

CABINET

MINUTES AND DECISION RECORD

17 September 2007

The meeting commenced at 9.00 am at the Avondale Centre, Hartlepool

Present:

Councillors: Pam Hargreaves (Deputy Mayor) - In the Chair

Gerard Hall (Adult and Public Health Services Portfolio Holder).

Robbie Payne (Finance & Efficiency Portfolio Holder),

Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder),

Officers: Paul Walker, Chief Executive
Dave Stubbs, Director of Neighbourhood Services
Peter Scott, Director of Regeneration and Planning Services
Nicola Bailey, Director of Adult and Community Services
Paul Briggs, Assistant Director, Children's Services
Sue Johnson, Assistant Director, Children's Services
Chris Little, Assistant Chief Financial Officer
Graham Frankland, Head of Procurement and Property Services
Joanne Smithson, Head of Community Strategy
John Potts, Principal Policy Officer
Israr Hussain, Economic Development Officer
Denise Wimpenny, Principal Democratic Services Officer

Also Present:

Jonathan Spruce, Senior Assistant Director (Strategy and Transport), Tees Valley Joint Strategy Unit

80. Inquorate Meeting

It was noted that the meeting was not quorate. The Deputy Mayor indicated that (as permitted under the Local Government Act 2000 and the Constitution) she would exercise her powers of decision and that she would do so in accordance with the wishes of the Members present indicated in the usual way. Each of the decisions set out in the decision record were confirmed by the Deputy Mayor accordingly.

81. Apologies for Absence

Apologies for absence were submitted on behalf of Stuart Drummond, the Mayor, Cath Hill, Children's Services Portfolio Holder and Peter Jackson Neighbourhoods and Communities Portfolio Holder.

82. Declarations of interest by members

None.

83. Confirmation of the minutes of the meeting held on 25 September 2007

Confirmed.

84. Food Law Enforcement Service Plan 2007-2008
(Director of Neighbourhood Services)

Type of decision

Budget and Policy Framework.

Purpose of report

To consider the Food Law Enforcement Plan 2007/08 as required under the Budget and Policy Framework.

Issue(s) for consideration by Cabinet

The report provided details of Hartlepool's Food Law Enforcement Plan 2007/08 which included the Council's aims in respect of its food law service. The report also identified the longer term objectives as well as a review of performance for the period 2006/07.

A Member sought clarification in relation to the composition and labelling sampling plan as detailed in the report to which the Director of Neighbourhood Services agreed to explore and respond direct following the meeting.

Decision

That the Food Law Enforcement Plan 2007/2008 be endorsed and referred to Council for approval.

85. Tees Valley Metro *(Director of Regeneration and Planning Services)*

Type of decision

Key

Purpose of report

The report was very largely a generic report which was being considered by all the local authorities in the Tees Valley. The report sought a commitment from each of the Tees Valley Local Authorities to an “in principle” funding contribution towards the Tees Valley Metro project as a fundamental part of the submission of a revised business case to the Department for Transport (DfT) and Network Rail in early 2008.

Issue(s) for consideration by Cabinet

Jonathan Spruce, a representative from Tees Valley Regeneration presented the report which set out the current status of the Tees Valley Metro project and its key benefits, both to the City Region and to each individual Local Authority and in the context of emerging Government policy. The Tees Valley Metro was a very significant strategic infrastructure system that would potentially influence the future development, sustainability and economic well-being of Hartlepool and all the communities in the Tees Valley. In particular, where it was provided the Metro would increase social inclusion and enhance accessibility to services and centres of employment by public transport and encourage modal shift.

Tees Valley Regeneration had been developing the Metro proposal since November 2004 and in October 2006 produced an outline business case that set out the preferred option for Metro at that time. This was based on the assumption that the new system would be required to be almost completely segregated from the existing heavy rails network (albeit in the same alignment). However, DfT and Network Rail were now looking at arrangement whereby such systems as that proposed for the Tees Valley could “share” track with existing heavy rail services. This offered the possibilities for the Metro system such as additional services along the Durham Coast line to Hartlepool that could not have been considered previously.

