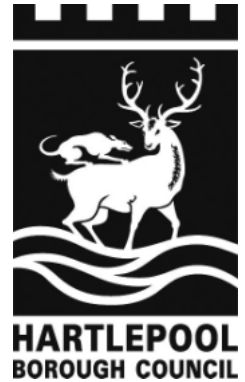


# COUNCIL AGENDA



**16<sup>th</sup> September 2010**

**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 5<sup>th</sup> August 2010 and the Extraordinary Council meeting held on 25<sup>th</sup> August 2010, as a correct record (copies 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 Annual meeting of the Cleveland Fire Authority held on 4 June 2010 are attached.

8. To deal with any business required by statute to be done.
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;
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) Hartlepool Local Sites Review (copy attached)
  - (b) Proposals for departures from the budget and policy frameworkNone.
14. To consider any motions in the order in which notice has been received.
15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

<p style="text-align: center;"><b>COUNCIL</b></p> <p style="text-align: center;"><b>MINUTES OF PROCEEDINGS</b></p> <p style="text-align: center;"><b>5 August 2010</b></p>
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The meeting commenced at 7.00 pm in the Civic Centre, Hartlepool

**PRESENT:-**

The Chairman (Councillor C Richardson) presiding:

The Mayor, Stuart Drummond

**COUNCILLORS:**

Aiken	C Akers-Belcher	S Akers-Belcher
Atkinson	Barclay	Barker
Brash	Cook	Cranney
Fleet	Flintoff	Gibbon
Griffin	Hall	Hill
Ingham	Lauderdale	Lawton
A Lilley	G Lilley	London
Maness	J W Marshall	McKenna
Payne	Plant	Preece
Rogan	Shaw	Thomas
H Thompson	P Thompson	Wells
Worthy	Wright	

**OFFICERS:**

Paul Walker, Chief Executive  
Peter Devlin, Chief Solicitor  
Chris Little, Chief Finance Officer  
Andrew Atkin, Assistant Chief Executive  
Dave Stubbs, Director of Regeneration and Neighbourhoods  
Caroline O'Neill, Assistant Director, Child and Adult Services  
Denise Wimpenny and Angela Hunter, Democratic Services Team

Prior to the commencement of the main business, the Chairman referred in terms of regret to the recent death of former Councillor and Honorary Alderman Horace Bishop. Members paid tribute to his qualities as a Councillor and stood in silence as a mark of respect.

**34. APOLOGIES FOR ABSENT MEMBERS**

Councillors Hargreaves, Jackson, James, Laffey, A Marshall, Morris, Simmons, Sutheran and Turner.

**35. DECLARATIONS OF INTEREST FROM MEMBERS**

The following Councillors declared a personal interest in item 13b(i) – The Mayor, Stuart Drummond, C Akers-Belcher, S Akers-Belcher, Barday, Cook, Fleet, Flintoff, Griffin, Hall, Ingham, Lawton, Maness, McKenna, Payne, Richardson, Rogan, Shaw, Thomas and Wells.

Cllr Cranney declared a prejudicial interest in item 13b(i) and indicated his intention to leave the meeting during consideration of that item of business.

**36. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS**

None

**37. PUBLIC QUESTION**

None

**38. MINUTES OF PROCEEDINGS**

The Minutes of Proceedings of the Council held on 24 June, having been laid before the Council.

RESOLVED - That the minutes be confirmed subject to Minute 32 (ii) being deferred.

The minutes were thereupon signed by the Chairman.

**39. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL**

None.

**40. QUESTIONS FROM MEMBERS OF THE COUNCIL**

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

With reference to Minute No 1 of the meeting of the Adult and Public Health Services Portfolio held on 26 July 2010, Councillor J W Marshall sought clarification of the Adult and Public Health Services Portfolio Holder regarding the timescales for the provision of dust monitoring equipment following the recent scrutiny investigation into dust deposits on the Headland and subsequent decision by the Portfolio Holder.

In response, the Adult and Public Health Services Portfolio Holder stated that the timescale for purchase of equipment had been brought forward by a few months.

- (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:-

*In conjunction with Central Government Guidance relating to the Local Transport Plan (2006-2011), does Hartlepool have in place Highways and Transport and Asset Management Plan, Network Management Plan and has a Traffic Manager been appointed?"*

In response, the Mayor advised that the Transport Asset Management Plan was merged with the Highways Asset Management Plan and was now one document. The combined document was currently a working document which was being finalised in co-ordination with the other Tees Valley Authorities and would be taken to the Portfolio Holder for approval prior to being uploaded onto the website.

The Network Management Plan was almost completed and minor changes had been made due to the Department of Transport changes in legislation. The appointment of the Traffic Manager had already taken place and Mike Blair was appointed to this position.

In a supplementary question, Councillor McKenna asked if it was the intention to appoint consultants to prepare the Local Transport Plan at a cost of £60,000 rather than utilise Council staff. In response, the Mayor agreed to look into this issue and provide clarification following the meeting.

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

None. Minutes of the meetings of the Cleveland Police Authority held on 17 March 2010 and 11 May 2010 had been submitted.

**41. BUSINESS REQUIRED BY STATUTE**

(i) Report on Special Urgency Decisions

Council noted that there were no Special Urgency decisions taken in the period April to June 2010.

**42. ANNOUNCEMENTS**

In relation to Minute No 21 (b)(ii), the Chairman reported that a letter indicating that the matter was receiving attention had been received from the Deputy Prime Minister in response to his letter regarding the hospital.

Members were advised that an Extraordinary Meeting of Council would be held on Wednesday 25 August 2010 at 7.00 pm to discuss the electoral review.

