



Chief Executive's Department
Civic Centre
HARTLEPOOL

14th February, 2006

The Mayor (Stuart Drummond)

Councillors Allison, Barker, Belcher, Cambridge, Clouth, Cook, Coward, Cranney, Fenwick, Ferriday, Fleet, Flintoff, Fortune, Griffin, Hall, Hargreaves, Henery, Hill, Iseley, Jackson, James, Johnson, Kaiser, Kennedy, Lauderdale, Lilley, London, A Marshall, J Marshall, Dr. Morris, Payne, Preece, Rayner, Richardson, Rogan, Shaw, Sutheran, Tumilty, Turner, Wallace, D Waller, M Waller, R Waller, Wistow, Worthy, Wright, and Young

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY, 23rd February, 2006 at 2:00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

By order
P Walker
Chief Executive

Enc

COUNCIL AGENDA



23rd February, 2006

at 2:00 pm

in the Council Chamber

1. To receive apologies from absent members.
2. To receive any declarations of interest from members.
3. To deal with any business required by statute to be done before any other business.
4. To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 10.
5. To approve the minutes of the last meeting of the Council held on 16th February, 2006 as a correct record (to follow).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under rule 11.1;
 - (a) Questions to members of the Executive about recent decisions of the Executive (without notice)
 - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.
 - (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given.
8. To deal with any business required by statute to be done.
9. To receive any announcements from the Chair, the Mayor, members of the Cabinet or the head of the paid service.

10. To dispose of business (if any) remaining from the last meeting and to receive the report of any scrutiny forum or other committee to which such business was referred for consideration.
11. To receive reports from the Council's committees and working groups other than any overview and scrutiny committee and to receive questions and answers on any of those reports;
12. To consider any other business specified in the summons to the meeting, including consideration of reports of the overview and scrutiny committees for debate and to receive questions and answers on any of those items;
 - (a) Formal Council Tax Settings 2006/07 – Incorporation of Fire and Police Authorities Precepts (attached)
13. To consider reports from the Executive:-
 - (a) Proposals in relation to the Council's budget and policy framework

None
 - (b) Proposals for departures from the budget and policy framework

None
14. To consider any motions in the order in which notice has been received.
 - (a) 'As a nationally recognised provider of excellent services and the largest employer in Hartlepool, this council is concerned about the proposed detrimental changes to the Local Government Pension Scheme in terms of their potential impact on local people, local services and local staff.

In particular, the council;

 - believes that its employees should be treated no less favourably than other public sector workers in the provision of their pensions.:
 - re-affirms the support it has already expressed for maintaining the current scheme
 - calls for the withdrawal of plans to remove the 85yr rule from LGPS; and
 - opposes any diminution of benefits for existing scheme members'

Councillor Marjorie A James
Councillor Ann Marshall
Councillor Maureen P Waller
Councillor Jane E Shaw
Councillor Gerald Wistow
15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

COUNCIL

MINUTES OF PROCEEDINGS

16 February 2006

PRESENT:-

The Chairman, Councillor C Richardson, presiding;

The Mayor, Stuart Drummond

COUNCILLORS:

C Barker	S J Belcher	J Cambridge
H Clouth	K H Cranney	D R P Ferriday
M Fleet	R Flintoff	S Griffin
G G Hall	P Hargreaves	G Henery
W H Iseley	P T Jackson	M A James
M Johnson	J Lauderdale	G M Lilley
F London	A Marshall	J Marshall
Dr G H Morris	R W Payne	A Preece
P Rayner	T Rogan	J E Shaw
L M Sutheran	V Tumilty	M W Turner
S D Wallace	D Waller	M P Waller
R Waller	G Worthy	E Wright
D R Young		

OFFICERS:

Paul Walker, Chief Executive
Adrienne Simcock, Director of Children's Services
Nicola Bailey, Director of Adult and Community Services
Peter Scott, Director of Regeneration and Planning
Andrew Atkin, Assistant Chief Executive
Mike Ward, Chief Financial Officer
Chris Little, Assistant Chief Financial Officer
Peter Devlin, Legal Services Manager
Charlotte Burnham, Scrutiny Manager
Steve Hilton, Assistant Public Relations Officer
David Cosgrove, Principal Democratic Services Officer
Jan Bentley, Democratic Services Officer

111. APOLOGIES FOR ABSENT MEMBERS

Councillors D Allison R W Cook, W J Coward, S Fenwick, S W Fortune, C F Hill, S Kaiser, J Kennedy and G Wistow

The Chairman noted that four of the Councillors not present at the meeting were absent due to recent illness. The Chairman indicated he would write to Councillors Cook, Fortune, Hill and Kaiser expressing the Council's best wishes for their speedy recovery.