Accordingly, some work had recently been undertaken to refine the Metro proposals and the current elements of the scheme would be assessed in terms of cost and feasibility over the next period of work were:-

- A four trains per hour service between Darlington and Saltburn throughout the working day;
- New rolling stock with higher levels of passenger quality and comfort;
- Up to five new stations along the route, serving key employment sites, major regeneration areas and Durham Tees Valley Airport;
- Upgrades to all other stations along the route;
- Supporting heavy rail/metro service enhancements to Hartlepool and Nunthorpe (the latter possibly with park and ride to serve East Cleveland);

- Complementary links to the existing Community Rail Partnerships along the Esk Valley and Bishop Auckland lines; and
- Integrated express bus services where heavy rail/metro services were not economically viable in the short term.

Members were advised that detailed cost benefit evaluation remained to be undertaken on the additional elements and that the proposed phasing of the implementation of the improvements would need to be addressed in terms of economic viability. However, the need to provide an integrated network across the whole of the Tees Valley was fundamental to the development of the scheme.

The capital cost estimate for the core section of the route, taken from Darlington to Saltburn, including the quantified risk assessment cost, was estimated at £141.9 million (2005 prices). Further work would be done to calculate the costs and benefits and feasibility of the north south metro line including the link to Hartlepool and Nunthorpe. Total scheme costings were therefore still tentative though it had been suggested that on balance these should not increase dramatically.

Further details of costs, funding and the key benefits of the scheme were included in the report. With regard to local funding contributions, the DfT required a local contribution to each major local transport scheme of at least 10% of the gross capital cost. At the present time, this equated to a combined funding contribution of £14 million. Dividing this equally between each of the Authorities gave a contribution of around £3 million per authority. However, it was suggested that any contribution should be proportionate to the benefits accruing from the system as a whole to each authority. It was pointed out that “local” contributions could also include funding from the following sources which would need to be fully explored as the business case for the proposals were developed:-

- European sources
- Private sector
- LTP funding already secured and diverted to the project; and
- Any other mechanisms outside a Central Government Grant

Members raised a number of queries in relation to the scheme which included details of timescales, how the revenue costs had been calculated, the financial implications and the direct benefits to the town to which the representative provided clarification.

Further discussion ensued relating to the benefits of the scheme. Some Members considered that this was an excellent idea and highlighted the benefits that the transport linkages would bring to the town. However, a Member expressed concern in relation to the impact the funding contribution would have on the Council's financial position and that the benefits were not guaranteed. Following further queries raised by Members

in relation to the funding contribution, the Chief Executive provided clarification and also highlighted the importance of enhancing accessibility to all services by public transport and the economical benefits to the town. The advantages of track sharing were also discussed.

Decision

- a) Cabinet authorised the Director of Regeneration & Planning in consultation with the Mayor and the Neighbourhood & Communities Portfolio Holder to enter into negotiations with the other four Tees Valley Authorities to endeavour to provide a combined local funding contribution of 10% of the capital cost (currently around £14 million) towards the Tees Valley Metro project between 2011 and 2013;
- b) any contribution from Hartlepool Borough Council to the 10% of capital cost should be proportionate to the benefits accruing from the system as a whole to each authority, taking into account particularly the population of each authority and the timing of implementation of appropriate metro facilities serving Hartlepool;
- c) any “in principle” funding contribution commitment towards the Tees Valley Metro project was subject to the outcome of the further feasibility and costing exercise;
- d) the best viable configuration of metro services serving Hartlepool be explored, by the Director of Neighbourhood Services;
- e) a further report be presented to Cabinet and Council for the approval of the precise commitment required from Borough Council funds.

86. Notification to Establish a Business Improvement District (BID) for Longhill and Sandgate Industrial Estates *(Director of Regeneration and Planning Services)*

Type of decision

Key decision (test i applies)

Purpose of report

To give formal notification to Cabinet of the intention to undertake the necessary ballot for the establishment of a BID for the Longhill and Sandgate Industrial Estates.

Issue(s) for consideration by Cabinet

Members would recall that a report had been accepted by Cabinet on 11 June 2007 that highlighted the work undertaken so far in developing a Business Improvement District (BID) for the Longhill and Sandgate Industrial Estates and agreed to officers continuing discussions with a view to completing the business plan and preparing the ballot. Representatives from each of the partnership organisations had formed a Management Board that had been responsible for developing and agreeing the Business Plan, a copy of which was attached at Appendix 1. A summary of the Business Plan would be distributed to all businesses that the BID would concern and full copies available on the Council's website. The installation of the proposed CCTV system for the two estates would be funded by Hartlepool NDC for £149,000 and HBC Community Safety Capital Grants Scheme for £31,200. A further £85,000 had been agreed through a Section 106 Planning Agreement with Tesco and their proposal to expand their stores on the Longhill Industrial Estate.

