

CABINET

MINUTES AND DECISION RECORD

4 February 2008

The meeting commenced at 9.00am in the Avondale Centre, Dyke House School, Hartlepool

Present:

The Mayor (Stuart Drummond) - In the Chair

Councillors: Gerard Hall (Adult and Public Health Services Portfolio Holder)

Cath Hill (Children's Services Portfolio Holder)

Peter Jackson (Neighbourhoods & Communities Portfolio Holder)

Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder)

Also Present: Councillor Stephen Akers-Belcher, Chair of Neighbourhood Services Scrutiny Forum

Councillor Jonathan Brash, Chair of Adult and Community Services and Health Scrutiny Forum

Officers:

Paul Walker (Chief Executive)

Andrew Atkin (Assistant Chief Executive)

Mike Ward (Chief Financial Officer)

Tony Brown (Chief Solicitor)

Nicola Bailey (Director of Adult and Community Services)

Adrienne Simcock (Director of Children's Services)

Peter Scott (Director of Regeneration and Planning Services)

Dave Stubbs (Director of Neighbourhood Services)

Stuart Green (Assistant Director, Economic Development and Planning)

Denise Ogden (Head of Environmental Services)

Chris Little (Assistant Chief Financial Officer)

Joanne Smithson (Head of Community Strategy)

Alan Coulson (Engineering Manager)

Charlotte Burnham (Scrutiny Manager)

Julian Heward (Assistant Public Relations Officer)

Angela Hunter (Principal Democratic Services Officer)

194. Apologies for Absence

Apologies for absence were received from Councillor Pamela Hargreaves,

Performance Portfolio Holder and Councillor Robbie Payne, Finance and Efficiency Portfolio Holder.

195. Declarations of interest by Members

Councillor Gerard Hall declared a prejudicial interest in minute 209 and confirmed he would leave the meeting when that item was considered.

196. Confirmation of the minutes of the meeting held on 22 January 2008

Confirmed.

197. School Meals – Final Report (*Chair of Neighbourhood Services Scrutiny Forum*)

Type of Decision

Non-key.

Purpose of report

To present the findings of the Neighbourhood Services Scrutiny Forum following its investigation into School Meals.

Issue(s) for consideration by Cabinet

Councillor Stephen Akers-Belcher, Chair of Neighbourhood Services Scrutiny Forum, presented to Cabinet the findings and conclusions of the Neighbourhood Services Scrutiny Forum's investigation into the schools meals service. During the investigation, the hard work and commitment of the team providing the school meals service was highlighted despite increasing budget pressures.

Cabinet welcomed and commended the Scrutiny Forum for producing such a detailed and comprehensive report. Although reference was made to the fast-tracking of the £100K grant funding to be received from the Government to support school dinners, Members confirmed that there were adequate measures in place to ensure this funding was received.

Reference was made to the policy of some senior schools to keep pupils on the school site over the lunch-time period and it was felt that this should be encouraged across all senior schools as it appeared to achieve a reduction with problems of litter and anti-social behaviour in areas surrounding the schools with this policy in place.

Decision

That the recommendations of the Neighbourhood Services Scrutiny Forum,

as set out below, be endorsed and that an action plan for the implementation of the recommendations be prepared and reported to Cabinet:

- (a) That the Authority congratulates the Catering Service and it be commended for the quality, variety and cost of the service it has provided over the years;
- (b) That the request for the Authority to fast-track the £100k grant funding (otherwise known as 'Jamie Oliver Money') it received from the Government to support school dinners, to the Catering Service to meet the higher cost of school meals provision through means other than increased charges for school meals and that this be monitored through performance indicators be noted.
- (c) That the Catering Manager be involved in the planning and design of any new dining facilities in schools resulting from the Building Schools for the Future programme.
- (d) That further consultation be undertaken with young people (of all school ages during term time) and minority communities of interest or heritage about their views on school meals.
- (e) That the Authority further promotes the advice it provides in relation to healthy packed lunches.

198. Scrutiny Investigation into School Meals – Action Plan (*Director of Neighbourhood Services*)

Type of decision

Non-key.

Purpose of report

To agree an Action Plan in response to the findings and proposed recommendations of the Neighbourhood Services Scrutiny Forum's investigation into Schools Meals.

Issue(s) for consideration by Cabinet

It was reported that the Neighbourhood Services Scrutiny Forum had concluded its investigation into the schools meals service. The overall aim of the investigation was to gain an understanding of school meal provision within the town and how Hartlepool compared nationally and regionally for this issue. The Scrutiny Forum made a series of recommendations, which were endorsed by Cabinet, and an action plan to address those recommendations was submitted as an appendix to the report.