**43. 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.**

None

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

None

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

None

**46. REPORT FROM THE EXECUTIVE**

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

(i) Tees Valley Joint Minerals and Waste Development Plan Documents: Revised Draft Submission Documents

The Mayor presented the report which provided information regarding the representations received following the "publication" of the Joint Tees Valley Minerals and Waste Development Plan Documents last year. Council's approval was sought to publish the schedules of proposed changes and the associated infrastructure strategy for further consultation and subsequently submit to Government for Independent Examination, the Development Plan Documents which would guide future minerals and waste development in

Hartlepool.

The report included background information relating to the Minerals and Waste Development Plan Documents, details of the schedules of proposed changes and how the Development Plans should be amended, the next steps and future stages to adoption.

RESOLVED that:-

- (i) The publication of the Schedule of Proposed Changes and the associated Infrastructure Strategy in so far as they relate to the Borough of Hartlepool for public consultation, be approved.
- (ii) Subject to no substantive changes to the documents being necessary following publication, approval was granted for subsequent submission to the Secretary of State for Communities and Local Government for Independent Examination; and
- (iii) Authority be granted for the Director of Regeneration and Neighbourhoods, in consultation with the Cabinet Member with responsibility for Planning Policy, to make any necessary minor amendments to the documents prior to submission to the Secretary of State.

(ii) Changes to the Hartlepool Local Plan 2006 Local Centre Boundaries

The Mayor presented the report which sought Council's approval to the proposed changes to 10 of the Local Centre boundaries currently saved under Policy Com5 of the 2006 Hartlepool Local Plan and to incorporate a new local centre at Belle Vue. This was an important policy and used to inform planning decisions within the local centres around the town, meaning that the boundaries needed to be regularly reviewed.

The report included background information in relation to the Local Centre survey to assess the vacancy rates and composition status of different types of services within Local Centres. There were currently 19 local centres in the Borough as reflected in Policy Com5 of the Hartlepool Local Plan 2006. The 2010 survey indicated a need to re-draw boundaries of some local centres to reflect development activities and changes that had occurred over the years since the Local Plan was adopted in 2006.

Proposed changes to the local centre boundaries were set out in the report together with the proposed boundary for the new local centre.

RESOLVED – That the proposed changes to the Local Centre boundaries, as detailed in the report, be approved.

## (iii) Youth Justice Strategic Plan 2010-2011

The Mayor submitted the Youth Justice Strategic Plan 2010/11 as required under the Budget and Policy Framework, and sought Council's approval to the Plan.

RESOLVED – That the Youth Justice Strategic Plan 2010-2011 be approved for submission to the Youth Justice Board.

**PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS  
COUNCILLOR CRANNEY LEFT THE MEETING IN ACCORDANCE WITH HIS  
EARLIER DECLARATION OF INTEREST**

## (b) Proposal for Departures from the Budget and Policy Framework

## (i) Strategy for Managing Reductions in 2010/11 Government Grants

The Finance and Procurement Portfolio Holder presented a report, on behalf of Cabinet, which detailed the proposed strategy for managing reductions in 2010/11 government grants. On 24 May 2010, the government announced details of cross government departmental savings in 2010/11 of £6.2 billion. This included £1.166 billion of local government savings. Details of the impact on 2010/11 grant allocations for individual councils were not provided by the Government until 10 June 2010. For Hartlepool, the revenue grant cut was £2.154m and the capital cut was £1.402m. The Portfolio Holder highlighted his disappointment and dismay in relation to the Government's proposals and emphasised the impact these cuts would place on deprived communities. Concerns were expressed that the in-year grant cuts would lead to much deeper cuts in spending from April 2011

Initial proposals for managing the funding reductions were considered by Cabinet on 19 July and further considered by Cabinet on 2 August together with feedback from the Council Working Group held on 27 July. Cabinet wished to record its thanks for the contributions and suggestions Members had made through the Working Groups in managing this difficult position.

In response to feedback from the Working Group on the initial proposals for External Working Neighbourhoods Fund projects Cabinet was proposing changes to a small number of the initial proposals relating to NAP Residents Priorities, Connected Care and Community Chest, details of which were set out in the report.

In the debate that followed, Members reiterated concerns in relation to the impact these cuts would place on deprived communities such as Hartlepool and highlighted the importance of Elected Members working together to manage the cuts in the best possible way and identify efficiencies. In terms of efficiency savings, a number of suggestions and examples of good practice in other local authorities were referred to.



## RESOLVED that:-

- (i) The revised strategy for managing the Area Based Grant reduction as detailed in paragraph 4.2, Appendix 1 of the report to Cabinet of 2 August 2010, including revised budget allocations for individual projects for 2010/11 and 2011/12 detailed in Appendices A and B and amended to reflect the revised proposals detailed in paragraph 3.3 be approved;
- (ii) Further reviews to be carried out in order to identify additional reductions from April 2011 with the outcome being reported to Cabinet at a later date (para 4.7);
- (iii) The reduction in the Local Public Service Agreement Reward Grant and the resulting reduction in resources allocated to fund one off expenditure commitments, be noted;
- (iv) The reduction in the Local Authority Business Incentive Scheme Grant and the resulting reduction in resources available to support the 2011/12 budget, be noted;
- (v) The reduction in the Housing and Planning Delivery Grant which had already been recognised in the budget forecasts for future years, be noted;
- (vi) The reduction in the Integrated Transport Capital Grant which will reduce the size of investment in transport schemes during 2010/11, be noted;
- (vii) The estimated reduction in the Housing Market Renewal Grant which will reduce the scale of capital investment which can be undertaken during 2010/11, be noted.