The Council would be the accountable body for the proposed BID and would have the role of collecting the levy from businesses. The BID levy would be 2% of the rateable value of all hereditaments in the proposed BID area. There would be two thresholds set to this levy, a minimum payment threshold of £100 and a maximum payment threshold of £1,500. It was estimated that with the proposed 2% levy with the thresholds the annual amount collected would be £47,168 from about 200 businesses that were based in the BID area. The revenue costs had been estimated at £38,682 per annum. The BID was expected to run for five years starting from 1 April 2008 until 31 March 2013. The BID would only proceed if the formal ballot was successful. The ballot would be a postal ballot administered by Electoral Reform Services and the Returning Officer for the ballot would be the Council's Chief Solicitor. The process for undertaking the ballot was detailed in the report.

In response to Members queries, the Economic Development Officer provided clarification in relation to the voting process and the structure of the management board. A Member questioned whether small businesses were represented and their views taken on board. In response, the Economic Development Officer advised that the views of all businesses were fed through the association meetings.

Decision

That the report be accepted as formal notification to pursue a ballot for the establishment of a BID for the Longhill and Sandgate Industrial Estates.

87. Building Schools for the Future Stage 4 Consultation (Director of Children's Services)

Type of decision

Non-key

Purpose of report

Members were requested:-

- to note the previous Cabinet decision (19th March 2007) to authorise consultation on the possible co-location of Springwell and Catcote schools;
- to authorise additional consultation on aspects of special educational needs provision that complement provision at Springwell and Catcote;
- to authorise the Project Board to prepare the necessary consultation documentation and programme.

Issue(s) for consideration by Cabinet

The report provided background information about provision for pupils with special educational needs (SEN) in Hartlepool and information regarding consultation on SEN issues undertaken so far as part of the BSF consultation. There were a number of issues in relation to special educational needs which could usefully be incorporated into the Stage 4 consultation process which included:-

- (i) Co-location of Catcote and Springwell Special Schools
- (ii) Provision for pupils with behavioural, emotional and social difficulties (BESD)
- (iii) Access to Learning (A2L) and Provision for Excluded Pupils
- (iv) Outreach support for special schools
- (v) Secondary resource bases
- (vi) Primary resource bases

Subject to Cabinet approval it was proposed that the fourth stage of consultation on Building Schools for the Future and provision for special educational needs in Hartlepool would run from 24 September 2007 until 26 October 2007.

The aims of the fourth round of consultation would be to seek the views of a range of stakeholders about meeting the needs of those children who require more help with their education than the majority of other children i.e. those children with special educational needs.

The consultation would be town wide but with particular focus on pupils, parents, staff and governors from Springwell, Catcote, Jesmond Road and

High Tunstall as well as the wide range of stakeholders included in earlier rounds of consultation.

The BSF Project Board had already begun to discuss the detail of consultation documents and activity subject to Cabinet approval of the range of issues.

It was suggested that the meaning of “Special Needs” should be clearly defined and the importance of producing consultation information in a format that was easy to understand was also highlighted. The Assistant Director advised that the Project Board had already prepared the consultation documents in the form of a newsletter as well as a more detailed document which would be distributed to the schools affected. It was noted that feedback from the previous consultation had suggested a requirement to communicate direct with primary school parents. The Assistant Director advised that discussions would be held with primary school head teachers to identify the most appropriate method of communication, however, cost implications would need to be considered. Members also emphasised the importance of wide consultation in relation to the location of the two schools and a need to ensure there was no gaps in service provision.

Decision

- (i) That the previous Cabinet decision (19th March 2007) to authorise consultation on the possible co-location of Springwell and Catcote schools, be noted.
- (ii) That additional consultation on projects of special educational needs provision that complement provision at Springwell and Catcote, be authorised.
- (iii) The Project Board be authorised to prepare the necessary consultation documentation and programme.

88. Local Area Agreement (LAA) Quarter 1 – Summary of Performance Report 2007/08 *(Head of Community Strategy)*

Type of decision

Non-key

Purpose of report

To inform Cabinet of performance against the Local Area Agreement (LAA) 2007/08.