Decision

That the Action Plan in response to the recommendations of the Neighbourhood Services Scrutiny Forum's school meals service

investigation be approved.

199. Formal Response to the Executive's Budget and Policy Framework Proposals for 2008/09 *(Scrutiny Co-ordinating Committee)*

Type of Decision

None – report of overview and scrutiny.

Purpose of report

To provide the formal response of the Scrutiny Co-ordinating Committee in relation to the Executive's Budget and Policy Framework Proposals for 2008/09.

Issue(s) for consideration by Cabinet

A Member of the Scrutiny Coordinating Committee, Councillor Stephen Akers-Belcher, presented the formal response of the Scrutiny Coordinating Committee in relation to the Executive's finalised proposals, prior to the consideration of the finalised proposals at the meeting of full Council on 14 February 2008. Councillor Akers-Belcher highlighted that Members of the Scrutiny Coordinating Committee were largely supportive of the identified budgetary pressures and priorities, grant terminations and proposed savings, however, a number of concerns/comments were made and these were highlighted in section 3 of the report.

Members attention was drawn to the recommendations of the report which were that Cabinet:

- (a) Considered the formal response of the Scrutiny Co-ordinating Committee as outlined in section 3 of the report;
- (b) Reinstated last year's budgetary 'cuts' from the Adult and Community Services Department and the Children's Services Department, if feasible, in light of this year's financial settlement from Central Government;
- (c) Noted that the Scrutiny Co-ordinating Committee had agreed not to formally comment on the setting of the Authority's Council Tax until the appropriate meeting of Council; and
- (d) Approve the inclusion of the proposed budget pressures for Scrutiny Support within its finalised budget proposals for 2008/09 for consideration by Full Council on 14 February 2008, supported unanimously by Non-Executive Members.

The Chair of the Adult and Community Services and Health Scrutiny Forum, Councillor Jonathan Brash was in attendance and referred to the proposed split of the Forum into Adult and Community Services Scrutiny Forum and a Health Scrutiny Forum. It was noted that the current Forum had been pre-

occupied with health issues, in light of health scrutiny being a statutory function and a recent Patient and Public Involvement Forum referral in relation to the operation of an elderly care home in the town. Members requested further information in relation to recommendations made to the PCT and North Tees and Hartlepool NHS Trust as a result of the Scrutiny Forum's investigations into health care and the outcomes from these recommendations.

With regard to some of the comments made within the report, The Mayor confirmed the following:

Free Swim Initiative – It was highlighted that the free swim initiative would continue as and when funding was made available for this.

Home Library Service – Although this had been identified as being subject to a terminating grant, Members were informed that efforts would be made to ensure this service continues, however this may mean another element of the service may need to be cut to achieve this.

Additional Travel Costs as a result of the closure of Brierton School – Members were informed that this would be examined by the Integrated Transport Unit.

Hanging Baskets – Members were all of the view that this should be supported.

CCTV – It was noted that a review would be undertaken to examine the current CCTV arrangements, including current and suggested locations and identify any improvements required.

Decision

- (i) That the comments of Scrutiny Co-ordinating Committee and the four Scrutiny Forums be received.
- (ii) That the Chair of the Adult and Community Services and Health Scrutiny Forum report back to a future meeting of Cabinet the recommendations made by the Scrutiny Forum to the PCT and the North Tees and Hartlepool NHS Trust as a result of investigations undertaken by the Forum into health care and the outcomes achieved through these recommendations.

200. Medium Term Financial Strategy 2008/09 to 2010/11 (Corporate Management Team)

Type of decision

Budget and Policy Framework

Purpose of report

To enable Members to finalise the Council's Medium Term Financial Strategy (previously referred to as the Budget and Policy Framework) and to determine the detailed 2008/2009 Budget and Council Tax proposals to be referred to Council on 14 February 2008.

Issue(s) for consideration by Cabinet

The Mayor stated that the report brought together various reports considered by Cabinet over the last few months in relation to the medium term financial strategy for the period 2008/2009 to 2010/2011. The Mayor indicated that the report covered: -

- Outturn Strategy 2007/2008
- Capital Budget and Treasury Management 2008/09
- Revenue Budget and Council Tax 2008/09

Members were asked to note that although the grant settlement from Central Government had been more favourable than expected, the contributions the Council had to make towards the Government's floor damping arrangements had increased. This continued to be an issue which Members felt was extremely unfair on the residents of Hartlepool. The Mayor presented his proposals/comments to Members.

