

Chief Executive's Department
Civic Centre
HARTLEPOOL

19th October 2009

The Mayor (Stuart Drummond)

Councillors Aiken, C Akers-Belcher, S Akers-Belcher, Allison, Atkinson, Barker, Brash, R W Cook, S Cook, Coward, Cranney, Fenwick, Fleet, Fleming, Flintoff, Gibbon, Griffin, Hall, Hargreaves, Hill, Jackson, James, Laffey, Lauderdale, A E Lilley, G Lilley, London, A Marshall, J Marshall, McKenna, Dr. Morris, Payne, Plant, Preece, Richardson, Rogan, Shaw, Simmons, Sutheran, Thompson, Tumilty, Turner, Wallace, Wistow, Worthy, Wright, and Young.

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY 29 OCTOBER, 2009 at 7.00p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

P Walker
Chief Executive

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COUNCIL AGENDA



Thursday, 29 October 2009

at 7.00 pm

In the Council Chamber, Civic Centre, Hartlepool

1. To receive apologies from absent members.
2. To receive any declarations of interest from members.
3. To deal with any business required by statute to be done before any other business.
4. To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 10.
5. To approve the minutes of the last meeting of the Council held on 17 September 2009, as a correct record (copy attached).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under Council Procedure Rule 11;
 - (a) Questions to members of the Executive about recent decisions of the Executive (without notice)
 - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.
 - (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given. Minutes of the meetings of the

Cleveland Police Authority held on 4 June 2009 and the meetings of the Cleveland Fire Authority held on 31 July 2009 are attached.

8. To deal with any business required by statute to be done.

(i) Special Urgency Decisions – July to September 2009

MEMBERS FROM WHOM CONSENT WAS OBTAINED	SUMMARY OF EXECUTIVE DECISION TAKEN	DECISION TAKER
(i) Chair of Scrutiny Co-ordinating Committee - Councillor James	(i) Minute 17 – Blakelock Day Centre, Blakelock Gardens, Hartlepool - Sale of Blakelock Day Centre	Finance and Performance Portfolio Holder – 14 July 2009

9. To receive any announcements from the Chair, the Mayor, members of the Cabinet or the head of the paid service.

10. To dispose of business (if any) remaining from the last meeting and to receive the report of any scrutiny forum or other committee to which such business was referred for consideration.

11. To receive reports from the Council's committees and working groups other than any overview and scrutiny committee and to receive questions and answers on any of those reports;

(i) Report of Constitution Committee (copy attached)

12. To consider any other business specified in the summons to the meeting, including consideration of reports of the overview and scrutiny committees for debate and to receive questions and answers on any of those items;

13. To consider reports from the Executive:-

(a) Proposals in relation to the Council's budget and policy framework

(i) None

(b) Proposals for departures from the budget and policy framework

(i) Local Authority Bid For Social Housing Grant for the Development of Affordable Housing – Round 2 (copy attached)

14. To consider any motions in the order in which notice has been received.

(i) *“This Council calls upon the government to guarantee that the jobs of soldiers in the Territorial Army and other service reservists will be held open for them on their safe return from deployment on active service.”*

Signed Councillor T Rogan
 Councillor C Simmons
 Councillor M A James
 Councillor S Akers Belcher
 Councillor C Akers Belcher
 Councillor J Brash

(ii) *“This Council celebrates the exceptional GCSE results obtained by the young people of Hartlepool in the Summer Examinations 2009 which were the most improved results in the country. Furthermore, this Council congratulates the teachers, governors, parents and most of all the young people themselves who achieved this spectacular result.”*

Signed Councillor C Simmons
 Councillor S Akers Belcher
 Councillor C Akers Belcher
 Councillor J Brash
 Councillor T Rogan

15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary. (copy attached)

COUNCIL

MINUTES OF PROCEEDINGS

17th September 2009

The meeting commenced at 7.00 pm in the Civic Centre, Hartlepool

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

The Mayor, Stuart Drummond

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Allison
Atkinson	Barker	Brash
R W Cook	S Cook	Coward
Cranney	Fleet	Fleming
Flintoff	Hall	Hargreaves
Hill	Jackson	James
Laffey	Lauderdale	A Lilley
G Lilley	A Marshall	McKenna
Dr. Morris	Preece	Shaw
Simmons	Sutheran	Tumilty
Wallace	Worthy	Young

Officers Nicola Bailey, Director of Child and Adult Services
Dave Stubbs, Director of Regeneration and Neighbourhoods
Andrew Atkin, Assistant Chief Executive
Peter Devlin, Chief Solicitor
Michael Ward, Chief Financial Officer
Steve Hilton, Public Relations Officer
Joan Wilkins, Scrutiny Manager
Amanda Whitaker/Jo Wilson, Democratic Services Team

Prior to the commencement of the main business, the Chairman referred in terms of regret to the recent death of Honorary Freeman Bill Iseley, retired Councillor. Members paid tribute to his qualities as a Councillor and as a friend and stood in silence as a mark of respect. It was agreed that the condolences of the Council be conveyed to the family, by the Chairman.

32. APOLOGIES FOR ABSENT MEMBERS

Councillors Aiken, Fenwick, Gibbon, Griffin, London, Payne, Rogan, Turner, Wistow and Wright.

33. DECLARATIONS OF INTEREST FROM MEMBERS

Councillor Wallace declared an interest in item 14 as Chair of Hartlepool Primary Care Trust Board and left the meeting during consideration of that item. Councillor Hall declared a non-prejudicial interest in item 14 as Governor of the North Tees and Hartlepool NHS Foundation Trust

34. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None

35. PUBLIC QUESTION

(i) The following question had been received from Mrs Loynes, to the Mayor:-

‘Who authorised the visits to the following countries for the Tall Ships event: -

Antwerp, Holland – Aug 2006 – 3 people

Szczecin, Poland – November 2006 – 4 people

Stockholm, Sweden – July 2007 – 5 people

Halifax, Canada – Nov 2008 – 2 people

St Petersburg, Russia – July 2009 – 5 people

Belfast – August 2009 – 6 people

Planned visit to Istanbul – November 2009 – 3 people’

In response, the Mayor advised that the latter Tall Ships attendances had been agreed by the Tall Ships Project Board. Attendance at the earlier events, prior to the Board being established, had been approved by the Mayor as Portfolio Holder.

The following supplementary questions were raised:-

- Did all these people need to go?
- At what cost to the tax payer?

The Mayor responded by advising that he was happy to circulate a break down of costs, including Liverpool Tall Ships conference, to Mrs Loynes and to all Members of Council. In terms of whether attendance was worthwhile, the Mayor referred to the prestigious nature of the event and highlighted that it was important to have as much information as possible and the Council would only get one chance to make the event work. Therefore, it was the view of the Mayor that attendance at all of the events had been beneficial. In addition, it was highlighted that attendance at some of the events had been obligatory.

36. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 30th July 2009, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

37. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

Referring to minute 29, clarification was sought that nominations to the following organisations, to which no appointments had been made, would be considered again later in the year:-

- Hartlepool Access Group
- Outdoor Bowls

The Assistant Chief Executive advised that further nominations would be sought in respect of the above organisations.

38. QUESTIONS FROM MEMBERS OF THE COUNCIL

- (a) Questions to Members of the Executive about recent decisions of the Executive

None

- (b) Questions to Members of the Executive and Chairs of Committees and Forums, for which Notice has been given

- (i) Question from Councillor McKenna to the Mayor:-

‘What provisions have been made for disabled people to access the forthcoming Tall Ships event in 2010;

In response the Mayor advised that the Tall Ship planning team were seeking to implement as many opportunities as possible to ensure that the Tall Ships event has the most positive impact for people with disabilities. In conjunction with the Authority's access officer it had been determined that it would be advantageous to target 3 areas - transport, the site, and information – these are the areas which have caused the most concern from consultations and feedback to date.

In terms of transport, it was planned to provide an advertised blue badge car park at Greenland Rd with a capacity of 500 cars per day. This will allow the nearest physical location to the Tall Ships Event and will allow Blue Badge holders into the area adjacent to the Park & Ride drop off zone from the North of the town. The Council's Dial-a-Ride Scheme is being consulted and involved to ensure a complementary service to those who can access the car park independently. The visitors who are able to take advantage of the reserved parking will also be advised how far the various attractions will be from the car park and it is expected that the vast majority will have their own personal modes of disabled equipment or accompanying carers to enjoy the event.

In conjunction with the above transport arrangements the team are in consultation with the Tees Valley Shopmobility services to provide equipment hire facility in the Blue Badge car park. The provision of centralised equipment will be carefully organised to ensure that no existing service is left under resourced. Once the site requirements are identified this will be confirmed and negotiated with the Mobility services.

A British Sign Language interpreter is planned for the main site information point – the Access officer is looking at the most cost effective way of doing this and the resulting service and its location will be well advertised in advance to assist visitors.

The Council will be providing also 'service areas' for guide dogs - poop scoop facilities and fresh drinking water. The catering outlet tender arrangements will seek to determine a number of units that have a low counter suitable for wheelchair users.

In addition the planned layout of the site will fully consider people with disabilities, the levels are planned to be even across the whole site, some ground conditions underfoot will be compacted ground other areas will be tarmac, concrete or block paving. Indeed the general site layout for all visitors will adhere to event industry standards and Health & Safety is paramount at the event planning stage to enable all visitors to visit in safety and at convenience.

Ship access will be limited depending upon the nature of specific disabilities, however at least one Tall Ship is adapted for access for the disabled and therefore visitor access will be available, in regard to the large ships, some access is expected to upper deck areas. The team is investigating the

opportunity for 'early visits' for those who are better served by access in the absence of large crowds. Public toilets including those for disabled will be available in all areas and baby change facilities will be available.

The Mayor also advised that the Council will ensure that the browsaloud facility is available on Tall Ships website. Accessible guides are to be produced together with a simple and accessible leaflet (that can be downloaded from website) which will include information regarding parking, where the shopmobility scheme can be found, which ships and activities are accessible and areas that they may want to avoid due to uneven surfaces etc. Accessible symbols/pictures on site signage are planned.

It was highlighted that all of the items were progressing well with the support of the Disability team in Adult Social Care. The team were writing an access statement for the event which is planned to be complete by November 2009 and presented to the Learning Disability Partnership Board and the Life Chances Partnership Board for agreement. Once this has been done this will be a 'live' document to be updated as the event develops.

In response to a supplementary question raised by Councillor McKenna, the Mayor advised that he did not know the number of disabled visitors expected to attend the Tall Ships event.

Members of the Council made comment upon and discussed issues raised by the question. It was suggested that an item be included on the agenda, for the next Tall Ships Project Board, on engaging with local groups to convey information relating to the provisions to be made for disabled people to access the forthcoming Tall Ships event.

(ii) Question from Councillor G Lilley to the Mayor

'Given recent speculation about the future of a new build hospital north of the Tess, what discussions have taken place between HBC and North Tees and Hartlepool NHS Trust and the North East Strategic Health Authority to deal with a scenario where funding is not available/withdrawn or whatever is any 'fall back' position'.

In response the Mayor advised that as far as he was aware there had not been any formal discussions on a 'fall back' position. All energies were being concentrated on getting the Business Case accepted by Ministers. The Mayor acknowledged the serious concerns at the possible effect of a Parliamentary election but considered as a Council there was a need to do everything possible to support the Trust to receive funding approval prior to the election.

Councillor Lilley's supplementary question asked the Mayor if he believed there was a 'fall back' position. In response, the Mayor highlighted that any beliefs he had would be conjecture and he reiterated that his biggest concern was to ensure funding approval was obtained.

Members of the Council made comment upon and discussed issues raised by the question

- (c) Questions to the appropriate Members on Police and Fire Authority issues, for which notice has been given.

Minutes of the meeting of the Cleveland Fire Authority held on 5th June 2009 had been circulated.

39. BUSINESS REQUIRED BY STATUTE

None

40. ANNOUNCEMENTS

None

41. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY SCRUTINY FORUM OR OTHER COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

- (i) Report of Constitution Committee

At the meeting of Council held on 30th July 2009, the following matters which had been considered by the Constitution Committee, had stood adjourned, in accordance with Council Procedure Rule 24.2:-

Questions of Notice – Rule 11.2 (ii)

The report invited Council to approve amendments to the Councils Procedure Rules 11.2 (ii) - The Constitution Committee proposed that rule 11.2 of the Council procedure rules, which reads -

“The person nominated by the Cleveland Police Authority pursuant to Section 20 of the Police Act, 1996 any question on any matter in relation to the discharge by the Police Authority of its functions; or

A member of Cleveland Fire Authority the questions in relation to any matter contained in minutes of the Fire Authority attached to the agenda of the meeting.

be amended to read:-

“A member of Cleveland Fire Authority any question on any matter in relation to the discharge by the Fire Authority of its functions”

State of the Borough Debate

Members of the Committee had considered Council Procedure Rule 15.1 'Calling of Debate' which presently states;

'The Mayor will call a state of the Borough debate in the autumn of each year on a date and at a place to be agreed with the Chair.'

In order to provide more certainty, it was recommended of the Committee that an emphasis upon the obligatory nature of this process should be highlighted, given that the results of the debate are designed to assist the formulation of the budget and policy framework (Rule 15.8 refers). Further, that additional certainty would be achieved in specifying a particular month (October) when the Debate should be called and also an indication of the time (7.00 pm).

Accordingly, the following amendment was recommended;

'The Mayor shall call a state of the Borough debate in October of each year on a date and at a place to be agreed with the Chair, but at a time of 7.00 pm.'

RESOLVED - That the amendments to Rules 15.1 and Rule 11.2 (ii), the recommendations having previously stood adjourned under Council Procedure Rule 24.2 from the Council meeting held on 30 July, 2009, be approved.

(ii) Report of Scrutiny Co-ordinating Committee

A report presented by the Chair of the Scrutiny Co-ordinating Committee reminded Members that Council, at its meeting held on the 30 July 2009, had received a report requesting approval for the implementation of a revised strategy for the funding of Business Transformation one-off costs. Given the importance of the strategy, it was agreed by Council that the report should be referred to Scrutiny for detailed examination of the proposals before a decision is made.

A meeting of the Scrutiny Co-ordinating Committee had been convened on the 11 September 2009. A copy of the report considered by the Scrutiny Co-ordinating Committee had been circulated with the report. During presentation of his report at the Committee, the Chief Financial Officer clarified that approval had been obtained in February 2009 for the principle of funding one-off Business Transformation severance costs. This being on the basis of a loan to be repayable over a five year period from the gross savings achieved from implementing the Business Transformation Programme. Members learned that the identification of a number of one-off benefits (including a more favourable 2008/09 outturn) had, however, provided an opportunity to devise an alternative / improved funding strategy for Business Transformation one-off cost. The Committee noted the benefits of this alternative strategy as set out in the report. Following an explanation of the process and benefits behind the proposed

alternative strategy, Members expressed their support for the implementation of the strategy as the most appropriate way forward. Members were also of the view that if the report had been more explicit in identifying these benefits it may have been possible for Full Council to make a decision at that time.

During the course of wider discussions on the allocation of resources for the Business Transformation Programme, in particular the £500,000 previously allocated for its development. It became clear that Members were not fully aware of how resources identified for the Business Transformation Programme are being used and as such that clarification of this needed to be provided. In doing this, it was suggested by the Committee that in order to demonstrate to Members that the programme is being effective in offering value for money:-

- (i) Details of how the £500,000 originally allocated to the Business Transformation Programme have been spent to date be circulated to Members before the next meeting of Council; and
- (ii) A process be put in place to ensure that in the future details of the costs and savings generated through the Business Transformation Programme are reported to Members in a clear format, at regular intervals.

In relation to the provision of information in the future regarding the costs/saving generated through the Business Transformation Programme, Members welcomed indications that the development of a process was already in hand. Expanding on discussions regarding the format and transmission of information, the Committee drew attention to the way in which budget information in general is presented. Whilst it was recognised that the process for budget reporting had moved on considerably, it was noted that budget documentation could still be difficult for a 'lay' person to understand. In light of this, it was suggested that in conjunction with the detailed budgetary reports currently provided, an executive summary should also be produced to assist Members.

In summary, the Committee recognised the many benefits of implementing the proposed strategy and acknowledged the need for one-off expenditure through the Business Transformation Programme in order to generate recurring savings that will then be placed in the General Fund for allocation in accordance with the wishes of Council.

RESOLVED – (i) That the views and comments of the Scrutiny Co-ordinating Committee, as detailed in the report, be noted.

(ii) That the proposed Strategy for the funding of Business Transformation one-off costs be approved.

42. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES AND WORKING GROUPS

- (i) Report of Constitution Committee

As part of the review of outside bodies undertaken in 2001, the War Memorial and Crosby Homes had been removed from the list to which Council appoint representatives on an annual basis. In March 2009, Members of the Constitution Committee agreed the reinstatement of the above organisation to the Outside Body list to which the Council appoint on an annual basis.

RESOLVED - That the Hartlepool War Memorial and Crosby Homes be reinstated to the outside body list to which the Council appoint on an annual basis, with one nomination being appointed.

Following the approval of Council to reinstate the organisation to the outside body list, the Chairman of the Council advised Council that Councillor Atkinson attends meetings of the organisation.

43. TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

None

44. REPORT FROM THE EXECUTIVE

(a) Proposals in relation to the Council's budget and policy framework

(i) Corporate Plan 2009/10

The Corporate Plan 2009/10 was presented by the Mayor, in the absence of the Finance and Performance Portfolio Holder, for Council's approval. The Mayor advised Council that the Corporate Plan described the Council's priorities for 2009/10 including how weaknesses would be addressed, opportunities exploited and supporting information relating to Key Performance Indicators which would be used to monitor progress throughout 2009/10. The Plan identified those specific activities to be undertaken to deliver outcomes with the key actions and performance Indicators and targets that would be used to help measure our progress.

