

PLEASE NOTE VENUE

FINANCE AND EFFICIENCY PORTFOLIO DECISION SCHEDULE



Thursday 17th January 2008

at 10.00am

in Conference Room 1,
Belle Vue Community Sports and Youth Centre,
Kendal Road, Hartlepool

Councillor Payne, Cabinet Member responsible for Finance and Efficiency will consider the following items.

1. **KEY DECISIONS**

No items

2. **OTHER ITEMS REQUIRING DECISION**

- 2.1 Easter Fair, Hartlepool Historic Quay, Maritime Avenue – *Head of Procurement and Property Services*
- 2.2 Proposed sale of land at Oxford Street, Longhill Industrial Estate, Hartlepool – *Head of Procurement and Property Services*
- 2.3 Shropshire Walk/Leicester Grove Garage Site, Belle Vue – *Head of Procurement and Property Services*

3. **ITEMS FOR INFORMATION**

- 3.1 Audit of Legionella Management within the Council – *Head of Procurement and Property Services*
- 3.2 Combined Courts Building at Victoria Road, Hartlepool – *Head of Procurement and Property Services*

4. **REPORTS FROM OVERVIEW OF SCRUTINY FORUMS**

No items

FINANCE AND EFFICIENCY PORTFOLIO

Report To Portfolio Holder

17 January 2008



Report of: Head of Procurement and Property Services

Subject: EASTER FAIR, HARTLEPOOL HISTORIC QUAY, MARITIME AVENUE

SUMMARY

1. PURPOSE OF REPORT

To obtain a decision on the proposed licences for the Easter Fair at Hartlepool Historic Quay, Maritime Avenue.

2. SUMMARY OF CONTENTS

The report contains background to the recent changes to the location of the fair, with revised terms for the licence being set out within the Financial Implications section.

3. RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder has responsibility for the Council's land and property assets.

4. TYPE OF DECISION

Non key

5. DECISION MAKING ROUTE

Portfolio Holder only

6. DECISION(S) REQUIRED

Authority to proceed with the licences subject to the terms proposed.

Report of: Head of Procurement and Property Services

Subject: EASTER FAIR, HARTLEPOOL HISTORIC
QUAY, MARITIME AVENUE

1. PURPOSE OF REPORT

1.1 To obtain a decision on the proposed licences for the Easter Fair at Hartlepool Historic Quay, Maritime Avenue.

2. BACKGROUND

2.1 In recent years, a small fun fair has been operated from the area of car park bounded by Portofino's and the Jackson's Wharf Public House over the Easter period.

2.2 Two separate operators have used this land at the same time and the Council has granted a licence to these operators, receiving a small rental sum and ensuring that the Council is protected against any liabilities.

2.3 The most recent agreement to these operators was a three year licence to operate on the Easter holidays of 2005, 2006 and 2007 and this licence has therefore recently expired. Both of the funfair operators have approached the Council to ask for a renewal to this agreement, which would usually be granted under the Head of Procurement and Property Services' delegated powers in discussions with the Assistant Director (Community Services).

2.4 On this occasion, however, the Assistant Director (Community Services) has expressed concerns about the level of disruption that has been caused in recent years by the Easter Fair. He has highlighted that noise from the funfair can cause disruption to functions taking place at Hartlepool Maritime Experience, and has also highlighted that Portofino's restaurant, whilst benefiting from trade resulting from the funfair, may have problems with disruption as a result of it.

2.5 Whilst this disruption is very real, the assistant Director (Community services) still feels that the Easter fair provides good entertainment and is well attended and has therefore suggested an alternative location, which both of the funfair operators have agreed to. The proposed alternative area is an area of car park at the front of the Hartlepool Maritime Experience building, off Maritime Avenue, as shown in the plan attached to this report at **Appendix 1**.

