

CABINET

MINUTES AND DECISION RECORD

6 December 2010

The meeting commenced at 9.15 a.m. in the Civic Centre, Hartlepool

Present:

The Mayor, Stuart Drummond - In the Chair

Councillors: Jonathan Brash (Portfolio Holder for Performance Portfolio Holder)
Robbie Payne (Deputy Mayor) (Finance and Procurement Portfolio Holder),
Pam Hargreaves (Regeneration and Economic Development Portfolio Holder),
Gerard Hall (Adult and Public Health Services Portfolio Holder).
Cath Hill (Children's Services Portfolio Holder),
Hilary Thompson (Culture, Leisure and Tourism Portfolio Holder),

Officers: Paul Walker, Chief Executive
Andrew Atkin, Assistant Chief Executive,
Alyson Caman, Legal Services Manager
Dave Stubbs, Director of Regeneration and Neighbourhoods
Damien Wilson, Assistant Director (Regeneration and Planning)
Alison Mawson, Assistant Director (Community Safety and Protection)
Louise Wallace, Assistant Director (Public Health)
John Mennear, Assistant Director (Community Services)
Garry Hutchinson, Building Control Manager
Alistair Rae, Public Relations Manager
Catherine Frank, Local Strategic Partnership Manager
David Cosgrove, Democratic Services Team

117. Apologies for Absence

Peter Jackson (Cabinet Member without Portfolio).

118. Declarations of interest by members

None.

119. Confirmation of the minutes of the meeting held on 29 November 2010

Deferred.

120. Building Control Tees Valley Joint Service Consideration *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision, tests (i) and (ii) apply. Forward Plan Reference Number RN 45/10.

Purpose of report

To inform Cabinet of a proposal to merge the Council's Building Control sections across the Tees Valley and to seek Cabinet's approval to exclude Hartlepool Borough Council's Building Control Scheme from the merger at this time.

Issue(s) for consideration by Cabinet

The Assistant Director (Regeneration and Planning) reported on the progress made to date of negotiations and meetings held since the initial agreement on the 26th May 2010 to take part in a joint review of the Building Control services provided by the five Tees Valley local authorities.

Redcar and Cleveland and Middlesbrough had been in discussions since around 2006 regarding a possible merger. Stockton-on-Tees and Darlington Borough Council's had recently commenced talks regarding a possible merger of its statutory services and from this it was agreed that it would be an opportunity to look at merging all 5 Councils building control services across the Tees Valley. An initial approach was made to Hartlepool on the 15th March 2010.

Several meetings had taken place since then to allow an initial business case to be developed. The business case had been received on the 7th October 2010 and the financial information upon which it was based was received on the 11th October 2010. This information was considered prior to an arranged Tees Valley Directors of Regeneration meeting on the 13th October 2010. On consideration of this business case and the associated financial information the proposals did not appear to give any advantages to Hartlepool Borough Council and thus if the Council did enter into such a proposal there was concern that it could jeopardise the current well-regarded service provision.

It was understood that the four other authorities were proceeding to the next stage of discussions on the joint arrangement.

Cabinet Members supported the proposal not to join the joint arrangement, particularly considering some of the issues highlighted from the business case in the report and the current reputation of the Hartlepool service. Members were also advised that there was a restructure of the Building Control Team currently underway which would achieve on-going efficiencies in the region of £40,000 a year. The service was also well placed with succession planning and had two excellent trainees.

The Mayor commented that the authority was likely to be in a number of discussions with neighbouring authorities on the joint provision/merger of services but these needed to protect current service provision and save money. This proposal appeared to achieve neither for Hartlepool. The Chief Executive commented that joint services also had to provide service resilience. As a small authority with small teams in many areas, sickness or the departure of key staff could lead to the service being hit hard. There may be occasions when cost would not be the driving factor but continuity and resilience of service.

Decision

That Hartlepool withdraw from the proposed Tees Valley merger of building control services.

