

CABINET

MINUTES AND DECISION RECORD

7 March 2011

The meeting commenced at 9.00 am in the Civic Centre, Hartlepool

Present:

The Mayor, Stuart Drummond - In the Chair

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

Officers: Andrew Atkin, Assistant Chief Executive
Chris Little, Chief Finance Officer
Alyson Camen, Legal Services Manager
Joanne Machers, Chief Customer and Workforce Services Officer
Nicola Bailey, Director of Child and Adult Services
Dave Stubbs, Director of Regeneration and Neighbourhoods
John Mennear, Assistant Director, Community Services
Damien Wilson, Assistant Director, Regeneration and Planning
Denise Ogden, Assistant Director, Neighbourhood Services
Linda Igoe, Principal Housing Advice Officer
Julian Heward, Public Relations Officer
Angela Hunter, Principal Democratic Services Officer

179. Apologies for Absence

Apologies for absence were received from Councillor Ged Hall (Portfolio Holder for Adult and Public Health) and Councillor Peter Jackson (Cabinet Member without Portfolio).

180. Declarations of interest by Members

Councillor Hilary Thompson declared a non-prejudicial interest in minute 182.

181. Minutes of the meeting held on 7 March 2011

Received.

182. Changes to the Tees Valley Choice Based Letting Policy *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision – Test (ii) applies.

Purpose of report

The purpose of this report was to provide Members with information on the Compass Choice Based Lettings (CBL) scheme following its first year of operation.

A review of the Common Allocations Policy identified six areas of the policy that were proposed for change and this report also sought approval for the recommended changes.

Issue(s) for consideration by Cabinet

The Mayor presented a report which provided information on the first year of operation of the Compass CBL scheme and an analysis of the levels of housing need reflected by the priority bands applicants were awarded.

The Common Allocations Policy governing the CBL scheme had been subject to a review and consultation had been carried out with applicants, stakeholders and other relevant parties over six particular changes.

The six areas of the policy proposed for amendment were as follows:

- 1) Clarification of why and how local lettings policies would be used
- 2) The removal of cumulative need
- 3) Restriction of Band 1+ to main householder only in regeneration schemes
- 4) Clarification of Band 1 for HM forces applicants
- 5) Removal of 'Property of the Week'
- 6) Amendment of Local Connection definition

The Principal Housing Advice Officer informed Members that the Government's social housing reform was likely to have major implications for choice based lettings which would result in a full review being needed. Members did not agree with the proposal to remove cumulative need as this would result in someone threatened with homelessness but with high medical needs being assessed as the same priority as someone threatened with homelessness but with no medical needs.

A Member referred to the bidding process being available via the internet,

telephone or by calling in person and clarification was sought on whether there was support available for vulnerable or ill people not conversant with those mechanisms. The Principal Housing Advice Officer confirmed that there was various support available including the ability for people who meet the eligibility criteria, to sign up for a bid to be automatically submitted every week and there was also advice and support available from the Housing Advice Team and Housing Hartlepool Lettings Team to enable people to personally submit bids.

Decision

- (i) The information on the Compass Choice Based Letting Scheme (CBL scheme) provided within the report was noted.
- (ii) The proposed amendments to the Common Allocations Policy as outlined at paragraph 5.2 of the report were approved in principle with the exception of:
 - (a) Removal of 'cumulative need' - Members indicated that this should be kept for applicants in Bands 1 and 2.
 - (b) Restricting the priority banding to main householder only for those affected by the regeneration scheme, ie point 3) where it is proposed the existing policy be retained as a local variation applicable only for rehousing in Hartlepool.

183. Concessionary Local Bus Travel *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision – Test (ii) applies.

Purpose of report

To report the proposed re-imbursement arrangements with local bus operators for concessionary fares to be implemented from the 1st April 2011 to the 31st March 2012 inclusive.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Regeneration and Economic Development presented a report which provided background information on the current Concessionary Fares scheme operating within Hartlepool and costs negotiated with local bus operators.

Concern was expressed by Members that this scheme funded concessionary fare travel to areas outside the town when recent budget cuts, agreed by Council had resulted in decisions to remove bus services

within the town from certain areas. Members were reminded that the Council decision was to remove the funding of a subsidy to a privately owned company providing public transport in the town, which resulted in the company ceasing to provide certain bus services. Members were informed that despite limited resources being available, officers were working very hard examining ways of providing alternative community transport to address the needs of residents across the town. It was recognised that the public transport links removed played a vital role in enabling the elderly and disabled people to maintain a degree of independence, especially those living in rural areas.

A Member questioned the possibility of using Council owned vehicles to provide community transport on an experimental basis. The Director of Regeneration and Neighbourhoods confirmed that although the Council was unable to run bus services on a commercial basis, there were alternative methods being looked at for example the provision of a community bus scheme. In addition, Members were asked to note that the majority of Council owned vehicles were already in use constantly. However, Members were asked to be mindful that Council approved a budgetary saving of £300k by removing the subsidy to private bus companies and to redirect that saving into developing a full scale community transport service was not a viable option. It was confirmed that the Transport Team were currently exploring options to provide a very small transport service scheme as there was a lot of demand from various areas within the town.