Future targets had been set for the two year period up to and including 2010/11 to bring the Corporate Plan in line with the current Local Area Agreement, which related to the period 2008/09 – 2010/11. Work commenced in October 2008, and draft outcomes and action proposals had been considered previously by Cabinet on 9 February and 18 May 2009. Scrutiny Coordinating Committee had considered the proposals on 13 February, 20 March and 31 July 2009. In addition the draft plan had been considered by all of the Service Scrutiny Forums between 2 March and 6 March and this had been supportive

RESOLVED – That, with the approval of the Mayor, the draft Corporate Plan 2009/10 be approved subject to Code CORP SC14 -

Developing money management training/awareness in partnership with the education sector - being amended as follows:-

“CORP SC14 Developing money management training/awareness in partnership with the education and community and voluntary sectors.”

(b) Proposal for Departure from the Budget and Policy Framework

None

45. MOTIONS ON NOTICE

The following two Motions had been submitted:-

Motion (i) “That this Council condemns the recent decision of the North Tees and Hartlepool NHS Foundation Trust to award their senior executives 10% bonuses.

At a time when there is huge anxiety for workers across all organisations and sectors and when front-line NHS staff, the back-bone of the service, are being awarded 2.2% this Council considers such inflated bonuses to be insensitive, ill-advised and wrong.

Furthermore this Council calls on the Foundation Trust to reconsider these pay awards and in so doing demonstrate that senior executives and policy makers in the organisation have not lost touch with their front line staff and the public at large.”

Signed: Councillors
 Jonathan Brash
 Stephen Akers-Belcher
 Chris Simmons
 Rob Cook
 Marjorie James
 Christopher Akers-Belcher
 Ann Marshall

Members of the Council made comment upon and expressed their support of the Motion.

RESOLVED – (i) That the Motion be approved.
(ii) That the Chairman of the Council write to North Tees and Hartlepool NHS Foundation Trust to convey the views of the Council, as set out in the Motion.

Motion (ii) “That this Council recognises and welcomes the significant steps that have been taken to reduce the authority’s carbon emissions over the coming years.

Although the Council’s medium to long term reduction targets are to be applauded greater action in the short term is required if we are to play our part in reversing the devastating environmental effects of carbon emissions.

Furthermore, this objective is not just a moral one, but a financial one. Spiralling fuel costs have become an enormous burden to HBC and the sooner we can reduce such costs the better for this authority and the people of Hartlepool.

10:10 is a national climate change campaign with the aim of getting individuals, companies and institutions to reduce their carbon footprints by 10% during 2010.

Therefore, we call on the Council to sign up to the 10:10 challenge and meet this bold objective for the benefit of all in Hartlepool.”

Signed: Councillors
 Jonathan Brash
 Stephen Akers-Belcher
 Chris Simmons
 Rob Cook
 Marjorie James
 Christopher Akers-Belcher
 Ann Marshall

Whilst expressing support of the Motion, Members of the Council made comment upon and discussed issues raised by the Motion including the practicalities associated with meeting the target.

RESOLVED – (i) That the Motion be approved and adopted.

The meeting concluded at 8:15pm.

C RICHARDSON

CHAIRMAN

CLEVELAND POLICE AUTHORITY EXECUTIVE

A meeting of Cleveland Police Authority Executive was held on Thursday 4 June 2009 in the Members Conference Room at Police HQ.

PRESENT: Councillor Caroline Barker, Councillor Barry Coppinger, Councillor Paul Kirton, Councillor Mary Lanigan, Councillor Ron Lowes, Councillor Dave McLuckie, Councillor Hazel Pearson OBE, Councillor Victor Tumilty and Councillor Steve Wallace.

Independent Members

Miss Pam Andrews-Mawer, Mr Ted Cox JP, Mr Peter Hadfield, Mr Aslam Hanif, Mr Alf Illingworth TD JP, and Mr Peter Race MBE.

OFFICIALS: Mr Joe McCarthy, Mr Norman Wright and Mr John Bage (CE)
Mr Sean Price, Mr Derek Bonnard, Mrs Ann Hall, Mr Christian Ellis and Miss Kate Rowntree (CC).

6 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Chris Coombs and Mr Mike McGrory JP.

7 DECLARATIONS OF INTERESTS

There were no declarations of interests.

8 STATEMENT OF ACCOUNTS

The Chief Executive informed Members that under the Account and Audit Regulations 2003, local authorities, including police authorities, were required to receive and approve the Statement of Accounts for 2008/09 before the end of June 2009.

Members were informed that the Draft Statement of Accounts had been the subject of a detailed Members Briefing on 19th May 2009 and were approved with a minor change to the Annual Governance Statement by the Audit and Internal Control Panel on 28th May 2009.

The Chief Executive informed Members that the role of the Authority is to approve the Statement of Accounts, subject to the results of the scrutiny undertaken by the Audit and Internal Control Panel, and its recommendations.

ORDERED that:

1. the detailed accounting policies as set out in the Statement of Accounts on pages 13 to 18 inclusive to the report, which the Authority had followed in producing these accounts be noted.
2. the analytical review of the accounts, contained with the body of the report and specifically within paragraphs 3.4 to 3.9 to the report, provided to facilitate Member scrutiny of the accounts be noted.
3. the Statement of Accounts be agreed.

9

ANNUAL GOVERNANCE STATEMENT 2008/9

The Assistant Chief Officer Finance and Commissioning (ACO F+C) informed Members that with effect from the financial year 2007/2008 the requirement to produce a Statement on the Systems of Internal Control ceased.

The review of the internal control arrangements now form part of a wider ranging document entitled "Annual Governance Statement". The report tabled, sought Member review of the second Annual Governance Statement to be produced under these arrangements.

Members were informed that the Police Authority Executive on the 11th December 2007 received a report regarding the new arrangements required under the Account and Audit Regulations, and defined proper practices to publish an Annual Governance Statement (AGS). The Executive agreed to build upon the existing arrangements for production of the Statement of Internal Control.

The ACO F+C informed Members that the CIPFA/SOLACE working group had produced a governance framework and subsequently drew up a draft document. The document was an interrelated system that brought together an underlying set of legislative requirements, governance principles and management processes.

ORDERED that:

1. the Annual Governance Statement at Appendix A to the report be approved.

REVISED CODE OF CORPORATE GOVERNANCE

The Strategy & Performance Manager informed Members that the new style Code of Corporate Governance was accepted by the Police Authority at its meeting in December 2007, becoming effective from 1st January 2008.

Members were informed that there would be an annual review of the Code, which would be brought to Members for approval. Since the last update in June 2008 there had been important changes to the working document and therefore it was an opportune time to bring these to the attention of Members and seek approval for their inclusion within the Code.

The Strategy & Performance Manager informed Members that by revising and updating the Code of Corporate Governance, the Police Authority will help ensure that it continues to meet its legal obligations.

ORDERED that:

1. the revised Code of Corporate Governance be agreed.
2. the amendments to the Code of Corporate Governance as outlined in para's 5.1 to 5.6 to the report be noted.

CLEVELAND POLICE AUTHORITY AND THE HUMAN RIGHTS

The Strategy & Performance Manager informed Members of the statutory duty that the police authority had with regard to the Human Rights Act and to propose a monitoring and reporting structure to ensure that the police authority's scrutiny role is properly exercised. The report contained a proposal to have an annual report on human rights compliance from the Chief Constable and for each report to Panels in future to include a section on Human Rights Act Implications.

Members were informed that the Police and Justice Act 2006 (and subsequent Statutory Instrument 2008 No. 82) stated that "police authorities shall monitor the performance of the police force maintained for its area in complying with the duties imposed on that force by the Human Rights Act 1998." Although the duty is mandatory, each police authority can choose how it

carries out monitoring in its particular police area.

The Chief Constable informed Members that he is the national Lead on reducing bureaucracy. Members were informed that accommodation with the Human Rights Act is covered by ongoing compliance with other primary and secondary legislation applied to policing. The Chief Constable stated that because of this, there is a question over the need for this new additional level of reporting.

The Strategy & Performance Manager informed that the Human Rights Act sought to promote equality and to protect the diversity of human culture and interaction. By monitoring compliance with the Act, the Police Authority is supporting its equality and diversity obligations and policies. The aim of the report is to seek compliance with the Human Rights Act through the monitoring of policies and practices.

ORDERED that:

1. all reports to Panels in future, contain a new section entitled "Human Rights Act Implications" to detail any Convention rights (Appendix A) that are directly relevant, together with a brief impact assessment, be agreed.
2. the Force provide an annual report on compliance with the Human Rights Act that included the sections detailed in Appendix B to the report. This to be presented to the Human Resources and Diversity Panel annually be agreed.
3. the Police Authority receive an annual report on the operation of the Independent Custody Visiting process, including details of any human rights issues raised during the last 12 months and details of human rights training provided for Independent Custody Visitors, be agreed.

12

MINUTES OF THE STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL HELD ON 16 FEBRUARY 2009

ORDERED that the following minutes of the Strategic Procurement & Major Projects Panel held on 16 February 2009 were submitted and approved.

STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL

ACTION

A meeting of the Strategic Procurement & Major Projects Panel was held on

Monday 16 February 2009 in the Members Conference Room at Police Headquarters.

PRESENT: Miss Pam Andrews-Mawer (Chair), Mr Mike McGrory JP (Vice Chair), Mr Chris Coombs (ex officio), Mr Aslam Hanif, Councillor Hazel Pearson OBE

OFFICIALS: DCC Bonnard, Mrs Ann Hall, Mrs Jean Hodgkinson, Superintendent Glenn Gudgeon and Miss Kate Rowntree (CC) Mr Joe McCarthy and Mrs Jayne Harpe (CE)

ADDITIONAL MEMBERS Councillor Victor Tumilty, Mr Peter Hadfield, Councillor Ron Lowes.

13 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Dave McLuckie (ex officio), Councillor Barry Coppinger and Mr Ted Cox JP.

14 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

15 **EXCLUSION OF THE PRESS AND PUBLIC**

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

16 **UPDATE OF THE HARTLEPOOL HQ REFURBISHMENT**

The Project Manager updated Members on the Hartlepool Refurbishment Project.

ORDERED that:

1. whilst some changes to the original project had been made, the final results were of a very high standard and costs had been contained from within existing budgets be noted.
2. a full reporting process had been in place throughout with Client/Construction meetings, Stakeholder meeting and Project Boards all held on a monthly basis be noted.
3. the latest Project document attached to this report be noted.

17 **UPDATE OF THE ROAD POLICING UNIT, WYNYARD BUSINESS PARK**

The Project Manager updated Members of progress on the Strategic Road Policing Unit located at Wynyard Business Park.

ORDERED that:

1. the details as shown in the latest Project Board document attached to this report be noted.
2. Members noted that:-
 - Construction work started late September 2008 and was on target to be completed late July 2009;
 - The lease on Cannon Park expires on 24 August 2009 and

- the premises must be vacated by this date;
- The transition to the new premises would start no later than week commencing 3 August 2009 and would aim to be seamless.
- 3. a full reporting process had been in place throughout with Client / Construction meetings and Stakeholder meetings been held on a monthly basis and Project Boards held on a bi-monthly basis be noted.

18

UPDATE ON PROJECT "I"

The Head of Project "I" updated Members on the progress of Project "I".

The project had now entered the formal stage of Competitive Dialogue Process. An update report would be provided to the Authority at each evaluation stage or when required.

ORDERED that:

- 1. the report be noted.

19

MINUTES OF THE COMMUNITY PROTECTION PANEL HELD ON 18 FEBRUARY 2009

ORDERED that the following minutes of the Community Protection Panel held on 18 February 2009 were submitted and approved.

COMMUNITY PROTECTION PANEL

A meeting of the Community Protection Panel was held on Wednesday 18th February 2009 in the Members Conference Room at Police Headquarters.

PRESENT:

Cllr Hazel Pearson OBE (Chairman), Cllr Victor Tumilty (Vice Chair), Mr Ted Cox JP, Mr Mike McGrory JP, Cllr Ron Lowes, Mr Chris Coombs (ex officio), Cllr Paul Kirton, Cllr Steve Wallace and Miss Pam Andrews-Mawer.

OFFICIALS:

Mr John Bage, Mr Norman Wright and Mrs Sarah Wilson (CE)
ACC Sean White, A/ACC Michael Hartnack, Cmdt Ann Shaw and Miss Kate Rowntree (CC).

20

APOLOGIES FOR ABSENCE

Apologies were received from Cllr Dave McLuckie (ex officio), Mr Chris Coombs (ex officio) and Mr Peter Race MBE.

21

DECLARATIONS OF INTERESTS

There were no declarations of interests.

22

MINUTES OF THE PREVIOUS MEETING

The minutes of the Community Protection Panel meeting held on 18 December 2008 were agreed as a true and accurate record.

23

OUTSTANDING RECOMMENDATIONS

ORDERED that:-

1. The outstanding recommendations be noted.

24

PROGRESS ON THE CLEVELAND POLICE SPECIAL CONSTABULARY

The Assistant Chief Constable and the Commandant updated Members on the progress of implementation of the Special Constabulary.

Cleveland currently has 137 serving Special Constables and a further 41 in training due to be attested in March and May 2009. A further 48 will be recruited in the 2009/10 financial year. The core strength for Specials should be in the region of 170 officers – 10% of our regular establishment.

The National Strategy for the Special Constabulary was launched in March 2008. The aim of the strategy is to enable the Special Constabulary to strengthen its position as a valuable part of policing provision and to make best use of Specials to increase force performance.

ORDERED that:-

1. the contents of the report be noted.

25

UPDATE ON THE SEXUAL ASSAULT REFERRAL CENTRE

The Acting Assistant Chief Constable updated Members on the progress of the Sexual Assault Referral Centre (SARC).

The SARC was founded on the basis of best practice recommendations from Her Majesty's Inspectorate of Constabulary (HMIC) and Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI). The purpose of the SARC is to improve the service to victims of rape or sexual assault.

The Centre, based in the North Ormesby Health Village combines bespoke facilities for forensic medical examination and video interview of victims with direct access to crisis support, contraceptive and sexual health advice and signposting to counseling and ongoing support. This is all carried out within a single location, designed to provide a safe and appropriate environment for victims.

The SARC is functioning well and meeting its key objectives in providing an excellent facility for dealing with victims of rape and sexual assault. The SARC has taken advantage of additional Home Office funding to make further improvements to the facility.

ORDERED that:-

1. the contents of the report be noted.

26

PROGRESS ON THE CLEVELAND POLICE VOLUNTEER SCHEME

The Assistant Chief Constable updated Members on the present position

with regard the Cleveland Police Volunteer Scheme.

Volunteers were launched in force in February 2008. The Cleveland Police Volunteer Scheme had been established with the primary aim of getting local communities more closely involved with their police service, and so improving the service we can offer. To date 120 volunteers have attended and completed the Volunteer induction course which comprises of four, three hour sessions.

At the end of January approximately 30 volunteers were in place across the Force and a further 45 are waiting posting – this is in consultation with the Chief Inspectors from Districts. The remaining 45 are still waiting to clear our processes, namely vetting. By the start of the new financial year we would expect at least 90% of our original 120 volunteers to be in post within the organisation.

ORDERED that:-

1. the contents of the report be noted.

27

AUDIT COMMISSION REPORT ON CHILDREN'S TRUST BOARDS

The Consultation and Performance Officer informed Members of the findings of the Audit Commission report 'Are we there yet? Improving governance and resource management in Children's Trusts'.

Members were informed that the Laming Report following the death of Victoria Climbié recommended that services for children and young people should become more integrated. This led to the publication of the Government's Green Paper, Every Child Matters, and the establishment of local children's trusts to bring health and social care of children under one management structure.

Members were informed that the Audit Commission report concluded that there was little evidence of better outcomes for children and young people resulting from the requirement that arrangements are put in place to co-ordinate children's services.

The Audit Commission found that the creation of Children's Trust Board's had not improved the outcomes for children and young people, and that Boards had not developed as much as would have been hoped.

ORDERED that:-

1. the contents of the report be noted.

28

POLICING PLAN AND 3 YEAR STRATEGY

The Acting Assistant Chief Constable presented to Members the final draft of the 2009-12 Local Policing Plan. Members were informed of the work carried out in compiling the Plan so that Members would be in a position to now 'issue' the plan.

Members were informed that under the Police and Justice Act 2006 (section 62B) Cleveland Police Authority shall, every year, issue a policing plan setting out:

- The authority's policing priorities for the policing of its area during that year;
- The proposed arrangements for the policing of Cleveland for the period of three years beginning with that year.
- Policing objectives should be consistent with the strategic priorities determined by the Home Secretary under section 37A of the 1996 Act.

The Local Policing Plan is a key document in communicating the policing priorities, activities and the resources to the public, as well as to Force managers for the forthcoming financial year.

The Local Policing Plan is in effect the action plan for the year ahead. It sets out in an accessible format the process by which we will meet our priorities and objectives allowing the Authority to measure the performance of the Force.

ORDERED that:-

1. the final draft of the 2009-12 Local Policing Plan be issued, subject to minor amendments and the additions of budgetary details, performance targets and outcome results.

29

LOCAL SUSTAINABLE COMMUNITY STRATEGIES

The Strategy and Performance Manager informed Members of the contents of the Sustainable Community Strategies, published by the Local Strategic Partnerships (LSPs) for Hartlepool, Stockton, Middlesbrough and Redcar & Cleveland. A summary of the four documents was attached in appendices A – D to the report.

Members were informed that the police have a key role to play on LSPs, with the District Commander sitting on their local Executive Board and that all local authorities have a statutory duty to work with partner organisations, to produce a Sustainable Community Strategy (Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007). Any document should set out the long-term vision for the local authority area concerned, identifying local priorities for improvement and shaping the future direction and plans of the major public service providers.