112. DECLARATIONS OF INTEREST FROM MEMBERS

Councillor Wallace declared a Private and Personal Interest in Minute No. 124.

113. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None

114. PUBLIC QUESTIONS

None.

115. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 15 December 2005, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

116. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

None.

117. QUESTIONS FROM MEMBERS OF THE COUNCIL

- (a) Questions to Members of the Executive about recent decisions of the Executive

None.

- (b) Questions to Members of the Executive and Chairs of Committees and Forums, for which Notice has been given

(i) Question from Councillor Lilley to the Chair of the Licensing Committee

Councillor Lilley withdrew his question in light of the absence of the Chair of the Licensing Committee, Councillor Kaiser.

(ii) Question from Councillor Turner to The Mayor.

Could the Mayor respond to the question below, noting that, at this stage, I would appreciate a response related to the handling of wildlife.

“If the H5n1 bird flu virus comes to our region, what will the Council’s response be to this problem, bearing in mind that wild birds are found within the town, particularly in our parks and in ponds near residential areas?”

The Mayor stated that transmission of the Avian Influenza virus to humans is still rare and involves close contact with affected birds. The State Veterinary Service has primary responsibility for many aspects including the humane slaughter of birds and the cleansing and disinfection of infected poultry premises. The Local Authority role is set out in a Generic Notifiable Animal Disease Contingency Plan Template and included providing accurate information to the public as well as enforcing restrictions of movement of poultry and poultry products.

The Council is currently establishing details of all keepers of poultry within the Borough as the culling and/or containment of poultry is a likely outcome of an outbreak. The mayor highlighted that as there was no licence required to keep poultry, this was a difficult exercise which relied heavily on Officers local knowledge. All allotment sites in the town were being inspected for example.

The Mayor stated that it was not expected that the Council will have a significant role with regard to Avian Flu’ in the wild bird population other than in an educational role in informing the public of any risks.

In a supplementary question, Councillor Turner sought reassurance from the Mayor that appropriate procedures would be in place within the Council to deal with the public’s enquiries should such an outbreak occur. The Mayor stated he could give such an assurance as procedures would be in place locally as part of what would undoubtedly be a major national campaign.

- (c) Questions to the appropriate Members on Police and Fire Authority issues, for which notice has been given.

Minutes of the meetings of the Cleveland Police Authority held on 4th October, 20th October, 25th October and 6th December 2005 and Cleveland Fire Authority held on 25th November, 2005 were submitted.

None.

118. BUSINESS REQUIRED BY STATUTE

(i) Report of the Independent Remuneration Panel

The Chief Executive sought consideration of, and instructions on, the recommendations of the Independent Remuneration Panel's report, which were as follows: -

"The Panel concluded that there had been an increase in the role and responsibilities of Members since the last review of the Basic Allowance had been undertaken. The Panel noted that the role of councillors continued to change and this was likely to continue. The Panel concluded that this should be recognised in the Basic Allowance and concluded that the allowance should increase by 10% to reflect these changes in addition to an increase of 3% to cover inflation. The Panel also concluded that a further £170 be included in the Basic Allowance to cover the cost of all travel within 35 mile radius. Accordingly the Panel recommends a Basic Allowance to the Council of £5580 calculated as follows:-

Existing Allowance	£4790
Inflation	£141
Additional duties	£479
Travel	£170

The Panel took into account that this would be an additional burden on the Council's finances but felt that in the light of the information reviewed the increase was fair and justified. The Panel also noted that whilst it had previously recommended increases to the Council, the Council had chosen not to action those increases.

