

CABINET

MINUTES AND DECISION RECORD

20 JUNE 2011

The meeting commenced at 9.15 am in the Civic Centre, Hartlepool

Present:

The Mayor, Stuart Drummond - In the Chair

Councillors: Jonathan Brash (Performance 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),

Also Present: Councillor Marjorie James, Chair of Scrutiny Coordinating Committee,
Councillor Chris Simmons, Vice-Chair of Scrutiny Coordinating Committee,
Councillor Stephen Thomas, Chair of Neighbourhood Services Scrutiny Forum.

Officers: Andrew Atkin, Assistant Chief Executive,
Dave Stubbs, Director of Regeneration and Neighbourhoods
Graham Frankland, Assistant Director, Resources
Damien Wilson, Assistant Director, Regeneration and Planning
Jill Harrison, Assistant Director, Adult Social Care
Alyson Caman, Head of Legal Services
Amy Waller, Principal Housing Regeneration Officer
Joan Stevens, Scrutiny Manager
James Walsh, Scrutiny Support Officer
Julian Heward, Public Relations Officer
David Cosgrove, Democratic Services Team

10. Apologies for Absence

Councillors Robbie Payne (Deputy Mayor) (Finance and Procurement Portfolio Holder) and Peter Jackson (Cabinet Member without Portfolio) and Stephen Akers-Belcher (Chair of Health Scrutiny Forum).

11. Declarations of interest by Members

None.

12. Minutes of the meeting held on 6 June 2011

Confirmed.

13. Raby Road Corridor – Resident Re-Housing and Home Loss Payments *(Director of Regeneration and Neighbourhoods)*

Type of decision

Non-key.

Purpose of report

The report provides a further update in relation to the Raby Road Corridor regeneration area and specifically issues relating to relocation of residents of the scheme and the making of Home Loss payments.

Issue(s) for consideration by Cabinet

The Mayor updated Cabinet on the making of Home Loss Payments and the re-housing of residents pursuant to the Housing Market Renewal (HMR) programme in relation to the Raby Road Corridor site which comprises land contained in the Council of the Borough of Hartlepool (Land at Perth, Hurworth and Gray Streets, Turnbull Street (Nos 47 to 69), The West Hartlepool Rovers Amateur Quoits Club Grainger Street, Grainger Street (Nos 1 to 21), Raby Road (Nos 144 to 160 even) and No 40 Brougham Terrace North Central Hartlepool) Compulsory Purchase Order 2010 ("the CPO").

The Mayor outlined the process relating the displacement payments that could be made to both tenants and owner/occupiers. The Mayor also reported that there had been meetings with the residents during the process to date and in response to some of their concerns works had been undertaken with Housing Hartlepool to tidy up the area.

The aim was to move people on from the area and into new homes as soon as the Compulsory Purchase Order (CPO) was in place and the Mayor indicated that he had raised the issue with Housing Hartlepool and other Registered Social Landlords (RSLs) for them to start putting homes aside for the people who would be displaced from the HMR areas.

There had been no legal challenge to the CPO at this time. If one was received the whole process could be extended considerably. The Mayor was concerned that should the process be extended there was the potential for landlords to move new tenants into the area thus creating new potential home loss payment rights.

In response to Members questions it was reported that the statutory home loss payment to a tenant was £4700 with a payment of 10% of the property value being paid to the owner-occupiers. Concern was expressed that for

owner-occupiers a house value of over £47,000 needed to be achieved to put them on the same footing as tenants. It was indicated that the minimum payment to owner-occupiers would be £4750. A Cabinet member also raised the issue of discretionary payments and when those would be applied as it seemed contradictory that the discretionary benefits could be the same as the full benefits. Officers indicated that the discretionary element could be utilised, for example, in the case of a tenant who had been resident in a property for eleven months and the home loss payment applied only to those resident for a minimum twelve months.