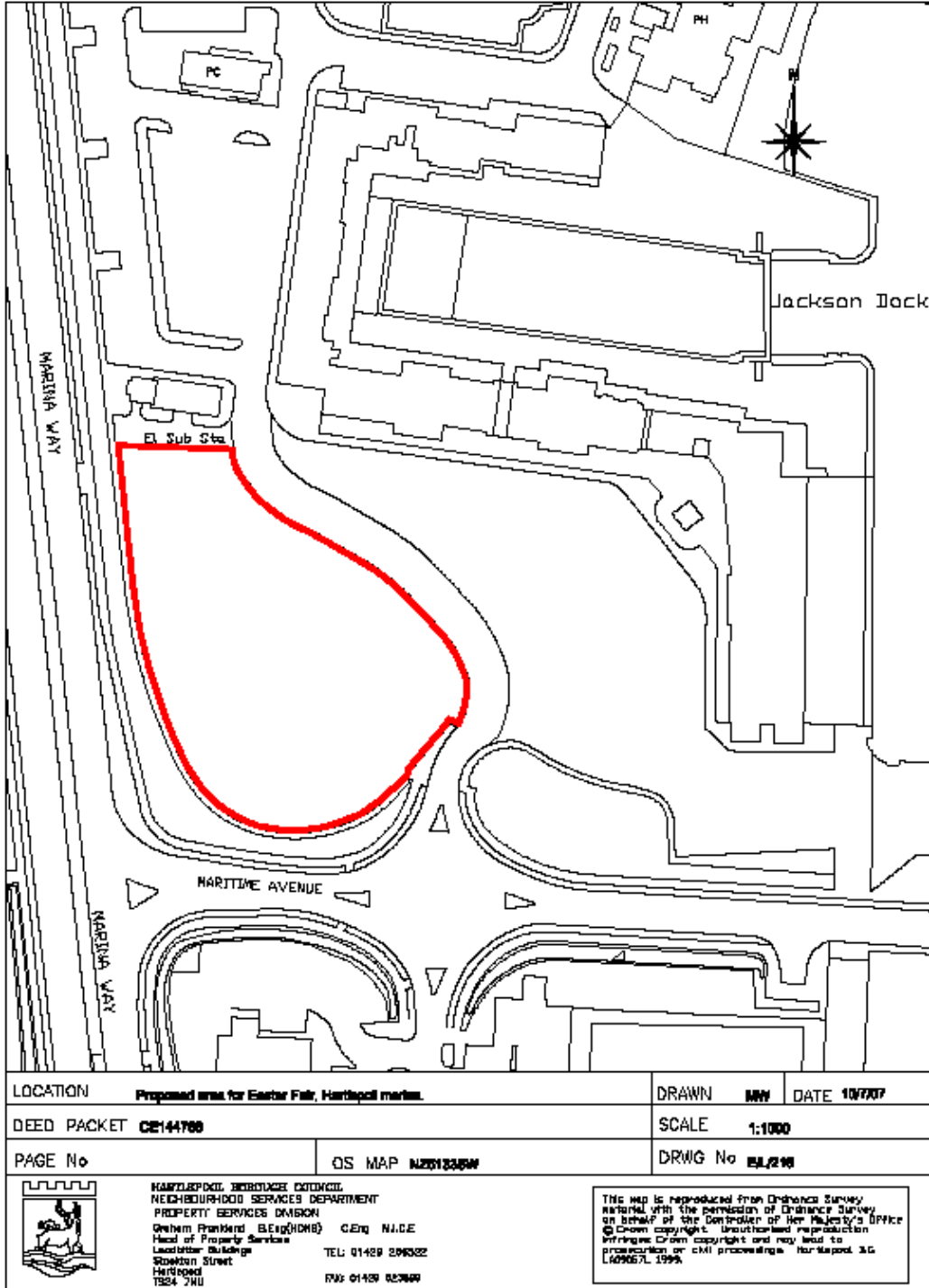
3.0 FINANCIAL IMPLICATIONS

- 3.1 The proposed terms for each of the two proposed licences are as follows contained within Confidential **Appendix 2**. **This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, Information relating to the financial or business affairs of any particular person (including the authority holding that information)..**

4. RECOMMENDATIONS

- 4.1 That Portfolio Holder grants approval to the licences being granted subject to the terms proposed.

LOCATION PLAN



FINANCE AND EFFICIENCY PORTFOLIO

Report To Portfolio Holder

17th January 2008



Report of: Head of Procurement and Property Services

Subject: PROPOSED SALE OF LAND AT OXFORD STREET, LONGHILL INDUSTRIAL ESTATE, HARTLEPOOL

SUMMARY

1.0 PURPOSE OF REPORT

To obtain Portfolio Holder consent to proceed with the sale of land at Oxford Street, Longhill Industrial Estate for the use of car parking for the newly constructed industrial units on the site.