The Panel considered that this level should remain in place for three years subject to an annual inflation increase. In future, the Panel recommended that the level of Basic Allowance be increased in accordance with the annual increases for the Mayor.

The Panel considered whether any change to the weightings applied to the Special Responsibility Allowances be considered at this time but concluded that this was not necessary as the weightings had been reviewed. The Panel concluded that the existing weightings remain."

Moved and Seconded

That no action be taken at this time on the recommendations of the Independent Remuneration Panel but that the report be referred to a cross-party working group for detailed consideration with a report being submitted to a future Council meeting.

Motion put and agreed.

119. ANNOUNCEMENTS

None.

120. TO DISPOSE OF BUSINESS REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY SCRUTINY FORUM OR OTHER COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

- (a) Report of the Constitution Committee – Time Limits for Questions – Council Procedure Rules.

Further to minute number 105 of the previous meeting, the Vice Chair of the Constitution Committee presented the Committees proposals for the following amendment of Council Procedure Rules 10 and 11

10 QUESTIONS FROM THE PUBLIC

10.7 Asking the question at the meeting

(iv) A member of the public asking a question will have a maximum of one minute to put his/her question at the meeting and up to ~~two minutes~~ [one minute] for each supplementary question. A Member of the Executive answering a question will have a maximum of five minutes to put his or her answer to the question and up to ~~one minute~~ [two minutes] for each supplementary answer.

11. QUESTIONS BY MEMBERS

11.1 Questions about recent decisions of the Executive

(vi) A Member asking a question will have a maximum of ~~two minutes~~ [one minute] to put his/her question at the meeting and up to ~~two minutes~~ one minute for each supplementary question. A Member of the Executive answering a question will have a maximum of five minutes to put his or her answer to the question and up to two minutes for each supplementary answer.

11.2 Questions on notice at full Council

(vi) A Member asking a question will have a maximum of one minute to put his/her question at the meeting and up to one minute for each supplementary question. The relevant Member answering a question will have a maximum of ~~three~~ [five] minutes to put his or her answer to the question and up to ~~one minute~~ [two minutes] for each supplementary answer.

The proposed change stood adjourned from the last meeting of Council and subject to approval at today's meeting was to come into effect from the next meeting of the Council.

RESOLVED – That the proposed change, to Council Procedure Rules 10 and 11, as outlined above, be approved and adopted.

121. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES AND WORKING GROUPS

- (a) Proposed Consolidation of Licensing Committees – *Constitution Committee*

The Vice-Chair of the Constitution Committee, Councillor James, reported that the Constitution Committee had made the following recommendations to Council in light of the views expressed by both the Licensing and Licensing Act Committees: -

- (a) Amalgamate the existing Licensing Committee and Licensing Act Committee into a new Licensing Committee of 15 Councillors, being the members of the current Licensing Act Committee.
- (b) Approve the continuation of the five three-member sub committees as presently constituted to consider those matters as set out in the Licensing Act 2003.
- (c) Approve the establishment of a new five-member sub committee to deal with hackney carriage and private hire licensing applications, with a quorum of three.
- (d) Approve the functions and delegated powers for the new Committee as set out below: -

FUNCTION	DELEGATION
1. All licensing and registration functions set out in Part B of Schedule 1 to the Regulations except those relating to Commons Registration, Roads and Highways (Planning Committee).	<p><i>Director of Neighbourhood Services</i></p> <p>Power to carry out all of the functions of the Committee in paragraphs 1 adjacent with the exception of the power to refuse, revoke or suspend any licence or registration.</p>

- (e) Transfer to the General Purposes Committee, the functions and delegated powers set out below: -

FUNCTION	DELEGATION
<ol style="list-style-type: none"> 1. Functions relating to health and safety at work (as set out in Part C of Schedule 1 to the Regulations). 2. Functions relating to sea fisheries. [1.I.35] 3. The discharge of any functions relating to the control of pollution or the management of air quality. [2.11] 4. The service of an abatement notice in respect of a statutory nuisance. [2.12] 5. The inspection of the authority's area to detect any statutory nuisance. [2.14] 6. The investigation of any complaint as to the existence of a statutory nuisance. [2.15] 	<p><i>Director of Neighbourhood Services</i></p> <p>Power to carry out all of the functions of the Committee in paragraphs 1-7 adjacent with the exception of the power to refuse, revoke or suspend any licence or registration.</p> <p>Power to refuse, revoke or suspend any licence or registration in cases where eligibility criteria are not met or in cases where there is judged to be a clear risk to the well-being of the public which needs to be addressed as a matter of urgency.</p>

- (f) Authorise the alteration of the Constitution to give effect to the above changes, the Chief Executive being authorised to make any incidental changes to the Constitution consequent thereon.