121. Local Enterprise Partnerships, Tees Valley Economic Regeneration Investment Plan and Regional Growth Fund Update *(Assistant Director (Regeneration and Neighbourhoods))*

Type of decision

Key Decision, tests (i) and (ii) apply. Forward Plan reference Number RN 43/10

Purpose of report

To provide a progress report on the setting-up of Local Enterprise Partnerships (LEP's) in response to the Government's decision to abolish Regional Development Agencies (RDAs), including an update on the development of the Tees Valley Economic Regeneration Investment Plan (TVERIP) and the Regional Growth Fund (RGF).

Issue(s) for consideration by Cabinet

The Regeneration and Economic Development Portfolio Holder reported that in June 2010 the Government finally announced its intention to abolish Regional Development Agencies (RDAs). The announcement was made as part of the Budget document which, as well as confirming the fate of the RDAs, paved the way for the setting up of LEP's and in doing so the Government stated its intention was to enable locally elected leaders, working with businesses to lead local economic development.

The Business Innovation and Skills (BIS) White Paper 'Local Growth realising every places potential' was presented to Parliament on the 28th October 2010, and at the same time the White Paper also confirmed that Tees Valley was to be one of 24 initial LEP's. Alongside this, BIS also published more detailed guidance on the RGF.

Tees Valley Unlimited (TVU) was currently undergoing a restructure in order to address both the reduced levels of funding available in the future and the need to re-focus resources around the aims highlighted in the Statement of Ambition, along with the expectations that it will emerge as the Tees Valley

LEP. A report on the new TVU/LEP governance arrangements would be the subject of a separate report to Cabinet. The Portfolio Holder suggested that as well as a further report on the support arrangements for TVU, details of the funding arrangements also should be submitted. The list of projects also referred to in the report had also not been submitted and should also therefore not be approved until submitted.

Cabinet Members noted that the fund that the LEP's would be bidding for funding from was substantially reduced over previous government funds for regeneration. It was highlighted that TVU itself was being substantially reduced with 60% of staff being made redundant. Cabinet Members were still concerned at the level of the financial commitment to the TVU.

The Chief Executive commented on the current situation with the development of a North East Enterprise Partnership and the changes in the regional structures for regeneration which could lead to the LEP's potentially having to buy back 'assets' (such as the Queens Meadow Business Park) that they had assisted in developing. TVLEP was well placed being further ahead of many other LEPs in its development, though that was no guarantee of funding.

Decision

- (i) That the progress being made with regard to the development of a Tees Valley LEP be noted.
- (ii) That the Hartlepool economic regeneration projects proposed for inclusion in the draft TVERIP for the four year period from April 2011 draft be circulated to Cabinet Members.
- (iii) That Cabinet receives a further report on the TVERIP and RGF bid as the position becomes clearer.
- (iv) That the approach to the development of the RGF bid as set out in the report be endorsed.
- (v) That Cabinet receive a separate report on the proposed governance arrangements for the restructured TVU/LEP.

122. PV Retrofit Proposal *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision (tests i and ii apply) Forward Plan reference Number RN44/10.

Purpose of report

The report illustrates how the Government's Feed in Tariff scheme to install renewable energy in the form of photo-voltaic panels could potentially help reduce carbon emissions, save the Council money and generate income.

Issue(s) for consideration by Cabinet

The Assistant Director (Regeneration and Planning) reported that the Government had introduced a scheme to encourage more people to install

renewable sources of energy (photo-voltaic panels, wind turbines, micro scale combined heat and power and hydroelectricity) as a way of reducing carbon emissions and preventing further climate change. The incentive scheme known as the Feed in Tariff (FiT) applies to the range of renewable energy sources but the proposal set out in the report focussed primarily on photo-voltaics as the tariff level was more advantageous. Details of the tariff scheme were set out in the report.

