

Chief Executive's Department
Civic Centre
HARTLEPOOL

17 October 2011

The Mayor (Stuart Drummond)

Councillors Aiken, C Akers-Belcher, S Akers-Belcher, Barday, Brash, Cook, Cranney, Fenwick, Fleet, Fleming, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, Lauderdale, Lawton, A E Lilley, G Lilley, Loynes, Maness, A Marshall, J Marshall, J W Marshall, McKenna, Dr. Morris, Payne, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Simmons, Sirs, Sutheran, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells, Wilcox and Wright.

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY, 27th October, 2011 at 7.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

N Bailey
Acting Chief Executive

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COUNCIL AGENDA



27th October 2011

at 7.00 p.m.

**in the Council Chamber
Civic Centre, Hartlepool**

1. To receive apologies from absent members.
2. To receive any declarations of interest from members.
3. To deal with any business required by statute to be done before any other business.
4. To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 10.
5. To approve the minutes of the meetings of the Council held on 8th September 2011 (and reconvened on 29 September 2011), 15th September 2011 and 6th October 2011 as a correct record (copies attached).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under Council Procedure Rule 11;
 - (a) Questions to members of the Executive about recent decisions of the Executive (without notice)
 - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.

- (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given. Minutes of the meetings of the Cleveland Police Authority held on 23rd June 2011 and the meetings of the Cleveland Fire Authority held on 10th June 2011 and 17th June 2011 are attached.
- 8. To deal with any business required by statute to be done.
- 9. To receive any announcements from the Chair, the Mayor, members of the Cabinet or the head of the paid service.
- 10. To dispose of business (if any) remaining from the last meeting and to receive the report of any scrutiny forum or other committee to which such business was referred for consideration.
- 11. To receive reports from the Council's committees and working groups other than any overview and scrutiny committee and to receive questions and answers on any of those reports;
 - (i) Report of Constitution Committee
- 12. To consider any other business specified in the summons to the meeting, including consideration of reports of the overview and scrutiny committees for debate and to receive questions and answers on any of those items;
 - (i) Report of Mayor – Appointments Panel (to follow)
- 13. To consider reports from the Executive:-
 - (a) Proposals in relation to the Council's budget and policy framework
 - (i) Youth Offending Service Strategic Plan
 - (b) Proposals for departures from the budget and policy framework
- 14. To consider any motions in the order in which notice has been received.
- 15. To receive the Acting Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

EXTRAORDINARY COUNCIL

MINUTES OF PROCEEDINGS

8 September 2011

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

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Barclay
Brash	Cook	Fenwick
Fleet	Fleming	Gibbon
Griffin	Hall	Hargreaves
Ingham	Jackson	James
Lawton	A Lilley	G Lilley
Loynes	Maness	A Marshall
J Marshall	J W Marshall	Preece
Robinson	Rogan	Shaw
Shields	Simmons	Sutheran
Tempest	Thomas	H Thompson
P Thompson	Turner	Wells
Wilcox	Wright	

Officers: Nicola Bailey, Acting Chief Executive
Alyson Caman, Legal Services Manager
Amanda Whitaker, Democratic Services Team Manager
Alastair Rae, Public Relations Manager
Steve Russell, Systems and Performance Manager
Angela Armstrong, David Cosgrove and Jo Stubbs, Democratic Services Team

60. APOLOGIES FOR ABSENT MEMBERS

Apologies had been received from The Mayor, Stuart Drummond, Councillors McKenna, Morris, Payne and Sirs.

61. ADJOURNMENT OF MEETING

The Extraordinary Council meeting had been arranged to discuss the closure of the Accident and Emergency Unit at University Hospital of Hartlepool. Representatives from both the North Tees and Hartlepool NHS Foundation Trust and NHS Hartlepool had been invited to attend the meeting.

However, there were a number of members of the public who were unable to access the Council Chamber due to the capacity limit of the room in terms of Health and Safety requirements. As such the Chairman indicated the meeting would be adjourned and reconvened at a later date once a more suitable venue was identified.

A discussion ensued during which Members indicated they welcomed the opportunity to question the Foundation Trust and NHS Hartlepool and discuss this subject further. However, they acknowledged that due to the number of people unable to access the venue, the meeting should be adjourned and reconvened to enable a more suitable venue to be identified.

The meeting was adjourned at 7.06 pm to be reconvened at a date, time and venue to be agreed with the Chairman.

Upon reconvening on 29 September 2011 8.00 pm at the Hartlepool College of Further Education, Stockton Street, Hartlepool, the following were present:

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

The Mayor, Stuart Drummond

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Brash
Cook	Cranney	Fenwick
Fleet	Fleming	Griffin
Hall	Ingham	Jackson
James	Lauderdale	Lawton
A Lilley	G Lilley	Loynes
Maness	A Marshall	McKenna
Payne	Preece	Robinson
Rogan	Shaw	Shields
Sirs	Tempest	Thomas
H Thompson	P Thompson	Turner
Wells	Wright	

Officers: Nicola Bailey, Acting Chief Executive
Andrew Atkin, Assistant Chief Executive
Peter Devlin, Chief Solicitor
Amanda Whitaker, Democratic Services Team Manager
Steve Hilton, Public Relations Officer
Angela Armstrong, David Cosgrove and Jo Stubbs, Democratic Services Team
Lorraine Bennison and Olive Anderson, Members Services Team

Also Present:

Steve Wallace, Chairman, NHS Hartlepool
Stephen Childs, Chief Executive, NHS Hartlepool

62. APOLOGIES FOR ABSENT MEMBERS

Apologies had been received from Councillors Barday, Gibbon, Hargreaves, Hill, J W Marshall, Morris, Simmons and Wilcox.

63. DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest made at this point of the meeting, however see minute 66(c).

64. ANY BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None.

65. COUNCIL PROCEDURE RULES

As indicated on the agenda, Council Procedure Rules were waived to the extent necessary to enable the meeting to follow the course set out on the agenda.

66. TO DISCUSS THE CLOSURE OF THE ACCIDENT AND EMERGENCY UNIT AT UNIVERSITY HOSPITAL OF HARTLEPOOL

(a) To receive the Chairman's Introduction

The Chair outlined the purpose of the meeting and introduced the representatives in attendance from NHS Hartlepool. However, the Chairman noted with disappointment that the representatives from the North Tees and Hartlepool NHS Foundation Trust were unable to attend due to a previous commitment and despite being offered various dates for the meeting to be reconvened.

- (b) To receive the observations of the Representatives from NHS Hartlepool;

The Chair indicated that this meeting provided an opportunity for Members of the Council to ask questions of the Chairman and Chief Executive of NHS Hartlepool.

The Chairman of NHS Hartlepool had addressed the Council and public in attendance at the public meeting held immediately prior to the Extraordinary Council meeting. A number of questions had been asked by Members of the public during the meeting and some had been submitted in writing. The Chairman confirmed that he would forward all the questions submitted to the appropriate respondent and hoped that they would respond to the person submitting the question directly.

- (c) As directed by the Chairman, Members of the Council asked questions of the representatives from NHS Hartlepool and discussed issues arising.

A Member questioned what NHS Hartlepool were doing to improve the communication with the people of Hartlepool to avoid further confusion of where to go for different health care services. The Chairman and Chief Executive of NHS Hartlepool confirmed that an extensive publication exercise had been undertaken and it had already been highlighted that a number of areas within the town had been missed as part of a leaflet drop. The Chief Executive apologised for the variable and poor quality of communication to households and added that this was down to the delivery aspect with the supplier not performing as required. He confirmed that a lot of effort had been put into the design of the consultation in partnership with a steering group to ensure the publicity material was appropriate and it was intensely frustrating that this had failed in some areas of the town and this was being examined further.

Clarification was sought on whether a letter had been sent to the Secretary of State, Andrew Lansley indicating that people were behind the proposals for a new hospital to be built at Wynyard. The representatives from NHS Hartlepool had no knowledge of this letter and the Chairman confirmed that he would not have sanctioned such correspondence from NHS Hartlepool as he was aware that the community were deeply divided on this issue.

A Member referred to an incident that occurred at the One Life Centre in Park Road where, after receiving treatment, a young patient had to attend North Tees Hospital to obtain a prescription. The Chief Executive confirmed that there were some restrictions on where certain types of medication could be dispensed from. The Chairman confirmed that he was aware of this incident and it was being looked into.

It was acknowledged that there had been concerns over the future of the hospital based Accident and Emergency Service for some time and it was noted that a clear understanding had been given at Council meetings that the hospital based Accident and Emergency Services would not close until a new hospital was opened at Wynyard. In view of this, the representatives from NHS Hartlepool were asked why the decision had been taken to build the One Life Centre in Park Road. The Chief Executive explained that the One Life Centre was always aimed at complimenting the Accident and Emergency Service provision. However, it was confirmed that due to the inability to attract appropriate consultants to the Accident and Emergency Service within the University Hospital of Hartlepool, the decision to close the A&E Unit had been taken earlier than anticipated.

A Member sought clarification on the process of obtaining a position on the Board of the North Tees and Hartlepool Foundation Trust. The Chief Executive confirmed that a Board of Governors was elected and could have a huge influence on the Board of the Foundation Trust. It was noted that any citizen of Hartlepool could express an interest to become a member of the Board of Governors through contacting the membership office at the Foundation Trust.

A Member highlighted concerns that a number of negative issues had recently been reported in the local media about the One Life Centre and clarification was sought on how people can address issues of concern. The Chairman of NHS Hartlepool confirmed that there were many avenues for people to address any issues or concerns they had including by joining the local groups including PALS (Patient Advice and Liaison Service). The Chief Executive indicated that a lot of positive feedback had been received from users of the One Life Centre especially in relation to the shorter time taken to be seen than at the Accident and Emergency Unit. All issues of concern raised would be taken on board, looked into and dealt with accordingly. One significant issue raised had been the availability of a medic late in the evening and during the night and it was confirmed that this service was provided by North Doctors Urgent Care. In general, the Chief Executive was confident that there were capable and appropriately trained staff in place at the One Life Centre and there were highly trained consultants at North Tees Hospital.

It was noted that the Government appeared to have made a decision that was against the recommendations of the Foundation Trust. The Chief Executive stressed the influence that the Board of Governors would have on any future decision of the Foundation Trust as one of the main benefits of creating the Foundation Trust had been to increase accountability to the people the services were provided for. A Member added that being a member of the Board of Governors provided a very useful way of gaining information and influencing decisions made by the Trust Board and he positively encouraged any members of the public to apply for membership of this Board.

A Member questioned what NHS Hartlepool were doing to ensure that existing services were maintained at an appropriately safe level. The Chief Executive confirmed that the monitoring of safety was undertaken through monitoring incident reporting and complaints received on a regular basis as well as carrying out patient surveys.

Clarification was sought on whether any approaches to other Trusts had been made in relation to delivering health care services in the town to widen patient choice. The Chief Executive explained that there were contractual mechanisms at the disposal of NHS Hartlepool to ensure that the market for providing health services was opened up to new providers. It was noted that the majority of new providers would be from the private sector, although the provision of health services would still be provided free at the point of delivery.

A Member asked how people were made aware of how to complain effectively and how would NHS Hartlepool ensure that confidence in the service provision was increased? The Chairman of NHS Hartlepool confirmed that a lot of work was undertaken via PALS and a freephone service was available for people to use to submit complaints. The Chairman of NHS Hartlepool indicated his frustration at the number of people contacting the local media to complain about the health services provided before contacting either the Trust or NHS Hartlepool. Members were asked to note that NHS Hartlepool were committed to investigating all complaints received and responding appropriately whilst ensuring that the level of service was improved. The Chairman confirmed that ensuring people were listened to and ensuring communication was more effective should help build confidence in the provision of local health services.

Clarification was sought on whether any alternatives to Public Funding Initiative (PFI) funding been examined. The Chairman of NHS Hartlepool confirmed that the Government were giving mixed signals in relation to PFI through indicating it was bad value on one hand but confirming that they would under write any such funding on the other. The Foundation Trust were looking into this further but any plans for funding would need to be workable or NHS Hartlepool would not approve them.

A Member questioned whether a guarantee could be given to the people of Hartlepool and the Council that services would be commissioned to ensure that the hospital would remain open, sustainable and viable. The Chief Executive indicated that they would guarantee the people of Hartlepool that the commissioning of care would provide for the best outcomes. However, he added that it would be entirely irresponsible for a commissioner to provide services based on buildings and beds and not the level of appropriate care required.

A Member sought clarification on the funding of the reconfiguration of the Accident and Emergency service provision. The Chief Executive of NHS Hartlepool confirmed that financial investment had to be carried

out in order to ensure a safer alternative was provided. In addition to this, the NHS were facing pressures nationally to provide services when resources were reducing year on year.

Councillor C Akers-Belcher declared a personal interest at this point in the meeting.

A Member raised concerns that people were confused as to where to take their loved ones in the case of an emergency or injury. The representatives from NHS Hartlepool were asked to explain how the challenge of restoring confidence in people of knowing where to access services would be met. The Chief Executive of NHS Hartlepool confirmed that a lot of work had gone into producing the publicity material that was recently distributed in conjunction with a steering group and it was hoped that this provided a clear description of services and how patients access them. However, there were lessons to be learned from the recent leaflet drop and this would inform how effective communication would be undertaken in the future. The Chairman of NHS Hartlepool indicated that they would encourage the involvement of Overview and Scrutiny as it had a central part to play in the provision of local health services. However, he added that he was concerned with the motions submitted to this meeting as a vote of no confidence in the North Tees and Hartlepool Foundation Trust would impact on every employee of the Trust not just the Board.

It was highlighted that some patient groups had not been approached as part of the consultation exercise. The Chairman confirmed that NHS Hartlepool should have contacted all patient groups within the town and if this had not happened it would be corrected in the future.

A number of questions were raised in connection with the provision of the Day Unit at the University Hospital of Hartlepool. The Chief Executive confirmed that this was a matter for the Foundation Trust.

Whilst accepting the reasons for the closure of the Accident and Emergency Service and the intention to improve service provision, what was not accepted was that it was alleged that the public were receiving far worse services than in the past and this was not acceptable. In addition, there was a lot of confusion over where to take people when they were ill and need of emergency or urgent care. In view of the concerns expressed, the representatives of NHS Hartlepool were asked whether there was an option available to re-open the Accident and Emergency Services at the University Hospital of Hartlepool. The Chairman of NHS Hartlepool responded that the Care Quality Commission would overturn any decision to re-open the Accident and Emergency Services at the University Hospital of Hartlepool and the deanery would remove all junior doctors. It was noted that the traditional type of Accident and Emergency Services was no longer an appropriate way of providing urgent care services and this was a national issue. The

Chairman reiterated that should anyone have any questions about where to go in an emergency, they should dial 999.

In relation to democratic accountability and decision making, a Member questioned where the responsibility of strategic decision making was. The Chairman confirmed that the biggest decision makers were the Department of Health and Secretary of State for Health. On a local level, commissioners decide who provides services and it was acknowledged that this part of the process did lack democratic accountability. However, in 2013, all Primary Care Trusts (PCTs) would be abolished and patient groups and local Councils would have an increasing role to play in managing services. In addition, a Health and Well Being Board would be created that would hold General Practitioners and Commissioners to account.

66. MOTIONS ON NOTICE

Consideration was given to the following motion:

“The A & E services are imperative to the needs of the residents of Hartlepool and the East Durham area.

From day one it appears that the One Life Centre Minor Injuries Unit is no substitute for the A & E services that were provided at the University Hospital of Hartlepool, irrespective of the recent NHS Trust report in the press.

At the University Hospital of North Tees we are witnessing waiting times being exorbitant, clinics have been cancelled because of the increase in numbers of trauma patients. This is the direct result of the extreme number of A & E patients that are being transferred from Hartlepool to Stockton.

Therefore I propose that a vote of no confidence in the North Tees and Hartlepool NHS Trust be taken and debated by this Council.”

Signed by:

Councillor Edna Wright
Councillor John Marshall
Councillor Lilian Sutheran
Councillor Arthur Preece
Councillor Steve Gibbon
Councillor Mike Turner

The motion was moved and seconded following which the reasons for presenting the motion to Council were outlined.

During the discussions that followed, Members made comment upon the motion and proposed the following amendment to the Motion which was subsequently seconded:-

“The A&E services are imperative to the needs of the residents of Hartlepool and the East Durham area.

Hartlepool Borough Council believes that the One Life Centre Minor Injuries Unit was never intended as a substitute for the A&E services that were provided at the University Hospital of Hartlepool.

The Council is concerned that the constant drip of removal, downgrading and reductions in Clinician lead services at the University Hospital of Hartlepool is causing public anxiety and confusion.

Following the refusal of the Chairman, Paul Garvin to allow staff from the Trust to meet with residents to discuss these concerns and hopefully allay them.

We the elected Members of the Hartlepool Borough Council do wish to make public that whilst we have every confidence in the Clinicians and medical staff, we no longer have confidence in the decision making of the Chief Executive, Alan Foster – Chairman, Paul Garvin and the Board of North Tees and Hartlepool Trust with regard to the removal or reduction of services from Hartlepool and we condemn their total failure to effectively consult and communicate with this Council and the town's residents.”

The motion was moved and seconded following which the reasons for presenting the amended motion to Council were outlined.

Following the conclusion of the debate a recorded vote was taken:-

Motion put

Those in favour – The Mayor Stuart Drummond, Councillors C Akers-Belcher, S Akers-Belcher, Brash, Cranney, Fenwick, Fleet, Griffin, Hall, Jackson, James, Lauderdale, Lawton, A E Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Payne, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Sirs, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells and Wright.

Motion carried

Those against the amendment:

None..

Those abstaining:

None

67. MOTIONS ON NOTICE

As a result of the above amended motion being carried, the second motion included on the agenda was withdrawn.

68. CLOSING COMMENTS OF THE CHAIRMAN

The Chairman thanked everyone for their attendance and contribution to the debate.

CHAIR

<p style="text-align: center;">COUNCIL</p> <p style="text-align: center;">MINUTES OF PROCEEDINGS</p> <p style="text-align: center;">15 September 2011</p>
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The meeting commenced at 7.00 pm in the Civic Centre, Hartlepool

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

The Mayor, Stuart Drummond

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Barclay
Brash	Cook	Cranney
Fenwick	Fleet	Gibbon
Griffin	Hall	Hargreaves
Hill	Ingham	Jackson
James	Lauderdale	A Lilley
G Lilley	Loynes	Maness
A Marshall	McKenna	Dr. Morris
Preece	Shaw	Shields
Simmons	Tempest	P Thompson
Turner	Wells	Wright

Officers – Andrew Atkin, Assistant Chief Executive
Peter Devlin, Chief Solicitor
Dave Stubbs, Director of Regeneration and Neighbourhoods
Peter McIntosh, Head of Planning and Development
Alastair Smith, Assistant Director, Transport and Engineering
Angela Armstrong and Amanda Whitaker, Democratic Services Team

Prior to the commencement of the meeting, Members stood in silence as a mark of respect following the recent death of Alderman Bob Bamfather and former Councillor Gladys Worthy. A number of tributes were paid and it was agreed that a card should be sent, on behalf of the Council, to Mrs Worthy's and Alderman Bamfather's family.

69. APOLOGIES FOR ABSENT MEMBERS

Councillors Aiken, Lawton, Payne, Rogan, Sirs, Sutheran, Thomas, H Thompson and Wilcox

70. DECLARATIONS OF INTEREST FROM MEMBERS

None

71. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None

72. PUBLIC QUESTION

(i) Question from I Ryder to Mayor

“Given that the loss of our hospital services affects every resident in this town, whether adult or child, why is it that at the council meetings convened to discuss this prospect the general public have been barred from asking questions or passing any comment? Surely as this must be the most emotive subject in the town, and noting that the public have been denied a referendum on the closure, the population should have the right to express their feelings on this matter?”

The Mayor replied that he understood that the Council's Constitution did not allow for public questions at extraordinary meetings of the Council but he believed that there would be an announcement at this meeting to facilitate public questions being allowed at the reconvened meeting. In a supplementary question it was questioned, if the Council had funding to refurbish Church Square and purchase premises at marina, why the Council could not fund a referendum. The Mayor clarified that such a measure currently did not exist until the Localism Bill became law.

Members debated issues raised by the question.

73. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 4 August 2011 and Extraordinary Council held on 25 August 2011, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

The Minutes of the Proceedings of the Council held on 8 September 2011 had not been submitted as that meeting had been adjourned.

74. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

A Member questioned how the minutes of the Council meeting held on 4 August 2011 could be made publicly available prior to them being confirmed at this meeting. It was noted that as the minutes were attached to the agenda documentation for this meeting and as such were made publicly available in line with statutory provision and Access to Information Rules of the Constitution five clear days prior to the Council meeting.

75. QUESTIONS FROM MEMBERS OF THE COUNCIL

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

None.

- (b) Questions to Members of the Executive and Chairs of Committees and Forums, for which Notice has been given

- (i) Question from Councillor G Lilley to Councillor Richardson, Chair of Council

'On what evidence did you base your decision to limit public access to 60 for the extra ordinary council meeting of the 08 09 2011'

The Chairman of Council responded that the official fixed seating capacity of the public gallery was 60 and on this occasion as well as 48 Members of the Council, officers and ten representatives from the North Tees and Hartlepool Foundation Trust and NHS Hartlepool along with their support staff were in attendance. This resulted in 125 attendees and due to this number it was considered safer to adjourn the meeting and reconvene in a more suitable venue to ensure public safety. In addition to this, there had been calls for a display of civil disobedience and the Council would not take any risks in relation to physical well-being of the people in attendance.