Clarification was sought on how the concessionary fare funding provided to the private companies would be recalculated as a result of the reduced service provision. The Director of Regeneration and Neighbourhoods indicated that the concessionary fare funding was provided to the companies a year behind based on the evidence provided by the companies on the number of concessionary fares taken.

Members referred to Appendix 1 **which contained exempt information under Schedule 12A of the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely information relating to the financial or business affairs of any particular person (including the authority holding that information)**. Members questioned the need to include this information as part of a confidential appendix and suggested that this information should be publicly available as it related to the amount of subsidy paid by the Council to the bus operators. The Legal Services Manager confirmed that the appendix was submitted to Cabinet as a Not for Publication document as it disclosed information relating to the business affairs of the companies included. Members felt that as this funding was provided by public money, consideration should be given to making the information available to the public. The Legal Services Manager advised that consideration should be given to contacting the companies involved and seeking their consent to disclose the information. It was confirmed that enquiries would be made to ascertain the viability of releasing this information into the public domain.

Decision

- (i) The continuation of participating in the Tees Valley wide enhancement to the English National Concessionary Travel Scheme (ENCTS) offering travel within and between the areas covered by Hartlepool, Stockton on Tees, Middlesbrough and Redcar and Cleveland Borough Councils was approved.
- (ii) The Council to enter into dual negotiation with the bus operators for 2011/12 based on a nominal charge of thirty pence for journeys made before 9.30 am on weekdays under the enhanced scheme.
- (iii) The charge for replacement passes remain at £5.
- (iv) That the Legal Services Manager provide clarification on the request to make publicly available the information contained within the confidential appendix.

184. Brinkburn Pool (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

To provide background information on the current condition of Brinkburn Pool and to consider the early closure of the swimming pool which had been agreed as part of the comprehensive spending and Sport and Recreation Service Delivery Reviews.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Culture, Leisure and Tourism presented a report which highlighted that Brinkburn Pool had to date only been used to deliver the Primary School swimming lesson programme. The Sport and Recreation service review highlighted that it was not suitable for public swimming and by reducing the availability of public swimming time at Mill House Leisure Centre, the schools programme could be easily absorbed to Mill House where some Primary schools were already attending.

The requirement to achieve savings as a result of the comprehensive review overlapped with the decision making route of the Service Review and as a consequence, with no other potential users of the site, the closure of Brinkburn Pool was agreed.

The report highlighted how in early February 2011, the pool at Brinkburn began to lose water rapidly. This led to a complete draining of the pool tank, investigations and some repair to splits in the lining. The pool had

been refilled but it appeared that it was still losing water.

During this time, the schools using Brinkburn were asked to transfer to Mill House Leisure Centre for their lessons. The majority of schools agreed to this however some made alternative arrangements and some chose not to go swimming at all. The majority of the re-located schools have now indicated a preference to remain at Mill House permanently. That allowed an earlier opportunity to close Brinkburn Pool than anticipated.

The Portfolio Holder informed Members that the Hartlepool College of Further Education had shown some interest in the building and were arranging to visit the site in the near future to inform their considerations.

Following discussion around the availability of public access to the Mill House swimming pool, the Assistant Director, Community Services confirmed that the pool was publicly available between 7.30am and 9.00am and this proved a very popular time. Members were informed that the pool would be reserved for primary swimming from 9.00 am to 12 noon during term time only leaving plenty of other opportunities for swimming. The Assistant Director confirmed that at the current time, the Mill House swimming pool was one a few pools within the region that did not have a structured programme of swimming in place. The need to ensure that the availability of the swimming pool for public swimming was promoted was emphasised and the Assistant Director confirmed that in addition to that, all the regular swimmers were being advised directly.

Clarification was sought on the future of the land currently occupied by the Brinkburn swimming pool once the building had been demolished. The Director of Regeneration and Neighbourhoods indicated that Members may wish to include this area as part of an asset backed vehicle or on an isolated basis but this would form part of bigger policy decisions in the future.

Decision

Subject to no further interest being confirmed from the Hartlepool College of Further Education, the immediate closure of the Brinkburn Pool and its demolition was approved.

185. Hartlepool Community Network *(Director of Regeneration and Neighbourhoods)*

Type of decision

Non-key.

Purpose of report

The purpose of the report was to seek Cabinet's direction on funding elements of the Hartlepool Community Network for the 3 months beyond March 2011.

Issue(s) for consideration by Cabinet

The report set out a proposal to fund elements of the Hartlepool Community Network (HCN) role for 3 months while a review of the Local Strategic Partnership (LSP) and the Council's engagement and empowerment mechanisms was undertaken. The report recognised the good work undertaken by the Community Network and the need for certain elements to continue.