**47. MOTIONS ON NOTICE**

The following Notice of Motion had been received:-

*“That the increase in VAT from 17.5% to 20%, announced in the Government’s June Budget, will fall hardest on those least able to afford it. The amount of disposable income spent on VAT is 11.6% for the lowest 20% of earners, while for the top 20% it is only 5.7%. This means that an increase in VAT will hit the poorest twice as hard as the richest and is by definition an unfair tax.*

*That the increase in VAT will lead to higher prices for goods and services; will have a disproportionate impact on pensioners, families and those least well off in our town; and will have a severe impact on businesses, charities and community groups in Hartlepool.*

*That this attack on pensioners, families and those least well off in society runs counter to the Government’s Coalition Agreement statement on 20*

*May 2010 that it would “ensure that fairness is at the heart of those decisions so that all those most in need are protected”.*

*Moreover the increase in VAT is a total betrayal of the pre-election pledge made by the Liberal party to not increase this tax.*

*Finally the increase in VAT will unfairly tax SME in Hartlepool, damage the local economy and increase unemployment. It is the “real jobs tax”*

*That the Institute of Fiscal Studies has stated the VAT increase was not “unavoidable”, as the Chancellor of the Exchequer said in his Budget speech.*

*Council resolves:*

*To write directly to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Hartlepool. That this letter should be signed by all group leaders, plus any other member that wishes to”*

*Signed:-*

*Councillor C Simmons*

*Councillor J Brash*

*Councillor S Maness*

*Councillor G Morris*

*Councillor R Wells*

*Councillor S Griffin.*

The motion was moved and seconded following which the reasons for presenting the Motion to Council were outlined. During the lengthy debate that followed, Members made comment upon the motion with the majority of Members expressing support for the motion.

At the end of the debate, before the Motion was put to the vote, the mover of the Motion responded to the issues which had been raised during the debate and sought the Council's support of the Motion.

RESOLVED that:-

- (i) the Motion be approved.
- (ii) the Chairman write to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Hartlepool and the letter be signed by all Members wishing to support the motion.
- (iii) A letter be sent to the Local Government Association to convey the views of the Council, as set out in the Motion urging them to support the Motion.

The following Members requested that their vote in support of the above resolution be recorded:-

Cllrs C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cook, Cranney, Fleet, Griffin, Hall, Ingham, Lawton, Maness, J W Marshall, Payne, Richardson, Rogan, Shaw, Thomas and Worthy.

The following Members requested that their vote against the above resolution be recorded:-

Councillors Barker, London, Preece and Wright

#### **48. APOINTMENTS TO JOINT COMMITTEES AND OTHER OUTSIDE BODIES**

The Chief Executive reported that notification had been received that Councillor J Marshall wished to resign from his appointment to the National Society for Clean Air with immediate effect and a replacement nomination was therefore sought.

RESOLVED – That Councillor J W Marshall replace Councillor J Marshall on the National Society for Clean Air.

#### **49. APPOINTMENTS TO COMMITTEES, FORUMS AND OTHER BODIES**

The Chief Executive advised that notification had been received that Councillor James would replace Councillor Griffin on the Regeneration and Planning Services Scrutiny Forum and sought Council's approval to the proposed change in membership.

RESOLVED – That Councillor James replace Councillor Griffin on the Regeneration and Planning Services Scrutiny Forum.

The meeting concluded at 7.53 pm.

CHAIR

# **EXTRAORDINARY COUNCIL**

## **MINUTES OF PROCEEDINGS**

**25 August 2010**

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

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

COUNCILLORS:

Aiken	C Akers-Belcher	S Akers-Belcher
Barclay	Barker	Brash
Cook	Cranney	Fleet
Flintoff	Gibbon	Griffin
Hall	Hill	Ingham
James	Laffey	Lawton
London	Maness	A Marshall
J W Marshall	Dr. Morris	Preece
Rogan	Shaw	Simmons
Thomas	H Thompson	Turner
Wells	Worthy	Wright

Officers Paul Walker, Chief Executive  
Alan Dobby, Assistant Director (Support Services)  
Lorraine Bennison, Principal Registration & Members Services Officer  
Alyson Caman, Legal Services Manager  
Amanda Whitaker, Democratic Services Team

### 50. APOLOGIES FOR ABSENT MEMBERS

Mayor, Stuart Drummond and Councillors Atkinson, Hargreaves, Jackson, A Lilley, G Lilley, McKenna, Payne, Sutheran and P Thompson

### 51. DECLARATIONS OF INTEREST FROM MEMBERS

None

## 52. FURTHER ELECTORAL REVIEW – HARTLEPOOL BOROUGH COUNCIL

Further to minute 33 of the Council meeting held on 24 June 2010, a report had been submitted by the General Purposes Committee which set out the background to an electoral review which had commenced on 20 July 2010.

The report advised that under the Commission's guidelines, if either of the following conditions were found to exist, then consideration was given for the need for a review;

- Any local authority with a division or ward that has an electoral variance in excess of 30%. This means a division or ward having at least 30% more (or less) electors in it than the average for the authority as a whole;  
and/or
- Any local authority where more than 30% of the divisions or wards have an electoral variance in excess of 10% from the average of that authority.

On the basis of the December, 2009 electoral register, Hartlepool had met the criteria, wherein 41% of the Council's wards had variances of more than 10% from the average. The current electorate and variances were set out in figure 1 of the report.