It was proposed that the Council explore opportunities to use the FiT incentive scheme to generate income and reduce carbon emissions. It was however noted that the scheme would only apply, at this point in time, to renewable energy schemes implemented before 31 March 2012. Details of the proposal were set out in full in the report together with the costs and potential income. One of the options available to the Council was to work in partnership with Hartlepool Housing to install PV panels on suitable social housing throughout the town. This was an exciting opportunity, though in light of the timescales involved, it may be initially beneficial for each organisation to move ahead with their own proposal to meet the requirements of the incentive scheme.

Members welcomed the proposal not only as a way to reduce the authority's carbon footprint but also as a longer term opportunity for a joint approach with Housing Hartlepool and the potential for training young people in this new technology. The Mayor welcomed the scheme but cautioned at the potential costs linked with prudential borrowing for the initial implementation of the proposal.

Decision

- (i) That the work being undertaken to explore the potential for installing photo-voltaic panels on social housing in the Borough to generate electricity be noted, including the possibility of working in partnership Housing Hartlepool and other housing providers; and
- (ii) That Cabinet receives a further report early in the New Year outlining the delivery options in more detail including full business case and risk assessment in order that a decision can be reached on whether the scheme can proceed to the implementation stage.

123. Business Transformation – Housing Service Delivery Option Report (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision, Test (i) applies. Forward Plan Reference: RN38/10.

Purpose of report

To inform Cabinet of the findings of the Housing Service delivery options review and the options appraisal aspect of the review.

Issue(s) for consideration by Cabinet

The Mayor reported that the Housing Service Delivery Option (SDO) review

had an efficiency target of 5% of the £876,600 baseline budget from 2008/09, which originally did not include the Housing Regeneration and Policy team. The savings target had therefore been increased from £43,800 to £51,648 to include a small element of £7,848 to reflect the Housing Regeneration and Policy team from the Regeneration SDO review.

The report set out the detail of the review and the options considered which had been reported to the Business Transformation Board prior to coming to Cabinet. There was concern expressed at the filling of a post that had been released for redundancy earlier in the year. It was indicated that the post had been cross-matched for redundancy to allow the post-holder to leave earlier in the year.

Decision

1. That the preferred options as set out in Section 5 of the report be approved.
2. That the proposals for the achievement of the £54,600 savings, which are summarised in section 5 of the report are approved.
3. That the alternative delivery models which are set out in Section 5 of the report be noted and that further consideration be given over the next 12 to 24 months of the transformation options relating to the services included in this particular service delivery review.

124. Business Transformation – Public Protection Service Delivery Option Report (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision, Test (i) applies. Forward Plan Reference: RN 37/10.

Purpose of report

To inform Cabinet of the findings of the Public Protection service delivery options review and the options appraisal aspect of the review.

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported that Public Protection SDO review had an efficiency target of 7.5% of the baseline budget from 2008/09, which originally equated to a saving requirement of £112,500. The Public Protection SDO scope was changed in 2010/11, due to management structure changes in the Regeneration and Neighbourhoods Department. Therefore the saving required in this SDO review has been reduced to £94,500 and the remaining £18,000 saving requirement had been transferred to the Environment SDO, which now included the cemeteries and crematorium service. The residual Public Protection budget, from which the £94,500 saving is to be made, is £803,588. Tabled at the meeting were a set of alternative proposals that would remove the need to introduce charges for pest control services (mice, cat fleas, and wasps) which the Portfolio Holder recommended to Cabinet. These alternatives included an increase in charges for market stalls and

other changes to the administration of the market and a reduced fee for the treatment of 'other insects' at £30 plus materials; a charge of £50 had been proposed in the report.

There was discussion on the introduction of charges for pest control. Members were concerned that charging for these services could lead to a significant drop in the take up of the service and lead to the wider spreading of problems and consequent health issues. The alternative proposals table at the meeting did remove these fees but there was still concern at the increase in the charges for the market stalls. The recent changes to the market had reinvigorated the market and there was concern at damaging that improvement.