A lengthy debate took place with the majority of Members supporting the adjournment and reconvening in a more suitable venue. The importance of ensuring that people who wished to attend the meeting were able to was highlighted. In addition to this, Members requested that people would be given the opportunity to ask questions of the representatives of the North Tees and Hartlepool Foundation Trust and NHS Hartlepool. The Chairman confirmed that he had been in regular contact with the representatives from the North Tees and Hartlepool Foundation Trust and NHS Hartlepool to identify a date for the reconvened meeting. Two dates had been suggested by the Trust and NHS Hartlepool representatives and they were 17 and 20 October 2011. Members were extremely disappointed with the dates suggested by the Foundation Trust and NHS Hartlepool and requested that the Chairman write back suggesting that earlier dates be identified as a matter of urgency.

It was proposed that the Extraordinary Council meeting be replaced by a public meeting chaired by the Chair of the Council to allow members of the public to ask questions of the Trust and NHS Hartlepool representatives.

The proposal was amended to suggest that a public meeting be held immediately prior to the reconvened Extraordinary Council in the same venue.

The Chief Solicitor confirmed that the Council was able to convene a public meeting to promote local democracy and facilitate a public forum to engage with the representatives with the Foundation Trust and NHS Hartlepool which could be followed by a reconvened Extraordinary Council meeting.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the amendment to the proposal:-

Those in favour of the recommendation:

The Mayor, Stuart Drummond
Councillors C Akers-Belcher, S Akers-Belcher, Brash, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, Lauderdale, A E Lilley, Loynes, Maness, A Marshall, McKenna, Morris, Preece, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson, Turner, Wells and Wright.

Those against the recommendation:

Councillor G Lilley.

Those abstaining:

None.

The vote was carried.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the substantive motion:-

Those in favour of the recommendation:

The Mayor, Stuart Drummond
Councillors C Akers-Belcher, S Akers-Belcher, Brash, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, hill, Ingham, Jackson, James, Lauderdale, A E Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Morris, Preece, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson, Turner, Wells and Wright.

Those against the recommendation:

None.

Those abstaining:

None.

The vote was carried.

It was proposed that to facilitate the timing of the public meeting and Extraordinary Council, Council Procedure Rules should be waived to enable an alternative commencement time and venue for the Extraordinary Council meeting. It was considered that this extra flexibility in commencement time may encourage the identification of an earlier date for both the meetings.

A Member proposed an amendment to the above that the start time remain at 7pm or change to 6pm at the earliest.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the amendment to the proposal:-

Those in favour of the amendment:

Councillors Preece and Wright.

Those against the amendment:

Councillors C Akers-Belcher, S Akers-Belcher, Brash, Cook, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, Lauderdale, A E Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Morris, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson and Wells.

Those abstaining:

None.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the amendment to the proposal:-

Those in favour of the proposal:

Councillors C Akers-Belcher, S Akers-Belcher, Brash, Cook, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, Lauderdale, A E Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Morris, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson and Wells.

Those against the amendment:

None.

Those abstaining:

Councillors Preece and Wright.

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

None.

76. BUSINESS REQUIRED BY STATUTE

(i) Report on Special Urgency Decisions

None.

77. ANNOUNCEMENTS

None.

78. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY SCRUTINY FORUM OR OTHER COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

None.

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

None.

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

None.

81. REPORT FROM THE EXECUTIVE

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

Food Law Enforcement Service Plan 2011/12

The Portfolio Holder for Adult and Public Health presented a report which sought Council's approval of the Food Law Enforcement Service Plan for 2010/11. The Plan had previously been considered by Cabinet and the Neighbourhood Services Scrutiny Forum and had been updated to reflect last year's performance. The report included a summary of the main issues raised in the Plan.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the recommendations:-

Those in favour of the recommendations:

The Mayor, Stuart Drummond

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Jackson, James, Lauderdale, A E Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Morris,

Preece, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson, Wells and Wright.

Those against the amendment:

None.

Those abstaining:

None.

(b) Proposal for Departure from the Budget and Policy Framework

(i) Delivery of the Church Square Masterplan

The Portfolio Holder for Transport and Neighbourhoods presented a report which provided Council with Cabinet's proposed variations to the approved 2011/12 Budget and Policy Framework to vire the £390,000 uncommitted balance of the capital Major Regeneration Projects budget, for the delivery of the Church Square Masterplan. The Portfolio Holder sought Council approval to defer the consideration of the report until the results of the public consultation were available.

A discussion ensued on the difference between capital and revenue funding and the implications of repaying capital borrowing costs. However, it was noted that this proposal would form part of the education and skills quarter currently being developed in the Church Square area and would encourage future prosperity in the area. The Portfolio Holder commented that around 70% of the responses received from the consultation were in favour of the proposal. However, it was important that Members had the opportunity to consider all responses received before making a decision.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the recommendations:-

Those in favour of the recommendations:

The Mayor, Stuart Drummond

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, Lauderdale, A E Lilley, G Lilley, Maness, A Marshall, Preece, Richardson, Shaw, Shields, Simmons, Tempest and Wright.

Those against the amendment:

Councillors Loynes, McKenna, Morris and Wells.

Those abstaining:

Councillors P Thompson and Turner.

(ii) Purchase of Premises in the Central Regeneration Area and Sale of Land at Tanfield Road Adjoining Stranton Cemetery

The Mayor presented a report which provided Council with details of Cabinet's proposed variations to the approved 2011/2012 Budget and Policy Framework to use uncommitted capital receipts to purchase the former Focus DIY unit on Lynn Street. The acquisition would facilitate the release of land at Tanfield Road for sale, provide improved accommodation for staff currently located at Tanfield Road and secure a key building required to facilitate the long-term regeneration of the area.

Those in favour of the recommendations:

The Mayor, Stuart Drummond

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cranney, Fenwick, Fleet, Gibbon, Griffin, hall, Hargreaves, hill, Ingham, Jackson, James, A E Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Morris, Preece, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson, Turner, Wells and Wright..

Those against the amendment:

None.

Those abstaining:

None.

82. MOTIONS ON NOTICE

Consideration was given the following Notice of Motion:-

"Hartlepool Borough Council supports Barnardo's campaign to cut children free from sexual exploitation and will continue to take the necessary steps to protect the children of Hartlepool from this form of abuse."

Signed by:

Councillor Simmons

Councillor C Akers-Belcher

Councillor S Akers-Belcher

Councillor James

Councillor Wilcox

The Chairman indicated that the aim of the motion was to bring solidarity to the Barnardos campaign to help stamp out child exploitation in our communities and raise awareness of this campaign. A Member commented that it was a sad indictment of society and utterly saddening that there were children being exploited and suffering alone without any support. All Members were urged to offer their support to this campaign and ensure that wherever possible every opportunity was taken to ensure that sexual exploitation and abuse of children was eradicated.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the motion:-

Those in favour of the motion:

The Mayor, Stuart Drummond
Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, A E Lilley, G Lille, Loynes, Maness, A Marshall, McKenna, Morris, Preece, Richardson, Shaw, Shields, Simmons, Tempest, P Thompson, Turner, Wells and Wright..

Those against the amendment:

None..

Those abstaining:

None.

83. CHIEF EXECUTIVE'S REPORT

The Assistant Chief Executive presented the business report which provided Members with notification from the Mayor of amendments to the Executive Delegation Scheme which was attached by way of Appendix.

As a result of the appointment of Councillor Simmons to the Executive, Council was requested to consider appointments to a number of vacancies. The following changes in memberships of Committees were received:

Councillors Marjorie James and Christopher Akers-Belcher to stand down from the Regeneration and Planning Services Scrutiny Forum.

Councillors Trisha Lawton and Ann Marshall were nominated to the resulting vacant places on the Regeneration and Planning Services Scrutiny Forum.

Councillor Ann Marshall was also nominated to the position of Vice Chair on Regeneration and Planning Services Scrutiny Forum.

Councillor Christopher Akers-Belcher was nominated to the vacancy on Children's Services Scrutiny Forum

Councillor Christopher Akers-Belcher was also nominated to the position of Chair of the Children's Services Scrutiny Forum.

Councillor Marjorie James was nominated to the vacancy on the Health Scrutiny Forum.

Councillor Ann Marshall was appointed to the Scrutiny Co-ordinating Committee as Vice Chair of Regeneration and Planning Services Scrutiny Forum.

Councillor Christopher Akers-Belcher was appointed to the Scrutiny Co-ordinating Committee as Chair of the Children's Services Scrutiny Forum.

Councillor Christopher Akers-Belcher was nominated to the Constitution Committee as the representative Member from Scrutiny Co-ordinating Committee.

Councillor Linda Shields was nominated to the vacancy on Contract Scrutiny Committee.

RECOMMENDATION –

That the above nominations were approved.

The meeting concluded at 8.48 pm

CHAIR

<p style="text-align: center;">COUNCIL</p> <p style="text-align: center;">MINUTES OF PROCEEDINGS</p> <p style="text-align: center;">6 OCTOBER 2011</p>

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

PRESENT:-

Officers: Peter Devlin, Chief Solicitor
David Cosgrove, Democratic Services Team

84. APOLOGIES FOR ABSENT MEMBERS

The Mayor, Stuart Drummond

Councillors Aiken, C Akers-Belcher, S Akers-Beldher, Barclay, Brash, Cook, Cranney, Fenwick, Fleet, Fleming, Gibbon, Griffin, Hall, Hargreaves, Hill, Ingham, Jackson, James, Lauderdale, Lawton, A Lilley, G Lilley, Loynes, Maness, A Marshall, J Marshall, J W Marshall, McKenna, Dr. Morris, Payne, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Simmons, Sirs, Sutheran, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells, Wilcox, Wright.

85. ABANDONMENT OF MEETING

In the absence of a quorum, the Chief Solicitor notified persons present that in accordance with Council Procedure Rules the meeting was abandoned. It was noted that the absence of a quorum was due to the Members of the Council having been informed, following consultation with the Chair of Council, that there was no business to conduct at the meeting.

The meeting concluded at 7.03 p.m.

CHAIR

CLEVELAND POLICE AUTHORITY EXECUTIVE ANNUAL GENERAL MEETING

The Annual General Meeting of Cleveland Police Authority Executive was held on Thursday 23 June 2011 in the Members Conference Room at Police Headquarters.

PRESENT: Councillor Members

Councillor Chris Abbott, Councillor Barry Coppinger, Mayor Stuart Drummond, Councillor Ray Goddard, Councillor Ron Lowes and Councillor Carl Richardson.

Independent Members

Miss Pam Andrews-Mawer, Mr Chris Coombs, Mr Ted Cox JP, Mr Geoff Fell, Mr Peter Hadfield, Mr Aslam Hanif, Mr Mike McGrory JP and Mr Peter Race MBE.

OFFICIALS: Mr Sean Price and Mr Derek Bonnard (CC).
Mrs Julie Leng, Mr Michael Porter and Mr John Bage (CE)

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Terry Laing and Councillor Sean Pryce.

2 DECLARATIONS OF INTERESTS

There were no declarations of interests.

3 APPOINTMENT OF CHAIR

Nominations and seconders for the roles of Chair and Vice Chair had been submitted to the Acting Chief Executive in accordance with Standing Orders.

The Acting Chief Executive confirmed that she had only received one nomination for the position of Chair. The Acting Chief Executive therefore asked Members to agree to vote by show of hands.

Mr Peter Race MBE was nominated and seconded for the position as Chair, there were 13 votes in favour and one abstention. Mr Race was duly elected as Chair for the forthcoming year.

ORDERED that:-

1. Mr Peter Race MBE be appointed Chair for the ensuing year.

MR PETER RACE MBE IN THE CHAIR

4

APPOINTMENT OF VICE CHAIR

The Chairman confirmed that only one nomination for the position of Vice Chair had been received in accordance with Standing Orders.

Mayor Stuart Drummond was nominated and seconded for the position as Vice Chair, there were 13 votes in favour and one abstention and Mayor Drummond was duly elected as Vice Chair for the forthcoming year.

ORDERED that:-

1. Mayor Stuart Drummond be appointed Vice Chair for the ensuing year.

WELCOME

The Chairman formally welcomed Councillor's Abbott and Goddard to the Police Authority.

5

APPOINTMENT OF COUNCILLOR MEMBERS OF CLEVELAND POLICE AUTHORITY

The Acting Chief Executive reported the decision that had been made by the Police Authority Joint Committee held on 10 June 2011 regarding the elected membership of the Police Authority.

At that Police Joint Committee it was agreed that the Councillor Members from the four Unitary Authorities be elected to serve as Police Authority Members for a period of four years or until there is a change in legislation dependent on future Government decisions.

Members were informed that the report confirmed the Local Authority representation as agreed by the Cleveland Police Joint Committee. One of the key roles of the Members will be to answer questions on the discharge of the functions of the Police Authority at meetings of their

relevant Councils.

The Acting Chief Executive informed Members of an amendment to the report as Councillor Paul Kirton had resigned from the Police Authority the day before the Annual General Meeting.

The Police Joint Committee had been informed of the resignation and a meeting will be convened at the earliest opportunity to fill this vacancy.

ORDERED that:

1. the appointment of the following Councillors to the Police Authority be noted:
 - ✍ Hartlepool – Mayor Stuart Drummond and Councillor Carl Richardson
 - ✍ Middlesbrough – Councillor Barry Coppinger and Councillor Ron Lowes
 - ✍ Redcar and Cleveland – Councillor Chris Abbott, Councillor Ray Goddard and Councillor Sean Pryce
 - ✍ Stockton – Councillor Terry Laing.
- 2 the above Councillor's be appointed as representatives to answer questions on the discharge of the function of the Police Authority at meetings of their relevant councils for a period of four years or until there is a change in legislation, be agreed.

6

ANNUAL GOVERNANCE STATEMENT 2010/11

The Treasurer informed Members that as part of its remit the Audit and Internal Control Panel had been tasked with reviewing the Annual Governance Statement (AGS). The AGS is presented to the Police Authority Executive having been scrutinised and recommended by that Panel.

Members were informed that the purpose of the Annual Governance Statement process was to provide a continuous review of the effectiveness of an organisation's governance arrangements, including internal control and risk management systems. This was intended to give assurance on their effectiveness or otherwise leading to an action plan to address identified weaknesses.

ORDERED that;

1. the 2010/2011 Annual Governance Statement as attached at Appendix A to the report, be agreed.

7

STATEMENT OF ACCOUNTS 2010/11

The Treasurer informed Members that under the Account and Audit Regulations 2003, local authorities, including police authorities, are required to receive and approve the Statement of Accounts for 2010/11 before the end of June 2011.

Members were informed that the role of the Audit and Internal Control Panel in this process was set out in Appendix D of the Code of Corporate Governance and includes – *"To review the Annual Statement of Accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Authority."* No amendments had been made to the accounts as a result of this Audit & Internal Control Panel meeting.

The role of the Police Authority Executive is to approve the Statement of Accounts, subject to the results of the scrutiny undertaken by the Audit and Internal Control Panel, and its recommendations.

The Chair of the Audit & Internal Control Panel confirmed that following full scrutiny by the Audit & Internal Control Panel, they now recommend the Statement of Accounts for approval to the full Police Authority Executive.

The Statement of Accounts had been prepared in accordance with the 2010 International Financial Reporting Code and the Police Pension Fund Regulations 2007 (SI 1932/2007) and gave a true and fair presentation of the financial position of the Authority and the Police Pension Fund for the year ended 31st March 2011.

ORDERED that;

1. the report considered by the Audit and Internal Control Panel be noted.
2. the Statement of Accounts be agreed.

8 **LONG TERM FINANCIAL PLAN UPDATE**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that at the Police Authority meeting on 24th February 2011 Members approved the budget for 2011/12 and the Long Term Financial Plan (LTFP) for 2012/16. The report was to provide an update to that position.

At the meeting on 24th February 2011, Members approved a Gross Expenditure Budget for 2011/12 of £141,678k and the LTFP for 2012/16. The plan included all of the information from the Comprehensive Spending Review which covered 2011-13 in detail and gave high level indications for 2014/15.

Members were informed that Risk will form a key part of the regular monthly monitoring of budget delivery throughout 2011/12 and will be reported to and scrutinised by Members of the Policy & Resources Panel.

The Treasurer informed Members that progress had been made since the LTFP 2011/16 was approved by Members in February 2011; however, the report presented at the meeting outlined significant financial challenges with further work still to be done.

ORDERED that;

1. the contents of the report be noted.
2. a further update on progress towards setting the 2012/13 budget and the 2012/16 LTFP is brought to their Police Authority Executive meeting in September be agreed.

9 **ANY OTHER BUSINESS**

The Acting Chief Executive informed Members that it was usual to bring the annual Business Report to the Annual General Meeting, but on this occasion no such item had

been placed.

Members were informed that due to the Police Authority Executive membership changes, it had been agreed to conduct a skills audit prior to Panel membership allocation.

ORDERED that;

1. the Business Report be brought to the next meeting of the Police Authority Executive, be agreed.

10 **MINUTES OF THE PROFESSIONAL STANDARDS
PANEL HELD ON 27 APRIL 2011**

ORDERED that the following minutes of the Professional Standards Panel were submitted and approved.

PROFESSIONAL STANDARDS PANEL

ACTION

A meeting of the Professional Standards Panel was held on Wednesday 27 April 2011 in the Members Conference Room at Police Headquarters.

PRESENT: Mr Ted Cox JP, Cllr Caroline Barker, Mr Peter Hadfield, Mr Aslam Hanif, Cllr Ron Lowes, Mr Mike McGrory JP, Cllr Mary Lanigan.

OFFICIALS: ACC White, Supt Martin Campbell (Professional Standards), Mrs Michelle Phillips (Legal) and Miss Kate Rowntree (CC)
Mrs Jayne Harpe (CE)

11 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from DCC Bonnard, Cllr Dave McLuckie, Cllr Hazel Pearson OBE and Mrs Joanne Monkman.

12 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

13 **MINUTES OF THE PREVIOUS MEETING 27 January 2011**

The minutes of 27 January 2011 were agreed as a true record. Cllr Ron Lowes apologies were to be added.

14 **OUTSTANDING RECOMMENDATIONS**

All outstanding recommendation were discharged.

15 **CIVIL CLAIM STATISTICS**

The Legal Advisor presented the Civil Claim Statistics for the period 1st April 2010 – 31st March 2011. The Panel was informed of the number and types of civil claims against the Force received during that period,

the amount paid out for those claims finalised during the period and the amount recovered. The report also detailed a comparison between the Basic Command Units.

If staff were absent from work due to injury which was covered by private health insurance or third party negligence, they were encouraged to claim for loss of earnings. Staff awareness to be raised.

Legal
Department

ORDERED that:

1. Members noted there had been a 5.15% decrease in number of claims received when compared with the same period last year. Public liability was the leading category.
2. There had been a 48% increase in the number of claims finalised when compared with the same period last year.
3. There had been an increase in the number of successfully defended cases. 46.62% of finalised cases during the period were successfully defended, which was to be compared with 38.00% successfully defended during the same period last year.
4. There had been an increase in the overall sum paid out. The 79 cases settled during the period cost the Force £635,125. This was to be compared with the 62 cases settled during the same period last year at a cost of £386,797.
5. Headquarters was the area with most claims.
6. The contents of the report be noted.

16

COMPLAINTS AGAINST POLICE

The Head of Professional Standards Department presented the Complaints Against Police for the period 1st January to 31st March 2011. The Quarterly Progress Report on Complaint Issues for Cleveland Police for the period 1st January to 31st March 2011 was attached to the report. The report was produced in this format to be National Intelligence Model (NIM) Compliant.

There had been a 17% increase in the number of cases recorded during that period (81 to 95), with a 28% increase in the number of complaints (137 to 176).

Complaints of "other neglect/failure in duty" and "Incivility" continued to outnumber those of "Assault" allegations, 56 and 27 complaints respectively, compared to 24 in the "Assault" categories.

22% (27) of completed complaints had been locally resolved. During that period 67% (18) of locally resolved complaints had been by District and 33% (9) by the Professional Standards Department.

During this period the Force recorded 136 letters of appreciation.

ORDERED that:

1. The contents of the report be noted.

17

DELIBERATE DAMAGE STATISTICS

The Assistant Chief Constable informed Members of the cost to the Force of deliberate damage by way of forced entry into premises for the period 1st January to 31st March 2011 and of the operational results achieved through such forced entry and other premises searches.

Members were informed that the Force had paid out £13,775.90 in compensation for acts of deliberate damage, this compared to £10,091 paid out in the same period during the previous year. Whilst 2755 searches were conducted, only 220 (7.98%) resulted in deliberate damage compared to 10.1% in the previous year. The value of property, cash and drugs seized totaled £1,705,396 compared to £850,595 seized during the same period in 2010. Recovered property included a Motorbike, Mini-Moto, computers and BMW 3 series.

ORDERED that:

1. The contents of the report be noted.
2. The operational benefits accruing to the Force in terms of property, drugs and cash seized, outweigh the cost of the damage claims be noted.

18

IPCC DIRECT COMPLAINTS SURVEY FINDINGS UPDATE

This report was withdrawn from the meeting

19

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to Section 100a(4) of the Local Government Act 1972, excluding the press and public from the meeting under Paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

20

CASES FROM THE COMPLAINTS REGISTER

Members of the Complaints Panel were shown the cases from the Complaints Register which had previously been selected by the Panel Chair.

