

CABINET

MINUTES AND DECISION RECORD

20 April 2010

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

Present:

The Mayor (Stuart Drummond) - In the Chair

Councillors: Gerard Hall (Adult Services Portfolio Holder),
Cath Hill (Children's Services Portfolio Holder),
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder).

Officers: Paul Walker, Chief Executive
Andrew Atkin, Assistant Chief Executive
Peter Devlin, Chief Solicitor
Chris Little, Chief Finance Officer
Joanne Machers, Chief Customer and Workforce Services Officer
Dave Stubbs, Director of Regeneration and Neighbourhoods
Nicola Bailey, Director of Child and Adult Services
Sue Johnson, Assistant Director, Planning and Service Integration
Derek Gouldbum, Urban and Planning Policy Manager
Matthew King, Principal Planning Officer
Laura Starrs, Scrutiny Support Officer
David Cosgrove, Democratic Services Team.

225. Apologies for Absence

Councillors Robbie Payne (Deputy Mayor) (Finance and Performance Portfolio Holder), Pam Hargreaves (Regeneration and Economic Development Portfolio Holder), and Peter Jackson (Transport and Neighbourhoods Portfolio Holder).

226. Declarations of interest by members

None.

227. Inquorate Meeting

It was noted that the meeting was not quorate. 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. Each of the decisions set out in the decision record were confirmed by the Mayor accordingly.

228. Minutes of the meeting held on 6 April 2010

Received.

229. Minutes of the meeting of the Joint Emergency Planning Committee held on 16 December 2009

Received.

230. Hartlepool Central Area Supplementary Planning Document (*Director of Regeneration and Neighbourhoods*)

Type of decision

Non-key.

Purpose of report

Cabinet was asked to support the principle of using the findings from the Central Area Investment Framework to inform the production of a Central Area Supplementary Planning Document (SPD). Through incorporating the proposals in an SPD they would become part of the Local Development Framework (LDF) and would be a material consideration in any planning decisions.

Issue(s) for consideration by Cabinet

The Mayor reported that the Central Area Investment Framework provided the strategic economic regeneration justification for investment in Central Hartlepool and listed specific proposals that would form the basis for funding bids. The proposals were designed to complement and add value to existing investment proposals, particularly the £51m redevelopment of Hartlepool College of Further Education, Cleveland College of Art and Design's expansion plans, the new Hartlepool Transport Interchange, the PCT LIFT Scheme and Jomast's proposals for Trincomalee Wharf.

The strategy provided recommendations to address key problems/barriers including the poor connectivity between the Town Centre, Marina, the unoccupied building at Jacksons Landing and the inefficient use of space including derelict/untidy buildings within the East Central Area (between Stockton Street, Mainsforth Terrace, Hucklehoven Way and Church Street). An Action Plan had been prepared that detailed a number of projects to stimulate market/investor confidence and provide estimated costs which could be used as the basis for the preparation of funding bids.

In relation to the pedestrian links referred to in the report, Members questioned if the closure and filling in of the underpass under the A689 at

the Middleton Grange Shopping Centre was to be included. Officers indicated that crossing points were being looked at as part of the master plan which is currently being developed which will identify physical improvements to Church Square and improve linkages between the shopping centre, the colleges, and transport interchange.. The closure of the underpass was being examined and may be linked to modifications to the shopping centre aimed at 'opening up' that aspect of Middleton Grange .

The number and frequency of Supplementary Planning Documents (SPDs) and their relationship with the Core Strategy was questioned. Officers indicated that the Core Strategy document was an over-arching document and did not provide the level of detail that SPD's did, so when additional detail was required to the development framework, SPD's would fill that gap.

Cabinet also discussed the current situation in relation to the Middleton Grange Shopping Centre and questioned what was being done to encourage new businesses. The Mayor understood that the management of the shopping centre were working to bring new businesses into the centre. Reference was also made to the support provided by the Empty Shops Fund including the market initiative and the 'Ship in a Shop' scheme. Much does, however, depend on the current economic situation. It was acknowledged that future planning decisions around the shopping centre may need to be more focussed.

Decision

That the preparation of the Central Area Supplementary Planning Document be approved.