RESOLVED - That the proposed consolidation of Licensing Committees, as outlined above, be approved and adopted.

122. TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

(a) Involving Young People – Final Report *Children Services Scrutiny Forum*

The findings of the Forum's considerations were reported to Council by the Chair, Councillor Shaw. Council in late 2003 raised the issue of involving young people in the affairs of the town and how to develop robust mechanisms to ensure that young people's views were heard and considered. It was agreed that the subject was one that should be examined through the scrutiny process. Consequently, on the 3rd February 2004 the (then) Culture and Learning Scrutiny Forum began its inquiry into Involving Young People. This inquiry has been conducted over two broad stages:

(a) 2003/4 Municipal Year – the Scrutiny inquiry was largely concerned with exploring mechanisms to engage young people in district affairs; and

(b) 2004/5 Municipal Year – the Scrutiny inquiry largely focused on strategies for involving young people through participation.

At the end of each stage of inquiry the Forum has postponed producing a Final Report whilst it waited for the results of a piece of work by the Hartlepool Community Network, which is based on consultations with young people. The findings of this piece of work were reported to the Forum on 25th October 2005 and again on the 22nd November 2005.

The detailed recommendations of the Scrutiny Forum's enquiry, as detailed below were commended to the Council.

- 1
 - a) That the Forum sends its findings to all schools in the town, thanking those who were involved in the process, whilst asking each school how they would like us to follow up the scrutiny process.
 - b) That six months after the Forum has completed its final report the young people involved in the scrutiny process should be consulted to see if anything has changed in their view.
 - c) That the young people involved in the process should be invited to meet the Chair of the Council.
 - d) That the Forum holds a series of meetings with young people at venues (possibly in schools) outside of the Council in the north/central/south areas of the town.
 - e) That the Forum should actively pursue the possibility of co-opting young people onto the Forum.
- 2 That the nature of local funding needs to be explained to young people so that they are aware of why something is built in one part of town but not in another. This could be achieved through the citizenship and PHSE strands of the schools' curriculum.

- 3 It is recommended that the council develops a leaflet outlining all the activities for young people for the north, south and central areas, and consults with young people involved in producing the HYPE magazine about how this should be developed. It is important that the Council works in partnership to produce this.
- 4 Given the evidence gathered by the Forum from its schools visits the Forum recommends that young people should be considered as much of a priority as the elderly when accessing public/community transport. The Forum suggests that this recommendation is extended to the Neighbourhood Services Scrutiny Forum, which is currently undertaking an investigation into 'Hartlepool's Bus Service Provision'.
- 5
 - a) That all the town's libraries (including the mobile library) make out of issue books available to children without library cards.
 - b) It is recommended that the Forum should liaise in future with schools and libraries, and explore best practice, to develop a strategy for issuing library cards to all young people.
- 6 That the Council needs a *Citizenship Policy* for all age groups, and the work carried out by the Community Network could usefully link into this. Furthermore, representatives of each of the Council's departments should be involved in the development of a council-wide strategy, and the involvement of the LSP should be sought in relation to adopting this policy. Through a strategy of promoting citizenship young people will be encouraged to become more involved in the running of their local communities.
- 7 That the Forum supports the recommendations of the Community Network (outlined in section 8.16 of the report) and commends them to the Council as a whole.
- 8 That the Forum supports the development of a Youth Forum/Council, and requests that this is included in the development of the Council's Participation Strategy. The Forum would like the opportunity to comment on this aspect of the Participation Strategy when it is complete.
- 9
 - a) That the Council transfers its advertising in youth papers to HYPE magazine so that it is supportive of the principle of involving young people in decisions that affect their lives.
 - b) The Forum recommends that the Council should support positive publicity about children and young people across the town, including in the Council's own Hartbeat magazine.
- 10 That the Forum was supportive of the continued development of the Participation Network, and would like further links to be explored between this network, the participation strategy and the Children's Services Forum.