Issue(s) for consideration by Cabinet

The Local Area Agreement was a three year agreement (2006-09) based on the Community Strategy that sets out the priorities for Hartlepool and formed an agreement between Central Government and a local area represented by Hartlepool Borough Council and other key partners. The Local Area Agreement was the delivery plan of the Community Strategy.

The Local Area Agreement included 36 priority outcomes, structured around the seven Community Strategy Themes. Appendix 1 showed a summary of progress against the Local Area Agreement Indicators and pooled funding allocations for each of the 36 LAA Outcomes. Full details of progress on all of the outcomes, indicators and actions was contained in the Local Area Agreement Delivery and Improvement Plan, Progress Update, Quarter 1 on the Council's website.

The following performance indicators presented the Council and the Local Strategic Partnership with a challenge to improve performance, details of which were provided :-

- National Floor Target (FT) Indicators
- Neighbourhood Renewal Strategy (NRS) Narrowing the Gap Indicators
- Reward Element (RE) Indicators

Details of amendments to the 2007/8 budgets were included in the report.

Decision

- (i) That the amendments to the budget allocations, be noted.
- (ii) That the current position with regard to performance and expenditure against the pooled LAA funding allocations, be noted.

89. NRF, Capital and Accountable Body Programme Outturn Report 2006/2007(Chief Financial Officer)

Type of decision

None – for information only

Purpose of report

To provide details of the Council's overall capital outturn for 2006/2007, the Neighbourhood Renewal Fund (NRF) and the Spending Programmes where the Council acts as an accountable body.

Issue(s) for consideration by Cabinet

The report set out detailed outturn reports for capital for each Portfolio along with outturns for the Neighbourhood Renewal Fund (NRF) and the spending programmes where the Council acted as Accountable Body. The report followed the format adopted for the previous reports where outturns were reported by Portfolio Holder to enable Portfolio Holders to readily review their area of responsibility.

Decision

That the report, be noted.

90. Quarter 1 – NRF, Capital and Accountable Body Programme Monitoring Report 2007/08 (Chief Financial Officer)

Type of decision

None – for information only

Purpose of report

To provide details of progress against the Council's overall Capital budget for 2007/08, the Neighbourhood Renewal Fund (NRF) and progress against the spending programmes where the Council acts as an Accountable Body.

Issue(s) for consideration by Cabinet

The report provided detailed monitoring information for each Portfolio up to 31 July 2007. The report also included Neighbourhood Renewal Funding monitoring as well as capital monitoring. With regard to Capital Monitoring, the Assistant Chief Financial Officer advised Members of a shortfall in relation to the following, details of which were included in the report:-

Coast Protection – Headland Fencing and Promenade
Civic Centre Refurbishment
Burbank Community Centre

Members queried the reasons for the shortfall in relation to the civic centre refurbishment works to which the Head of Procurement and Property Services reported that additional costs had been incurred due to unforeseen essential works particularly to the roof and drainage as well as improvements to the civic suite such as audio-visual equipment and decoration.

Decision

- (i) That the report, be noted.
- (ii) That Council's approval be sought to amend the approved Capital Programme and associated Prudential Borrowing Limits in respect of the following schemes:-
 - to fund Coast Protection, headland Fencing and Promenade works of 120,000 and to fund this amount from anticipated capital receipts.
 - to approve an increase in the Civic Centre refurbishment capital budget of £0.9 million and to note that the resulting repayment costs of £72,000 could be funded from interest rate savings.
- (iii) That the additional cost of refurbishing Burbank Community Centre of £9,000 be funded from the uncommitted capital allocation (paragraph 4.14 of the report refers).

91. Local Government Access to Information

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph detailed below in Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 92. – Para 3 (information relating to the financial or business affairs of any particular person including the authority holding that information)

92. Hartlepool People Centre, 21 Raby Road *(Director of Neighbourhood Services)*

Type of Decision

Non-key

Purpose of report

To update Cabinet on progress with the potential disposal of the Hartlepool People Centre and consider the options and next steps available to the Council.

Issue(s) for consideration by Cabinet

Background information on proposals for the potential disposal of the Hartlepool People Centre were included in the report. Further proposals

regarding the possible options for consideration by Cabinet were provided.

Decision

- (i) That an extended period to the end of March 2008 be offered to Hartlepool People to explore alternative purchase options.
- (ii) That concurrent pro-active discussions be held with Hartlepool People with regard to maintaining their service provision within alternative premises.

J A BROWN

CHIEF SOLICITOR

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