Details of the final recommendations to the Electoral Commission following a previous electoral review of Hartlepool Borough Council in 2003 were included in the report. The purpose behind those proposals was to ensure that in future each Borough Councillor represented approximately the same number of electors, bearing in mind local circumstances and that;

- 15 of the proposed 17 wards and number of electors per Councillor would vary by no more than 10% from the Borough average
- This improved level of electoral equality was forecast to marginally deteriorate, with the number of electors per Councillor in 3 wards, Elwick, Greatham and Seaton expected to vary by more than 10% from the average for the Borough in 2006

The report outlined the existing electoral arrangements in 2001 together with the final recommendations. The final recommendations sought to reduce the number of wards with an electoral variance of more than 10% from 9 to 2 and with no wards varying by more than 20% from the Borough average. By 2006, it was also forecast, that 3 wards (Elwick, Greatham and Seaton would have an electoral variance of more than 10%)

The report included details of the powers of the Local Government Boundary Commission for England to conduct electoral reviews of individual authorities at periodic intervals, the conduct of an electoral review, a review timetable together with the process of the review.

The General Purposes Committee at its meeting on 12<sup>th</sup> July had established a Working Group to formulate a submission on 'Council size'. That submission formed Appendix 1 to the report and had been forwarded to Members for consideration following its finalisation by the Working Group and approval by the General Purposes Committee. As indicated in the report, it was an expectation that a submission be made to the Commission by 30<sup>th</sup> August, 2010.

RESOLVED - That the submission on 'Council size' be approved for submission to the Local Government Boundary Commission for England subject to Appendix 8 being amended to reflect addition of Hartfields Residents Association in Hart Ward and reference to Rossmere Residents Association in Rossmere Ward being amended to Rossmere Residents Group (Section A East) .

The meeting concluded at 7.10 p.m.

CHAIR

## Member questions for Council

Meeting: 16 September 2010

1.	From: Councillor Cook
	To: Mayor, Stuart Drummond
	Question:  "What is the scope of the evaluation of the Tall Ships event, that is under way?"

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# CLEVELAND FIRE AUTHORITY

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## MINUTES OF ANNUAL MEETING HELD ON FRIDAY, 4 JUNE 2010

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<b>PRESENT:</b>	<b>HARTLEPOOL BOROUGH COUNCIL:-</b> Councillors Akers-Belcher, Atkinson, Payne <b>MIDDLESBROUGH COUNCIL:-</b> Councillors Brunton, Clark, Morby, Porley, Rogers <b>REDCAR AND CLEVELAND BOROUGH COUNCIL:-</b> Councillors Abbott, Briggs, Cooney, Dunning, Forster, Ovens <b>STOCKTON ON TEES BOROUGH COUNCIL:-</b> Councillors Kirton, Lewis, O'Donnell, Salt, Woodhead <b>AUTHORISED OFFICERS:-</b> Legal Adviser, Treasurer, Chief Fire Officer, Director of Corporate Services <b>FIRE BRIGADE OFFICER:-</b> Head of Corporate Support
<b>APOLOGIES FOR ABSENCE:</b>	Councillor Thompson (Middlesbrough Council) Councillor Patterson (Stockton on Tees Borough Council) Councillor Stoker (Stockton on Tees Borough Council)

### 1. APPOINTMENT OF CHAIR

The Director of Corporate Services sought nominations for the position of Chair of Cleveland Fire Authority for 2010/2011. Councillor Jean O'Donnell was subsequently proposed and seconded whereupon nominations were closed.

**RESOLVED – that Councillor Jean O'Donnell be appointed Chair of Cleveland Fire Authority for the ensuing year.**

### Councillor O'Donnell in the Chair.

The Chair thanked Members for their nominations and stated that she was looking forward to continuing to work with Members and Officers on the challenges facing the Authority in the coming year. The Chair thanked Councillor Peter Porley, who had successfully chaired the Authority over the past two years. Councillor Porley thanked Councillor O'Donnell, Members, Officers and staff for the support given to him during his period of office.

The Chair also extended, the Authority's thanks to Councillors Beall, Brash, Cherrett, Lilley and McTigue for the support that they gave during their time as Members of Cleveland Fire Authority.



**1. APPOINTMENT OF CHAIR (CONT)**

The Chair also welcomed Councillors Stephen Akers-Belcher and Reuben Atkinson from Hartlepool Borough Council, Councillor Kevin Morby from Middlesbrough Council and Councillors Paul Kirton and Alan Lewis from Stockton on Tees Borough Council to the Authority.

**2. DECLARATIONS OF MEMBERS INTEREST**

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

**3. APPOINTMENT OF VICE CHAIR**

The Chair sought nominations for the position of Vice Chair to Cleveland Fire Authority for 2010/2011. Both Councillors Payne and Cooney were proposed and seconded for the position of Vice Chair, Councillor Payne received 12 votes and Councillor Cooney confirmed that she did not wish to proceed with a vote. Councillor Payne was appointed as Vice Chair of Cleveland Fire Authority for the ensuing year.

**RESOLVED – that Councillor Payne be appointed as Vice Chair of Cleveland Fire Authority for the ensuing year.**

**4. MINUTES**

**RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on 26 March 2010 be confirmed.**

**5. MINUTES OF COMMITTEES**

**RESOLVED - that the Minutes of the Executive Committee held on 7 May 2010 and the Policy Committee held on 7 May 2010 be confirmed.**

**6. REPORT OF THE LEGAL ADVISER**

**6.1 Business Report 2010/11**

The Legal Adviser sought Members views regarding principles of the Corporate Governance Framework, outlined at paragraph 3.