The Sustainable Community Strategies for the four boroughs describe the partners' aspirations for community development over the long-term. These documents will form part of the evidence base for the Audit Commission when carrying out the new Comprehensive Area Assessments from April 2009. The report apprised Members of the contents of the latest versions of the Community Safety Strategies as published by the local LSPs.

ORDERED that:-

1. the contents of the report be noted.

30

**MINUTES OF THE POLICE AUTHORITY EXECUTIVE
HELD ON 26 FEBRUARY 2009**

ORDERED that the minutes of the Police Authority Executive held on 26 February 2009 were approved and signed by the

Chair as a true and accurate record.

31

MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 5 MARCH 2009

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on 5 March 2009 were submitted and approved.

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Thursday 5 March 2009 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT

Miss Pam Andrews-Mawer, Councillor Barry Coppinger (Chair), Mr Chris Coombs (ex officio), Mr Ted Cox JP, Mr Peter Hadfield, Mr Aslam Hanif, Mr Alf Illingworth TD JP, Councillor Hazel Pearson OBE, Mr Peter Race MBE and Councillor Steve Wallace (Vice Chair).

OFFICIALS

Mrs Julie Leng and Mrs Clare Hunter (CE)
Mr Derek Bonnard, Mrs Ann Hall and Miss Kate Rowntree (CC).

ADDITIONAL ATTENDEES

Councillor Ron Lowes and Councillor Victor Turnilly

32

APOLOGIES FOR ABSENCE

Apologies for absence were received from, Councillor Dave McLuckie, Mr Joe McCarthy and Mr Bonnard.

33

DECLARATIONS OF INTERESTS

There were no declarations of interests.

34

MINUTES OF THE POLICY & RESOURCES – CORPORATE DEVELOPMENT PANEL HELD ON 5 FEBRUARY 2009

The minutes were agreed as a true and accurate record.

OUTSTANDING RECOMMENDATIONS

ORDERED that:-

1. the Outstanding Recommendations be noted.

35

BUDGET MONITORING REPORT TO 31 JANUARY 2009

The Assistant Chief Officer Finance and Commissioning presented the report. Members had approved a Net Budget Requirement (NBR) of £124,623k and budgeted revenue expenditure of £145,301k, the balance of expenditure being funded by specific grants, other income and transfers from reserves at their meeting on 28 February 2008. This report set out the progress against delivery of that budget and was part of the process introduced by the Authority to maintain prudent financial management.

The Authority was on target to deliver the £750k provision against the cost of a stand alone air support unit in 2009/10. The budget of £300k from the non-recurring costs of the Project I to be set aside from additional savings generated during the year. Project I would run significantly into 2009-10 and therefore Members agreed, at their meeting on 5 February that any money remaining unspent at the end of the 2008-9 financial year, along with any underspends within the ICT revenue budget, would be earmarked for the completion of this project.

Members also approved, at their meeting on 5 February to set up an earmarked reserve totalling £810k for Injury / Medical Requirements budget to be reduced on a non-recurring basis in 2009/10 and 2010/11 contributing to the achievement of a balanced budget in 2009/10 whilst retaining the resilience to make Medical Retirements where appropriate.

The position to date and the year-end forecast were shown at Appendix A to the report and reflected the decisions detailed above and were subject to members approval of the carry forwards requested in 2.2 to the report.

No material risks, other than those mentioned in the report or set out in the Risk Monitor at Appendix D, had been identified to the delivery of the forecast position for 2008/9. Although some pressures were emerging there was currently sufficient resilience in budgets to absorb them in the current year.

ORDERED that:-

1. the contents of the report be noted.
2. the carry forward of budgets totaling £662k to 2009-10 as detailed below be approved:-

Carry Forwards	
	£000s
Dilapidation Costs	200
Neighbourhood Policing Grant	196
Medical/Injury Pensions	170
Devolved Budget Carry Forwards	96
Forecast Outturn	662

CAPITAL MONITORING REPORT TO 31 JANUARY 2009

The Assistant Chief Officer Finance and Commissioning presented the progress against the delivery of the Capital Programme for 2008/09 and the Capital Plan for 2008/11 which Members had approved at their meeting on 28 February 2008.

The report set out the progress made in delivering the Capital Programme for 2008/09 and recommendations to make optimum use of the capital resource available to the Authority to refresh and develop the asset base for policing in the 21st Century in line with the vision of 'Putting People First'.

ORDERED that:-

1. the contents of the report be noted.

2. the addition of Easytask Software at a cost of £12.9k be approved.
3. the adding back to unallocated monies the budget of the following project be approved:-
 - Vehicle Data Recorders - £3k
4. the carry forward to 2009/10 of the following budgets be approved:-
 - Impact Data Preparation - £5.2k
 - Hartlepool upgrade to Voice Over Internet Protocol - £10k
 - Integrated Risk & Performance Management - £20k
 - Criminal Justice Extranet (CJX) Resilience - £12.7k
 - Specialist Vehicle - £15k

37

TREASURY MANAGEMENT TO 31 JANUARY 2009

The Assistant Chief Officer Finance and Commissioning presented the report to Members.

Local Authorities' (including Police Authorities) treasury management activities are prescribed by the Local Government Act 2003. A police authority may borrow or invest for any purpose relevant to its functions, under any enactment, or 'for the purpose of the prudent management of its financial affairs'.

An investment strategy for 2008/09 was agreed by Members at their meeting on 28 February 2008. Due to the unprecedented turbulence of the financial markets, this initial strategy had been updated to enable speed of action when responding to emerging risks to the Authority's investment portfolio. At their meeting on the 30 September 2008, Members resolved to delegate authority to amend the approved List of Counterparties and the investment limits with institutions to the Chief Executive in consultation with the Deputy Section 151 officer. This delegated authority would automatically be withdrawn at 31 March 2009.

This report updated Members on the status of the Authority's investments and borrowing. It was part of the process introduced by the Authority to maintain prudent financial management.

Given the current unprecedented turbulence and uncertainty in financial markets and financial institutions, the protection of the Authority's underlying investments was of utmost importance. The investment strategy that underpins this had recently been reviewed and amended to enable a quick response to changes in market conditions as they take place. Consequently, the Authority continued to manage its cash resources in a low risk yet highly liquid manner.

ORDERED that:-

1. the contents of the report be noted.
2. members were informed that the following recommendation had been agreed at the Police Authority Executive meeting on

the 26 February 2009 and that future Treasury Management reports would reflect this updated position:-

"the period of delegated authority to the Chief Executive in consultation with the Deputy Section 151 Officer, to amend the approved List of Counterparties and the Investment Limits within institutions be extended to 30 September 2009 be agreed".

38

FIRE AND SAFETY UPDATE

The Deputy Chief Constable provided Members with an insight into the position with regard to health and safety within Cleveland Police for the period 1 October 2008 to 31 December 2008 respectively.

ORDERED that:

1. the contents of the report be noted.

39

PENSION CONTRIBUTION RATES

The Deputy Chief Constable presented this report which was a follow up to the report that was submitted to the Policy & Resources / Corporate Development Panel meeting held on 9 July 2008. The report highlighted changes to the Local Government Pension Scheme made on 1 April 2008, specifically in relation to pension contribution rates.

Members agreed that for the financial year 2008/09 pension contribution rates would be allocated on 1 April 2008 and from 1 April 2009 pension contribution rates would be re-allocated whenever pay changes.

The regulations allow an employer to reallocate an employee to a new pension contribution band following a material change in pay. There were three options to consider. The previous paper had highlighted the advantages and disadvantages of each option.

Consideration had been given to all of the available options and the advantages of each.

It was concluded that Option 1 (reallocating every year on 1 April) was the most appropriate option to implement at the present time due to the limitations of the existing payroll system and was the most practical option to adopt.

ORDERED that:-

1. members reconsidered the issues presented and decided upon the method of reallocation pension contribution rates.
2. the implementation of Option 1 with effect from 1 April 2009 and that such changes to pension contribution rates were made on the 1 April every year thereafter be approved.

3. assessment of employees' pensionable pay for all staff within the Force would take place annually on 28 February and any staff who moved from one band to another would be advised accordingly prior to 1 April be approved.

40

RECRUITMENT UPDATE

The Deputy Chief Constable provided performance outturn information regarding recruitment activities carried out by the Force between January 2009 and March 2009.

As part of the Long Term Financial Plan a recruitment plan for 2008/9 was agreed, which resulted in a budgeted vacancy rate of 1% for Police Officers and an increase in PCSO numbers to 197. Both targets were achieved.

This report provided performance outturn information regarding recruitment activities carried out by the Force in quarter 3 2008/9 and projected financial outturns on appropriate budgets. A further work report would be delivered in June 2009 to this Panel.

ORDERED that:-

1. the contents of the report be noted.

41

PROCUREMENT REOPORT FOR 'PENSION ADMINISTRATION SERVICES CONTRACT'

The Assistant Chief Officer Finance and Commissioning presented the report to members.

HBS Business Services (who were acquired by Mouchel in 2008) had provided the Authority with an Administration Service for its Pension Scheme since the Authority came in being.

The contract with Mouchel for Pension administration services was due to expire on 31 March 2009.

The Procurement Department in conjunction with Corporate Finance had completed an options appraisal of this service to ensure that the Authority achieved best value for the services procured via contract.

To ensure business continuity for the Force and to also resume a local partnership arrangement, it was recommended that the Authority enter into a new agreement with Mouchel for the provision of Pension Administration Services for the period 1 April 2009 to 31 March 2012.

The award of a new three year agreement with Mouchel was fully compliant with EU procurement legislation as the pension fund administration service falls under a part B service; therefore a full EU tender was not compulsory.

The new agreement would provide business continuity for the Authority and also offer value for money when compared to national arrangement.

ORDERD that:-

1. the award of a 3 year contract for Pension Administration

Services via an exemption to standing order to Mouchel be approved.

2. the criteria for exemption from the normal requirement to tender set out in Contract Standing Order 4 were satisfied be agreed.
3. the terms were more favourable than those under the national framework agreement, benefiting the Authority by £39.6k be noted.

42

MINUTES OF THE LEADERSHIP PANEL HELD ON 17 MARCH 2009

ORDERED that the following minutes of the Leadership Panel held on 17 March 2009 were submitted and approved.

LEADERSHIP PANEL

A meeting of the Leadership Panel was held on Tuesday 17 March 2009 in the Chair's office at Police Headquarters.

PRESENT:

Miss Pam Andrews-Mawer, Mr Chris Coombs, Cllr Barry Coppinger, Mr Ted Cox JP, Mr Aslam Hanif, Cllr Dave McLuckie (Chair), Cllr Hazel Pearson OBE and Mr Peter Race MBE

43

APOLOGIES FOR ABSENCE

There were no apologies for absence.

44

DECLARATIONS OF INTERESTS

There were no declarations of interests.

45

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act.

46

LEADERSHIP ISSUES

The Chair presented the report to Members of the Leadership Panel.

ORDERED that:-

1. the recommendations be approved.

47

MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON THE 19 MARCH 2009

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on 19 March

2009 were submitted and approved.

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Thursday 19 March 2009 commencing at 9.00 am in the Members Conference Room at Police Headquarters.

PRESENT	Miss Pam Andrews-Mawer, Councillor Barry Coppinger (Chair), Mr Chris Coombs (ex officio), Mr Ted Cox JP, Mr Peter Hadfield, Mr Aslam Hanif, Mr Alf Illingworth TD JP, Cllr Dave McLuckie, Mr Peter Race MBE, and Councillor Steve Wallace (Vice Chair).
OFFICIALS	Mr Joe McCarthy, Mrs Julie Leng and Mr John Bage (CE) Chief Constable Mr Sean Price, T/ACC Dave Pickard, ACO F+C Mrs Ann Hall, Insp Heather Allen and Miss Kate Rowntree (CC).
ADDITIONAL ATTENDEES	Councillor Ron Lowes and Councillor Victor Tumilty

48 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from, Councillor Hazel Pearson OBE..

49 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

50 **EXCLUSION OF THE PRESS AND PUBLIC**

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraph 3 of Part 1 of Schedule 12A to the Act.

51 **PROCUREMENT REPORT FOR THE PROVISION OF HELICOPTER INSURANCE**

The Temporary Assistant Chief Constable informed Members that as of the 1st April 2009, the ownership of the EC135T1 Helicopter will transfer to Cleveland Police Authority. To protect against risk the Authority must ensure that it has adequate insurance to cover operating risk and public liability in relation to the air support unit.

Members were informed that adequate insurance is a key mitigation of the financial risks to the Authority should something adverse occur with the aircraft. The procurement process has been completed in line with European Legislation.

ORDERED that:-

1. the normal requirement to tender be waived because of the specialist nature of this insurance be agreed.
2. the award of the contract to Quotation No 2. be agreed.
3. the contract term of two years to coincide with the delivery of the new aircraft. This insurance is subject to the normal

annual review and renewal processes be agreed.

52

PROCUREMENT REPORT FOR THE PROVISION OF HELICOPTER FUEL AT DURHAM TEES VALLEY AIRPORT

The Temporary Assistant Chief Constable informed Members that as of the 1st April 2009, the ownership of the EC135T1 Helicopter will transfer to Cleveland Police Authority. This aircraft requires Jet A1 fuel to operate.

Cleveland Air Support Unit will be located at Durham Tees Valley Airport and re-fuelling of the EC135T1 will take place at this location.

Cleveland Air Support Unit will operate for the same number of flying hours as the aircraft previously located at Durham Tees Valley Airport, therefore the number of litres purchased in 2008 is a reflective of future purchases. The procurement process has been completed in line with European Legislation

ORDERED that:-

1. the procurement method used, be noted.
2. the award of the contract to Tenderer No 1, be agreed.
3. the contract term of five years with an option to extend annually for a period of four years, maximum contract term of nine years, be agreed.
4. the Police Authority will have the right to terminate its contract with Tenderer 1, should Durham Tees Valley Airport terminate their contract with Tenderer 1, be agreed.

53

MINUTES OF THE POLICE AUTHORITY EXECUTIVE AGM HELD ON 19 MARCH 2009

ORDERED that the minutes of the Police Authority Executive AGM held on 19 March 2009 were approved and signed by the Chair as a true and accurate record.

54

MINUTES OF THE STRATEGIC POLICING & PERFORMANCE PANEL HELD ON 19 MARCH 2009

ORDERED that the following minutes of the Strategic Policing & Performance Panel held on 19 March 2009 were submitted and approved.

STRATEGIC POLICING & PERFORMANCE

A meeting of the Strategic Policing & Performance Panel was held on Thursday 19 March 2009 commencing at 10.30am in the members' conference room at Police Headquarters.

PRESENT

Mr Aslam Hanif (Chair), Mr Alf Illingworth TD JP (Vice Chair), Mr Ted Cox JP, Mr Chris Coombs, Councillor Mary Lanigan Councillor Ron Lowes, Councillor

	Hazel Pearson OBE, Miss Pam Andrews-Mawer and Mr Peter Hadfield.	
OFFICIALS	Mr John Bage and Mr Norman Wright (CE). T/ACC Dave Pickard and Miss Kate Rowntree (CC).	
ADDITIONAL MEMBERS	Councillor Caroline Barker and Councillor Victor Tumilty.	
55	APOLOGIES FOR ABSENCE Apologies for absence were received from Councillor Dave McLuckie (ex officio), Councillor Barry Coppinger, Mr Peter Race MBE (ex officio) and ACC Sean White	
56	DECLARATIONS OF INTERESTS There were no declarations of interests.	
57	MINUTES OF THE STRATEGIC POLICING AND PERFORMANCE PANEL HELD ON 28 JANUARY 2009 The minutes were agreed as a true and accurate record.	Action
58	OUTSTANDING RECOMMENDATIONS ORDERED that:- 1. The Outstanding Recommendations be noted.	
59	FORCE PERFORMANCE REPORT (APRIL 2008 TO JANUARY 2009) A/ACC Pickard informed Members of actual performance from 1 st April 2008 to 31 st January 2009 and includes sections on: <ul style="list-style-type: none"> ▪ Recorded crime ▪ Sanction detections ▪ Incidents ▪ Statutory Performance Indicators ▪ Offences Brought to Justice Members were informed that the performance figures showed that the Force continued to work to make good progress in reducing crime and increasing detections. An improvement in all 13 crime categories had been achieved and the detection rate had improved in 10 of the 13 crime categories. ORDERED that:- 1. the performance be noted.	
60	FORCE PERFORMANCE TARGETS 2009-10 A/ACC Pickard provided Members with an update in relation to the Force target setting process. Members were informed that the recent Policing Green Paper "From the Neighbourhood to the National: Policing our Communities Together" and its response set out the intention to remove all top-down numerical targets set by the Government for the police service. Instead, a single, top-down numerical target, based on the PSA (23) indicator to improve public confidence will be introduced. In light of the proposals, a priority indicator set has been identified against	

which performance improvement targets are proposed. These proposals have been agreed in principle by the Force Executive team, in consultation with key stakeholders who together will work to deliver the required improvements.

ORDERED that:-

1. the report be noted.

61

REVIEW OF CRIME REPORTING AND MANAGEMENT

A/ACC Pickard informed Members on the progress of the Corporate Action Plan arising out of the Operational Performance Team (OPT) review on Crime Recording and Management. This work took place during June 2008.

Following publication of the review the Chief Constable gave an undertaking to manage the implementation of the recommendations. In order to achieve a structured process that ensured timely development of inter-dependent actions, each recommendation was aligned to one of the following business areas:

- Strategic Management
- Crime Management Units
- Communications Centre Management
- Training

Implementation is progressing satisfactorily with key recommendations either completed or approaching finalisation. The goal is to move the Force towards a 'commonsense' approach to crime recording and management whilst retaining integrity and compliance with National Crime Recording Standard (NCRS) and other standards as the foundation of good, ethical performance.

