

CABINET

MINUTES AND DECISION RECORD

25 January 2010

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

Present:

The Mayor (Stuart Drummond) - In the Chair

Councillors: Robbie Payne (Deputy Mayor) (Finance & Performance Portfolio Holder)
Pamela Hargreaves (Regeneration and Economic Development Portfolio Holder)
Gerard Hall (Adult Services Portfolio Holder)
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder)

Also in attendance:

Councillor Geoff Lilley

Officers:

Paul Walker (Chief Executive)
Andrew Atkin (Assistant Chief Executive)
Peter Devlin (Chief Solicitor)
Joanne Machers (Chief Personnel Officer)
Chris Little (Assistant Chief Financial Officer)
Alan Dobby (Assistant Director, Support Services)
Denise Ogden (Assistant Director, Neighbourhood Services)
Graham Frankland (Assistant Director, Procurement and Asset Management)
Geoff Thompson (Assistant Director, Housing and Regeneration)
Richard Waldmeyer (Team Leader Policy Planning & Information)
Andrew Golightly (Senior Regeneration Officer)
Julian Heward (Public Relations Officer)
Angela Hunter (Principal Democratic Services Officer)

156. Apologies for Absence

Apologies for absence were received from Councillor Peter Jackson (Transport and Neighbourhoods Portfolio Holder) and Councillor Cath Hill (Children's Services Portfolio Holder).

157. Inquorate Meeting

It was noted that the meeting was inquorate. The Mayor indicated that (as permitted under the Local Government Act 2000 and the Constitution) he would exercise his powers of decision and that he would do so in

accordance with the wishes of the Members present, indicated in the usual way.

158. Declarations of interest by Members

None.

159. Minutes

The minutes referred to on the agenda had been received at the previous meeting of Cabinet held on 15 January 2010 and the minutes of that meeting were received as noted below:

Minutes of the meeting held on 15 January 2010 - Received.

160. Quorum of meeting

Councillor Pamela Hargreaves joined the meeting at this point and it was noted that the meeting was now quorate.

161. Public Convenience Policy (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision – Test (ii) applies.

Purpose of report

To inform Cabinet of the newly developed policy for the future provision of public conveniences in Hartlepool recently endorsed by the Portfolio Holder for Transport and Neighbourhoods.

Issue(s) for consideration by Cabinet

Cabinet had previously approved the Neighbourhood Services Scrutiny Forum investigation action plan into the provision of public conveniences in Hartlepool. The report provided a concise description of the current public convenience service, comments on the recent refurbishment programme and considered the introduction of a Community Toilet Scheme working in partnership with the private sector. Cabinet approval was sought to adopt the Public Conveniences draft policy.

During the discussions that followed it was noted that in view of the increasing demand on departmental budgets, the Council should be commended for supporting this strategy and for continuing to provide and

improve public conveniences in the town despite having no duty to do so. However, a Member did comment on the need for additional facilities within the marina area, particularly for people with disabilities and it was confirmed that the marina area was not in Council ownership but this issue would be examined further once the Council adopted the marina area.

Members congratulated the Regeneration and Neighbourhood Services Department on identifying ways of delivering this good service and the development of this policy without incurring massive expenditure and looked forward to the scheme being extended in the future.

Decision

The Public Conveniences Policy was adopted with immediate effect.

162. Neighbourhood Consultative Forum Review (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision – Test (ii) applies.

Purpose of report

To provide Cabinet with a general overview of the outcome and subsequent recommendations which had arisen from the Neighbourhood Consultative Forum (NCF) Review.

Issue(s) for consideration by Cabinet

The report explained the methodology used when carrying out the review and advised on the findings of the consultation exercise including the Scrutiny Co-ordinating Committee findings. The report concluded with an action plan as to how the review recommendations should be implemented.

During the discussions that followed Members did have concerns about the level of attendance at Forum meetings, but acknowledged attendance was not the only way of measuring their performance. It was suggested that the current structure and way the meetings were delivered should be examined further as part of the 12 month evaluation included within the Action Plan. Some options suggested for consideration were to have presentations made to a joint forum and have the meeting break into the 3 forum areas for debate and feedback, this would be efficient and provide more opportunities for improved dialogue. There was also a comment that pre-agenda meetings provide the ideal opportunity to plan the forums effectively.

It was acknowledged that the Neighbourhood Consultative Forums were part of the Government's agenda to encourage citizen involvement and that Hartlepool had been ahead of the game when the Forums were introduced.

Decision

The Action Plan submitted in response to the recommendations of the Neighbourhood Consultative Forum review was approved.