21

MINUTES OF THE AUDIT & INTERNAL CONTROL PANEL HELD ON 10 FEBRUARY 2011.

ORDERED that the following minutes of the Audit & Internal Control Panel were submitted and approved.

AUDIT & INTERNAL CONTROL PANEL

A meeting of Audit & Internal Control Panel was held on Thursday 10 February 2011 in the Members Conference Room at Police Headquarters.

PRESENT: Councillor Caroline Barker, Mr Geoff Fell, Councillor Dave McLuckie (ex officio), Mr Peter Hadfield (Vice Chair), Mr Mike McGrory JP (Chair).

OFFICIALS: Mr Michael Porter, Dr Neville Cameron and Mr John Bage (CE)
Mr Graham Slaughter, Mrs Ann Hall and Miss Kate Rowntree (CC)
Ms Lynne Snowball and Mr Paul Heppell (AC)
Mrs Sue Turner (IA)

22 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

23 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

24 **MINUTES OF THE PREVIOUS MEETING HELD ON 8 DECEMBER 2010**

The minutes of the previous meeting were held as a true record.

25 **OUTSTANDING RECOMMENDATIONS**

ORDERED that;

1. the Outstanding Recommendations were noted and updated.

26 **PROGRESS REPORT ON ANNUAL AUDIT LETTER RECOMMENDATIONS**

The Treasurer presented the report to Members to inform of the progress made to date, in implementing the recommendations in the Annual Audit Letter relating to the 2009/2010 Audit.

Members were reminded that the Audit Commission presented the Annual Audit Letter to the Panel on 21st October 2010 following completion of the 2009/2010 Audit.

The Treasurer informed Members that the Annual Audit Letter Recommendations and progress can be seen at Appendix A to the report.

ORDERED that:

1. the progress to date against the recommendations in the Annual Audit Letter be noted.

27 **ANNUAL GOVERNANCE STATEMENT AND SUMMARY QUESTIONNAIRE**

The Treasurer informed Members that the purpose of the report was to bring forward an initial draft of the 2010/2011 Annual Governance

Statement and to provide Members with a copy of the Annual Governance Assurance Questionnaire that had been distributed to Service Unit Managers for completion in relation to the 2010-11 financial year.

As part of the assurance framework in support of the Annual Governance Statement a questionnaire was sent to Service Unit Managers which would result in a signed adequacy of controls statement and obtains assurance, or otherwise, on the effectiveness of key controls.

Members were informed that as required within the agreed AGS timetable an initial draft of the AGS had been prepared for Members consideration, a copy of which was at Appendix A to the report.

ORDERED that;

1. the initial draft of the 2010/2011 Annual Governance Statement for further progression as shown at Appendix A to the report be agreed.
2. the Annual Governance Assurance Questionnaire as shown at Appendix B to the report be noted.

28

CONTRACT STANDING ORDERS

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed members that the purpose of the report is to update Members on the changes that have been made to the Authority's Contract Standing Orders.

Members were reminded that they last agreed the Authority's Contract Standing Orders at their meeting of the Audit & Internal Control Panel on 26th March 2009. Since this date there had been significant changes to the structure of the Force following the implementation of Project I on 1st October 2010.

A full review of the Contract Standing Orders was undertaken in October 2010 and a number of changes were made around the implications of the contract with Steria, with amendments to job titles to reflect the new structures.

Members were informed that the updated Contract Standing Orders were attached at Appendix 1 to the report and were being presented to Members for their approval.

The Chair queried whether or not the Treasurer needed to be party to the actual report.

The ACO (F+C) informed Members that the Treasurer needed to be separate to the report so that independent controls are met.

The Chair sought assurance regarding the process for SUM's and others to effect changes to Standing Orders.

The Treasurer and ACO (F+C) assured Members that ORACLE and

other internal systems, plus the assurance sought through the SUM's questionnaire satisfied this area control.

ORDERED that;

1. the content of the report be noted.
2. the updated Contract Standing Orders as attached at Appendix 1 to the report be agreed.

29

STANDING FINANCIAL INSTRUCTIONS

The Treasurer provided a verbal update on an action from the December meeting of this Panel where he and the ACO (F&C) took a joint action to bring forward revised Standing Financial Instructions to the February meeting.

Members were informed that given the significant change that was occurring in the organisation currently, it was vital that one of the key documents that govern the finances of the Force is revised and updated as soon as possible.

The Treasurer confirmed that he had reviewed the document and made the necessary amendments from an Authority perspective and that the Force were in the process of doing the same.

The ACO (F&C) confirmed that this was the case and advised Members that she expected to bring forward the revised document to the next meeting of the panel.

ORDERED that;

1. the report be noted.

30

CLEVELAND POLICE AUTHORITY RISK REGISTER

The Service Improvement Manager informed members that the purpose of the report was to provide Members with the opportunity to review the CPA Risk Register, Action Plan and developments since August 2010.

Members previously agreed structural changes the Police Authority Risk Register and Action Plan on 10th August 2010. The ownership of the CPA Risk Register had been transferred to the Leadership Panel, however updates and developments will continue to be discussed and agreed at the Joint Risk Management Group, held monthly up until November 2010 and bi-monthly thereafter.

At the Leadership Panel on 14th December 2010, Chairs of the Panels were provided with a description of the benefits of the 4Risk software system, developed by the Police Authority's internal auditors RSM Tenon. An update of amendments to the CPA Risk Register, outline maintenance and chronological updates to the Risk Register were shown in Appendix A to the report.

Members sought assurance on the risk appetite of the Internal Audit and how this could impact on the Police Authority.

The Head of Corporate Planning & Governance and the Service Improvement Manager informed Members of the methodology adopted by the Force and the Police Authority to manage these processes.

ORDERED that;

1. the routine maintenance and chronological updates to the Risk Register at Appendix A to the report and Action Plan at Appendix B to the report be noted.

31

AUDIT COMMISSION PROGRESS REPORT

The Audit Commission informed Members that the update report reflected progress on the external audit of Cleveland Police Authority as at January 2011. It formed an important role in keeping Members of the Audit and Internal Control Panel informed on the progress of the audit.

Members were informed that the progress report also commented on future year audit arrangements in light of the announcement to abolish the Audit Commission. There remained much uncertainty in this area as arrangements continue to develop. The Audit Commission informed Members that it will report to Members verbally with any relevant updated information.

The report also informed the Panel of other matters of interest, including promoting the national work undertaken by the Audit Commission, and focusing in on its potential value to the Authority.

The Chair sought clarity as to whether the report was a draft or final report.

The Audit Commission confirmed that the report was final.

The Chair sought greater clarity to the reference regarding counter fraud and whistleblowing.

The Treasurer assured Members that a Counter Fraud Plan was in place and that he was currently working with the Head of Professional Standards on these matters. Members were further assured that there was an outstanding action in the Internal Auditors Action Plan.

ORDERED that;

1. the report be noted.

32

2010/11 OPINION AUDIT – CHANGES YOU CAN EXPECT TO SEE

Members were informed that as the appointed auditor, the audit of the financial statements are governed by International Standards on Auditing (ISAs). These standards prescribe the basic principles and essential procedures, with the related guidance, which govern the

auditors professional conduct as our auditor.

As with all guidance and frameworks, auditing standards are revised and updated, often in a piecemeal fashion. However, in 2009 the auditing professional body, The International Auditing and Assurance Standards Board (IAASB), completed a comprehensive project to improve the clarity of all the ISAs. This is known as the Clarity Project.

Members were informed that one of the main objectives of the Clarity Project was to promote greater consistency of application between auditors. This had been done by reducing the ambiguity within existing ISAs and improving their overall readability and understandability.

ORDERED that;

1. the report be noted.

33

INTERNAL AUDIT PROGRESS REPORT

The Internal Auditor informed Members that the periodic internal audit plan for 2010/11 was approved by the Audit and Internal Control Panel on 03 June 2010. The report presented at the meeting today summarised the outcome of work completed to date against that plan.

Members were informed that Appendix A to the report outlined the detailed internal audit plan approved by the Panel, whilst Appendices B and C provided cumulative data in support of internal audit performance.

A draft plan would be prepared and a further discussion held with the Chair and Vice Chair of the Audit Panel prior to a presentation to the Panel at the April 2011 meeting.

ORDERED that;

1. the report be noted.

34

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 2 and 7 of Part 1 of Schedule 12A to the Act.

35

STRATEGIC RISK MANAGEMENT & SERVICE CONTINUITY PLANNING

The Head of Corporate Planning & Governance informed Members that the purpose of the report was to provide Members with an update on progress in implementing both risk management and service continuity planning in the Force and to increase awareness of the strategic risks facing the Force.

Members were informed that the programme was progressing on a systematic basis with the intention of developing robust risk management and service continuity plans and embedding a risk management culture by March 2011.

ORDERED that;

1. the report be noted.

36

CONTRACT STANDING ORDER NO.9 – EXEMPTION FROM THE NORMAL REQUIREMENT TO TENDER (OCTOBER TO DECEMBER 2010)

The ACO (F&C) informed Members that the new contract standing orders were introduced on 1st July 2009. Standing Orders paragraph 9 stated that "Utilisation of Contract Standing Order 9 or failure to follow contract standing orders shall be reported to the Audit and Internal Control Panel".

In compliance with Contract Standing Orders it had been the practice to report quarterly every circumstance where it appears that the normal requirement to tender had not been followed.

ORDERED that;

1. the exemption in Appendix A to the report be noted.

37

CONFIDENTIAL REPORT

The Audit Commission presented the report to Members. Members were appraised of the background information which led to the review and subsequent report to the Police Authority.

The Audit Commission confirmed that they were satisfied that all the issues detailed within the report were now concluded.

The Audit Commission advised that they were satisfied that the Police Authority had expended its monies and followed the Value for Money processes, and as such they had no concerns regarding lawfulness or legality.

A Member questioned if there had been any reductions in savings to the Police Authority.

The Treasurer informed Members that he had provided the figures to the Police Authority, to permit them to make their final decision and that the figures did show a saving to the Police Authority and that this provided evidence of good value for money.

The Treasurer confirmed that one specific issue pertaining to an overpayment was the result of a process some years ago and that the Audit Commission had rightly brought to his attention and that this had now been rectified.

The Audit Commission confirmed to Members, that the final decision was made by the Police Authority and that the Audit Commission had no challenge to their decision.

The Chair of the Police Authority informed Members that all recommendations with-in the Audit Commissions report had been

adopted by the Police Authority.

He welcomed the advice provided by the Audit Commission and confirmed that the Police Authority had met the Audit Commission's requirements, to come to a lawful conclusion and ultimately a decision, that proved to be Value for Money.

The Chair of the Police Authority thanked the Audit Commission for their assistance in this matter.

The Panel Chair sought assurance that all actions pertaining to this matter were now dealt with.

The Treasurer confirmed that this process was now concluded.

ORDERED that;

1. The report be noted.

38 **MINUTES OF THE SPECIAL POLICE AUTHORITY
EXECUTIVE HELD ON 16 FEBRUARY 2011**

ORDERED that the minutes of the Special Police Authority Executive held on 16 February 2011 were submitted and approved and signed by the Chair as a true and accurate record.

39 **MINUTES OF THE STRATEGIC AIR SUPPORT HELD
ON 16 FEBRUARY 2011**

ORDERED that the following minutes of the Strategic Air Support Panel were submitted and approved.

STRATEGIC AIR SUPPORT

A meeting of the Strategic Air Support Panel was held on Thursday 16 February 2011 commencing at 11.00am in the Members Conference Room at Police Headquarters.

PRESENT: Mr Peter Race MBE (Chair), Mr Ted Cox JP (Vice Chair), Councilor Ron Lowes and Mr Peter Hadfield.

OFFICIALS: Mr John Bage (CE)
Mr Sean White, Mr Simon Wilkinson, Mr Andy Summerbell and Miss Kate Rowntree (CC)

40 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councilor Dave McLuckie (ex officio), Councillor Mary Lanigan, Mr Chris Coombs and Mr Dave Pickard.

41 **MINUTES OF THE PREVIOUS MEETING HELD ON 11
NOVEMBER 2010**

The minutes were held as a true and accurate record.

42

OUTSTANDING RECOMMENDATIONS

ORDERED that;

1. the Outstanding Recommendations were noted.

43

NATIONAL AIR SUPPORT SERVICE UPDATE

Members were informed on the latest developments with the proposals for a National Air Support Service. A briefing document was presented to Chief Constables Council on 15th October 2010 in respect of a National Police Air Service (NPAS) and this was supported by most Chief Constables. On the 20th October Chief Constable Marshall presented some elements of NPAS to Unit Executive Officers (UEO's) and other representatives from every unit in the Country.

The Unit Executive Officer informed Members NPIA reported that there had been a lot of concern from many Forces regarding the financial data within the paper that had been presented to Chief Constables Council. Much of the meeting was spent trying to explain how the financial assumptions had been made.

In January ACC Pickard met with Chief Constable Marshall and was provided with a further update regarding the national picture and it was suggested there was now less opposition to the plans than there had been previously. It was also agreed that NPIA would visit Cleveland Police and go through the financial data with the Force to try and explain the position.

The aims of the scheme appear laudable and with the present financial pressures there could be the opportunity to make significant savings for the Force. However, with the current understood financial proposal, this would actually significantly increase the cost to Cleveland.

ORDERED that;

1. the report be noted.

44

PROCUREMENT UPDATE IN RELATION TO THE PURCHASE OF THE NEW HELICOPTER

Members were reminded that in September 2008, Cleveland Police Authority placed an order for a new helicopter to replace the then present aircraft. The new helicopter is a Eurocopter EC135 P2i which was part of a bulk purchase of 6 aircraft. The specification of each of these aircraft was designed by bringing experts together from police aviation and procurement. The subsequent aircraft were all then identical which will save costs over their lifetime when it comes to any alterations that are required.

Following the acceptance process in December 2010, the aircraft was

finally accepted on the 4th January 2011 and arrived in Cleveland the same day. The new aircraft is now fully operational in the Force area.

Members were informed that the purchase of a new helicopter is a major success for a relatively small force. The helicopter we now own and operate is the most advanced in the world and will have a major benefit to Policing in Cleveland.

ORDERED that;

1. the report be noted.

45

AIR OPERATIONS UNIT PERFORMANCE UPDATE

Members that the report was to provide Members with an update on the performance and finances of the Air Operations Unit. The performance data was attached at Appendix A to the report.

The new helicopter had been a success story for the Force and we now operate the most advanced Police helicopter in the world, after previously operating an aircraft type with the highest flying hours in the world.

ORDERED that;

1. the report be noted.

46

MINUTES OF THE POLICY & RESOURCES HELD ON 17 FEBRUARY 2011

ORDERED that the following minutes of the Policy & Resources Panel held on 17 February 2011

POLICY & RESOURCES

A meeting of the Policy & Resources Panel was held on Thursday 17 February 2011, commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT

Mr Aslam Hanif (Chair), Councillor Hazel Pearson OBE (Vice Chair), Miss Pam Andrews-Mawer, Councillor Ron Lowes, Councillor Paul Kirton, Mr Ted Cox JP and Councillor Carl Richardson.

OFFICIALS

Mr Michael Porter, Dr Neville Cameron, Mr John Bage and Mrs Clare Hunter(CE).
Mr Derek Bonnard, Mrs Ann Hall, Miss Kate Rowntree and Mrs Denise Curtis-Haigh(CC).

47

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Mr Peter Race MBE (ex officio), Mr Sean Price and Councillor Barry Coppinger.

48

DECLARATIONS OF INTERESTS

There were no declarations of interests.

Action

49 **MINUTES OF THE POLICY & RESOURCES PANEL HELD ON 16 DECEMBER 2010**

The minutes were agreed as a true and accurate record.

50 **OUTSTANDING RECOMENDATIONS**

ORDERED that:-

1. the Outstanding Recommendations be noted.

51 **BUDGET MONITORING REPORT to 31 DECEMBER 2010**

The Assistant Chief Officer Finance + Commissioning (ACO F+C) presented the report. Members were reminded that on 25 February 2010 they had approved a Net Budget Requirement (NBR) of £132,172k and budgeted revenue expenditure of £149,573k, the balance of expenditure being funded by specific grants, other income and transfers from reserves. The report set out the progress against delivery of the budget and is part of the process introduced by the Authority to maintain prudent financial management.

Members were informed that by the end of the year, Police Pay is forecast to underspend by £160k due to the ten vacancies in Control Room which didn't fall within the scope of Project I. This was being monitored through the Resource Management Group, chaired by the Deputy Chief Constable.

The ACO F+C informed Members that there is a pressure of £400k on insurance for the current financial year compared to the same point last year. Members were informed that the Force had spent £300k less on public liability claims and those claims paid out by the insurance company where fault and amount are agreed with no requirement for a court decision – several cases with large financial implications had led to this position.

The Chair sought assurance that insurance provision for the next financial year had taken such into account.

The ACO F+C assured Members of such.

ORDERED that:-

1. the report be noted.

52 **CAPITAL MONITORING TO 31 DECEMBER 2010**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) reminded Members that they had approved the capital programme of £10,209k for 2010/11 and the capital plan for 2010/14 at their meeting on 25th February 2010. Members were informed that the report set out the progress against delivery of the programme and is part of the process introduced by the Authority to maintain prudent financial

management.

Members were informed that the programme included new schemes; schemes carried forward from 2009/10 and unallocated funding. Subject to Members approving the proposed changes, along with the previous approved changes shown in Appendix B to the report, the budget now stood at £12,483k in 2010/11.

ORDERED that:-

1. the report be noted.
2. the addition of both the New Headquarters and Preparation of Ladgate Lane for Sale schemes totalling £1,138k, along with additional borrowing to finance those schemes be noted.
3. the re-alignment of Project I related ICT schemes be noted.
4. the adding back of £59k of funds from the Fleet Replacement Programme into the Provision for Business Cases be agreed.
5. the addition of the Stockton CCTV scheme for the refurbishment of the custody CCTV at a cost of £17.4k, approved under delegated authority be noted.
6. the Car Recording Equipment Scheme at a cost of £43.6k be agreed.

53

TREASURY MANAGEMENT TO 31 DECEMBER 2010

The Assistant Chief Officer Finance & Commissioning (ACO F+C) reminded Members that they agreed an investment strategy for 2010/11 in line with the CIPFA Code of Practice at their meeting on 25th February 2010. The report was to update Members on the status of the Authority's investments and borrowing. It is part of the process introduced by the Authority to maintain prudent financial management.

Members were informed that the protection of the Authority's underlying investments will continue to be of utmost importance throughout 2010/11. To that end the investments of the Authority will continue to be placed in a prudent manner and also one that ensures sufficient funds are available to meet its' commitments as they become due.

ORDERED that:-

1. the report be noted.

54

FORCE VETTING OFFICER

The Deputy Chief Constable reminded Members that a review of vetting processes and procedures by the internal auditors and the Operational Performance Team (OPT) had identified a number of recommendations which were presented to the Executive. One of these recommendations was the appointment of a Force Vetting Officer.

Members were informed that following the agreement of the Authority, the Force Vetting Officer (FVO) was appointed in May 2010. Since the appointment of the FVO the recommendations had been actioned and completed. Under the direct management of the FVO, vetting is now more efficient and focused on Force priorities.

The introduction of the Force I/Vet system had made efficiency savings and is more effective for Force purposes as the applications are input at source and electronically sent for completion, this has allowed the section to improve turnaround times enabling Higher Security Vetting to become part of the vetting section work. An aftercare regime process has been formulated and is to be implemented on the approval of the Force Vetting Policy.

The post had proved to be extremely beneficial in a number of important aspects. There is now a central point of contact in relation to vetting issues and has very quickly become established as a point of reference and advice to many departments. It had enabled the Force to become more compliant with ACPO policies and therefore any future HMIC Inspection or audit will provide a positive result.

ORDERED that;

1. the report be noted.

55

**POLICE AUTHORITY INSPECTION RECOMMENDATIONS
UPDATE**

The Service Improvement Manager informed members that at the Police Authority Executive on 15th September 2010, Members were informed of the due process and results of the Cleveland Police Authority Inspection conducted in June 2010. On a scale from one to four, the joint inspection team assessed the Authority's performance as 'THREE', which represents *good performance* and that the Authority is seen to be *performing well*.

Members were informed that out of 23 forces inspected to date, Cleveland was one of only seven police authorities to gain this score, the highest rating achieved in the two phases of the inspection throughout late 2009 and 2010. The final inspection report outlined strengths, areas of innovation and areas for improvement / recommendations which would enhance embedded working practices.

ORDERED that;

1. the report be noted.

56

EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraph 2 of Part 1 of Schedule 12A to the Act.

57

GRIEVANCE REVIEW

The Deputy Chief Constable presented the paper to Members to advise on issues, following recent disciplinary and grievance appeal hearings.

Members were informed that after reviewing a number of recent cases a number of areas had been identified where improvements either had been or were currently in the process of being made.

Members sought a number of clarifications and sought a number of areas of assurance. These were then satisfied.

ORDERED that;

1. the content of the report and associated improvement activity be noted.

58 **MINUTES OF THE POLICE AUTHORITY EXECUTIVE
HELD ON 24 FEBRUARY 2011**

ORDERED that the minutes of the Police Authority Executive held on 24 February 2011 were submitted and approved and signed by the Chair as a true and accurate record.

59 **MINUTES OF THE LEADERSHIP PANEL HELD ON 14
MARCH 2011**

ORDERED that the following minutes of the Leadership Panel were submitted and approved.