ORDERED that:-

1. the report be noted.

62

ACTIVITY BASED COSTING (ABC): UPDATE ON ABC

A/ACC Pickard updated Members on the position of Activity Analysis (AA) and Activity Based Costing (ABC). ABC was originally developed by ACPO in conjunction with the Home Office as a method of calculating the costs of policing activities or outputs. At the time of launch (2003/04) the vision was that ABC would become a key tool in enabling more efficient use of resources. However, the pragmatic realities of undertaking the model have proved difficult and the effectiveness of ABC as a tool for forces to improve service delivery at a local level has proved elusive.

The Flanagan Review (2008) and Home Office Green Paper (2008) both identified the need to reassess the balance between the effort expended in undertaking the work and the benefits gained from delivering ABC and AA.

The ACPO response to Flanagan and the Home Office has been the development of the Police Objective Analysis (POA). This aims to provide robust financial information; to give a clearer understanding of the costs of policing and how resources are used within the service. The Home Office has accepted POA as an alternative model to ABC.

ORDERED that:-

1. the report be noted.

63

**MINUTES OF THE AUDIT & INTERNAL CONTROL PANEL
HELD ON 26 MARCH 2009**

ORDERED that the following minutes of the Audit & Internal Control Panel held on 26 March 2009 were submitted and approved.

AUDIT AND INTERNAL CONTROL PANEL

ACTION

A meeting of the Audit and Internal Control Panel was held on Thursday 26 March 2009 commencing at 10.00 am in the Members Conference Room, Police Headquarters.

PRESENT

Mr Mike McGrory JP (Chair), Councillor Ron Lowes (Vice Chair), Councillor Caroline Barker, Councillor Victor Tumilty, Councillor Mary Lanigan, Councillor Hazel Pearson OBE, Mr Aslam Hanif, Mr Ted Cox JP, Mr Peter Race MBE (ex officio) and Mr Peter Hadfield.

OFFICIALS

Mr John Bage and Mr Paul Kirkham (CE).
Mrs Ann Hall, Ms Andrea Crinnion and Sgt Anne Marie Salwey (CC).

AUDITORS

Mr Ian Wallace (RSM Bentley Jennison), Ms Catherine Andrew (Audit Commission)

64

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dave McLuckie (ex officio), DCC Derek Bonnard, Mr Chris Coombs, Mr Joe McCarthy

65

DECLARATIONS OF INTERESTS

There were no declarations of interests.

66

MINUTES OF THE PREVIOUS MEETING HELD 22 January 2008

The minutes were agreed as a true and accurate record.

67

OUTSTANDING RECOMMENDATIONS

ORDERED that:-

1. the Outstanding Recommendations were noted.

68

**BUSINESS CONTINUITY PLANNING/DISASTER RECOVERY & RISK
MANAGEMENT UPDATE**

The Head of People & Organisational Development provided Members a progress update on Business Continuity Planning (BCP)/Disaster Recovery (DR) and Risk Management.

The report updated Members on the progress to implement a Service Continuity System within the Force structure and aligning it with the Risk Register. This was linked to the Service Continuity Framework Document developed by the Head of Governance as supported by the Executive.

Members were informed that the delivery of the updated Risk Register and robust BCP/DR plans is a key to enabling the long term sustainable future of the Force. Progress to date is pleasing and with the re-alignment of Risk and BCP/DR already undertaken in Q3 and Q4 of 2009/10. A sound platform for the delivery of these plans will continue to be maintained.

ORDERED that:-

1. the contents of the report and progress to date be noted.

69

THE ANNUAL GOVERNANCE STATEMENT 2008-2009 – SOURCES OF ASSURANCE

The Executive Accountant informed Members that the report was intended for the Audit and Internal Control Panel to review and comment on the Sources of Assurance as part of the process of establishing the assurance framework in support of the Annual Governance Statement.

Members were informed that as part of the framework for preparing the Annual Governance Statement the "PURE & Annual Governance Statement Group" (PURE & AGS Group) had identified through its work, the Sources of Assurance which underpin the provision of assurance on the adequacy and effectiveness of controls over key risks.

The Executive Accountant informed Members that the report is focused on organisational health and governance issues which if not addressed represent risks to the reputations of the Police Authority and the Force. The report represented the progression of advice in the CIPFA – Rough Guide to the AGS.

ORDERED that:-

1. the Sources of Assurance be agreed.

70

ANNUAL GOVERNANCE STATEMENT

The Executive Accountant informed Members that Authorities, including Police Authorities, are required to prepare an Annual Governance Statement. Though the statement is published within the Annual Statement of Accounts, it should be considered and agreed as a separate document as it is about all corporate controls and not confined to financial issues. Guidance from CIPFA envisages that the statement is reviewed by a Member group during the year (rather than just at year end) as an integral and indeed critical component of the review process.

Members were informed that the purpose of the report is firstly to update the panel on progress against significant governance issues, and the action

points for improvement, identified in the 2007/2008 Statement (approved by the Police Authority Executive on the 5th June 2008). Secondly it sets out an initial draft of the 2008/2009 AGS.

The Executive Accountant informed Members that the Annual Governance Statement process is to provide a continuous review of the effectiveness of an organisation's governance arrangements including internal control and risk management systems. The report is intended to give assurance on their effectiveness or otherwise leading to an action plan to address identified weaknesses.

ORDERED that:-

1. the current progress against the significant governance issues and action points for 2008/2009 identified in the 2007/2008 Annual Governance Statement be noted.
2. the current draft of the Annual Governance Statement 2008/2009 be noted.

71

REVISED CONTRACT STANDING ORDERS

The Executive Accountant informed Members that the review of contract standing orders which commenced early last year has been given greater emphasis by the Transformation of Procurement Project currently being carried out by Redcap on behalf of the Force, and the need to provide a completely new set of Contract standing Orders to facilitate implementation of a step change in procurement practices.

Members were informed that governance arrangements are the subject of an ongoing and sustained review. Work on contract standing orders commenced last year. This included a briefing and consultation session with all members of the Police Authority on the 5th February 2008.

The Executive Accountant informed members that given the nature and scale of change Internal Audit has been consulted on a draft of these standing orders. There has been no adverse commentary on that draft. It has been agreed in principle with the Head of Internal Audit that there will be an audit of the application of these new Contract Standing Orders approximately a year after they are implemented.

ORDERED that:-

1. the proposed new Contract Standing Orders as set out at Appendix A of the report be agreed.
2. the Chief Executive, in consultation with the Chair and Vice Chair of the Audit & Internal Control Panel decide the implementation date be agreed.
3. a review of their application be undertaken by the Head of Internal Audit in 2010/2011 be agreed.

72

AUDIT & INTERNAL CONTROL PANEL SELF ASSESSMENT ACTION PLAN

The Executive Accountant informed Members that as part of the continuous process of development and improvement of the Police Authority the Chief Executive and the Chair of the Panel commissioned a self assessment of the Audit & Internal Control Panel.

Members were informed that following two workshop sessions for Members, on the 28th October and 5th November 2008, and an analysis of the self assessment questionnaires completed by all of the members of the panel, an Action Plan intended to address areas for improvement had been developed. This was attached at Appendix A to the report.

The Executive Accountant informed Members that the financial consequences of the action plan are included in the budgets of the Authority and those of the Force. The self assessment process had proven to be useful to Members and Officers alike in developing the role and effectiveness of the Panel.

ORDERED that:-

1. the progress against the approved Action Plan be noted.

73

RISK MANAGEMENT REPORT

The Executive Accountant informed Members the 2007 CIPFA/APA guidance for police authorities "Delivering Good Governance in Local Government Framework" recommended that an effective risk management system be put in place and that decisions be subject to effective scrutiny and the management of risk. It further recommended that the authority should ensure that risk management is embedded into the culture of the organization; with Members and managers at all levels recognising that risk management is part of their job.

Members were informed that the ability to identify and manage its risks will enhance the Authority's capability to promote the openness and accountability, promote corporate governance and performance improvement. The report is part of an ongoing process within both Force and Authority to embed risk management in every aspect of the business.

ORDERED that:-

1. the Police Authority Risk Register as detailed in Appendix 1. Item PA7, the replacement of police HQ, has been reinstated because expressions of interest in the HQ site are currently being sought be agreed.
2. the Risk Register Analysis - Appendix 2 to the report be noted
3. the draft Action Plan - Appendix 3 to the report be noted.

74

CONTRACT STANDING ORDER NO. 4 – EXEMPTION FROM THE NORMAL REQUIREMENT TO TENDER.

The Assistant Chief Officer Finance & Commissioning informed Members that Standing Orders paragraph 4.3c states that "Every authorised exemption shall be reported to the Authority via the appropriate Panel, and shall be recorded in the minutes of the Authority." The report covered exemption

requests for the period October to December 2008.

Members were informed that in compliance with Contract Standing Orders it had been the practice to report quarterly every circumstance where it appears that the normal requirement to tender has not been followed.

The details of the exemption requests attached at Appendix A to the report not only comply with the methodology approved by Members but represent the Force's ongoing commitment to greater efficiency and effectiveness.

ORDERED that:-

1. the exemptions in Appendix A to the report which satisfy the criteria for exemption from the normal requirement to tender set out in Contract Standing Order 4 be noted.
2. those items outside of the Police Authority Exemption Reasons were discussed in detail and approved, be noted.

75

DRAFT AUDIT AND INSPECTION PLAN

The District Auditor verbally updated Members that a report on future work would shortly be sent to Chair of the Audit & Internal Control Panel, the Chief Executive and the Assistant Chief Officer Finance & Commissioning for consideration.

ORDERED that:-

1. the verbal update be noted.

76

STRATEGY FOR INTERNAL AUDIT – INITIAL PROPOSAL

The Internal Auditor informed Members that the purpose of internal audit is to provide the Authority, through the Audit Panel, with an independent and objective opinion on risk management, control and governance and their effectiveness in achieving the organisation's agreed objectives. This opinion forms part of the framework of assurances that the Authority receives and should be used to help inform the annual Statement on Internal Control.

Members were informed that in 2008/2009 the Internal Auditors undertook a risk maturity thematic review of the Police Authority. For the Police Authority the Internal Auditors used the days allocated to risk management to assist in providing training to Service Unit Managers and Members.

In 2009/10 the Internal Auditors proposed to complete the risk maturity review and provide the Authority with a report highlighting areas of best practice that they will identify and map where the Authority is in relation to risk maturity in comparison with their wider client base.

ORDERED that:-

1. the report be noted.

77

INTERNAL AUDIT PROGRESS REPORT

Members were informed that the periodic Internal Audit plan for 2008/09 was approved by the Audit & Internal Control Panel on 28 May 2008. The report summarised the outcome of work completed to date against that plan, and at Appendix A to the report provided cumulative data in support of internal audit performance.

The Internal Auditor informed Members that regular liaison meetings were held with the Authority and the Force to discuss developments within the organisation and the scoping of individual audits. A meeting had been held with the Audit Commission and access to files had been provided.

ORDERED that:-

1. the report be noted.

78

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the local Government Act 1972, the press and public be excluded from the meeting under Paragraph 3 of Part 1 of Schedule 12A to the Act.

SUCCESSION PLAN

The Internal Auditor informed Members that an audit of Succession Planning had been undertaken as part of the approved internal audit periodic plan for 2008/09.

Members were informed that Succession Planning is a critical activity in business continuity management to ensure the Force have a suitable process by which one or more successors are identified to replace business critical roles. As such the Force's Corporate Risk Register was updated in March 2006 to include Succession Planning & Talent Management and was rated as the Forces highest current risk.

ORDERED that:-

1. the report be noted.

79

MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 9 APRIL 2009

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on 9 April 2009 were submitted and approved.

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Thursday 9 April 2009 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT

Miss Pam Andrews-Mawer, Councillor Barry Coppinger (Chair), Mr Peter Hadfield, Mr Alf Illingworth TD JP, Councillor Hazel Pearson OBE, Mr Aslam Hanif, and Councillor Steve Wallace (Vice Chair).

OFFICIALS Mr John Bage (CE)
Mr Derek Bonnard, Mrs Ann Hall, Mr Dave Beswick and Miss Kate Rowntree (CC).

ADDITIONAL ATTENDEES Councillor Ron Lowes and Councillor Victor Tumilty

80 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Mr Peter Race MBE (ex officio), Mr Chris Coombs, Mr Ted Cox JP, Mr Sean Price, and Mr Joe McCarthy.

81 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

Action

82 **MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 5 MARCH 2009**

The minutes were agreed as a true and accurate record.

83 **MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 19 MARCH 2009**

The minutes were agreed as a true and accurate record.

84 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

2. the Outstanding Recommendations be noted.

85 **BUDGET MONITORING REPORT TO 28 FEBRUARY 2009**

The Assistant Chief Officer Finance and Commissioning presented the report. Members had approved a Net Budget Requirement (NBR) of £124,623k and budgeted revenue expenditure of £145,301k, the balance of expenditure being funded by specific grants, other income and transfers from reserves. The report set out the progress against delivery of that budget and was part of the process introduced by the Authority to maintain prudent financial management.

The Authority is on target to deliver the £750k provision against the cost of a stand alone air support unit in 2009/10 and the agreed budget of £300k from the non-recurring costs of the exploratory procurement exercise for ICT services, which is to be set aside from additional savings generated during the year.

Members were informed that Project I will run significantly into 2009-10 and Members agreed at their meeting on 5th February 2009 that any money remaining unspent at the end of the 2008-9 financial year, along with any under spends within the ICT revenue budget, would be earmarked for the completion of this project.

Members also approved at their meeting on 5th February 2009 to set up an earmarked reserve totaling £810k for Injury/Medical Retirements. This had

enabled the Medical Retirements budget to be reduced on a non-recurring basis in 2009/10 and 2010/11 contributing to the achievement of a balanced budget in 2009/10 whilst retaining the resilience to make Medical Retirements when appropriate.

Members were informed that at their meeting on the 5th March 2009, members approved the requested carry forwards of £662k be earmarked for use in 2009-10.

The position to date and the break-even year-end forecast shown at Appendix A reflect the position to date. No material risks other than those mentioned in the report or set out in the Risk Monitor at Appendix D had been identified for the delivery of the forecast position for 2008/09. Although some pressures have emerged there are currently sufficient resilience in budgets to absorb them in the current year.

ORDERED that:-

3. the contents of the report be noted.

86

CAPITAL MONITORING REPORT TO 28 FEBRUARY 2009

The Assistant Chief Officer Finance and Commissioning presented the progress against the delivery of the Capital Programme for 2008/09 and the Capital Plan for 2008/11 which Members had approved at their meeting on 28 February 2008. This included both new schemes; schemes brought forward from 2007/08 and unallocated funding. Members were asked to consider two changes to the programme.

Procurement of a Vetting Computer System at a cost of £15.0k In recent years, the vetting process had become more high profile with increasing demands. The process currently relies on a heavily paper-based system, the introduction of this software solution will result in a more consistent and efficient process. Funding for this system would come from the revenue budget within the Professional Standards Unit.

The second element would be the adding back of £13.1k of the Communication Service Provider – Secure Information Software budget, due to the forecast completion of the project, under budget.

The report set out the progress made in delivering the Capital Programme for 2008/09 and recommendations to make optimum use of the capital resource available to the Authority to refresh and develop the asset base for policing in the 21st Century in line with the vision of 'Putting People First'.

ORDERED that:-

5. the contents of the report be noted.
6. the additional procurement of a Vetting Computer System with a budget of £15k to be covered by a revenue transfer be agreed.
7. the adding back to unallocated monies the budget of the following project: Communication Service Provider – Secure Information Software - £13.1k be agreed.

TREASURY MANAGEMENT TO 28 FEBRUARY 2009

The Assistant Chief Officer Finance and Commissioning presented the report to Members.

Local Authorities' (including Police Authorities) treasury management activities are prescribed by the Local Government Act 2003. Essentially a police authority may borrow or invest for any purpose relevant to its functions, under any enactment, or 'for the purpose of the prudent management of its financial affairs'.

An investment strategy for 2008/09 was agreed by Members at their meeting on 28 February 2008. Due to the unprecedented turbulence of the financial markets, this initial strategy had been updated to enable speed of action when responding to emerging risks to the Authority's investment portfolio. At their meeting on the 30 September 2008, Members resolved to delegate authority to amend the approved List of Counterparties and the investment limits with institutions to the Chief Executive in consultation with the Deputy Section 151 officer. This delegated authority would automatically be withdrawn at 31 March 2009. At their meeting on 26th February 2009, Members agreed to extend this period of delegated authority to 30th September 2009.

The report updated Members on the status of the Authority's investments and borrowing. It is part of the process introduced by the Authority to maintain prudent financial management.

Members were informed that given the current unprecedented turbulence and uncertainty in financial markets and financial institutions, the protection of the Authority's underlying investments is of utmost importance. The investment strategy that underpins this has recently been reviewed and amended to enable a quick response to changes in market conditions as they take place. Consequently, the Authority continues to manage its cash resources in a low risk yet highly liquid manner.

ORDERED that:-

3. the contents of the report be noted.

MICROSOFT ENTERPRISE AGREEMENT

The Deputy Chief Constable informed Members of the requirement to refresh the Microsoft software estate and to seek approval to renew the Enterprise Agreement.

Following the launch of the national Information Systems Improvement Strategy (ISIS), Project I was set up to look at how ICT services are delivered to officers and staff, and to evaluate how the Force would meet the challenges of delivering ISIS.

Members were informed that as a result of Project I all ICT schemes have been deferred. As part of the 2009/10 Capital Programme & Long Term Capital Plan 2010/13 Members agreed that ICT schemes will now be reviewed and risk assessed and only taken forward if deemed critical to the continuation of the service or to meet mandatory requirements such as IMPACT.