2.0 SUMMARY OF CONTENTS

The report outlines the background to this proposal and details the terms by which disposal is proposed.

3.0 RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder has responsibility for the Council's land and property holdings.

4.0 TYPE OF DECISION

Non-Key

5.0 DECISION MAKING ROUTE

Portfolio Holder only

6.0 DECISION(S) REQUIRED

Authority to complete disposal of the land.

Report of: Head of Procurement and Property Services

Subject: PROPOSED SALE OF LAND AT OXFORD STREET, LONGHILL INDUSTRIAL ESTATE, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To obtain Portfolio Holder consent to proceed with the sale of land at Oxford Street, Longhill Industrial Estate for the use of car parking for the industrial units on the site.

2. BACKGROUND

- 2.1 FIX UK Properties Limited who are the freehold owners of the industrial estate at Longhill Industrial Estate, Oxford Street, Hartlepool, approached the Council with regard to purchasing a piece of land next to a newly constructed unit on the Industrial Estate to be used as car parking. (See **Appendix 1** for the Plan for the proposed area). This car parking is required as a condition of their planning consent, which states that 7 spaces including one disabled space are needed. Planning permission for the use has already been approved and should the decision be taken to dispose of the land, this could be undertaken immediately.
- 2.2 The area of land equates to 0.064 acres and is currently used by the Council as an area of landscaped verge.

