

# **CABINET**

## **MINUTES AND DECISION RECORD**

3 March 2008

The meeting commenced at 9.00 a.m. in the Avondale Centre, Hartlepool

### **Present:**

The Mayor (Stuart Drummond) - In the Chair

Councillors: Pam Hargreaves (Deputy Mayor),  
Gerard Hall (Adult and Public Health Services Portfolio Holder),  
Cath Hill (Children's Services Portfolio Holder),  
Robbie Payne (Finance & Efficiency Portfolio Holder),  
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder),

Officers: Paul Walker (Chief Executive),  
Andrew Atkin (Assistant Chief Executive),  
Adrienne Simcock (Director of Children's Services),  
Tony Brown (Chief Solicitor),  
Mike Ward (Chief Financial Officer),  
John Mennear (Assistant Director (Community Services)),  
Graham Frankland (Head of Procurement and Property Services),  
Alison Mawson (Head of Community Safety and Prevention),  
Geoff Thompson (Head of Regeneration),  
Phil Hepburn (Parking Services Manager),  
Nigel Johnson (Principal Housing Regeneration Officer),  
Ken Natt (Tenant Referencing Officer),  
Julian Heward (Assistant Public Relations Officer),  
David Cosgrove (Principal Democratic Services Officer)

### **233. Apologies for Absence**

Councillor Peter Jackson (Neighbourhoods & Communities Portfolio Holder).

### **234. Declarations of interest by members**

None.

### **235. Confirmation of the minutes of the meeting held on 18 February 2008**

Confirmed.

## **236. Quarter 3 – Corporate Plan and Revenue Financial Management Report 2007/08** *(Corporate Management Team)*

### **Type of decision**

Non-key.

### **Purpose of report**

The report informed Cabinet of the progress made towards achieving the Corporate Plan Actions in order to provide timely information and allow any necessary decisions to be taken; and provided details of progress against the Council's overall revenue budget for 2007/2008.

### **Issue(s) for consideration by Cabinet**

The Finance and Efficiency Portfolio Holder reported that the forecast 2007/2008 revenue outturn at Cabinet on 21st December, 2007 had reflected the comprehensive budget monitoring exercise that was undertaken in October based on the first six months activity. At that stage it was anticipated that there would be a net overspend of up to £0.3m, which would need to be funded from General Fund Balances.

These forecasts had now been reviewed to reflect actual expenditure and income for the first nine months of the financial year and those details were reported on 4th February 2008. The forecasts now indicate that in overall terms it was now anticipated that there would be a net underspend of £31,000, as set out in Appendix A to the report.

The Assistant Chief Executive reported on the Performance Update for the Period Ending 31st December, 2007. The Council identified 140 actions with specific completion dates and 160 key performance indicators (KPIs) as measures of success in the 2007/2008 Corporate Plan. Overall performance was good with 96.4% of the actions and 84% of the KPIs (when annually reported actions and PIs have been removed) judged to be either on or above targets. The report summarise officers' views on progress as at 31st December, 2007, for each individual Portfolio Holder's area of responsibility.

### **Decision**

1. That the current position with regard to performance and revenue monitoring be noted;
2. That the revised completion date for the review of the Community Strategy action noted in Table RL1 be approved.

## **237. Traffic Management Act 2004 – Changes to Parking Enforcement** *(Director of Neighbourhood Services)*

### **Type of decision**

Non-key.

### **Purpose of report**

The report outlined the differences between Part II of The Road Traffic Act 1991 and Part 6 of The Traffic Management Act 2004, highlighting the immediate changes to parking enforcement and the phased introduction of several new contraventions.

### **Issue(s) for consideration by Cabinet**

The Parking Services Manager reported that in July 2004, Hartlepool was granted permission by Central Government to decriminalise a number of parking offences. As a result many of the powers which had previously been under the jurisdiction of The Police were transferred to Hartlepool Borough Council. The main changes were that contraventions became Civil Law Offences and disputes were resolved through an independent adjudicator rather than through criminal law.