The Authority did not renew the last Enterprise Agreement (EA) with Microsoft when it came to an end in June 2005. Microsoft products are a key element of the IT infrastructure. They support many business processes such as personal productivity (word processing, spreadsheets, e-mail and calendar), collaborative working via Sharepoint and also underpin major system such as IRIS, TPAM and intranet briefing.

There is a need to commence the upgrade to these products in 2009/10 in order to maintain an up to date infrastructure and more critically to maintain support from 3rd party suppliers.

The most cost effective way for the Authority to refresh the entire estate of desktop Microsoft software was to enter an Enterprise Agreement (EA). An EA entitles an organisation to upgrade to the latest versions of products at no cost for the period of the agreement (3 years).

There is an urgent need to upgrade to the latest version of Microsoft products to enable continued support for operational systems. In addition, the Force needed to migrate to the up to date versions of products to keep in step with other organisations and take advantage of new capabilities.

ORDERED that:-

1. the application for capital funds for a 3 year Enterprise Agreement with Microsoft for the licensing of desktop software be agreed.

89 **USE OF RESOURCES ASSESSMENT**

This item was deferred to the next meeting.

90 **MINUTES OF THE COMMUNITY PROTECTION PANEL
HELD ON 22 APRIL 2009**

ORDERED that the following minutes of the Community Protection held on 22 April 2009 were submitted and approved.

COMMUNITY PROTECTION PANEL

A meeting of the Community Protection Panel was held on Wednesday 22 April 2009 in the Members Conference Room at Police Headquarters.

PRESENT: Cllr Hazel Pearson OBE (Chairman), Cllr Victor Tumilty (Vice Chair), Mr Ted Cox JP, Mr Mike McGrory JP, Cllr Ron Lowes.

OFFICIALS: Mr John Bage and Mrs Sarah Wilson (CE)
ACC Sean White, T/ACC Dave Pickard and Miss Kate Rowntree (CC).

91 **APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Dave McLuckie (ex officio), Mr Chris Coombs Cllr Paul Kirton, Miss Pam Andrews-Mawer and Mr Peter Race MBE (ex officio).

92 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

93 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the Community Protection Panel meeting held on 18 February 2009 were agreed as a true and accurate record.

94 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

2. The outstanding recommendations be noted.

95 **2009/10 LOCAL POLICING SUMMARY**

Members were informed that the Serious Organised Crime and Police Act 2005 set out the requirement for police authorities to prepare local policing information, on matters relating to the policing of the area for the year and is referred to as the Local Policing Summary.

It is planned that the 2009/10 Local Policing Summaries will be distributed to households in the six weeks following delivery to a distribution company on 1st July 2009. Electronic copies will be added to the Cleveland Police and the Police Authority websites.

The production of the local policing summary highlights some of the policing activities and areas of interest for the public. It supports the implementation and development of our citizen focus activities and helps to drive forward the vision of the Force and Authority.

ORDERED that:

1. Members considered and approved the proposal and schedule included within the report, be noted.
2. Members approved the content, format and style of the 2009/10 local policing summaries, be noted.

96 **JOINT FORCE AND AUTHORITY CONSULTATION STRATEGY**

The Assistant Chief Constable (Territorial) informed Members that the original Joint Consultation Strategy was approved by this Panel in March 2008. This replaced previous separate Force and Authority policies.

Members were informed that the Joint Consultation Strategy has been updated to take account of the citizen focus agenda, the new joint neighbourhood survey and the recently established programme of education activity in schools regarding stop and search. The Joint Consultation Strategy remains aligned and complementary to the Communications Strategy.

ORDERED that:

1. Members agreed the revised Joint Consultation Strategy, be noted.

HATE CRIME UPDATE

The Temporary Assistant Chief Constable (Crime Operations) provided Members with an overview of the Force's current response to incidents of Hate Crime.

Members were informed that the Diversity Unit had been successful in their bid to become a pilot site for the new Equality Standards for Policing, and will work with NPIA on the implementation of the new standards which incorporate hate crime. This will put Cleveland Police in the best possible position for the HMIC Work Force Inspection in 2010 as outlined in the recent Green paper.

Hate Crime and Incidents are key concerns and a continuing focus needs to be maintained. The response to such a problem calls for improved confidence in communicating with the Police and improved initial police intervention together with longer-term solutions involving partner agencies.

ORDERED that:

- 1 the contents of the report be noted.

DOMESTIC ABUSE UPDATE

The Temporary Assistant Chief Constable (Crime Operations) updated Members on the current work being undertaken across the Force to tackle domestic abuse.

Members were informed that each District has a domestic abuse unit within the Neighbourhood Safety Team. The unit is responsible for a daily review of all incidents of domestic abuse.

The unit has the role of conducting a risk assessment in relation to each incident and putting in place further protective measures according to the level of risk.

Domestic abuse is a key area of work for the Force and forms part of mainstream policing activity. The incidence of reported domestic abuse had increased since the last report although it should be noted that increased reporting in this area can reflect increased confidence in the police.

The Force has recognised the importance of domestic abuse and initiated a review of current structures. This will be reported to Members when complete.

ORDERED that:

- 1 the contents of the report be noted.

STOP AND SEARCH

The Assistant Chief Constable (Territorial) presented Members with the latest statistics on stop and search by ethnicity and the reason for stop and search.

Members were informed that the Cleveland Police policy on stop and search

was agreed in December 2007 setting out the responsibilities of officers and staff in relation to stop and search powers. This policy will be the subject of an annual review.

The policy sets out a framework for the effective management of stop and search to:

- Reduce the fear of crime
- Promote trust and confidence in the police by providing transparency and accountability, for police initiated stop and search encounters
- Increase trust and confidence within the community.

Members were informed that encounters between police officers and the public range from a general conversation to detention and arrest. The continuum of activity is:

- conversational encounter
- stop and account
- stop and search
- arrest

During the period October 2008 to March 2009 the Force carried out 6363 stop and searches, of which 96.1% were white and 2.4% were of a visible minority ethnic (VME) origin. Of those stopped and subsequently arrested, 95% were white and 3.4% were of VME origin.

ORDERED that:

- 1 the contents of the report be noted.

100

COMMUNICATIONS STRATEGY 2009

The Consultation and Performance Officer informed Members that the original Communications Strategy was approved by the Community Protection Panel in April 2007. Members were informed that it was designed to describe the required standards for police authority communications and to improve stakeholder and public awareness of the police authority.

The Communications Strategy has been revised to take account of the new national focus on public confidence measures for policing and remains aligned and complementary to the (Joint) Consultation Strategy.

ORDERED that:

- 1 the revised Communications Strategy at Appendix A to the report be agreed.

YOUNG PERSONS POLICING PLAN 2008/2009 CONSULTATION REPORT.

The Police Act 1996 clearly sets out the statutory duty placed upon police authorities to 'consult with those in that policing area, about the policing of that area.' This is one of the authority's core activities. Throughout the year Cleveland Police Authority consulted with a wide range of groups and individuals from communities across the Cleveland Police area.

Cleveland Police Authority had commissioned a young people's version of

the policing plan summary since 2007, which had attained national recognition for its engagement with young people. The youth proofing service is provided by the "Just4Youth" organisation, a community organisation that engages with young people in our policing area.

The project has again been a great success, with a greatly increased response to the consultation exercise. Criminal damage is an increasing concern for young people in Cleveland, and teenagers hanging around the streets remains the key anti-social behaviour priority.

ORDERED that:

- 1 the results of the consultation exercise be noted.
- 2 the continued engagement of the "Just4Youth" organisation to 'youth proof' the policing plan summary for 2009/10 be agreed.

101

CLEVELAND POLICE CADET PROGRAMME UPDATE

The Temporary Assistant Chief Constable (Crime Operations) informed Members that the aim of the Cadets programme is to provide an inclusive youth scheme with a focus on diversion and re-engagement for young people across Cleveland.

The first phase of the scheme has been met, within agreed time frames, with the delivery of the programme beginning week commencing 9th March 2009.

There are currently 76 cadets on the programme in the age range 14-17 years old. One third of the cadets are from wards indicated nationally as the most deprived 10%.

ORDERED that:

- 1 the contents of the report be noted.

102

MINUTES OF THE COMPLAINTS PANEL HELD ON 29 APRIL 2009

ORDERED that the following minutes of the Complaints Panel held on 29 April 2009 were submitted and approved.

	COMPLAINTS PANEL	ACTION
	A meeting of the Complaints Panel was held on Wednesday 29 April 2009 in the Members Conference Room at Police Headquarters.	
PRESENT:	Mr Ted Cox JP (Chair), Cllr Mary Lanigan (Vice Chair), Cllr Caroline Barker, Mr Aslam Hanif and Mr Mike McGrory JP.	
OFFICIALS:	T/Supt Darren Best, DCC Bonnard and Mrs Jacqueline Chaffey (CC) Mrs Jayne Harpe (CE)	
ADDITIONAL MEMBERS	Cllr Victor Tumilty.	

103 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Dave McLuckie (ex officio), Mr Peter Race MBE (ex officio), Mrs Joanne Monkman, Cllr Paul Kirton and Cllr Ron Lowes.

104 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

105 **OUTSTANDING RECOMMENDATIONS**

The Grievance Procedure was being looked at in light of a recent Employment Tribunal result. A full report would be brought to a future Complaints Panel meeting.

106 **CIVIL CLAIM STATISTICS**

The Legal Advisor presented the Civil Claim Statistics for the period 1st April 2008 – 31st March 2009. The Panel was informed of the number and types of civil claims against the Force received during that period, the amount paid out for those claims finalised during the period and the amount recovered. The report also detailed a comparison between the Basic Command Units.

ORDERED that:

1. Members noted there had been a 3.03% increase in the number of claims received when compared with the same period last year. Public liability was the leading category.
2. There had been a 12.08% decrease in the number of claims finalised when compared with the same period last year.
3. 20% of finalised cases during the period were successfully defended which was to be compared with 13.18% successfully defended during the same period last year.
4. The 64 cases settled during the period cost the Force £305,510. This was to be compared with the 79 cases settled during the same period last year at a cost of £308,483.
5. Middlesbrough remained the area with most claims.
6. The contents of the report be noted.

Whilst Legal Services had no control over the number of claims received, feedback was provided on a case by case basis to ensure assistance was given to Basic Command Units in managing risks.

107 **COMPLAINTS AGAINST POLICE**

The Head of Professional Standards Department presented the Complaints Against Police for the period 1st January 2009 to 31st March 2009. The Quarterly Progress Report on Complaint Issues for Cleveland Police for the

period January to March 2009 was attached to the report.

There had been a 4% decrease in the number of cases recorded during that period (113 to 108), with a 6% increase in the number of complaints (up from 204 to 214).

Complaints of "other neglect/failure in duty" and "Incivility" continued to outnumber those of "Assault" allegations, 62 and 31 complaints respectively, compared to 26 in the "Assault" categories.

32.7% (35) of completed complaints had been locally resolved. During that period 60% (21) of locally resolved complaints had been by District and 40% (14) by the Professional Standards Department.

There was a discussion regarding the percentage of complaints by Ethnic Minority groups as opposed to the percentage of the population.

145 letters of appreciation had been received.

ORDERED that:

1. The contents of the report be noted.

108

DELIBERATE DAMAGE STATISTICS

The Head of Professional Standards Department informed Members of the cost to the Force of deliberate damage by way of forced entry into premises for the period 1st January 2009 to 31st March 2009 and of the operational results achieved through such forced entry and other premises searches.

Members were informed that the Force had paid out £13,028 in compensation for acts of deliberate damage, this compared to £7,987 paid out in the same period during the previous year. Whilst 3226 searches were conducted, only 283 (8.77%) resulted in deliberate damage compared to 7.6% in the previous year. The value of property, cash and drugs seized totaled £720,429 and this compared to £783,689 seized during the same period in 2008.

ORDERED that:

1. The contents of the report be noted.
2. The operational benefits accruing to the Force in terms of property, drugs and cash seized, outweigh the cost of the damage claims be noted.
3. Report to be revised – a refined draft proposal for future meetings would be brought to the next meeting.

109

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the local Government Act 1972, excluding the press and public from the meeting under Paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

110

CASES FROM THE COMPLAINTS REGISTER

Members of the Complaints Panel were shown the cases from the Complaints Register which had previously been selected by the Panel Chair.

111

MINUTES OF THE STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL HELD ON 1 MAY 2009

ORDERED that the following minutes of the Strategic Procurement & Major Projects Panel were submitted and approved.

STRATEGIC PROCUREMENT & MAJOR PROJECTS PANEL

ACTION

A meeting of the Strategic Procurement & Major Projects Panel was held on Friday 1 May 2009 in the Members Conference Room at Police Headquarters.

PRESENT:

Miss Pam Andrews-Mawer (Chair), Mr Mike McGrory JP (Vice Chair), Cllr Dave McLuckie (ex officio), Mr Aslam Hanif, Councillor Hazel Pearson OBE, Cllr Barry Coppinger.

OFFICIALS:

Chief Constable, DCC Bonnard, Mrs Ann Hall, Superintendent Glenn Gudgeon and PC Steve Matthews (Federation) (CC)
Mr Joe McCarthy, Mrs Jayne Harpe and Mr Rob Beattie (Enterprise Consultancy) (CE)

ADDITIONAL MEMBERS

Cllr Victor Tumilty and Mr Alf Illingworth.

112

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Peter Race MBE (ex officio).

113

DECLARATIONS OF INTERESTS

There were no declarations of interests.

114

MINUTES OF THE LAST MEETING 16 FEBRUARY 2009

The minutes were agreed as a true record.

115

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

116

PROJECT "I" – SHORTLISTING OF POTENTIAL PARTNERS

The Deputy Chief Constable updated Members on the progress of Project "I" and the procurement process.

4 from the 7 Long Listed candidates were chosen to go through to the Invitation to Participate in Dialogue (ITPD). Once the candidates were Invited to Participate in Dialogue they were officially classed as Bidders. On 18 May 2009 they would commence six weeks of on site due diligence at Cleveland Police Headquarters. This was the stage where they would

develop their detailed proposals for Cleveland Police and where both Cleveland Police and the Bidders began to invest significant time and resource.

The procurement process has been completed in line with European Legislation and has been open and transparent with all Bidders.

ORDERED that:

2. the report be noted.
3. the following four of the seven candidates who completed the Short Listing Proposals were invited through to the next stage of the competitive dialogue process:
 - Candidate 3
 - Candidate 4
 - Candidate 5
 - Candidate 7

117

UPDATE OF THE ROAD POLICING UNIT, WYNYARD BUSINESS PARK

The Assistant Chief Officer for Finance and Commissioning updated Members on the progress in the Strategic Road Policing Unit located at Wynyard Business Park.

The Project was on target both budget and time wise.

ORDERED that:

1. the report be noted.

118

MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 7 MAY 2009

ORDERED that the following minutes of the Policy & Resources / Corporate Development Panel held on 7 May 2009 were submitted and agreed

POLICY & RESOURCES / CORPORATE DEVELOPMENT

A meeting of the Policy & Resources / Corporate Development Panel was held on Thursday 7 May 2009 commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT

Miss Pam Andrews-Mawer, Councillor Barry Coppinger (Chair), Mr Peter Hadfield, Mr Alf Illingworth TD JP, Councillor Hazel Pearson OBE, Mr Aslam Hanif, Councillor Steve Wallace (Vice Chair), Mr Peter Race MBE (ex officio), and Mr Chris Coombs

OFFICIALS

Ms Clare Hunter, Mr Norman Wright and Mr John Bage (CE)
Mr Sean Price, Mr Derek Bonnard, Mrs Ann Hall, and Miss Kate Rowntree (CC).

**ADDITIONAL
ATTENDEES**

Councillor Ron Lowes, Councillor Victor Tumilty, Mr Mike McGrory JP, and Ms Cath Andrew (AC)

119 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Mr Ted Cox JP, and Mr Joe McCarthy.

120 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

Action

121 **MINUTES OF THE POLICY & RESOURCES / CORPORATE DEVELOPMENT PANEL HELD ON 9 April 2009**

The minutes were agreed as a true and accurate record.

The Chair brought the Use of Resources Report forward.

122 **USE OF RESOURCES ASSESSMENT**

The Audit Commission informed Members that the use of resources (UoR) assessment considers how well organisations are managing and using their resources to deliver value for money and better and sustainable outcomes for local people. Value for money runs throughout the streams.

The assessment is structured into three themes that focus on the importance of sound and strategic financial management, strategic commissioning and good governance, and the effective management of natural resources, assets and people.

ORDERED that:

1. the report be noted.

123 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

3. the Outstanding Recommendations be noted.

124 **UPDATE ON CLEVELAND POLICE AUTHORITY SERVICE IMPROVEMENT PLAN**

The Strategy and Performance Manager informed Members that they approved the first Cleveland Police Authority Service Improvement Plan in 2006. Since then the Plan had undergone 6-monthly updates.

Members were informed that the Plan was reviewed in the light of recommendations for service improvements emanating from strategic assessments, inspections, audits and reviews of the police authority and force. The latest revision took account of significant matters identified in several pieces of work including, the Audit & Internal Control Panel self assessment action Plan (Nov 2008) ; the Annual Governance Statement preparation; and the initial gap analysis following the scoping exercise for the HMIC/Audit Commission inspection of the Police Authority, which is to take place during 2009/10.

The service improvement planning process provides Members with assurance that the recommendations of audits, inspections and reviews are

being progressed in a systematic and timely manner.

ORDERED that:

1. the 8 service improvement areas and key deliverables included within section 3 of the revised Service Improvement Plan 2009-12 be agreed.
2. the strategic objectives that are appended to the Service Improvement Plan be agreed.
3. the equal pay audit item (old PA8) had been removed and the matter consolidated within the Single Equality Scheme action plan be noted.
4. the obsolete detail had been removed, completed tasks had been highlighted in blue text, and some new tasks had been included be noted.