163. Hartlepool Core Strategy Preferred Options Report for Consultation *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision – Test (ii) applies.

Purpose of report

To seek approval, for consultation purposes, of the Preferred Options Report, comprising the second public stage in the preparation of the Hartlepool Core Strategy.

Issue(s) for consideration by Cabinet

The Mayor presented a report which highlighted that the preparation of the Core Strategy Development Plan Document was a requirement under the 'Local Development Framework' planning system established by the Planning and Compulsory Purchase Act 2004.

The Hartlepool Core Strategy would set out the key elements of the planning framework for the area and would comprise a spatial vision and strategic objectives, a spatial strategy and core policies. It would provide the delivery mechanisms for the 2008 Sustainable Community Strategy ('Hartlepool's Ambition') and other plans and strategies of the Council and of other bodies in so far as they related to the use and development of land, particularly in relation to housing and related activities.

The publication of the Preferred Options Report represented the second public stage in the preparation of the Hartlepool Core Strategy. The Preferred Options Report set out the spatial vision for Hartlepool until 2024 and explained why certain options had been selected.

The consultation would be wide ranging in accordance with the adopted Statement of Community Involvement and would last for eight weeks until the 26 March 2010. The key issues to be addressed within the Core Strategy were detailed in section 5 of the report and public feedback on

those issues was encouraged. It was noted that since the options for the Core Strategy were originally explored, various changes that affect the town had happened including the changes to the Victoria Harbour development and the new hospital development at Wynyard. This highlighted the need for flexibility within the Core Strategy to ensure Hartlepool could adapt and continue to be at the forefront of new development and regeneration in the Tees Valley area.

In light of the responses to the consultation on the Preferred Options Report and its accompanying Sustainability Appraisal and Habitats Regulations Assessment, a draft Core Strategy will be published later in 2010.

It was questioned whether development at Wynyard, including the proposed new hospital and related development opportunities that could arise from this were reflected strongly enough within the document. The Assistant Director (Housing and Regeneration) responded that there was reference within the document to limited housing development at Wynyard (Woods) with the majority of additional sustainable housing requirements targeted to the western edges of the town. Members were asked to note that there may be some contentious and difficult decisions to be taken in the future, but that this document was one of the most important documents to be produced over the next few years for Members to consider.

A number of representations had already been received on different areas of the Core Strategy and Members were reassured that these would be fed into the consultation process.

A Member emphasised the importance of bringing empty properties back into use to address the shortfall in the provision of housing identified within the Regional Spatial Strategy and this was noted.

The Assistant Director (Housing and Regeneration) also informed Members that Government Office North East (GONE) had suggested that the issue of affordable housing might be included within the Core Strategy rather than in a separate development plan document given that this would avoid two examinations by the Planning Inspectorate. This suggestion would be considered and reported back to Cabinet after the consultation period.

It was suggested that Cabinet be kept up to date with progress on Core Strategy consultation issues at fortnightly informal Cabinet briefings.

Decision

- (i) That the Preferred Options Report for the Core Strategy be approved for public consultation purposes.
- (ii) That the Mayor agree any minor amendments made to the Preferred Options Report prior to its publication.
- (iii) That the informal Cabinet briefings be used to report progress to Members in relation to the Core Strategy consultation.

164. Groundworks (*Director of Regeneration and Neighbourhoods*)

Type of decision

Non key.

Purpose of report

To provide Members with updated information on a proposal to enter into a formal agreement with Groundwork North East to work in partnership with the Council in the delivery of pre-agreed regeneration activity in the Borough.

Issue(s) for consideration by Cabinet

The report provided a general overview of the Groundwork model, a regional perspective of the Trust, including governance and progress against schemes identified from discussions with Council officers and community groups over the past year. The Officer Steering Group Progress Report was attached at Appendix 1.

An overview of Groundworks undertaken within the North East and also within Hartlepool were provided together with an explanation of the governance arrangements. Cabinet was requested to consider entering into a Full Partnership model which involved the Local Authority becoming a 'Company Member' of Groundwork North East for a 3 year period. The financial commitment to the Council was a contribution of £1 in the case of the Trust winding up. It was hoped that this partnership would, in the current climate of reducing resources, increased demands on staff and budgets, support the Authority in its approach to find new and alternative solutions to meeting the demands of the residents of Hartlepool.

A Member questioned whether there were sufficient checks and balances in place through the governance arrangements to ensure that current community and voluntary sector service providers were not affected by the provision of the services from Groundwork. It was noted that a lot of the services to be provided through Groundwork were not currently provided and that in the interests of the Council, should other organisations wish to compete for the service provision they were welcome to.

