

CABINET

MINUTES AND DECISION RECORD

23 February 2009

The meeting commenced at 9.00 a.m. in the Civic 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),
Peter Jackson (Neighbourhoods & Communities Portfolio Holder),
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder),

Also present:

Councillor Stephen Akers-Belcher, Chair Neighbourhood Services
Scrutiny Forum

Officers: Andrew Atkin, Assistant Chief Executive
Nicola Bailey, Director of Adult and Community Services
Dave Stubbs, Director of Neighbourhood Services
Sue Johnson, Assistant Director, Children's Services
Paul Briggs, Assistant Director, Children's Services
Graham Frankland, Head of Procurement, Property and Public
Protection
Geoff Thompson, Head of Regeneration
Amy Waters, Principal Housing Regeneration Officer
Peter Devlin, Chief Solicitor
Mike Ward, Chief Financial Officer
Julian Heward, Public Relations Officer
Laura Starrs, Scrutiny Support Officer
Angela Hunter, Principal Democratic Services Officer

217. Apologies for Absence

None.

218. Declarations of interest by Members

None.

219. Minutes of the meeting held on 9 February 2009

Received.

220. Matters arising

Minute 207 - Councillor Jackson commented that in relation to the request for additional information on the management salary costs from the Business Transformation Programme, some information had been received. Subsequently, further information had been requested and had not yet been received. The Assistant Chief Executive confirmed that the additional information requested had been sent out at the end of last week.

221. Final Report – The Condition of the Highways in Hartlepool (*Neighbourhood Services Scrutiny Forum*)

Type of decision

Non key.

Purpose of report

To outline the findings and conclusions of the Neighbourhood Services Scrutiny Forum's investigation into the 'Condition of the Highways in Hartlepool'.

Issue(s) for consideration by Cabinet

The Chair of the Neighbourhood Services Scrutiny Forum presented the Final Report of the Forum into the Condition of the Highways in Hartlepool. The report outlined the overall aim of the scrutiny investigation, terms of reference, methods of investigation, findings, conclusions, and subsequent recommendations. The report noted that the investigation had been well received with valuable contributions being made by members of the public. The Chair of the Forum highlighted the hard work and commitment of the well managed Highways Team whilst acknowledging the challenging budget restraints faced by the Department.

Clarification was sought on exactly what improvements the Forum would like implemented and how this could be achieved. The Chair of the Forum referred to the site visit to Barnsley Metropolitan Council undertaken as part of the investigation and the comparisons made to how Barnsley operate the Highways function. However, it was noted that it was difficult to compare Hartlepool to Barnsley due to the fact that Barnsley had improved from a poor state of highways to a good level. The highways in Hartlepool were

already considered to be at a good level consistently despite the limited available resources.

In response to the request of the Forum for more planned as opposed to reactive maintenance, a Member commented that there was a fine balance between planned and reactive as the Council needed to ensure that highways were repaired in line with Government guidelines as and when necessary and within the allocated budget.

There was concern expressed by a Member about the amount of damage caused to pathways from vehicles parking on them, including Council and Police vehicles parking on Victory Square. The Director of Neighbourhood Services responded that action was taken should individual cases be brought to the Council's attention, including the issuing of fixed penalty tickets. However, parking on tactile crossings was a police responsibility. A Member suggested that the issue of Police vehicles parking on Victory Square could be raised at the Police Authority meetings.

Members were asked to note the success of the recent resurfacing of Ancliffe Gardens and how this had been undertaken quickly and efficiently.

Decision

Whilst it was acknowledged that some of the recommendations were already being undertaken by the Neighbourhood Services Department, the Cabinet approved the recommendations of the Neighbourhood Services Scrutiny Forum, with the exception to recommendations (h) and (i) unless additional budget provision could be identified:-

- (a) That the Council develops a strategy to achieve a planned approach to highways maintenance as opposed to a reactive approach;
- (b) That the Council strengthens existing working relations with the Utility Companies and continues to facilitate regular meetings to focus on common objectives aimed at improving standards;
- (c) That the Council develops a formal working arrangement with contractors to involve them at an earlier stage in the design, planning and preparation processes for future highway maintenance and scheme works;
- (d) That the Council explores the possibility of using re-cycled materials in schemes to reduce tender prices and to minimise the environmental impact;
- (e) That the Council explores opportunities to further promote / publicise the future maintenance works of both the Council and the Utility Companies to raise public awareness including the distribution of the Planned Maintenance Programme to Public Libraries / Buildings;

