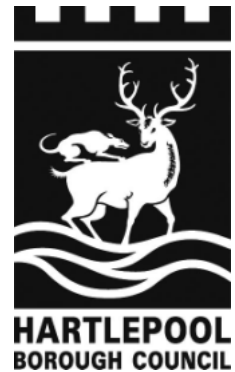


# **SCRUTINY CO-ORDINATING COMMITTEE AGENDA**



**2 September 2011**

**at 2.00 pm**

**in the Council Chamber**

**MEMBERS: SCRUTINY CO-ORDINATING COMMITTEE:**

Councillors C Akers-Belcher, S Akers-Belcher, Cook, Fenwick, Griffin, James, Loynes, Preece, Richardson, Rogan, Shaw, Shields, Simmons, Thomas, Wells and Wilcox.

Resident Representatives: Evelyn Leck and Maureen Braithwaite

**1. APOLOGIES FOR ABSENCE**

**2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

**3. MINUTES**

3.1 To confirm the minutes of the meeting held on 19 August 2011 (*to follow*).

**4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO REPORTS OF THE SCRUTINY COORDINATING COMMITTEE**

No Items

**5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS FROM COUNCIL, EXECUTIVE MEMBERS AND NON EXECUTIVE MEMBERS**

No Items

**6. FORWARD PLAN**

**7. CONSIDERATION OF PROGRESS REPORTS / BUDGET AND POLICY FRAMEWORK DOCUMENTS**

No Items

**8. CONSIDERATION OF FINANCIAL MONITORING/CORPORATE REPORTS**

No Items

**9. ITEMS FOR DISCUSSION**

9.1 Petition Review - Scrutiny Manager

9.2 Review of the Community Pool Grant – Consultation - *Assistant Director of Child and Adult Services*

9.3 The Council Museum and Art Gallery Collection - Scoping and Establishment of Working Group – *Scrutiny Manager*

**10. CALL-IN REQUESTS**

No Items

**11. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

**ITEMS FOR INFORMATION**

i) **Date of Next Meeting Friday 23 September 2011, commencing at 2.00pm in the Council Chamber, Civic Centre, Hartlepool**

# SCRUTINY CO-ORDINATING COMMITTEE

## MINUTES

19 August 2011

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

### **Present:**

Councillor: Marjorie James (In the Chair)

Councillors Christopher Akers-Belcher, Stephen Akers-Belcher, Rob Cook, Mick Fenwick, Sheila Griffin, Brenda Loynes, Arthur Preece, Jane Shaw, Linda Shields, Steve Thomas, Ray Wells and Angie Wilcox

In accordance with Council Procedure Rule 4.2 (ii) Councillor Ann Marshall was in attendance as substitute for Councillor Chris Simmons and Councillor Mary Fleet was in attendance as substitute for Councillor Carl Richardson

### **Resident Representatives:**

Evelyn Leck and Maureen Braithwaite

### **Also Present:**

Councillor Robbie Payne, Finance and Procurement Portfolio Holder

Officers: Damien Wilson, Assistant Director, Regeneration and Neighbourhoods  
Danielle Swainston, Sure Start, Extended Services and Early Years Manager  
Gemma Day, Principal Regeneration Officer  
Joan Stevens, Scrutiny Manager  
Denise Wimpenny, Principal Democratic Services Officer

Prior to commencement of the meeting, the Chair reported that there was no provision on the agenda to consider the issue in relation to bus services. It was confirmed that this matter had been discussed at the last meeting and was now being considered by the Portfolio Holder in a Working Group setting. The Chair expressed apologies on behalf of the Committee that members of the public had been misinformed that the issue would be discussed at today's meeting.

In response to concerns from members of the public that there was not an opportunity to discuss this issue today, the Chair provided details of the consultation process that had been followed and invited attendees to remain in the meeting if they wished to participate in the items of business listed on the

agenda. A brief adjournment was called to allow the public to leave the meeting.

Following a brief adjournment the meeting was reconvened.

## **51. Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Simmons and Richardson.

## **52. Declarations of interest by Members**

None.

## **53. Any Other Items which the Chair Considers are Urgent**

The Chair ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

## **54. Any Other Business - Call in of Decision – Local Authority Childcare Settings – Oscars Out of School Service, Bushbabies Daycare and Chatham House Daycare – Briefing Note** *(Scrutiny Manager)*

The Scrutiny Manager reported that a call-in notice had been received in relation to a recent decision taken by the Children's Services and Finance and Procurement Portfolio Holders. The purpose of today's discussion was to consider whether the call-in should be accepted for the reasons set out in the Notice and, subject to acceptance of the call-in, formulate a response for consideration by the Portfolio Holders.

Members were referred to the report of the Director of Child and Adult Services and extract of the decision record of the Joint Meeting of the Children's Services and Finance and Procurement Portfolio held on 9 August 2011 relating to local authority childcare settings together with the call-in notice, copies of which were attached as appendices to the report and had been circulated at the meeting given the timescales for consideration of this issue. Details of the call-in process together with the next steps were outlined as detailed in the report.

It was noted that the Finance and Procurement Portfolio Holder and a representative from the Child and Adult Services Department was in attendance to answer any questions raised by Members.

The Chair briefed Members on the background to the call-in decision and Members raised a number of queries in relation to the consultation process to which the Child and Adult Services representative provided clarification.

The Committee explored at length the reasons why the signatories of the Call-In Notices were of the opinion that the decision had been taken in contravention of the principles of decision making identified in the call-in notice.

Members expressed disappointment that parents had not been consulted in relation to the proposed closure and whilst accepting the reasons outlined by the Children's Services representative, concerns were expressed that the lack of consultation contravened the principles of decision making process in that openness and transparency had not been achieved.

The Finance and Procurement Portfolio Holder explained that it was with great reluctance that the decision was taken to close these services. The decision was made on the basis that there were alternative placements available for children in other settings in the town and the financial support of the facilities could not continue in light of the current financial situation. Arrangements had been made to assist staff in finding suitable alternative employment. Whilst Members acknowledged the reasons for the decision, concerns were reiterated regarding the consultation process. There was some debate as to whether the consultation with Elected Members had been adequate, the potential outcome following an inquiry, the most appropriate methods of managing the call-in in accordance with the 7 day rule as well as the benefits of undertaking further consultation.

In terms of the Committee's conclusions and recommendations to the Portfolio Holders, Members were of the view that the Portfolio Holders should reconsider their decision on the basis that effective consultation had not been undertaken with parents affected by the closures.

The Committee did not support the assertion that the decision had contravened the principles of decision making in respect of i) 'Due Consideration' on the grounds that 'all Councillors especially Ward Councillors not informed or kept up to date with the decision making process'. The basis of this being that:

- i) The issue / decision had been included within the Forward Plan, although it was noted that this related to a review of provision and not specifically a decision in relation to closure.
- ii) The Portfolio Holder for Children's Services was in fact a Seaton Ward Councillor; and
- iii) The issue had previously been discussed through the Business Transformation Board.

In addition to this, Members referred to the process required through legislation for the completion of equality assessments as part of the

financial decision making process and were keen to receive a briefing from the Monitoring Officer on the most appropriate methods of ensuring that sound arrangements were in place to ensure that equality arrangements around financial decisions were understood and effectively implemented when decisions were being taken.

- (i) That the Call-in notice be formally accepted.
- (ii) That the Portfolio Holders be asked to reconsider their decision on the grounds that it contravened the principles of decisions making in relation to openness and transparency (as outlined above).
- (iii) That the Portfolio Holders ensure that meaningful and effective consultations be undertaken with the parents of those children affected by the closures.
- (iv) That the Monitoring Officer provide the Scrutiny Co-ordinating Committee with 'a full and frank' briefing to ensure that the responsibility for equality assessments as part of the financial decision making process are fully understood and effectively implemented with the authority.

**55. Confirmation of the minutes of the meeting held on 25 July 2011**

Confirmed

**56. Responses from the Council, the Executive or Committees of the Council to Reports of the Scrutiny Co-ordinating Committee**

None

**57. Consideration of request for scrutiny reviews from Council, Executive Members and Non Executive Members**

None

**58. Forward Plan September 2011 to December 2011**  
(Scrutiny Manager)

The Executive's Forward Plan for September to December 2011 was provided to give Members of the Scrutiny Co-ordinating Committee the opportunity to consider whether any items within the Plan should be considered or referred to a particular scrutiny forum.

In looking at the Forward Plan in detail, discussions ensued on the following

items.

1) Ref: CE 44/11 – Workforce Arrangements

A Member sought clarification as to how employment costs could be reduced without the need to reduce the number of employees. The Chair outlined the redundancy process commenting that savings could be achieved if alternative suggestions were proposed and subsequently agreed which resulted in savings in employment costs. In response to a Member's query as to whether this arrangement could result in an equal pay claim, the Chair confirmed that this would not be an issue.

2) Ref: CE45/11 – Strategy for Bridging the Budget Deficit 2012/13 – ICT, Revenues and Benefits Services

Concerns were expressed that recommendations made by the Scrutiny Co-ordinating Committee for efficiency savings in relation to those areas of the Revenues and Benefits Services not included in the OGC procurement exercise, identified as part of the referral undertaken last year, had not been included in this Forward Plan entry. Members were keen to see details of the savings achieved as a result of these recommendations and requested that the Portfolio Holder, and lead officer, be invited to a future meeting of this Committee to provide clarification in terms of:

- Why these recommendations were not included in the Forward Plan; and
- The position in terms of their implementation.

3) Ref: CAS 99/11 – Early Intervention Strategy

In relation to the decision to be taken on 24 October 2011 in respect of the Early Intervention Grant, concerns were raised regarding the budget implications of this proposal and the timing of this decision, in that it would not allow:

- An adequate consultation period with this Committee; or
- The outcome of the Adult and Community Services Scrutiny Forum's 'Early Intervention & Reablement Services' investigation to be taken into consideration.

The Committee requested that the Portfolio Holder and lead officer be invited to an early meeting of this Committee, in advance of the commencement of the budget process, to:

- Agree a sensible timetable of consultations with Scrutiny in relation to this issue; and
- Receive further information, as part of the consultation process in relation to Information Advice and Guidance (IAG) Services

4) Ref RN55/11 – Hartlepool Compact/Voluntary Sector Strategy Action Plans

Clarification was sought regarding the make-up of the Strategy Implementation Group. The Principal Regeneration Officer provided details of the internal officers on the Group following which the importance of voluntary sector representation was emphasised. It was suggested that the Mayor be invited to a future meeting of this Committee to consider the make-up of the Group.

5) Ref: RN 68/11 – Community Cohesion Framework

Concern was expressed that the Forward Plan did not include details of how or with whom consultation would take place in relation to the above issue. It was suggested that Member consultation in relation to this issue should be undertaken through a future meeting of this Committee.

6)Ref: RN 69/11 – Flexible Support Fund

A Member referred to the Flexible Support Fund previously considered by Cabinet and clarification was sought on the process the Council followed, who would be responsible for submitting bids, benchmarking arrangements in terms of establishing suitable partners and what internal mechanisms were in place to ensure delivery.

The Assistant Director, Regeneration and Neighbourhoods advised that in selecting appropriate partners for submitting bids, appropriate checks were carried out to ensure partners could deliver. Reference was made to a recent DWP contract when it was decided the risks were too great to proceed. Concerns were expressed that this decision had not been shared with Elected Members as part of the Council's decision making processes, in a report to Cabinet and Scrutiny Co-ordinating Committee in accordance with special urgency rules.

In order to assist Members, the Assistant Director, Regeneration and Neighbourhoods, agreed to bring details of the process and timetable for the selection of partners to a future meeting of this Committee.