LEADERSHIP PANEL

A meeting of the Leadership Panel was held on Tuesday 15 March 2011 in the Members Conference Room at Police Headquarters.

PRESENT: Miss Pam Andrews-Mawer, Cllr Barry Coppinger, Mr Ted Cox JP, Mr. Aslam Hanif, Mr Mike McGrory, Mr Peter Race MBE.

Mrs Julie Leng, Acting Chief Executive, Mr Michael Porter, Treasurer, Dr Neville Cameron, Service Improvement Manager, Mr John Bage Secretariat Support Manager.

ADDITIONAL
MEMBERS None

ACTIONS

60 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Dave McLuckie (Chair).

61 **DECLARATIONS OF INTERESTS**

Miss Pam Andrews- Mawer declared an interest in agenda item 4, Independent Members Transitional Arrangements.

62 **MINUTES OF THE PREVIOUS MEETING HELD ON 14**

DECEMBER 2010.

The minutes of the previous meeting held on 14 December 2010 were accepted as a true and accurate record.

63

INDEPENDENT MEMBERS TRANSITIONAL ARRANGEMENTS

The Acting Chief Executive informed Members that the Association of Police Authorities wrote to the Home Office in November 2010 with a business case for the automatic reappointment of independent members. This was in response to the Minister of State for Policing and Criminal Justice's announcement earlier in the year that he wished to reduce the bureaucratic burden around member appointments between then and the proposed introduction of Police and Crime Commissioners in May 2012.

Members were informed that the Home Office supported the recommendation to introduce automatic Member extensions of terms through to May 2012. The Minister agreed and signed off the Police Authority (Amendment No. 3) Regulations 2010 and they were laid before Parliament and commenced on 19 January 2011.

ORDERED that:

1. the amendments to the Police Authority Regulations – Statutory Instrument – The Police Authority (Amendment No. 3) Regulations 2010 which came into force on 19 January 2011 (attached at Appendix A to the report) be noted.
2. in accordance with the amendments that Miss Pam Andrews-Mawer and Mr Chris Coombs appointments be extended from 31 March 2011 to 10 May 2012 be agreed.

64

ENVIRONMENTAL MONITORING GROUP

The service Improvement Manager informed Members that at an Environmental Briefing on 7 December 2010, it was proposed that the Police Authority create an Environmental Monitoring Group to facilitate the scrutiny of the Force's environmental performance on a regular and formal basis.

Members were informed that the effect that the everyday business of public organisations had on the environment has been coming under intense scrutiny by regulatory agencies, the media and the general public over recent years.

The proposal to form an Environmental Monitoring Group is key to enabling the delivery of reduced carbon emissions year on year. The scope of the group business will ensure that holistic scrutiny is applied to the effects that the day to day business of Cleveland Police and Police Authority have on the environment.

Members queried the situation surrounding Middlesbrough District HQ and what arrangements were in place to carry out such activity with Reliance.

The Service Improvement Manager informed members that the Police Authority were already in discussions with Reliance.

Members asked whether the proposed new Police Headquarters were to be 'A' rated.

The Acting Chief Executive informed Members that this was the intention.

ORDERED that;

1. the creation of a Environmental Monitoring Group be agreed.
2. the terms of reference of the Environmental Monitoring Group be agreed.
3. the membership of the Environmental Monitoring Group be agreed.
4. the method by which the Environmental Monitoring Group will report to the Police Authority be agreed.

65

POLICE AUTHORITY RISK MANAGEMENT UPDATE

The Service Improvement Manager informed Members that at the Leadership Panel on 14 December 2010, Panel Chairs were notified of the process of updating and mitigating risks within Cleveland Police Authority and the scrutiny undertaken by the Joint Risk Management Group and the Audit & Internal Control Panel. The continued and effective use of the risk software system *4Risk*, by the Force and Authority, was also outlined with routine maintenance to the Police Authority Risk Register presented.

The report provided the Leadership Panel with an update of the Police Authority's Risk Register and Action Plan for the period 14 December 2010 to 3 March 2011 which enhanced the management of risk within the Police Authority. This remained an ongoing proactive process embedding risk management in all aspects of the business.

Members queried whether any proposed action plan would nominate specific Members and Officers to carry such functions.

The Service Improvement Manager informed Members that the Risk Management Group will be responding with future recommendations to the Leadership Panel.

ORDERED that;

1. the updates to the Risk Register and Action Plan to 3 March 2011 be noted.

66

BUSINESS PLAN UPDATE

The Treasurer reminded Members that the Business Plan 2010-2013 was approved at the Police Authority Executive on 25th February 2010.

The plan was subsequently amended in July 2010 mainly as a result of the changes to policing priorities as announced by the Home Secretary, in her speech to the ACPO/APA National Conference in June 2010.

Members were informed that the Business Plan is the vehicle for driving service and governance improvements, achieving value for money and for dealing with the recommendations of audits, inspections and reviews. Significant progress had been made during 2010/11 while embedding some significant changes both within the Authority and the Force.

ORDERED that;

1. the progress to the Action Plan attached at Appendix A to the report be noted.

67

POLICE AUTHORITY BUDGET 2011/12

The Treasurer informed Members that the report was to provide Members with an opportunity to review and scrutinise the proposed budget for 2011/12 and provide an update on how the Police Authority budget aligned with the reductions in funding experienced during 2011-12.

Members were also informed that the report also forecasted the savings required from the Police Authority budget in future years to continue to generate savings in line with future cuts to Government funding.

The Treasurer reminded Members of the significant cuts in Government Funding that had occurred for 2011/12 and that further significant cuts were planned and expected over the following 3 years.

Members agreed at their meeting on the 28th September 2010 that the Authority would target the delivery of savings within its own budget that are equal to the reduction in Net Budget Requirement for the entire organisation.

The report is part of an ongoing process within the Authority to improve governance in every aspect of the business.

Members requested clarification on a particular reference to reduction of funds for specific projects.

The Treasurer provided the necessary assurance to Members.

ORDERED that;

1. the Police Authority budget for 2011/12 be agreed.
2. the Budget be reduced in 'Cash Terms' by £47k (or 3.9%) from the budget set in 2010/11 and that this is in line with the reduction in Net Budget Requirement approved by Members when setting the overall 2011/12 Budget, be noted.

68 **EXCLUSION OF PRESS AND PUBLIC**

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 3 of Part 1 of Schedule 12A to the Act.

69 **POLICE AUTHORITY BUDGET 2010/11**

The treasurer informed Members that the report was to provide Members with an update on expenditure to the end of January 2011 against the 2010/11 Police Authority budget and a forecast of the Outturn for the current financial year.

Members were informed that the report was part of an ongoing process within the Authority to improve governance in every aspect of its business.

ORDERED that;

1. the under spend to the budget to the end of January be noted.

70 **ANY OTHER BUSINESS**

The Acting Chief Executive informed Members that consideration be given to the Police Authority contributing to a lobbying organisation previously utilised by police authorities across the UK.

Her Majesty's Government are trying to replace Police Authorities across the UK with directly elected Police Crime Commissioners (PCC's), to which this Police Authority along with the majority in the UK oppose.

It is proposed to contribute to a fund also being populated by other Police Authorities, so that further lobbying and evidence gathering can be generated, with a view of opposing the introduction of PCC's.

ORDERED that;

1. a contribution to the lobbying fund be agreed.

71 **MINUTES OF THE OPERATIONAL POLICING PANEL
HELD ON 24 MARCH 2011**

ORDERED that the following minutes of the Operational Policing Panel were submitted and approved.

OPERATIONAL POLICING PANEL

A meeting of the Operational Policing Panel was held on Thursday 24 March 2011 commencing at 10.00 am in the Police Authority Members Room at Police Headquarters.

PRESENT Councillor Barry Coppinger (Chair), Mr Chris Coombs (Vice Chair), Miss Pam Andrews-Mawer, Mayor Stuart Drummond, Mr Geoff Fell, Mr

Aslam Hanif, Mr Peter Race MBE (ex officio and Councillor Carl Richardson.

ADDITIONAL
ATTENDEES Mr Ted Cox JP and Councillor Ron Lowes.

OFFICIALS Mrs Sarah Wilson, Mr John Bage and Miss Rachelle Kipling (CE).
Assistant Chief Constable Sean White and Miss Kate Rowntree (CC).

72 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio), Councillor Hazel Pearson OBE and Assistant Chief Constable Dave Pickard.

73 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

74 **MINUTES OF THE PREVIOUS MEETING HELD ON 26 JANUARY 2011**

The minutes of the previous meeting were accepted as a true and accurate record.

75 **OUTSTANDING RECOMMENDATIONS**

ORDERED that:-

1. the outstanding recommendations be noted and updated.

76 **FORCE PERFORMANCE REPORT (APRIL 2010 – JANUARY 2011)**

The Assistant Chief Constable (Territorial Operations) presented the report to Members on Force performance against the 2010/11 Policing Plan Priority, for the period April 2010 to January 2011.

Progress against the Policing Plan Priority was monitored using the Priority Indicator Set. The Priority Indicator Set provided a suite of key performance measures (i.e. 'a performance dashboard'), which aimed to reflect outcome performance in relation to the local policing priority and the Chief Constable's vision of Putting People First.

Members were informed that for 2010/11, there were 18 performance measures within the Priority Indicator Set. Of these currently, 11 were green and 7 were red.

However, Members were informed that public confidence remained high. Cleveland Police remained one of the highest performing Forces in the country (currently in 3rd position).

Members were also made aware that overall sanction detection rates remained stable. The annual target for 2010/11 was to maintain a level of at least 37%. Year to date figures showed the detection rate currently stood at 39.8%, slightly above the detection rate achieved at

the same time last year.

Members queried if it was possible to put a monetary value to each crime.

The Assistant Chief Constable (Territorial Operations) informed Members that the Home Office had carried out something similar in the past but just in relation to burglary.

The Chair queried if it could be possible to have a cost breakdown of criminal damage.

The Assistant Chief Constable informed that this would be examined.

**Assistant Chief
Constable (TO)**

ORDERED that:-

1. the Force performance against targets be noted.

77

ANTI-SOCIAL BEHAVIOUR UPDATE

The Assistant Chief Constable (Territorial Operations) presented the report to update Members on the progress of the anti-social behaviour (ASB) improvement plan.

Members were reminded that in the spring of 2010 Her Majesty's Inspectorate of Constabulary (HMIC) carried out a review of anti-social behaviour in England & Wales. In June 2010, HMIC conducted an inspection of Cleveland Police focusing on how the Force tackled anti-social behaviour incidents.

Nationally, individual Force inspection reports were supported by an HMIC Anti-Social Behaviour Summary Inspection Report, this outlined 'what works' and 'what does not work' in tackling anti-social behaviour. The local and summary inspection reports were further supported with the publication of HMIC 'Anti-Social Behaviour: Stop the Rot' report.

Members were informed that the Force undertook an analysis of the reports, comparing current practice within Cleveland Police, emerging findings from the reports and developed an ASB action plan. A copy of the action plan was attached at Appendix A to the report.

Members were reminded that two Members within the Authority were fully involved in the production and development of the ASB action plan.

Members queried as to whether a computer system would be able to identify repeat victims of ASB.

The Assistant Chief Constable (Territorial Operations) informed Members that IIZUKA, a Citizen Service Management system will be able to link back to victims.

Members asked if a presentation in relation to the IIZUKA system would be possible once it is up and running.

The Assistant Chief Constable agreed for a presentation to be

Assistant Chief

arranged.

Members sought assurance in regards to ASB budgets possibly being cut within Local Authorities and if any plans had been put in place around this.

The Assistant Chief Constable (Territorial Operations) informed Members that District Commanders had been asked to work closely with Local Authorities to provide strategies which could combat future ASB.

ORDERED that:-

1. a presentation be held once the IIZUKA system is up and running be agreed.
2. the content of the report be noted.

78

FORCE PERFORMANCE TARGETS FOR 2011/12

The Assistant Chief Constable (Territorial Operations) informed Members that this report was to provide an update in relation to the Force target setting process and to present to Members for approval, the Force target recommendations for 2011/12 as proposed by the Force Executive.

Members of the Police Authority had been heavily involved in all stages of the target setting process.

Historically the Force's target setting process had been delivered around the central concept of a Priority Indicator Set. The Force Executive had identified a 'priority indicator set' against which performance targets were proposed for the coming year. This reduced suite of performance indicators will be used to measure high level strategic outcomes and delivery of the local policing priorities for 2011/12 and the Chief Constables vision of Putting People First.

Members sought assurance in relation to the affect of Regulations such as A19 being imposed on Officers and Staff.

The Assistant Chief Constable (Territorial Operations) reminded Members that the implications of Regulations such as A19 will affect over 200 Police Officers. It is understood that this will create pressures across the whole of the Force and that there would be a loss of experienced Officers.

The Chair reminded Members that Cleveland Police had never been as popular with local residents and that satisfaction levels remained high.

ORDERED that:-

1. the proposed target recommendations for 2011/12 be approved.
2. the context within which the target recommendations are made be noted.

79

NEIGHBOURHOOD POLICING UPDATE

The Assistant Chief Constable (Territorial Operations) presented this report to update Members on the continued progress of Neighbourhood Policing.

Members were informed that the Force had dedicated 12 Inspectors, 38 Police Sergeants and 148 Police Constables to Neighbourhood Policing. The future financial constraints placed on the Force, had necessitated a re-structuring of PCSO staffing levels to 176. This process ensured that PCSOs remained a key component in supporting Neighbourhood Policing within local communities.

Neighbourhood Policing continued to provide effective community engagement, joint agency problem solving and collaboration to address local problems. A number of Neighbourhood initiatives had featured as 'good news' stories within the local media. The value of combined support to Neighbourhood Policing is evidenced in continued public confidence; the British Crime Survey indicates the Force was now the 3rd highest in the country, whilst the Local Public Confidence Survey reported that 89.5% of residents had confidence in Cleveland Police.

Members commented on the introduction of probationary officers to a mandatory attachment in Neighbourhood Policing to support the delivery of Neighbourhood and Force objectives.

The Assistant Chief Constable (Territorial Operations) informed Members that Officers within the first two years of their probationary service will spend 2-3 months of their time in Neighbourhood Policing.

ORDERED that:-

1. the contents of the report be noted.

80

2011/12 LOCAL POLICING SUMMARY

The Assistant Chief Constable (Territorial Operations) presented the report to Members in order to approve the final drafts of the 2011/12 Local Policing Summary. An example summary was attached at Appendix A to the report.

The Serious Organised Crime and Police Act 2005 set out the requirement for Police Authorities to prepare local policing information.

Members were informed that the 2011/12 Local Policing Summaries would be distributed to households in the six weeks following delivery to the distribution company on 3rd May 2011.

Members queried as to what the overall cost of production and distribution was for this document.

Members commented on the Police Headquarters information within the Policing Summaries and requested that it be made more explicit that the proposed new Headquarters will be neutral in cost.

**Consultation and
Performance
Officer**

ORDERED that:-

1. the production and distribution cost of the Policing Summaries be forwarded to Members be agree.
2. the neutral cost in relation to the New Police HQ be made more explicit within the Policing Summaries be agreed.
3. the template for the Local Policing Summaries as attached to the report be agreed.

81

OPERATION TORNADO CONSULTATION

The Consultation and Performance Officer presented the report to Members to inform them of consultation sessions held as part of Operation Tornado.

From 31st January 2011 Cleveland Police ran an Operation Sabre initiative entitled Operation Tornado. This involved a variety of activities, from drug raids to street cleaning.

Members were informed that Cleveland Police Authority took part in two public engagement activities in Stockton, at Teesside Park in Thornaby, Low Grange Shops and Tesco at Billingham.

The Consultation and Performance Officer informed Members that in total 184 people completed questionnaires, 101 at Teesside Park and 83 at Billingham.

Members were informed that respondents were supportive towards their local Police, with many stating that they had regularly seen their local teams and know how to contact them.

ORDERED that:-

1. the contents of the report be noted.

82

STAKEHOLDER EVENT SPEED DATING RESULTS

The Consultation and Performance Officer presented the report to inform Members of the results of the speed dating session held at the Police Authority Stakeholder Event 2010/2011.

Members were reminded that during the summer of 2010, Cleveland Police Authority held a series of consultation road shows at public events. The aim of the events were to seek the public's views regarding future budgets. Participants were given £100 of imitation money and asked to allocate it amongst five categories of policing. These were:

- ☐ Roads Policing
- ☐ Investigating Local Crime
- ☐ Responding to 999 calls
- ☐ Serious and Organised Crime
- ☐ Neighbourhood Policing

At the Cleveland Police Authority Stakeholder Event held on 4th

February 2011 a similar exercise was conducted with Partner agencies. Partners were given £100 of imitation money with three additional categories added:

- ☐ Vulnerability Unit
- ☐ Air Support
- ☐ Counter Terrorism

The Consultation and Performance Officer informed Members that the results received from partners were considerably different to those obtained from the general public at the summer road shows.

Members queried as to whether there were any plans to share the results of the exercises and the Voicebox Videos.

The Chair responded by commenting on the usefulness of sharing the information with partner agencies.

ORDERED that:-

1. the sharing of consultation exercise results and Voicebox videos be agreed.
2. the contents of the report be noted.

83

PARTNERSHIP STRATEGY AND CODE OF PRACTICE

The Consultation and Performance Officer informed Members that the purpose of the report was for Members to consider the Partnership Strategy and Code of Practice attached at Appendix A to the report.

Members were informed that partnerships play an important role in service delivery. The Police Authority is committed to strengthening the governance arrangements and strategic direction for existing and future partnerships entered into by the Authority.

ORDERED that: -

1. the attached Partnership Strategy and Code of Practice at Appendix A to the report be agreed.

84

MINUTES OF THE STRATEGIC PERFORMANCE GROUP

Members inspected the minutes of the Strategic Performance Group meetings held on:

- ☐ 28 January 2011
- ☐ 25 February 2011

Members sought assurance in relation to any possible appeals procedure relating to Regulation A19.

Members were assured that a degree of pragmatism had been applied to the situation and that a fair and transparent process was in place.

ORDERED that:-

1. the minutes of the above meetings be noted.

85

MINUTES OF THE PUTTING PEOPLE FIRST BOARD

Members inspected the minutes of the Putting People First Board held on:

- ☐ 2 February 2011

ORDERED that:-

1. the minutes of the above meeting be noted.

86

ANY OTHER BUSINESS

The Chair reminded Members that the Neighbourhood Policing Awards were launched on Monday 21 March 2011.

87

EXCLUSION OF THE PRESS AND PUBLIC

ORDER that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraph 7 of Part 1 of Schedule 12A to the Act.

88

PROTECTIVE SERVICES UPDATE

The Assistant Chief Constable (Territorial Operations) presented Members with an update in relation to Protective Services.

Following recent inspections by HMIC the Force was assessed as 'meets the standards' in relation to Serious Organised Crime and Major Crime.

ORDERED that:-

1. the contents of the report be noted.

89

**MINUTES OF THE SPECIAL POLICY & RESOURCES
PANEL HELD ON 31 MARCH 2011**

ORDERED that the following minutes of the Special Policy & Resources Panel were submitted and approved.

SPECIAL POLICY & RESOURCES

A Special meeting of the Policy & Resources Panel was held on Thursday 31 March 2011, commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT

Mr Aslam Hanif (Chair), Miss Pam Andrews-Mawer, Councillor Ron Lowes, Councillor Paul Kirton, Mr Peter Race MBE (ex officio), Councillor Barry Coppinger and Mr Ted Cox JP.

OFFICIALS

Mr Michael Porter, Mrs Julie Leng and Mr John Bage (CE).

Mr Sean Price, Mr Derek Bonnard, Mrs Ann Hall and Miss Kate Rowntree (CC).

90 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dave McLuckie (ex officio) and Councillor Hazel Pearson OBE (Vice Chair).

91 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

Action

92 **MINUTES OF THE POLICY & RESOURCES PANEL HELD ON 17 FEBRUARY 2011**

The minutes were agreed as a true and accurate record.

93 **OUTSTANDING RECOMENDATIONS**

ORDERED that:-

2. the Outstanding Recommendations be noted.

94 **BUDGET MONITORING REPORT to 28 FEBRUARY 2011**

The Assistant Chief Officer Finance + Commissioning (ACO F+C) presented the report. Members were reminded that on 25 February 2010 they had approved a Net Budget Requirement (NBR) of £132,172k and budgeted revenue expenditure of £149,573k, the balance of expenditure being funded by specific grants, other income and transfers from reserves. The report set out the progress against delivery of the budget and is part of the process introduced by the Authority to maintain prudent financial management.

Service Units continued to robustly manage their budgets and after some rework around end of year priorities, Appendix A to the report illustrated a £50k underspend across Operational and Central Service Support Services.

Members were informed that within the Special Operations area, some ammunition has been ordered but will not be received until early April due to lead times and therefore a request is made to carry £6.5k forward into the 2011/12 financial year.

ORDERED that:-

2. the report be noted.
3. the carry forward of £6.5k for the purchase of ammunition be agreed.

95 **CAPITAL MONITORING TO 28 FEBRUARY 2011**

The Assistant Chief Officer Finance & Commissioning (ACO F+C)

reminded Members that they had approved the capital programme of £10,209k for 2010/11 and the capital plan for 2010/14 at their meeting on 25th February 2010. Members were informed that the report set out the progress against delivery of the programme and is part of the process introduced by the Authority to maintain prudent financial management.