It is also recommended that a Member of the Children's Service Scrutiny Forum be appointed as Chair of this body.

- 11 That the 'Choices, Chances and Changes for Young People' Framework should be developed, where possible, as a basis for involving young people in the democratic process. Furthermore, links should be made between this framework and the Council's Participation Strategy where possible.
- 12 That the Council should seek to make links between the school councils and the Neighbourhood Forums and that funding streams developed by, and, for young people should be explored through this route.
- 13 That the Forum supports the development of a Participation Strategy and would like to see linkages developed between this and the Forum's recommendations, and that this strategy should be developed across the town.
- 14 That the Forum would like to see the findings of this report submitted as a response to the consultation process for the 'Every Hartlepool Child Matters' report.
- 15 That the Council should approach outside bodies, for example the PCT, Police and Fire Service in relation to making links to the Council's participation work. Furthermore, given the responsibilities of the Police and PCT for involving young people the Council should seek to approach them for additional funding for developing a participation strategy.
- 16 The Forum recommends that the Council should organise an 'annual youth conference' through which information can be shared by young people and youth practitioners, and that connections should be made with the Participation Network here.
- 17 The Forum recommends that the Council and Hartlepool NDC explore the possibility of entering into future projects geared towards training 'young advisers'.
- 18 The Forum supports the notion of making all Councillors and Resident Representatives 'Children's Champions'. However, the Forum would like to receive further information about the practicalities of developing this role at the same stage as further information is provided to the Forum about the development of a Youth Council/Forum in conjunction with the Participation Strategy.

RESOLVED – that the recommendations of the Scrutiny Forum as set out above be approved and adopted.

123. REPORTS FROM THE EXECUTIVE

(a) Proposals in relation to the Council's budget and policy framework

i) Budget and Policy Framework 2006/07

The Finance and Performance Management Portfolio Holder, Councillor Jackson, presented to Council details of the proposed 2006/07 Budget and Policy Framework. The report included the Outturn Strategy for 2005/06, the Capital Budget for 2006/07 and Prudential Indicators and the Budget Requirement and Council Tax for 2006/07.

The budget was commended to the Council.

Amendment moved and seconded:

That the recommendation in relation to supporting the Ground Work Trust be not supported and that the funds proposed be transferred to the Community Pool.

Amendment put and agreed.

Amendment moved and seconded:

That the resources identified by Scrutiny Coordinating Committee should not be used to establish a specific Equal Pay Risk Reserve but should be returned to the General Fund reserves and any amount needed for Equal Pay costs be met from General Fund reserves.

Amendment put and agreed.

Amended Motion put and agreed

RESOLVED that Council agrees the following detailed recommendations, as amended: -

Outturn Strategy 2005/2006

- (i) That the proposed outturn strategy detailed in paragraph 4.3 of the report be approved.
- (ii) That the proposal that in the event that the capital receipt for the North Central Hartlepool Scheme is not received (or cannot be accrued) before 31st March, 2006, the potential temporary shortfall be funded from Prudential Borrowing, which will be repaid when the capital receipt is received, be approved.
- (iii) That the position in relation to the impact of Briarfields on the Capital Programme and the strategy for managing this position (paragraph 4.12 of the report) be noted.

Capital Programme 2006/2007 and Prudential Indicators 2005/2006 (Revised) to 2008/2009

- (i) That the capital allocations identified at Appendix B to the report be approved and that the relevant Portfolio Holder be authorised to approve the detailed Capital Programmes for using these allocations.
- (ii) That the replacement of the Cremators be approved, to be funded from Prudential Borrowing and Option 2 (phased increase in fees from 2007/2008) be explored in more detail, as detailed in paragraph 5.3 to the report.
- (iii) That the use of Prudential Borrowing for the Restoration and Cleaning of the War Memorials and for the additional archaeology costs on the Headland Town Square development be approved. (The resulting revenue costs to be funded from the revenue proposals).
- (iv) That the establishment of an ICT investment fund of £0.5m be approved, subject to this amount only being used for projects achieving a seven year pay back and contributing a savings towards the overall efficiency target and detailed schemes being approved by Cabinet.
- (v) That the Prudential Indicators detailed at Appendix C to the report be approved.
- (vi) That the proposed Treasury Management Strategy, as detailed in paragraph 5.8 to the report be approved.