Members present thanked the Assistant Director, Regeneration and Planning for moving the process forward. Lessons had been learned from the delays in the earlier parts of the process. It was also commented that appropriate arrangements with Housing Hartlepool and the other RSLs needed to be in place as there would be a large proportion of the current residents of the area seeking re-housing in a very short space of time.

Decision

1. That the report be noted.
2. That the proposed approach to resident re-housing and payment of Home Loss Payments be endorsed and confirmed;
3. That the Director of Regeneration and Neighbourhoods be authorised to make discretionary payments pursuant to the Land Compensation Act 1973.

14. Business Transformation Programme Board (*Assistant Chief Executive*)

Type of decision

Non-key.

Purpose of report

The report provided Cabinet the opportunity to determine the future of the Business Transformation Board.

Issue(s) for consideration by Cabinet

The Business Transformation Programme Board had been established to facilitate the management of the Business Transformation (BT) programme over the last two years. It had successfully assisted in this overall management and comprises members of the Executive, Scrutiny, the Trade Unions and Officers and was constituted following a decision by Cabinet.

Cabinet was asked to consider what future role the Board should undertake or if it should be continued at all. The Mayor was of the view that the Board had served its purpose. It had subsequent to the announcements of the new government in relation to budget cuts changed its role from the original business transformation programme to the consideration of the budget cuts required to meet the reduction in government grant. The Mayor was concerned at the limited attendance at most meetings and indicated that he

had informally discussed a revised procedure whereby all the Trade Unions could meet with Cabinet on a regular basis; there were currently only two Trade Union seats on the Board. The Mayor also considered that there were potentially too many bodies doing the same or similar things in these discussions on the budget. The Council Working Group was also looking at budget proposals in detail. There was a need to rationalise the number of venues at which these discussions took place in order to make them effective.

A Cabinet Member considered that the Board did play an important role in allowing full discussions between Cabinet, backbench Members, Trade Unions and officers before proposals were submitted to Cabinet. Officers also supported the role that the Board had played in determining the budget proposals that had come to Cabinet over recent months. There was a value in all parties having an input in these issues. However, there was concern at too many groups doing essentially the same thing.

Cabinet was split on the way forward for the Business Transformation Board though acceded to the Mayor's proposal that it be abolished. This was on the proviso that the cabinet met with the Trade Unions and that other groups were not simply widened to fill the gap.

Decision

That meetings of the Business Transformation Programme Board be discontinued and that cabinet meet on a regular basis with Trade Union representatives to discuss those projects and activities contributing to addressing the budget deficit.

15. A New Legal Framework for Social Care – The Law Commission Reports (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

To inform Cabinet of the recommendations put forward by the Law Commission for reforming adult social care law in England and Wales.

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported on the significant new proposals included in the recommendations put forward by the Law Commission for reforming adult social care law in England and Wales. The Portfolio Holder outlined the proposals relating to assessments, eligibility, carers, the provision of services, personal budgets, adult protection, ordinary residence and portability and the other aspects of the recommendations. The Portfolio Holder commented that In Hartlepool service users were fortunate in that the authority was ahead of many other councils around the country in moving towards service models proposed in the recommendations. The move towards personal budgets was

highlighted as one particular area where Hartlepool had proven success in working with service users and their families.

Decision

That the report be noted.

16. Regional Review of the Health of the Ex-Service Community – Final Report (*Health Scrutiny Forum*)

Type of decision

Non-key.

Purpose of report

To present to Members the Final Report agreed by the North East Regional Joint Health Overview and Scrutiny Committee after their recent scrutiny investigation entitled 'Regional Review of the Health Needs of the Ex-Service Community'.

Issue(s) for consideration by Cabinet

At the Health Scrutiny Forum meeting of 2 February 2010 the Chair of the Health Scrutiny Forum confirmed that the 12 North East Local Authorities had been successful in a bid for funding from the Centre for Public Scrutiny (CfPS); through their Health Inequalities initiative; to carry out an investigation into the Health of the ex-Service Community.