The report sets out progress against delivery of the Capital Programme for 2010/11 and recommendations to make optimum use of the capital resource available to the Authority to refresh and develop the asset base for policing in the 21st Century in line with the vision of 'Putting People First'.

ORDERED that:-

7. the report be noted.
8. the adding back of £125.9k from schemes as at paragraph 2.2 to the report be agreed.
9. the carry forward into 2011/12 of unutilised monies of £148.3k from the provision for business cases be agreed.
10. the release of £40.6k from earmarked reserves to fund the 2010/11 capital spend on the Carbon Reduction Programme be agreed.
11. the carry forward of £3,558.6k for schemes at paragraph 2.5 to the report, into the 2011/12 Capital Programme be agreed.

96

MINUTES OF THE POLICE AUTHORITY EXECUTIVE HELD ON 15 APRIL 2011

ORDERED that the minutes of the Police Authority Executive held on 15 April 2011 were submitted and approved and signed by the Chair as a true and accurate record.

97

MINUTES OF THE AUDIT & INTERNAL CONTROL PANEL HELD ON 21 APRIL 2011

ORDERED that the following minutes of the Audit & Internal Control Panel were submitted and approved.

AUDIT & INTERNAL CONTROL PANEL

A meeting of Audit & Internal Control Panel was held on Thursday 21 April 2011 in the Members Conference Room at Police Headquarters.

PRESENT: Councillor Caroline Barker, Mr Geoff Fell, Mr Peter Hadfield (Vice Chair), Mr Mike McGrory JP (Chair), Councillor Ron Lowes, Mr Chris Coombs and Mayor Stuart Drummond.

OFFICIALS: Mr Michael Porter and Mr John Bage (CE)
Mr Derek Bonnard, Mrs Ann Hall and Miss Kate Rowntree (CC)
Mr Ian Wallace (IA)

98 **APOLOGIES FOR ABSENCE**

Councillor Dave McLuckie (ex officio) and Ms Gill Gittins (Audit Commission).

99 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

100 **MINUTES OF THE PREVIOUS MEETING HELD ON 10 FEBRUARY 2011**

A Member informed the Panel that they had been missed off the minutes of the previous meeting, following this correction the minutes were held as a true record.

101 **OUTSTANDING RECOMMENDATIONS**

ORDERED that;

2. the Outstanding Recommendations were noted and updated.

102 **INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that the purpose of the report was to update Members on the requirement to adopt International Financial Reporting Standards (IFRS), for Local Authority (including Police Authority) financial statements from 2010/11.

Accounting statements that are fully compliant with International Financial Reporting Standards (IFRS) must be produced for the 2010/11 financial year, including comparators for 2009/10, together with an opening (transition) balance sheet at 1st April 2009.

Members were informed that a significant amount of work had already taken place within the Corporate Finance Department, and now in co-ordination with Steria, to ensure that all of the required changes as a result of adopting IFRS are incorporated into the Statement of Accounts in line with the requirements of the timetable for Local Government.

Members queried what effect annual leave, flexi leave and time off in lieu not taken at 31st March in any particular year, had on the Organisation.

ACO F+C informed Members that IFRS requires a monetary value on such; however it is rarely taken as cash and is usually found to be returned as holidays or early retirement.

A cost benefit analysis to be undertaken and brought to Members attention along with information from the Audit Commission to clarify

whether or not there would be any additional costs brought to the Police Authority for any further précis of documentation.

Treasurer
ACO F+C

ORDERED that;

1. the contents of the report be noted.
2. a summary of the financial statements be provided in future years be agreed.

103

STANDING FINANCIAL INSTRUCTIONS

The ACO F+C informed Members that the Standing Financial Instructions (SFIs) related to those budgets and financial activities delegated to the Chief Constable by the Police Authority.

Members were informed that the SFIs detail the financial responsibilities, policies and procedures adopted by the Force which apply to everyone working for the Force. They were designed to ensure that the Force's financial transactions are carried out in accordance with the law and within the authority delegated to the Chief Constable by the Police Authority.

The ACO F+C informed Members that the information had also been given to Steria and that Steria had been requested to report back to Members how they comply.

ACO F+C

Members queried why the amount that the Chief Constable may vire from the budget was so high, £100k or 10%.

The Treasurer informed Members that this was to allow the Chief Constable operational flexibility.

ORDERED that;

1. the Standing Financial Instructions be agreed.

104

DRAFT ANNUAL GOVERNANCE STATEMENT 2010/11 AND SOURCES OF ASSURANCE

The Treasurer informed Members that the purpose of the report was firstly to bring forward a further draft of the 2010/2011 Annual Governance Statement which builds upon the first draft presented to Members at their February meeting.

Secondly it was to provide Members with an opportunity to review and comment on the Sources of Assurance as part of the process of establishing the assurance framework in support of the Annual Governance Statement.

Members were reminded that they had received an initial draft of the 2010-11 Annual Governance Statement at their meeting in February 2011 and as part of the approved timetable for the production of the

2010/11 statement, approved that a second draft of the report be brought to the April meeting in advance of the final report being presented for approval at the June meeting.

As part of the framework for preparing the Annual Governance Statement it was necessary to identify the Sources of Assurance which underpin the provision of assurance on the adequacy and effectiveness of controls over key risks. These sources of assurance linked directly to key controls and the extent to which positive assurances, or otherwise, had been obtained will then feed into the final review of key controls.

Members queried whether the Police Authority's Leadership Panel should be included in the 'Corporate' area of sources.

The Treasurer agreed.

Treasurer.

ORDERED that;

1. the second draft of the 2010/2011 Annual Governance Statement to be further progressed as per Appendix A to the report, be agreed.
2. the Sources of Assurance at Appendix B to the report be agreed.

105

CORPORATE GOVERNANCE – SERVICE UNIT QUESTIONNAIRES

The Internal Auditor informed members that to facilitate the production of the Annual Governance Statement the Authority had developed a process where Annual Service Unit Assurance Assessments are completed by Service Unit Managers within the Force, to confirm that the governance arrangements within the Service Unit are compliant with the internal control framework and evidence the declarations within the Annual Governance Statement

Members were informed that taking account of the issues identified, the Authority can take substantial assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective.

ORDERED that;

1. the report be noted.

106

CAPITAL CONTRACTS

The Internal Auditor informed Members that since 2007 Cleveland Police Authority had adopted a more strategically focused approach towards developing its Capital Plan which had enabled the capital programme to be built around schemes aligned with strategic objectives. Within this approach funding had been retained for in – year capital projects which are approved on a case by case basis.

A Capital Plan for the period April 2010 to March 2014 had been

developed. It included capital funding for the Information Systems Improvement Strategy, Air Support Programme, Facilities Programme, ICT Programme and Fleet Programme. The overall purpose of the programme was to provide sufficient funding to renew the current asset base, equipment replacement programmes and business continuity requirements whilst at the same time maintaining flexibility to respond to schemes arising from programmes still in development.

Members were informed that taking account of the issues identified, the Authority can take substantial assurance that the controls upon which the organisation relies to manage this area are suitably designed, consistently applied and effective.

ORDERED that;

1. the report be noted.

107

ASSURANCE STOCKTAKE

Members were informed that a review of Assurance Stocktake was undertaken as part of the approved internal audit periodic plan for 2010/11.

The Internal Auditor informed Members that in 2009/10 they undertook a review of risk maturity at Cleveland Police Authority and concluded that the Authority was risk defined in that the risk management strategy and policy had been developed and communicated through the organisation.

Members were informed that Cleveland Police Force and Authority had made significant progress in developing a risk management framework. The Force had a Strategic Risk Register and a series of Operational Risk Registers which identify the risk, cause and effect, existing controls and any actions required to address the risk. The Authority had a strategic risk register in place and both the Authority and the Force use 4 Risk.

Members were informed that the assurance stocktake builds on the previous risk maturity audit, to review the effectiveness of the arrangements for mapping and managing assurances, thus providing the Authority with reasonable comfort that mitigation strategies are effectively identified and implemented. In addition an effective assurance framework facilitates the completion of the Authority's Annual Governance Statement which is required by CIPFA 'Delivering Good Governance in Local Government'.

The Deputy Chief Constable informed Members that he supported in principle the recommendations but informed that there is a balance to be taken between checking everything and actual operational working.

ORDERED that;

1. the report be noted.

108

INTERNAL AUDIT PROGRESS REPORT

Members were informed that the periodic internal audit plan for 2010/11 was approved by the Audit and Internal Control Panel on 3 June 2010. The report summarised the outcome of work completed to date against that plan. Appendix A to the report outlined the detailed internal audit plan approved by the Panel, whilst Appendices B and C to the report provided cumulative data in support of internal audit performance.

The Internal Auditor informed Members that they had not identified any major issues in the work undertaken to date, that would impact upon their annual opinion.

ORDERED that;

1. the report be noted.

109

INTERNAL AUDIT ANNUAL REPORT

The Internal Auditor informed Members that they were satisfied that sufficient internal audit work has been undertaken to allow them to draw a reasonable conclusion on the adequacy and effectiveness of Cleveland Police Authority's arrangements.

For the 12 months ended 31 March 2011, based on the work the Internal Auditors had undertaken, their opinion regarding the adequacy and effectiveness of Cleveland Police Authority's arrangements for Governance, Risk Management and Control were all given a 'Green' assurance level, which were effectively 'Positive Opinion'.

ORDERED that;

1. the report be noted.

110

STRATEGY FOR INTERNAL AUDIT

The Internal Auditor informed Members that the strategy sets out the approach the Internal Audit have taken to develop the Police Authority's internal audit plan for 2011 / 2014. It provided the Authority with a three year strategy and a more detailed plan for 2011/12.

Members were informed that Cleveland Police Authority's objectives and risk profile are the starting point in the development of the strategy for internal audit for the organisation, which was set out at Appendix A to the report.

The strategy will be revisited each year to confirm current priorities for internal audit coverage and to develop a detailed internal audit plan for the forthcoming year. The detailed plan for 2011/2012 is set out at Appendix B to the report.

In agreeing the Strategy and Plan the meeting noted that in the present climate a flexible approach would be necessary and that Internal Audit would work closely with Officers of the Authority and the Force as the year progressed to ensure continuing relevance to

our audit needs.

ORDERED that ;

1. the Internal Audit Strategy 2011/12-2013/14 and the Audit Plan for 2011/2012 be agreed.

111

INTERNAL AUDIT SERVICES – ANNUAL REVIEW 2010/2011

The Treasurer informed Members that each year, the Authority is required to review the effectiveness of the Internal Audit Service. The report was intended to allow Members to discharge that responsibility.

Internal auditors provide Officers and Members with an independent assessment of the adequacy and effectiveness of the internal controls operating within the organisation.

The Treasurer informed Members that the report fulfilled the requirement for an annual review of the effectiveness of Internal Audit.

Members sought assurance that Internal Audit were aware of the Terms of Reference pertaining to Fraud and Anti-Corruption.

The Internal Auditor assured Members that the Internal Audit does have a partial knowledge of such, but because the Police have their own Professional Standards Dept. in addition to their policies, it provides the required assurance in such matters.

ORDERED that;

1. the specific analysis at Appendix A to the report be noted.
2. the corporate self assessment from RSM Tenon at Appendix B to the report be noted.
3. the summary of questionnaires returned by auditees at Appendix C to the report be noted.
4. the contract monitoring information contained at Appendix D to the report.

112

AUDIT COMMISSION AUDIT PLAN

The Treasurer presented the report to Members on behalf of the Audit Commission.

Members were informed that the plan set out the audit work that the Audit Commission proposed to undertake for the audit of financial statements and the value for money conclusion 2010/11.

The plan is based on the Audit Commission's risk-based approach to audit planning. It reflected:

- ✍ audit work specified by the Audit Commission for 2010/11;

- ✍ current national risks relevant to your local circumstances; and
- ✍ the Authority's local risks.

The Treasurer informed Members that this report was brought to the Panel's pre agenda and was accepted as a forward plan of action. The Treasurer informed Members that he was content with the Plan.

ORDERED that;

1. the report be noted.

113

ANNUAL AUDIT FEE 2011/12

The Chair presented to Members a letter received from the Audit Commission informing the Police Authority of its proposals for the Audit Fee.

The letter confirmed the audit work that they proposed to undertake for the 2011/12 financial year at Cleveland Police Authority. The fee reflected the risk-based approach to audit planning set out in the Code of Audit Practice and work mandated by the Commission for 2011/12.

Members were informed that the audit fee covered:

- ✍ the audit of financial statements;
- ✍ the value for money conclusion; and
- ✍ the Whole of Government accounts.

The Audit Commission informed that it will issue a separate audit plan in December 2011. This will detail the risks identified to both the financial statements audit and the value for money conclusion. The audit plan will set out the audit procedures they plan to undertake and any changes in fee.

ORDERED that;

1. the report be noted.

114

EXCLUSION OF PRESS AND PUBLIC

ORDERED that pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under Paragraphs 3 and 7 of Part 1 of Schedule 12A to the Act.

115

FRAUD RESPONSE PLAN

The Deputy Chief Constable informed Members that this is an update of the Draft Fraud Response plan that was considered by Members previously. The purpose is to seek approval of the plan as set out in Appendix A to the report and then adopt this as the Fraud Response Plan.

The report fulfilled the recommendations of the Counter Fraud and Corruption advisory report in respect of establishing a Fraud Response

Plan to be activated in the event that the Authority experiences such an event.

Members queried a number of areas of the report and sought extensive assurances from the Force, of which all were satisfied.

Members sought an update regarding the Monitoring Officer position.

Members were informed that work is being carried out to identify a more permanent arrangement, however until that time the Police Authority continues to use the services of the Deputy Monitoring Officer as, and when required.

ORDERED that;

1. the Fraud Response Plan as set out at Appendix A to the report be agreed.

116

ANY OTHER BUSINESS

Members sought clarification over an item of information brought to Members attention at a previous meeting.

117

CLOSE OF MEETING

118

**MINUTES OF THE EXTRAORDINARY POLICE
AUTHORITY EXECUTIVE HELD ON 26 MAY 2011**

ORDERED that the minutes of the Extraordinary Police Authority Executive held on 26 May 2011 were submitted and approved and signed by the Chair as a true and accurate record.

CLEVELAND FIRE AUTHORITY

MINUTES OF ANNUAL MEETING

10 JUNE 2011



PRESENT:

CHAIR:-
 Councillor O'Donnell – Stockton on Tees Borough Council
HARTLEPOOL BOROUGH COUNCIL
 Councillors Akers-Belcher, Payne, Richardson, Wells
MIDDLESBROUGH COUNCIL
 Councillors Biswas, Brunton, Clark, Morby
REDCAR & CLEVELAND BOROUGH COUNCIL
 Councillors Abbott, Briggs, Cooney, Dunning, Ovens
STOCKTON ON TEES BOROUGH COUNCIL
 Councillors Corr, Cunningham, Gardner, Stoker, Walmsley, Woodhead
AUTHORISED OFFICERS
 Chief Fire Officer, Director of Corporate Services, Deputy Legal
 Adviser/Monitoring Officer
BRIGADE OFFICERS
 Head of Corporate Support

APOLOGIES FOR ABSENCE: Councillor Jeffries – Redcar & Cleveland Borough Council
 Councillors Lancaster, Pearson – Middlesbrough Council

1. APPOINTMENT OF CHAIR FOR THE ENSUING YEAR

The Director of Corporate Services sought nominations for the position of Chair of Cleveland Fire Authority for 2011/2012. Councillor Jean O'Donnell was subsequently proposed and seconded whereupon nominations were closed.

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

Councillor O'Donnell in the Chair.

The Chair thanked Members for their nominations and stated that she was looking forward to continuing to work with Members and Officers on the challenges facing the Authority in the coming year. The Chair also extended the Authority's thanks to Messrs Atkinson, Porley, Rogers, Thompson, Salt and Councillors Forster, Kirton, Lewis and Patterson for their commitment and support as Members of Cleveland Fire Authority.

The Chair welcomed Councillors Richardson and Wells from Hartlepool Borough Council, Councillor Biswas from Middlesbrough Council and Councillors Corr, Cunningham, Gardner and Walmsley from Stockton on Tees Borough Council to the Authority.

Members wished to place on record their sincere gratitude to Councillor Forster for her outstanding contribution to the Authority over the last 11 years and especially her work as Chair of the CFA, LACC and RMB. The Chair confirmed that a formal letter and a personal letter of thanks had been sent to Councillor Forster.

2. DECLARATIONS OF MEMBERS INTEREST

It was noted no Declarations of Interests were submitted to the meeting.

3. APPOINTMENT OF VICE CHAIR FOR THE ENSUING YEAR

The Chair sought nominations for the position of Vice Chair to Cleveland Fire Authority for 2011/2012. Councillor Payne was proposed and seconded whereupon nominations were closed.

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

4 REPORT OF THE LEGAL ADVISER

4.1 Business Report 2011/12

The Deputy Legal Adviser sought Members views regarding the principles to the Corporate Governance framework outlined at paragraph 3 and sought Members views regarding the Corporate Governance Framework as outlined at Appendix 1 which detailed the following:

- CFA Membership 2011/12
- Calendar of Meetings 2011/12
- Terms of Reference
- Committee Structure
- Delegation Scheme
- Financial Procedure Rules
- Standing Orders of the Authority
 - Standing Orders in Respect of Proceedings
 - Contract Procedure Rules
- Code of Corporate Governance
- Members Allowance Scheme

Members were asked to consider and comply with the Ethical Governance Framework outlined at Appendix B which included:

- Anti-Fraud and Anti-Corruption Strategy
- Standards and Partners
- Member Code of Conduct
- Register of Member Interests
- Declaration of Gifts and Hospitality
- Hearing Procedures
- Complaints Procedure

The Deputy Legal Adviser informed Members that the above framework will be reviewed following the passing of the Localism Bill in December 2011.

Members were also asked to consider the Member Development Framework 2011/15 at Appendix C which detailed:

- Training & Development
- Induction Programme
- Mentoring Scheme
- Member Development Plans
- Guide to Members Roles
- Resources/ Assessment

4.1 Business Report 2011/12 continued

The Deputy Legal Adviser sought nominations for the ensuring year for Committees, Outside Bodies and Member Champions.

Following the resignation of Councillor Forster, as a Trustee of the Cleveland Fire Support Network, Members nominated Councillor O'Donnell as a Trustee to the Fire Support Network.

RESOLVED:-

- (i) That the Corporate Governance Framework principles as outlined at paragraph 3 be approved.
- (ii) That the Corporate Governance Framework as outlined at paragraph 4 and Appendix A be approved.
- (iii) That the Ethical Governance Framework of the Authority as outlined at paragraph 5 and Appendix B be approved and complied with.
- (iv) That the Member Development Framework which includes the Role of Members outlined at paragraph 6 and Appendix C be approved.
- (v) That Member attendance at the associated meetings as outlined at paragraph 7 be noted.
- (vi) That Councillor Jean O'Donnell be appointed the Cleveland Fire Authority representative on the Board of Trustees for the Cleveland Fire Support Network.
- (vii) That Members appointments to Committees and outside bodies as outlined at paragraph 8 be approved as follows:

EXECUTIVE COMMITTEE 4-1-1-1

LAB	O'DONNELL	CHAIRMAN
LAB	PAYNE	VICE CHAIR
LAB	BRIGGS	REDCAR
LAB	BRUNTON	MIDDLESBROUGH
LD	OVENS	REDCAR
CONS	WOODHEAD	STOCKTON
IND	CORR	STOCKTON

TENDER COMMITTEE 2-1 (AD HOC)

LAB	O'DONNELL	CHAIR
LAB	PAYNE	VICE CHAIR
CONS	WELLS	HARTLEPOOL

OVERVIEW AND SCRUTINY COMMITTEE 4-1-1-1

LAB	RICHARDSON	HARTLEPOOL
LAB	DUNNING	REDCAR
LAB	CUNNINGHAM	STOCKTON
LAB	LANCASTER	MIDDLESBROUGH
CONS	WELLS	HARTLEPOOL
CONS	COONEY	REDCAR
IND	MORBY	MIDDLESBROUGH

4.1 Business Report 2011/12 continued

AUDIT AND GOVERNANCE COMMITTEE 4-1-1-1

LAB	STOKER	STOCKTON
LAB	BISWAS	MIDDLESBROUGH
LAB	AKERS BELCHER	HARTLEPOOL
LAB	JEFFRIES	REDCAR
CONS	PEARSON	MIDDLESBROUGH
LD	ABBOTT	REDCAR
IND	WALMSLEY	STOCKTON

STANDARDS COMMITTEE 2-1-1 plus 3 Independent persons

LAB	BRIGGS	REDCAR
LAB	CLARK	MIDDLESBROUGH
CONS	WOODHEAD	STOCKTON
LD	OVENS	REDCAR

APPEALS COMMITTEE 4-1-1-1 (AD HOC)

LAB	STOKER	STOCKTON
LAB	BISWAS	MIDDLESBROUGH
LAB	AKERS BELCHER	HARTLEPOOL
LAB	JEFFRIES	REDCAR
LD	ABBOTT	REDCAR
CONS	WELLS	HARTLEPOOL
IND	MORBY	MIDDLESBROUGH

JOINT CONSULTATIVE COMMITTEE 4-1-1-1

LAB	O'DONNELL	CHAIR
LAB	RICHARDSON	HARTLEPOOL
LAB	CLARK	MIDDLESBROUGH
LAB	DUNNING	REDCAR
LD	OVENS	REDCAR
CONS	PEARSON	MIDDLESBROUGH
IND	WALMSLEY	STOCKTON

MEMBER DEVELOPMENT GROUP 4-1-1-1

LAB	AKERS BELCHER	HARTLEPOOL
LAB	O'DONNELL	STOCKTON
LAB	BRUNTON	MIDDLESBROUGH
LAB	JEFFRIES	REDCAR
LD	ABBOTT	REDCAR
CONS	GARDNER	STOCKTON
IND	CORR	STOCKTON

REPRESENTATIVES FOR OUTSIDE BODIES 2011/12

LGA FIRE COMMISSION REPRESENTATIVE	Cllr PAYNE
SAFER PARTNERSHIP REPN - HARTLEPOOL	Cllr RICHARDSON
SAFER PARTNERSHIP REPN - MIDDLESBROUGH	Cllr BRUNTON
SAFER PARTNERSHIP REPN – R'CAR & C'LAND	Cllr BRIGGS
SAFER PARTNERSHIP REPN - STOCKTON	Cllr CUNNINGHAM
LOCAL STRATEGIC PARTNERSHIP - HARTLEPOOL	Cllr AKERS BELCHER

4.1 Business Report 2011/12 continued

MEMBER CHAMPIONS 2011/2012

SAFER COMMUNITIES CHAMPION	Cllr COONEY
CHILDREN AND YOUNG PEOPLE CHAMPION	Cllr AKERS BELCHER
HEALTHIER COMMUNITIES CHAMPION	Cllr CUNNINGHAM
NEIGHBOURHOODS CHAMPION	Cllr BRIGGS
EMPLOYER OF CHOICE CHAMPION	Cllr WELLS
PARTNERSHIP CHAMPION	Cllr PAYNE
DIVERSITY CHAMPION	Cllr BISWAS
IMPROVEMENT AND VALUE FOR MONEY CHAMPION	Cllr O'DONNELL

5. REPORTS OF THE CHIEF FIRE OFFICER

5.1 Strategic Update and Service Plan 2011/12

The Chief Fire Officer outlined the Authority's 5 year vision and strategic direction and sought Members views on the Service Plan 2011/12 which detailed the 5 priority areas for 2011/12. He appraised Members of the background to the Authority area, which included the level of risk and how the levels of deprivation in some wards has a direct correlation to the number of fire deaths and how the Brigade's successful community education programme and preventative initiatives had resulted in a continuing reduction in fire deaths and injuries.