7) Ref RN70/11 – Innovation Fund

In relation to who would be consulted on this issue, concerns were raised that not all relevant voluntary/community sector organisations received relevant information in relation to funding issues. Members were advised that Economic Development would confirm who was eligible to apply for funding and would provide the relevant details. Assurances were given that Members and third sector organisations would be provided with the information when available.

The Committee referred to the Economic Forum (or its replacement following the recent LSP changes) and suggested that the Members on this body could be utilised to facilitate the transmission of information in relation to the Innovation Fund, as and when it became available.



8) Ref RN61/11 – Selection of Preferred Developer for Sites in Seaton Carew

With regard to the decision to seek expressions of interest from developers regarding Council owned sites in Seaton Carew, a Member raised concerns regarding the costs incurred in this approach and sought clarification on the benefits of this decision. The Assistant Director advised that the main reason for this approach was to encourage as broad a range of developers as possible to invest in difficult to develop areas. The importance of developers meeting the needs of the town was emphasised.

9) Ref RN2910 – Hartlepool Domestic Violence Strategy

Reference was made to the recent domestic violence investigation undertaken by the Regeneration and Planning Services Scrutiny Forum to which it was requested that the recommendations arising there from be reflected in the forward plan.

10) Ref RN60/11 – Hartlepool Housing Strategy

A Member referred to the current target of 10% relating to provision of affordable housing as set out in the Housing Strategy and emphasised the need for an increase in this target to 30% to reflect the housing needs of the town. It was noted that a target of 10% to 30% was to be included in the Core Strategy and in response to indications from Members that they would like to see this being 15% to 30%, the Assistant Director, Regeneration and Planning, indicated that the target would be revisited.

The Chair commented on the importance of reflecting the recommendations of Council that the Council be a major player in future housing provision for the town, including the potential provision of mortgages. It was suggested that this issue be explored via the Council Working Group.

In relation to the level of vacant unsold properties on new developments, a Member requested that the feasibility of utilising properties of this type for social housing be further explored with Housing Hartlepool.

11) Ref RN 74/11 – Former Leathers Chemical Site

In terms of who would be consulted on this issue, Members were of the view that given the nature of the decision, all Ward Members should be consulted. To facilitate full Member consultation the Committee requested that this issue be referred to the Council Working Group with a view to carrying out informal discussions prior to the proposed decision date of November 2011.

Concerns were raised that the timetable of key decisions expected to be made in September, October and November, attached at Appendix 2, did

not include the Core Strategy to which the Assistant Director agreed to investigate.

### **Recommended**

- (i) That the lead officer and Portfolio Holder be invited to a future meeting of this Committee to provide clarification regarding the issues raised above in relation to the Strategy for Bridging the Budget Deficit 2012/13 ICT and Revenues and Benefits Service.
- (ii) That the Portfolio Holder and lead officer be invited to an early meeting of this Committee to respond to the issues raised above in relation to the Early Intervention Grant.
- (iii) In relation to the Hartlepool Compact/Voluntary Sector Strategy Actions Plans, that the Mayor be invited to a future meeting of this Committee to discuss the make-up of the Strategy Implementation Group.
- (iv) That details of consultation arrangements relating to the Community Cohesion Framework be provided at a future meeting of this Committee.
- (v) With regard to the flexible support fund and various funding decisions, referred to above, details of the process and timetable for the selection of partners be considered at a future meeting of this Committee.
- (vi) That the scrutiny recommendations from the investigation into Domestic Violence be reflected in the forward plan.
- (vii) That the issues raised in relation to the Hartlepool Housing Strategy be further explored by the Council Working Group.
- (viii) In order to facilitate full Member consultation, the former leather chemicals site issue be referred to Council Working Group for debate.

## **59. Consideration of progress reports/budget and policy framework documents**

None

## **60. Consideration of financial monitoring/corporate reports**

None

## **61. Health Scrutiny Forum – Work Programme 2011/12** *(Chair of the Health Scrutiny Forum)*

The Chair of Health Scrutiny Forum reported on the Health Scrutiny Forum's deliberations on the work programme for 2011/12 municipal year and

outlined the topics that would be investigated, as set out in Table 1 of the report. Details of the Forum's three year rolling health programme were also highlighted. It was noted that this was a very ambitious work programme.

#### **Recommended**

- (i) That the contents of the Work Programme, as outlined in Table 1, be noted.
- (ii) That the rolling programme for a further two years, as outlined in Table 2, be noted.

### **62. Update – Development of a Hartlepool Health and Wellbeing Board** *(Chair of the Health Scrutiny Forum)*

The Chair of the Health Scrutiny Forum provided an update from a recent meeting of the Health Scrutiny Forum held on 11 August when the issue of the Development of a Health and Wellbeing Board was considered.

Draft terms of reference for the development of a shadow Health and Wellbeing Board were presented to Cabinet on 15 August 2011. Members of the Health Scrutiny Forum had made a number of comments in relation to the development of a Hartlepool Health and Wellbeing Board for the Assistant Director of Health Improvement to include in the presentation to Cabinet on 15 August, details of which were set out in the report.

Members were advised that this issue would be closely monitored by the Health Scrutiny Forum and further information was awaited.

In response to a Member's comments that Hartlepool's Health and Wellbeing Board should include Members of Health Scrutiny Forum, the Chair acknowledged the need for representation of all Members and not just Executive Members and outlined the reasons why scrutiny members could not be involved in the decision making process of the board. .

#### **Recommended**

That the update report, be noted.

### **63. Council Assisted Scheme for the Provision of Household White Goods/Furniture** *(Scrutiny Manager)*

The Assistant Director introduced the report which outlined the proposal regarding the introduction of a Council assisted scheme for the provision of household white good and furniture in Hartlepool.

As part of the Forum's investigation into Child Poverty and Financial Inclusion, reference was made to the potential benefits of a scheme, which facilitated the provision of household white goods/furniture to families, particularly those in receipt of benefits. The report presented to this

Committee in April 2011 provided details of the research that had been undertaken and options for the feasibility of the introduction of a Council assisted scheme for the provision of household white goods/furniture in Hartlepool. At that meeting in April the Committee noted the model Housing Hartlepool was proposing for its tenants and recommended that details of the Business Case be brought back to a future meeting of this Committee in relation to the development of a scheme, with a community/voluntary sector organisation.

The Principal Regeneration Officer presented the draft Business Case, attached at Appendix 1, which outlined the work that had been undertaken in relation to the development of a scheme with a community/voluntary sector organisation.

The Council had identified potential capital money to finance a scheme within existing resources to assist the development of a Furniture Solutions Project. The intention was to use the funding of £50,000 available over two years to assist community/voluntary sector organisation to deliver the scheme. It was noted that a report would be submitted to Cabinet in October 2011 to seek endorsement of the Furniture Solutions Project and secure the required funding.

The Business Case included details of the project covering the description, purpose and benefits, benchmarking information, financial assistance available, breakdown of funding, outputs, identified risks, procurement process, proposed timetable together with details of the monitoring and evaluation arrangements. The Principal Regeneration Officer highlighted that the Council would be looking to procure one contract to a host/lead organisation who could either deliver on both elements of the scheme or would deliver one strand with the other being delivered through a partnership arrangement with another organisation.

Following the presentation of the Business Case, a discussion ensued which included the following issues:-

- (i) A query was raised as to what safeguards were in place to ensure any finance provided was utilised for the correct purpose. The Principal Regeneration Officer stated that payments from the financial services organisation would be transferred direct to the provider. The customer would not be involved in handling the finance themselves.
- (ii) As part of the presentation on the project proposal, it was noted that formal tenders would not be essential as the proposed project costs were below the threshold. Formal quotations would be sought. However the process would broadly follow best practice procedures as outlined in Contract Procedure Rules particularly in relation to advertising the opportunity. Although there was no requirement to submit proposals to the Contract Scrutiny Committee, a Member asked that the Committee be consulted on the proposals informally.

- (iii) In response to a request for clarification as to whether there was a limit on how much one individual could purchase, the Committee was advised that each individual application would be considered on its own merits and a financial assessment would be undertaken on each application. It was not envisaged that a customer would be offered a loan they were unable to repay.
- (iv) The Committee went on to discuss who would benefit from the scheme as well as priority customers, as outlined in the Business Case.

### **Recommended**

That the contents of the report and comments of the Committee, be noted and that a further report be presented to this Committee following consideration of the proposed scheme by Cabinet.

## **64. Review of the Community Pool Grant – Consultation** *(Assistant Director of Child and Adult Services)*

Due to time constraints, it was suggested that this item be deferred for consideration at the next meeting.

### **Recommended**

That this item be deferred to the next meeting of this Committee

## **65. The Council Museum and Art Gallery Collection – Scoping and Establishment of Working Group** *(Scrutiny Manager)*

Due to time constraints, it was suggested that this item be deferred for consideration at the next meeting.

### **Recommended**

That this item be deferred to the next meeting of this Committee.

## **66. Dedicated Overview and Scrutiny Budget – 2010/11 Outturn** *(Scrutiny Manager)*

The Scrutiny Manager presented the report which provided an up to date position of the expenditure of the Dedicated Overview and Scrutiny Budget for the 2010/11 financial year.

It was noted that whilst the overall expenditure of £890.60 was not the final outturn position for the year it was unlikely that at this late stage that there would be any significant additional expenditure for the 2010/11 financial year.

**Recommended**

That the current budget position, be noted.

**67. Call-In Requests**

None

**68. Date and Time of Next Meeting**

It was reported that the next meeting would be held on 2 September 2011 at 2.00 pm in the Council Chamber.

It was noted that due to time constraints the correspondence circulated by the Chair relating to the changes to the call-in process would be considered at the next meeting.

The meeting concluded at 4.35 pm.

CHAIR

## SCRUTINY CO-ORDINATING COMMITTEE

2 September 2011



**Report of:** Scrutiny Manager

**Subject:** Petition Review

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### 1. PURPOSE OF THE REPORT

- 1.1 To provide Members of the Scrutiny Co-ordinating Committee with the relevant information to enable consideration of the request for a Petition Review following consideration of the “Hear ‘n’ Hartlepool” petition by Council on the 4 August 2011, as per the Authority’s Petition Scheme.

### 2. BACKGROUND INFORMATION

- 2.1 Statutory guidance places a duty on the Local Authority to respond to petitions. In fulfilling this duty, Hartlepool Borough Council formally adopted a Petition Scheme on the 10 June 2010 (with accompanying supporting guidance entitled ‘Guidance Note – Duty to Respond to Petitions’ to accompany the adopted scheme). Copies of each are attached at **Appendices A and B** respectively.
- 2.2 Under the Councils Petition Scheme, a petition was submitted containing approximately 1600 signatures requesting that the Council debate the content of the following statement and that a public inquiry be undertaken.

*‘Many residents are suffering, distressed and alarmed by the state of affairs within the council evidenced by good and bad publicity, leaks from within the council, media coverage and generally, the word on the street. Enough is Enough!’*

*We: "Hear 'n' Hartlepool" are asking Full Council to support a public inquiry into HBC Executive and Management so that informed choices can be made into action and accountability as previous research is known to have flaws and so may be invalid.*

*Please embrace this opportunity to empower local people in making a local impact!’*

- 2.3 In accordance with the requirements of the petition scheme, the petition was added to the agenda for the next full Council meeting, on the 4 August 2011. A copy of the report considered by Council, on the 4 August 2011, in relation

to the petition is attached at **Appendix C**. Contained within this report was clarification of the process for consideration of the petition, including:

- The provision of five minutes for the petitioner to present the petition (and at the discretion of the Chair of Council, answer questions put by Councillors);
- The provision of up to 15 minutes for the Council to debate the petition and determine the most appropriate action(s); and
- Possible steps the Council could choose to take in response to a petition:-
  - (i) Council agrees to take the action requested in the petition,
  - (ii) Considering the petition at a meeting of the Council,
  - (iii) Holding an Inquiry,
  - (iv) Holding a public meeting,
  - (v) Commissioning research,
  - (vi) Referring the petition to an Overview and Scrutiny Committee (or through further consideration by any other relevant committee)
  - (vii) Council agrees to take no action.