125

FIRE AND HEALTH & SAFETY UPDATE

The Deputy Chief Constable provided Members with an annual report with regard to health and safety and fire safety within Cleveland Police for the period 1st April 2008 to 31st March 2009 respectively.

Members were informed that the prevention of injury and damage/loss to property and equipment is an essential element of proactive corporate governance and a reflection of safe working and risk management.

The Deputy Chief Constable informed Members that they will continue to receive updates at subsequent Policy & Resources / Corporate Development Panel meetings.

ORDERED that:

1. the report be noted

126

FLEXIBLE RETIREMENTS – POLICE STAFF

The Deputy Chief Constable informed Members that the Force has received a request for flexible retirement from a member of staff who wishes to commence flexible retirement as soon as possible.

Members were informed that Flexible Retirement was introduced into the Local Government Pension Scheme in April 2006 as a discretionary provision which allows employees, with the employer's consent, to reduce their hours or move to a lower graded position and withdraw the pension benefits already accrued. Employees can also continue to pay into the LGPS under flexible retirement in order to accrue further benefits.

The Deputy Chief Constable informed Members that Cleveland Police's statement of policy in relation to Flexible Retirement is as follows:
Applications will be approved only where there are operational and financial grounds for doing so. Cleveland Police will only agree to waive any reduction to benefits if there is a clear operational and/or financial advantage to Cleveland Police. Cleveland Police must also have the ability to fund costs.

It is recommended that the Police Authority consider this application for flexible retirement. However, due to the cost and the lack of efficiency savings the application is not supported by the Force.

ORDERED that:

1. the request be considered.
2. the request be not approved.

127

STRUCTURAL CHANGES IN PROFESSIONAL STANDARDS, CORPORATE PLANNING & PERFORMANCE, CRIME AND PROJECT I

The Deputy Chief Constable informed Members of proposals to make a number of structural changes to the establishment, across a number of Service Units.

Members were informed that the changes were needed to avoid delays in the delivery of key activities and that the subsequent reputational risks to both the Police Authority and the Force could not be mitigated. The proposals would provide immediate resilience to the Force.

ORDERED that:

1. the items para's 1.1 – 1.6 to the report be agreed.

128

MINUTES OF THE STRATEGIC POLICING & PERFORMANCE PANEL HELD ON 20 MAY 2009

ORDERED that the following minutes of the Strategic Policing & Performance Panel held on 20 May 2009 were submitted and approved.

STRATEGIC POLICING & PERFORMANCE

A meeting of the Strategic Policing & Performance Panel was held on Thursday 20 May 2009 commencing at 10.00am in the members' conference room at Police Headquarters.

PRESENT

Mr Aslam Hanif (Chair), Mr Alf Illingworth TD JP (Vice Chair), Mr Ted Cox JP, Mr Chris Coombs, Councillor Mary Lanigan, Councillor Ron Lowes, Councillor Hazel Pearson OBE, Miss Pam Andrews-Mawer, Councillor Caroline Barker, Councillor Victor Tumilty and Mr Peter Hadfield.

OFFICIALS

Mr John Bage and Mr Norman Wright (CE).
ACC Dave Pickard and Miss Kate Rowntree (CC).

129

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Councillor Barry Coppinger, Mr Peter Race MBE (ex officio)

130

DECLARATIONS OF INTERESTS

There were no declarations of interests.

Action

131 **MINUTES OF THE STRATEGIC POLICING AND PERFORMANCE
PANEL HELD ON 19 MARCH 2009**

The minutes were agreed as a true and accurate record.

132 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

2. The Outstanding Recommendations be noted.

133 **FORCE PERFORMANCE REPORT (APRIL 2008 TO MARCH 2009)**

ACC Pickard informed Members of actual performance from 1st April 2008 to 31st March 2009 and includes sections on:

- Recorded crime
- Sanction detections
- Incidents
- Statutory Performance Indicators
- Offences Brought to Justice

Members were informed that the performance figures showed that the Force continued to work to make good progress in reducing crime and increasing detections. An improvement in all 13 crime categories had been achieved and a reduction in crime of 17.3% had been achieved throughout the year. The detection rate had improved in 10 of the 13 crime categories and a 4.5% improvement had been achieved compared with the previous year.

ORDERED that:-

2. the performance be noted.

134 **REVIEW OF CRIME REPORTING AND MANAGEMENT ACTION PLAN**

ACC Pickard updated Members on the progress of the Corporate Action Plan arising out of the Operational Performance Team (OPT) review on Crime Recording and Management.

The Operational Performance Team (OPT) were tasked by the Force Executive to undertake a review of crime recording and management within the Force. This work took place during June 2008.

Following publication of the report ACC White gave an undertaking on behalf of the Force Executive to manage the implementation of the recommendations, listed at Appendix 1 to this report. These recommendations now form the basis of the Force Action plan.

ORDERED that:-

1. the report be noted.

135 **LSP/CDRP COMMUNITY SAFETY TARGETS 2009-10**

The Strategy & Performance Manager provided Members with an overview of Local Strategic Partnerships / Crime and Disorder Reduction Partnerships, (LSP/CDRP) community safety targets for 2009-10 and a comparison with

the Force level targets set as part of the Policing Plan process.

Members were informed that the initial Local Area Agreement (LAA) measures and targets for community safety in 2008-11 were reported in outline to this Panel in July 2008. Since then the measures and targets have been refined, including some renegotiation with the Government Office.

The Strategy & Performance Manager informed Members that refinement of community safety targets for 2009-10 is now nearing completion, including agreeing changes with the Government Office, where applicable. This paper apprised Members of the latest position and allowed comparisons to be made between the partnerships.

ORDERED that:

1. the analysis of LSP/CDRP community safety targets and relevant comparisons with Force targets for 2009-10, as outlined in Appendices A and B to the report be noted.

136

CLEVELAND POLICE CONTROL ROOM PERFORMANCE

ACC Pickard provided information to Members on the recent and sustained improvements in call handling standards by the Cleveland Police Control Room.

Members were informed that improved systems of working had been introduced, having the effect of reducing the numbers of terminated calls (occasions where the caller 'hangs up'). During 2008/9 less than 0.5% of callers 'hung up' prior to the call being answered and average time for calls to be answered is less than 2 seconds for 999 calls and 10 seconds for non-999 calls.

ACC Pickard informed members that call handling performance had improved significantly in the last 5 years. The graphs at Appendix A to the report show the increased performance levels on answering calls with target times: 98% for 999 calls and 99% for non-999 calls. These performance results compared very favourably with other Forces and place Cleveland Police at the higher end of all 43 Forces in this area of business.

ORDERED that:-

1. the report be noted.

137

MANAGEMENT OF POLICE INFORMATION (MOPI) PEER

ACC Pickard updated Members of the results of the recent peer review into the Management of Police Information (MoPI).

Members were informed that the Management of Police Information (MoPI) project is one of the strands of the national IMPACT programme. This is the Government's response to implementing the recommendations of the Richard Inquiry. Every force had been issued with a 300+ point Force Action Plan to ensure it implements and complies with the national MoPI requirements.

ACC Pickard informed Members that as with all forces, Cleveland Police's progress is monitored by the National Policing Improvement Agency (NPIA). This is achieved in a number of ways including quarterly submission/checking of the Force Action Plan and regular inspections and interviews (called Peer Reviews) by NPIA staff.

Members were informed that this had been a very good Peer Review with a number of the Cleveland Police approaches being held up as best practice for other forces. Following the assessment of the Force Action Plan, Cleveland Police is currently ranked ninth for achievement towards MoPI implementation and compliance.

ORDERED that:-

1. the report be noted.



CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING HELD ON

FRIDAY, 31 JULY 2009

PRESENT:

HARTLEPOOL BOROUGH COUNCIL:

Councillors Brash, Flintoff, Lilley

MIDDLESBROUGH COUNCIL:-

Councillors Brunton, Clark, Rogers, Thompson

REDCAR AND CLEVELAND BOROUGH COUNCIL:-

Councillors Briggs, Cooney, Dunning, Forster, Fitzpatrick

STOCKTON ON TEES BOROUGH COUNCIL:-

Councillors Cherrett, Larkin, O'Donnell, Salt, Stoker

PROPER OFFICERS:-

Deputy Legal Adviser, Treasurer

FIRE BRIGADE OFFICERS:-

Director of Community Protection, Director of Technical Services,

Head of Planning and Democratic Services

APOLOGIES FOR

ABSENCE:

Councillor Payne (Hartlepool)

Councillors McTigue, Porley (Middlesbrough)

Councillors Ovens (Redcar & Cleveland)

Councillors Beall, Woodhead (Stockton on Tees)

Councillor O'Donnell in the chair.

The Chairman wished to place on record the Authority's thanks to Councillors Shaun Cook, Tim Fleming and Edna Wright for the commitment and support they had given during their time as Members of the Cleveland Fire Authority. The Chairman welcomed Councillors Alison Lilley, Jonathan Brash and Bob Flintoff to the Authority.

29. DECLARATIONS OF MEMBERS INTEREST

It was noted that no declarations of interest were submitted to the meeting.

30. MINUTES

RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on the 5 June 2009 be confirmed.

31. MINUTES OF COMMITTEES

RESOLVED - that the Minutes of the Executive Committee held on 26 June 2009, Policy Committee held on 3 July 2009 and the Standards Committee held on 14 July 2009 be confirmed.

32. TO RECEIVE COMMUNICATIONS RECEIVED BY THE CHAIRMAN

The Vice Chairman informed Members that since the last meeting the following correspondence had been received:

- Letter from John Hindmarch, Regional Control Centre Project Director regarding the rescheduling of the FiRe Control Project
- Letter from Shahid Malik MP, Parliamentary Under Secretary of State regarding the rescheduling of the FiReControl Project and reasons behind it
- Copy of a letter written by Claire Ward MP to Dari Taylor MP regarding assaults on firefighters

RESOLVED – that the communications be noted.

33. TO RECEIVE THE REPORTS OF THE CHIEF FIRE OFFICER

33.1 Cleveland Fire Authority Integrated Risk Management Plan 2008-2011: Savings Proposal: 'Outsource Information and Communication Technology'

The Director of Technical Services reported that following an extensive consultation programme, the IRMP 2008-2011 was approved by the Authority on 28 March 2008. The proposals in the IRMP originated from the financial pressures being exacted upon the Authority following changes in the way the Government funded the Fire and Rescue Services. Members had requested that each proposal be further explored and that a full service review be produced prior to a final decision being made by the Fire Authority regarding the implementation of any proposal. A full review of Information and Communication Services (ICT) was undertaken.

The Director of Technical Services advised that the Scoping Study which was attached at Appendix 1 had considered the value for money of the ICT service and also its scope and challenges. The Scoping Study concluded that the current ICT service was providing value for money and any outsource arrangements would be more costly than the existing provision. External providers who were contacted had advised that the Brigade was too small to be considered as an outsourced provision.

In reply to a query from Councillor Larkin regarding which companies had been contacted, the Director of Technical Services advised advice had been taken from Hartlepool Borough Council and the company who provided the service to Durham and Darlington FRS, and those who provided the service to the Regional Control Centre.

The Director of Technical Services reported the scoping study had revealed there was scope to look into the sharing of the service/help desk with other agencies, and one of the recommendations was to look at sharing with our partners in FRSs, regional and local authorities. The Director of Technical Services advised that the government had set down 70 benchmarks for public scrutiny and management information covering the way information is managed, stored and shared, not just in relation to computers but also premises and security clearance for those who access the information. There was a need to make efficiency savings and the Brigade would continue to build upon existing ICT arrangements, improve internal services, ensure the services are value for money and progress opportunities for shared services.

Councillor Thompson referred to points 36 to 38 of the Scoping Study and the impact on budgets to sustain the purchase of equipment in years to come. The Treasurer stated the report recommended the present in-house ICT provision be maintained and looked into the possibility of the potential of sharing with partners of core utility and network services only. Regarding the Regional Control Centre, the Treasurer advised there was likely to be some future investment in improved communications but there was provision for this within the plans the Government has for funding RCCs.

33.1 Cleveland Fire Authority Integrated Risk Management Plan 2008-2011: Savings Proposal: 'Outsource Information and Communication Technology' contd

The Chair of the Overview and Scrutiny Committee advised that at the meeting on the 17 July 2009 it had been agreed that, in the light of the announcement by the Fire Minister, there was to be a further delay in commencement of operations at the Regional Control Centre, the decision had been made to undertake a further risk assessment to scrutinise the impact this would have on the Cleveland Control Room and upon completion this would be reported to a future Fire Authority meeting.

RESOLVED –

- (i) that Members approve the implementation of the Integrated Risk Management Plan proposal option to 'Maintain the provision of ICT services in-house whilst continuing to build upon existing arrangements and explore potential with partners for the sharing of core utility and network services only'**
- (ii) that the updated risk assessment of the Cleveland Fire Brigade Control Room be presented to a future meeting of the Overview and Scrutiny Committee**

33.2 Operational Assessment Peer Review Preliminary outcomes

The Director of Community Protection stated that from April 2009 the Comprehensive Area Assessment (CAA) replaced the Comprehensive Performance Assessment (CPA) as the performance assessment framework for Fire and Rescue Authorities. Detailed preliminary outcomes from the Operational Assessment Peer Review were appended at Appendix 1 for Members information and the following 4 areas of good practice were recognised:-

- Good employee relations;
- The work of Members and the support and commitment from them;
- The Concept of Operations was recognised as exemplar practice;
- The Authority's problem solving approach in our service delivery into our service delivery actions.

The Director of Community Protection reported that a final report from the Operational Assessment Peer Review would be presented to a future Fire Authority meeting.

RESOLVED:

- (i) that Members noted the preliminary outcomes from the Operational Assessment Peer Review as outlined in Appendix 1**
- (ii) that the final Operational Assessment Peer Review outcome report be presented to a future Fire Authority meeting**

33.3 Chief Fire Officer's Information Pack – July 2009

- 33.3.1 Fire and Rescue Service Circulars
- 33.3.2 Employers Circulars
- 33.3.3 National Joint Circulars
- 33.3.4 Response to Fire and Rescue Circular 29/2009

RESOLVED – that the report be noted.

34. REPORTS OF THE DIRECTOR OF CORPORATE SERVICES

34.1 Forward Work Programmes 2009/10

The Head of Planning and Democratic Services advised Members that Fire Authority Standing Orders required that the Audit and Governance and Overview and Scrutiny committees set their own work programmes for the year. The Audit and Governance Committee had agreed the Work Plan for the year but the Overview and Scrutiny committee had recommended to review their Forward Work Plan after six months. Both Forward Work Programmes were appended for Members information.

RESOLVED:

- (i) that the Audit and Governance Committee Forward Work Programme 2009/2010 as attached at Appendix 1 be approved**
- (ii) that the Overview and Scrutiny Committee Forward Work Programme 2009/2010 as attached at Appendix 2 be approved pending a review**

34.2 Member Attendance at Conferences

The Head of Planning and Democratic Services sought Members views on attendance at the following conferences:

- (a) LGA annual Conference**
- (b) Annual Fire Conference and Exhibition**

After discussion and taking into account Members feedback, it was proposed that three Members would continue to attend the LGA Annual Conference and only one Member would attend the Annual Fire Conference and Exhibition.

RESOLVED:

- (i) that the Chair, Vice Chair and 1 minority Member (or substitutes) attend the LGA Annual Conference**
- (ii) that one Member attend the Annual Conference and Exhibition**

34.3 Safer Communities Annual Conference and Exhibition 2009

The Head of Planning and Democratic Services sought the views of Members in respect of Member attendance at the LGA Safer Communities Annual Conference and Exhibition 2009 to be held on 13-14 October 2009 in Bristol.

Members agreed that one Member, preferably the Chairman, should attend on this occasion, but as this conference covered the community safety agenda, it was agreed that the Member Champion for Safer Communities should attend future conferences.

RESOLVED:

- (i) that the Chairman attend the LGA Safer Communities Annual Conference and Exhibition 2009 to be held on 13-14 October 2009 in Bristol**
- (ii) that the Member Champion for Safer Communities attend LGA Safer Communities Annual Conference and Exhibition future conferences**

34.4 Corporate Governance Information Pack

34.4.1 Executive Committee 26 June 2009

The Head of Planning and Democratic Services reported the Executive Committee had met under Delegated Powers on the 26 June 2009 and had approved the write-off of the outstanding debt against Bad Debt provision to enable the completion of the Statement of Accounts 2008/2009.

34.4.2 New Fire Minister

34.4.3 Standards Committee

RESOLVED – that the report be noted.

35. REPORTS OF THE LEGAL ADVISER

35.1 Business Report – CFA Vacancies 2009/10

The Deputy Legal Adviser requested that the various political groups provide their nominations to the vacancies on Committees as well as the Member Champion (Safer Communities) and outside bodies as outlined at Appendix 1.

RESOLVED:

- (i) that Councillor Cherrett be appointed to the Standards Committee**
- (ii) that Councillors Flintoff and Brash be appointed to the Audit & Governance Committee**
- (iii) that Councillors Ovens, Brash and Lilley be appointed to the Joint Consultative Committee**
- (iv) that Councillor Lilley be appointed to the Member Development Group**
- (v) that Councillor Brash be appointed as the Safer Communities Champion**
- (vi) that Councillor Cherrett be appointed to the Regional Management Board and that Councillor Flintoff be the named substitute for Councillor Cherrett**
- (vii) that Councillor Brash be appointed as the Hartlepool Safer Partnership/CDRP representative**
- (viii) that Councillors Porley, O'Donnell, Forster and Cooney be the nominated members of the Fire Improvement Group**

35.2 Monitoring Officer Protocol

The Deputy Legal Adviser requested Members to consider the adoption of the Monitoring Officer Protocol as detailed in the attached Appendix 1 following the recommendation of the Authority's Standards Committee.

