

CABINET

MINUTES AND DECISION RECORD

18 February 2008

The meeting commenced at 9.00 a.m. 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),

Robbie Payne (Finance & Efficiency Portfolio Holder),

Peter Jackson (Neighbourhoods & Communities Portfolio Holder),

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

Also in attendance:

Councillor Jonathan Brash

Officers: Paul Walker (Chief Executive),
Andrew Atkin (Assistant Chief Executive)
Dave Stubbs (Director of Neighbourhood Services)
Nicola Bailey (Director of Adult and Community Services)
Adrienne Simcock (Director of Children's Services)
Sue Johnson (Assistant Director, Children's Services)
Stuart Green (Assistant Director, Planning and Economic Development)
Graham Frankland (Head of Procurement and Property Services)
Alison Mawson (Head of Community Safety and Prevention)
John Potts (Principal Policy Officer)
John Smalley (Principal Environmental Health Officer)
Ian Bond (Ecologist)
Alastair Rae (Public Relations Officer)
Angela Hunter (Principal Democratic Services Officer)

220. Apologies for Absence

Apologies for absence were received from Councillor Pamela Hargreaves.

221. Declarations of interest by Members

There were no declarations of interest at this point in the meeting.

222. Confirmation of the minutes of the meeting held on 4 February 2008 (open only) and 11 February 2008

- (i) 4 February 2008 – confirmed.
- (ii) 11 February 2008 – confirmed.

223. Corporate Plan 2008/09 to 2010/11 – Proposed Outcomes and Actions *(Assistant Chief Executive)*

Type of decision

Budget and Policy Framework

Purpose of report

To enable Cabinet to discuss the proposed outcomes and actions for inclusion in the Council's Corporate Plan for 2008/09 to 2010/11.

Issue(s) for consideration by Cabinet

The report proposed the outcomes and actions for each of the eight community strategy aims and the Council's organisational development priorities. The purpose of the plan is to describe the Council's priorities for 2008/09, including how weaknesses would be addressed, opportunities exploited and better outcomes delivered for local people.

The Corporate Plan forms part of the Council's Budget and Policy Framework and is a key document setting out the Council's priorities and contributions to achieving the Community Strategy aims. The Corporate Plan was being developed in conjunction with the Local Area Agreement (LAA) to ensure the outcomes included in the LAA were embedded in the Council's Corporate Plan.

Decision

The Corporate Plan Outcomes and Actions were endorsed for submission to Scrutiny Co-ordinating Committee and Scrutiny Forums.

224. Selective Licensing of Privately Rented Houses (Director of Regeneration and Planning Services)

Type of decision

Key Decision – Test (i) and (ii) applied.

Purpose of report

To outline the merits of introducing a selective licensing scheme for private landlords and to set out proposals for an initial target area with subsequent phases to be determined subject to monitoring of conditions, impact and capacity.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Neighbourhoods and Communities presented a detailed report which outlined the merits of introducing a selective licensing scheme for private landlords and set out proposals for an initial target area with subsequent phases to be determined subject to monitoring of conditions, impact and capacity. Members were asked to note that the adoption of a selective licensing scheme for areas suffering from low demand was of widespread community interest in raising private sector housing management standards and improving the behaviour of anti-social tenants. A decision to adopt this discretionary power may affect substantial areas of the Borough, particularly the regeneration areas situated towards the centre of the town. There were two suggested options detailed in the report and they were:

Option 1 – North Central Area Cluster
Option 2 – Worst First Approach

Attached to the report was a plan of areas under consideration for selective licensing. It was requested that Area 9 – Burn Valley Streets should incorporate Powell and Bangor Streets as a number of issues had been raised by residents in these streets in relation to privately rented houses.

The scheme was welcomed by Members and the importance of having a phased introduction across defined identifiable areas was discussed and Members supported the worst first approach. In response to Members questions the Principal Environmental Health Officer confirmed that the long term vision of the scheme was to link into the regeneration of areas of the town both socially and economically and tackle areas of concern. The scheme would be implemented in stages of manageable areas covering approximately 500 properties.

