

CABINET

MINUTES AND DECISION RECORD

24 MARCH 2009

The meeting commenced at 9.00 a.m. in the Civic Centre, 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).

Officers: Andrew Atkin, Assistant Chief Executive,
Peter Devlin, Chief Solicitor,
Peter Scott, Director of Regeneration and Planning Services,
Dave Stubbs, Director of Neighbourhood Services,
Graham Frankland, Head of Procurement, Property and Public Protection,
John Mennear, Assistant Director (Community Services),
Sue Johnson, Assistant Director - Planning and Service Integration
Paul Briggs, Assistant Director - Resources and Support Services
Chris Hart, Planning and Commissioning Manager,
Joanne Smithson, Head of Community Strategy,
David Cosgrove, Democratic Services Team.

239. Apologies for Absence

Councillor Pam Hargreaves (Deputy Mayor).

240. Declarations of interest by members

Councillor G. Hall declared a personal and prejudicial interest in Minute no. 242

241. Confirmation of the minutes of the meeting held on 9 March 2009

Confirmed.

242. Application to Cabinet Contingency Fund *(Portfolio Holder for Adult and Public Health Services)*

Type of decision

Non-key.

Purpose of report

The report outlined a proposal to support an application for funding from the Cabinet Contingency Fund from Hartlepool Life Chances Partnerships Board.

Issue(s) for consideration by Cabinet

The Neighbourhoods and Communities Portfolio Holder indicated that Hartlepool Life Chances Partnership Board would like to apply for funding to hold an 'awareness event' on Tuesday, 2 June 2009. The event would be an open event for the people of Hartlepool but would be used as a vehicle to promote the Life Chances Partnership Board and encourage greater involvement from people with disabilities and their families and carers. The report had been prepared by the Portfolio Holder for Adult and Public Health Services who was co-chair of the Partnership Board.

A small working group would be formed at the next Life Chances Partnership Board Meeting which would be charged with looking at the format for the event, publicity, invitations, catering, costs, additional support needs (i.e. communicators), and ensuring good outcomes for people. A breakdown of estimated costs was set out in the report.

Decision

That the application be supported and that the Mayor informs Cabinet Members of the final costs awarded to the Hartlepool Life Chances Partnership Board for the awareness event' on Tuesday, 2 June 2009.

243. 2009 – 2012 Capital Strategy and Asset Management Plan *(Director of Neighbourhood Services / Chief Financial Officer)*

Type of decision

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

Purpose of report

The report set out the updated 2009 - 2012 Capital Strategy and Asset Management Plan for consideration and endorsement.

Issue(s) for consideration by Cabinet

The Finance and Efficiency Portfolio Holder reported that Capital Strategy sets out the way in which the Council determines and manages the Capital Programme and the linkages between the Capital Programme, the Council's Corporate Objectives and the Community Strategy. The Asset Management Plan was a tool and working document that highlighted the

operation, achievements and future objectives of the performance of the Council's land and property portfolio.

Members discussed the disposal of buildings and were particularly concerned to ensure that buildings were either sold or demolished 'the day after' they were vacated to reduce security costs. It was understood that this was the general principle but Cabinet requested that it be made more explicit in the plan.

Decision

That subject to Cabinet's comments, the 2009 - 2012 Capital Strategy and Asset Management Plan be endorsed.

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

Type of decision

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

Purpose of report

The report proposed the re-imbursement arrangements with local bus operators for concessionary fares to be implemented from the 1st April 2009 to the 31st March 2010 inclusive.

Issue(s) for consideration by Cabinet

The Neighbourhoods and Communities Portfolio Holder reported that under the 1985 Transport Act, the Council must ensure that bus operators are "no better nor no worse off" than they would be if a concessionary fares scheme did not exist. A fixed payment method had again been negotiated with local bus operators for 2009/10. This method would secure the agreed scheme in budgetary terms and guarantee payments for both the Council and bus operators.