Attached as an appendix to the report was the Final Report entitled 'Regional Review of the Health Needs of the Ex-Service Community' which had been agreed by the North East Regional Joint Health Overview and Scrutiny Committee at their meeting of 14 January 2011. Also attached as an appendix to the report was a schedule detailing the recommendations of the review outlining those to be delivered both locally and regionally.

The Assistant Chief Executive commented that he had met with the Directors to discuss the action plan for implementation. It was considered that while dealing with those recommendations that could be delivered within Hartlepool, there needed to be an appropriate plan for implementation of those with a regional perspective and the Joint Scrutiny Committee should be asked to prepare such a plan.

Cabinet welcomed the report though sought assurance that the action plan for implementation of the local recommendations would include some measure/assessment of their effectiveness. It was indicated that this would be the case. It was also highlighted in the meeting that Hartlepool had for a number of years shown its support to those in receipt of a war widows/widowers pension by not including such in any calculation for benefit assessment and it was hoped this would be continued.

Decision

1. That the Final Report 'Regional Review of the Health Needs of the Ex-Service Community' produced by the North East Regional Joint Health Overview and Scrutiny Committee be noted.
2. That an action plan in relation to the implementation of the 'local delivery' recommendations as set out in Appendix B to the report be submitted to Cabinet.
3. That the North East Regional Joint Health Overview and Scrutiny Committee be requested to provide an action plan on how the 'regional delivery' recommendations were to be implemented.

17. Dust Deposits on the Headland (*Health Scrutiny Forum*)

Type of decision

Purpose of report

To present the findings of the Health Scrutiny Forum following its receipt of a report by the Executive Director of Public Health, NHS Tees entitled 'Health Profile of the Population Living in the Headland of Hartlepool'.

Issue(s) for consideration by Cabinet

On 24 May 2010 the Health Scrutiny Forum presented its Interim Report into 'Dust Deposits on the Headland' to the Authority's Cabinet. Amongst the recommendations culminating from the interim report was recommendation (a) which stated:-

"That the Health Scrutiny Forum receives results of further investigations into dust deposits on the Headland by the Executive Director of Public Health into cancer rates."

At the meeting of Cabinet on 24 May 2010, the Neighbourhood Services Scrutiny Forum presented its Final Report into 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas', amongst its recommendations was recommendation (k) which stated:-

"That Members of the Neighbourhood Services Scrutiny Forum and residents be invited to attend the meeting of the Health Scrutiny Forum when it considers the additional information which has been requested from Professor Kelly."

Subsequently, the Health Scrutiny Forum and Members of the Neighbourhood Services Scrutiny Forum, met on 1 February 2011 to consider the report by the Executive Director for Public Health, NHS Tees entitled 'Health Profile of the Population Living in the Headland of Hartlepool', attached as an appendix to the report.

Members present at the meeting of the Health Scrutiny Forum of 1 February

2011, heard evidence from the Executive Director for Public Health, NHS Tees that:-

“The health of the population in the Headland of Hartlepool is influenced by the local socio-economic and living environment as well as lifestyle choices...There is no indication of any excess ill health caused by environmental factors.”

Cabinet welcomed the report and commented that this now closed what had been an exhaustive investigation into the understandable concerns of the residents of the Headland

Decision

That the report of the Executive Director of Public Health as reported be noted.

18. Call in of Decision – Strategy For Bridging The Budget Deficit 2012/13 – ICT, Revenues And Benefits (Legal Services Manager)

Type of decision

Non-key.

Purpose of report

The Legal Services Manager reported on the outcome of the Scrutiny Coordinating Committee meeting on the 14 June 2011 at which consideration was given to the Call-In of the decision taken by Cabinet on the 23 May 2011, Minute No. 246 – Strategy for Bridging the Budget Deficit 2012/13 - ICT, Revenues and Benefits Services;

‘That a procurement exercise be commenced using the OGC Buying Solutions Framework for ICT and Revenues and Benefits services.’