Councillor Morby raised the issue of False Alarm Malicious Calls Attended and asked what the daily figure is for this category of call. The Chief Fire Officer stated that these calls now amount to approximately 1 a day which Councillor Morby agreed was a great improvement. The Chief Fire Officer reported on the success of the Call Challenge where any suspicious call is challenged by Fire Control Operators. He reported that in 2010/11 179 calls were Call Challenged, resulting in resources not being wasted by attending these incidents, but assured Members that if there is any doubt appliances are mobilised.

The Chief Fire Officer reported on the major challenges faced by the Authority which included the budget shortfall to 2014/15, changes to the duty system, decentralisation of our services and the progress made towards implementation of the new Organisation Structure. He appraised Members of the current standard regarding our assets and the need to align them to our new requirements to ensure that they are fit-for-purpose.

The Chief Fire Officer informed Members that a Community Interest Company (CIC) had been established which will allow the Brigade to generate and re-invest any surplus profits for the benefit of the community and service developments.

RESOLVED:- that the Service Plan 2011/12 be approved.

5.2 Year End Performance and Efficiency Report 2010/11

The Director of Corporate Support reported that as part of the performance management arrangements, the Brigade produces an annual performance and efficiency report that acts as a 'one-stop-shop' for the provision of financial, risk, performance and audit information at a summary level. The report supports enhanced decision making to ensure that resources are not wasted and are better aligned to initiatives that bring about improved services, improved performance, the achievement of the Authority's strategic priorities and most importantly improved outcomes for citizens. She then provided Members with a summary of the Year End Performance and Efficiency Report 2010/11 and highlighted some of the Brigade's achievements, the highlight being the dramatic decrease since 2001/02 in accidental dwelling fires resulting in the Brigade having the lowest number of accidental dwelling fires than any other fire and rescue authority despite the challenging local demographic factors

The Chief Fire Officer informed Members that the Brigade were currently re-evaluating the response standards, the findings of which would be brought back to Members.

Councillor Walmsley asked if someone was caught making a False Alarm Malicious Call would they be prosecuted and the Chief Fire Officer confirmed that prosecutions are pursued wherever possible, and if two malicious calls were received from the same mobile number then there is an agreement in place whereby the mobile provider will disconnect the phone.

Councillor Morby commented that this national scheme had originated from Middlesbrough Fire Station.

Councillor Biswas asked if an approach has ever been made to the insurance sector seeking support for the savings they make from our successful intervention. The Chief Fire Officer confirmed that this has been discussed at a national level but no progress has been made to date.

Councillor Stoker commented that it had been agreed at the Audit & Governance Committee that a quarterly summary Performance Report be produced so that Members can circulate this within their own Council.

Councillor Richardson raised the issue of Deliberate Fires and asked about attacks on firefighters. The Chief Fire Officer confirmed that there are not only verbal but physical attacks on our firefighters and that every precaution is taken to protect our crews.

RESOLVED:-

- (i) That the annual performance and efficiency of the Brigade detailed in the Year End Performance and Efficiency Report 2010/11 be noted.**
- (ii) That a quarterly summary Performance Report be produced and circulated to Members.**

**COUNCILLOR JEAN O'DONNELL
CHAIR**

CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

17 JUNE 2011



PRESENT:

CHAIR:-

Councillor O'Donnell – Stockton on Tees Borough Council

HARTLEPOOL BOROUGH COUNCIL

Councillors Richardson, Wells

MIDDLESBROUGH COUNCIL

Councillors Biswas, Lancaster, Morby

REDCAR & CLEVELAND BOROUGH COUNCIL

Councillors Abbott, Cooney, Dunning, Jeffries, Ovens

STOCKTON ON TEES BOROUGH COUNCIL

Councillors Cunningham, Gardner, Stoker, Woodhead

AUTHORISED OFFICERS

Chief Fire Officer, Director of Corporate Services, Deputy Legal

Adviser/Monitoring Officer

APOLOGIES FOR ABSENCE:

Councillors Akers-Belcher, Payne

(Hartlepool Borough Council)

Councillors Brunton, Clark, Pearson

(Middlesbrough Council)

Councillor Briggs

(Redcar & Cleveland Borough Council)

Councillors Corr, Walmsley

(Stockton on Tees Borough Council)

Treasurer to the Authority

6. DECLARATIONS OF MEMBERS INTEREST

It was noted no Declarations of Interest were submitted to the meeting.

7. MINUTES

RESOLVED – that the Minutes of the Cleveland Fire Authority Meeting held on 25 March 2011 be confirmed.

8. MINUTES OF COMMITTEES

RESOLVED – that the Minutes of the Executive Committee held on 20 May 2011 be confirmed.

9. COMMUNICATIONS RECEIVED BY THE CHAIRMAN

The Chairman outlined the following correspondence received since the last meeting:

- Letter from Rob Attrill, CLG, re future Audit Framework
- Letters from Bob Neill MP re Fire Futures report, Fire and Rescue Control Services and FRS National Framework
- Letters from Neil O'Connor, CLG, re Fire Service Grant Capital and Firebuy
- Letter from Brian Coleman, London Fire & Emergency Planning Authority re Firecontrol Buildings
- Letter from Robert Flynn, CLG, re Fire Service Grant Capital

RESOLVED – that the communications be noted.

10. REPORTS OF THE CHIEF FIRE OFFICER

10.1 Redundancy Policy

The Chief Fire Officer informed Members that the Policy had not changed but additional wording regarding termination benefits (Voluntary Redundancy formula) had been added for the purposes of clarification and transparency.

RESOLVED - that the Redundancy Policy attached at Appendix 1 be approved.

10.2 Performance Management Policy

Members considered the Performance Management Policy the principles of which were outcome focuses and impact assessed. The Chief Fire Officer reported that the Policy had been reviewed in line with changes to legislation, external performance management framework and in accordance with good practice. He reported that the Policy would enable the Brigade to continue to deliver better outcomes for local people.

RESOLVED - that the Performance Management Policy attached at Appendix 1 be approved.

10.3 Risk Management Policy

The Chief Fire Officer reported that no major changes had been made to the Risk Management Policy which had been reviewed in line with changes to legislation and in accordance with good practice. The Policy aims to promote effective risk management arrangements within the Brigade that drive continuous improvement and value for money services and reduce the risk for citizens and businesses in our area. As the Risk Management Member Champion, the Chair endorsed the Policy and informed Members to contact the DMS Office if they wished to obtain copies of the corresponding strategies.

RESOLVED - that the Risk Management Policy attached at Appendix 1 be approved.

10.4 Information pack – June 2011

- 10.4.1 Fire and Rescue Service Monthly Bulletins
- 10.4.2 Employers Circulars
- 10.4.3 National Joint Circulars
- 10.4.4 Data Quality Policy

RESOLVED - that the report be noted.

11. REPORT OF THE DIRECTOR OF CORPORATE SERVICES

11.1 Corporate Governance Information Pack – June 2011

- 11.1 Firefighters Memorial Trust
- 11.2 Members Attendance at Conferences
- 11.3 Requests for Brigade Information

RESOLVED - that the report be noted.

12. REPORTS OF THE TREASURER

12.1 Review of Charges 2011/12

The Chief Fire Officer informed Members that Section 19 of the Fire and Rescue Services Act 2004 placed constraints on Fire Authorities preventing them from levying charges for special services above the amount of full cost recovery but were required to review their Scale of Charges on an annual basis, the details of which were outlined at Appendices 1 – 3. The Chief Fire Officer stated that taking due account of previous year's trends and known variables it was estimated that the combined effects of the revised charges would be to increase the Brigade's budgeted income by approximately £8,647 (2.62%) which was below the level of inflation and was fair and equitable in relation to the services delivered by the Brigade.

Councillor Biswas queried if the Brigade were able to charge for the emergency work they undertake for organisations such as the Health Service. The Chief Fire Officer referred to the Co-Responder scheme operating in East Cleveland for which there was a Service Level Agreement (SLA) in place between the Brigade and the North East Ambulance Service which enabled the Brigade to recover their full costs. The Brigade also have SLAs with the four Local Authorities covering road clearance after RTAs which they were looking to extend. In response to a query from Councillor Ovens the Chief Fire Officer confirmed there was a demarcation between the Brigade and Environment Agency regarding the clearance of spillage, if the Brigade were asked they would clear spillages, and this was charged at an hourly rate.

RESOLVED - that the Scale of Charges 2011/2012 attached at Appendices 1-3 be approved.

12.2 Review of the Authority's Annual Governance Statement

The Chief Fire Officer advised Members that the Authority have a statutory responsibility to ensure that its financial management is adequate and there is a sound system of internal controls to facilitate the effective delivery of its functions including the arrangements for the management of risk. The Annual Governance Statement (AGS) is published with the Authority's financial statements and summarised the annual review of internal controls.

The Chief Fire Officer advised that it was the responsibility of the Treasurer to the Authority to conduct annually a review of the effectiveness of the AGS, and a copy of the AGS for 2010/2011 was attached at Appendix 1. The 2009/10 AGS had been reviewed and all significant internal control issues identified and updated (Appendix 2 refers). An Internal Audit Review of the Authority's AGS had been undertaken by Hartlepool Borough Council, and a copy of this report was attached at Appendix 3.

RESOLVED:-

- (i) that the content of the report be noted**
- (ii) that the 2010/2011 Annual Governance Statement be approved for inclusion in the Statement of Accounts**

12.3 Public Audit Consultation

The Chief Fire Officer referred to the Government's decision to disband the Audit Commission, and referred Members to Appendix A, the consultation document produced by DCLG. He referred Members to 4.2 of the report which highlighted the major key issues around:

- The format of future audit committees
- The appointment process for independent Members
- The scope of work of the auditors under any new arrangements

The Chief Fire Officer reported that the Audit and Governance Committee had considered this consultation document, and had proposed a suggested which was attached at Appendix B for Members consideration.

RESOLVED:-

- (i) that the content of the report be noted
- (ii) that the letter and response to the DCLG consultation as detailed in Appendix B be approved and returned to the DCLG by 30 June 2011

13. REPORT OF THE CHAIR OF THE AUDIT AND GOVERNANCE COMMITTEE

13.1 Information Pack

- 13.1.1 Audit Commission – Annual Audit Fee 2010/2011
- 13.1.2 Organisational Performance Report (April 2010 to March 2011)
- 13.1.3 Target Setting Methodology
- 13.1.4 Corporate Risk Register Review 2010/2011
- 13.1.5 Proposed new Local Audit Arrangements
- 13.1.6 Review of the Effectiveness of the System of Internal Audit
- 13.1.7 Public Audit Consultation
- 13.1.8 Review of the Authority's Annual Governance Statement
- 13.1.9 Evaluating the effectiveness of the Audit & Governance Committee

RESOLVED – that the report be noted.

14. ANY OTHER BUSINESS

REPORT OF THE CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE

14.1 Information Pack

- 14.1.1 Alternative Business Models: Social Enterprise
- 14.1.2 SEED Mobilising System – Quality Assurance Plan and Progress

RESOLVED – that the report be noted.

15. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION ORDER) 2006

RESOLVED - "That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs below of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute Nos 16 & 17 Paragraphs 1,3,4

Minute No 18 Paragraph 4

- 16. CONFIDENTIAL MINUTES**
RESOLVED – that the Confidential Minutes of the Cleveland Fire Authority Meeting held on 25 March 2011 be confirmed.
- 17. CONFIDENTIAL MINUTES OF COMMITTEES**
RESOLVED – that the Confidential Minutes of the Executive Committee held on 20 May 2011 be confirmed.
- 18. REPORT OF THE CHIEF FIRE OFFICER**
- 18.1 Service Transformation – Revised Duty Systems**
Members were updated on the progress of the Service Transformation Programme.

COUNCILLOR JEAN O'DONNELL
CHAIR

COUNCIL
27th October 2011



Report of: Constitution Committee

Subject: CONSTITUTION CHANGES FOR 2011/12
MUNICIPAL YEAR

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek Council agreement for the recommendation of Constitution Committee not to change the Constitution to reflect the decisions taken by Cabinet in July 2011 in relation to the Review of Community Involvement and Engagement.

2. BACKGROUND

- 2.1 Constitution Committee considered a report (included as appendix A) at their meeting on 6th October 2011 that outlined the changes that were needed to be made to the Constitution to reflect the decisions taken by Cabinet on 18th July 2011 on the Review of Community Involvement and Engagement. At the time the decisions taken by Cabinet were not subject to Call In. The report set out changes that needed to be made during the current municipal year and included as an appendix a number of other changes that would need to be made before the next municipal year. It was proposed to Constitution Committee that the changes for next municipal year be referred to the Task and Finish Group who are working to review the constitution.

3. PROPOSAL

- 3.1 Following discussion of the report Constitution Committee came to the conclusion that they were not minded to agree the recommendations outlined in the report. The Committee agreed to present the report to Council but with the recommendation that they do not agree the proposed changes to the Constitution as outlined in section 3 of appendix A.
- 3.2 The reason that Constitution Committee did not agree the recommendations outlined in the report was that they felt that the representations made by the Council Working Group had not been taken into account by Cabinet.

4. RECOMMENDATIONS

- 4.1 It is the recommendation of Constitution Committee that Council do not approve the changes to the Constitution outlined in section 3 of appendix A.

5. BACKGROUND PAPERS

- Item 5.1 from Cabinet on 18th July 2011.
- Minutes from Cabinet on 18th July 2011.
- Item 4.1 from Constitution Committee 6th October 2011 (included as appendix A).
- Minutes from Constitution Committee 6th October 2011.

6. CONTACT OFFICERS

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CONSTITUTION COMMITTEE

6th October 2011



Report of: Chief Solicitor

Subject: CONSTITUTION CHANGES REQUIRED FOR
2011/12 MUNICIPAL YEAR

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to inform Constitution Committee of the amendments that are required to the Constitution following the decisions that Cabinet made on 18th July 2011 on the Review of Community Involvement and Engagement (Including LSP review).

2. BACKGROUND

- 2.1 A review of how the Council interacts and engages with local residents and stakeholders was initiated by Cabinet following the agreement of the budget for 2011/12. The aim of the review was to ensure that Hartlepool had arrangements in place which both maintained a focus on developing the strategic policy direction for the Borough and provided appropriate opportunities for stakeholders including residents and the community, voluntary and business sectors to influence policy development and how services are delivered. The review also considered how the scarce resources, specifically related to the reduction in resources as part of the 2011/12 budget process and likely future reductions, that are available are used in ways which will add the most value.
- 2.2 Initial proposals were considered by Cabinet on 6th June 2011 and referred to Council Working Group on 20th June 2011. Cabinet then agreed the future approach of the Local Authority to community and stakeholder involvement and engagement and the Local Strategic Partnership, including theme partnerships at their meeting on 18th July 2011 after considering the views of Council Working Group and partner organisations. No decisions taken by Cabinet were subject to Call In and therefore they can now be implemented.
- 2.3 Of the decisions taken by Cabinet a number require changes to the Constitution. Some decisions will not come into effect until the next municipal year and therefore the changes required will be taken forward through the ongoing review of the Constitution. The relevant sections of the Constitution that these changes relate to are set out in appendix 1. However, there are a

number of changes that need to be made this municipal year in relation to Neighbourhood Consultative Forums, Parish Liaison meetings, Police and Community Safety meetings and the Hartlepool Partnership Board. These are set out in the following section and Constitution Committee is requested to note these changes and commend them to Council for adoption.

3. CHANGES REQUIRED

- 3.1 Following the decisions taken by Cabinet the following sections of the Constitution can be deleted and do not need to be replaced although there will be the need make some minor amendments to the numbering of the Constitution around these deletions:

Part 2, Page 36 under 10.04 Remit of neighbourhood consultative forums

viii) To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.

ix) To hold Local Police Consultation meetings in partnership with the Chief Constable.

Part 2, Page 37

10.08 Parish Liaison

The Chair and Vice-Chair of the forum will meet at least twice a year with representatives of the parishes in the forum area. These meetings will be chaired by the chair of the Forum or in his/her absence the Vice-Chair.

10.09 Police and community safety

The Chair and Vice-Chair of the forum will meet at least twice a year with representatives of Cleveland Police and the Council's Community Safety Team. These meetings will be chaired by the Chair of the forum and in his/her absence the Vice-Chair. Other forum members and members of the public will be entitled to attend these meetings.

10.10 Hartlepool Partnership

In accordance with the arrangements established by the Hartlepool Partnership the Chair of each forum and the elected resident Vice- Chair of each forum (when appointed) will represent their forum and the community it serves on the Partnership Board.

Part 2, Page 40 under (d) The role of the vice-chair

ii) To be the Forum's resident representative on the Hartlepool Partnership and the Community Network.

iii) To regularly attend Hartlepool Partnership meetings. Failure to attend three meetings in any twelve month period will be considered by the Forum and may result in the position being considered vacant and a further election being held to cover the remaining term of office.

iv) To represent the best interests of residents, from their Forum area, at partnership meetings.

v) To feed back relevant information to the Forum from the Partnership.

vi) To attend, where necessary, Police and Community Safety meetings and the Community Network.

Part 7, Page 12**Hartlepool Partnership**

* Can be any Member

** Leader of the Majority Group, not affiliated to the Mayor

- | | |
|-------|--|
| (1) | THE MAYOR
Sub – To be nominated |
| (2)* | CLLR RICHARDSON
Sub – To be nominated |
| (3)** | CLLR BRASH
Leader of Majority Group |
| (4)* | CLLR HARGREAVES
Sub – To be nominated |
| (5) | CLLR FLEET
Chair – North Forum |
| (6) | CLLR CRANNEY
Chair – Central Forum |
| (7) | CLLR A MARSHALL
Chair - South Forum |
| (8) | CHIEF EXECUTIVE |

4. RECOMMENDATIONS

4.1 That the amendments to the Constitution outlined in section 3 above are commended to Council for adoption.

4.2 That the constitutional changes identified for implementation next municipal year (set out in appendix 1) be referred to the Task and Finish Group of the Constitution Committee.

5. BACKGROUND PAPERS

- Item 5.1 from Cabinet on 18th July 2011.
- Minutes from Cabinet on 18th July 2011.

6. CONTACT OFFICER

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Changes needed to Constitution before next Municipal Year

Part 1 page 4 under list of articles of the constitution

Neighbourhood Consultative Forums (Article 10)

Part 1 page 5

Neighbourhood Consultative Forums

9 The Council has three Neighbourhood Consultative Forums. These bring an area dimension to the work of the Council. They allow local people to raise issues of concern, principally relating to neighbourhood services, at a public question-time, and act as a very important consultation mechanism for the Mayor and Cabinet, Council, the Hartlepool Partnership and local regeneration partnerships. One third of the membership of each Forum is made up of local residents who are co-opted on to the Forum.

Part 1 page 6

13 People have the right to:

~ participate in question time and contribute to the general discussion at Neighbourhood Consultative forums in accordance with the relevant procedure rules;

Part 2 page 4

10 Neighbourhood Consultative Forums

Neighbourhood Consultative Forums.....	35
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Part 2 page 12

(c) Participation

People have the right to participate in a variety of Council meetings; these include question-time at full Council, inquiries undertaken by overview and scrutiny forums and discussions at Neighbourhood Consultative Forums. How to do this is set out in “Part 4 – Rules of Procedure” of the Constitution.