- (f) That Ward Councillors are provided with advance notification of any future maintenance and utility works due to be carried out in their respective Wards;
- (g) That the Council consults with local support groups and the public at set times of the year to improve the positioning of drop kerbs / tactile pavements;
- (h) That the income generated from the charges imposed on the Utility Companies be redirected into the highways maintenance budget;
- (i) That the Council reviews the 2009 / 2010 financial contribution from the Highways Service to the Insurance Fund and any reduction in such contribution be redirected to the highways maintenance budget; and
- (j) That the Council integrates the highways software system, 'Confirm' with the Customer Relationship Management System in order to improve the accuracy and efficiency of the monitoring and feed back arrangements for customer enquiries relating to highways maintenance.

222. Scrutiny Investigation into the Condition of the Highways in Hartlepool – 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 subsequent recommendations of the Neighbourhood Services Scrutiny Forum's investigation into the 'Condition of the Highways in Hartlepool'.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Neighbourhoods and Communities presented the report which provided brief background information into the scrutiny investigation into the Condition of the Highways in Hartlepool. To assist the Cabinet in its determination of the Forum's recommendations, attached as Appendix A was a proposed Action Plan for the implementation of those recommendations which had been prepared in consultation with the Portfolio Holder.

The Portfolio Holder thanked the Forum for the report although it was noted that the majority of the recommendations were already been undertaken by the Neighbourhood Services Department. It was noted with disappointment that this report had been submitted after the current budget had been approved by Council. In view of this, Cabinet were minded not to accept recommendation (h) and (i) as it would be difficult to identify the necessary additional budget. It was suggested that the Council should lobby the Government with a view of securing additional funding for highway improvements and maintenance. It was also noted that recommendation (j) was already being examined as part of the Business Transformation Programme.

Decision

- (i) That (a) to (f) of the Action Plan prepared in response to the recommendations of the Neighbourhood Scrutiny Forum's investigation into 'Condition of the Highways in Hartlepool' be approved, although it acknowledged that some of these actions were already being undertaken by the Neighbourhood Services Department.
- (ii) That (h) and (i) of the Action Plan were not accepted. However, should additional funding be identified, these recommendations would be reconsidered.
- (iii) That it be noted that recommendation (j) was already being considered as part of the Business Transformation Programme.

223. Primary Capital Programme Stage 3 Consultation (*Director of Children's Services*)

Type of decision

Key decision – Test (i) and (ii) apply.

Purpose of report

To provide members with an update on progress of the third stage of consultation in preparation for the Primary Capital Programme.

To seek approval to prepare further schemes for potential funding.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Children's Services presented a report which provided a summary of progress of the third stage consultation process in preparation for the Primary Capital Programme, outcomes of discussion at Project Board and Stakeholder Board meetings and recommended the preparation of further schemes for potential funding.

Members were asked to note that the Assistant Director of Children's Services had approached the Government for additional funding. It was confirmed that there would be no additional funding provided within the current Comprehensive Spending Review period. However, within the overall limit of £8.4 million, a request had been made to accelerate £2 million from 2010-2011 to 2009-2010. This had subsequently been approved resulting in a re-profiling of the allocations to:

2009/10 - £5 million

2010/11 - £3.4 million

Clarification was sought on what the above funding could cover. The Project Director indicated that this funding would provide for a new build to replace Jesmond Road Primary School as previously approved by Cabinet on 13 October 2008 and the remodelling of a primary School. It was confirmed that the next priority for a new build was Barnard Grove Primary School.

A Member questioned whether the schools would be able to make a funding contribution to the proposed improvements within the schools from their individual maintenance budgets. The Project Director confirmed that schools' maintenance budgets were already heavily committed dealing with replacement roofs, windows and heating and only limited funding would be available to support a major capital project.

A discussion ensued on the request by Holy Trinity School, Seaton Carew to establish a maintained nursery unit of 13 full time equivalent places within an integrated foundation unit. There was some concern about the level of uncertainty that may be perceived in relation to the future use of Seaton Carew Nursery School. Several Members had recently visited the nursery and noted that this was an excellent education facility and wished to make it clear that the future of Seaton Carew Nursery School was certain. Members requested further information on the impact on young people of an integrated foundation unit within a primary school as opposed to a stand alone nursery school.