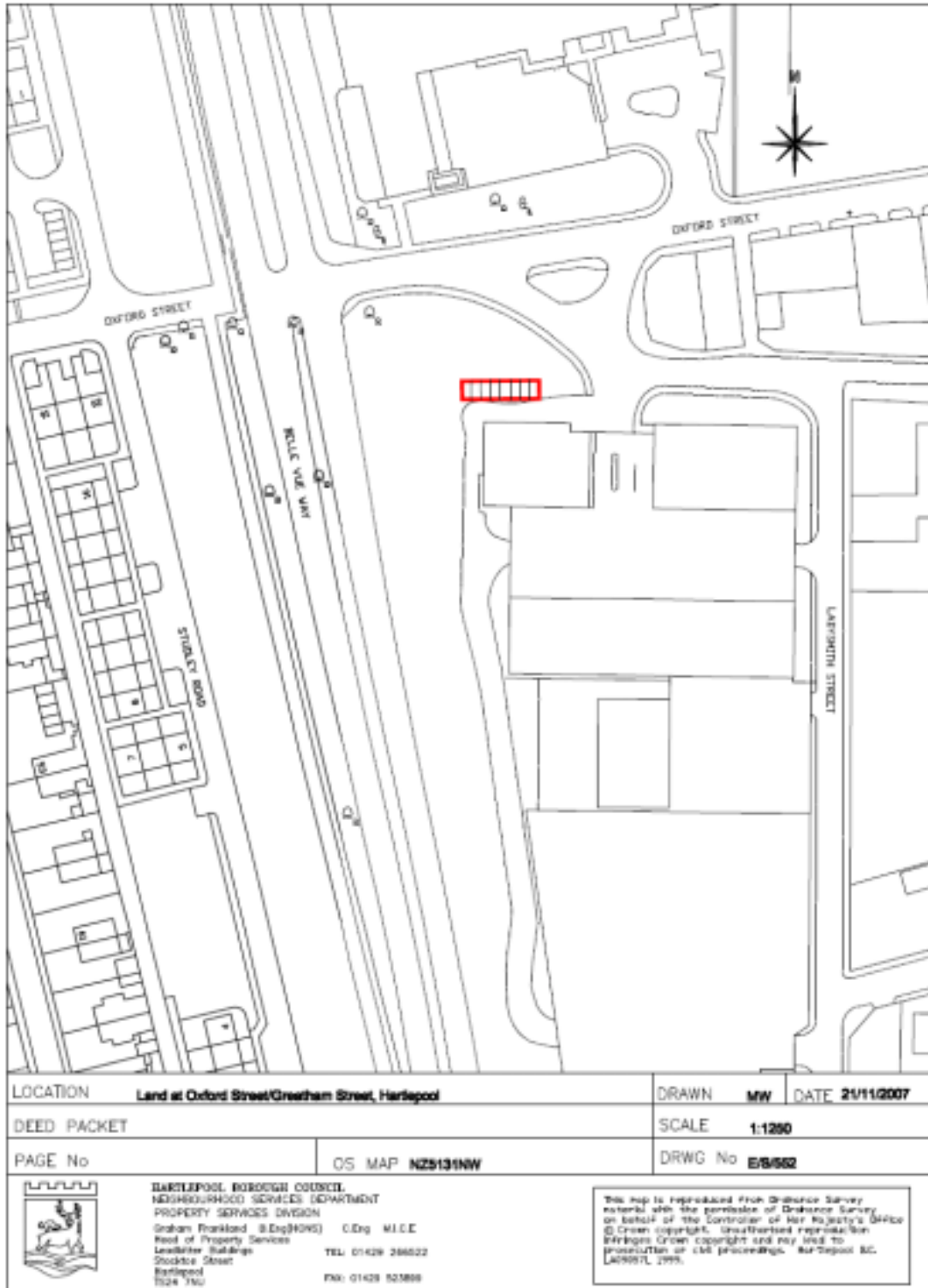
3.0 FINANCIAL IMPLICATIONS

- 3.1 The Financial implications for this proposal, including the terms for the proposed disposal, are attached to this report as confidential **Appendix 2. This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

4. RECOMMENDATIONS

- 4.1 That the Portfolio Holder approves the disposal of land for the use of parking to FIX UK Properties Limited subject to the terms proposed.

Location Plan



FINANCE AND EFFICIENCY PORTFOLIO

Report To Portfolio Holder

17th January 2008



Report of: Head of Procurement and Property Services

Subject: SHROPSHIRE WALK/LEICESTER GROVE
GARAGE SITE, BELLE VUE

SUMMARY

1.0 PURPOSE OF REPORT

To obtain the Portfolio Holder's decision with regard to an application by Housing Hartlepool for a deed of rectification to facilitate a social housing scheme.

2.0 SUMMARY OF CONTENTS

The report contains a summary of the application, with a more detailed submission by Housing Hartlepool and the previous report with regard to this matter contained as confidential appendices.

3.0 RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder has responsibility for the Council's land and property matters.

4.0 TYPE OF DECISION

Non-key

5.0 DECISION MAKING ROUTE

Portfolio Holder only

6.0 DECISION(S) REQUIRED

That Portfolio Holder considers the request.

Report of: Head of Procurement and Property Services

Subject: SHROPSHIRE WALK/LEICESTER GROVE
GARAGE SITE, BELLE VUE

1. PURPOSE OF REPORT

- 1.1 To obtain a Portfolio Holder decision with regard to an application by Housing Hartlepool for a deed of rectification to facilitate a social housing scheme.

2. BACKGROUND

- 2.1 At the Finance and Efficiency Portfolio Meeting on 23rd July 2007, a report was presented detailing Housing Hartlepool's desire to develop an area of land at Leicester Grove/Shropshire Walk for social housing. A copy of the report and the decision made by Portfolio are attached to this report as Confidential **Appendix 1 This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, Information relating to the financial or business affairs of any particular person (including the authority holding that information)..**
- 2.2 Further to this decision, Housing Hartlepool have provided a further submission to the Council in light of them achieving Housing Corporation funding for the work. They have claimed that the land should have originally been transferred to them as part of stock transfer, and the fact that this has been omitted was an error that should be corrected through a deed of rectification, rather than through the Council selling the land to them. Their submission to this effect can be viewed as confidential **Appendix 2 This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, Information relating to the financial or business affairs of any particular person (including the authority holding that information)..**
- 2.3 The Council's Regeneration and Planning Department have commented that the addition and provision of these two rented bungalows meets the Authority's priorities and housing needs. The 2007 Hartlepool Strategic Housing Market Assessment identifies a high and raising level of unmet housing need, particularly for affordable family homes and bungalows, which this scheme of 2 bungalows meets. The scheme also supports the central Hartlepool

housing market renewal programme in terms of contributing towards relocation opportunities available to residents moving home because of clearance and redevelopment activity. It will deliver these opportunities at a critical time in terms of rehousing and public perception of the regeneration programmes in Hartlepool. The scheme will contribute to improve the balance and mix of housing in the area, enhancing sustainability and community cohesion in the central area of the town.