A Member referred to paragraph 3.9 in Appendix 1 and sought clarification on exactly what procurement was referred to. The Assistant Director (Neighbourhood Services) confirmed that this was the procurement for tendering with Groundworks which complied with procurement legislation.

The Assistant Director (Neighbourhood Services) confirmed that the ethos

of promoting local jobs for local people would continue across all partnership schemes.

In conclusion, it was suggested that the partnership agreement be entered into subject to a review to be held in 12 months time to enable withdrawal from the agreement should that be felt necessary. In addition, regular reports regarding the Groundwork Partnership arrangement and the schemes involved should be submitted to the Portfolio Holder for Neighbourhoods and Communities for consideration.

Decision

- (i) That the Council enter into a Full Partnership with Groundwork North East, subject to a review in 12 months time.
- (ii) That should Groundwork apply to deliver a service that was already provided, this should be submitted to the Portfolio Holder for Neighbourhoods and Communities for consideration.

165. Consultation on HBC Owned Sites in Seaton Carew *(Director of Regeneration and Neighbourhoods)*

Type of decision

Non key.

Purpose of report

To inform Cabinet of the results of the public consultation exercise held in March 2009 regarding the principles of development on three Council owned sites in Seaton Carew and propose the way forward.

Issue(s) for consideration by Cabinet

The Mayor presented a report which highlighted that three Council owned sites including land at Coronation Drive/Warrior Drive, land at Seaton Park and the current site of Seaton Carew Sports Hall and Community Centre had, in the past, been subject to enquiries from developers interested in developing the sites.

In response to this, Cabinet had agreed to a series of consultations to gauge local opinion on the principles of development on these specific sites. The report presented the results of those consultations and a suggested way forward in light of these and the current economic market conditions.

The Assistant Director (Procurement and Asset Management) confirmed that whilst it was suggested that there be a delay on any marketing activity,

officers would continue to explore any funding opportunities that may be available for the development of facilities within Seaton. In this regard the Assistant Director (Housing and Regeneration) commented that private sector involvement and the deliverability of any future development were important requisites that would need to be evidenced when seeking funding from public funding bodies. In response to a Member's question, the Assistant Director (Housing and Regeneration) confirmed that once the market improved, all three sites could be marketed as one package.

The Senior Regeneration Officer confirmed that further consultation would be undertaken once detailed proposals were submitted. It was noted that any land identified as being contaminated would be required to be made good as part of the development on that land.

Decision

- (i) The results of the consultation exercise were noted.
- (ii) It was agreed that the sites could be marketed when the market conditions improved and developer interest was likely to be more favourable.

166. 2010/11 Proposals for Capital Programme Funding *(Director of Regeneration and Neighbourhoods)*

Type of decision

Non key.

Purpose of report

To seek Cabinet approval for Capital Programme proposals to be put forward to Scrutiny Co-ordinating Committee for their consideration.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Finance and Performance presented a report which outlined the background to £1.2 million of funding available for capital programme works and presented proposals that had been prioritised by the Strategic Capital Resource and Asset Programme Team (SCRAPT). It was suggested that Cabinet agree to forward the proposals to Scrutiny Co-ordinating Committee for their consideration in line with previous requests.

It was noted that in the absence of any new development at Seaton, a number of projects were currently being funded from the SCRAPT capital projects fund.

Clarification was sought on what schemes were included within the 'Key Vacant Buildings/General Flexible Town Wide Grant Pot' and the 'Match Funding to lever in Regeneration Support'. The Senior Regeneration Officer confirmed that the flexible grant pot was submitted in response to queries and demand for key empty properties in the town from business property owners and would assist the ongoing campaign to bring headline empty properties into use.

The Senior Regeneration Officer confirmed that the Match Funding to Lever in Regeneration Support budget will be used to support bids for external funding. The provision of match funding was normally a condition of any kind of application for external funding. This will help therefore to strengthen bids submitted by officers to external funding bodies.

In response to a Member's question the Assistant Director (Procurement and Asset Management) indicated that the allocation of SCRAPT funding in the first year had mainly been on buildings but this has been developed over the years so that a variety of schemes were now considered to ensure community strategy objectives are prioritised.

Decision

The forwarding of the proposals to Scrutiny Co-ordinating Committee was approved.

167. Leaders and Elected Mayor's Board Scheme for the North East (*Chief Executive*)

Type of decision

Non key.

Purpose of report

To inform Cabinet how the requirements of the Local Democracy, Economic Development and Construction Act (The Act) in relation to the development of a single regional strategy will be fulfilled in the North East.