During the presentation of the report, the Portfolio Holder for Children's Services informed Cabinet that the Building Schools for the Future Project Board had suggested that a meeting be held with both the Project and Stakeholder Boards and Cabinet to discuss the composition and remit of the Boards. Cabinet Members felt that the Boards currently in place were working well but that in view of the progress made with the BSF Programme, the terms of reference of each Board should be reviewed.

Members noted that as part of the Building Schools for the Future Programme contractors would be expected to have training programmes for trades modern apprentices and it was suggested that this should also be included as part of the Primary Capital Programme. The Assistant Director, Children's Services indicated that this would be built into the Programme.

Decision

- (i) The progress of the third stage of consultation in preparation for the Primary Capital Programme be noted.
- (ii) The development of proposals to reduce future school capacity at Jesmond Road, Rossmere, Owton Manor, St Aidan's and St Cuthbert's be authorised.
- (iii) The remodelling of Rossmere Primary School be authorised.
- (iv) The need to continue to maintain Seaton Carew Nursery School be confirmed.
- (v) A further report on remaining issues be submitted to Cabinet in the summer term 2009.

224. **Developing a Strategic Approach to the Voluntary and Community Sector in Hartlepool** *(Director of Adult and Community Services and Director of Regeneration and Planning Services)*

Type of decision

Non key.

Purpose of report

The report seeks Cabinet approval of the attached draft final report in relation to the Voluntary and Community Sector Strategy which has been produced for consultation purposes.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Adult and Public health presented a report which provided the strategic approach to the Voluntary and Community Sector. The report was in two parts; Part One included the proposed strategic approach and set out the outcome framework based around the following four aims.

1. A shared vision and strategic direction
2. A sector that is strong and prosperous
3. A sector that contributes to the delivery of good public services
4. A sector that strengthens communities and neighbourhoods.

Part Two was the background analysis and support documentation to the

strategy.

Members had concerns that as departments across the Council were providing funding for various voluntary organisations this could lead to duplication of funding provision. The Portfolio Holder for Adult and Public Health indicated that this issue was being examined as part of the Business Transformation Programme. The option of a single point of entry for voluntary organisations seeking funding from the Council and Primary Care Trust is an option that the strategy suggests for consideration. The Director of Adult and Community Services added that the Community Strategy Team were currently compiling a database which would ascertain which organisations were receiving funding from the Council and for what purpose.

Members welcomed the report and felt that this was a positive way forward with a good action plan. For information, the Head of Regeneration confirmed that a number of comments were recently raised at the Scrutiny Co-ordinating Committee in relation to the Executive's Forward Plan including, for the Voluntary Sector Strategy, whether the strategy took into account the current economic climate. It was indicated that the consultation workshops taking place in March 2009 would provide an opportunity to further examine such issues raised by Scrutiny.

Clarification was sought on the possible resource implications referred to in Appendix 1 and the difference between high and medium. The Head of Regeneration confirmed that where the action plan assessed the resource implications as being high this meant over £20,000 per annum. For medium, this meant below £20,000 per annum was required.

Decision

- (i) The draft Voluntary Sector Strategy was endorsed.
- (ii) The intention for broader consultation with the wider Local Strategic Partnership and Voluntary Sector was noted.
- (iii) A further report to be submitted to Cabinet after the final consultation events on 27 March 2009.

225. Quarter 3 – Corporate Plan and Revenue Financial Management Report 2008/2009 (*Corporate Management Team*)

Type of decision

Non key.

Purpose of report

To inform 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.
- To provide details of progress against the Council's overall revenue budget for 2008/2009.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Performance presented the report which described progress towards achieving the actions within the Corporate Plan using the traffic light system of Green, Amber and Red. The report provided an overview of Council performance with 94% of actions and 92% of the key performance indicators (KPIs) judged to be either on or above target, with separate sections providing more detailed information for each Portfolio Holder to consider. The Portfolio Holder for Performance also outlined the key areas of progress highlighted within the report.

The Portfolio Holder for Finance and Efficiency outlined the Revenue Budget Monitoring report which covered the following areas:

- General Fund Emerging Financial Issues;
- Review of High Risk Budget Areas;
- Progress against Planned Efficiency Targets Identified in the 2008/2009 Budget Strategy;
- Key Balance Sheet information.