The report referred the decision taken in Minute No.246 of Cabinet on 23 May 2011 (as outlined in section 2.1 above) back to Cabinet for further consideration.

Issue(s) for consideration by Cabinet

The Legal Services Manager set out the options now available to Cabinet either to reaffirm or to modify its original decision in relation to Minute No. 246 – Strategy for Bridging the Budget Deficit 2012/13 - ICT, Revenues and Benefits Services (meeting held on 23 May 2011) following the call-in of the decision by Scrutiny.. A response should then be forwarded to the Scrutiny Coordinating Committee.

The Chair of Scrutiny Coordinating drew Cabinet’s attention to the Committee’s view set out in the report that it had not been made clear that all elements of the Revenues and Benefits Service would not be included in the OGC Framework procurement exercise and on this basis the decision

had contravened the principles of decision making in relation to the provision of clear aims and desired outcomes.

Scrutiny Coordinating Committee had also requested that Cabinet, in reconsidering its decision and in order to optimise savings, should implement immediately the Scrutiny Co-ordinating Committee's recommendations for potential service changes / savings made in response to the recent Cabinet referral. This was particularly in relation to those areas of the Revenues and Benefits Service not included in the OGC procurement exercise.

The Mayor commented that everyone was aware of the reasons behind the Council's needs to make savings in the future. The introduction of the governments' new universal credit also raised the question of what benefits the local authority would be calculating and providing to the people of Hartlepool in the future. The Mayor stated that his aim had been and would continue to be the protection of jobs and specifically the protection of jobs in Hartlepool. The decision to follow the OGC tender process was to fulfil those two aims as had been stated in previous Cabinet reports.

The Mayor recommended to Cabinet that the previous decision be reaffirmed to allow the authority to see what came forward from the tender exercise. The Mayor indicated that he had met with the Trade Unions to discuss what was going to be included in the tender documentation. They appeared to be happy with what was included at this time and that the aim was to preserve jobs in Hartlepool.

Cabinet Members were keen to ensure that the results of the tender exercise would be reported back to Cabinet with detailed costs prior to any final decision being made. The Mayor gave such an assurance. Cabinet Members also commented that communication with staff during the process was key and that as much information as possible was shared with them. The Mayor indicated that this assurance had already been given.

The Chair of the Scrutiny Coordinating Committee questioned if the other recommendations of the Committee would be taken on board by Cabinet. The Mayor indicated that Cabinet had already accepted those recommendations from Scrutiny after the initial referral and a timetable for their implementation was to be developed.

Decision

1. That the previous decision of Cabinet (minute 246 refers) in relation to the Strategy for Bridging the Budget Deficit 2012/13 - ICT, Revenues and Benefits Services be reaffirmed and that in accordance with the Constitution, a report be submitted to the Scrutiny Coordinating Committee informing it of this decision.
2. That a timetable for the implementation of the recommendations of Scrutiny Coordinating Committee relating to potential service changes / savings, particularly in relation to those areas of the Revenues and Benefits Service not included in the OGC procurement exercise, be

reported to an early Cabinet meeting.

19. Connected Care – Final Report (*Health Scrutiny Forum*)

Type of decision

Non-key.

Purpose of report

The purpose of the report was to outline the findings and conclusions of the Health Scrutiny Forum's investigation into 'Connected Care'.

Issue(s) for consideration by Cabinet

In light of the absence of the Chair of the Health Scrutiny Forum, Cabinet agreed that the report be deferred to the next meeting.

Decision

That the report be deferred.

20. Connected Care – Action Plan (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

To agree an Action Plan in response to the findings and subsequent recommendations of the Health Scrutiny Forum's investigation into 'Connected Care'.

Issue(s) for consideration by Cabinet

In light of the absence of the Chair of the Health Scrutiny Forum, Cabinet agreed that the report be deferred to the next meeting.

Decision

That the report be deferred.

The meeting concluded at 10.15 a.m.

P J DEVLIN

CHIEF SOLICITOR

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