2006/2007 Revenue Budget and Council Tax

- (a) That a 4.9% increase in Council Tax be approved together with the following supporting resolutions: -
 - (i) That approval be given to an increase in all departmental resource allocations of 3% and the resulting budget allocations as detailed at Appendix 1 to the report, with specific top-up for specific pressures and/or priorities, as detailed in (ii) below.
 - (ii) That the proposed pressures and priorities identified in Appendix E, schedules 1 and 2 to the report be approved, including the revised Economic Development Priority of £100,000, the withdrawal of the Promotion of Hartlepool Priority of £80,000 and the additional commitments identified in paragraph 4.1 of this report.
 - (iii) That the proposal to support the Ground Work Trust, as detailed in paragraph 10.8 of the report be not supported and that the funding proposed to meet this proposal be transferred to the Community Pool.

- (iv) That the proposals not to fund the pressures and priorities identified in Appendix E, schedules 3 and 4 be approved.
- (v) That the proposal to mainstream the services previously funded from grants which have been terminated as identified in Appendix F, note 3 to the report, be approved.
- (vi) That approval be given to the use of corporate savings of £1.12m to reduce the budget gap, detailed in paragraph 12.2 to the report.
- (vii) That approval be given to the use of additional temporary corporate savings of £1.645m to reduce the 2006/2007 budget gap, detailed in paragraph 12.3 to the report.
- (viii) That approval be given to the proposed service cuts identified in Appendix G to the report.
- (ix) That approval be given to the proposal to examine eligibility criteria to enable changes to be implemented from 1st April, 2007.
- (x) That approval be given to the proposal to earmark any LABGI income to support the 2007/08 budget.
- (xi) That the resources identified by Scrutiny Coordinating Committee should not be used to establish a specific Equal Pay Risk Reserve but should be returned to the General Fund reserves and any amount needed for Equal Pay costs be met from General Fund reserves
- (xii) That the development of revised arrangements for the Vacancy Monitoring Panel be considered by Cabinet at their meeting on 27th February, 2006.
- (xiii) That approval be given to the commencement of work to develop exit strategies for grant funded regimes be commenced in April, 2006.
- (b) That the following amounts be calculated by the Council for 2006/2007 in accordance with Section 32 to 36 of the Local Government Finance Act 1992 and relevant regulations.
 - (i) For the purposes of Section 32(2), (3) and (4) of the Local Government Finance Act 1992, the following amounts be approved: -

	£
Aggregate Expenditure	221,917,120
Aggregate Income	146,394,736
Budget Requirement (inc. Parish Precepts)	75,522,384

- (ii) Being the aggregate of the sums which the Council estimates will be payable into the General Fund in respect of Revenue Support

grant £6,786,921 and redistributed Business Rate Grant £35,158,909, increased by the amount the Council estimates will be transferred from the Collection Fund to the General Fund as its surplus in respect of Council Tax as at 31st March, 2006, £104,541 in accordance with Section 97 (3) of the Local Government Finance Act 1988 and the Local Government Changes for England (Collection Fund Surpluses and Deficits) Regulations 1995 as amended.

(iii) Being the amount calculated by the Council in accordance with Section 33 of the Act, as the basic amount of Council Tax for the year of £1,222.99.

(iv) That approval be given to the contributions of £2,739, £5,044 and £1,000 towards the expenses of Dalton Piercy, Elwick and Greatham Parish Councils to enable them to carry out the associated concurrent functions; and formally accept the following Precepts in relation to non concurrent functions and approve the aggregate amount of all special items referred to in Section 34(1) of the Act.