It was highlighted that paragraph 4.8 referred to a reduced overspend on departmental budgets and this should indicate £2.5m (not £2.3m as stated in the report).

Decision

- (i) The current position with regard to performance and revenue monitoring was noted.
- (ii) The proposed revised due dates for those actions in table NC2 were agreed.

226. Pre Budget Report – Devolving Responsibilities to City Regions *(Chief Executive)*

Type of decision

Non key.

Purpose of report

The report explains the Government's invitation to upper tier Local Authorities in England to submit a proposal to become a City Region Pilot as proposed in the Pre Budget Report which was published in November 2008.

Issue(s) for consideration by Cabinet

The Mayor presented the report which sought permission for the Borough Council to sign up to a joint proposal with the four other Tees Valley authorities for Pilot status and detailed the powers, functions and funding that will be sought from Government and importantly what functions, powers and funding would be at the individual Borough Council level.

The key points in the report were:

- The proposal is seeking Pilot status that will enable, in the short term, the delivery of the fundamental requirements that cannot be delivered through the existing Tees Valley Multi Areas Agreement (long term funding commitment and a single capital programme).
- It proposes, in the medium – longer term, the consideration of statutory arrangements at Tees Valley level to achieve the devolution of new legislation, powers and funding to the Tees Valley. It does not commit any of the Tees Valley authorities to the establishment of such arrangements at this stage.
- The proposal is based on the principle that it is to achieve the devolution of functions, powers and funding down from central government to the Tees Valley level and not the passing up of functions, powers and funding from the Borough Councils.
- Functions, powers and funding that would require new legislation and potentially statutory arrangements at the Tees Valley level might include:
 - delegation of approval of projects for RDA and HCA funding,
 - establishment of a Tees Valley Integrated Transport Authority,
 - greater flexibility for RSLs to provide flexible tenures,
 - ability to influence the Department for Work and Pensions (DWP) contracts, the Skills Funding Agency funding, the Young Peoples Learning Agency funding and the Business Link contract,

- designation of City Strategy status with the associated funding, and
- devolution of DWP funding and ability to commission activity within Tees Valley.

There is much work to be done to establish the detail of these options and to determine which, if any, the Tees Valley authorities would wish to pursue. However, to be granted City Region Pilot status it is essential that we demonstrate a willingness to pursue a dialogue on issues such as these.

The Government sent a letter on 22 December 2008 to all upper tier local authority chief executives inviting them to submit an Expression of interest by 12 January 2009, become a City Region Pilot. The five Tees Valley Chief Executives, together with the Chair of Tees Valley Unlimited, submitted a letter confirming the interest of the Tees Valley. There is a requirement to submit a full proposal by 27 February 2009.

There was some concern from Members that Hartlepool may lose some control in relation to what funding was achieved. It was noted that this pilot scheme sought to build on current arrangements and Members were reassured that agreement would need to be sought across all five local authorities involved for any proposals. Members were asked to note that this report sought agreement in principle with detailed arrangements being reported to a future meeting.

Decision

- (i) The development and submission of a Tees Valley City Region Pilot bid, based on the attached table was supported.
- (ii) The development of new statutory arrangements which will allow the devolution of additional functions, powers and funding to the City Regions was supported.
- (iii) Detailed proposals for the creation of statutory arrangements for new functions, powers and funding at City Region level be brought back to Cabinet.

227. Annual Performance Assessment of Services for Children and Young People in Hartlepool 2008 *(Director of Children's Services)*

Type of decision

Non key.

Purpose of report

To present the annual performance assessment rating for services for

children and young people in Hartlepool provided by the Ofsted Inspectorate.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Children's Services presented the report which outlined the results of the 2008 Annual Performance Assessment and gave details of the grades achieved, areas of strength and areas for development. The work being carried out in making a positive contribution was highlighted as excellent with the Children's Services Scrutiny Forum being shortlisted for a national award, a decrease in the number of first time entrants into the criminal justice system and the overall re-offending rate reducing. However, it was noted that there had been a lack of sustained progress in reducing teenage conceptions as well as the proportion of mothers initiating breastfeeding. The Assistant Director, Children's Services commented that work was being undertaken on raising aspirations of young people as currently, some felt that having children was a career choice. Work was being carried out in the Children's Centres to support breastfeeding and evidence indicates that young parents were less likely to breast feed. Members were keen to receive more information on these two issues and requested further information to be reported to a future meeting.