- 2.4 Formal confirmation of the Council meeting date, and process for consideration of the petition, was sent to the petition organiser on the 28 July 2011.
- 2.5 Following consideration of the information provided, and the presentation given by the petition organiser, Council on the 4 August agreed that 'no action be taken' in relation to the petition. In considering the petition at the Council meeting on the 4 August 2011, a response was provided by the Deputy Mayor, Councillor Robbie Payne. An invitation to attend today's Scrutiny Co-ordinating Committee has been accepted by Councillor Payne, to assist Members in their consideration of the petition review.
- 2.6 The Petition organiser was formally notified of this decision by letter, on the 8 August 2011 (**Appendix D**) and advised of the Petition Review process, whereby a petition organiser can, should they feel that the Council has not dealt with your petition properly, request that the Council's Scrutiny Co-ordinating Committee review the steps that the Council has taken in response to your petition.
- 2.7 A formal request for a petition review was subsequently received from the petition organiser on the 12 August 2011 (attached at **Appendix E**), outlining the reasons why it is felt that the petition was not dealt with properly. In accordance with the petition scheme, the petition organiser was formally notified, on the 19 August 2011, that the Scrutiny Co-ordinating Committee would be meeting on the 2 September 2011 to consider the petition review and as part of the process would be:



‘Reviewing the steps / process undertaken by the Council in responding to the petition and would not be considering the detail / content of the petition itself.’

- 2.8 A formal invitation was extended to the petition organiser to attend the Scrutiny Co-ordinating Committee on the 2 September to explain to the Committee why you feel the process for consideration of the petition had not been adequately followed and an appropriate slot has been allocated on the agenda.

### **3. PETITION REVIEW PROCESS – NEXT STEPS**

- 3.1 In the consideration of the Petition Review, the Scrutiny Co-ordinating Committee must under the Petition Scheme review the adequacy of the steps taken or proposed to be taken in response to the petition. In doing this the Committee must bear in mind the list of potential steps listed in the act, as detailed in Section 2.3 of this report.

- 3.2 In this instance, the focus of the petitions request for action had been the instigation of a public inquiry, rather than any other available courses of action.

- 3.3 Having fully discussed the grounds for the petition review, as detailed by the petition organiser, the Committee has two options:

- (i) Should the Committee be satisfied that the petition was dealt with adequately, no further action be taken;
- (ii) Should the Committee be of the view that the petition was not felt with adequately it can:
  - Instigate a full Scrutiny investigation;
  - Make recommendations to the Councils Executive and / or a meeting of full Council.

### **4. RECOMMENDATIONS**

- 4.1 That consideration be given to the whether the petition was dealt with adequately by full Council on the 4 August 2011 and agree a course of action from the options identified in Section 3.3 above.

**Contact Officer:-** Joan Stevens – Scrutiny Manager  
Chief Executive's Department - Corporate Strategy  
Hartlepool Borough Council  
Tel: 01429 28 4142  
Email: joan.stevens@hartlepool.gov.uk

## **BACKGROUND PAPERS**

The following background paper was used in the preparation of this report:-

- (i) Hartlepool Borough Council's Constitution and Petition Scheme; and
- (ii) Report – Cabinet 4 August 2011.

# Petition Scheme

## Petitions

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:

Democratic  
Civic  
Victoria  
Hartlepool  
TS24 8AY

Services

Team,  
Centre,  
Road,

Or be created, signed and submitted online by going to  
<http://petitions.hartlepool.gov.uk>

Petitions can also be presented to a meeting of the full Council. These meetings take place on dates and times that can be found [here](#). If you would like to present your petition to the Council, or would like your local Councillor to present it on your behalf, please contact Democratic Services Team on 01429 523013 at least 10 working days before the meeting and they will assist you through that process.

## What are the guidelines for submitting a petition?

Petitions submitted to the Council must include

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take
- the name and address and signature of any person supporting the petition

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will **not** be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. If a petition does not follow the guidelines

set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

## **What will the Council do when it receives my petition?**

An acknowledgement will be sent to the petition organiser **within 14 days** of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as Council tax banding and non-domestic rates, other procedures apply.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

## **How will the Council respond to petitions?**

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a full Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation

- holding a meeting with petitioners
- referring the petition for consideration by the Council's Scrutiny Co-ordinating Committee who have responsibility for scrutinising the work of the Council in conjunction with the five Scrutiny Forums:
  - Children's Services Scrutiny Forum
  - Regeneration Planning Services Forum
  - Adult & Community Services Scrutiny Forum
  - Health Scrutiny Forum
  - Neighbourhood Services Scrutiny Forum
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples.

Petition subject	Appropriate steps
Alcohol related crime and disorder	<p>If your petition is about crime or disorder linked to alcohol consumption, the Council will, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a designated public place order or, as a last resort, imposing an alcohol disorder zone. When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The Council's response to your petition will set out the steps we intend to take and the reasons for taking this approach.</p>
Anti-social behaviour (ASB)	<p>As the elected representatives of your local area, and licensing authority, the Council has a significant role to play in tackling anti-social behaviour. The Council, in conjunction with our partners in the local crime and disorder partnership have set out minimum service standards for responding to issues of anti-social behaviour, you can find more details about these standards <a href="#">here</a>.</p> <p>When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as licensing authority. For example, we will work with the partner agencies in the affected area to identify what action might be taken, consider identifying a dedicated contact within the Council to liaise on issues of ASB in the area in question.</p>

**Petition subject****Appropriate steps**

Under-performing schools

We will consider, in consultation with local partners, all the options available to us when working with schools to secure their improvement. For example, on our behalf, the school improvement partner (SIP) will play a pivotal role, challenging and brokering support for poorly performing schools. Where a school is under performing we will consider whether it is appropriate in the circumstances to issue a warning notice outlining expectations and a timeframe for the school to improve its performance standards. Other measures available to us, where schools fail to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures including; appointing additional governors, establishing an interim executive board, removal of the school's delegated budgets, requiring the school to enter into a formal contract or partnership or, only if the school is in special measures, closure.

Under-performing health services

We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LiNK) might have in reviewing and feeding back on the issue (the LiNK is run by local individuals and community groups and independently supported - their role to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account).

If your petition is about something over which the Council has no direct control we will aim to make representations on behalf of the community to the relevant body. The Council works with a large number of [local partners](#) and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the Council is responsible [here](#).

If your petition is about something that a different Council is responsible for we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event we will always notify you of the action we have taken.

## Full Council debates

If a petition contains **more than 1,500 signatures** it will be debated by the Full Council unless it is a petition asking for a senior Council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

## Officer evidence

Your petition may ask for a senior Council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior Council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains **at least 750 signatures**, the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Committee. A list of the senior staff that can be called to give evidence can be found [here](#). You should be aware that the Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition - for instance if the named officer has changed jobs. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting Democratic Services Team on 01429 523013 up to three working days before the meeting.

## E-petitions

The Council welcomes e-petitions which will be created and submitted through our website. E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 14 days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to Democratic Services Team. In the same way as a paper petition, you will receive an acknowledgement within 14 days. If you would like to present your e-petition to a meeting of the Council, please contact Democratic Services Team within ten days of the petition closing.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

## **How do I 'sign' an e-petition?**

You can see all the e-petitions currently available for signature by going to <http://petitions.hartlepool.gov.uk>.

When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible. The e-petition signature process will also include a mechanism to prevent robot signatures.

## **What can I do if I feel my petition has not been dealt with properly?**

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Scrutiny Co-ordinating Committee review the steps that the Council has taken in response to your petition.



The committee will consider your request within 30 days of receiving it. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Executive and arranging for the matter to be considered at a meeting of the Full Council.

Once the appeal has been considered the petition organiser will be informed of the results within seven days. The results of the review will also be published on our website.

# **GUIDANCE NOTE – DUTY TO RESPOND TO PETITIONS**

## **Introduction**

There is a statutory requirement upon principal local authorities to adopt a petition scheme and a duty to respond to those petitions. This duty follows the commitment to 'empower' local communities in the White Paper "Communities in Control: Real People, Real Power". The Borough Council have adopted a petition scheme effective from 15th June, 2010 with the operation of an "e-petition" scheme scheduled to commence from 15th December, 2010. In accordance with the provisions of the Local Democracy, Economic Development and Construction Act, 2009, Hartlepool Borough Council has published its petition scheme on its website ([www.hartlepool.gov.uk](http://www.hartlepool.gov.uk)) and copies are available from the Civic Centre and other Council locations in order to bring this petition scheme to the attention of persons who live, work or study in its area.

In the statutory guidance on the duty to respond to petitions it is stated;

*"Government believe that local authorities should approach their petition scheme from a starting point of responding to all the petitions they receive. Petitions are an important tool for local people to raise concerns with their locally elected representatives and we expect petitions to trigger action where appropriate".*

It is also indicated within the statutory guidance certain "key principles", as follows;

- In ensuring that local people know how to express their views
- Local authorities will take action to respond to petitions
- Local people know that their views have been listened to
- Keeping prescribed requirements on Councils to a minimum, and
- Building on local authority best practice

## **The Scheme**

Anyone who lives, works or studies in a local authority area including under 18s, can organise a petition and trigger a response. All petitions sent to the Council will receive an acknowledgement **within 14 days of receipt**.

Petitions submitted to the Council must include;

- a clear concise statement covering the subject of the petition.
- what action the petitioners wish the Council to take.
- the name and address and signature of any person supporting the petition.

The petition should be accompanied by contact details, including an address for the petition organiser. This will be the person the Council will contact as to how the Council will respond to the petition.

An “active petition” must relate to a “relevant matter” that is not in the opinion of the authority, vexatious, abusive or otherwise inappropriate to be dealt with. A “relevant matter” means;

- a matter which relates to the functions of the authority, or
- relates to an improvement in the economic, social or environmental wellbeing of the authority’s area to which any of its partner authorities could contribute.

The Local Authorities (Petitions) (England) Order 2010 prescribes that the following are to be ‘excluded’ from the definition of a ‘relevant matter’, namely;

- Any matter relating to a planning decision;
- Any matter relating to a licensing decision;
- Any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment.

However, a matter will not be excluded if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systematic basis, notwithstanding that the allegation particularly refers to a planning decision, a licensing decision or any other matter to which that individual would have recourse to a review or an appeal.

This Order also specifies the maximum number of signatures that authorities may include in their petition schemes as being required to trigger a debate with full Council, being 5% of the local population as estimated by the Office of National Statistics. The Borough Council has prescribed that a petition must contain **more than 1,500 signatures** before it will be debated by full Council. The Council has also prescribed a figure of **at least 750 signatures** for a Senior Officer of the Council to give evidence at a public meeting of an Overview and Scrutiny Committee about something for which the Officer is responsible as a part of their employment.

Among the many possible steps that a principal local authority may choose to take in response to a petition the following are required to be included within a petition scheme;

- Taking the action requested in the petition
- Considering the petition at a meeting of the authority
- Holding an inquiry
- Holding a public meeting
- Commissioning research
- A written response to the petition organiser setting out the authority’s views on the request in the petition
- Referring the petition to an Overview and Scrutiny Committee

Local authorities may choose to verify the signatures given on a petition at their discretion. Authorities are required to take into account signatures of people who provide valid addresses where they live, work or study within the local authority area, but authorities may also take account of those signatories who do not supply such information.