The Legal Adviser asked Members to consider the Constitution and Governance arrangements including:

- CFA Membership 2010/11
- Calendar of Meetings 2010/11
- Terms of Reference
- Committee Structure
- Delegation Scheme – which has been reviewed and revised by the Authority's Legal Adviser and Monitoring Officer in conjunction with the Chief Fire Officer, Treasurer and Director of Corporate Services

## **6.1 Business Report 2010/11 (cont)**

- Financial Procedure Rules – which have been updated to reflect the recent organisational changes and some financial limits increased
- Standing Orders in Respect of Proceedings – which have been reviewed and updated
- Contract Procedure Rules – which are currently being reviewed to reflect best practice

He advised Members that the Standing Orders are subject to the appropriate variation under Standing Order No 28, any motion to add to, vary or revoke these standing orders other than for purposes of compliance with any statutory requirement shall when proposed and seconded stand adjourned, without discussion, to the next ordinary meeting of the Authority.

The Legal Adviser sought nominations for appointments to Committees, Member Champions, Community Leaders and Outside Bodies as outlined in Appendix 1. The Legal Adviser also advised Members regarding the Roles of Members and the Ethical Governance Framework, which included:

- The Anti Fraud and Anti Corruption Strategy
- Standards and Partners
- Member Code of Conduct
- Register of Members Interests
- Declaration of Gifts and Hospitality
- Hearing Procedures for Standards Committee
- Complaints Procedure for dealing with allegations of breach of the Members Code of Conduct

### **RESOLVED-**

- that the Corporate Governance Framework principles as outlined in paragraph 3 be approved.**
- That the Constitution and Governance arrangements outlined in paragraph 4 and Appendix A be approved. That the Standing Orders at paragraph 4.5 stand adjourned without discussion to the next ordinary meeting of the Authority.**
- that Members appointments to Committees, Outside Bodies, Member Champions and Community Leaders as outlined in Appendix A, B and C be approved. A copy of Members appointments are appended to these Minutes.**
- that the role of CFA Members as outlined at paragraph 6 and Appendix D be approved.**
- that the Ethical Governance Framework of the Authority as outlined at paragraph 7 and Appendix E be endorsed and complied with.**



## **7. REPORTS OF THE CHIEF FIRE OFFICER**

### **7.1 PFI Update**

The Director of Corporate Services informed Members that the PFI Update would be discussed under Agenda Item 17.1

### **7.2 Select Committee Fire Control Project**

The Chief Fire Officer informed Members that on 1 April 2010 CLG had published a Select Committee report regarding the national FiReControl Project. He advised Members of the key findings and that the Select Committee had concluded that should CLG abandon the FiReControl Project now, not only would all the claimed benefits of the Project in terms of greater speed, responsiveness and efficiency be lost, but it would cost an extra £8 million more than if it were left to proceed. The Select Committee Report recommends that CLG should continue with the Project, with renewed vigour, but that this is conditional upon several recommendations.

The Chief Fire Officer stated that information regarding the Fire Control Project is still awaited from the new Government but he confirmed that in order to ensure that Member's statutory duty to provide emergency response was met; a contingency plan was in place. He explained that the Brigade is currently trialling a new system (SEED) to enhance the Remsdaq system. We are the first authority to trial this new SEED system and the FBU and Staff are supportive of the trial.

Councillor Payne asked how much the refurbishment of the existing 49 Fire Control Rooms would have cost compared to the 9 new regional FireControl Centres. The Chief Fire Officer stated that at onset, the Project was sold as a money saving project, however as time has passed and costs have risen the driver is now increased resilience and firefighter safety. He added that it is difficult to estimate the difference in costing refurbishment opposed to the new centres.

Councillor Dunning raised a concern, following £6.2 billion of cuts from public spending announced by the Government, that the FireControl Project would be further delayed. Councillor Ovens asked how resilience to terrorist attacks would be affected if the Project was restricted to four centres. The Chief Fire Officer commented that if restricted, the four centres would be located around the country with the centres being interlinked.

**RESOLVED:- that the CLG Select Committee report conclusions and recommendations on the national FiReControl Project be noted.**

**7.3 Chief Fire Officer's Information Pack – June 2010**

- 7.3.1 Fire and Rescue Service Circulars
- 7.3.2 Employer Circulars
- 7.3.3 National Joint Circulars

**RESOLVED – that the report be noted.**

**8. REPORTS OF THE DIRECTOR OF CORPORATE SERVICES**

**8.1 Member Development Plan 2010/11**

The Director of Corporate Services sought Members views regarding the Member Development Plan for 2010/11, which incorporates:

- Training & Development
- Induction
- Mentoring
- Member Development Plans
- A Guide to Members Roles
- Resources
- Assessment

**RESOLVED – that the Member Development Plan for 2010/11 be approved.**

**8.2 Member Attendance at Conferences**

The Director of Corporate Services confirmed that this report was for information only as Members had approved The Delegation Scheme which delegated the power to agree Member attendances at Conferences to the Director of Corporate Services.

**RESOLVED – that the report be noted.**

**8.3 Corporate Governance Information Pack**

- 8.3.1 Standards Committee
- 8.3.2 Fire Improvement Group

**RESOLVED – that the report be noted.**

**9. REPORT OF THE TREASURER**

**9.1 Members Allowance Scheme**

The Treasurer presented the recommendations of the Independent Remuneration Panel (IRP) who had undertaken a review of the Member Allowances Scheme. The current Members Allowance Scheme had been approved by the Authority on 5 June 2009 and continues to operate until any amendments to the scheme are approved.

The Treasurer informed Members the IRP had considered the current level of allowances, roles, duties and responsibilities, and the views of Members given via a questionnaire which had achieved a response rate of 61%. The IRP reviewed the role and responsibility of all CFA Members under the Governance arrangements, and had also considered the allowances paid by other Fire Authorities.



**9.1 Members Allowance Scheme (cont)**

The IRP considered the involvement of the four Members from Cleveland Fire Brigade in LACC. It was noted that the other three authorities were not minded to consider the award of a Special Responsibility Allowance for these roles at this time.