RESOLVED – that Members adopt the Monitoring Officer Protocol as detailed at Appendix 1 to the report.

35.3 Electronic Register of Interests and Gifts and Hospitality

The Deputy Legal Adviser reported that as part of the ethical government arrangements the Standards Committee considered a report concerning the maintenance of such Registers in electronic, as well as in the present 'hard copy', format. The Deputy Legal Adviser reported to members that particularly 'sensitive' information could be exempt from inclusion within a Register of Interest provided that such information was brought to the attention of the Authority's Monitoring Officer. At the meeting of the 14 July 2009 members of the Standards Committee recommended the adoption of an electronic Register of Interests.

RESOLVED – that the maintenance of a Members Register of Interests through Electronic means be approved.

35.4 Amendments to Standing Orders and Contract Procedure Rules

The Deputy Legal Adviser advised that under Standing Order No 27 any motion to add to, vary or revoke Standing Orders other than for the purpose of compliance with any statutory requirements shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Authority. At the CFA meeting of the 5 June 2009, Members approved the updated Standing Orders in respect of Proceedings and Contract Procedure Rules. Under Standing Order No 27 the amendments had stood adjourned since the CFA meeting of the 5 June 2009.

RESOLVED – that Members noted the updated Standing Orders

36. VERBAL BRIEFING ON THE NE FIRE CONTROL COMPANY BOARD

Councillor Forster updated Members and expressed her disappointment regarding the delay to the commencement of operations at the Regional Control Centre as announced by the new Fire Minister Shahid Malik.

RESOLVED – that Members noted the briefing.

**37. REPORT OF THE CHAIR OF AUDIT & GOVERNANCE COMMITTEE
Information Pack**

- 37.1 LAA Performance Report 2008/09 and Annual Performance 2008/09
- 37.2 Comprehensive Area Assessment
- 37.3 Revenue & Capital Budget Outturn 2008/09
- 37.4 Progress against Revenue & Capital Budgets 2009/10
- 37.5 Audit Commission Report – Fraud letter
- 37.6 2008-2009 Outturn Position and Statement of Accounts

The Chair of the Audit and Governance Committee confirmed he had responded to the Audit Commission regarding its requirement to comply with International Standards on auditing as recommended by the Committee and the Treasurer.

RESOLVED – that the report be noted.

**38. REPORT OF THE CHAIR OF OVERVIEW & SCRUTINY COMMITTEE
Information Pack**

- 38.1 Fire Brigade Control – Review of Risk Assessments
- 38.2 Reducing Road Traffic Collisions

RESOLVED – that the report be noted.

**39. LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) (VARIATION ORDER) 2006
RESOLVED - “That 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 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006”.**

Minute Number 40

Paragraph 4 – namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority”

Minute Number 41

Paragraph 1– namely information relating to any individual

40. TO RECEIVE THE REPORT OF THE CHIEF FIRE OFFICER

40.1 Utilisation of Resources

The Director of Community Protection outlined the report to Members.

41. CONFIDENTIAL MINUTES

RESOLVED – that the Confidential Minutes of the Executive Committee held on 26 June 2009 and the Policy Committee held on 3 July 2009 be confirmed.

**COUNCILLOR JEAN O'DONNELL
VICE CHAIRMAN**

COUNCIL
29 October 2009



Report of: Constitution Committee

Subject: Business Report

1. WARD SURGERIES AND THE 'PURDAH' PERIOD

- 1.1 Council at its meeting on 30th July 2009 referred back this item to the Constitution Working Group and Committee for further consideration upon the budget implications identified within the report and publicity in relation to the conduct of Ward Surgeries.
- 1.2 Members of the Working Group and Committee requested that a separate budgetary cost centre be established for Ward Surgeries and Ward Newsletters. Members also suggested that the guidance included in the Ward Newsletters be enhanced to provide more detail on what services can be provided by the Members Services Team.
- 1.3 Funding for Ward Surgeries was included within the Civic functions budget head and subject to regular budget monitoring. It was therefore recommended that a new cost centre be set up to include budgetary provision for the hire of premises in the amount of £3,000 and printing costs in the amount of £2,000. This budget was on the basis that Ward Surgeries be utilised for hire of premises for up to 12 surgeries per year.
- 1.4 Members of the Constitution Working Group and Committee had initially requested a report concerning the pre-election or "Purdah" period and its relationship with the holding of Ward Surgeries. It is generally recognised that the period prior to Parliamentary, European and Local Authority elections can be a time of significant public interest and public scrutiny. There are a number of statutory provisions and also Government issued guidance, governing how candidates, Officers and the Council itself can act and use Council resources and facilities during this period. It has therefore become common practice for guidance to be issued during this sensitive period. Such information has focussed upon the legal and ethical considerations that Members should generally be aware of and be alert to, during this period. This incorporates and affects Members involvement in Council events during this pre-election period and the arrangement for publicity for those events. This not only impacts on the activities of candidates for election but how the Council and its Officers can respond to requests from Members during this period.

- 1.5 Although the connotation behind “Purdah” associated with the pre-election period has resonance for Central Government, the principles behind such restrictions have had increasing resonance and application to Local Government. The Cabinet Office Circular CO(08)3 (28th February 2008) provides specific advice within the Circular upon Government decisions and actions during the pre-election period, comprising advice on;
- Government decision making generally during the pre-election period;
 - making appointments in the pre-election period; and
 - conducting Government advertising campaigns during the election.
- 1.6 The pre-election period has generally been taken to commence on the publication of the notice of elections and concludes on the date of polling. Previous guidance issued to Members and Officers has advised that they must ensure that they;
- avoid – or do not give the impression of – breaching any such guidance, as to do so could have electoral and reputational implications for any Member standing for election;
- and
- if at all possible, improve the Council’s standing and reputation in terms of electoral matters.
- 1.7 The Local Government Act, 1986, imposes;
- (a) a prohibition on Local Authorities publishing “any material which cover in whole or in part what appears to be designated to affect public support for a particular party”; and
 - (b) a Code of Practice (issued by the Secretary of State under the Act) to which the Local Authorities must have regard in coming to any decisions on publicity.
- 1.8 The definition of “publicity” is “any communication, in whatever form, addressed to the public at large or to a section of the public”. In determination of whether any material contravenes the above prohibition, the Act provides that regard shall be had to a number of matters including “the time and other circumstances of publication”. It is abundantly clear that any Member or indeed Officer, would not be permitted to use any Council resources for private or party political purposes. To do so would be in breach of the provisions of the Act and the Code of Conduct for Members.
- 1.9 As mentioned in the previous guidance notes issued on the “Purdah” restrictions, the business of the Council needs to continue and indeed must continue during an election period. The Court of Appeal recognised in the case of *Persimmon Homes Teesside Ltd v R (Kevin Paul Lewis) [2008]*, which considered the decision making of a Council’s Planning Committee during the

pre-election period, that there were sound logistical reasons for decisions being taken during the period in question. However, publicity around Council business/events must be thoroughly thought through to ensure that Council resources are not used or allowed to be used or manipulated by anyone for private or more so, party political purposes. It would appear, from sight of previous meetings that the current policy of the Council was set out in the minutes of the Resources Committee which met circa 2001. In effect, the Council undertook;

- (a) the administration involved in arranging of Ward Surgeries, be limited to 10 per Ward per year, such surgeries taking place in venues such as community centres and schools, and
- (b) publishing notice of the Surgeries in Hartbeat, the Council's quarterly community magazine published and circulated by the Council to in excess of 40,000 homes in the Borough.

1.10 Costs are therefore borne by the Council in relation to the hire of rooms etc., in addition, there are some indirect costs which relate to staff time in making and facilitating such arrangements. For ward newsletters, an amount of £2000 is available for the production of 4 newsletters per ward per year based on a single sheet of A4 size paper printed in black ink only. No budget provision is included for the delivery of ward newsletters as it is assumed that Members will distribute the newsletters personally. Attached at **Appendix A** is a draft copy of the enhanced guidance that will be included in future copies of the Members' Induction Pack. Once adopted by Council, the guidance will also be issued to existing Elected Members. It would also appear, that a convention/practice has arisen that no Ward Surgeries would be arranged during an election period ie, again, for the avoidance of doubt that relating to an issue of notice of election to the date of poll. The Chief Solicitor has had the benefit of seeing some initial instructions sent to Counsel by the then Chief Solicitor which indicated although it appeared that several factors could be involved, it was not clear on what basis this "moratorium" had been adopted.

1.11 Although the reasonableness of the costs involved and undertakings in making such arrangements and the incurring expenditure in relation thereto is of consideration, there is the possibility that such costs could also potentially be in breach of the provisions of the Political Parties, Elections and Referendums Act, 2000. This legislation, amongst other provisions, provides the general restrictions relating to incurring campaign expenditure. It is therefore considered, that it is likely, but not inevitable, that costs incurred by the Council in relation to arranging and giving public notice of Ward Surgeries could probably be considered to be an election expense insofar as the same relate to Surgeries held within the "Purdah" period. Similar considerations would apply in relation to the restrictions imposed through the provisions of the Local Government Act, 1986. This would be evidenced, for example, if the Surgery was used to promote a candidate, or the policy to which he/she subscribes. Further, it would not be a sufficient argument to indicate that such a Surgery had, in any event, been prearranged prior to the pre-election period.

- 1.12 Following detailed consideration of the issues contained in this report, the Constitution Committee make the recommendations to Council as indicated below;

RECOMMENDATIONS

- (i) That in the year where a current Member stands for re-election, they should not participate in any ward surgeries held during the pre-election (purdah) period.
- (ii) That up to 12 surgeries may be held in each ward per year.
- (iii) That on occasions when only 1 of the 3 ward Councillors wished to hold a ward surgery, then this be allowed.
- (iv) That the Hartlepool Mail and other media sources be approached to promote dates of all ward surgeries.
- (v) That the budget provision included in the new cost centre (£3,000 for the hire of premises and £2,000 for printing) be noted.
- (vi) The Guidance included at **Appendix A** to this report be approved.

2. HONORARY FREEMAN AND ALDERMAN – NOMINATION PROCESS

- 2.1 The nomination process relating to the nomination and election of Honorary Freeman and Alderman were recently considered by Constitution Working Group and Constitution Committee. The nomination process as agreed is attached at **Appendix B**.

RECOMMENDATION

- 2.2 That the process relating to the nomination and election of Honorary Freeman and Alderman as shown in **Appendix B** of the report be agreed

APPENDIX A

WARD SUPPORT

Procedure for Ward Newsletters

1. Up to 4 newsletters per Ward will be printed each municipal year.
2. Newsletters should be related to Ward matters/issues and **must not** contain political subject matter.
3. All newsletters will be printed using the Council's corporate template, which has no impact on the content.
4. Members can produce their own newsletter, using the corporate template, or may submit content and layout of articles to the Members' Services team for printing.
5. Submitted articles will be returned to the relevant Member for proof reading, following which the Members' Services team will organise printing.
6. All printing will be on A4 size white paper, in black ink only. The maximum number of newsletters that will be produced per issue will be the number of properties situated in the relevant Ward.
7. In wards where newsletters are not issued on a regular basis, a reminder about this service may be issued to Members on a quarterly basis.
8. Arrangements for distribution of newsletters will be the responsibility of Ward Members.
9. The Members' Services Team will provide further advice and guidance as necessary.

Issued October 2009

APPENDIX B

Process relating to the nomination and election of Honorary Freeman Aldermen

1. Nominations

1.1. Freeman of the Borough of Hartlepool

1.1.1 Nominations for election as an honorary freeman should

- (a) have been born in the Borough and/or;
- (b) reside or have resided in the Borough and/or;
- (c) have or have had strong established links to the Borough; and
- (d) in some manner have brought distinction upon the Borough.

1.1.2 Nomination for election as honorary freeman may be made by any -

- (a) Hartlepool Borough Councillor
- (b) political party or group connected with the Council
- (c) voluntary organisation operating in the borough
- (d) corporate body with premises in the borough
- (e) public or charitable body, or
- (f) member of the public

1.1.3 The nominee must be either -

- (a) an individual person (not a body corporate), or
- (b) a group of individual persons,

but a person may not nominate him/herself

1.1.4 Nominations must be in writing and may be submitted to the Chairman of the Council, the Mayor or the Chief Executive. A nomination should state the person or body making the nomination and his/her/its address and include an explanation of why the person nominated is considered appropriate to be elected as honorary freeman.

1.1.5 Publicity

Invitation to submit nominations for election as freeman of the borough shall appear in two editions of Hartbeat prior to the closing date for nominations, and shall be posted on the Council's website www.hartlepool.gov.uk

1.2 Honorary Aldermen

1.2.1 Nomination for election as honorary alderman may be made by any -

- Hartlepool Borough Councillor
- Political party or group connected with the Council

1.2.2 Nominations must be of a person who has formerly served as a Councillor of Hartlepool Borough Council.

- 1.2.3 Nominations must be in writing and may be submitted to the Chairman of the Council, the Mayor or the Chief Executive. A nomination should be signed by the person or on behalf of the group making the nomination and include an explanation of why the person nominated is considered appropriate to be elected as honorary alderman.

2. Consideration of nominations

- 2.1 Nominations for election as honorary freeman and honorary alderman considered by the proper officer to comply with the requirements of para 1 (but for this purpose disregarding para 1.1.1) shall be referred to the next meeting of the Civic Honours Committee. The committee will consider each nomination (including its compliance with para 1.1.1) and may resolve to recommend the nomination to the Council. The committee shall comprise

- The Mayor
- The Chairman
- Seven Members (3 Labour, 1 Conservative, 1 Liberal Democrat, 1 Administrative Group and 1 Independent)
- One Resident Representative, and
- One representative from the Community Empowerment Network

(the Resident Representative and the representative from the Community Empowerment Network, being non-voting members of the committee)

(Note - the proper officer for the purposes of para 2.1 is the Chief Executive or his nominee)

- 2.2 At the next meeting of the Council, as agreed with the Chair, the Council will determine whether or not they are minded to elect the nominee(s) as honorary freeman or alderman, as the case may be. Before the matter is considered the Chairman will invite the Council to resolve to exclude the press and public pursuant to Local Government Act 1972 sched 12A para 2.
- 2.3 If the Council resolve that they are minded to elect the nominee(s) as honorary freeman or alderman the matter shall be deferred to be dealt with at an extraordinary meeting of the Council convened especially for that purpose.
- 2.4 Prior to the extraordinary meeting of the Council being convened, a nominee whose nomination is resolved to be referred to the Council will be invited, on a confidential basis, to indicate whether s/he would accept the relevant honour. In the event that a nominee indicates that they would not accept the relevant honour, the Chairman of the Council is authorized to withdraw that nomination.
- 2.5 The date for the extraordinary meeting to confer the honour shall be fixed either by the Council at the meeting referred to in para 2.2 or by the Chairman.

COUNCIL
29th October 2009



Report of: Executive

Subject: LOCAL AUTHORITY BID FOR SOCIAL HOUSING
GRANT FOR THE DEVELOPMENT OF
AFFORDABLE HOUSING – ROUND 2

1. PURPOSE OF REPORT

- 1.1 To provide Council with details of Cabinet's proposed variations to the approved 2009/2010 Capital Programme and Prudential Borrowing Limits to support a bid to the Homes and Communities Agency for Social Housing Grant.

2. REASON FOR SUBMITTING REPORT

- 2.1 In accordance with the constitution Cabinet is responsible for proposing changes to the approved Budget and Policy Framework, which are then referred to Council for consideration. Details of Cabinet's proposals are set out in the following paragraphs.

3. CABINET PROPOSAL AND BACKGROUND

- 3.1 In May 2009 the Homes and Communities Agency (HCA) launched a £50m scheme that allows Local Authorities to bid for Social Housing Grant (SHG) to develop affordable housing. The aim of the scheme is to help to meet local affordable need and encourage homes to be built which may not otherwise proceed, providing support to the house building industry during difficult economic times. Selected Local Authorities would receive 50% of full scheme costs in SHG and the remaining 50% would be funded from the Council's own resources. The funding is available over the next two years on the basis of two bidding opportunities the first of which is 31st July, 2009 and the second, October, 2009.
- 3.2 Hartlepool Borough Council was successful with its bids submitted on the 31st July, 2009. Two schemes were successful and will provide 45 units of affordable housing in Hartlepool, owned by the Council.
- 3.3 The provision of social rented housing has been identified as a Council priority and the high level of affordable housing need within the town is evidenced by long housing waiting lists and a number of Hartlepool and Tees Valley

housing studies including the most recent Tees Valley Strategic Housing Market Assessment. A Scrutiny investigation, together with the special Council debate in January, 2009 highlighted the importance of the provision of social rented accommodation in Hartlepool. Taking this agenda forward a Cabinet report on the 9th March entitled 'Future Housing Initiatives' included as an action 'putting the Council at the centre of new development, exploring new initiatives and maximising potential resources'. This second scheme is a valuable opportunity to achieve such objectives and to potentially gain access to additional resources for affordable housing development.