Outturn Strategy 2007/2008

It was proposed that Council approval be sought to fund the following one-off commitments identified during the budget process from General Fund balances as follows:

- Maintenance of Havelock £25,000
- OT waiting list of £25,000
- Children and Families relocating staff £40,000
- Memorial Testing £42,000
- Property database £22,000

In relation to the proposal to fund the emergency coastal protection repairs opposite the Green at Seaton Carew, Members had considered this at a previous meeting and determined that in accordance with existing policy, this expenditure should be funded from General Fund balances.

Capital Budget and Treasury Management 2008/09

It was proposed that all recommendations be approved as detailed in the report.

Revenue Budget and Council Tax 2008/09

Members were asked to note that a detailed report on the proposal to passport the working neighbourhoods fund element of the Area Based Grant Allocations would be submitted to the next meeting of Cabinet to enable consideration of the proposals prior to submission to Council on 14 February 2008.

The proposed pressures, contingencies, terminating grants and priorities were attached by way of appendices and it was proposed that they be approved with the addition of £25,000 to fund the hanging and barrier baskets as a priority.

It was highlighted that Members were asked to seek Council approval for the proposal to reallocate the existing scrutiny provision of £50,000 and use £36,826 to meet the costs of establishing a separate Health Scrutiny Forum and £12,000 to meet the additional Democratic Services costs needed to support a Health Scrutiny Forum. It was also suggested that the original provision be replaced with an annual imprest of £50,000, which will be funded from General Fund reserves if needed.

It was noted that due to the better than expected financial settlement from Central Government and the fact that a 3-year budget settlement had been agreed, Members were able to propose an increase in the council tax for 2008/09 of 3.9% with the same indicative increase over 2009/10 and 2010/11. Members were asked to note that a council tax increase of 3.9% for 2008/09, 2009/10 and 2010/11 required the use of the uncommitted £1.3m discount from March 2007, previously set aside by Members, in order to bridge the budget gap. Cabinet Members were disappointed that there had been no suggestions made from Scrutiny Co-ordinating Committee or the Scrutiny Forums in relation to the setting of council tax, as this would have been helpful in providing an overall view from all Members.

In addition to the recommendations within the report, Members were reminded that it had been previously agreed to set aside £4m for Job Evaluation protection costs with an initial £0.4m being set aside as part of the 2006/07 Outturn Strategy. This agreement also included the remaining £3.6m be set aside from the following reserves:

- £1m from the release of the stock transfer warranties reserve;
- £1m from the release of General Fund reserves;
- £1.6m from the Insurance Fund.

It was proposed that Council approval be sought to transfer the above reserves to increase the Job Evaluation protection reserve to £4m, subject to any unused reserves being returned to the General Fund.

Decision

That Council at its meeting on 14 February 2008 be requested to: -

Outturn Strategy

1. Approve the proposed outturn strategy details in paragraph 3.3.
2. Approve the proposal to fund the one-off commitments identified in paragraph 3.4 from General Fund balances.
3. Approve the proposal to fund the emergency coastal protection repairs opposite the Green at Seaton Carew from General Fund Balances in 2007/2008, which is in accordance with the existing policy for funding such costs.
4. Approve the proposal to authorise the Chief Financial Officer to make the necessary technical adjustments when finalising the 2007/2008 accounts to ensure the NDC spending target is achieved, on the understanding this will have no cost to the Council.
5. Approve the proposal that if there is an improvement in the final revenue outturn that these resources be transferred to General Fund Balances.

Capital

6. Approve the proposal to passport Government capital allocations.
7. Approve the proposal to use unsupported borrowing to finance the initiatives identified in paragraph 5.6.
8. Approve the proposals identified by SCRAPT detailed in Appendix C, note 3.
9. Approve the strategy for allocating additional capital receipts detailed in paragraph 5.10.

Revenue

10. Approve the proposal to passport the mainstreamed grant allocations in 2008/2009, pending a review of the continuation of this strategy beyond 2008/2009 (paragraph 6.9).
11. Approve the proposal to passport the additional resources of £26,000 included in the Formula Grant for “new burdens” identified in paragraph 6.9.
12. Approve the proposal to passport the Area Based Grant allocations for 2008/2009 and to ask Council to delegate authority to Cabinet to finalise the 2008/2009 allocation, subject to a detailed review of this strategy being complete before the 2009/2010 budget is

determined (paragraph 6.9).