ARTICLE 10

NEIGHBOURHOOD CONSULTATIVE FORUMS

10.01 Neighbourhood consultative forums

The Council will establish three neighbourhood consultative forums. They will act as an important consultation mechanism for the Council, the Hartlepool Partnership and other regeneration partnerships in the Borough. Meetings of the forums will be open to the public, who will be encouraged to play an active role. The three forums will be based upon the following boundaries:

North Neighbourhood Consultative Forum

Comprising the following wards:

- *Brus*
- *St Hilda*
- *Dyke House*
- *Throston*
- *Hart*

Central Neighbourhood Consultative Forum

Comprising the following wards:

- *Burn Valley*
- *Park*
- *Elwick*
- *Rift House*
- *Grange*
- *Stranton*
- *Foggy Furze*

South Neighbourhood Consultative Forum

Comprising the following wards:

- *Fens*
- *Rossmere*
- *Greatham*
- *Seaton*
- *Owton*

10.02 Composition and quorums

(a) Each councillor will be a member of the neighbourhood consultative forum for his/her ward. The Council will co-opt residents on to each forum. They will comprise one third of the membership of each forum (North - 8, Central - 10 and South - 7) and will be entitled to vote. A co-opted resident will act as vice-chair of the forum.

(b) The quorums for the three forums are based on one quarter of the membership and are as follows:

	Quorum - Councillors	Quorum - Residents	Quorum - Total
North	4	2	6
Central	5	3	8
South	4	2	6

10.03 Chair and Vice-Chair

The Chair of each forum will be appointed by the Council. The Vice Chair of each forum will be appointed from the co-opted resident members of the forum as part of the election process. The Chair will not be an Executive councillor.

10.04 Remit of neighbourhood consultative forums

- i) To be a focal point for local consultation on the provision of neighbourhood services.
- ii) To enable discussion to take place with Executive Councillors on issues of local interest.
- iii) To advise the Council, Executive, overview and scrutiny committees, Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area.
- iv) To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.
- v) To assist all Councillors in listening to and representing their community.
- vi) To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.
- vii) To assist in the development of the Community Plan.
- viii) To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.
- ix) To hold Local Police Consultation meetings in partnership with the Chief Constable.
- x) To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.

10.05 Operation of neighbourhood consultative forums

Meetings of neighbourhood consultative forums will comply with the appropriate procedure rules set out in Part 4 and the Officer-Member Protocol in Part 5 of this Constitution.

10.06 Access to information

Neighbourhood consultative forums will comply with the Access to Information Procedure Rules in Part 4 of this Constitution.

10.07 Executive Members on neighbourhood consultative forums

A member of the Executive may serve on a neighbourhood consultative forum if otherwise eligible to do so as a Councillor.

(NB. 10.8, 10.9 & 10.10 already removed)

10.11 Co-opted resident members

(a) Eligibility criteria

Co-opted resident members of each forum will be elected every two years.

The following eligibility criteria apply:

- (i) All residents of the Forum area aged 18 years and over, with the exception of Borough Councillors and Senior Council Officers (except for politically restricted post holders) will be eligible to stand for election. Politically restricted post holders are head of paid service, chief officers, officers with delegated powers under the Local Government Act 1972, political assistants

Appendix 1

and officers who regularly advise the Council, the Executive or their Committees or who regularly speak to the media on behalf of the Council.

- (ii) All candidates for election must be willing to accept the roles and responsibilities of resident representative as set out in the attached note.
- (iii) An elected resident member must resign from their position if they no longer reside in the neighbourhood forum area in which they were elected.

(b) The election process

The election process will be supervised by the Returning Officer of the Council and may be conducted by an independent facilitator.

The method of election will be as follows:

- i) Resident representatives will be elected at an open meeting.
- ii) The meeting will be notified to all Hartlepool residents through meetings of the Forums and an advertisement in the local press.
- iii) Three meetings will be held, one in each forum area.
- iv) All residents of the Forum area aged 18 years or over will be entitled to vote.
- v) The nomination period will commence with the issue of a notice of election, 20 working days prior to the week of the elections and nominations must be delivered to the Returning Officer before 12 noon, 10 working days prior to the week of the elections. A nomination will not be valid unless it is subscribed by ten residents of the neighbourhood forum area ward for which the nomination is made. Both the nominee and the supporting signatories must appear on the current electoral register for the relevant ward.
- vi) Voting will be by secret ballot.
- vii) In the event of a tied vote, a recount will take place. If there is no outright result following the recount, the Returning Officer will draw lots to decide on the successful candidate.
- viii) At least one resident representative from each Ward will be elected. In the event of there being no nomination for a Ward(s), vacancies will be filled by the remaining candidates with the highest number of votes regardless of the Ward in which they live.
- ix) Following the elections the resident representatives shall elect one of their number to the office of vice-chair and another to act as substitute.
- x) Casual vacancies will be filled at ordinary forum meetings in accordance with the election timetable set out in v) above. All those present at the meeting are entitled to vote (Councillors, Resident Representatives and members of the public). In the absence of a nomination from the relevant ward, the vacancy will become available to any resident from the Forum area.
- xi) The election results will be published at the Civic Centre and on the Council's website.

(c) The role of resident representatives

The role of the resident representatives will be as follows:

- i) To regularly attend meetings of their Neighbourhood Consultative Forum. Failure to attend three meetings in any twelve month period will be considered by the Forum and may result in the position being considered vacant and a further election being held to cover the remaining term of office.
- ii) To represent the best interests of residents at the forum meeting.
- iii) To be available and accessible to residents of the forum area.

(d) The role of the vice-chair

In addition the vice-chair will fulfil the following rules:

i) To act as Chair of the Forum in the absence of the Chair unless that absence is expected to extend to more than one meeting then a temporary Councillor appointment will be made by the Forum.

(NB. ii – vi already removed)

vii) To regularly attend the appropriate Forum's pre-agenda meetings.

Part 3, page 3 under Council functions and delegation scheme

Neighbourhood Consultative Forum (North).....	33
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Neighbourhood Consultative Forum (South)	37

Part 3, Pages 32 – 33

Neighbourhood Consultative Forum (North)	
Membership:	<p>Elected representatives of the following Wards: Brus, Dyke House, Hart, St Hilda and Throston.</p> <p>Councillors:- Fleet (Chair), Atkinson, Barclay, Barker, Cook, Fleming, Griffin, Jackson, McKenna, J Marshall, J W Marshall, Plant, Rogan, Thomas and Wright.</p> <p>Resident Representatives – Christine Blakey, John Cambridge, John Maxwell, Joan Norman, Linda Shields, Joan Steel and Robert Steel.</p>
Quorum:	6 (4 Councillors and 2 Resident Representatives)
FUNCTIONS	DELEGATIONS
<p>1 To be a focal point for local consultation on the provision of Neighbourhood Services.</p> <p>2 To enable discussion to take place with executive councillors on issues of local interest.</p> <p>3 To advise the Council executive, overview and</p>	

Appendix 1

scrutiny committees, the Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area.	
4 To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.	

Neighbourhood Consultative Forum (North) (continued)	
FUNCTIONS	DELEGATIONS
<p>5 To assist all councillors in listening to and representing their community.</p> <p>6 To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.</p> <p>7 To assist in the development of the Community Plan</p> <p>8 To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.</p> <p>9 To hold Local Police Consultation meetings in partnership with the Chief Constable.</p> <p>10 To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.</p>	<p>Approval of minor works recommendations is delegated to the Assistant Director (Neighbourhood Services) in consultation with the Community Safety and Housing Portfolio Holder</p>

Part 3, Pages 34-35

Neighbourhood Consultative Forum (Central)	
Membership:	<p>Elected representatives of the following Wards: Burn Valley, Elwick, Foggy Furze, Grange, Park, Rift House and Stranton.</p> <p>Councillors: - Cranney (Chair), Aiken, S Akers-Belcher, Brash, Hall, Ingham, Laffey, Lauderdale, London, Maness, Morris, Payne, Richardson, Shaw, Simmons, Sutheran, H Thompson, R Wells and Worthy.</p> <p>Resident Representatives: Liz Carroll, Bob Farrow, Peter Goodier, Ted Jackson, Evelyn Leck, Brenda Loynes, Stephen Mailen, Brian McBean, Julie Rudge and Hilda Wales.</p>
Quorum:	8 (5 Councillors and 3 Resident Representatives)
FUNCTIONS	DELEGATIONS
<ol style="list-style-type: none"> 1 To be a focal point for local consultation on the provision of Neighbourhood Services. 2 To enable discussion to take place with executive councillors on issues of local interest. 3 To advise the Council executive, overview and scrutiny committees, the Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area. 	

Neighbourhood Consultative Forum (Central) (continued)	
FUNCTIONS	DELEGATIONS
<p>4 To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.</p> <p>5 To assist all councillors in listening to and representing their community.</p> <p>6 To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.</p> <p>7 To assist in the development of the Community Plan.</p> <p>8 To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.</p> <p>9 To hold Local Police Consultation meetings in partnership with the Chief Constable.</p> <p>10 To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.</p>	<p>Approval of minor works recommendations is delegated to the Assistant Director (Neighbourhood Services) in consultation with the Community Safety and Housing Portfolio Holder.</p>

Part 3, pages 36-37

Neighbourhood Consultative Forum (South)	
Membership:	<p>Elected representatives of the following Wards: Fens, Greatham, Owton, Rossmere and Seaton.</p> <p>Councillors: - A Marshall (Chair), C Akers-Belcher, Flintoff, Gibbon, Hargreaves, Hill, James, Lawton, A E Lilley, G Lilley, Preece, P Thompson, Turner, and Young.</p> <p>Resident Representatives: Mary Green, Rosemarie Kennedy, Iris Ryder and Angie Wilcox.</p>
Quorum:	6 (4 Councillors and 2 Resident Representatives)
FUNCTIONS	DELEGATIONS
<ol style="list-style-type: none"> 1 To be a focal point for local consultation on the provision of Neighbourhood Services. 2 To enable discussion to take place with executive councillors on issues of local interest. 3 To advise the Council executive, overview and scrutiny committees, the Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area. 4 To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process. 	

Neighbourhood Consultative Forum (South) (continued)	
FUNCTIONS	DELEGATIONS
<p>5 To assist all councillors in listening to and representing their community.</p> <p>6 To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.</p> <p>7 To assist in the development of the Community Plan.</p> <p>8 To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.</p> <p>9 To hold Local Police Consultation meetings in partnership with the Chief Constable.</p> <p>10 To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.</p>	<p>Approval of minor works recommendations is delegated to the Assistant Director (Neighbourhood Services) in consultation with the Community Safety and Housing Portfolio Holder.</p>

Part 3, Page 69 under Decision Making by Individual Councillors who are Executive Portfolio Holders

PORTFOLIO HOLDER	RESPONSIBILITY
Executive Member for Community Safety and Housing	Approval of recommendations for minor work schemes proposed by neighbourhood consultative forums.

Appendix 1Part 4, page 147 under Appendix A - Processing Referrals to Overview and Scrutiny

BODY

	STATUS OF REFERRAL	TIMESCALES AND OTHER ISSUES
Neighbourhood Forums	Consideration at discretion of the Co-ordinating Committee (Non-mandatory)	A decision not to examine must be justified and reported to Council and the referring body

Part 4, page 150 under Appendix B - Processing reports from Overview and Scrutiny

Neighbourhood Forums	<p>Type of report – both those referred to the forum and those referred by the forum</p> <p>Presentation – the report will be presented by the Chair of the forum or his/her nominated Member of the forum. In the case of minority reports those submitting the report should agree a spokesperson from their Membership of the forum.</p> <p>Timescale for consideration – if not specified in a referral, the report should be considered not later than 10 weeks* after being agreed by the forum. * this provision may need modification dependent on the frequency of neighbourhood forum meetings.</p> <p>Reporting back to the forum – the relevant minute of the Neighbourhood forum meeting will be reported to the forum.</p>
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Part 5, page 23

- 8 RELATIONSHIPS BETWEEN CHAIRS/MEMBERS OF OTHER COMMITTEES INCLUDING NEIGHBOURHOOD CONSULTATIVE FORUMS AND OFFICERS**
- 8.1 Relationships between chairs/members of other committees and officers, will operate in line with the relevant codes of conduct and the principles contained in the protocol.
- 8.2 Members and officers providing information to neighbourhood consultative forums will be treated courteously at all times and will treat the forum with courtesy and respect. It will be the responsibility of the forum chair to ensure that members of the public and other non-council attendees behave appropriately.

Appendix 1

- 8.3 Members and officers attending Neighbourhood Consultative Forums will seek to assist forums by providing information about council policy and activities. It will not however, be the purpose of a consultative forum to address issues of individual performance of employees of the Council. Officers may not be held accountable for decisions taken by members.
- 8.4 Executive members who accept invitations to attend Neighbourhood Consultative Forums, will, upon request, seek to explain the objectives of Council policies and actions insofar as they are relevant to their portfolio.
- 8.5 When acting in a quasi-judicial capacity (for example in relation to planning or licensing matters), members will pay particular regard to the requirements of natural justice and the procedural advice issued by the Monitoring Officer.

Part 6, page 9 under Special Responsibility Allowance

- 7.2 The rates of allowance payable to various post holders are:-

Neighbourhood Forum Chair	£3,461
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Part 6, page 21 under Part B, Schedule 1 - approved duties

- 1 Attendance at meetings:
- i) Of Council, the Executive, Neighbourhood Forums, Scrutiny Forums, Panels and the Standards Committee to which the Member has been appointed.

Part 7, Page 12 under Schedule B – Executive Appoints any Member(s). B1. Leadership Bodies and Partnerships

Hartlepool Economic Forum (1) **CLLR HARGREAVES**
(Portfolio Holder for Regeneration)

COUNCIL
27th October 2011



Report of: Mayor

Subject: APPOINTMENTS PANEL

1. PURPOSE OF REPORT

To address issues regarding queries that have arisen in relation to the terms and conditions for the Acting Chief Executive position and the associated backfilling arrangements that were agreed at a Performance Portfolio Holder meeting on 14 September 2011.

2. PROPOSAL

Following a meeting of the Appointment Panel on 4th October 2011 to address issues regarding queries that have arisen in relation to the terms and conditions for the Acting Chief Executive position and the associated backfilling arrangements a meeting of the Mayor's Portfolio on 19th October 2011 confirmed these arrangements and the terms and conditions which will apply. The arrangements include

1. the appointment of an Acting Chief Executive;
2. Backfilling of the Director of Child and Adult Services functions and statutory duties shared on an equal 50% basis by two Assistant Directors;
3. Backfilling a specific element (10% of existing duties) of the Assistant Directors roles by one officer.

In relation to the terms and conditions of the additional payments these will be the minimum legal payments and will be fixed for the duration of the arrangements. For clarity no increments will be paid. The payments will also not be pensionable. These arrangements are a departure from the Council's normal employment arrangements and reflect the specific arrangements of these temporary arrangements. These arrangements increase the saving for 2011/12 from £70,400 to £76,848.

If the temporary arrangements continue into 2012/13 a monthly saving of £10,978 will accrue to the Council from April 2012.

3. RECOMMENDATION

That the report be noted.

COUNCIL
27 October 2011



Report of: The Executive

Subject: YOUTH JUSTICE STRATEGIC PLAN 2011-12

1. PURPOSE OF REPORT

- 1.1 To present the draft Youth Justice Strategic Plan for 2011/12, which is a requirement under the Budget and Policy Framework, and seek Council's approval.

2. BACKGROUND

- 2.1 The national Youth Justice Performance Improvement Framework includes a range of elements that work together to improve practice and performance. As part of the framework and as a statutory responsibility under the Crime and Disorder Act 1998, all Youth Offending Services are required to prepare a Youth Justice Strategic Plan and submit this to the Youth Justice Board.

- 2.2 Whilst the Youth Offending Service (YOS) partnership can develop their own structure and content of the Youth Justice Plan, the Plan should address four key areas to reflect the position for the service going forward.

- **Resourcing and value for money** - The Plan ensures sufficient deployment of resources to deliver effective youth justice services to prevent offending and reoffending.
- **Structure and Governance** - The Plan sets out the structures and governance necessary to ensure the effective delivery of local youth justice services. The leadership composition and role of the multi agency YOS Management Board are critical to this.
- **Partnership Arrangements** – The plan demonstrates that effective partnership arrangements are in place between the Youth Offending Service, statutory partners and other local partners that have a stake in delivering youth justice services and that these arrangements generate effective outcomes for children and young people who offend or are at risk of offending.

- **Risks to Future Delivery** – The Plan demonstrates that the Youth Offending Service has the capacity and capability to deliver effective youth justice services; it identifies risks to future delivery and the Youth Offending Service partnership's plans to address these risks.

2.3 The final draft of the Hartlepool Youth Offending Service Youth Justice Strategic Plan 2011-12 is attached at **Appendix 1**. This plan has been developed in consultation with partners and stakeholders, including, but not limited to, children and young people in the Youth Justice system, their families, the police, victims of crime, the judiciary, voluntary sector providers and community safety. The draft plan was agreed by the Youth Offending Service Strategic Management Board on 16 May 2011 and considered by Children's Services Scrutiny Forum on 19 July 2011. The final draft of the plan was agreed by Cabinet on 15th August 2011.

3. THE YOUTH JUSTICE STRATEGIC PLAN

- 3.1 The Hartlepool Youth Justice Strategic Plan details the achievements from 2010-2011 and the service priorities for 2011-2012. It follows the format as recommended by the Youth Justice Board and outlines what the Youth Offending Service wants to achieve and how it will go about achieving it.
- 3.2 The Plan details how the work of the Youth Offending Service supports wider priorities of the Council in relation to reducing crime and disorder. The Youth Offending Board provides the link between the Safer Hartlepool Partnership and the Children's Trust Partnership ensuring the integration of Youth Justice Services and other children's services.
- 3.3 The plan provides details of the performance of the Youth Offending Service in 2010/11. It reflects upon a reduction in both the number of offenders and the number of offences committed during that year when compared with the previous year. There has also been a reduction in the number of first time entrants to the Youth Justice system and the Plan provides details of the Council's preventative work in partnership with the police that has proved successful in deterring young people from entering the Youth Justice system. Nevertheless, the Plan highlights that the needs of children and young people who remain in the system are high and these young people require intensive support and close supervision.
- 3.4 The Youth Offending budget is made up of a central grant from the Youth Justice Board and contributions from statutory partner agencies (Health, Local Authority, Police and Probation). In 2011/12, there was a reduction in the funding of the Youth Offending Service from both the YJB and local authority; it is anticipated that the Youth Offending partnership settlement is likely to be challenging for the foreseeable future as the Youth Justice Board consults on a revised funding formula.
- 3.5 The work of the Youth Offending Service is overseen by the Strategic management Board made up of key partner agencies. The Board is directly responsible for:

- Delivery of the principle aim of preventing offending and re-offending and accountability for performance against national indicators;
- Strategic performance and oversight;
- Justice services for children and young people;
- Accountability and active youth justice representation.

The Board is critical to the success and effective delivery of youth justice services in Hartlepool. The service benefits from strong partnership arrangements with statutory agencies as well as partners in the voluntary sector. The service has excellent working relationships with other agencies and organisations and uses these to share expertise, skills, knowledge and resources in a commonality of purpose of preventing offending and ensure the security and prosperity of the people of Hartlepool.

3.6 The priorities of the Youth Offending Service continue to build on those outlined in 2010/11. These are:

- Ensure the Youth Offending is a good place to work focussing on staff training, support and development;
- Ensure effective risk and vulnerability management of all young people;
- Maintain and improve compliance and performance in accordance with National Standards;
- Sustain and deliver excellent partnership arrangements particularly with the Integrated Youth Service;
- Provide high quality Restorative Justice Services that support victims of crime and provides confidence to both community and Youth Justice Services;
- Sustain the reduction of first time entrants to the Youth Justice system and the reduction of further offending of young people already in the system;
- Ensure the safe and effective use of custodial and remand sentencing.

3.7 The Youth Justice Strategic Plan is supported by a service action plan to achieve the strategic priorities and the implementation of the action plan is monitored by the Strategic Management Board.