	£
Dalton Piercy	1,410
Elwick	4,500
Greatham	2,000
Hart	2,300
Headland	4,000
Newton Bewley	300
Aggregate Amount (Section 34 (i))	14,510

- v) Being the basic Council Tax for 2006/2007 calculated in accordance with Section 34(2) for dwellings in those areas that have no parish precepts or other special items of £1,222.46.
- vi) The basic Council Tax for 2006/2007 calculated in accordance with Section 34(3) for dwellings in those areas that have parish precepts be as set out in Appendix 2, Table 1 (to this report).
- vii) The amounts of Council Tax at items (iv) and (v) multiplied by the proportions applicable to each category of dwelling in its area, in accordance with Section 36 of the Act be as set out in Appendix 2, Table 2 (to this report).

2007/2008 Revenue Budget and Council Tax

- (i) That an indicative Council Tax increase for 2007/2008 of 4.9% be approved and it be noted that the actual 2007/08 increase will be referred to Council at this stage next year.
- (ii) That approval be given to the proposal that Cabinet prepares options for bridging the 2007/2008 budget gap and submits these to Scrutiny Co-ordinating Committee by the end of September, 2007.

(b) Proposal for Departure from the Budget and Policy Framework

(i) Anhydrite Mine – Ongoing Investigation *Report of the Executive*

The Mayor reported to Council subsequent to Minute No's 97 and 98 of the meeting held on 15th December 2005 and indicated that a Members' Seminar had been held on 7th February 2006. The Mayor had also met residents and over forty questions posed by residents had been responded to by officers.

The Mayor went on to outline the options available to Council to undertake an inspection of the anhydrite mine to assess its condition and the proposed funding mechanism to meet the costs of the inspection.

RESOLVED: -

1. That the investigation of the anhydrite mine continue and that White Young Green be appointed as the Council's external consultant for this project being the most cost effective option.
2. That Financial Option 1 be adopted (as set out in paragraph 6.6 of the report) and that an application be made to English Partnerships. The Council gap fund the shortfall in grant, assumed to be in the order of £200,000, from Prudential Borrowing in 2006/07, and authorise incurring the expenditure of up to £200,000 prior to the decision of English Partnerships regarding prioritisation.
3. That in the event that the application for English Partnerships funding is not approved a further report be submitted to Council to enable members to determine how they wish to proceed.

124. MOTIONS ON NOTICE

- (i) That the Council believe that Cleveland Police should not be merged to create a Regional Force, but should retain its current boundaries.

Councillor Stephen Wallace
 Councillor Marjorie James
 Councillor Ann Marshall
 Councillor Kevin Cranney
 Councillor Gerald Wistow

Motion put and agreed.

- (ii) In line with the recommendations of the Local Government Ombudsman and following the successful negotiations between Cllr. Robbie Payne and the Briarfield Gardeners, this Council resolves to:
- Make available up to £75,000 to enable 12 allotment gardens to be reinstated at Briarfield, the necessary works to be completed no later than 1st May 2006.

Councillor Marjorie James
Councillor Ann Marshall
Councillor Kevin Cranney
Councillor Gerald Wistow
Councillor Peter Jackson

Motion put and agreed.

(iii) This Council resolves to:

- Support a continued Hartlepool PCT with a management team based in Hartlepool working closely with the council and through the LSP in order to minimise management costs and increase local control over decisions about health services. This option was proposed by the LSP's report last year.
- Council further agrees that Scrutiny Co-ordinating Committee establish whether Option 2 in the current SHA consultation document meets this objective and if not, to recommend that the LSP's original report be submitted to Ministers with any relevant updated supporting materials.
- In addition Scrutiny to consider whether in expressing the "unanimous" view of PCT Chief Executives that Option 2 is "unworkable", that the consultation document is treating the two proposals "even handedly" as required by Ministers.