Decision

- (i) The principle of a phased introduction of selective licensing taking into account the availability of resources and manageability was approved.
- (ii) Option 2 was selected as the first phase of a selective licensing scheme subject to consultation with residents, landlords and others with an interest in the areas.
- (iii) A further report to be submitted to Cabinet to agree the proposed first phase designation taking into account the results of local consultation.
- (iv) The scope for amending existing services be developed in a way that would complement the selective licensing scheme to ensure that standards were driven up in areas outside of the designation.

225. Neighbourhood Consultative Forum Review *(Director of Neighbourhood Services)*

Type of decision

Non key.

Purpose of report

The report outlined the proposal for the Neighbourhood Consultative Forum Review.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Neighbourhoods and Communities presented a report which indicated that the Best Value Strengthening Communities Review, in 2005 recommended that a community planning approach at a town wide and neighbourhood level needed to be developed so that residents themselves consider issues and contribute to determining the way forward. In response to this Review, the Best Value Strengthening Communities Improvement Plan included an action to 'Review NCF consultation mechanisms within the context of the wider emerging Local Neighbourhood agenda' The Improvement Plan also included an action to 'improve understanding of and participation in Neighbourhood Consultative Forums.

The report identified the approach to be used in reviewing the Neighbourhood Consultative Forums together with a timetable for

consultation. The timescale for the review was included in the report and completion was proposed in order to ensure the changes were adopted in the new municipal year. Members were informed that a further report would be submitted to Cabinet once the evaluation and analysis had been undertaken.

Cabinet noted that on a number of occasions a considerable amount of time had been taken up at the Forums by Members asking questions and Cabinet were concerned that the aim of the Consultative Forums should be first and foremost to allow residents to raise issues. The Chief Executive suggested that the Chairs of the Forums be sent guidance on the remit of the Forums.

Members were supportive of this review and were keen to encourage residents' participation in the Consultative Forums across the town. As such consultation needed to reach residents who are not engaging with the Forums, as well as those who do. It was also acknowledged that due to the consultative nature of the Forums, the meetings could be difficult to chair and it was suggested that additional training on chairing meetings be arranged for Members.

Concern was also expressed by Members on the number and length of presentations given by Officers at Consultative Forums. The Chief Executive indicated that there had been a general agreement that no more than two presentations be given at any one meeting and suggested that this be reinforced to officers.

Decision

- (i) The consultation strategy was approved.
- (ii) That a copy of the guidance in relation to the remit of the Consultative Forums be forwarded to the Chairs and the general agreement of a maximum of two presentations at any Forum meeting be reinforced with officers.
- (iii) That additional training be organised for Members on chairing meetings, in particular Consultative Forums.
- (iv) That the Chief Executive write to the Chairs of the Neighbourhood Forums emphasising their role and remit.

226. Revision to Local Development Scheme 2008 *(Director of Regeneration and Planning Services)*

Type of decision

Non key.

Purpose of report

To seek approval for a revision to the current Local Development Scheme (LDS) of March 2007 to take account of recent changes and additional requirements.

Issue(s) for consideration by Cabinet

The Mayor presented a report which highlighted that the Local Development Scheme should be kept up to date as far as practicable and revised as circumstances arise. The document should identify milestones which were realistic and achievable.

Since the last revision to the Local Development Scheme in March 2007 a number of new issues had arisen that needed to be reflected in the programme. These included the need for a specific Development Plan Document on Affordable Housing and a Supplementary Planning Document for Victoria Harbour to guide development of that area. A copy of a revised document of February 2008 was attached as Appendix 1.

Decision

The Revised Local Development Scheme (LDS) February 2008 was approved for consultation with the Planning Inspectorate and, subject to their acceptance of the programme, the revised LDS be submitted to the Secretary of State.

227. Middleton Grange Multi Storey Car Park *(Director of Neighbourhood Services)*

Type of decision

Non key.

Purpose of report

To inform Members of works proposed to be carried out at Middleton Grange multi storey car park and obtain Cabinet's approval to the works and the future retention of the car park.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Finance and Efficiency presented a report which contained references to the previous Cabinet and Council reports on this matter outlining the legal requirement on the Council to undertake these

works and considered the future ownership of the car park. The financial implications of the funding allocated and the estimated costs of the work were detailed in the confidential appendix attached to the report.

It was noted that an approach had been made requesting the inclusion of mother and toddler bays in this car park. The Head of Procurement and Property Services indicated that this would be included.