3.0 FINANCIAL IMPLICATIONS

- 3.1 The financial implications of this matter were summarised in the original report which is now attached at Confidential **Appendix 1 This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, Information relating to the financial or business affairs of any particular person (including the authority holding that information)..**
- 3.2 The Council's costs incurred in obtaining a deed of rectification, should that be Portfolio Holder's chosen route, would be met by Housing Hartlepool.

4. RECOMMENDATIONS

- 4.1 That Portfolio Holder considers the proposal to transfer the area of land to Housing Hartlepool through a deed of rectification.

FINANCE AND EFFICIENCY PORTFOLIO

Report to Portfolio Holder

17th January 2008



Report of: Head of Procurement and Property Services

Subject: AUDIT OF LEGIONELLA MANAGEMENT
WITHIN THE COUNCIL

SUMMARY

1.0 PURPOSE OF REPORT

To advise the Portfolio holder of the outcome of the recent audit of the Legionella Management and Control Team.

2.0 SUMMARY OF CONTENTS

Outline the process that was carried out in the audit together with results.

3.0 RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder has responsibility for the Council's land and property management.

4.0 TYPE OF DECISION

Non Key Decision.

5.0 DECISION MAKING ROUTE

Finance and Efficiency Portfolio Holder.

6.0 DECISION(S) REQUIRED

- i) That the Portfolio holder notes the outcome of the audit.
- ii) That the Portfolio holder notes the progress on Legionella Management.

Report of: Head of Procurement and Property Services

Subject: AUDIT OF LEGIONELLA MANAGEMENT
WITHIN THE COUNCIL

1.0 PURPOSE OF REPORT

To advise the Portfolio holder of the outcome of the recent audit of the Legionella Management and Control Team.

2.0 BACKGROUND

2.1 A new feature of the council's insurance policy with AIG is cover for the risk of claims for bodily injury to the public caused by Legionnaires disease. The extended cover is offered at no additional charge, however to provide assurance to all that the risk is being well managed, the extension is subject to a Legionella Risk Management Audit being undertaken by Gallagher Basset International Ltd, within six months of inception of the cover.

2.2 The audit is designed to review the adequacy of policy and implementation of procedures in the following key areas:

1. Risk Assessment.
2. Roles and Responsibilities.
3. Prevention and Control.
4. Monitoring and inspection.
5. Record Keeping.
6. Protection of People.
7. Cooling Towers.
8. Other Risk Systems

2.3 The audit took the form of an on-site interview with relevant personnel within the authority who are responsible for the management and control of Legionella.

2.4 A review of a selection of risk assessments, written schemes for control, as well as examining records appertaining to training of responsible individuals, control of contractors and inspection and monitoring of water systems.

3.0 OUTCOME.

- 3.1 On conclusion of this on-site interview process, and the constructive scrutiny of all relative documentation, we were provided with a detailed report. The insurer was also provided with a copy of a more detailed report.
- 3.2 The report submitted shows that in all areas audited (outlined in 2.2) the Legionella Management and Control Team achieved the maximum score possible.
- 3.3 In a separate benchmarking report Hartlepool Council are top in the U.K. out of the 46 authorities currently audited and the only one to score the maximum 100%. (see **Appendix 1**).

4.0 PROPOSALS

- 4.1 The Council will not, however, become complacent and subsequent to the outcome of the Barrow in Furness inquiry we have reported on future improvements to the service, some of which have already been implemented. This development is important to address future plans of the Health and Safety Commission to undertake inspections of local authority legionella management.

5.0 FINANCIAL IMPLICATIONS.

- 5.1 The extended insurance cover required for the Council is now provided at no additional charge because the risk is being well managed by the Council's Legionella Management and Control Team.
- 5.2 The Council's expertise is being extended to other partner organisations including other Local Authorities and Housing Associations. As well as assisting these organisations manage their risks the service brings in much needed income into the Building Consultancy.

6.0 RECOMMENDATIONS

- 6.1 That the Portfolio holder notes the outcome of the audit.
- 6.2 That the Portfolio holder notes the progress on Legionella Management.