The Treasurer informed Members that the IRP had recommended no increase to current allowances.

**RESOLVED:-**

- (i) that Members agreed with the recommendations of the IRP that there be no increase to Members Allowances.
- (ii) that the updated Members Allowance scheme be approved.

**10. VERBAL BRIEFING ON THE NE FIRE CONTROL COMPANY BOARD**

Councillor Forster provided Members with an update regarding the NE Fire Control Company Limited. The LACC Board met on 27 May when they noted several policies which have been agreed with the FBU and ratified through the JCC. Further meetings of the JCC Review Group have taken place throughout April and May and a number of principles have now been agreed regarding RCC shift patterns and a framework for shift working has been formulated upon which the FBU are now consulting their members. Proposals for role allocation at the RCC have also been finalised and released to the FBU through the JCC as part of formal consultation.

CLG had confirmed their intent to release the full suite of documents that will constitute the formal contracts between the LACC and central government and between the LACC and FRA's. The timing of this is now impacted by the review being undertaken by the new Fire Minister. Contacts have been drafted by CLG's Legal Advisers supported by the FireControl Project Legal Working Group. Whilst regions are represented in this forum through their regional legal adviser, this does not constitute any formal approval of the contracts or representation of the FRA's view. A series of briefing sessions will be organised for a range of stakeholders in the North East including financial and legal advisers along with Principal Officers and LACC representatives once CLG confirm the timescales for releasing the contracts.

**RESOLVED: that the report be noted.**

**11. REPORT OF THE CHAIR OF THE AUDIT AND GOVERNANCE COMMITTEE**

**11.1 Information Pack**

- 11.1.1 Audit Commission
- 11.1.2 Organisational Performance Report 2009/10
- 11.1.3 Area Performance Report 2009/10
- 11.1.4 Target Setting 2010/11
- 11.1.5 Improvement Action Plans 2009/10
- 11.1.6 Operational Assessment Action Plan 2009/10
- 11.1.7 Efficiency Strategy Year 1 Update

**11.1 Information Pack (cont)**

- 11.1.8 Review of the Effectiveness of the System of Internal Audit
- 11.1.9 Internal Audit Outturn Report 2009/10
- 11.1.10 Review of the Authority's Annual Governance Statement

**RESOLVED:** that the report be noted.

**12. 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 No 13 – paragraphs 1 and 3

Minute No 14 – paragraph 3

Minute No 15 – paragraph 1

Paragraph 1 – namely information relating to any individual

Paragraph 3 – namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

**13. CONFIDENTIAL MINUTES**

**RESOLVED – that the Confidential Minutes of the Cleveland Fire Authority meeting held on 26 March 2010 be confirmed.**

**14. JOINT REPORT OF THE CHIEF FIRE OFFICER AND TREASURER**

**14.1 PFI Update**

The Chief Fire Officer provided Members with an update of the PFI Project.

The Chief Fire Officer and Director of Corporate Services left the meeting.

**15. CONFIDENTIAL MINUTES**

**RESOLVED – that the Confidential Minutes of the Executive Committee meeting held on 7 May 2010 be confirmed.**

**COUNCILLOR JEAN O'DONNELL  
CHAIR**



## APPENDIX 1

### APPOINTMENT TO COMMITTEES

#### **EXECUTIVE COMMITTEE (4:1:1:1)**

HARTLEPOOL :-	Councillor Payne
MIDDLESBROUGH :-	Councillor Porley
REDCAR & CLEVELAND :-	Councillors Forster, Ovens
STOCKTON ON TEES :-	Councillors O'Donnell, Patterson, Woodhead

#### **TENDERS COMMITTEE (2:1)**

Councillor O'Donnell  
 Councillor Payne  
 Councillor Woodhead

#### **STANDARDS COMMITTEE (2:1:1) plus 3 independent persons**

MIDDLESBROUGH	Councillors Clark, Rogers
REDCAR & CLEVELAND	Councillor Briggs
STOCKTON	Councillors Lewis

#### **OVERVIEW & SCRUTINY COMMITTEE (4:1:1:1)**

(Chair to be a Member of a Non Controlling Group)

HARTLEPOOL	Councillor Akers-Belcher
MIDDLESBROUGH	Councillors Brunton, Clark, Morby
REDCAR & CLEVELAND	Councillors Cooney, Dunning
STOCKTON ON TEES	Councillor Lewis

#### **AUDIT & GOVERNANCE COMMITTEE (4:1:1:1)**

(Controlling Group Chair)

HARTLEPOOL	Councillor Atkinson
MIDDLESBROUGH	Councillor Thompson
REDCAR & CLEVELAND-	Councillors Abbott, Briggs
STOCKTON ON TEES	Councillors Kirton, Salt, Stoker

#### **APPEALS COMMITTEE (4:1:1:1)**

HARTLEPOOL	Councillors Akers-Belcher, Flintoff
MIDDLESBROUGH	Councillors Clark, Morby, Rogers
REDCAR & CLEVELAND	Councillor Briggs
STOCKTON ON TEES	Councillor Kirton

#### **JOINT CONSULTATIVE COMMITTEE (4:1:1:1)**

HARTLEPOOL	Councillors Akers-Belcher, Atkinson, Flintoff, Payne
REDCAR & CLEVELAND	Councillor Forster
STOCKTON ON TEES	Councillors O'Donnell, Salt

#### **MEMBER DEVELOPMENT GROUP (4:1:1:1)**

HARTLEPOOL	Councillors Atkinson, Payne
MIDDLESBROUGH	Councillors Porley, Rogers
REDCAR & CLEVELAND	Councillor Forster
STOCKTON ON TEES	Councillors Lewis, O'Donnell

