The cost of the ANPR (automatic number plate recognition) system.

None of these reasons directly apply to the provisions being sought in the Proposed Order.

- 3.8 The Secretary of State requested that the Council submit written representations addressing each of the three objections by 9 July 2015. The representations were lodged in accordance with the Secretary of State's direction on 26 June 2015.

#### **4.0 Next Steps**

- 4.1 Under Section 239(2)(b) of the Local Government Act 1972, the Council – having resolved to make the Application - and duly done so – must formally confirm its wish to continue promoting the Application. Such a resolution must be passed by a majority of the Members of the Council at a meeting of which formal public notice has been given specifying the intention to pass such a resolution. Such a notice was duly published in the local press on 10 June 2015.
- 4.2 The reasons for making the Application remain unchanged since the decision on 18 March 2015 and remain valid.
- 4.3 The three objections raise no new issues. They either raise points of principle, such as the principle of tolling which was addressed and resolved at the public inquiry held in respect of the 2011 Order, or issues that have already been considered and addressed.
- 4.4 Accordingly the Council is recommended to formally confirm its wish to continue promoting the Application and to authorise the Operational Director – Legal & Democratic Services to take all necessary steps to secure this.

## **5.0 Resource Implications**

The Mersey Gateway Crossings Board will meet the resource implications associated with these statutory procedures, including the preparation and submission of the required written representations. As it was initially anticipated that a public inquiry would be held to aid the Secretary of State's determination of the Application, the use of the written representations procedure will reduce the cost of promoting the Application.

## **6.0 Risk**

Without the enforcement powers, the Council will be in breach of its Demand Management Participation Agreement with Sanef [SA] dated 28<sup>th</sup> March 2014. It will not be possible for the Council to ensure that it receives all the toll/charge due to it from the users through the terms of that Agreement. The consequence of this is likely to be a shortfall in revenues which may need to be rectified through a higher toll/charge than would be the case with the enforcement powers in place

## **7.0 Equality and Diversity**

There are no implications for equality and diversity relating to the powers of enforcement as they will apply to all who are to use the Mersey Gateway Bridge and the Silver Jubilee Bridge.

## **8.0 Conclusion**

8.1 In light of the information contained in this report, the Council is asked to resolve to confirm its wish to continue promoting the Application.

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

Relevant Legislation: Local Government Act 1972  
Transport & Works Act 1992