The view was also put forward that if people could afford to pay for pest services, then they should. It was highlighted that any means testing may have its own administrative cost and with the changes being introduced by the government, fewer people would be eligible for benefit. It was suggested that the potential for a nominal charge of say £15 should be investigated for mice charges with the potential income and affect this may have on the take up of the service being reported back to Cabinet.

Decision

1. That the preferred options as set out in Section 5 of the report be approved, subject to the alternative savings tabled at the meeting, and as set out below: -

Option Recommended	Saving £
1. Change the recruitment method for training Trading Standards officers. Delete student TSO bursary.	10,000
2. Contribution to Tees Valley Measurement capital fund no longer required	10,000
3. Remove vacant post budget from commercial services	21,000
4. Remove miscellaneous savings from commercial services team budget	2,640
5. Increase rental charge per market stall by £3.00 per week (which equates to just under 14% rise). Allowing for 50 stalls per week	7,800
6 Negotiated budget reduction for Neighbourhood Services Division charges at open market in relation to cleansing, refuse collection, erection and dismantling of stalls and barriers.	15,000
7. Introduce charge for treatment of all other insects of £30 plus materials (70 cases)	2,100
8. Saving from out of hour noise service due to implementation of staff payment requirements in Single Status Agreement	13,000
9. Saving realised by a review and change to	11,480

delivery of the River Tees Port Health Authority Service	
Total savings identified	93,020

2. That Cabinet notes the alternative delivery models which are stated in Section 5 of the main report and that further consideration be given over the next 12 to 24 months of the transformation options relating to the services included in this particular service delivery review.

125. Business Transformation – Overview report for Sport and Recreation Services – Service Delivery Options (SDOs) (Director of Child and Adult Services)

Type of decision

Key decision Test (i) applies. Ref No.83/10

Purpose of report

To seek Cabinet approval for both recommended efficiencies and service re-design options within Sport and Recreation from 2011/12 onwards. This SDO had an efficiency target of £113,251. The report also considered the future direction of travel for the service in respect of staff terms and conditions of service and facility management options and arrangements thereafter.

Issue(s) for consideration by Cabinet

The Culture, Leisure and Tourism Portfolio Holder reported on the details of the Sport and Recreation Services SDOs which, through appendices submitted with the report, set out the purpose and value of the services in relation to the health and wellbeing agenda; provided overviews of the current services delivered and reviews of these within a strategic context; outlined local, regional and national drivers as well as comparative data; and provided details of two areas (Primary Swimming Programme and Carlton) and changes as a result of reviews already implemented. These areas were 'cost neutral' to the Council and any efficiencies achieved would not contribute to the overall SDO target.

The report set out the immediate SDO options for consideration by Cabinet to achieve the efficiency target. It also examined potential options linked to other service areas that should be considered as well as those in regard to the future direction of travel for the service in the long-term. The immediate options submitted released the efficiency target of £113,251 and were detailed within the report.

The Portfolio Holder highlighted that following the comments made at the Business Transformation Programme Board a proposal to taper the funding to Hartlepool Sportability Club over the next three years. This was supported by Cabinet. Cabinet Members did comment on the proposal relating to enhanced payments to staff which wasn't supported by the

elected Members on the Business Transformation Board.

Cabinet discussed the future of the Brinkburn pool which was not included in the SDO but in the savings identified to meet the Comprehensive Spending Review (CSR). The Mayor indicated that negotiations were on-going to transfer the pool to another organisation and the move to transfer all the primary school swimming provision away from Brinkburn to the Mill House could damage those discussions. The Mayor stated that the transfer of primary swimming away from the Brinkburn pool should be put on hold until negotiations on the future of the pool had concluded.

Decision

1. That the contribution of £15,000 as part of a previous three year phased efficiency reducing the overall efficiency savings target from £113,251 to £98,251 be noted.
2. That the recommendations set out in paragraph 6.5 of the report are approved, with the exception of the cessation of the Hartlepool Sportability Club funding which will be tapered over a three year period on a schedule of £6k for 2011/12 followed by £4k for 2012/13 and finally £2k for 2013/14
3. That the alternative delivery models stated in Section 8 of the report are noted and that consideration is given over the next 12-24 months of the transformation options relating to the services included in this particular service delivery review.
4. That the need to re-examine enhanced pay arrangements that will require further analysis and debate be noted.
5. That the proposals relating to the transfer of primary swimming away from the Brinkburn pool should be put on hold until negotiations on the future of the pool had concluded.

