



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: March 25, 2024

Report No: ES-002-24

Subject: 2024 Halton Court Services Business Plan and Budget

Recommendation: **THAT the 2024 Business Plan and Budget for Halton Court Services (attached as Appendix A), including the transfers to/from reserve as presented, be approved.**

EXECUTIVE SUMMARY

- The 2024 Business Plan and Budget for Halton Court Services (HCS) reflects increases in both expenditures (2.2%) and revenues (3.1%) relative to 2023. The 2024 net budget of \$1.8 million is expected to result in a distribution to Milton of \$0.16 million.
- An update on the potential transfer of Part III POA prosecutions to municipalities is also provided. Although not recommended at this time, if a transfer is mandated additional resources and costs (at an estimated net cost of \$0.16 million) are anticipated for HCS.

REPORT

Background

In 2001 the administration of the Provincial Offences Act (POA) was transferred from the Province to the municipalities in the Region of Halton. At that time the following occurred:

1. The establishment of a Joint Management Board (comprised of the CAO's from the Halton municipalities including the Region) to oversee the management and operation of HCS.
2. An agreement on the funding formula whereby 50% of the net revenues generated by HCS are allocated to the Region of Halton. The remaining 50% of the net revenues are divided among local municipalities based on annual weighted regional assessment rates.



Background

In 2007, the City of Burlington was named the Service Provider on behalf of HCS as part of the implementation of a two phase streamlining initiative, now referred to as the Growth Management Plan (GMP). The GMP along with the business plan and budget is reviewed annually by the Area Treasurers and the Joint Management Board. Milton Council policy number 90 outlines the Town's role as an equal partner with the Halton Court Services - Provincial Offences Office. That policy, along with the agreement with the municipal partners, includes a requirement for the business plan and budget to be approved by each Municipality in Halton on an annual basis.

Discussion

The 2024 Budget and Business Plan was developed by HCS staff in 2023 based on the mid-year results available for 2023. The budget was reviewed and approved by the Area Treasurers and the Joint Management Board.

The 2024 Budget and Business Plan is included in full detail as Appendices A. Notable points include but are not limited to:

- Gross revenue for HCS in 2024 is budgeted at \$8.89 million as compared to the \$8.6 million budgeted for 2023.
- Total expenditures in 2024 are budgeted at \$7.0 million compared to the \$6.86 million budgeted for 2023.
- The 2024 net budget of \$1.8 million is expected to result in a distribution to Milton of \$0.16 million.

Part III POA Prosecution

As outlined in further in the appendix, the Ministry of the Attorney General is going through a process of transferring the responsibility for the prosecution of Part III orders (i.e. those pertaining to more serious offences or by-law offences) to municipalities. At this time the ministry has provided a template Interim Transfer Agreement that outlines terms of a potential transfer. The agreement does not contemplate any form of financial reimbursement by the Province to municipalities for the costs associated with absorbing the additional responsibilities, and the no further opportunity to amend the template has been provided. As such it has been recommended that HCS not agree to voluntary assumption of Part III orders at this time. Should the transfer be mandated, additional staffing resources and costs will be incurred (currently estimated to be an additional \$158,845 per year). Further detail on these needs is provided in the appendix, and specifically include an additional prosecutor and an additional case administrator.



Discussion

Other Updates

Other updates provided in Appendix A (in Section 9) include advocacy related to the justice of the peace shortages, the backlog of court dates for Part I charges and Bill 177 impacts. A summary of the findings of the HCS's service delivery review is also provided (as Section 8).

In addition, following the presentation of the 2024 HCS budget to the Joint Management Board, the Board requested that a study be completed to assess the long term sustainability of the Provincial Offences Court given the reduced judicial resources provided by the Province to the Court and potential changes resulting from the Administrative Penalty Program. Authorization was provided by the Board to fund this work from the HCS reserves with results to be presented back to the Board once completed.

Financial Impact

The projected distribution from HCS to the Town of Milton for 2024 is \$158,845. This amount has already been reflected in the Town's 2024 Budget and Business Plan.

Respectfully submitted,

Glen Cowan
Chief Financial Officer / Treasurer

For questions, please contact: Glen Cowan Phone: Ext. 2151

Attachments

Appendix A: Halton Court Services 2024 Budget and Business Plan

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.