### 3. **OUTSIDE BODIES**

#### ***Local Government Association Fire Forum Councillor Forster***

##### **Regional Management Board**

One Labour Member	Councillor Forster
One Labour Member	Councillor O'Donnell
One Labour Member substitute	Councillor Briggs
One Labour Member substitute	Councillor Kirton
One Conservative Member	Councillor Cooney
One Conservative Member substitute	Councillor Woodhead
One Liberal Democrat Member	Councillor Lewis
One Liberal Democrat Member substitute	Councillor Ovens

##### **Safer Partnership Forums**

Hartlepool Safer Partnership representative	Councillor Akers-Belcher
Middlesbrough Safer Partnership representative	Councillor Brunton
Redcar & Cleveland Safer Partnership representative	Councillor Briggs
Stockton Safer Partnership representative	Councillor Kirton

##### **Local Strategic Partnerships Board (or equivalent)**

Hartlepool – One Member representative required	Councillor Payne
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##### **I&DeA**

NE Improvement and Efficiency Partnership ) Community Engagement and Empowerment) Programme Member Sounding Board )	Councillor Forster
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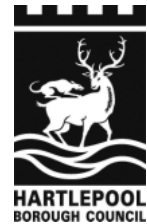
### 4. **MEMBER CHAMPIONS**

Hartlepool Community Leadership Champion	Councillor Payne
Middlesbrough Community Leadership Champion	Councillor Porley
Redcar & Cleveland Com Leadership Champion	Councillor Forster
Stockton Community Leadership Champion	Councillor O'Donnell
Safer Communities (includes Health and Safety)	Councillor Akers-Belcher
Children and Young People	Councillor Kirton
Healthier Communities	Councillor Brunton
Neighbourhoods (Environment, Asset Management)	Councillor Forster
Employer of Choice (includes Standards and Ethics)	Councillor Porley
Community Engagement Partnerships	Councillor Payne
Diversity (includes equality and diversity)	Councillor Forster
Improvement and Value for Money (Efficiency, Risk and Performance Management)	Councillor O'Donnell





**COUNCIL**  
16<sup>th</sup> September 2010



**Report of:** The Executive

**Subject:** HARTLEPOOL LOCAL SITES REVIEW

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**1. PURPOSE OF REPORT**

The report describes the process for reviewing Hartlepool's non-statutory nature conservation and geological sites and proposes changes to the list of those sites as recorded in the 2006 Hartlepool Local Plan.

**2. BACKGROUND**

- 2.1 Hartlepool Borough Council has undertaken a review of its non-statutory nature conservation sites. In parallel with this, the local geology group (Tees Valley RIGS) has undertaken a review of non-statutory geological sites. The review process has followed guidance produced by Defra in 2006 in their publication "Local Sites: guidance on their Identification, Selection and Management."
- 2.2 The review has been overseen by the Tees Valley Local Sites Partnership. The partnership includes representation from all five Tees Valley unitary authorities, all of which have been carrying out their own Local Sites review

**3. REVIEW PROCESS**

- 3.1 The Defra guidance states that designation should be based on objective criteria that have been decided by the local sites partnership, taking into consideration the characteristics of the local area. The Tees Valley Local Sites Partnership has agreed a range of criteria for selection of sites. Examples of these include all sites with populations of Common Lizard or Harvest Mice and areas of woodland with 10 or more characteristic plant species. A full list of the criteria can be found on the Tees Valley Biodiversity website at <http://teesvalleybiodiversity.org.uk/wp-content/uploads/2009/08/LWS-Guidelines-V71.pdf>. The Defra guidance states that all sites meeting those criteria should be selected.
- 3.2 All of the existing non-statutory sites were surveyed to see if they met the criteria. In addition other sites that were thought to have substantive nature conservation interest features that might merit designation were surveyed.
- 3.3 The Defra guidance also sought to standardise the names of non-statutory sites. In Hartlepool these are currently known as Sites of Nature Conservation Interest and Regionally Important Geological or Geomorphological Sites. The guidelines recommend that those sites being designated for their biodiversity interest should be termed Local Wildlife Sites and those for the geodiversity interest as Local Geological Sites. Together

they are known as Local Sites. This change in terminology has been adopted across the Tees Valley.

- 3.4 The review process in Hartlepool has been led by the Council's Ecologist, working in partnership with the Natural Environment sub-group of the Hartlepool Local Strategic Partnership. The group identified potential sites in Hartlepool and, in some cases, helped to survey them. The group decided on the list of sites to be proposed and recommended them to the Tees Valley Local Sites Partnership to be verified. The list of sites was verified by the Partnership at its meeting on 29<sup>th</sup> September 2009. A further two sites which came to light later were verified on 14<sup>th</sup> July 2010.
- 3.5 The results of the review have also taken to the full Environment Partnership of the Hartlepool Local Strategic Partnership for information.
- 3.6 All landowners of the various sites have been informed and given the opportunity to comment. Responses have been received from five landowners, two of which raised concerns about the public accessing the sites. These concerns have been responded to and assurance given that designation as a Local Site does not give any right of access to any person to that area of land.

#### **4. RESULTS OF THE LOCAL SITES REVIEW**

- 4.1 There are 39 nature conservation sites and one geological conservation site currently listed in the 2006 Hartlepool Local Plan. Of the nature conservation sites, eight did not meet any of the current criteria therefore are proposed for de-designation. Certain of the other sites were amalgamated as they were adjacent to each other and had similar interest features. A further 15 new sites were identified as meeting the criteria. There are now 43 sites proposed for designation as Local Wildlife Sites.
- 4.2 A further five geological sites have been identified bringing the total to six.
- 4.3 The full list of Local Sites and further information on each of them can be found on the Council's website under Ecology

#### **5. RECOMMENDATIONS**

- 5.1 Council is asked to endorse the findings of the Local Sites review and the amendments to the list of non-statutory nature conservation & geological sites.