126. Business Transformation – Libraries and Community Resources Service Delivery Option Report *(Director of Child and Adult Services)*

Type of decision

Key Decision, Tests (i) applies. Forward Plan Ref: CAS82/10.

Purpose of report

To inform Cabinet of the findings of the Libraries and Community Resources Delivery Option Review and the options appraisal aspect of the review.

Issue(s) for consideration by Cabinet

The Culture, Leisure and Tourism Portfolio Holder reported on the Service Delivery review for Libraries and Community Resources which had an SDO efficiency savings target of £156,750, which represented a cost reduction of 7.1% from a combined total budget of £2,209,023.

The public libraries provide community based information, reading and

learning services and promote reading and writing as cultural and recreational activities. The service is statutory. Community Resources provide and manage community centres for groups, organisations and individuals to hire rooms and halls throughout the town.

A number of service delivery options exist including transfer or externalisation of the service, private/public partnership, voluntary partnership and joint arrangements across authorities, however none of these offer significant savings in the short term and each of these alternative delivery models require further consideration to be given to them over the next 12 months. Proposed changes to current service arrangements could deliver savings to meet the target. There are also actions that could be taken to develop services in new ways and minimise negative impact of any changes.

The report proposed as the preferred option to achieve the required savings reducing library opening hours, ceasing to provide a Sunday opening at central library, the co-location of Throston Grange library and community centre in one building, the closure of Foggy Furze branch library and improved analysis of stock need to improve purchasing efficiency. To limit negative impact the library proposes increasing investment in outreach services within communities, and the development and promotion of improved online library access and services. The co-location with the community centre in Throston Grange will also bring a fresh approach to the delivery of combined community services in that area.

While acknowledging that the numbers for Sunday visitors to the Central Library were low, there was concern that this may be a differing group of library users that were not attending on other days of the week. Cabinet was informed that the largest numbers of users on Sunday were for the personal computers.

Decision

1. That the preferred options as set out in section 6.6 (e) of the report be approved.
2. That the proposals for the achievement of the £157,273 savings which are stated in Section 6 of the report be approved.
3. That the alternative delivery models which were set out in Section 6 of the report be noted and that further consideration be given over the next 12 months to the transformation options relating to the services included in this particular service delivery review.

127. Tees Archaeology SDO Review *(Director of Child and Adult Services)*

Type of decision

Key Test ii Forward Plan Ref: CAS 81/10.

Purpose of report

To inform Cabinet of the findings of the Tees Archaeology Service Delivery Option Review and the options appraisal aspect of the review.

Issue(s) for consideration by Cabinet

The Culture, Leisure and Tourism Portfolio Holder reported on the results of the Service Delivery Review for Tees Archaeology which was a shared service of Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees Borough Councils. Hartlepool acted as the lead authority.

The report set out proposals for the implementation of business transformation in the service which would deliver savings of £22,064 against the total budget allocation of £251,883 and £13,685 against the core joint funded budget of £178,424. This was set against the minimum target of £16,505 as part of the transformation process.

The proposals would result in the deletion of one unfilled Administrative Assistant post and the compulsory redundancy of the Archaeological Illustrator post. The proposals would improve the focus of the service on the semi-statutory planning tasks and improve delivery of the public engagement activities that the partner authorities wish to see.

Decision

1. That the preferred options as stated in section 4 of the report be approved.
2. That Cabinet notes that the proposals will allow the transformation of the archaeology service and deliver savings of £22,064 (8.8%) against the gross budget allocation of £251,883 and £13,685 (7.6%) against the gross core joint funded budget of £178,424.
3. That Cabinet notes the alternative delivery models which were set out in Section 4 of the report and that further consideration would be given in the very short term to the transformation options relating to the services included in this particular service delivery review.

