

FINANCE AND PERFORMANCE PORTFOLIO DECISION RECORD

23 February 2010

The meeting commenced at 10.00 a.m. in the Civic Centre, Hartlepool

Present:

Councillor Robbie Payne (Finance and Performance Portfolio Holder)

Officers: Andrew Atkin, Assistant Chief Executive
Joanne Machers, Chief Personnel Officer
Mike Ward, Chief Financial Officer
Graham Frankland, Assistant Director (Resources)
Joanne Smithson, Head of Performance and Partnerships
David Dockree, Senior Estates and Valuation Officer
David Hart, Strategic Procurement Manager
Edwin Jeffries, UNISON/HJTUC Secretary
Nigel Johnson, Housing Regeneration Co-ordinator
James Cuthbert, Estates and Valuation Surveyor
Liz Crookston, Principal Strategy and Research Officer
Phillip Timmins, Estates and Valuation Officer
Peter Turner, Principal Strategy Development Officer
Jo Wilson, Democratic Services Officer

Also present : Val Crow, Hartlepool Carers

113. Workers Memorial Day – Chief Personnel Officer

Type of Decision

Non key.

Purpose of Report

To inform the Portfolio Holder of the arrangements for the Workers Memorial Day Remembrance Service and Wreath Laying Ceremony and other events to be held on Workers Memorial Day and to highlight the ongoing requirement for partnership working to aid the improvement of Health and Safety to reduce the number of workplace accidents, injuries, diseases and deaths across the employment sector as a whole.

Issues for Consideration

The papers provided contained information relating to the honoured guests

and on the history of the International Workers Memorial Day. The Secretary of the HJTUC gave a verbal update on the arrangements. This year the event would be preceded by a HTUC Health and Safety Training Seminar at the Historic Quay and a Memorial Service for students organised by Hartlepool College of Further Education. A request was made that the HBC logo be used on the literature for the seminar. The Portfolio Holder was happy to approve this, asking that the Tall Ships logo also be included. He praised the Trade Unions for the work they did on the Memorial Day.

Decision

That a minutes silence be authorised in Council Buildings and for Council staff at 12.30pm on Wednesday 28th April 2010 in remembrance of those workers who have lost their lives through industrial accident or disease.

That the lowering of flags on public buildings on Wednesday 28th April 2010 be authorised.

That the sale of Workers Memorial Day remembrance forget-me-not purple ribbons on council premises to staff and public be authorised.

That the event be promoted to the wider public

That the use of Council premises on 28th April 2010 for guests before and after the Workers Day Memorial Service and Wreath Laying Ceremony be authorised.

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

Under Section 100 (A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of the Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) order 2006

Minute 115 Disposal of 19A Lowthian Road – this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 116 –Ex Gratia Payment - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular

person (including the authority holding that information)

115. Disposal of 19A Lowthian Road (para 3) – Assistant Director (Resources)

Type of Decision

Non key.

Purpose of Report

To request approval to sell the former Lowthian SureStart Children's Centre at 19a Lowthian Road and to use the capital receipt for further building improvements at the Lynnfield and Stranton Centres.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

Mrs Crow left the meeting

116. Ex Gratia Payment (para 3) – Chief Financial Officer

Type of Decision

Non key.

Purpose of Report

To seek Portfolio Holder approval to make an ex gratia payment in respect of an administrative error by the Benefits Service

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

The meeting returned to open public session.

117. Chief Executive's Departmental Plan 2009/10 – 3rd Quarter Monitoring Report – *Assistant Chief Executive. Chief Personnel Officer, Chief Solicitor and Director of Regeneration and Neighbourhoods*

Type of Decision

Non key.

Purpose of Report

To inform the Portfolio Holder of the achievements made against the Chief Executive's Departmental Plan for 2009/10 for the 9 month period ending 31st December 2009.

Issues for Consideration

The report detailed the progress against the actions contained in the Chief Executive's Departmental Plan 2009/10 and the third quarter outturns of key performance indicators. Of 161 actions within the Corporate Strategy, Finance, Human Resources, Legal Services and Procurement divisions 154 had achieved or were expected to achieve their targets. The Assistant Chief Executive felt that this was testament to the efforts staff had made to keep services running despite the various changes that had been made in recent months. Five targets had been highlighted as requiring intervention and 2 had not achieved or were not expected to achieve their targets. The reasons for this were outlined within the report and in some cases a request was made that completion dates be amended or that actions be removed from the Departmental Plan altogether.

Details were also given of notable actions carried out by the various divisions including the agreement of a revised Corporate ICT strategy, the introduction of a new Income Management System, the implementation of Electoral Commission Performance Standards, an increase in awareness of the whistle blowing policy and the completion of the tender process for the Managed Print Service.

Decision

That the achievement on actions be noted and new target dates agreed.