#### **6. CONTACT OFFICER**

Ian Bond  
Ecologist  
Regeneration and Neighbourhoods Department  
Bryan Hanson House  
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TS24 8AY  
Tel – 01429 523431  
e-mail [ian.bond@hartlepool.gov.uk](mailto:ian.bond@hartlepool.gov.uk)

**COUNCIL**  
16 September 2010



**Report of:** Chief Executive

**Subject:** BUSINESS REPORT

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**1. APPOINTMENTS TO COMMITTEES, FORUMS AND OTHER BODIES**

Notification has been received that Councillor Wells will replace Councillor McKenna on Audit Committee. Council is requested to approve the change in membership of the Committee.

**COUNCIL**

16 September 2010

**Report of:** Chief Executive**Subject:** BUSINESS REPORT (2)

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**2. HARTLEPOOL UNITED FOOTBALL CLUB**

The Council's Hartlepool United Football Club Executive Committee met on 2<sup>nd</sup> September, 2010 to consider the Club's recent offer to purchase the ground and an extensive area of land to the north.

The Committee fully considered the Club's position and their proposal that the land to the north must be part of any transaction and that the offer for the purchase of this land and the ground was *(as indicated in Confidential Appendix A)*. **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).**

The Committee also noted that IOR require a decision one way or another by 30th September 2010. As a result the Committee unanimously decided to reject the IOR offer for the ground and the land to the north which was less than a tenth of the estimated value of the Council's interest in the ground. The Committee thought this was a gross under valuation. However, the Committee's support in principle for the sale of the ground at market value was confirmed. *(The market value is indicated in Confidential Appendix A)*. The market value would therefore be a starting point for any negotiation.

The Council do not accept the Club's assertion that the land to the north was either previously "promised" to the club or that this parcel of land should be gifted to the Club. This is the strong view of the Club. The Council's valuation of this area is *(Indicated in Confidential Appendix A)* and the Council remain of the view that this land needs to be retained for any potential development of the Mill House Site, although implementation of any development is uncertain at present. In this regard the Committee noted that the Club and IOR would be prepared to work with the Council on ideas for developments around the ground although without any commitment to costs / funds in this economic climate.

Any sale at less than 'best consideration' needs to be considered against the constraints set out in Section 123 of the Local Government Act 1972 and the possible application of the General Disposal Consent (England) 2003. This generally entails that a local authority shall not dispose of land for a consideration less than the best that can be reasonably obtained.

It is important to point out that the Council has a legal duty to ensure that it gets "best value" for the town's taxpayers when selling assets and this would not have been the case had we agreed to a sale of Victoria Park and the land to the north on the club's terms.

Additionally in this difficult financial climate the Council is facing severe budget cuts and it must maximise its use of assets and income to reduce adverse effects on the local community. The local tax payers would expect nothing less.

The Committee considered the investment IOR has made in the club which is welcomed and also noted that IOR are not proposing to sell the club (at the time of your last correspondence) although it is accepted that IOR cannot guarantee that this might not happen or that new investors could be involved in the future.

The Committee did consider that the Club could still continue in its current form and operation without the need to own the ground itself.

In conclusion the Committee acknowledged that IOR's offer for the ground and the land to the north is the 'final offer' with a decision required by 30<sup>th</sup> September, 2010 and under these circumstances the Committee felt they had no option but to turn it down. Nevertheless the Committee confirmed to the Club that the Council remains open to negotiation.

### **3. ELECTORAL REVIEW**

As Members will be aware the Local Government Boundary Commission for England commenced consultation on 'Council size' on the 20<sup>th</sup> July, 2010, as part of their review of electoral arrangements, administrative boundaries and structure. This particular period of consultation expired on 30<sup>th</sup> August, 2010. Hartlepool had been 'selected' for this further electoral review, as 35% of wards have a variance of over 10%. The Commission are guided by the following statutory criteria;

- electoral equality (considered over a five year period, namely 2011 - 2016)
- effective and convenient local government
- community identities and interests

In addition, the Commission have regard to the 'electoral cycle' operated by each authority. For the avoidance of doubt, electorate forecasts which in turn relate to achieving 'electoral equality', cover a five year period, which relates to the anticipated end of the review (September, 2011) to a period five years hence. In considerations upon 'Council size' the Commission consider, the Council's responsibilities, its representational role in the area and how the number of councillors proposed relates to the Council's style of political management. These matters were raised by the Commission in their presentations to the Council on 13<sup>th</sup> July, 2010.

The Council received the following notification from the Commission on 15<sup>th</sup> September;

*'Yesterday the Commission considered the council size for Hartlepool. Although it was a difficult decision for them, on balance they decided that they were minded to recommend a council size of 33. This is because they considered that the Mayor's proposal had provided evidence for a reduction in council size. The Commission's recommendation is for 33 rather than 32 due to the fact that Hartlepool elects in thirds.'*

A formal letter from the Commission is awaited and will be circulated to Members upon receipt. The next formal stage of the review ('Stage One') commences on 28<sup>th</sup> September and concludes on 20<sup>th</sup> December, 2010. This will consider, through 'evidence based submissions'; the proposed ward pattern (to reflect community identity), the number of Councillors per ward, the names of the proposed wards and 'how the recommendations would impact on the community'.

Recommendation

For the Council to note.