

FINANCE AND EFFICIENCY PORTFOLIO DECISION RECORD

17th January 2008

The meeting commenced at 10.00 a.m. at Belle Vue Community Sports and Youth Centre, Hartlepool

Present:

Councillor Robbie Payne (Finance and Efficiency Portfolio Holder)

Officers: Graham Frankland, Head of Procurement and Property Services
Colin Bolton, Building Consultancy Manager
Emma Dixon, Estates Manager
David Dockree, Temporary Estates Manager (Maternity Cover)
Jo Wilson, Democratic Services Officer

56. Easter Fair, Hartlepool Historic Quay, Maritime Avenue *(Head of Procurement and Property Services)*

Type of decision

Non-key

Purpose of report

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

Issue(s) for consideration by Portfolio Holder

In recent years a small fun fair has been operated from the car park bounded by Portofino's and the Jackson's Wharf Public House over the Easter period. Two operators have used this land at the same time with the Council granting a licence to them and receiving a small rental sum in the process. A three-year licence was agreed to operate on the Easter holidays 2005-2007 which has recently expired. Both operators have asked for a renewal to this agreement. However concerns had been raised as to the level of disruption that has been caused by the fair in recent years, to the Hartlepool Maritime Experience and Portofino's. Nevertheless it was felt that the Easter Fair provided good entertainment and was well attended and an alternative location had therefore been suggested, an area of car park at the front of the Hartlepool Maritime Experience, which both operators had agreed to. The proposed terms for each of the licences were set out in a confidential appendix to the report. The Estates Manager advised of one amendment to the proposed terms, namely the extension of the opening hours to 8pm.

The Portfolio Holder expressed his support for the proposal however he

requested that a member of staff from Community Services be despatched during the Fair to monitor.

Decision

That the licences be granted subject to the terms proposed.

57. Proposed Sale of Land at Oxford Street, Longhill Industrial Estate, Hartlepool (*Head of Procurement and Property Services*)

Type of decision

Non-key

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.

Issue(s) for consideration by Portfolio Holder

FIX UK Properties Ltd, freehold owners of Longhill Industrial Estate, had approached the Council with regard to purchasing a piece of land next to a newly constructed unit on the Estate to be used for car parking. This would be required as part of the planning consent which stated that 7 spaces, including 1 disabled space, were needed. Planning permission had already been given so progress could be made on this immediately. The area of land was currently being used by the Council as an area of landscaped verge. The financial implications were set out in a confidential appendix to the report.

Decision

That the disposal of land for the use of parking to FIX UK Properties Limited be approved subject to the terms proposed.

58. Shropshire Walk/Leicester Grove Garage Site, Belle Vue (*Head of Procurement and Property Services*)

Type of decision

Non-key

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.

Issue(s) for consideration by Portfolio Holder

At the Finance and Efficiency Portfolio meeting held 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. Following the decision Housing Hartlepool had provided a further submission to the Council

in light of them achieving Housing Corporation funding for the work. They claimed that the land should have originally been transferred to them as part of stock transfer and this omission was an error that should be corrected through a deed of rectification rather than the Council selling the land to them.

The addition and provision of these two rented bungalows met the Authority's priorities and housing needs. The scheme also supported 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. The financial implications were detailed in a confidential appendix to the report. Should a deed of rectification be obtained any costs would be met by Housing Hartlepool.

The Estates Manager advised the Portfolio Holder that Housing Hartlepool had informed officers that they would not allow any deeds of rectification to the Council on their part until this deed of rectification was allowed. The Council were currently waiting for a deed of rectification on a substation situated on land at the back of a housing estate and this could be affected. The Estates Manager further indicated she felt that Housing Hartlepool had a legitimate case in the Shropshire Walk/Leicester Grove garage site instance.

However the Portfolio Holder requested that the matter be deferred pending advice as to the legal situation regarding the Shropshire Walk/Leicester Grove issue and the substation issue. Officers indicated that should this situation not be resolved by the end of February Housing Hartlepool would lose their funding. As the next scheduled portfolio meeting was not until 27th February it was agreed that an additional meeting would be arranged, date to be confirmed.

Decision

That the application be deferred pending legal advice.

59. Audit of Legionella Management within the Council *(Head of Procurement and Property Services)*

Type of decision

Non-key

Purpose of report

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

Issue(s) for consideration by Portfolio Holder

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. This extended cover is provided at no extra charge but is subject to a Legionella Risk Management Audit being undertaken within six months of inception of the cover. The audit reviewed the adequacy of policy and implementation of procedures in 8 key areas through a variety of means, including interviews

with relevant personnel, a review of a selection of risk assessments and examination of records appertaining to training of responsible individuals and inspection and monitoring of water systems.

On conclusion of this process a detailed report was provided which showed that in all areas audited the maximum score possible was achieved. Hartlepool Council were also top in the UK of the 46 authorities currently audited and the only one to score the maximum. This result meant that the extended insurance cover would be provided at no extra charge.

The Portfolio Holder asked that a letter be written on his behalf to the Legionella Management and Control Team congratulating them on an excellent piece of work

Decision

1. That the outcome of the audit be noted
2. That the progress on Legionella Management be noted

60. Combined Courts Building at Victoria Road, Hartlepool *(Head of Procurement and Property Services)*

Type of decision

Non-key

Purpose of report

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

Issue(s) for consideration by Portfolio Holder

The Combined Courts Building is a separate structure to the Civic Centre but subject to reciprocal rights of access for pedestrian traffic and basement car parking traffic. 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 had been continuing with the agents acting for Her Majesty's Court Service, DTZ Property Consultants, regarding the transfer. The Head of Procurement and Property Services had delegated authority to agree to a new lease when there was an existing lease in place, as in the present circumstances.

In the course of negotiations the agents for the Secretary of State had suggested dealing with this matter by way of a long leasehold interest, details of which were set out within the report.

Decision

That the contents of the report be noted subject to the terms as outlined

61. Maternity Leave – Emma Dixon, Estates Manager

The Portfolio Holder wished to record his congratulations to the Estates Manager on her pregnancy and forthcoming arrival, saying he hoped mother and baby would do very well and he looked forward to seeing her back at work in due course.

J A BROWN

CHIEF SOLICITOR

PUBLICATION DATE: 12th February 2008