The bus operators' justification for the increase in payments is based on the following factors:

- A continued and significant increase in the number of concessionary journeys being made, especially cross boundary in the case of Arriva and Go North East
- A continued increase in operating costs (e.g. fuel, wages and insurance) being experienced by bus operators ; and
- A continued increase in the fare charged to passengers.

The proposed cost for 2009/10 was £1,861,000 an increase of £226,452 (15.01%) over the 2008/09 cost of £1,634,548. Details of the payments to the individual companies were set out in a confidential appendix to the report.

A fixed payment method would secure the agreed scheme and guarantee payments for the Council. If agreement between the Council and bus

operator(s) on the new concessionary fares scheme is not reached, the legislation provides that bus operators must offer the statutory minimum scheme from the 1st April 2009. The bus operator(s) would then invoice the Council for the actual cost of travel for the total number of eligible passengers carried. If the cost quoted by bus operators was considered to be unreasonable, the matter may have to be taken through a legal process. Officer indicated that where this had happened in other areas, the cost to the local authority had always increased.

The Government has provided the Council with additional revenue funding for the increase in payments to bus operators for concessionary bus journeys external to Hartlepool in 2009/10, although this does not cover the full additional costs. The total available funding for 2009/10 is £1.81m, inclusive of Government Grant funding and the Council's own budget provision. This is approximately £60,000 less than the proposed cost and this shortfall will need to be managed from within the overall contingency included in the budget for risk areas in the current year. In 2010/11 and future years this additional cost may need to be a call on the budget headroom for these years if the cost cannot be funded on a permanent basis from the contingency budget.

Cabinet discussed the issue briefly but required further explanation as to why despite the increase in government funding there was still a shortfall in the budget of £60,000. Further consideration of the report was deferred to the end of the meeting to allow for an explanation to be provided.

Decision

Further consideration of the report was deferred to the end of the meeting. (Minute No. 250)

245. Local Area Agreement – Annual Refresh Submission 2009 *(Head of Community Strategy)*

Type of decision

Key Decision – test (ii) applies.

Purpose of report

The report was submitted to enable Cabinet to consider and comment on the Local Area Agreement (LAA) annual refresh submission for 2009.

Issue(s) for consideration by Cabinet

The Mayor reported that Hartlepool's new LAA was agreed by Council in May and was a three year agreement (2008-11) based on the Community Strategy which sets out the priorities for Hartlepool. The LAA formed an agreement between Central Government and a local area represented by Hartlepool Borough Council and other key partners through the Hartlepool Partnership. The refresh process allowed for the opportunity to revise designated targets and set targets for those indicators where it had not been possible to set targets and also to consider any emerging priorities

and new targets.

The process for revising targets in the refresh had started back in October 2008 with the identification of Indicators that required consideration. Throughout the refresh process a number of update reports had been presented to the Hartlepool Partnership, HBC Cabinet and Scrutiny Co-ordinating Committee. Recently consultation had taken place through the Theme Partnership Workshops and HBC Members Seminars in February. The proposed changes had been negotiated with Government Office NorthEast (GONE) and provided that Cabinet and Council were in agreement with the proposals, GONE would be making a recommendation that the Secretary of State agree this refresh submission. It was reported that Hartlepool Partnership had approved the refresh document on 20 March 2009.

The Mayor commented that much consideration had been given to renegotiating some of the economic targets due to the current economic climate. It had been decided not to do so at this point in time and that the situation would be revisited next year. The Mayor did however state that it was unlikely that some major indicators, such as those relating to unemployment, would achieve their targets in the next year.

Decision

That the LAA refresh submission be approved for submission to Council on 26 March 2009.

246. Cross Government Co-Location Fund *(Director of Adult and Community Services / Director of Children's Services)*

Type of decision

Non-key.