Issue(s) for consideration by Cabinet

The Mayor presented a report which provided background information and Government guidance on implementation of the requirements of The Act. The Chief Executive confirmed that the Act gave participating authorities a key role in the development, implementation and monitoring of the strategy, working in tandem with the Regional Development Agency. The role would be undertaken in a number of ways, but importantly through the

establishment of a Leaders and Elected Mayors' Board (The Board) for the region.

The Chief Executive added that the priorities of the Tees Valley needed to be reflected and this draft scheme did not appear to identify how this would be undertaken. He added that the role of the sub regions should be further strengthened including reference to the sub regional input on the chart showing the governance arrangements for the development of the Regional Strategy attached as Annex C.

In response to a Member's query, the Chief Executive confirmed that it was a requirement of the Act that Northumbria National Park Authority be included on the regional Board.

A Member suggested that consideration should be given to how the work undertaken by the Board was disseminated to all Members. During the discussions that followed it was questioned whether the level of influence from a Hartlepool viewpoint on decisions taken would be dramatically diminished through a regional Board. The Mayor confirmed that each of the 12 leaders on the Board had equal standing whereas previously on a sub-regional level, membership was proportionate. The Chief Executive added that the Association of North East Councils had been in existence for 20 years and generally reached decisions through consensus of opinion and was determined that this practice should continue.

Decision

- (i) That the report was noted.
- (ii) The Chief Executive to respond to the consultation incorporating Members' comments detailed above.

168. Corus and the Transition to a Low Carbon Economy in the Tees Valley *(Chief Executive)*

Type of decision

For information.

Purpose of report

To provide a brief summary of the current work being undertaken in relation to the proposed "mothballing" of the Teesside Cast Products (Corus) plant in Redcar and to identify proposals to support the transition of industry in the Tees Valley into a low carbon economy.

Issue(s) for consideration by Cabinet

The report provided background information in relation to the proposed “mothballing” of the Teesside Cast Products plant and included a low carbon economic transition plan for the Tees Valley, prepared by Tees Valley Unlimited. The report detailed the elements contained within the £60 million Industrial Investment Programme. Members’ attention was drawn to the infrastructure element which would enable vital site preparation to take place to attract specific investments, details of which were included within the report.

A Member commented on a project currently being undertaken in Arizona in the United States of America involving artificial trees which capture carbon during the day and slowly release it over night. It was hoped that this developing technology would support the prevention of global warming. The Chief Executive added that a number of studies were being undertaken on behalf of local authorities to explore the use of waste products and how they can be best utilised, carbon capture and storage and the production and maintenance of offshore windfarms.

A Member requested further information on the district heating network and delivery vehicle included within the short term actions within the Action Plan. The Chief Executive confirmed that a study was being funded to examine the potential of providing a district heating network as new technology may provide a more cost effective, efficient service than what was previously available. A similar study was being undertaken in Tyne and Wear and the results of both studies would be examined.

Clarification was sought on what the £60 million package of funding would cover. The Chief Executive highlighted paragraph 2.7 of the report and indicated that a team had been set up with Job Centre Plus to looking at all job losses arising from the closure of Corus. A Member noted that similar funds had been created during the loss of the mining industry including the provision of small grants and loans and he questioned whether any of the £60 million funding could be recycled back once a business was established. The Chief Executive confirmed that this project was led by One North East and Job Centre Plus and involved around 10-12 other organisations.

Decision

The report was noted.

169. Local Government (Access to Information) (Variation) Order 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 170 – Equal Pay Risk Update – *Corporate Management Team* – *This item contained exempt information under Schedule 12A Local Government Act 1972, namely information relating to a particular applicant, or recipient or former recipient of, any service provided by the Council (para 4) and information relating to the financial or business affairs of a particular person (other than the Council) (para 7).*

170. Equal Pay Risk Update *(Corporate Management Team) This item contained exempt information under Schedule 12A Local Government Act 1972, namely information relating to a particular applicant, or recipient or former recipient of, any service provided by the Council (para 4) and information relating to the financial or business affairs of a particular person (other than the Council) (para 7).*

Type of decision

Non-key.

Purpose of report

To update Cabinet on the various risks facing the Council in light of the ongoing litigation surrounding equal pay and equal value claims.

The report considered and categorised:

- (i) the current risks facing the Council;
- (ii) current risk assessment and future implications;
- (iii) mitigation measures.

Issue(s) for consideration by Cabinet

The report set out the risk assessments for the coming year and introduced some of the issues that will face the Council. Further details can be found within the exempt section of the minutes.

Decision

Details can be found within the exempt section of the minutes.

The meeting concluded at 10.42 am.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 28 January 2010