13. Approve the proposed pressures etc., as detailed in the following Appendices:
 - Appendix D – Pressures
 - Appendix E – Contingency
 - Appendix F – Terminating Grant
 - Appendix G – Priorities with the addition of £25,000 to fund the hanging and barrier baskets priority.
14. Approve the proposal to increase the Salary Turnover target by £0.1m from 2008/2009 (paragraph 6.23).
15. Approve the specific efficiencies identified in Appendix H (including the 2008/2009 Corporate Efficiency Target).
16. Approve the inclusion in the MTFS of annual provisions in 2009/2010 and 2010/2011 of £1.5m for demographic/grant pressures.
17. Approve the proposal to allocate the £1.2m 2007/2008 LABGI grant for BSF costs (£0.489m) and Termination costs (£0.711m) (paragraph 10.1).
18. Approve the proposal to earmark £0.45m from the anticipated LPSA2 Capital Reward Grant for the remaining unfunded BSF costs and to develop a strategy for using the remaining amount as part of next years budget strategy (paragraph 10.3).
19. Approve the proposal to reallocate the existing scrutiny provision of £50,000 and use £36,826 to meet the costs of establishing a separate Health Scrutiny Forum and £12,000 to meet the additional Democratic Services costs needed to support a Health Scrutiny Forum. It was also suggested that the original provision be replaced with an annual imprest of up to £50,000, which will be funded from General Fund reserves if needed.
20. Suggest a council tax level of 3.9% and use £0.626m of the March 2007 discount to bridge the remaining 2008/09 budget gap and earmark the remaining March 2007 discount of £0.674m to support the 2009/10 budget.
21. Suggest an indicative council tax level of 3.9% for 2009/10 and 2010/2011 which will mean that the remainder of the March 2007 discount would need to be utilised to support the 2009/10 budget.
22. Approve the proposal to increase the Job Evaluation protection to reserve to £4m by transferring reserves of £3.6m as detailed in the report, with any unused monies being returned to the general Fund.

201. Community Strategy and Neighbourhood Renewal Strategy Review 2006 *(Head of Community Strategy)*

Type of Decision

Budget and Policy Framework

Purpose of report

To agree the 3rd draft Community Strategy, *Hartlepool's Ambition*, (Appendix 1) and the accompanying Sustainability Appraisal (Appendix 2) as consultation documents. A 10 week consultation period was proposed closing on 14 April 2008.

Issue(s) for consideration by Cabinet

The Mayor presented a report which provided an update on the review and set out a third revised draft of the Community Strategy and the Neighbourhood Renewal Strategy. An update was also provided on the accompanying Sustainability Appraisal.

Decision

The third draft strategy of the Community Strategy and Neighbourhood Renewal Strategy and the accompanying Sustainability Appraisal were approved as consultation documents.

202. Safer Hartlepool Partnership's Draft Crime, Disorder and Substance Misuse Strategy 2008/11 *(Head of Community Safety and Prevention)*

Type of decision

Budget and Policy Framework

Purpose of report

To update the Cabinet on the views of the Regeneration and Planning Services Scrutiny Forum about the development of the Safer Hartlepool Partnership's draft strategy, as part of the Authority's Budget and Policy Framework.

Issue(s) for consideration by Cabinet

The Mayor presented a report which detailed the strategy objectives for 2008/2011 and the annual priorities for 2008/09. The comments submitted by the Regeneration and Planning Services Scrutiny Forum were attached

by way of appendix. It was highlighted to Members that the objectives and priorities now included reference to the reduction in harm caused by alcohol, which appeared to be the route to many areas of crime. Although, no additional funding had yet been received from Central Government to deal with this issue, Members would continue lobby central government to pursue funding.

Decision

The draft (version 3) strategy, incorporating the above comments, be endorsed and referred to Council in accordance with Budget and Policy Framework.

203. Draft Tees Valley Joint Waste Management Headline Strategy and Hartlepool's Draft Implementation Plan *(Director of Neighbourhood Services)*

Type of Decision

Key Decision – Test (ii) applied.

Purpose of report

This report dealt with the preparation of the draft Tees Valley Joint Waste Management Headline Strategy and Hartlepool's draft Waste Management Implementation Plan.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Neighbourhoods and Communities presented a report which informed Members that the Tees Valley Authorities had all introduced recycling collections and with the help of residents, this had resulted in a household recycling and composting rate of 25% in 2006/07. The report outlined the background to introduction of a Waste Management Strategy which had been developed using the most recent guidance published by the Department of the Environment, Food and Rural Affairs (DEFRA).

The principles of the new Joint Waste Management Strategy were outlined in the report and had been used to guide the development of the most sustainable option for the future and had informed the development of policies and actions. The Implementation Plan had been developed between officers from Hartlepool Borough Council and the Tees Valley Joint Strategy Unit (JSU) with Entec UK Ltd (consultants) acting as a facilitator to this process.