Purpose of report

To consider the detail and opportunity to bid for Capital Funds to stimulate co-locational initiatives within existing strategic plans from the Department for Children, Schools and Families (DCSF) Co-locational Fund.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported that the 'Co-location Fund' was a recently announced Capital Fund by the DCSF with specific core criteria which aimed to deliver better collocated service provision in partnership. The fund is specifically aimed at removing inhibitions on funding restrictions to provide opportunities to progress strategic objectives.

The fund application timetable is tight and all accepted schemes must be capable of operational completion by September 2011. Cabinet had instructed the Director of Children's Services to write to all members to stimulate suggestions which may be considered in addition to a number of schemes which are already deemed eligible. The fund can also be

accessed by private and third sector partners; however, their projects must be endorsed by the Children's Trust or key partners on the Trust. It was expected therefore that any schemes coming forward for Hartlepool would be considered, coordinated and prioritised via Cabinet.

A schedule was tabled at the meeting setting out a list of nine potential with a commentary on whether it was feasible to meet the requirements of the 'Co-location Fund', particularly the operational delivery by September 2011, which was an extremely tight timescale. The nine schemes were –

1. Brierton Community Sports Facility (25m swimming pool)
2. Rossmere Youth Centre (MUGA and Skate Park)
3. Burbank Healthy Living Centre
4. Mill House Leisure Centre / Hartlepool United Football Club (HUFC) site
5. Seaton Nursery School
6. Throston Primary School
7. Police premises in North and South areas
8. Eldon Grove Primary garden Project
9. West View "My Place" bid.

Of the nine schemes, officers recommended that 2, Rossmere Youth Centre and 3, Burbank Healthy Living Centre had the greatest chance of being delivered within the timescale set and met the funding regime requirements. Cabinet members supported the two schemes but considered that an opportunity for significant funding was being missed for the two swimming pool proposals at Brierton and Mill House. During the debate, Officers stated that the deliverability of the schemes within the timescale set by the government were a key consideration. The need for additional funding was also a primary issue and the two pool schemes would require significant additional funding, including from the council, which was not available. This together with the revenue budget implications made the swimming pool schemes very difficult to progress under this funding scheme. There may be other capital funding schemes that come forward in the future that may be more appropriate.

Cabinet Members debated the potential schemes, particularly the two swimming pool schemes at some length. A Cabinet Member considered that the four schemes should be submitted with an emphasis on the Mill House scheme. While the scheme required other partners to become involved, it was suggested that this could be achieved either within the timescale or by phasing the redevelopment of the site. Officers did indicate to Cabinet that developing two schemes to a sufficient level to be submitted to DCSF by 6 April 2009 was a significant amount of work. How submitted schemes were to be assessed was also not clear and the guidance issued by the DCSF was not particularly helpful. What was clear was that the scheme did focus on the collocation of services and the two recommended schemes achieved that aim; it was doubtful that the Mill House scheme could.

At the end of the debate the mayor indicated that the Burbank Healthy

Living Centre and the Rossmere Youth Centre proposals should be submitted. The two swimming pool proposals should be examined further to establish if there was any additional sources of funding that could be available to make the schemes more viable under the terms of this funding package. It was also suggested that the other schemes on the list be progressed so that they could be brought forward when more appropriate funding packages came forward.

Decision

1. That the Burbank Healthy Living Centre and the Rossmere Youth Centre proposals be prepared for submission to the DCSF 'Co-location Fund'.
2. That the Brierton Community Sports Facility and the Mill House Leisure Centre / Hartlepool United Football Club (HUFC) site schemes be considered further as potential schemes for submission to the DCSF 'Co-location Fund'.
3. That in light of the tight deadline for submission of schemes to the DCSF, the Mayor and the Finance and Efficiency Portfolio Holder approve the final bid.

247. Child Property Strategy, Action Plan and Pledge (*Director of Children's Services / Director of Regeneration and Planning*)

Type of decision

Non-key.