LEGIONELLA RISK MANAGEMENT REVIEWS BENCHMARKING

| Type of Authority | Overall Score | Risk Assessment | Roles /Responsibility | Prevention /Control | Monitoring /Inspection | Record Keeping | Protection of People | Cooling Towers | Other Risk Systems |
|-------------------|---------------|-----------------|-----------------------|---------------------|------------------------|----------------|----------------------|----------------|--------------------|
| Police | 86% | 97% | 85% | 86% | 83% | 100% | 75% | 0% | 0% |
| Police | 76% | 95% | 58% | 81% | 82% | 93% | 70% | 0% | 42% |
| County Council | 74% | 85% | 65% | 91% | 82% | 59% | 100% | 0% | 33% |
| Unitary | 64% | 64% | 27% | 69% | 25% | 28% | 0% | 0% | 16% |
| Unitary | 91% | 95% | 96% | 89% | 86% | 86% | 0% | 0% | 0% |
| District Council | 93% | 89% | 86% | 94% | 100% | 88% | 93% | 0% | 100% |
| London Borough | 88% | 85% | 89% | 90% | 93% | 94% | 80% | 0% | 0% |
| London Borough | 57% | 53% | 62% | 56% | 50% | 53% | 75% | 0% | 50% |
| Unitary | 98% | 95% | 98% | 100% | 96% | 100% | 100% | 100% | 97% |
| Fire & Rescue | 99% | 100% | 95% | 99% | 100% | 100% | 100% | 0% | 0% |
| Unitary | 97% | 100% | 100% | 100% | 82% | 100% | 100% | 0% | 100% |
| Unitary | 94% | 100% | 95% | 100% | 96% | 89% | 100% | 0% | 77% |
| Unitary | 98% | 95% | 96% | 100% | 100% | 100% | 87% | 0% | 100% |
| Police | 66% | 68% | 43% | 76% | 93% | 63% | 75% | 76% | 0% |
| District Council | 68% | 82% | 42% | 75% | 85% | 60% | 50% | 0% | 0% |
| Unitary | 93% | 86% | 78% | 92% | 100% | 100% | 95% | 100% | 100% |
| Police | 95% | 86% | 92% | 100% | 100% | 93% | 75% | 0% | 100% |
| Unitary | 51% | 41% | 46% | 54% | 57% | 44% | 57% | 0% | 50% |
| London Borough | 82% | 90% | 90% | 73% | 100% | 79% | 82% | 0% | 70% |
| Other | 76% | 90% | 65% | 68% | 65% | 88% | 100% | 0% | 80% |
| Unitary | 66% | 95% | 56% | 74% | 57% | 60% | 63% | 0% | 33% |
| Unitary | 62% | 73% | 73% | 55% | 71% | 44% | 50% | 0% | 0% |
| Police | 40% | 100% | 37% | 47% | 0% | 35% | 0% | 0% | 0% |
| Police | 95% | 95% | 68% | 85% | 100% | 88% | 90% | 0% | 0% |
| Police | 91% | 100% | 75% | 93% | 100% | 86% | 90% | 0% | 0% |

| | | | | | | | | | |
|------------------|------|------|------|------|------|------|------|------|------|
| Unitary | 84% | 90% | 88% | 95% | 60% | 88% | 100% | 0% | 66% |
| County Council | 92% | 98% | 90% | 94% | 86% | 98% | 83% | 100% | 0% |
| Police | 83% | 86% | 54% | 97% | 100% | 74% | 55% | 0% | 0% |
| Unitary | 97% | 96% | 100% | 90% | 100% | 100% | 86% | 0% | 100% |
| Unitary | 97% | 91% | 92% | 100% | 100% | 100% | 96% | 0% | 100% |
| MBC | 94% | 100% | 60% | 100% | 100% | 100% | 100% | 100% | 100% |
| Fire & Rescue | 68% | 31% | 73% | 70% | 79% | 66% | 75% | 0% | 0% |
| Police | 81% | 77% | 71% | 92% | 100% | 60% | 50% | 0% | 0% |
| Unitary | 95% | 91% | 85% | 100% | 100% | 94% | 100% | 100% | 83% |
| Police | 96% | 95% | 98% | 100% | 93% | 100% | 75% | 0% | 100% |
| Other | 93% | 91% | 96% | 94% | 100% | 100% | 100% | 94% | 68% |
| Fire & Rescue | 97% | 100% | 91% | 87% | 96% | 100% | 100% | 0% | 95% |
| Fire & Rescue | 99% | 100% | 98% | 98% | 100% | 100% | 100% | 0% | 0% |
| Fire & Rescue | 93% | 100% | 94% | 86% | 96% | 97% | 100% | 0% | 0% |
| MBC | 98% | 100% | 100% | 96% | 100% | 100% | 100% | 0% | 93% |
| District Council | 92% | 100% | 95% | 96% | 83% | 94% | 100% | 0% | 57% |
| District Council | 97% | 99% | 97% | 98% | 96% | 97% | 100% | 0% | 96% |
| County Council | 34% | 46% | 54% | 49% | 25% | 35% | 44% | 0% | 25% |
| Police | 95% | 97% | 95% | 92% | 100% | 100% | 100% | 0% | 0% |
| Other | 41% | 77% | 46% | 17% | 50% | 19% | 25% | 0% | 0% |
| Unitary | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |
| Average | 83% | 87% | 78% | 85% | 84% | 82% | 78% | 17% | 46% |