### **Vexatious, Abusive or Otherwise Inappropriate Petitions**

The Council will approach the petitions they receive in a positive manner. However, petitions which are in the opinion of the Council vexatious, abusive or otherwise inappropriate do not qualify for the authority to take the 'required steps' as indicated above. In making their response to a petition organiser the authority will provide reasons of why they consider that they will not be taking action through a petition being vexatious, abusive or otherwise inappropriate.

The Council's Monitoring Officer, if necessary in consultation with the Chair of Council (or the relevant Scrutiny Forum Chair) will consider whether or not a petition is vexatious. As a starting point, guidance as to whether a petition is vexatious indicates;

*"...it is a flexible balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause".*

Petitions made under any other enactments, for example, those relating to the Local Government Act, 2000 concerning executive arrangements of local authorities should be dealt with according to the procedure set out in those enactments.

### **Petition Debates**

If a petition contains more than **1,500 signatures** it will be debated by the full Council unless it is a petition asking for a Senior Officer to give evidence at a public meeting through the Council's scrutiny process. At the discretion of the Chair of the Council this debate may be added to the agenda of a normal meeting of the full Council. Where a petition triggers a Council debate the Council should also consider what other steps they should take in order to ensure their response is adequate. The petition organiser will be informed in writing when the debate will be held with sufficient notice to enable their attendance. The Council will also publish details of a Council meeting on the Council's website.

The petition organiser will be given 5 minutes to present their petition and at the discretion of the Chair of the Council answer questions put by Councillors. The petition will be discussed by the Councillors for a maximum of 15 minutes, although, the Chair of the Council will have a discretion to extend this period of discussion. The debate will conclude with a decision being taken by Council in line with the best possible steps the Council may take in

response to the petition. The petition organiser will receive written notification of this decision which will also be published on the Council's website.

At the discretion of the Chair, a maximum of 2 petitions triggering a Council debate will be dealt with at any one Council meeting.

### **Officer Giving Evidence**

Local people have the right to petition a Senior Council Officer to attend a public meeting of a Council's Overview and Scrutiny Committee. The Council have decided that if a petition contains **at least 750 signatures**, a Senior Officer would have to attend the meeting, answer questions and explain how they are delivering public services. This builds upon the already existing powers of Overview and Scrutiny Committees to call before them both Members and Officers to give evidence and therefore allows members of the local community to influence the way that this particular scrutiny takes place. A list of senior staff that can be called to give evidence can be found - HBC Constitution/Constitution 2009-2010/Sections of Constitution/Man Structure Flow Chart.

Local authorities will determine which of their Officers should be called to account in this way and in order for petitions to have a meaningful impact, the more Senior Council Officers will be required to attend the meetings and give evidence. Overview and Scrutiny Committees can decide that for the purpose of addressing the concerns raised in a petition that it is more appropriate for another Officer to be called, at their absolute discretion.

Officers will not be exposed to inappropriate public scrutiny of their private lives, nor to any form of harassment or bullying. The "grounds" given in the petition must relate to their specific post and their overall responsibility to the Council and its community. An Officer will not be required to attend a meeting of Overview and Scrutiny if the person calling for attendance is deemed to be vexatious, abusive or otherwise is inappropriate.

The Council will inform the petition organiser when the Overview and Scrutiny meeting will take place with sufficient notice to allow for attendance. Should the subject of a petition be likely to lead to exposure of confidential information, a resolution under the provisions of the Local Government Act, 1972, as amended, to hold any part of the meeting in private, must be justifiable, with reasons that are made clear in notification to the petition organiser. Overview and Scrutiny Committee will thereafter make a report containing recommendations to the authority and send a copy to the petition organiser and if appropriate, the report will also be published on the Council's website.

Both in relation to a petition which triggers a full Council debate and also which calls an Officer to give evidence, if the matter specifically relates to a particular ward within the Borough, initial notification will also be given to the applicable ward Councillors.

### **Petition Reviews**

Petitioners will be able to appeal to the Council's Overview and Scrutiny Committee if they feel the response from the Council is not adequate. The Overview and Scrutiny Committee will decide whether the steps taken in response to the petition were appropriate, having regard to the possible steps which can be taken in response to a petition. If the Committee has reason to be concerned about the adequacy of the Council's response it can decide to carry out a full review of the issues raised using its powers under the Local Government Act, 2000. This can include, Overview and Scrutiny arranging for the authority's response to be discussed at a meeting of full Council.

The Council will again inform the petition organiser of the results of the review, following initial consideration within 30 days of the receipt of the request for a review. The petition organiser will be informed of the outcome of the review within 7 days and the same will also be published on the Council's website.

A flow chart is appended herewith (**Appendix 1**) which details how a petition would be dealt with by the Council under various options relating to the consideration of a petition under the Council's adopted scheme.

**COUNCIL**  
4<sup>th</sup> August 2011



**Report of:** CHIEF EXECUTIVE

**Subject:** PETITION TO COUNCIL – “HEAR ‘n’ HARTLEPOOL”

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**1. PURPOSE OF REPORT**

- 1.1 To inform Members of the receipt of a petition containing the requisite number of signatories (more than 1,500) to trigger a debate in Council.
- 1.2 The Council’s Petition Scheme provides for a petition to contain a ‘clear and concise statement to cover the subject matter of the petition, what action the petitioners wish the Council to take and the names and addresses and signature of any person supporting the petition.

**2. BACKGROUND**

- 2.1 In the statutory guidance on the duty to respond to petitions it is stated;

*‘Government believe that local authorities should approach their petition scheme from a starting point of responding to all petitions they receive. Petitions are an important tool for local people to raise concerns with their locally elected representatives and we expect petitions to trigger action where appropriate.’*

The Council have formally adopted a Petition Scheme 10<sup>th</sup> June 2010 and have also issued a ‘Guidance Note – Duty To Respond To Petitions’ to accompany the adopted scheme. The Council has received a petition containing approximately 1600 signatures and a statement of the subject matter which the petitioners, as submitted through the petitioner organiser, wished the Council to debate, namely;

*‘Many residents are suffering, distressed and alarmed by the state of affairs within the council evidenced by good and bad publicity, leaks from within the council, media coverage and generally, the word on the street. Enough is Enough!’*

*We: "Hear 'n' Hartlepool" are asking Full Council to support a public inquiry into HBC Executive and Management so that informed choices can be made*



*into action and accountability as previous research is known to have flaws and so may be invalid.*

*Please embrace this opportunity to empower local people in making a local impact!’*

- 2.2 There is a request that Council holds an Inquiry relating to this petition. The petition organiser will also have five minutes to present the petition and at the discretion of the Chair of Council, answer questions put by Councillors.
- 2.3 An acknowledgement has been sent to the petition organiser advising her of the Council’s receipt of the petition and the Council’s response will be subsequently notified in writing to the petition organiser which will also be published on the Council’s website.

### **3. POSSIBLE STEPS**

- 3.1 Among the possible steps the Council may choose to take in response to a petition are the following;
- (i) Council agrees to take the action requested in the petition,
  - (ii) Considering the petition at a meeting of the Council,
  - (iii) Holding an Inquiry,
  - (iv) Holding a public meeting,
  - (v) Commissioning research,
  - (vi) Referring the petition to an Overview and Scrutiny Committee (or through further consideration by any other relevant committee)
  - (iii) Council agrees to take no action.

### **4. RECOMMENDATION**

Council are requested to debate (fifteen minutes allowed) the petition and to determine the most appropriate action(s)

**Chief Executive's Department**

Civic Centre  
Hartlepool  
TS24 8AY

Tel: 01429 266522  
www.hartlepool.gov.uk

Our Ref: PJD/WB  
Your Ref:

Contact Officer/Email: Mr P J Devlin Ext 3003

9th August 2011

Ms Christine Blakey

Dear Christine

**Petition to Council – “Hear ‘n’ Hartlepool”**

I refer to your role as the petition organiser and the above mentioned petition which came before a meeting of Council on 4th August, 2011.

There are a number of “possible steps” that the Council may take in response to a petition, and these were set out within the report to Council (paragraph 3 refers). Upon consideration of the petition and the representations that you made, Council through a recorded vote, agreed “to take no action” in relation to the petition. It was noted that you required the Council to support a public inquiry for the reasons that you specified before Council. However, Council determined that they would take no action as indicated above.

As mentioned within the Council's Petition Scheme and in the accompanying “Guidance Note – Duty to Respond to Petitions”, if you feel that the Council has not dealt with your petition properly, you may as the petition organiser request that the Council's Scrutiny Co-ordinating Committee review the steps that the Council has taken in response to your petition. The Committee is obliged to consider such a request within 30 days of receiving the same. Further, the petition organiser would also be informed of the outcome of such a review within 7 days of the Committee's decision and the same will also be published upon the Council's website. If the Committee was to determine that your petition had not been dealt with adequately then it can use its powers under the Local Government Act, 2000, which includes the power to instigate an investigation, making recommendations to the Council's Executive and/or a meeting of full Council.

If you wish to seek a review before the Council's Scrutiny Co-ordinating Committee then you should contact Joan Stevens, Scrutiny Manager, telephone number 01429 284142, e-mail address [joan.stevens@hartlepool.gov.uk](mailto:joan.stevens@hartlepool.gov.uk).

Yours sincerely

PETER DEVLIN  
CHIEF SOLICITOR

Dear Joan

**Re: “Hear ‘n’ Hartlepool Petition Review Request**

As noted in my telephone call, I am formally asking for a review of the petition outcome on the evening of 4 August 2011 during Full Council. The Full Council response to the petition was one of ridicule as Councillors joked on who got the job of responding to me/the petition. This was totally insulting and offensive.

Further, it was obvious that they had already made a decision. They quickly moved to a counted vote to block any chance of asking questions or responding to the result. Cllr Robbie Payne led that this *“Council agrees to take no action”* (35 FOR: 8 AGAINST).

I was stunned at this behaviour which ironically confirms why we need an investigation!

Within the Chief Executive Officer’s (CEO) report and as the one recommendation offered: *“Council are requested to debate (fifteen minutes allowed) the petition and to determine the most appropriate action(s)”*.

The CEO’s Report also considered the following statement:

*“The Council have formally adopted a Petition Scheme 10<sup>th</sup> June 2010 and have also issued a ‘Guidance Note – Duty to Respond to Petitions’ to accompany the adopted scheme”*.

All Councillors will have or should have read this. I believe this duty to respond should have been done on the night and not before the meeting.

Although I understand that Elected Members can debate as they wish and it is entirely up to them, this simply shows that Councillors are not listening or are selectively listening to the public.

The “Hear ‘n’ Hartlepool” Petition read:

*“The shock news of £10,000 + pay rises for Hartlepool Borough Council’s Chief Executive, the Mayor and Directors at this time of GLOBAL ECONOMIC CRISIS, we see revelations of Hospital, Tall Ships, Environment and Transport Interchange controversy and overspend, £5 Million + budget debt, so we need to ASK: “WHY LOCAL?”...*

*With SEVERE Government Budget CUTS, OUR MONEY should have been managed much better, not to increase salaries at the top!”*

Then, the above was summed up, leading to the question to be posed and what people were signing up to:

*IF YOU FEEL LET DOWN, LET US ALL COME TOGETHER AS RESIDENTS, WORKERS, AND FRIENDS OF HARTLEPOOL. “DEMAND ACCOUNTABILITY & CHANGE?”*

People signed as they hoped things would be tightened up to protect the budget; now more than ever before, given the recession and cuts:

## Appendix E

*“We, the undersigned, request that those responsible are held to account through a Mayoral Referendum, resignations and/or independent investigation.”*

The concerns that were heard in non-aggressive debates on the street were certainly respected by us. This was not a simple flick of a piece of paper in front of vulnerable residents’ faces or forcing people to sign.