Purpose of report

The report sought approval for preparing the town wide 'Child Poverty Strategy, Action Plan and Pledge' which will bring together key partners from the public, private and third sector to 'make a pledge' to reduce child poverty.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported that a joint bid for funding had been submitted to the Department of Children, Schools and Families (DCSF) by the Children's Services and Economic Development Department on 28th November 2008. Although the bid was unsuccessful, the Council was advised that work should start on the preparation of a Child Poverty Strategy, Action Plan and 'Child Poverty Reduction Pledge'. This would ensure that key actions within the bid would still be considered and alternative ways of progressing them addressed, in the absence of additional funding. It is suggested that these documents should be prepared by representatives from Economic Development and Children's Services in consultation with key partners including the LSP Themed groups, The Financial Inclusion Partnership (FIP) and Hartlepool Voluntary Development Agency (HVDA).

Decision

That a 'Child Poverty Strategy, Action Plan and Pledge' to be developed with immediate effect to ensure that Hartlepool continues to show ambition in leading the way on tackling the causes and consequences of child poverty and so that the Local Authority meets its statutory duties.

248. Comprehensive Area Assessment (CAA) (Assistant Chief Executive)

Type of decision

Non-key.

Purpose of report

To update Cabinet on the approach of the public service inspectorates towards inspecting the Council and its partners following publication of the CAA Framework document effective from 1 April 2009.

Issue(s) for consideration by Cabinet

The Mayor indicated that Cabinet had been informed of the proposed CAA framework in October 2008. The overarching principles of CAA remained exactly the same as those outlined to Cabinet in October with some changes in emphasis and clarification. The report briefly describes the CAA framework and timetable, referring to the key clarifications, considers the implications for the Council.

There was general concern that while the assessment was now wider than just the services provided by the Council and included all those of partner organisations, such as health services, policing and the fire brigade, an adverse assessment would still reflect on the Council as the 'lead' agency. The Assistant Chief Executive indicated that the assessment would be 'scored' in a completely different manner. The assessment would be based on themes and they would be red flagged if services were poor, receive no flag if they were at the expected level and green flagged if they were excellent. Discussions were already taking place with the Assessment Lead on the process and to highlight the existing joint arrangements that were working well within Hartlepool. The assessments were intended to reflect the prospects for an area and how all the agencies were working together.

Decision

That the implications of the changes to the CAA inspection process be noted and that the arrangements and proposals suggested in the report for preparing for CAA be approved.

249. Young People Substance Misuse Plan 2009/10 *(Director of Regeneration and Planning / Director of Children's Services)*

Type of decision

Non-key.

Purpose of report

The report provided information and details on the Young People Substance Misuse Plan for 2009/10 and sought the support of Cabinet to the activity and performance management framework in the Plan.

Issue(s) for consideration by Cabinet

The Mayor indicated that the report outlines the requirement to produce an annual Young people Substance Misuse Plan, and set out the financial and performance arrangements and the details of the priorities for 2009/10 to deliver a comprehensive substance misuse service for children, young people and their families.

Decision

That the activity and performance management framework of Hartlepool Young People Substance Misuse Plan 2009/10 be approved.

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

Type of decision

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

Purpose of report

The report proposed the re-imbursement arrangements with local bus operators for concessionary fares to be implemented from the 1st April 2009 to the 31st March 2010 inclusive.

Issue(s) for consideration by Cabinet

Cabinet continued its discussion on the issue following the earlier consideration of the report at Minute 244 above.

In response to the questions raised earlier in the debate, the Director of Neighbourhood Services confirmed that the increase in government grant for concessionary fares did cover the increase in costs following the changes introduced by the government last year which allowed concessionary travel across the Tees valley area. However, the grant from the government to cover the costs of the concessionary fare travel within Hartlepool was still insufficient to cover the cost of those journeys. This resulted in the £60,000 shortfall referred to in the report.

The Director reported that positive discussions were taking place with the bus operators on concessionary fares, supported services and routes within

the town.

Decision

That the reimbursement arrangements with local bus operators for the 2009/10 concessionary travel scheme as detailed within the report be approved.

The meeting concluded at 10.35 a.m.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 30 MARCH 2009