Councillor Stephen Wallace
Councillor Marjorie James
Councillor Ann Marshall
Councillor Kevin Cranney
Councillor Gerald Wistow

In accordance with Council Procedure Rule 14.6 the five above named signatories to the Motion submitted the following alteration to the Motion: -

This Council resolves:

- To support a continued Hartlepool PCT with a management team based in Hartlepool working closely with the Council and through the LSP in order to minimise management costs and increase local control over decisions about health services (as argued in an independent report commissioned by the LSP (Locality Plus: Retaining a Coterminous PCT in Hartlepool', Hartlepool Partnership November 4th 2005).
- That Scrutiny Co-ordinating Committee should establish whether Option 2 in the current SHA consultation document meets this objective.
- That Scrutiny should consider whether the SHA consultation document treats options 1 and 2 even-handedly, as required by Ministers, in expressing the unanimous view of PCT Chief Executives that Option 2 is "unworkable".
- That Scrutiny should consider whether to recommend to the Council that the proposals contained in the LSP's 2005 report be submitted to

Ministers with relevant updated supporting material as the Council's preferred option.

The alteration to the Motion was accepted by Council without debate.

Motion put and agreed.

125. RESIGNATION FROM ADMINISTRATIVE GROUP

The Chief Executive reported that Councillor Lauderdale had submitted his resignation from the Administrative Group. A new Notice of Constitution of Political Group form has been forwarded to the Administrative Group to reflect the change.

C RICHARDSON

CHAIRMAN

COUNCIL REPORT

23rd February, 2006



Report of: Chief Executive

Subject: FORMAL COUNCIL TAX SETTING 2006/2007 –
INCORPORATION OF FIRE AND POLICE
AUTHORITIES PRECEPTS

1. PURPOSE OF REPORT

- 1.1 To enable Council to set the overall level of Council Tax following the notification by the Police and Fire Authorities of their Council Tax levels for 2006/2007.

2. BACKGROUND

- 2.1 At your meeting on 16th February, 2006, Members will consider the proposed 2006/2007 Budget and Policy Framework and this Authority's own Council Tax level. Assuming Members approve these proposals Council then needs to approve the overall Council Tax, inclusive of the Police and Fire Authority precepts, at its meeting on 23rd February, 2006. The Fire Authority set its Council Tax on 10th January, 2006, and the Police Authority is scheduled to set its Council Tax on the morning of 23rd February 2006.

3. DETERMINATION OF OVERALL COUNCIL TAX LEVELS

- 3.1 The determination of the overall Council Tax level is a statutory function, which brings together the individual Council Tax levels determined by this Council, Cleveland Police Authority, Cleveland Fire Authority and where applicable Parish Councils.
- 3.2 A detailed schedule of the statutory Council Tax calculation incorporating the Police and Fire Authority Council Tax levels for 2006/2007 will be circulate at Council on 23rd February, 2006. This is dependent upon the Police Authority setting its 2006/2007 Council Tax earlier in the day of your Council meeting.

5. RECOMMENDATION

- 5.1 Council is asked to approve the following recommendation: -

- i) The amount of Council Tax including the Cleveland Police Authority and Cleveland Fire Authority precepts, in accordance with Section 40 of the Local Government Finance Act 1992 and the relevant inclusion of amounts of Council Tax for each category of dwelling in accordance with Sections 43 to 47 of the Act, as set out in Appendix A, Table 4 (to be circulated at the meeting).

COUNCIL
23rd February, 2006



Report of: Chief Executive

Subject: BUSINESS REPORT

1. Appointments Panel

- 1.1 Councillor J Marshall has submitted his resignation from the Appointments Panel that is currently in the process of making Assistant Director Appointments. In order to maintain the appropriate political balance of the current Panel, an alternative member from the Admin. Group is sought to replace Councillor J Marshall.
- 1.2 Council's instructions are sought.

COUNCIL
23 February 2006



Report of: Chief Executive

Subject: BUSINESS REPORT 2

2. IRP REPORT WORKING GROUP

- 2.1 Members agreed at the meeting of Council on 16 February 2006 to refer the Independent Remuneration Panel report to a cross party working group. Council is requested to nominate appointments to the working group and suggest a timescale for the working group to report back to Council.
- 2.2 Based on the current political balance of the Council and to ensure representation from all groups, the smallest working group membership would be as follows
- Labour - 5 Members
 - Liberal Democrat - 2 Members
 - Admin. Group - 2 Members
 - Independent Councillors - 1 Member.
- 2.3 Council's instructions as to the appointments to fulfil the above or an alternative proposal are requested.