FINANCE AND EFFICIENCY PORTFOLIO

Report to Portfolio Holder

17th January 2008



Report of: Head of Procurement and Property Services

Subject: COMBINED COURTS BUILDING AT VICTORIA ROAD, HARTLEPOOL

SUMMARY

1.0 PURPOSE OF REPORT

That Portfolio Holder notes the content of this report relating to the land and buildings concerned.

2.0 SUMMARY OF CONTENTS

The report contains the background to the proposed scheme and the negotiations that have taken place.

3.0 RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder has responsibility for the Council's land and property management.

4.0 TYPE OF DECISION

Non-Key

5.0 DECISION MAKING ROUTE

Portfolio Holder only.

6.0 DECISION(S) REQUIRED

That Portfolio Holder notes the content of the report as to the terms proposed.

Report of: Head of Procurement and Property Services

Subject: COMBINED COURTS BUILDING AT VICTORIA ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

1.1 That Portfolio Holder notes the contents of this report relating to the land and buildings concerned.

2. BACKGROUND

2.1 The specialist buildings comprising the Probation Office, Magistrates Court and the County Court form a contiguous structure to the Civic Centre which was developed in the mid 1970's and the whole in effect form a unified structure fronting Victoria Road.

2.2 The occupancy of the Combined Courts Building is in effect a separate structure but subject to reciprocal rights of access both for pedestrian traffic and equally for basement car parking traffic.

2.3 Under the Transfer of Property (Abolition of Magistrates Courts Committees) Scheme 2005 the Secretary of State for Communities and Local Government has the power in the case of Court Buildings to effectively annex the freehold of the property concerned and discussions have been continuing with the agents acting for Her Majesty's Court Service, who are DTZ Property Consultants (Newcastle upon Tyne) regarding the transfer.

2.4 The Head of Procurement and Property Services has delegated authority to agree to a new lease when there is an existing lease in place, as in the present circumstances

3. FINANCIAL IMPLICATIONS

3.1 In the course of negotiations, the agents for the Secretary of State have suggested dealing with this matter by way of a long leasehold interest, details of which are set out beneath. It enables Hartlepool Borough Council to put into being a full repairing and insuring lease together with any other service charge benefits. It also provides to Hartlepool Borough Council greater control over shared areas, for

example, the basement car parking and the forecourt to the Civic Centre.

- 3.2 The terms provisionally agreed are as follows.
- 3.3 A 999 year lease to be taken by the Secretary of State for Communities and Local Government.
- 3.4 The premises are to be occupied for the purposes of the Probation Office, Magistrates Court and County Court.
- 3.5 The Combined Courts will be allocated fifteen spaces in the basement car park.
- 3.6 The user of the premises to be restricted to Courts purposes, Hearing Rooms and Government Offices, along with ancillary office functions.
- 3.7 The Secretary of State will be responsible for all repairs applicable to the building together with the cost of insuring the structure against all normal commercial risks.
- 3.8 Where services are shared, Hartlepool Borough Council, as Landlord, will recharge the cost to the Secretary of State proportionately.

4. RECOMMENDATIONS

- 4.1 That Portfolio Holder notes the contents of this report subject to the terms as outlined.