231. Child Poverty Strategy, Action Plan and Pledge (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

To report on progress in the development of a town wide child poverty strategy, action plan and pledge and to seek Cabinet approval for a model of governance, pending final statutory guidance on new local authority duties arising from the Child Poverty Act 2010 which received Royal Assent on 25 March 2010.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported that Hartlepool had included the reduction of the proportion of children living in poverty as an improvement target within its local area agreement for 2008/11, demonstrating the support of both the local authority and the Local Strategic Partnership in improving outcomes for children and families in Hartlepool. Council underlined its support for tackling child poverty at its meeting of 25th February 2010 when it supported a proposal to extend the local area

agreement target aimed at reducing the number of children living in poverty by an additional 0.5%.

On 24th March 2009, Cabinet approved the preparation of a town wide child poverty strategy, action plan and pledge. It was suggested that representatives from Economic Development and the Children's Services Department (now Child and Adult Services Department) would carry this work forward in consultation with key partners. The report went on to detail the work undertaken and the progress that had been made in developing a substantive draft strategy and a working action plan.

The Child Poverty Act 2010 received Royal Assent on 25 March 2010. The Act placed duties on local authorities and named partners to cooperate in tackling child poverty. Further information about the duties on local authorities under the Act has been made available in draft interim guidance. This interim guidance did not have a statutory basis although following consultation during 2010 it was anticipated that it would be issued on a statutory basis.

The report went on to deal with the options for taking the work on child poverty forward in Hartlepool. When work was first started to develop and implement a Child Poverty Strategy and Action Plan, the Mayor and Chief Executive tasked the Children's Trust to do this and work was undertaken on a broad front across the theme partnerships within the Local Strategic Partnership. As an interim arrangement, an ad hoc working group was established and reports have been taken back to the Children's Trust. Membership of the group was based on lead officers from each of the Local Strategic Partnership themes, reflecting the cross cutting nature of the issues underlying child poverty. There has, however, also been significant Member interest in the issue.

In order to drive forward the Child Poverty Strategy and Action Plan governance arrangements now need to be formalised in line with the requirements of the Child Poverty Act 2010. The draft guidance makes reference to the need for a Child Poverty Partnership Board. However it also states that this need not be a new group and partners may cooperate through existing structures and forums. The report summarised the options for fulfilling the requirements of a Child Poverty Partnership Board in line with the requirements of the Child Poverty Act 2010, which were as follows:-

Option 1 - That the Local Strategic Partnership take on the role of the Child Poverty Partnership Board, with the Chair of the Children's Trust acting as the Child Poverty Champion on the Board and with the establishment of a cross-agency officer working group to support the work of the Local Strategic Partnership (LSP) in relation to child poverty.

Option 2 - That a new, separate Child Poverty Partnership Board, with representation from all the partners with a duty to cooperate, is established.

Option 3 - The responsibility for fulfilling the role of the Child Poverty Partnership Board is placed with the Children's Trust, necessitating the expansion of the membership of the Trust to include all the partners with a

duty to cooperate.

The preferred option was Option 1 as this model would meet the requirements of guidance, ensures Member engagement and would not create additional bureaucracy.

Members considered that this was a vital issue for the town. While there was the aim of moving families into employment and out of benefits, one of the most important steps for many was to ensure they were claiming all the benefits that were available to them including family tax credits. The Mayor commented that while this was being driven by the Child Poverty Act, the approach needed to be Hartlepool specific and to reflect our local issues.

Decision

1. That the current Child Poverty Strategy and Action and Plan and Pledge be endorsed and that the strategy and action plan should continue as substantive working drafts, to facilitate the incorporation of outcomes from the current Scrutiny enquiry and to allow flexibility to ensure compliance with new legislation once final guidance is published.
2. That the Local Strategic Partnership take on the role of the Child Poverty Partnership Board (Option 1), with the Chair of the Children's Trust acting as the Child Poverty Champion on the Board and with the establishment of a cross agency officer working group to support the work of the LSP in relation to child poverty.

232. Personal Care at Home Bill (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

The report provided an overview of the Personal Care at Home Bill. The Government's intention is that it becomes law and is introduced from October 2010. The Bill proposed several changes that will impact on Adult Social Care.

Issue(s) for consideration by Cabinet

The Adult Service Portfolio Holder reported that In September 2009, the Prime Minister announced that free personal care for people with the highest level of needs living in their own homes would be introduced from October 2010. On 25 November 2009, the Government published plans for consultation on the Personal Care at Home Bill which ended on 23 February 2010. The consultation sought views on proposals for regulations and guidance made under the Personal Care at Home Bill. The Bill proposed that councils in England with adult social services responsibilities should provide personal care free of charge in certain circumstances to people with the highest level of needs. Hartlepool Borough Council contributed to

feedback on the consultation through the Association of Directors of Adult Social Services.