4. ELIGIBILITY CRITERIA AND DETAILED SCHEME PROPOSAL

- 4.1 It is expected that schemes for development will be on land owned by the local authority. To be eligible for grant, local authorities must offer secured tenancies for permanent rented properties where statutory right to buy to be eligible. The guidance establishes a range of criteria against which each local authority bid will be assessed. Four key criteria are stipulated within the document namely, value for money, deliverability, strategic fit and design and quality. Recent discussions with officers from the HCA suggest that all criteria must be met to achieve a successful bid.
- 4.2 At its meeting on 19th October, 2009 Cabinet approved a scheme of up to 43 units at the remaining land at Charles Street, potentially 18, units at land at Kipling Road, potentially 20 units and at land behind St Marks Church, Clavering, potentially 5 units. There is no stipulation in the guidance around delivery on a single site, this approach has been encouraged by the HCA during informal discussions and a scheme split across several sites if successful is the type of delivery the HCA would expect.
- 4.3 These sites meet the majority of the criteria agreed by Cabinet for the disposal of land for affordable housing development (Cabinet report 7th July, 2008, paragraph 4:3). The ownership of the land would, however, be retained by the Council. Issues relating to how the management will be undertaken and reviewed will be covered by the service level agreement/memorandum of understanding.
- 4.4 The HCA grant will fund 50% of the construction costs and it is suggested that the remaining 50% is funded using the Council's Prudential Borrowing powers. The detailed financial modelling indicates that the annual repayment costs of using Prudential Borrowing, ongoing management and maintenance will be covered by the rental income.
- 4.5 The Council will have to fund the cash flow costs of this development as the HCA grant draw down is in two phases. The Council will also need to fund the interest element of the Prudential Borrowing costs until properties are completed and let. This amount can either be funded from additional investment income if this exceeds the approved budget or rolled up within the schemes revenue costs to be met from future rent income.

5. PROPOSAL

- 5.1 Council is requested to consider the proposal to use up to £2.9m of Prudential Borrowing to match fund the bid for £2.9m HCA Social Housing Grant and approve the resulting amendments of the approved Capital Programme and Prudential Borrowing Limits. This Prudential Borrowing will only be used if the bid for HCA Social Housing Grant is successful.

COUNCIL
29 October 2009



Report of: Chief Executive

Subject: BUSINESS REPORT

1. ANNUAL REPORT ON TREASURY MANAGEMENT ACTIVITY AND ACTUAL PRUDENTIAL INDICATORS FOR 2007/2008

BACKGROUND

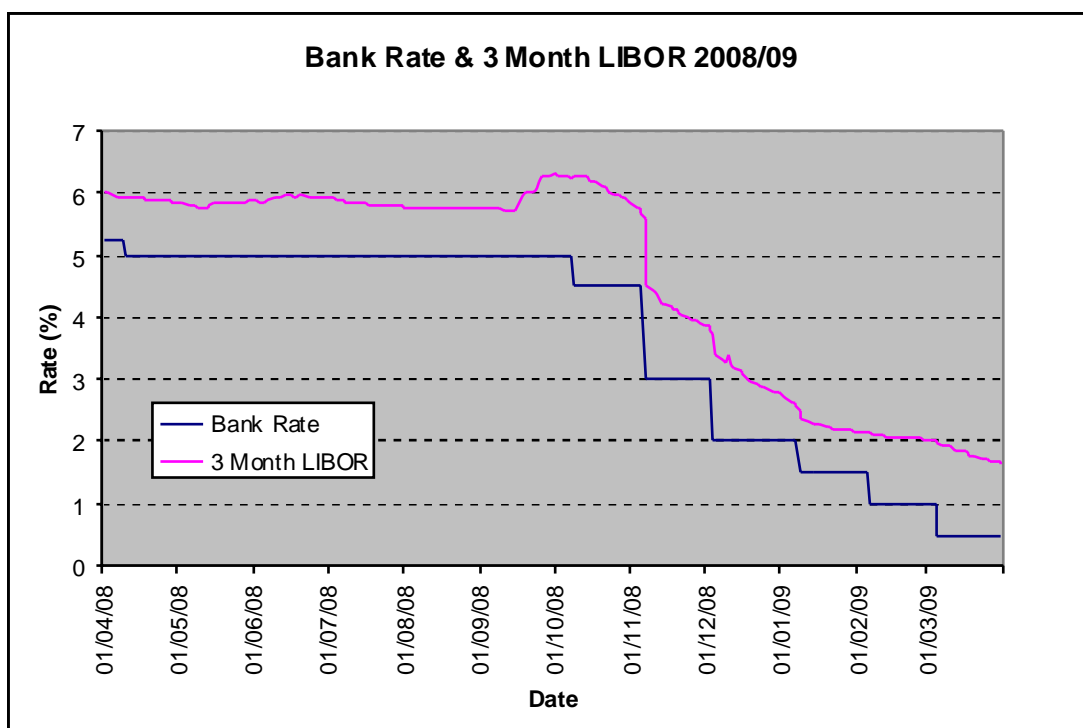
- 1.1 As part of the annual Budget and Policy Framework process the Council approved the overall Treasury Management Strategy and associated Prudential Indicators on the 12th February, 2008.
- 1.2 The submission of this report to Council is a requirement of the CIPFA Code of Practice on Treasury Management, CLG Investment Guidance and the CIPFA Prudential Code for Capital Finance in Local Authorities. This has previously been submitted to Cabinet for information.
- 1.3 This has been an exceptional year for Treasury Management. The downturn in the economy, coupled with increased counterparty credit risk has presented the Council with challenges not normally encountered. The main implications have been: -
- significantly deteriorating investment returns for new investments;
 - increased counterparty risk, resulting in a reduction in the counterparties the Council uses and subsequent change in strategy to run a net book by repaying debt where possible and reducing investments.
- 1.4 The fallout from the credit crunch and significant events such as public funds invested with Icelandic banks has increased the profile of Treasury Management and lead to reviews and reports by the Audit Commission, CIPFA and the Parliamentary Select Committee. The Council is currently reviewing its arrangements in the light of these documents and will be producing a report making recommendations in the near future. The focus of this report is events relating to the financial year 2008/2009 and summarises:
- the economic background for the year;
 - the Councils capital expenditure and financing in 2008/2009

- the Council's overall treasury position, including borrowing and investment activity;
- The regulatory framework, risk and performance considerations, including compliance with key prudential indicators.

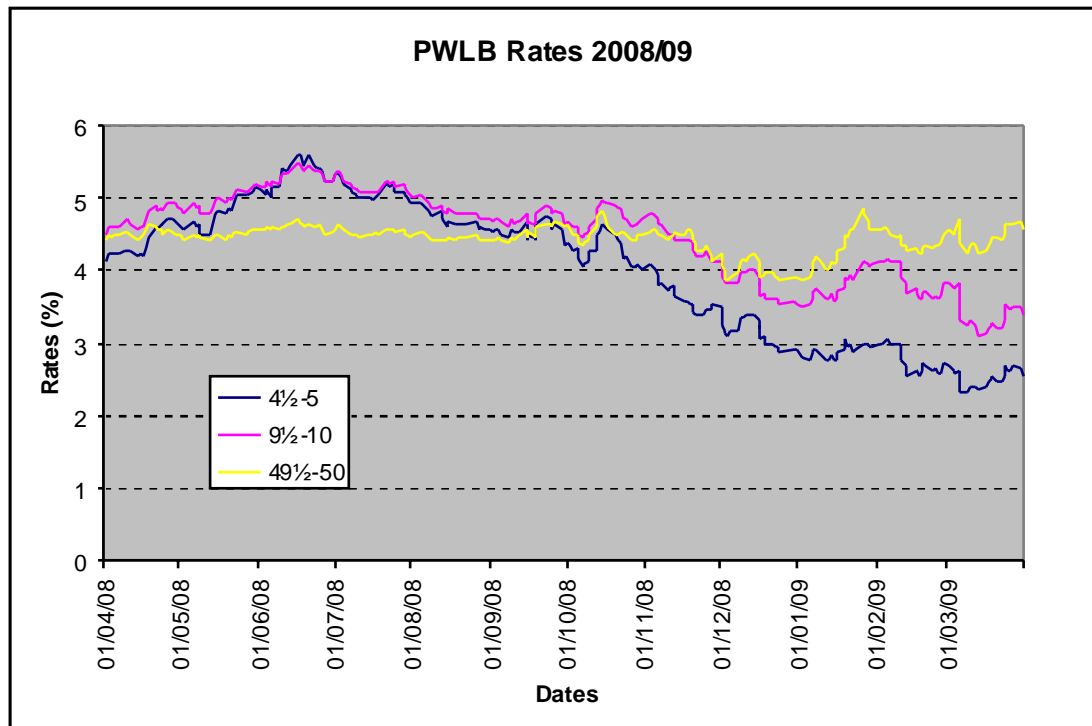
ECONOMIC BACKGROUND FOR 2008/2009

- 1.5 The 2008/2009 financial year was one of the most testing and difficult economic and investment environments since the 1930s. It featured a number of very significant changes in the performance of the UK as well as global economy and beneath all of this has been the undercurrent of uncertainty in the financial markets. This was not an easy backdrop in which to manage an investment portfolio.
- 1.6 The year opened on an uncertain note. The ongoing effects of the “credit crunch” which had started in 2007, prompted a bout of monetary policy easing in early April when the Bank of England cut its Bank Rate by 0.25% to 5%. But inflation was rising sharply, courtesy of the strength of global commodity and food prices and the very steep rise in oil prices. The CPI inflation measure breached the 3% upper limit of the Governments’ target range in April. The Bank was concerned that these external cost pressures could eventually transform into a domestic wage/price spiral and kick start a bout of damaging inflation.
- 1.7 Rates were left on hold through the summer months and there seemed to be some signs of a gradual return to slightly more normal conditions in the money markets. But this was not to last. Mid-September saw a “sea change” in financial markets and economic policies. The collapse of US investment bank, Lehman Brothers, dealt a devastating blow to the markets. Liquidity dried up almost completely making it extremely difficult for banks to function normally. These developments culminated in the failure of the entire Icelandic banking system in early October.
- 1.8 The failure of the Icelandic banking system had a major impact on local authority investments. A number of local authorities had deposits with Icelandic institutions and these investments are still at risk. At this point in time recovery rates have not been fully disclosed by the respective institutions, although early indicators suggest a good, albeit not 100% recovery. As detailed earlier in the report, the Council had no deposits with Icelandic institutions.
- 1.9 The crisis in the financial markets deepened and threatened a complete ‘melt-down’ of the world financial system. This, together with evidence that economies had entered recession prompted a number of significant policy changes. In the UK these featured the following:
- a major rescue package totalling as much as £400bn to recapitalise the banking system
 - a series of interest rate cuts from a rate of 5.25% in April 2008 to 0.5% in March 2009.
 - a fiscal expansion package, including a 2.5% cut in VAT.

- 1.10 With official interest rates in the US already at close to zero by March, 2008, the Bank of England was at the forefront of policy easing. Thereafter, the Bank resorted to the quantitative easing of monetary policy via a mechanism of buying securities from investment institutions in exchange for cash. This commenced in early March and subsequently expanded to ultimately amount to £175bn.
- 1.11 Aside from Bank of England assistance, the Government launched the second phase of its support operations for the banking industry during the second half of January. This failed to allay fears that even more aid might have to be extended to the banking industry before the crisis is over. During the course of the quarter, two major banks, RBS and Lloyds Group, needed substantial cash injections; action that led the public sector to assume near-full ownership. In addition to this, the Dunfermline Building Society was rescued from bankruptcy.
- 1.12 The problems of the financial markets since late 2007 had clearly spread to other parts of the economy. Economic data confirmed that the UK was in deep recession and the latest Bank of England Inflation Reports registered a marked change in official forecasts for 2009 and 2010. Economic activity was expected to decline sharply (GDP was forecast to contract by more than 4% in 2009) and inflation was projected to fall into negative territory.
- 1.13 The generally uncertain backdrop to the UK and the financial markets prevented a marked easing in overall money market liquidity. While the situation did show some signs of improving as the financial year drew to a close, the margin between official interest rates and those quoted in the inter-bank market for periods longer than 1-month remained very wide as shown below.



- 1.14 The graph below shows changes to Long term borrowing rates for loans with different maturity periods. There has been less of a reduction in rates for longer dated loans.



THE COUNCIL'S CAPITAL EXPENDITURE AND FINANCING 2008/2009

- 1.15 The Council's approved capital programme is funded from a combination of capital receipts, capital grants, revenue contributions and Prudential Borrowing.
- 1.16 Part of the Council's treasury activities is to address this Prudential borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council. The wider treasury activities also include managing the Council's day to day cash flows, its previous borrowing activities and the investment of surplus funds. These activities are structured to manage risk foremost, and then optimise performance.
- 1.17 Actual capital expenditure forms one of the required prudential indicators. As shown at **Appendix A**, the total amount of capital expenditure for the year was £25.6m, of which £7.1m was funded by Prudential Borrowing.
- 1.18 The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is the accumulated value of capital expenditure which has been financed from Prudential Borrowing. Each

year the Council is required to apply revenue resources to reduce this outstanding balance.

1.19 Whilst the Council's limit of its underlying need to borrow is the CFR, the Council can manage the actual borrowing position by either:

- borrowing to the level of the CFR; or
- choosing to use temporary internal cash flow funds instead of borrowing; or
- borrowing for future increases in the CFR (borrowing in advance of need).

1.20 The Council's CFR for the year was £82.6m as shown at **Appendix A**. This is lower than the approved estimate owing to the rephasing of capital expenditure until 2009/2010. The Council's total borrowing as at 31st March, 2009 was £74.9m. This is currently less than the CFR as a result of being able to use its balances to internalise the funding of capital expenditure.

TREASURY POSITION AT 31ST MARCH, 2009

1.21 The table below shows the treasury position as at the 31st March, 2009, compared with the previous year:

1.22

Treasury position	31st March 2008		31st March 2009	
	Principal	Average Rate	Principal	Average Rate
Fixed Interest Rate Debt				
- PWLB	£21.8m	4.46%	£4.3m	4.77%
- Market Loans	£45m	4.00%	£45m	4.00%
Total Long Term Debt	£66.8m	4.15%	£49.3m	4.07%
Variable Interest Rate Debt				
- Temporary loans	£Nil	N/A	£25.6m	0.86%
Total Debt	£66.8m	4.15%	£74.9m	2.97%
Total Investments	£46.4m	5.31%	£39.5m	4.85%
Net borrowing position	£20.4m		£35.4m	

As shown in the table, the Council has reduced its level of long term borrowing by repaying £17.5m PWLB debt. This was achieved without incurring premiums because of the opportunities arising from falling interest rates. This has enabled the Council to reduce its investments and therefore reduce its exposure to counterparty risk. In addition, the previous opportunities for 'arbitrage' were no longer available, so it was also cost

efficient to repay this debt because the cost of this debt was significantly higher than the rates of interest receivable on the cash invested.

- 1.23 In practice it has taken until June, 2009 for the Council to fully realise the netting down of investments. In the short term it was necessary to take out short term loans to fund the PWLB repayments, but the Council was able to take advantage of the unprecedented low cost of short term borrowing. As shown by the above table, the average interest rates for temporary loans were significantly less than the PWLB loans previously held.
- 1.24 A key performance indicator shown in the above table is the very low average rate of external debt of 2.97% for debt held as at 31st March, 2009. The latest available data from CIPFA shows that the Council ranked 5th lowest out of 29 unitary Councils in terms of lowest average rate for external borrowing.
- 1.25 The Council's investment policy is governed by Department of Communities and Local Government (DCLG) guidance, which has been implemented in the annual investment strategy approved by Council on 12th February, 2008. The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.
- 1.26 The Chief Financial Officer has also temporarily suspended the use of building societies in response to market intelligence suggesting increased risks associated with this sector. As a result of this action the Chief Financial Officer has used his delegated powers to increase investment limits with the lowest risk of counterparties on the Councils list. In particular, the large clearing banks, covered by the Governments guarantee, including those which are part nationalised. The use of building societies will be kept under review.

REGULATORY FRAMEWORK, RISK AND PERFORMANCE

- 1.27 The Council's treasury management activities are regulated by a variety of professional codes and statutes and guidance:
 - The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
 - The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2006/2007);
 - Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
 - The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
 - The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;

- Under the Act the ODPM (now DCLG) has issued Investment Guidance to structure and regulate the Council's investment activities;
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November, 2007.

- 1.28 The Council has complied with all of the above relevant statutory and regulatory requirements which limit the levels of risk associated with its Treasury Management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable and its treasury practices demonstrate a low risk approach.
- 1.29 The Council is aware of the risks of passive management of the Treasury Portfolio and with the support of Butlers, the Council's advisers, has proactively managed its treasury position.

Prudential Indicators and Compliance Issues

- 1.30 Details of each Prudential Indicator are shown at **Appendix A**. Some of the prudential indicators provide either an overview or specific limits on treasury activity. The key Prudential Indicators to report at outturn are described below.
- 1.31 The **Authorised Limit** is the "Affordable Borrowing Limit" required by Section 3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. **Appendix A** demonstrates that during 2009/2010 the Council has maintained gross borrowing within its Authorised Limit.
- 1.32 **Net Borrowing and the CFR** - In order to ensure that borrowing levels are prudent, over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose. Net borrowing should not have exceed the CFR for 2008/2009 plus the expected changes to the CFR over 2009/2010 and 2010/2011. The Council has complied with this Prudential Indicator.

CONCLUSION

- 1.33 The report provides members with an overview of the Treasury Management activities for 2008/2009, as required by legislation. The report demonstrates that these activities have been undertaken in accordance with relevant legislation, regulations and the Council's approved Treasury Management Strategy. Therefore, there are no specific issues to bring to Members attention.

PROPOSAL

- 1.34 It is recommended that Members note the report.

2. APPOINTMENTS TO JOINT COMMITTEES AND OTHER OUTSIDE BODIES

A number of nominations to Joint Committees and other Outside Bodies were agreed at the Annual Council meeting and at the meeting of Council held on 30 July 2009. Since those meetings, Council is requested to note a change to the 'executive' appointment on Hartlepool Revival Board – Mayor has replaced the Regeneration and Economic Development Portfolio Holder.

3. CONSTITUTION WORKING GROUP CONSTITUTION COMMITTEE

I have been advised that Councillor Allison has resigned from the above Meetings due to work commitments. A replacement member of the administrative group is sought.

4. DIRECTOR OF REGENERATION AND PLANNING SERVICES

As Members will no doubt be aware Peter Scott is retiring at the end of November.

I am sure Members will wish to thank Peter for his service to the Authority and wish him a long and happy retirement.