Within my report to Full Council, I summed up the feeling of local people in signing up to our petition:

*‘Many residents are suffering, distressed and alarmed by the state of affairs within the council evidenced by good and bad publicity, leaks from within the council, media coverage and generally, the word on the street. Enough is Enough!’*

*“We: “Hear ‘n’ Hartlepool” are asking Full Council to support a public inquiry into HBC Executive and Management so that informed choices can be made into action and accountability as previous research is known to have flaws and so may be invalid.”*

*‘Please embrace this opportunity to empower local people in making a local impact!’...so Full Council’s response was extremely disrespectful to now over 2,000 local people who have signed!*

The CEO’s Report also considered the following to be given across a range in highlighting the scope to be employed:

- (i) Council agrees to take the action requested in the petition,
- (ii) Considering the petition at a meeting of the Council,
- (iii) Holding an Inquiry,
- (iv) Holding a public meeting,
- (v) Commissioning research,
- (vi) Referring the petition to an Overview and Scrutiny Committee (or through further consideration by any other relevant committee)
- (iii) Council agrees to take no action.

Although I prefer option (i) and from consulting with the public, they would too, I would simply appreciate any of (i) – (vi) but not the seventh which was the option chosen. Option (v) is not necessary as we have plenty of evidence and the petition organisers could produce a comprehensive response without it costing anything. We would provide factual evidence to demonstrate the unbiased collation of examples of concern. We would consult guidelines and law to present these matters and would expect accountability being put in place in line with law and official guidance. This would rule out bias.

Local residents and children were in the meeting at the time, this insulting conduct was displayed alongside other examples. How do we expect members of the public to engage with HBC Councillors/Officers when they witness contempt such as that displayed?

As it was noted in the Mail that no evidence was presented, we were not asked for it by going straight to the public vote. Picking this up from the Mail last Saturday rather than by the

Appendix E

Councillors noted speaking to me, is in itself disgraceful. We would accommodate any question and any action needed where we can, I therefore urge a review as soon as possible.

Regards

Christine Blakey (via email)

## **SCRUTINY CO-ORDINATING COMMITTEE**

**2 September 2011**



**Report of:** Assistant Director of Child and Adult Services

**Subject:** REVIEW OF THE COMMUNITY POOL GRANT –  
CONSULTATION

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### **1. PURPOSE OF REPORT**

- 1.1 To outline the steps taken to review the Community Pool Grant and, as part of the consultation process, seek the Scrutiny Co-ordinating Committee's views on the outline draft recommendations for the future development of the Grant.

### **2. BACKGROUND**

- 2.1 As part of a the recent call-in of a decision taken by the Grants Committee in relation to the award of a number of community pool grant awards, the Scrutiny Co-ordinating Committee identified the need for its full involvement in the process for the review of the criteria / process for the award of Community Pool Grants. In accordance with this request, as part of the consultation process, the Committee's views are today being sought in relation to outline draft recommendations for the future development of the grant (as outlined in Section 7 of this report).
- 2.2 The Committee's views are to be fed back to Cabinet in September 2011, for consideration during discussions in relation to the formulation of formal recommendations for the future development of the grant. Details of these final recommendations will subsequently be brought back to the Scrutiny Co-ordinating Committee for a further view, which will then be included in a future report to Cabinet seeking approval / rejection of the way forward for the future development of the grant. The objective is to have a reviewed Community Grants process in place by December 2011 to allow for Grant applications to be processed in time for April 2012 at the latest.

### **3. THE COMMUNITY POOL**

- 3.1 The Community Pool has provided financial assistance to support those aspects of the activities of the voluntary/community/not for profit sector that clearly reflect the aspirations of the Council's Community Strategy.

- 3.2 The Council identified within the Community Strategy's aims and themes a number of corporate strategy priorities. The main objective of the Community Pool has been to support the activity of "strengthening communities".
- 3.3 Applications are processed against a set criteria and grant aid has generally been awarded by the Grants Committee as a contribution towards the core costs of an organisations operation and in many instances has helped to match other funding streams.
- 3.4 Applications to the Community Pool have been open to all. However, the majority of the applications have tended to be from groups that have previously received grant from the pool suggesting that some groups have become dependant on the Community Pool to ensure their sustainability.
- 3.5 As part of the Council's response to the Comprehensive Spending Review, the Community Pool budget for the financial year 2011/2012, has been reduced by 10 per cent of the 2010/2011 budget and it is anticipated that there will be additional cuts in 2012/2013 as this Review is implemented and further implications of the Comprehensive Spending Review is felt.
- 3.6 The Grants Committee responded to the cuts to the Community Pool by only awarding funding for 6 months to allow a review of the Community Pool to take place and recommendations on the future of the Pool to be considered and consulted upon.
- 3.7 This report outlines the outcome of that review and presents a recommendation for consideration.
- 3.8 The review has sought to ensure that the Council's changing priorities are reflected in any new criteria for the Community Pool and that budget efficiency targets are met.

#### **4. WHERE WE ARE NOW - CURRENT ANNUAL GRANTS AND THEIR DISTRIBUTION**

##### **4.1 The Community Pool**

The Community Pool is a revenue budget with spend allocated by the Grants Committee.

The Community Pool has traditionally been divided into three areas - a proportion for 'directed lettings' which is support for groups to hire premises and a Parish council grant towards meeting costs – a proportion for Hartlepool Sports Council to enable direct grants to be awarded to support individuals with proven potential in sport and thirdly the balance (the majority of the grant) which is awarded to community groups which fit one of the four funding categories, namely:-

- (i) Providers of service of strategic importance
- (ii) Community Development / capacity building initiatives
- (iii) Established groups not previously supported (i.e. new)
- (iv) Other organisations and groups

Any balance of funding unallocated has traditionally been carried forward into the next financial year.

The Community Pool has traditionally supported approximately 30 voluntary sector groups per annum.

#### 4.2 **Civic lottery**

The Civic lottery is a historic lottery reserve that produces an annual interest payment of around £8,500 depending upon financial interest rates.

The interest is disbursed fully by Grants Committee in a series of small grant awards up to a maximum of £2000 to local groups. In reality the popularity of this small grant fund results in smaller payments of around £50 - £150 to a wide variety of community groups.

Requests have been made from time to time to determine if the reserve sum can be disbursed and potentially exhausted. The Secretary of State for Local Government at the last time of enquiry was minded to reject such a proposal. If such a move was to be successful then it is assumed that a small grants scheme would be required to be maintained from annual revenue budgets or further top –sliced from the Community Pool budget.

#### 4.3 **Preston Simpson and Sterndale Young Musicians Trust:-**

The Preston Simpson and Sterndale Young Musicians Trust is a private charity endowment managed by the Trustees appointed by the Borough Council and disburses annual funding grants to skilled music students.

The disbursed funds amount to some £7,000 in total per annum made up of money from interest earned on the charity endowment, annual sponsorship income and any funds raised through trust activity in year.

These grants are awarded by the Trustees of the Trust. This is included within this report to identify what current support exists for emerging music practitioners and helps to demonstrate the balance currently given to the sports aspirants via the Hartlepool Sports Council.

#### 4.4 **Other funding**

A separate piece of work is currently being undertaken to identify what funding streams are awarded to community groups via the Council on an annual basis.



The outcome of this work is expected to demonstrate a significant reduction in funding between previous years and the current financial year as many funding schemes have now ceased, mainly as a result of decisions made by Central Government.

## **5. PRESSURES ON THE COMMUNITY POOL**

- 5.1 The ending of major government funding schemes such as The Working Neighbourhoods Fund has impacted greatly on many local voluntary sector groups. However the changing of and/or removing funding streams is not new.
- 5.2 The ending or re-prioritisation of such initiatives as the One North East Single Programme Funding, the European Social Fund (ESF) and European Regional Development Fund (ERDF) opportunities, which were greatly enjoyed by Hartlepool's third sector, brought real concern that many groups would suffer extreme hardship as they adjusted to the new funding position.
- 5.3 The Grants Committee were alert to this expected impact and sought to deliberately maintain an in year reserve to assist sponsored groups running into difficulties and those which simply required time and resource to re-focus. Whilst this did happen in some areas, the ability of the voluntary sector to adjust has been reassuring. This has meant that the practice of maintaining a balance for in year consideration has resulted in a regular end of year "carry over" without any affected groups being denied justified additional funding.
- 5.4 The main pressures on the Community Pool at the current time have arisen from a difference in application approach – many groups have heeded the reality of the financial circumstances and have adjusted their delivery structures to contain applications to within inflation etc, whereas others appear to have ignored this and have applied for increasing support without real justification. Such applications do not fare particularly well and receive a recommendation to allocate on previous financial awards basis.
- 5.5 All information issued to grant recipients stress the need to have exit strategies in place should future funding not be available, this is the case in the current year where everyone is aware that an initial allocation of 50% of the annual grant award in April 2011/12 may be their last.
- 5.6 A review of the current criteria in a time of economic stringency will assist in refocusing on the Councils strategic direction in respect of the voluntary sector.
- 5.7 It is recognised that any review leading to a removal of core funding from current groups will bring hardship and a requirement from them to focus closely on their grant funding exit strategies.

## 6. EVIDENCE FOR THE REVIEW

6.1 A number of sources and documents have been drawn up on as part of the review process. This has led to the development of a number of key principles and guidance that should inform any change to the criteria for the distribution of the Community Pool.

- The Council's priorities should be the driving force for the strategic direction of the Community Pool.
- These identified priorities should lead to a greater emphasis on the 'commissioning' of services rather than grant aid for core funding.
- Recognition should also be given to the difference between major commissioning of certain service areas and the maintenance of a healthy voluntary sector undertaking service provision in areas of activity that are not necessarily priorities for the Council core services, nevertheless such groups can be important to the local community or unique to a particular provider.
- Consortia applications for areas of 'commissioned' service should be encouraged.
- Ensure where funding is removed from current recipients that sufficient notice of change is given, where this is not possible, identify contingencies and extensions of current arrangements for a reasonable period of time.
- Be mindful of the emerging outcomes of relevant Scrutiny investigation reports and where agreed, incorporate such outcomes into the revised criteria.
- Consider removal from the community pool, funds that are better placed within wider strategic considerations, for consideration elsewhere.
- Ensure that all voluntary sector organisations become eligible to be considered for emergency funding, development funding and grant matching purposes subject to annual funding being available via a small grants pot.
- Develop a 'small grants' pot and criteria for distribution.

## 7. TAKING THE COMMUNITY POOL FORWARD – RECOMMENDATIONS FOR CONSULTATION

7.1 Upon assessment and consideration of the broad principles outlined above a clear proposal emerges for further consultation and challenge.

7.2 Allowing for the planned savings and the continued allocation of a small percentage of funding towards directed lettings and the Hartlepool Sports Council individual awards, it is anticipated that the 2012/13 Community Pool could be worth £402,000 plus any carry over funding from 2011/12.

7.3 It is suggested that five specific areas of grant be identified for allocation – this proposed change will prove challenging to introduce as it implies that many existing groups will lose their current core funding contributions. Examples of potential allocations are included in **Appendix 1**. The current Grant criteria

are attached at **Appendix 2** and for clarity the current year's grant awards have been enclosed and can be consulted at **Appendix 3**.