The report outlined the key proposals of the bill, the allocation of funding and the likely impact on the Council.

Decision

1. That the content of the report and the concerns raised be noted.
2. That Cabinet receive further reports when the final position becomes available and there are responses to the amendments added to the Bill [in February 2010] which would now occur after the forthcoming election.

233. Final Report – Car Parking on Estates in Hartlepool
(*Neighbourhood services Scrutiny Forum*)

Type of decision

Non-key.

Purpose of report

The report outlined the findings and conclusions of the Neighbourhood Services Scrutiny Forum's investigation into 'Car Parking on Estates in Hartlepool'.

Issue(s) for consideration by Cabinet

The Director of Regeneration and Neighbourhoods indicated that the Scrutiny Forum's Final Report outlined the overall aim of the scrutiny investigation, terms of reference, methods of investigation, findings, conclusions, and subsequent recommendations. The Director commented that all the recommendations had been carried forward to the action plan in the following report. Recommendation (f) "that the Council develops a process to monitor and review the impact of the Minor Works funding allocation available to each individual Neighbourhood Consultative Forum on a ward basis" would need to be referred to the three Neighbourhood Forums for their action.

Decision

That the recommendations of the Neighbourhood Services Scrutiny Forum's investigation into Car Parking on Estates in Hartlepool as set out below, be approved and adopted;

- (a) That the Council explores the viability of extending the operational hours of resident parking schemes to include evenings and weekends;
- (b) That the Council explores ways of publicising the reporting arrangements and points of contact for parking problems;
- (c) That the Council explores with Housing Hartlepool ways of providing off

– street parking and the funding options available;

- (d) That the Council examines the possibility, where practicable, to introduce one-way systems for the residential streets where parking on both sides of the road restricts access to single file traffic;
- (e) That the Council as part of its planning process includes a requirement for all school developments to have adequate 'drop – off' and parking areas for parents and visitors; and
- (f) That the Council develops a process to monitor and review the impact of the Minor Works funding allocation available to each individual Neighbourhood Consultative Forum on a ward basis.

234. Action Plan - Car Parking on Estates in Hartlepool (Director of Regeneration and Neighbourhoods)

Type of decision

Non-key.

Purpose of report

To seek Cabinet's approval to an Action Plan in response to the findings and subsequent recommendations of the Neighbourhood Services Scrutiny Forum's investigation into 'Car Parking on Estates in Hartlepool'.

Issue(s) for consideration by Cabinet

The Director of Regeneration and Neighbourhoods indicated that the action plan, set out as appendix to the report, addressed the recommendations set out in the Scrutiny Forum's final report. As highlighted in the previous item, recommendation (f) would need to be referred to the Neighbourhood Forums.

Members questioned if one-way streets in certain areas would be considered as a potential resolution to some of the parking problems. The Director commented that when consultation was undertaken, there tended to be a 50/50 split between those in favour and those not. There were also the emergency services that needed to be consulted who would require evidence that a one-way proposal would be better than the current situation.

Decision

That the Action Plan in response to the recommendations of the Neighbourhood Services Scrutiny Forum's investigation into 'Car Parking on Estates in Hartlepool' be approved.

235. 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 paragraph(s) 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 236 “Proposed Transfer of Red Book Employees (Craft Workers) to Green Book Conditions of Service” para. 4, 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.

236. Proposed Transfer of Red Book Employees (Craft Workers) to Green Book Conditions of Service *(Director of Regeneration and Neighbourhoods / Chief Customer and Workforce Services Officer)*

Type of decision

Key decision - test (i) applies.

Purpose of report

To obtain Cabinet approval to the proposed transfer of Red Book employees (Craft Workers) to Green Book Conditions of Service and associated employment issues.

Issue(s) for consideration by Cabinet

The report set out the background and details of the employment implications of the proposals, the equality impact assessment, financial implications and a summary of the consultations undertaken with employees and their trade union representatives.

Decision

The decision of Cabinet is set out in the exempt section of the minutes.

The meeting concluded at 9.55 a.m.

P J DEVLIN

CHIEF SOLICITOR

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