118. Review of Locally Set Fees in the Registration Service – *Assistant Chief Executive*

Type of Decision

Non key.

Purpose of Report

To inform the Portfolio Holder of the outcome of a review of locally set fees for services provided by the Registration Service.

Issues for Consideration

There are six distinct groups of fees: marriages and civil partnerships in Approved Premises, including The Willows; alternative civil ceremonies; individual Citizenship ceremonies; Approval of Premises for Civil Marriage and Civil Partnerships, the Nationality Checking Service and Certificate issue Express issue additional fees for certificates.

A full list of fees and details of the proposed increases was appended to the report. It was proposed that most fees remain broadly in line or lower than the fees set by neighbouring authorities. Informal investigation had indicated that neighbouring authorities would be increasing fees for the same period by at minimum the cost of inflation or slightly more. The main changes and larger percentage increases were as follows:

- That the date/time periods categories for ceremony changes be simplified into four bands, as recommended by the Portfolio Holder for Performance in 2009
- That the fees for ceremonies in approved premises in office hours on Friday, out of office hours and all day Saturday be increased
- That the fees for ceremonies in The Willows be increased
- That the fees for alternative ceremonies be increased
- That the fees for individual citizenship ceremonies be increased
- That the fees for the Nationality Checking Service be increased
- That the fees for the issue of birth and death certificates be increased
- That new administrative fees for credit card transactions and use of certain postal services be introduced.

Central Government had been reviewing statutory fees for the first time for several years. Details of the outcome of this review were appended to the report. Information was also given of the possible risks and suggested remedies including the expansion of the registration service and its transfer from Human Resources to Corporate Strategy whereby efficiency savings could be sought.

The Portfolio Holder queried why there appeared to have been such a big disparity in price between Hartlepool and its neighbouring authorities. The

Principal Strategy Development Officer advised that they had always been careful to keep costs affordable. The increase in the costs of mid-week ceremonies was not as great as the increase for ceremonies on Friday/Saturday/Sunday. This gave people the choice of when they scheduled their ceremony while acknowledging the popularity of weekend ceremonies as a way to maintain the budget position. Anyone having previously booked a ceremony for 2010/11 at the 2009/10 fee would not be asked to pay the increase.

The Portfolio Holder queried whether there would be any merit in implementing the increase on a two phase basis in April 2010 and October 2010. The Assistant Chief Executive and Chief Financial Officer both cautioned against this approach, saying a two phased approach would build a deficit into the budget.

Decision

That the changes to the local non statutory fees and financial procedures as outlined in the report and appendix be approved.

119. Irrecoverable Debts – Business Rates – Chief Financial Officer

Type of Decision

Non key.

Purpose of Report

To seek the Portfolio Holder's approval to write-out a number of business rates debts, which are now considered to be irrecoverable.

Issues for Consideration

The Council's financial procedure rules provide that any debt due to the Council of £1,000 or more could only be written out with the express permission of the Portfolio Holder. Confidential appendices attached to the report detailed the individual Business Rates over £1,000 and the reasons why each debt remained unrecovered. Should further information be received the debt would be reinstated onto the system and enforcement action recommence.

Decision

That the write-out of the attached business rates accounts for the reasons detailed be approved.

120. Irrecoverable Debts – Council Tax – Chief Financial Officer

Type of Decision

Non key.

Purpose of Report

To seek the Portfolio Holder's approval to write-out a number of council tax debts, which are now considered to be irrecoverable.

Issues for Consideration

The Council's financial procedure rules provide that any debt due to the Council of over £1,000 could only be written out with the express permission of the Portfolio Holder. Whilst every effort was made to collect debts due to the Council certain debts become irrecoverable and the report sought the agreement of the Portfolio Holder to write these out. Confidential appendices attached to the report detailed the individual council tax debts over £1,000 and the reasons why each debt remained unrecovered. Should further information be received the debt would be reinstated onto the system and enforcement action recommence. The Chief Financial Officer stated that the amount being written out each year by the Authority equated to 0.1%, in comparison with a national average of 0.3%.

Decision

That the write-out of the attached council tax accounts for the reasons detailed be approved.

121. Irrecoverable Debts – Sundry Debt Invoices – Chief Financial Officer

Type of Decision

Non key.

Purpose of Report

To seek the Portfolio Holder's approval to write-out a number of Sundry Invoices, which are now considered to be irrecoverable.

Issues for Consideration

The Council's financial procedure rules provide that any debt due to the Council of £1000 or more could only be written out with the express permission of the Portfolio Holder. While every effort was made to collect debts due to the Council certain debts became irrecoverable. If payment

was eventually received the invoice would again be reinstated on the Integra Debtors system. Confidential appendices attached to the report detailed the individual sundry invoices over £1,000 and the reasons why each invoice remained unrecovered. All debts had been comprehensively scrutinised by officers.