- 7.4 The categories are outlined below:
- 7.5 **Category 1 - Universal Welfare & Benefits Advice support** – (based on the Council's Financial Inclusion Strategy & Child Poverty Strategy). This is aimed at giving independent impartial advice to the most vulnerable in society to maximise awareness and entitlement to benefits, debt advice, employment law and community care. The objective would be to seek applications on a commissioned basis against set criteria for achieving maximum outcomes and measurable out-puts. **One award** is expected to be made to one bidding organisation or a consortia of organisations bidding to serve the town. Suggested maximum budget available of up to £90,000.
- 7.6 **Category 2 - Universal Credit Union support** – (based on the Council's Financial Inclusion Strategy & Child Poverty Strategy). This is aimed at supporting the existence of a Credit Union within the town as an integral part of the Financial Inclusion Strategy. It is separated from the above category on the basis that any provider of a Credit Union would need to be licensed and approved by the FSA. It is therefore believed to be inappropriate that it is included within category 1. **One award** with a suggested maximum budget available of up to £30,000.
- 7.7 **Category 3 - Capacity/Resource Building** – (based on the Voluntary Sector Strategy). This is aimed at providing support to the town's voluntary sector on a town wide basis, either through one organisation or a consortia of groups bidding as one. The object being to simplify the Council's relationship with the voluntary sector and seek to achieve maximum outcomes and measurable out-puts. **One award** is expected to be made to one bidding organisation or a consortia bidding as one. Suggested maximum budget available of up to £100,000.
- 7.8 **Category 4 - Universal town wide specialist and/or support organisations** – (based on the Voluntary Sector Strategy). This category is maintained as a proposed series of specific core funding support grants direct to specialist groups who provide a service which can be described as universal in offer, subject to need without alienation on the grounds of age, gender or disability, accepting that not all services will be appropriate or required by the population at large at any particular pre-determined point in their lives. These services have the ability to provide personal support to individuals at times of crisis or as part of the social and economic well being of the town.
- 7.9 It is suggested that a number of groups might be identified as being specifically supported by a share of a category grant of up to £90,000.
- 7.10 **Category 5 - Development/Investment Support Grants – "Challenge Funding"** (Voluntary Sector Strategy – good practice). The balance of the Community Pool, nominally estimated at up to £100,000pa be allocated

towards bids for 'development' grants, 'investment' grants and emergency contributions to organisations in temporary difficulty. Such grants to be capped at a maximum of £10,000 without minimum threshold, this would ensure the ability to assess each submission on its merits and allow for % match funding to be offered towards agreed and approved bids. Such grants would be assessed against a set of criteria (to be established) which would seek to demonstrate and justify that any group applying was doing as much as practically possible to self help. The pro-active and imaginative organisations would stand to benefit the most. This in turn would reward the stronger and most sustainable voluntary sector organisations within the town.

- 7.11 This category will ensure that the Community Pool is opened up to every voluntary organisation in town, the only limiting factor being the number of bids in any one year set against the funding available.
- 7.12 It is recommended that the balance of all the Community Pool funds, once commissioned services are allocated, be set against this Challenge Funding category of support to the voluntary sector.
- 7.13 It is not expected that groups would be able to bid in successive years and it should be quite clear that this is **not** 'core funding' money, thereby keeping the fund free to maximise assistance on an annual basis.

## 8. CONCLUSIONS

- 8.1. These draft recommendations are very challenging as they will reduce the number of organisations who will be receiving 'core cost contributions' support to deliver the Council's strategic aims - the Financial Inclusion Strategy, the Child Poverty Strategy and the Voluntary Sector Strategy.
- 8.2 Support to existing qualifying groups would be linked where possible through commissioning via one organisation or a consortium of organisations. This is a significant departure from the current disbursement of grant on a part duplicated basis to like minded charitable groups. Without this change it is very difficult to introduce any meaningful change within the existing Community Pool allocations and it is recognised that this will hopefully encourage greater co-operation and less duplication of effort within the public sector supported voluntary sector.
- 8.3 The draft recommendations have been circulated widely to all elected members, all past recipients of Community pool in the last three years, including those applicants that were rejected (a copy of the letter circulated is attached at **Appendix 4**). Furthermore the report has been issued to HVDA (Hartlepool Voluntary Development Agency) to ensure all voluntary sector groups have the opportunity to be informed.
- 8.4 The recommendations are also publicised on the Council's web site with a period of five weeks has been allowed for comments to be received.

## **9. RECOMMENDATIONS**

- 9.1 That progress made to date in the Community Pool review be noted; and
- 9.2 That the views expressed by the Scrutiny Co-ordinating Committee, in relation to outline draft recommendations for the future development of the grant, be submitted to Cabinet for consideration.

**Contact Officer:-** John Mennear – Assistant Director of Child and Adult Services  
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Hartlepool Borough Council  
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## **BACKGROUND PAPERS**

No background paper was used in the preparation of this report.

COMMUNITY POOL		RECOMMENDATIONS 2012 - 2013	
BASE BUDGET	£408,000		
DEDUCT DIRECTED LETTINGS	£2,900		
DEDUCT HARTLEPOOL SPORTS COUNCIL	£2,500		
NET BUDGET	£402,600		
CATEGORY			
<b>1. UNIVERSAL WELFARE &amp; BENEFITS ADVICE SERVICE (FINANCIAL INCLUSION STRATEGY &amp; CHILD POVERTY STRATEGY)</b>			
This category would include, but not limited to:			
<b>WEST VIEW ADVICE &amp; RESOURCE CENTRE</b>	One award to be made, consortia/joint bids accepted		
Provider of welfare benefits advice, information and support to the local community			
<b>HARTLEPOOL CITIZENS ADVICE BUREAU</b>			
Provider of advice and information debt advice, employment law, welfare benefits, community care			
<b>CATEGORY TOTALS</b>	<b>£90,000 (up to)</b>		

<b>2. UNIVERSAL CREDIT UNION SUPPORT (FINANCIAL INCLUSION STRATEGY &amp; CHILD POVERTY STRATEGY)</b>			
This category would include, but not limited to:			
<b>HARTLEPOOL CREDIT UNION FORUM</b>	One award to be made, consortia accepted		
Provider of credit union facility to tackle financial exclusion			
<b>CATEGORY TOTALS</b>	<b>£30,000 (up to)</b>		
<b>3. CAPACITY BUILDING/RESOURCES TOWNWIDE OR AREA BASED (VOL SECTOR STRATEGY)</b>			
This category would include, but not limited to:			
			<b>2012-2013</b>
<b>OWTON FENS COMMUNITY ASSOCIATION</b>			
Provider of support, advice and information to other voluntary and community groups			
<b>HARTLEPOOL VOLUNTARY DEVELOPMENT AGENCY</b>			
Provider of support, advice and information to other voluntary and community groups.			
<b>HARTLEPOOL PEOPLE CENTRE</b>			
Facilitator and provider of a range of services and activities, courses and training for residents of all ages.			

<b>THE WHARTON TRUST</b>			
Facilitator and provider of a range of activities, courses			
training and a community library.			
<b>THE SALAAM CENTRE</b>			
Provider and facilitator of services and a resource			
centre for ethnic minority communities in Hartlepool.			
<b>BELLE VUE COMMUNITY SPORTS &amp; YOUTH CENTRE</b>			
Provider of a wide range of services for the local			
community including sports facilities and community			
rooms to hire and accommodation for other voluntary			
organisations			
<b>CATEGORY TOTALS</b>	<b>£100,000 (up to)</b>		
<b><u>4. UNIVERSAL TOWN WIDE SPECIALIST AND/OR SUPPORT ORGANISATIONS (VOL SECTOR STRATEGY)</u></b>			
This category would include, but not limited to:			
<b>HARBOUR SUPPORT SERVICES: SEARCH</b>			
Provider of counselling and support services to male			
and female survivors of rape and sexual abuse			
<b>HARTLEPOOL ACCESS GROUP:</b>			
<b>SHOPMOBILITY</b>			
Provider of mobility equipment to enable disabled people			
to travel around the town independently			



<b>HARTLEPOOL CARERS</b>			
Provision of support of local carers to improve the			
quality of life for all people who are looking after			
somebody through the provision of advice, information			
and development of services.			
<b>HARTLEPOOL FAMILIES FIRST</b>			
Provider of a range of services including the Health			
Bus, the Play Bus, an after school and holiday play			
including the Street project formerly known			
as RESPECT.			
<b>HARTLEPOOL RADIO</b>			
Community radio station supporting the economic wellbeing and			
social cohesion of the town			
<b>CATEGORY TOTALS</b>	<b>£90,000 (up to)</b>		
<b><u>5. DEVELOPMENT/INVESTMENT GRANTS (VOL SECTOR STRATEGY AND PUBLIC SECTOR FUNDING SUPPORT GOOD PRACTICE)</u></b>			
This category would include, but not limited to:			
<b>Maximum award £10k</b>			
<b>One off award</b>			
<b>Not to be approved for core funding</b>			
<b>Open to all voluntary sector incorporated bodies???</b>	<b>£100,00 (up to)</b>		

		Directed Lettings/Sports Council	£5,400
		Category 1	£90,000
		Category 2	£30,000
		Category 3	£100,000
		Category 4	£90,000
		Category 5	£100,000
		<b>Total commitment proposed pa</b>	<b>£415,400</b>
		This shows an over allocation of budget available but seeks to demonstrate the maximum funding categories available and the potential for small end of year carry overs in what is a variable and fluid sector.	



# **HARTLEPOOL BOROUGH COUNCIL**

## **COMMUNITY POOL 2011/2012**

### **CRITERIA AND GUIDANCE NOTES FOR APPLICANTS**

The main aim of the Community Pool is to support those aspects of the activities of the voluntary/ community/not for profit sector that clearly reflect the aspirations of the Council's Community Strategy and Neighbourhood Renewal Strategy.

## **HARTLEPOOL AMBITION**

### **COMMUNITY STRATEGY AND NEIGHBOURHOOD RENEWAL STRATEGY 2008-2020**

Within the main strategic document, there are 8 aims and themes, which are clearly set out as priorities:-

- Jobs and the Economy
- Life Long Learning and Skills
- Health Care
- Community Safety
- Environment
- Housing
- Culture and Leisure
- Strengthening the Communities

## **CORPORATE STRATEGY**

The Council has identified within the Community Strategy's aims and themes a number of corporate strategy priorities. The main objective of the Community Pool is to support the activity of strengthening communities.

Community Pool resources are targeted to vulnerable sectors of the community and to those organisations delivering effective and appropriate services that complement the Authority's strategic aims, "to empower individuals, groups and communities and increase the involvement of citizens in all decisions that affect their lives".

Within the Strengthening Communities theme are a number of objectives which groups funded from the Community Pool can collaborate with the Council to achieve its corporate objectives:-

- To empower local people to take a greater role in the planning and delivery of services and strategies that affect their individual lives, their local neighbourhood and the wider community.
- To increase opportunities for everyone to participate in consultation, especially "hard to reach" groups and those communities affected.
- To improve the accessibility of services and information ensuring that providers address the varied needs and requirements of the whole community.
- To fully value the voluntary and community sector and to support them to secure their long-term future through contracted service delivery, promoting volunteering and the agreement of longer term funding settlements.
- To ensure Hartlepool is a cohesive community where there is a sense of belonging for all and where people of different backgrounds, circumstances and generations are able to get along free from discrimination and harassment.

In order to identify the most disadvantaged communities for the purposes of assessing applications to the Community Pool, the rankings found in the Index of Multiple Deprivation 2004 will be used to ascertain the nature of deprivation in Hartlepool.

The following ward is in the top **1%** of deprived wards nationally: **Stranton**.