128. Adult Social Care – Assessment of Performance 2009/10 *(Director of Child and Adult Services)*

Type of decision

Non-key.

Purpose of report

To update Cabinet on the results of the Adult Social Care Assessment of Performance 2009/10

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported on the results from the Adult Social Care Assessment of Performance 2009/10 which included ratings for seven outcomes as well as an assessment in relation to Leadership and Commissioning and Use of Resources. The Portfolio Holder highlighted the excellent outcomes reflected in the report

which he believed reflected the dedication of officers in Adult Social care in Hartlepool

Decision

That the report and the results achieved by the Council be noted.

129. National Support Team Recommendations for Alcohol in Hartlepool *(Director of Child and Adult Services)*

Type of decision

None – the report was for Cabinet's information only.

Purpose of report

The report provided a background to the National Support Team's visit that happened in October 2010 and the recommendations for action as a result of the visit.

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported that in October 2010, the National Support Team from the Department of Health visited the area, alongside Stockton and Redcar and Cleveland. The NST undertook an assessment of activity in relation to alcohol. The report set out the comments made by the National Support Team and the recommendations from their report, the implementation of which would be overseen by the Alcohol Strategy Group.

Cabinet discussed the report in detail, reflecting on the messages identified for government in relation to the problems caused by alcohol. One of these was the minimum price per unit for alcohol that had been the subject of national and local debate. The Adult and Public Health Services Portfolio Holder considered that this issue needed to be considered carefully and was of the opinion that utilising local byelaws would fail to tackle the issue sufficiently. The Portfolio Holder considered that if the government issued statutory powers for local authorities to utilise, the fines regime could be significantly increased thus having a greater effect on retailers.

There was support for the introduction of minimum pricing through byelaws from other Cabinet Members who considered that this was the start of a longer process of changing attitudes to drinking in the same way that attitudes to smoking had changed over the past twenty years. There was significant harm being caused already to the people of Hartlepool through alcohol abuse and now was the time to press forward with minimum pricing as the start of the longer process of education and changing the way people viewed alcohol consumption.

The Mayor commented that minimum pricing would not be the 'panacea' solution to the problem but simply one tool of many. Addressing those that were drinking to excess or illegally was one of the Mayor's main concerns. The Police and Community Support Officers needed to be able to do more

than simply remove and dispose of alcohol being drunk by underage drinkers for example. There needed to be the power to enforce and move people away from abusive drinking. Tackling those selling alcohol illegally had been tried, what was needed was the power to deal with those that were consuming alcohol illegally.

Decision

That Cabinet notes the content of the report and seeks assurance from the Alcohol Strategy Group, that this group will drive forward implementation of the recommendations made by the National Support Team, with progress being reported to Cabinet on a six monthly basis.

130. Local Area Agreement Quarter 2 (2010/11) Summary of Performance *(Head of Performance and Partnerships)*

Type of decision

None – the report was for Cabinet's information only.

Purpose of report

To update Cabinet on performance against the Local Area Agreement (LAA) for 2010/11 at the end of quarter 2, September 2010.

Issue(s) for consideration by Cabinet

The Mayor reported that at the end of September 2010 good progress was being made in delivering the priority outcomes of the LAA. A number of targets had been achieved or were on track to be achieved. The report was based on quarter 2 return information from the end of September 2010. The Mayor indicated that 28 targets were reported annually and data was therefore not available, 5 were drawn from the national Place Survey which had recently been cancelled and 7 were results from the Key Stage 2 SAT's tests which were boycotted by Hartlepool Primary Schools. The quarter 4 report would confirm the full list of indicators that could no longer be reported against.

Cabinet welcomed the new format of the report as it focussed on positive aspects of the targets rather than just those that were not being achieved.

Decision

That the report be noted.

The meeting concluded at 11.45 a.m.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 13 December 2010