In response to a Members comments on the percentages included within the report in relation to safeguarding, the Assistant Director, Children's Services reassured Members that a child's needs were paramount, not the provision of statistics.

Decision

To note the annual performance assessment for Children's Services for 2008.

228. Quarterly Review of Strategic Risk Register *(Assistant Chief Executive)*

Type of decision

Non-key.

Purpose of report

To inform the Cabinet of the current position with regard to the Council's Strategic Risk Register.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Performance presented the report which described amendments to existing strategic risks and any additional strategic risks following a review by Corporate Risk Management Group (CRMG) and Corporate Management Team (CMT). The review primarily involved examining risk ratings in terms of impact and likelihood and effectiveness of control measures in place to mitigate the risk in conjunction with the identification of any new risks for inclusion.

The Portfolio Holder highlighted a number of other significant risk issues which had been discussed by the Corporate Risk Management Group.

Decision

The review and amendments to the Council's strategic risk register and actions being taken were noted.

229. Tees Valley Strategic Housing Market Assessment *(Director of Regeneration and Planning Services)*

Type of decision

Non-key.

Purpose of report

To inform Members of the completion of the Tees Valley Local Housing Assessment Update and Strategic Housing Market Assessment Report and to present an overview of the key findings.

Issue(s) for consideration by Cabinet

The Mayor presented the report which set out an overview of the Tees Valley Strategic Housing Market Assessment conducted by Arc4 and Nathaniel Lichfield and Partners on behalf of the Tees Valley local authorities. The report provided an update of Local Housing Assessments across Tees Valley in the form of a comprehensive Strategic Housing Market Assessment (SHMA) which conforms to Communities and Local Government (CLG) Strategic Housing Market Assessment Guidance. The first stage brought together and updated the findings of existing Tees Valley local housing assessments. Stage two comprised a comprehensive sub-regional SHMA which includes an analysis and commentary on geographical housing market areas in the Tees Valley based on existing

data and previous studies; and provides an evidence base on the Tees Valley housing markets which will inform housing and other policies to be included in Local Development Frameworks.

The report set out the findings under the key themes of housing supply, the housing market, affordable housing requirements and housing requirements of specific groups. The implications for Hartlepool were also included within the report.

In the case of affordable housing, clarification was sought on the difference in shortfall in the number of units in Hartlepool as this appeared to have been reduced from 393 to 291 since the 2007 assessment. The Head of Regeneration indicated that these figures provided a general picture of need which, despite the difference, still demonstrated a considerable affordable housing need in Hartlepool. He added that 69 new units had been built within the last 12 months which, together with revised population data used in the 2008 methodology, also contributed to the reduced affordability requirement. Members were asked to note that this report provided part of the evidence base for the Local Development Framework (LDF), specifically Affordable Housing Development Plan and that the study was one element of a suite of evidence used to inform the preparation of the policy documents. In addition, it would be used to inform future housing strategy and planning policy within Hartlepool. Further reports would be submitted to Cabinet on individual documents within the Framework.

Decision

The report was noted and accepted as part of the evidence base for the Local Development Framework (LDF).

230. Quarter 3 – Capital and Accountable Body Programme Monitoring Report 2008/2009 *(Chief Financial Officer)*

Type of decision

Non-key.

Purpose of report

To provide details of progress against the Council's overall Capital budget for 2008/2009 and the spending programmes where the Council acts as the Accountable Body for the period to 31st December, 2008.

The report considers the following areas: -

- Capital Monitoring
- Accountable Body Programme Monitoring

Issue(s) for consideration by Cabinet

The Portfolio Holder for Finance and Efficiency presented a report which provided detailed monitoring information for each Portfolio up to 31st December, 2008.

Members questioned when the transport interchange development was likely to commence. The Director of Neighbourhood Services responded that this development should commence in Spring 2009. In view of the length of time since the development was originally discussed, Members requested an update prior to the commencement of the development. The Director of Neighbourhood Services indicated that updated information would be reported to the next Informal Briefing in the first instance.

Clarification was sought on capital expenditure within the Adult and Public Health Service Portfolio compared to the allocated budget. The Director of Neighbourhood Services indicated that around £3 million was included within this budget for the Orwell Walk development.

Decision

The current position was noted with regard to Capital Monitoring and Accountable Body Programme Monitoring.

The meeting concluded at 11.10 am.

P J DEVLIN

CHIEF SOLICITOR

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