A consultation strategy had been developed and included various groups which were listed in the report. The consultation would be launched in

February 2007 and would include a press release, radio coverage and presentations to be made at various forums over February/March 2007.

A Member highlighted that he had been approached by residents of his ward with concerns about the number of different receptacles they had to use for recycling different items. It had been suggested that different items of recyclable waste could be sorted after collection. The Portfolio Holder for Neighbourhoods and Communities indicated that although it may prove simpler to have less receptacles, there would be an additional cost which would have to be met by the Council to facilitate the separation of recyclable items post collection. It was noted by another Member that this increase in costs would no doubt be reflected in an increase in council tax.

Decision

- (i) That the principles set out in the draft Joint Waste Management Strategy be endorsed.
- (ii) That the consultation strategy be as detailed in the report be approved.

204. Land at Surtees Street, Hartlepool *(Director of Neighbourhood Services and Director of Regeneration and Planning Services)*

Type of decision

Non-key.

Purpose of report

To seek Cabinet approval to a request from Three Rivers Housing Association to purchase a site on Surtees Street of 0.48 acres to enable the development of a Adult Supported Housing Scheme.

Issue(s) for consideration by Cabinet

Members were asked to note that a request to defer this item to the next meeting of Cabinet had been received from Councillor Robbie Payne, Finance and Efficiency Portfolio Holder, who was unable to attend today due to work commitments. Members were asked to note that the funding allocated by the Housing Corporation for this development was required to be committed before the end of March 2008, hence a decision at the next meeting was imperative.

Decision

This item be deferred and reported to the next meeting of Cabinet on 11 February 2008.

205. Local Area Agreement Reward Element (Local Public Service Agreement Round 2) 18 Month Monitoring Report *(Assistant Chief Executive)*

Type of Decision

Non-key.

Purpose of report

To report progress to Cabinet on the targets included in the Local Area Agreement (LAA) Reward Element, formerly known as the Local Public Service Agreement Round 2 (LPSA2) for the period up to and including 30 September 2007.

Issue(s) for consideration by Cabinet

It was highlighted that 30 September 2007 marked the halfway point of the Reward Element targets and the current position of all the PIs, together with a judgement of whether the indicator was on target was attached by way of appendix.

Members were informed that of the 20 targets identified, 2 had already been achieved with a further 8 assessed as being on target. Although 6 targets had been identified as not being on target, work was ongoing to address these concerns and would continue to be monitored closely.

Based on the judgements already made and the analysis included within the report, the projected amount of Performance Reward Grant (PRG) that the Council would receive was £1,745,442 which may rise to £1,837,414. More detailed analysis of all LAA Reward Element targets would be conducted on a quarterly basis for the remainder of 2007/08 and throughout 2008/09 and reported to CMT and Cabinet.

Decision

- (i) The position of the LAA Reward Element targets as at 30 September 2007 be noted.
- (ii) That future monitoring reports be submitted to Cabinet on a quarterly basis.

206. Prior to moving into closed session where members of the press and public would be excluded, a Member moved that the item 11.1 Coronation Drive – Contaminated Land Update, be heard in open session due to the attendance of an individual resident from that area. The Chief Solicitor advised that it would be inappropriate to hold the meeting in public due to the potential for claims to be made against the Appropriate Person as primary contaminator. However, if Members felt that an individual would have an interest that was hand-

in-hand with the Council's interest, then it would be acceptable to allow that individual to remain during consideration of this item.

207. Local Government (Access to Information) (Variation) Order 2006

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

Min 208 – Coronation Drive – Contaminated Land Update - Para 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

Min 209 – HMS Trincomalee Trust – Revenue Funding - Para 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

208. Coronation Drive - Contaminated Land Update *(Director of Neighbourhood Services)*

Type of decision

Non-key.

Purpose of report

To update Cabinet on progress made since the previous report of 8 January 2007.

Issue(s) for consideration by Cabinet

The report outlined the progress made to date, details of which were included within the exempt section of the minutes.

Decision

.That funds within the budget for the scheme be made available to the residents on loan so as to preserve their ability to claim against the Appropriate Person

209. HMS Trincomalee Trust – Revenue Funding *(Director of Regeneration and Planning Services, Chief Solicitor and Chief Financial Officer)*

Type of decision

Non-key.

Purpose of report

To bring to Members attention the current position in relation to revenue funding for the HMS Trincomalee Trust.

Issue(s) for consideration by Cabinet

To receive a further report at the next meeting of the Cabinet.

Decision

Details were included within the exempt section of the minutes.

J A BROWN

CHIEF SOLICITOR

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