Parking enforcement is currently regulated under the Road Traffic Act 1991 however this will change as from 31st March 2008 when parking offences will be enforced under Part 6 of the Traffic Management Act 2004. This change affects all local authorities who currently operate decriminalised parking enforcement and follows consultation with local councils operating outside of the London Boroughs. As an authority already operating decriminalised parking controls, there is no choice other than to begin enforcement under the Traffic Management Act.

The report the changes within the new Act that would affect the way in which the Council operated parking enforcement. The major issue related to the charging policy to be adopted by the Council. Appendix A to the report set out a comparison of the current charging policy together with the two proposed, government based, charging bands. The options put forward by the government would create a budget pressure for 2008/09, though the selection of 'Band B' would reduce, though not mitigate, the potential effect.

Cabinet Members considered that the Council should be able to set a level of penalty charges that would allow the system to be self financing. However, Cabinet was informed that through the governments' regulations, the authority had only the choice between the two levels of charges prescribed; no variation was allowed. Cabinet was informed that due to this and the potential budget issues, most Councils in the Tees Valley had opted for the higher charges in Band B.

### **Decision**

1. That the changes to parking enforcement under The Traffic Management Act 2004 be noted.

2. That the necessary delay in enforcing some of the offences as outlined in the report be noted.
3. That penalty charge band B as set out below be approved: -  
Penalty Charge Offences £70, (£35 early payment, £105 for late payment);  
Lesser penalty charge offences £50, (£25 early payment, £75 for late payment).
4. That the Chief Solicitor be asked to advertise the new charges in accordance with the requirements of the legislation.

## **238. Introduction of Tenants Referencing** *(Head of Community Safety and Prevention)*

### **Type of decision**

Non-key.

### **Purpose of report**

The report explained the different models of tenant referencing schemes available, the proposed operation of such a scheme as part of measures to reduce anti social behaviour in the private rented housing sector, and sought approval for the scheme to commence operation.

### **Issue(s) for consideration by Cabinet**

The Mayor informed Cabinet that Tenant Referencing is a tool to allow landlords to more accurately judge the suitability of prospective tenants before granting a tenancy. Landlords have difficulty accessing unbiased and accurate information on prospective tenants in a timely manner. There are currently two models of referencing schemes in general use, traditional referencing schemes, and “passport” schemes. Passport schemes are sometimes branded as Good Tenant or Tenant Accreditation Schemes, although in operation they are in essence the same. It was the Passport scheme that was being recommended for introduction in Hartlepool. Details of how the scheme would operate were set out in the report and Appendix 1 to the report and it was highlighted that the scheme would be free to its ‘members’.

Cabinet discussed the scheme in some detail. There was initially some concern at the scheme being free but it was commented that in order to get landlords to use the scheme and thus ensure its success, it needed to be free. There was also concern that the scheme was not compulsory across the town. The Head of Community Safety and Prevention indicated that the scheme could not be made compulsory across the whole of the town. However, in the selective landlord licensing areas recently approved by Cabinet the scheme would be made a condition of the license.

Cabinet Members also raised some concern at the potential for inappropriate references to the Supported Housing Panel. Cabinet also commented that some timescales should be included within the scheme for those refused a ‘passport’ to reapply. It was commented that there was

three and six monthly reviews built into the system and those that had had difficulties with tenancies in the past that had led to them being refused membership could come back and reapply once they had demonstrated that they could maintain an untroubled tenancy.

There was some concern expressed at the numbers of landlords that would be signing up to the scheme and the vague numbers outlined in the report. The Mayor indicated that this would only be one of a number of tools that could be used to tackle the anti-social behaviour created by problem tenants and landlords. It was indicated that, subject to approval, the scheme would be launched at the end of March 2008. The Mayor requested that an update report be submitted to Cabinet six months after commencement which would link into the timetabled introduction of the licensing areas.