Decision

That the write-out of the attached Sundry Invoices for the reasons detailed be approved.

122. Chief Financial Officer

The Portfolio Holder noted this was the Chief Financial Officer's last portfolio holder meeting prior to his retirement from the authority. He thanked Mr Ward for his invaluable service to the Finance Portfolio and wished him a long and happy retirement.

123. Data Quality Policy – Head of Performance and Partnership

Type of Decision

Non key.

Purpose of Report

To seek an approval of the Council's updated Data Quality Policy and provide an update on data quality arrangements in relation to performance information.

Issues for Consideration

The Data Quality Policy was first approved in April 2007 by the Performance Management Portfolio Holder. Although traditionally related to financial information data quality was increasingly relevant in other areas such as performance management, asset management and HR. The Audit Commission audit report had made a number of recommendations which were being dealt with through the Data Quality Action Plan, mainly through use of Covalent as a tool to monitor data quality and completion of phase 2 of the data quality process. The revised policy was appended to the report. This would be circulated to all officers with responsibilities and briefings would be arranged.

Decision

That the updated Data Quality Policy be approved for dissemination to responsible officers.

That the progress made to further embed data quality practice across the

Council be noted.

124. Fit Notes – Chief Personnel Officer

Type of Decision

Non key.

Purpose of Report

To request approval for the implementation of the statutory Fit Note process, and related sickness absence policy and procedure changes to be followed for Hartlepool Borough Council.

Issues for Consideration

Replacement of the “Sick Note” with the new “Fit Note” was a statutory requirement arising from a review carried out by the Government’s National Director for Health and Work. The aim was to focus GPs on back to work advice rather than just providing confirmation of sickness. This change would be implemented on 6th April 2010 and would be linked to the current Attendance Management Policy, to be incorporated into revisions to the policy later in 2010. Trade Union consultation had been positive but would not be formalised until the Single Table meeting on 25th February 2010. Guidance notes on implementation of the new procedure were appended to the report.

Decision

That the outlined recommendations for implementation for the new Fit Note process be approved subject to confirmation at the Single Table meeting on 25th February 2010.

125. Corporate Complaints – October to December 2009 – Assistant Chief Executive

Type of Decision

Non key.

Purpose of Report

To report to the Portfolio Holder on corporate complaints performance for the third quarter of 2009/10.

Issues for Consideration

The report covered performance information on numbers of complaints, timescales for investigation and outcomes of investigations for formal

complaints dealt with in the third quarter of 2009/10. 27 formal complaints had been received, 70% of which were responded to within authority deadlines. Ten of the complaints were upheld fully or in part.

Decision

That the report be noted.

126. Principal Strategy and Research Officer

The Portfolio Holder noted this was the Principal Strategy and Research Officer's last portfolio holder meeting prior to her retirement from the authority. He described Mrs Crookston as one of the unsung heroes of the authority who went about her job quietly and efficiently and wished her a long and happy retirement.

127. Five Year Procurement Plan – Assistant Director (Resources)

Type of Decision

Non key.

Purpose of Report

To seek the Portfolio Holder approval on the latest review of the Council's five year Procurement Plan

Issues for Consideration

The Five year procurement plan provided the basis for a prioritised plan of action to provide focus for the potential developments and benefits attributable to reviewed procurement practices and outcomes which could be communicated to all interested and relevant parties. The original plan had been approved by the Performance Management Portfolio Holder in November 2006 and had been updated on a regular basis. The revised plan was appended to the report and details given of key procurement exercises over the next five years.

The revised plan was appended to the report and its flexible nature highlighted. Particular attention was drawn to the addition of the programme of SDO reviews. Also appended were details of the key workstreams identified by the Regional Improvement and Efficiency Partnership to help develop procurement collaboration. This highlighted the need for regional and sub-regional working while still doing what was best for Hartlepool. The Contract Procedures Rules were being adapted with consideration being given to a possible raising of the threshold to give local companies greater opportunities. Officers were asked to consider putting local companies onto lists of tenderers wherever possible.

Decision

That the updated five year procurement plan be approved.

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

Under Section 100 (A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of the Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) order 2006

Minute 129 – Surplus Property Disposal List – this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 130 – Throston Grange Elderly Persons Home Site and Land at Clavering – Potential Sale of Land - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 131 – Land at Seaton Carew Gold Club, Tees Road - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 132 – Manor Residents Community Resource Centre - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 133 – Disposal of Open Space Land Adjacent 416 West View Road Hartlepool - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 134 – Proposed Disposal of the Alleyway at 52 Conway Walk and 105 Throston Grange Lane - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 135 – Hartlepool Interchange – North Platform Access Easement - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 136 – Jesmond Road School Caretaker's House - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 137 – Land at Warren Road - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 138 – Shopmobility, Unit 120, Middleton Grange Shopping Centre - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 139 – Land at Graythorp - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 140 – Proposed Transfer of Terms and Conditions - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 2), information which is likely to reveal the identity of an individual and (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 141 – Single Status Agreement Appeals - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended

by the Local Government (Access to Information)(Variation)Order 2006) namely (para 2), information which is likely to reveal the identity of an individual

Minute 142 – Approval for Compulsory Redundancy - this item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation)Order 2006) namely (para 4), information relating to any 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.