The following wards are in the top **5%** of deprived wards nationally: **Owton, Dyke House, Brus, St Hilda**.

The following wards are in the top 10% of deprived wards nationally: **Grange, Rift House**.

**Groups targeting areas of greatest disadvantage in the town will receive a higher priority for funding.**

Weightings will be applied to grant applications depending on the location of the applicant organisation and the area they serve.

## **FUNDING CATEGORIES**

The Community Pool funding categories are as follows:-

**(i) PROVIDERS OF SERVICES THAT ARE OF STRATEGIC IMPORTANCE. This includes:-**

**Those groups/organisations that provide services to support disadvantaged individuals. Groups may require specialist expertise, e.g. Legal advice, debt counselling, and self-improvement opportunities.**

Applications from those groups providing services that directly complement the services provided by the local authority and are considered strategically important will receive priority particularly those who provide:-

- Legal advice and guidance.
- Income generation, credit union support and debt counselling.
- Voluntary sector infrastructure support: accreditation, management, fundraising.
- Counselling services.

**(ii) COMMUNITY DEVELOPMENT/CAPACITY BUILDING INITIATIVES. This includes:-**

**those groups which support the development of community capacity, including the formation of tenants and residents groups, and seek to improve interaction between local residents and statutory service providers, including local partnerships and networks and groups working proactively to facilitate the engagement of disadvantaged sectors, to encourage them on to the first step and then signpost them onto provision elsewhere, if necessary, providing support and training to encourage self help.**

Applications from local community groups, particularly those who actively provide:-

- Advocacy in relation to issues affecting the voluntary sector.
- Support to strengthen voluntary sector infrastructure; accreditation, management.
- Support with fundraising.
- Support to volunteers.
- Development of capacity building projects/activities.

**(iii) ESTABLISHED GROUPS WHO HAVE NOT PREVIOUSLY BEEN SUPPORTED FROM THE COMMUNITY POOL**

**Groups who are considered to be established i.e. who have been fully constituted for in excess of 2 years, who have not been awarded grant aid from the Community Pool previously can apply for financial support if they are meeting the aims and objectives of the Community Pool.**

**(iv) OTHER ORGANISATIONS/GROUPS. This includes:-**

All applications, which do not fall into the other 3 categories, but provide valuable services with measurable outcomes for the benefit of Hartlepool residents living in the most disadvantaged wards, can be considered for funding.

## **ALLOCATION OF FUNDING FROM THE COMMUNITY POOL**

Funding is offered on a two-tier system.

### **➤ 3 YEAR REVENUE TAPERED GRANT**

Groups can apply for a 3 year tapered funding agreement in principle subject to budgetary availability. In the second and third years of the agreement, grant recipients will be afforded, in principle, 75% and then 50% of the award made in Year 1. Under this scheme, groups cannot apply for funding from the Community Pool in year 4.

### **➤ 1 YEAR REVENUE TAPERED GRANT**

1 year funding with applications being processed alongside all others in subsequent years.

Grant aid will only be approved for revenue funding to support organisational running costs. A funding formula will be applied with the main priority being the staffing costs of a group. Key posts within an organisation, as identified by the Community Resources Manager, can be supported with a percentage of salary costs.

Applicants should note that:-

Capital works will not be supported, i.e.

New applications for initiatives in areas currently benefiting from regeneration initiative funding will receive a lower priority.

Play initiatives will receive a lower priority because of the alternative funding sources e.g. Play Opportunities Pool.

**There is no upper limit in relation to the amount applied for from the Community Pool, but applications for less than £5,000 will not be considered from the Community Pool but will be signposted to other funders.**

## **MONITORING OF GRANT AID**

All grant aid is managed through a funding agreement, which includes the terms and conditions, under which grant aid has been awarded.

The spend and the outputs/benefits relating to the grant will be monitored and if it is found that grant aid has not been spent appropriately or outputs/benefits not achieved then measures may be taken to reclaim the grant.

## **APPEALS PROCEDURE**

Groups applying to the Community Pool will be given the opportunity to appeal against a decision made by the Grants Committee in respect of their application for funding. An appeal must be made in writing, as it will be presented to the Grants Committee for their consideration.

COMMUNITY POOL 2011/2012		OPTION 2	
APPLICANT GROUP & ROLE OF THE GROUP		SIX MONTHS FUNDING REJECT/DEFER	NOTES PROPOSED EXPENDITURE OF GRANT
CATEGORY 1: PROVIDERS OF SERVICES THAT ARE OF STRATEGIC IMPORTANCE			
<b>WEST VIEW ADVICE &amp; RESOURCE CENTRE</b>	£	13,103.00	Contribution to salary costs Centre Manager, & Advice Manager
Provider of welfare benefits advice, information and support to the local community			
<b>HARTLEPOOL CITIZENS ADVICE BUREAU</b>	£	36,130.00	Contribution to salary costs Bureau Manager, Deputy Manager, Telephone Advice Worker, Admin/Finance Officer
Provider of advice and information debt advice, employment law, welfare benefits, community care			
<b>HARBOUR SUPPORT SERVICES: SEARCH</b>	£	7,880.00	Contribution to salary costs of 1 p/t Counsellor & Administrator
Provider of counselling and support services to male and female survivors of rape and sexual abuse			
<b>HARTLEPOOL ACCESS GROUP: SHOPMOBILITY</b>	£	11,974.50	Contribution to salary costs Manager, 2 p/t Equipment Workers & Book Keeper & running costs
Provider of mobility equipment to enable disabled people to travel around the town independently			
<b>HARTLEPOOL CREDIT UNION FORUM</b>	£	16,793.00	Contribution to salary costs Membership Supervisor, Membership Officer, Collector & contribution to rent & running costs
Provider of credit union facility to tackle financial exclusion			
<b>HARTLEPOOL CARERS</b>	£	14,249.00	Contribution to salary costs Manager & Administrator
Provision of support of local carers to improve the quality of life for all people who are looking after somebody through the provision of advice, information and development of services.			
(10/11 FUNDING WAS FOR 5 MONTHS ONLY)			

APPLICANT GROUP & ROLE OF THE GROUP	SIX MONTHS FUNDING		NOTES
	REJECT/DEFER	PROPOSED EXPENDITURE OF GRANT	
CATEGORY 2: COMMUNITY DEVELOPMENT/CAPACITY BUILDING INITIATIVES			
OWTON FENS COMMUNITY ASSOCIATION	£	10,316.50	Contribution to salary costs Project Manager
Provider of support, advice and information to other			& Finance Manager
voluntary and community groups			
HARTLEPOOL VOLUNTARY	£	12,778.00	Contribution to salary costs Manager
DEVELOPMENT AGENCY			& Finance Officer
Provider of support, advice and information to other			
voluntary and community groups.			
HARTLEPOOL PEOPLE CENTRE	£	12,153.50	Contribution to salary costs Manager
Facilitator and provider of a range of services and			& Administrator
activities, courses and training for residents of all ages.			
THE WHARTON TRUST	£	8,458.50	Contribution to salary costs Manager
Facilitator and provider of a range of activities, courses			& Admin/Finance Officer
training and a community library.			
HEADLAND DEVELOPMENT TRUST	£	-	No bid received for 2011/2012
Provider of advice, information and support to residents			
and other voluntary/community groups			
MANOR RESIDENTS ASSOCIATION	£	-	No bid received for 2011/2012
Facilitator and provider of a wide range of services and			
activities , courses and training for residents of all ages			
THE SALAAM CENTRE	£	7,132.50	Contribution to salary costs of
Provider and facilitator of services and a resource			Advice Worker & Caretaker
centre for ethnic minority communities in Hartlepool.			



APPLICANT GROUP & ROLE OF THE GROUP	SIX MONTHS FUNDING	NOTES
	REJECT/DEFER	PROPOSED EXPENDITURE OF GRANT
CATEGORY 3: ESTABLISHED GROUPS WHO HAVE NOT BEEN PREVIOUSLY SUPPORTED		
RED DREAMS	£2,896.00	Contribution to core costs.
A resource for young people encouraging		
individuals or groups of young people within the arts		
including performing, visual, media and written		
arts as a means of advancing their lives,		
developing their skills, capacities and capabilities.		
VICTIM SUPPORT	REJECT	NOT APPLICABLE
Provision of support to victims and witnesses through		
partnerships and referral to relevant help and		
information.		
HARTLEPOOL HOSPICE	REJECT	NOT APPLICABLE
Works to provide the relief of sickness offering a range		
of specialist palliative care and support to		
individuals and their families at their time of need		
CATEGORY 4:OTHER ORGANISATIONS/GROUPS		
WEST VIEW PROJECT	£9,388.00	Contribution to salary costs Development Manager
Provider of activities including sports and adventure		& Administrator
training for the benefit of the community including		
children and young people		
THE ORB CENTRE	£2,250.00	Contribution to salary costs of two
Provider of activities for young people from the Foggy		p/t Youth Workers (min award)
Furze, Stranton and Dyke House wards		

APPLICANT GROUP & ROLE OF THE GROUP	SIX MONTHS FUNDING REJECT/DEFER	NOTES PROPOSED EXPENDITURE OF GRANT
CATEGORY 4:OTHER ORGANISATIONS/GROUPS CONTINUED		
HEADLAND FUTURE	£5,670.00	Contribution to the salary costs of an
Facilitator and provider of a wide range of activities		Operations Manager
for young people and the community as a whole		
HARTLEPOOL COMMUNITY STUDIO	£9,562.50	Contribution to salary costs Venue Manager,
Provider of a venue for a wide range of activities		Venue Engineer/Trainer & Administrator
including music, performance, rehearsal, drama and		
comedy		
EPILEPSY OUTLOOK	£4,177.50	Contribution to salary costs Manager
Provider of support to suffers of epilepsy and their		
families and carers		
OWTON MANOR WEST NWATCH & RES ASN	£6,277.00	Contribution to salary costs Centre Manager
Facilitator and provider of activities/services for the		& Administrator
local community (NOT ELIGIBLE TO APPLY IN 2010/2011)		
HARTLEPOOL CATHOLIC BOXING CLUB	£2,250.00	Contribution to rent (minimum award)
Provider of facility for training and competitive		
boxing for the benefit of young people		
BELLE VUE COMMUNITY SPORTS & YOUTH CTRE	£10,171.50	Contribution to salary costs Finance Officer
Provider of a wide range of services for the local		& Caretaker
community including sports facilities and community		
rooms to hire and accomodation for other voluntary		
organisations		
HART GABLES	£5,200.00	Contribution to salary costs Manager &
Provider of support to the lesbian, bi-sexual, gay		Finance Worker
and trans-sexual community in Hartlepool.		