Decision

- (i) The retention of the Council's leasehold interest in the Middleton Grange multi-storey car park was approved.
- (ii) The allocated funding was approved to be spent in the manner outlined in the confidential appendix.

228. Natural Environment and Rural Communities (NERC) Act (2006) Biodiversity Duty *(Director of Regeneration and Planning Services)*

Type of decision

Non key.

Purpose of report

To inform Cabinet of the implications for the Council of the biodiversity duty contained within the NERC Act

Issue(s) for consideration by Cabinet

The Mayor presented a report which noted that the NERC Act imposed a duty on all public bodies to have regard to conserving biodiversity in exercising their functions and duties. DEFRA had recently produced guidelines on how Local Authorities might conserve biodiversity as an integral part of their functions. The key messages highlighted in the guidance were outlined in the report.

In conclusion the Mayor noted that the Biodiversity Duty of the NERC Act will need to be integrated into all of the Council's existing duties and functions, rather than requiring additional duties. Many of the Council's operations were already in line with the guidance on this subject and it is not envisaged that implementing the duty will represent a significant financial burden. There will be a need to monitor the Council's performance in relation to conserving biodiversity.

Decision

The report was noted.

229. New Local Area Agreement (LAA) Negotiations Update (*Head of Community Strategy*)

Type of decision

Non key.

Purpose of report

The report updated Members on feedback received on the proposed outcome and target framework for the new Local Area Agreement (LAA) 2008/11 agreed by the Hartlepool Partnership and Cabinet in December 2007 as the basis for negotiation with Government Office North East.

Issue(s) for consideration by Cabinet

The Mayor presented a report which indicated that the proposed framework was currently under negotiation following the submission of a first draft in December 2007. The guidance had indicated that 35 Improvement Targets needed to be identified from the 198 National Indicators that replaced the Best Value reporting regime. Members were asked to note that there would be no early sign-off of the LAA and that this would take place in June 2008. However, the Government had confirmed that the new Area Based Grant would be from April 2008 and was not dependent on the completion of LAA negotiations.

Negotiations were continuing with GONE to identify the 35 Improvement Targets that reflect the Local Strategic Partnership plans and aims with 23 of the proposed targets already having been agreed.

Decision

The progress made in negotiating the new LAA was noted.

230. Concessionary Local Bus Travel (*Director of Neighbourhood Services*)

Type of decision

Non key.

Purpose of report

To provide an update on the existing local concessionary fares scheme, details of the national travel scheme to be implemented on 1 April 2008, funding arrangements and the negotiation of reimbursement arrangements with local bus operators for the period from 1 April 2008 to 31 March 2009.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Neighbourhoods and Communities presented a report which gave the background to the existing concessionary local travel scheme, details of the national travel scheme to be implemented on 1 April 2008, confirmed funding allocations, potential opportunities for local enhancement and the process for negotiating with bus operators for 2008/09.

The Government had announced that special grant funding would be made available to meet the costs of the new national bus concessions in England. This funding may also enable Hartlepool to operate a further enhanced scheme based on a judgement of local needs and circumstances and overall financial priorities. The list of potential enhancements were as follows:

- a) No restrictions on the Time of Travel
- b) Free Travel for Carers of Disabled Pass Holders
- c) Concessionary Travel for Young People
- d) Travel Tokens

The Director of Neighbourhood Services indicated that options a) and b) could be implemented with limited additional cost. However, options c) and d) may prove more expensive and it was suggested that the potential costs associated with these options be explored in more detail with a further report submitted to a future meeting of Cabinet.

Decision

- (i) A report be provided on the conclusion of negotiations with bus operators and partner authorities setting out the reimbursement arrangements proposed to be implemented on 1 April 2008.
- (ii) That a report be submitted to a future meeting of Cabinet detailing the potential costs and implications for Concessionary Travel for Young People and Travel Tokens.

At this point in the meeting, Councillor Gerard Hall declared a prejudicial interest in minute 232 and left the meeting.

231. 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 232 – 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).

232. 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 advise Cabinet of matters relating to revenue support for HMS Trincomalee Trust.

Issue(s) for consideration by Cabinet

Details were set out in the confidential section of the minutes.

Decision

Details were set out in the confidential section of the minutes.

J A BROWN

CHIEF SOLICITOR

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