**Decision**

That the introduction of 'the Good Tenants Scheme' as outlined in the report and based on the 'passport model' be approved.

**239. Local Area Agreement (LAA) Quarter 3 Summary of Performance Report 2007/08** *(Head of Community Strategy)*

**Type of decision**

Non-key.

**Purpose of report**

The report set out performance against the Local Area Agreement (LAA) 2007/08.

**Issue(s) for consideration by Cabinet**

The Mayor reported that the LAA includes thirty-six priority outcomes, structured around the seven Community Strategy Themes. Appendix 1 to the report shows a summary of progress against the Local Area Agreement Indicators and pooled funding allocations for each of the thirty-six LAA Outcomes.

In relation to the 'red' lighted indicators it was reported that Hartlepool was no longer the lowest performing authority in relation to under 18 contraception rates. In relation to the Key Stage 3 and 4 attainment indicators it was reported that the level of improvement was better than average.

**Decision**

That the report be noted.

## **240. Local Area Agreement (LAA) Reward Element (Local Public Service Agreement Round 2) – 21 Month Monitoring Report** *(Assistant Chief Executive)*

### **Type of decision**

Non-key.

### **Purpose of report**

The report outlined progress 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 31 December 2007.

### **Issue(s) for consideration by Cabinet**

The Performance Portfolio Holder reported that a total of ten targets were included in the Reward Element part of the LAA which was agreed with Government Office North East (GONE) in February 2006. Those ten targets consisted of twenty Performance Indicators (PIs), all of which will potentially qualify for a proportion of Performance Reward Grant (PRG) upon completion of the three year period over which the Reward Element aspect of the LAA is monitored.

Of the 20 targets, 3 (15%) have already been achieved. One of these (SC18) is measured as at the 31 March 2009, so a downturn in performance could see the target being missed. However, it is considered unlikely to happen.

A further 9 (45%) of targets have been assessed as being on target and for 2 (CS24 and HC16) a judgement can not be made at this point. For CS24 this is due to the outcome being directly linked to a perception survey, to be conducted in 2009/10, and for HC16 it is intrinsically linked to another indicator, HC15, and at this stage a judgement can not be made.

There is one target (SC17) that was identified at the 18 month monitoring stage as being unlikely to achieve the overall stretch target, and this was reported to Cabinet on 4 February 2008. The indicator has been re-profiled to ensure that the indicator achieves, as a minimum, the 60% target that is required to ensure that the Performance Reward Grant is paid.

However, there are 5 targets (25%) that have been assessed as being not on target at this stage, and unlikely to be achieved. Work is continuing to address these issues and improve performance throughout the remainder of the LPSA period.

Based on the judgements that have been made, and the Analysis detailed in the report, the projected amount of PRG that the Council will receive is £1,970,266 (up from £1,745,442 when assessed at the 18 month stage), which may rise to £2,062,238 (up from £1,837,414) should the perception

PI (CS24) improve by 1 percentage point when measured in 2009/10.

**Decision**

That the report be noted.

**241. 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.

Minute 242 North Central Hartlepool Housing Market Regeneration Project – Confirmation of Land Disposal Terms (Para 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information)).

**242. North Central Hartlepool Housing Market Regeneration Project – Confirmation of Land Disposal Terms** *(Director of Regeneration and Planning Services)*

**Type of decision**

Non-key.

**Purpose of report**

To confirm the terms of the final land disposal in respect of the housing market regeneration site in Dyke House (the land between Chester Road, Chatham Road and Raby Road).

**Issue(s) for consideration by Cabinet**

The Head of Regeneration indicated that the report set out a brief chronology of the development of this housing market regeneration project and an overall summary of the terms of the land disposal.

**Decision**

That the terms of the land disposal be noted.

**J A BROWN**

**CHIEF SOLICITOR**

**PUBLICATION DATE: 6 MARCH 2008**