129. Surplus Property Disposal List (para 3) – Assistant Director (Resources)

Type of Decision

Key – tests i and ii apply

Purpose of Report

To update the Portfolio Holder in connection with the disposal of property surplus to the requirements of Hartlepool Borough Council

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

130. Throston Grange Elderly Persons Home Site and Lane at Clavering – Potential Sale of Land (para 3) – Assistant Director (Resources)

Type of Decision

Key – tests i and ii apply

Purpose of Report

To seek approval for the marketing and sale of the former Throston Grange Elderly persons Home (EPH) site together with land at the rear of the Gillen Arms, Clavering on the basis outlined in the report.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

131. Land at Seaton Carew Golf Club, Tees Road (para 3) *– Assistant Director (Resources)*

Type of Decision

Key – tests i and ii apply

Purpose of Report

To seek approval for the sale of land at Seaton Carew Golf Club Tees Road.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained within the exempt section of the minutes.

132. Manor Residents Community Resource Centre (para 3) *– Assistant Director (Resources)*

Type of Decision

Key – tests i and ii apply

Purpose of Report

To update the Portfolio Holder in connection with the proposed sale of the property.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

133. Disposal of Open Space Land Adjacent 416 West View Road, Hartlepool (para 3) – Assistant Director (Resources)

Type of Decision

Non key.

Purpose of Report

To request approval to dispose of an area of open space adjacent to 416 West View Road.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

134. Proposed Disposal of the Alleyway at 52 Conway Walk and 105 Throston Grange Lane (para 3) – Assistant Director (Resources)

Type of Decision

Non key.

Purpose of Report

To request approval to dispose of an alleyway that is situated between 52 Conway Walk and 105 Throston Grange Lane.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

135. Hartlepool Interchange – North Platform Access Easement (para 3) – Assistant Director (Resources)

Type of decision

Non key.

Purpose of Report

To seek approval to acquire an easement to allow access to the north platform at Hartlepool station for maintenance purposes.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

136. Jesmond Road School Caretaker's House (para 3) – Assistant Director (Resources)

Type of Decision

Non key.

Purpose of Report

To seek approval to let the caretaker's house at Jesmond Road School when the house becomes vacant.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

137. Lane at Warren Road (para 3) – Revenues Manager

Type of Decision

Non key.

Purpose of Report

To seek approval for the acquisition of land at Warren Road

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

138. Shopmobility, Unit 120 Middleton Grange Shopping Centre (para 3) – Assistant Director (Resources)

Type of Decision

Non key.

Purpose of Report

To seek approval for the renewal of the lease of the premises to the Hartlepool Access Group trading as “Shopmobility”

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

139. Land at Graythorp (para 3) – Assistant Director (Resources)

Type of decision

Non key.

Purpose of Report

To provide the results of the marketing exercise in relation to the proposed sale of an industrial site of 0.87 acres and to seek the Portfolio Holder’s approval to the terms of disposal.

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

140. Proposed Transfer of Terms and Conditions (paras 2 and 3) – Chief Personnel Officer and Director of Child and Adult Services

Type of Decision

Non key.

Purpose of Report

To propose a redesignation in the title, terms of conditions of a post in the Child and Adult Services Department

Issues for Consideration

These were outlined in the exempt section of the minutes.

Decision

This was contained in the exempt section of the minutes.

141. Single Status Agreement Appeals – Chief Personnel Officer

Type of Decision

Non key.

Purpose of Report

To provide an update on progress on appeals received and obtain ratification of Appeals Panel outcomes in respect of High Priority Appeals.

Issues for Consideration

The report provided a background to the Appeals Procedure together with an update on the progress of appeals received. Ratification was requested of Appeals Panel outcomes in respect of High Priority Appeals. Further details are provided in the exempt section of the minutes

Decision

That progress on appeals received be noted.

That Appeals Panel outcomes in respect of High Priority Appeals be ratified.

142. Approval for Compulsory Redundancy (para 3) – Chief Personnel Officer

Type of Decision

Non key.

Purpose of Report

To seek a decision regarding the future employment of employees in various positions across the Council who are affected by the implementation of the Business Transformation Programme and recommendations referring to the deletion of posts.

Issues for Consideration

These are outlined in the exempt section of the minutes.

Decision

This is contained in the exempt section of the minutes

The meeting concluded at 11:55am

P J DEVLIN

CHIEF SOLICITOR

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