During a lengthy discussion and debate, it was recognised that whilst the Council could not afford to provide financial support any one organisation in the current economic climate, it was acknowledged that the community network supported the whole sector and provided support for a lot of community organisations. Whilst it was recognised that this was a financially challenging time, the merits of funding the elements of the community network that the Council may continue to utilise following the review were discussed. A Member suggested that should any underspend from the Working Neighbourhoods Fund be identified, this could be utilised for this purpose. The Chief Finance Officer confirmed that Council had agreed that any underspend from the Working Neighbourhoods Fund be utilised to assist future year's budgets. If Members wished to allocate this underspend to fund the community network, Council approval would need to be sought.

Members were reminded of the lengthy process and difficult decisions recently undertaken as part of the budget consultation process and there was some concern that this issue had not been identified and considered as part of that process. Clarification was sought on exactly what the role of the community network would involve after the review was undertaken and officers indicated that it was difficult to confirm this until the review was complete. This confirmed Members' concerns at providing funding for a service that may not be required in the future and would therefore just delay the inevitable. The Assistant Chief Executive confirmed that the proposal to fund the Community Network was an interim measure to plug the gap between now and the completion of the review. Members were asked to note that the review would result in radical changes to how the LSP operated and how the Council interacted and engaged with local residents and stakeholders. In response to a request to defer this matter to the next meeting of Cabinet, the Assistant Chief Executive informed Members that there was a lot of detailed work to be undertaken as part of this review examining a whole range of things to ensure a clear set of arrangements

were in place in relation to engaging with the residents of the town. In view of this, it was indicated that no further details would be available by the time Cabinet met again in two weeks time.

In view of the detailed discussions and debate, it was suggested that a vote be undertaken on this issue. The vote was tied which resulted in the Mayor using his casting vote and the outcome was that the recommendation was not supported.

Decision

Cabinet did not wish to support the proposal to fund a three months extension to 31 March 2011 of certain elements of the role of the Community Network.

186. Fire Safety and Safety at Public Meetings *(Chief Customer and Workforce Services Officer)*

Type of decision

Non-key.

Purpose of report

To advise the Cabinet about fire safety legislation and the safety restrictions placed on attendance at public meetings.

Issue(s) for consideration by Cabinet

The Portfolio Holder for Performance presented a report which provided the statutory framework for ensuring safety at public meetings and made recommendations on how these may be improved within the Council. The Portfolio Holder raised a question on behalf of another Member that questioned the number of officers in attendance and whether they could have left the meeting to allow more members of the public to attend. A Member responded that officers only attended when they felt it was beneficial to fulfilling their duties and should not be requested to leave.

Decision

- (i) That all Elected Members be advised of the statutory requirements regarding public meetings and that they were requested to provide to the Chair or organiser of any public meetings organised by the Council, any information they may have regarding significant numbers of people who may attend.

- (ii) The requirement was reaffirmed that the Chair of any public meeting organised by the Council (or Democratic Services Officer on their behalf) reads out the appropriate information including safety precautions, fire evacuation, toilets and hearing loop (where available).

187. Quarter 3 – Capital and Accountable Body Programme Monitoring Report 2010/2011 (*Chief Finance Officer*)

Type of decision

None.

Purpose of report

To provide details of progress against the Council's overall Capital budget for 2010/2011 and the spending programmes where the Council acts as the Accountable Body for the period to 31st December, 2010.

Issue(s) for consideration by Cabinet

The Chief Finance Officer presented a report which provided detailed monitoring information for each Portfolio up to 31st December, 2010. In total there were 322 schemes within the Council's own capital programme and there were no specific issues to bring to Members attention. Similarly the NDC programme, for which the Council was Accountable body, was progressing within budget.

Decision

The report was noted.

188. Quarter 3 – Corporate Plan and Revenue Financial Management Report 2010/2011 (*Corporate Management Team*)

Type of decision

None.

Purpose of report

To inform Cabinet of: -

- The progress made towards achieving the Corporate Plan Actions in order to provide timely information and allow any necessary decisions to be taken;
- To provide details of progress against the Council's overall revenue budget for 2010/2011.

Issue(s) for consideration by Cabinet

The Portfolio Holders for Performance and Finance and Procurement jointly presented a report which described progress towards achieving the actions within the Corporate Plan using the traffic light system of Green, Amber and Red. The report provided an overview of Council performance, with separate sections providing more detailed information for each Portfolio Holder to consider. The Portfolio Holder for Finance and Procurement reiterated that officers were available to provide advice and support to anyone who had difficulty paying their council tax.

A Member questioned whether the need to undertake performance management was still a requirement. The Assistant Chief Executive confirmed that in relation to good governance, there were still a number of performance management requirements that applied, although a review of how this information was collected was being undertaken which may result in the reconfiguring of corporate performance information.

Decision

The report was noted.

The meeting concluded at 10.49 am.

P J DEVLIN

CHIEF SOLICITOR

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