APPLICANT GROUP & ROLE OF THE GROUP	SIX MONTHS FUNDING	NOTES
	REJECT/DEFER	PROPOSED EXPENDITURE OF GRANT
CATEGORY 4:OTHER ORGANISATIONS/GROUPS CONTINUED		
MAKING A DIFFERENCE	£ 3,864.00	Contribution to salary costs Project
Provider of counselling services, practical support and information for young people who are experiencing emotional distress and/or have behavioural problems.		Co-ordinator and lease costs
VOLUNTARY WHEELS	£ 2,833.00	Contribution to salary costs
Provider of affordable community transport scheme.		Co-ordinator Driver
HARTLEPOOL FAMILIES FIRST	£ 12,310.50	Contribution to salary costs Manager,
Provider of a range of services including the Health Bus, the Play Bus, an after school and holiday play including the Street project formerly known as RESPECT		Finance Officer & Senior Street Worker
ADVANCE	£ -	No bid received for 2011/2012
Provider of service for children & young people with Attention Deficit Hyperactivity disorder		
WYNYARD CAFÉ.COM	£ 2,250.00	Contribution to salary costs Manager/
Community café serving healthy menu choices.		Cook (min award)
HARTLEPOOL RADIO	DEFER	Group has not completed quality assurance
Community radio station		assessment yet and Viewpoint survey findings
		not yet available
RECOMMENDATIONS OPTION 2	£ 230,068.50	

<b>ROUND 1: 2011/2012</b>	<b>OPTION 2</b>	
<b>BASE BUDGET</b>	£ 457,024.00	
<b>plus carry forward (if approved)</b>	£ 59,010.00	
<b>Total to commit 2011/12</b>	£ 516,034.00	
<b>TOTAL COMMITMENTS ROUND 1:</b>		
<b>ALLOCATION FOR DIRECTED LETTINGS</b>	£ 2,900.00	
<b>HARTLEPOOL SPORTS COUNCIL</b>	£ 2,500.00	
<b>RECOMMENDATIONS ROUND 1 OPTION 2</b>	£ 230,068.50	
<b>TOTAL RECOMMENDATIONS ROUND 1</b>	£ 235,468.50	
<b>BALANCE LEFT TO COMMIT</b>	£ 280,565.50	

**Nicola Bailey**

Director of Adult and Community Services  
PO Box 96  
Civic Centre  
Hartlepool TS24 8YW

Tel: 01429 523474  
[www.hartlepool.gov.uk](http://www.hartlepool.gov.uk)

Our Ref:  
Your Ref:

Contact Officer/Email: [Susan.rybak@hartlepool.gov.uk](mailto:Susan.rybak@hartlepool.gov.uk)

15<sup>th</sup> July 2011.

Dear Colleague



**Review of the Community Pool Grant**

You will be aware that Hartlepool Borough Council is currently undertaking a review of the Community Pool grant. This being the case a period of consultation is now under way. The council has agreed to consult with all relevant groups and individuals including all community/voluntary groups who have applied for funding from the Community Pool in the last three years, whether their application was successful or not and all the Council's elected Members.

I have attached, for your information, a copy of the draft report entitled 'Review of the Community Pool Grant – Consulting on the recommendations – Executive Summary' and Appendix 1, 2 and 3 to the report is also attached. I would be grateful if you could take the time to look at and consider the report which includes the draft recommendations for a new scheme making funding available for the voluntary/community sector to enable the sector to assist the Council to achieve its priorities. If you have any comments on the proposals for the new scheme I would be grateful if you could forward them to me in writing or email by Friday 19<sup>th</sup> August 2011. You can send your comments by post to Susan Rybak, Community and Youth Resource Manager, Hartlepool Borough Council, Child & Adult Services, Level 4 Civic Centre, Victoria Road, Hartlepool. TS24 8AY my email address is [susan.rybak@hartlepool.gov.uk](mailto:susan.rybak@hartlepool.gov.uk)

The attached report will also be presented to the Scrutiny Co-ordinating Committee for their consideration on 19<sup>th</sup> August 2011 and the outcome of the consultation and the findings of the Scrutiny Committee will be presented to Cabinet at a date yet to be confirmed.

A meeting to allow face to face consultation can be arranged should the need arise.

If you have any queries in relation to this matter please don't hesitate to contact me on the above number. Should you wish to discuss this matter further please ring John Mennear, telephone 01429 523417 or you can email him [john.mennear@hartlepool.gov.uk](mailto:john.mennear@hartlepool.gov.uk)

Thank you for your co-operation in this matter.

Yours sincerely,

A handwritten signature in black ink that reads 'S. Rybak'.

Susan Rybak  
Community and Youth Resource Manager

## **SCRUTINY CO-ORDINATING COMMITTEE**

2 September 2011



**Report of:** Scrutiny Manager

**Subject:** SCRUTINY INVESTIGATION INTO 'THE BOROUGH COUNCIL MUSEUM AND ART GALLERY COLLECTION' – SCOPING REPORT

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### **1. PURPOSE OF REPORT**

- 1.1 To make proposals to Members of the Scrutiny Co-ordinating Committee for their forthcoming investigation into 'The Borough Council Museum and Art Gallery Collection'.

### **2. BACKGROUND INFORMATION**

- 2.1 At the meeting of this Committee on 24 June 2010, Members determined their work programme for the 2011/12 Municipal Year. The issue of 'The Borough Council Museum and Art Gallery Collection' was selected as the Scrutiny topic for consideration during the current Municipal Year. Members suggested that this investigation should form the major in-depth Scrutiny Inquiry for the Committee's 2010/11 work programme.
- 2.2 The Council Museum Service possesses a fine collection of historical objects, information and artworks; these are displayed within the Museum of Hartlepool, the Hartlepool Art Gallery and selected buildings such as the Civic Centre and Borough Buildings., either as part of the permanent historical displays or as changing exhibitions. When not on display these are held in store. The collections are used as valuable reference collections for researching the history and cultural identity of the town. The modern collections date from the opening of the Gray Art Gallery & Museum in 1920 and major improvements to the Service were undertaken in the mid 1990's as part of the City Challenge and the Teesside development Corporation investment into Hartlepool. Hartlepool Museums have been recognised as a major regional service, achieving Renaissance funding in 2003 to provide sub regional activity, this was achieved due to the merit and the high visitor attendances achieved by the service.

- 2.3 In order to facilitate the conduct of a well planned and value adding investigation suggestions for the terms of reference, potential areas of enquiry / sources of evidence and timetable are outlined in Sections 4,5 and 8 of this report. Given the size of the Scrutiny Co-ordinating Committee's Work Programme for 2011/12, Members were of the view that the investigation should be undertaken through the formation of a Working Group and views on these suggestions, and the way forward, for the conduct of the investigation are now being sought.

### **3. OVERALL AIM OF THE SCRUTINY INVESTIGATION/ENQUIRY**

- 3.1 To better understand the nature of the Museum & Art Gallery collections held within the possession of the Council.

### **4. PROPOSED TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION/ENQUIRY**

- 4.1 The following Terms of Reference for the investigation/review are proposed:-
- (a) To gain an understanding of the range, relevance and value of the Museum Service collections held by the Council and the ongoing costs to maintain/store the collection;
  - (b) To explore the current status of the collections, their use, educational impact, distribution/location and the processes and procedures for accessioning/archiving artefacts; and
  - (c) To explore the potential options for the future of the collection, taking in to consideration the legal status, ethical considerations and challenging budget situation that the Authority faces.

### **5. POTENTIAL AREAS OF ENQUIRY / SOURCES OF EVIDENCE**

- 5.1 Members of the Forum can request a range of evidential and comparative information throughout the Scrutiny review.
- 5.2 The Forum can invite a variety of people to attend to assist in the forming of a balanced and focused range of recommendations as follows:-
- (a) Cabinet Member with Portfolio Holder for Culture, Leisure and Tourism;
  - (b) Director of Child and Adult Services;
  - (c) Local residents;
  - (d) Representatives of minority communities of interest or heritage

(e) Professional and national organisations linked to museum management e.g. Museums Association, Arts Council (who are assuming responsibility for MLA – Museums, Libraries & Archives Commission) and Tyne & Wear Museum Service who are the NE Renaissance Hub lead; and

(f) Ward Councillors.

5.3 The Forum may also wish to refer to a variety of documentary / internet sources, key suggestions are as highlighted below:-

- (a) Hartlepool Museums Accession register
- (b) Hartlepool Museums Acquisitions and Disposals policy
- (c) Insurance valuation reports
- (d) Museums Association website with specific reference to the ethical considerations of Collections, collecting & disposals
- (e) Heritage Lottery Fund statement on future funding conditions to applicants.

## 6. COMMUNITY ENGAGEMENT / DIVERSITY AND EQUALITY

6.1 Community engagement plays a crucial role in the Scrutiny process and diversity issues have been considered in the background research for this enquiry under the Equality Standards for Local Government. Based upon the research undertaken, paragraph 5.2 includes suggestions as to potential groups which the Forum may wish involve throughout the inquiry (where it is felt appropriate and time allows).

## 7. REQUEST FOR FUNDING FROM THE DEDICATED OVERVIEW AND SCRUTINY BUDGET

7.1 Consideration has been given, through the background research for this scoping report, to the need to request funding from the dedicated Overview and Scrutiny budget to aid Members in their enquiry. At this stage no additional funding has been identified as being necessary to support Members in their investigation. Members, however, may wish to seek additional funding over the course of the investigation and the *(blank)* pro forma attached at **Appendix A** outlines the criteria on which a request to Scrutiny Co-ordinating Committee will be judged.

## 8. PROPOSED TIMETABLE OF THE SCRUTINY INVESTIGATION

8.1 Detailed below is the proposed timetable for the review to be undertaken, which may be changed at any stage (over the page):-

**19 August 2011** - Meeting of the Scrutiny Co-ordinating Committee to:-

- i) Scope the investigation; and



- ii) Establishment of a Working Group (If politically balanced, a 6 Member Working Group would consist of 4 Labour Members, 1 Association of Independent Councillors (AIC) and 1 Independent Councillor)

**TBC** – First meeting of the Working Group. To ‘Set the Scene’ – providing an understanding of:-

- i) The range, relevance and value of the Museum Service collections held by the Council

(I.e. Accessions register and documentation, clarification of difference between the ‘real’ value and insured value of collections / artefacts)

- ii) The ongoing costs to maintain/store the collection.
- iii) The current status of the collections, their use, educational impact, distribution/location and the processes and procedures for accessioning/archiving artefacts; and
- iv) The potential implications of disposing of this sort of asset (inc. ethical considerations, ownership, clawback of purchase grants and potential effect on other funding)

**TBC** – Visit(s) by the Working Group to Museum, Art Gallery and storage to view items.

**TBC** – Final meeting of the Working Group to:

- i) Explore the potential options for the future of the collection, taking in to consideration the legal status, ethical considerations and challenging budget situation that the Authority faces; and
- ii) Formulate views and suggestions for inclusion in report to be considered by the Scrutiny Co-ordinating Committee on the 13 January 2011.

**13 January 2012 (or earlier)** – Consideration of Final Report by the Scrutiny Co-ordinating Committee

**6 February 2012 (or earlier)** – Consideration of Final Report by the Cabinet

## **9. RECOMMENDATION**

- 9.1 Members are recommended to agree the Scrutiny Co-ordinating Committee’s remit, and process, for the conduct of its investigation as outlined in paragraphs 4, 5 and 8 above.

**Contact Officer:** - Joan Stevens, Scrutiny Manager  
Chief Executives Department – Corporate Strategy  
Hartlepool Borough Council  
Tel: - 01429 284142  
Email:- joan.stevens@hartlepool.gov.uk

## **BACKGROUND PAPERS**

No background paper(s) were used in the preparation of this report.

## APPENDIX A

**PRO-FORMA TO REQUEST FUNDING TO SUPPORT  
CURRENT SCRUTINY INVESTIGATION**

<b>Title of the Overview and Scrutiny Committee:</b>
<b>Title of the current scrutiny investigation for which funding is requested:</b>
<b>To clearly identify the purpose for which additional support is required:</b>
<b>To outline indicative costs to be incurred as a result of the additional support:</b>
<b>To outline any associated timescale implications:</b>
<b>To outline the 'added value' that may be achieved by utilising the additional support as part of the undertaking of the Scrutiny Investigation:</b>

**To outline any requirements / processes to be adhered to in accordance with the Council's Financial Procedure Rules / Standing Orders:**

**To outline the possible disadvantages of not utilising the additional support during the undertaking of the Scrutiny Investigation:**

**To outline any possible alternative means of additional support outside of this proposal:**