4. RECOMMENDATIONS

5.1 It is recommended that Council approves the draft Youth Justice strategic Plan 2011/12.

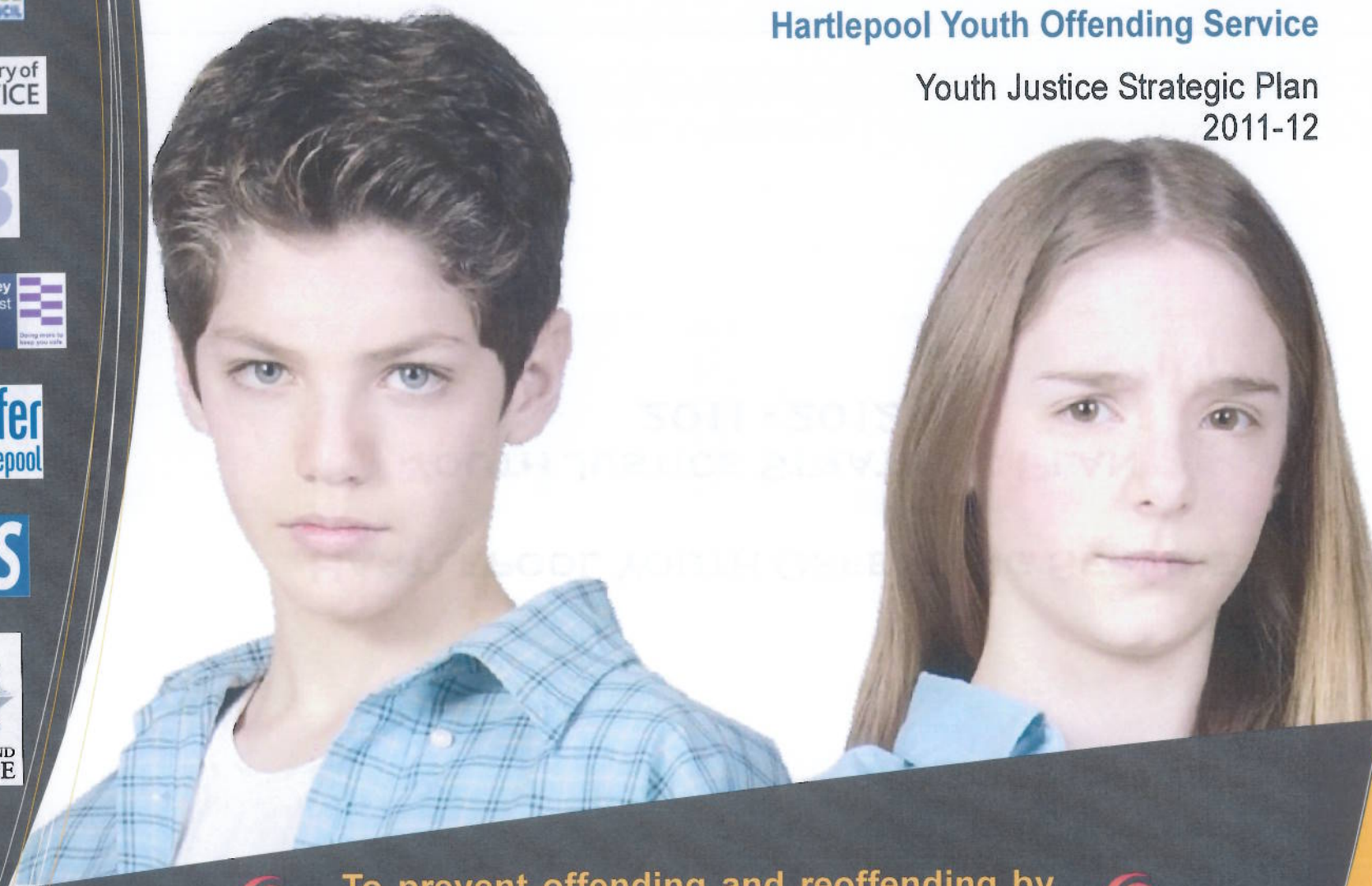
5. CONTACT OFFICER

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Hartlepool Youth Offending Service

Youth Justice Strategic Plan
2011-12



To prevent offending and reoffending by
children and young people in Hartlepool





HARTLEPOOL YOUTH OFFENDING SERVICE

YOUTH JUSTICE STRATEGIC PLAN 2011 - 2012

Forward



Welcome to the 2011-12 Hartlepool Youth Offending Service's Youth Justice Strategic Plan.

In Hartlepool we have set our ambition and aspirations for the future in our Community Strategy 2008-20:

"Hartlepool will be an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential"

The Youth Offending Service (YOS) has a key role in contributing to this by delivering high quality, effective and safe youth justice services.

The good news is that 20010-11 has proved to be a very positive year with:

- Significant reductions in the number of young people entering the youth justice system for the first time. This is a consistent trend over a number of years.
- Overall crime in Hartlepool is falling year on year and is now 37% lower than 6 years ago and 4% lower than last year. In particular the numbers of young people dealt with in the criminal justice system is 21.5% lower than 2009-10.
- Limited use of custodial sentences for young people. Only 10 young people in Hartlepool received some form of custodial sentence. Although slightly higher than last year (six) figures are 33% lower than 2006/7 & 2007/8.
- Improved victim contact and restorative justice services with victims expressing high levels of satisfaction with their treatment.
- The YOS being moved into improved office accommodation where staff are working alongside Hartlepool's new Integrated Youth

Support Services (IYSS) thereby further improving the service to young people.

- The most recent HMI Inspection report on Hartlepool YOS commented that the Service was showing evidence of continuous improvement; a trend we intend to build upon during the forthcoming years.

In short the YOS is demonstrating its direct contribution to both improving outcomes for young people and making local communities safer and stronger.

Whilst recognising the tough financial climate ahead, it is essential that we continue to push forward with improvements to the Service in 2011-12.

This plan defines priorities for the YOS in the coming year and highlights areas for improvement.

As always, the Partnership Board is extremely grateful for the skill and dedication of our employees in supporting young people who offend or are at risk of becoming involved in offending in Hartlepool.

On behalf of the YOS Management Board I am pleased to endorse the Youth Justice Strategic Plan for 2011-12.



Nicola Bailey
Chair - Youth Offending Service Management Board.
Director, Child and Adult Services

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Introduction

Strategic planning is the process by which we define our strategy, or direction, and make decisions on allocating resources to pursue this strategy. The Plan gives the YOS clarity about what it actually wants to achieve and how to go about achieving it.

The Youth Justice System exists to deal with young people who commit crime and help those young people who are in danger of getting involved in it.

Hartlepool Youth Offending Service (YOS) was established in April 2000 following the introduction of the Crime and Disorder Act 1998. It is a multi-agency service and is made up of representatives from the Council's Child and Adult Services, Police, Probation, Health and Education directed by the YOS Head of Service. Because each agency works as part of one multi-agency team they are better able to tackle young offenders.

Since its inception Hartlepool YOS has been overseen (like all other YOSs in the Country) and had its performance monitored by the Youth Justice Board (YJB).

This year, however, the new coalition government has announced its intention to introduce legislation that will abolish the YJB as part of its commitment to radically increasing transparency, accountability and efficiency. Under the proposals the YJB will cease to function as a non-departmental public body and the leadership of youth justice and functions of the YJB will be transferred into the Ministry of Justice. In addition Local Area Agreements will be discontinued, as will National Performance Indicators.

The YJB will continue to carry out its functions while the transitional arrangements are being worked through, although it is likely that the YJB will be abolished during the period covered by this Plan.

Hartlepool YOS will continue to measure its performance in those areas which it considers to be critical to its success, namely:

1. **Assessment, planning, interventions and supervision (APIS)**
2. **Resourcing and workforce development**
3. **Access to universal and specialist services**
4. **Reductions in first-time entrants to the youth justice system**
5. **Reducing reoffending**
6. **Use of custody**
7. **Risk of serious harm**
8. **Safeguarding**
9. **Victim and public confidence**

Evidence that offending is being effectively tackled will be demonstrated by:

- evidence of fewer young people being drawn into the youth justice system
- reductions in overall re-offending, and also in the frequency and severity of re-offending
- providing a focus for improving the coordination of services on key issues e.g. resettlement and the provision of suitable accommodation e.g. accessing and sustaining Education, Training and Employment.

Hartlepool YOS will continue to work with its funding partners and other agencies which contribute to the work of the YOS including IYSS (Integrated Youth Support Service an amalgamation of Connexions

and the Youth Service), NACRO, local Drug Action Team (DAT), young peoples drug and alcohol team (HYPED) and the voluntary sector.

The Youth Justice Services are a people centred business which directly impacts upon the lives of young people, parents, the community and our staff. In Hartlepool we pride ourselves in having a clear set of values which underpin our service delivery and drive all activities and behaviour in the way we work with young people their parents and families as well as our dealings with colleagues and other organisations. We will continue to work with other agencies to deliver high quality, effective and safe youth justice services and thereby achieve our vision to:

"Prevent offending & re-offending by Children & Young People in Hartlepool"

Hartlepool YOS is a statutory partnership which includes, but also extends beyond, the direct delivery of youth justice services. In order to deliver youth justice outcomes it must be able to function effectively in both of the two key sectors within which it operates, namely:

- ◆ criminal justice services, &
- ◆ services for children and young people.

The YOS contributes both to improving community safety and to safeguarding and promoting the welfare of children and in particular protecting them from significant harm. Working together to Safeguard Children (guidance on how organisations and individuals should work together to safeguard and promote the welfare of children and young people in accordance with the Children Act 1989 and the Children Act 2004) highlights the need for YOSs to work jointly with other agencies and professionals to ensure that young people are protected from harm and to ensure their needs are met.

Many of the young people involved with the YOS are the most vulnerable children and are at greatest risk of social exclusion. The YOS multi-agency approach to meeting the needs of young people ensures that it plays a significant role in meeting the safeguarding needs of these young people.

In order to generate effective outcomes for children and young people who offend or are at risk of offending the YOS has in place effective partnership arrangements and is an important delivery partner for the Safer Hartlepool Partnership as well as a relevant partner in the Children's Partnership. This close relationship is embedded in Hartlepool's 'Crime, Disorder, and Drugs Strategy' and 'Children and Young People's Plans'.

Safer Hartlepool Partnership

Reporting to the Hartlepool Partnership, (see page 14) the Safer Hartlepool Partnership (Hartlepool's Community Safety Partnership) is the statutory body charged with coordinating the activities of its members (including the YOS) and aims to be at the forefront of helping to reduce crime and the fear of crime across the town. It does this by funding key community projects, building reassurance within the community, promoting community safety, and ridding the streets of criminal activity. Members include; Hartlepool Borough Council, Cleveland Police, Cleveland Fire Brigade, Housing Hartlepool, NHS Hartlepool, YOS, Drug Strategy Team, Anti-social Behaviour Unit, Durham Tees Valley Probation Trust, Harbour and several other community and voluntary groups.

The Partnership has published its three-year Crime, Disorder, and Drugs Strategy (2011-2013) which sets out its objectives for 2011-13, namely;

1. **Reduce crime and repeat victimisation.**
2. **Reduce the harm caused by drug and alcohol misuse.**
3. **Create confident, cohesive and safe communities.**
4. **Reduce offending and reoffending.**

Each year since 2007, the Safer Hartlepool Partnership has conducted an annual assessment during December, to enable it to establish annual priorities for action in the following financial year.

The annual priorities for 2011/12 are:

- ✓ Acquisitive crime – specifically domestic burglary and theft
- ✓ Violent crime – including domestic violence and abuse
- ✓ Alcohol treatment, delivery of alcohol strategy and drug dealing and supply
- ✓ Anti-social behaviour – including links to private rented properties and alcohol related youth ASB
- ✓ Criminal damage – specifically damage to dwellings
- ✓ Confidence and cohesion
- ✓ Prevent and reduce offending, re-offending and the risk of offending

Further information about the Safer Hartlepool partnership can be obtained at <http://www.saferhartlepool.co.uk>

Children and Young People's Plan for 2009 – 2020

The Children and Young People's Plan for 2009 – 2020 is a document which has been written on behalf of Hartlepool's Children's Partnership and sets out the vision and the direction of travel for commissioning and service improvements until 2020. The Children's Partnership is a themed partnership of the Hartlepool Partnership and is the main body which brings together organisations (including the YOS) providing services for children, young people and parents and carers. Other themed partnerships address different issues that impact on a child's life and contribute to this plan, these are highlighted in Hartlepool's new Community Strategy

The Children and Young People's Plan is structured around five key priorities:

1. Tackling Inequalities;
2. Narrowing the Gap;



3. Eradicating Child Poverty;
4. Living Safely;
5. Promoting Emotional Well-being.

You can download the Children and Young Peoples Plan at;

[http://www.hartlepool.gov.uk/download/4952/
children and young peoples plan](http://www.hartlepool.gov.uk/download/4952/children_and_young_peoples_plan)

The YOS Board provides a link between the Children's Partnership and the Safer Hartlepool Partnership ensuring the integration of youth justice services and other children's services.

Needs Analysis

Area

The Borough of Hartlepool is situated on the North East coast of England covering an administrative area of 94 square kilometers (9.386 hectares) with a population of 91,900 (population density of 9.7 people per hectare). Approximately 25% of the population



are children and young people (under 18) and 10.6% (9607) are aged 10 to 17, the YOS client group. Originally two towns, the old town known as the Headland and the more recent West Hartlepool amalgamated in 1967 and now consist of 17 wards covering approximately 42,100 dwellings (mid 2009). The town has a wide catchment area with over a million people living within 30 minutes driving time of the Town Centre.

Unemployment in Hartlepool was 7.4% in January 2011 compared to the Tees Valley average at 6.3%. This is a slight increase on 2010 (7.3%) however in common with other areas unemployment rates remain high and Hartlepool has levels at twice the national average of 3.7%. In the Tees Valley only Middlesbrough has a higher level at 7.6%. 31.1% of the unemployed are aged under 25 and 9% are under 20. (Source: National Statistics NOMIS)

The population of Hartlepool is predominantly white British (98.8%), 51.5% are female and 1.2% are from ethnic minority groups. Migration from the east European countries of the newly expanded European Community is a fairly recent phenomenon for which there is not yet definitive data. More detailed data will be available following the 2011 Census.

There are five secondary schools, thirty one primary schools, one nursery school, one pupil referral unit and two special schools.

The YOS boundaries are within those of the Cleveland Police and Durham Tees Valley Probation Trust area. NHS Hartlepool Primary Care and North Tees and Hartlepool NHS Foundation Trusts provide health services in the area.

Organisation structures are in place to support partnership working across the Tees Valley (Darlington, Hartlepool, Stockton & South Tees YOSs) and a variety of natural links have been developed with other organisations such as 'DISC' and 'The Children's Society'.

Hartlepool has a number of notable demographic characteristics when compared to the national average, they include:

- above average proportion of people with a health problem.
- above average proportion of single parent households.
- above average levels of households without access to a car.
- above average levels of teenage pregnancy (15 to 17 years)
- below average owner-occupiers but above average households renting from local authorities or housing associations.
- a below average proportion of ethnic minorities.

In the Government's Index of Multiple Deprivation (IMD) published in March 2011 of 326 English districts Hartlepool is ranked 24th most deprived with Middlesbrough being the only other Tees Valley District ranked as more deprived (8th).

Local Youth Crime – Key Characteristics

In 2010/11, Hartlepool YOS dealt with a total of 236 young offenders who committed 492 offences. 193 were male and 43 female. This represents a significant 21.5% reduction in offenders and a 22.1% reduction in offences committed, compared with the previous year. This is the continuation of the trend over recent years.

The table below illustrates the type and number of offences committed by these young people and the trend over the last six years.

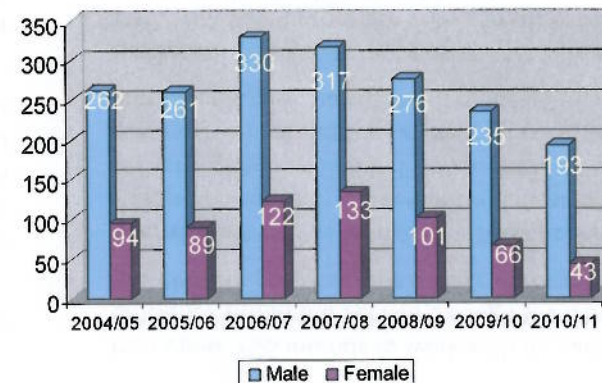
Grouping	Offence	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11
BREACH	Breach of Bail	14	14	11	8	0	6
	Breach of Conditional Discharge	2	5	6	6	3	8
	Breach of Statutory Order	8	45	33	28	38	15
VEHICLE	Death or Injury By Reckless Driving	0	0	0	0	0	0
	Motoring Offences	136	87	74	51	73	21
THEFT & BURGLARY	Theft & Handling	142	215	245	200	140	108
	Vehicle Theft	35	24	30	12	21	12
	Domestic Burglary	22	47	35	22	14	11
	Non Domestic Burglary	11	16	14	25	8	12
	Fraud & Forgery	5	13	2	1	5	4
	Robbery	3	4	0	6	4	1
VIOLENCE	Racially Aggravated Offences	3	8	2	0	3	4
	Sexual Offences	2	2	3	5	1	3
	Violence Against Person	124	187	146	117	128	76
OTHER	Arson	4	9	8	6	1	3
	Criminal Damage	90	140	121	109	103	78
	Drugs Offences	16	13	9	23	22	16
	Other	14	19	18	9	11	25
	Public Order	51	104	101	71	57	89
	TOTAL	682	952	858	699	632	492

In January 2010 Hartlepool introduced a 'Triage' model at the point of arrest for young people who are seen and assessed by a YOS worker (Youth Inclusion and Custody Coordinator) linked to the Police Custody Suite. Young people are offered support and guidance using a multi agency approach and those that have committed less serious offences and are unlikely to reoffend are diverted out of the Youth Justice System and receive a restorative disposal. Hartlepool initially implemented the programme as a pilot for Cleveland and is currently the only YOS delivering Triage within the Tees Valley.

Numbers of young people entering the programme have continued to increase as the corresponding number of first time entrants (FTE's) to the criminal justice system has reduced (see figure - back cover). Robust procedures are in place, ensuring the young people selected to enter the programme are dealt with swiftly within the custody suite.

Clearly the YOS has been successful in reducing the numbers of young people being dealt with in the youth justice system; however those remaining require more intensive work and close supervision if we are to continue to reduce offending and reoffending.

**Young people offending in Hartlepool
2004-2011**



Resourcing and value for money

Resources

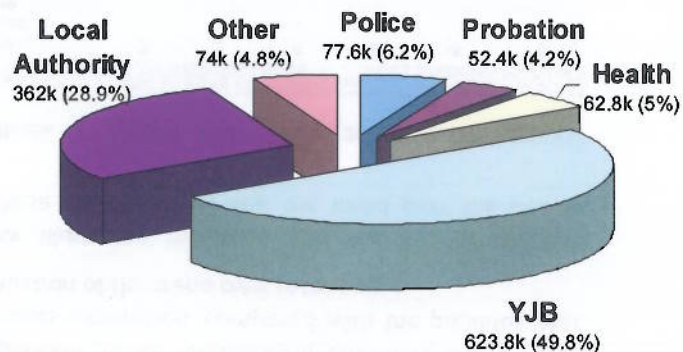
Adequate resourcing and the appropriate use of resources underpin the ability of the YOS to deliver high quality services.

The YOS Budget for 2011/12 has seen a drop in both local authority and YJB funding and as a consequence is 14% less than 2010-11 at £1.2 million. The budget is made up of a central grant from the Youth Justice Board and contributions from statutory partners (Health, Local Authority, Police and Probation). Hartlepool Borough Council is the major funding partner.

This year, with the likelihood that the YJB will be disbanded, the grant allocation from the YJB and the Local Authority has been merged with an overall £200,000 reduction.

YOS Partnership funding settlements are anticipated to continue to be challenging for the foreseeable future given the current political and economic climate.

Youth Offending Service Funding 2011-12



Hartlepool YOS intends to work with its partners to continue to drive efficiency within the Service through the delivery of high quality, lean and efficient practices which make maximum use of resources.

Over the last twelve months the YOS has seen an overall reduction in staff numbers but has been in the enviable position of being able to recruit highly qualified individuals into key posts. The YOS is now in the position of having a high quality team which works to a professional case management model.

Hartlepool YOS currently believes that it has sufficient resources and staff, with the appropriate skills and expertise, to deliver youth justice services in line with National Standards and is committed to having in place a workforce strategy that ensures:

- the needs of YOS staff are met, and their strengths recognised
- the YOS retains its integrity as a successful multi-agency working model and is not diluted in the process of establishing broader multi-agency structures
- the crucial role of the YOS as the balancing point between the children's and criminal justice agenda is asserted
- managers can attract and retain a strong and suitable workforce
- YOS staff can access the development training and opportunities.

The YOS Board has supported workforce development with sufficient resources to ensure staff and volunteers have all the necessary support, training and advice to deliver effective youth justice services and as individuals improve their skills and progress in their chosen careers.

Value for Money (VFM)

Hartlepool YOS VFM Strategy is based around three areas:

- | | |
|----------------------|---|
| Economy | - The price paid for what goes into providing and delivering a service |
| Efficiency | - A measure of productivity, alignment between funding streams to deliver against outcome areas |
| Effectiveness | - A measure of the impact achieved that can be either quantitative or qualitative |

VFM is therefore considered to be delivered when there is an optimum balance between economy, efficiency and effectiveness.

Hartlepool YOS is committed to delivering Best Value in the provision of its services. Best Value means continual improvement in terms of the economy, efficiency and effectiveness of service delivery.



Under Best Value we need to demonstrate that YOS services:

- ➔ meet the needs of our clients and the local community;
- ➔ are being provided to the level and quality desired by the community;
- ➔ are sustainable within allocated budgets;
- ➔ are consistent with available resources;
- ➔ are equal to or better than other comparable YOSs;
- ➔ are capable of securing continuous improvement.

Hartlepool YOS has a track record of entering into partnership in order to draw on the skills and expertise of partner organisations. This approach enables the maximum impact to be made from scarce resources.

Hartlepool YOS intends to work with its partners to continue to drive efficiency within the Service through the delivery of high quality, lean and efficient practices which make maximum use of resources.

Commissioning

The effective and efficient use of resources is also dependent on effective commissioning arrangements. Effective commissioning means ensuring the right services and the right people are in the right place at the right time for children and young people.

Hartlepool YOS is working through the Child and Adult Services commissioning processes to ensure this takes place.

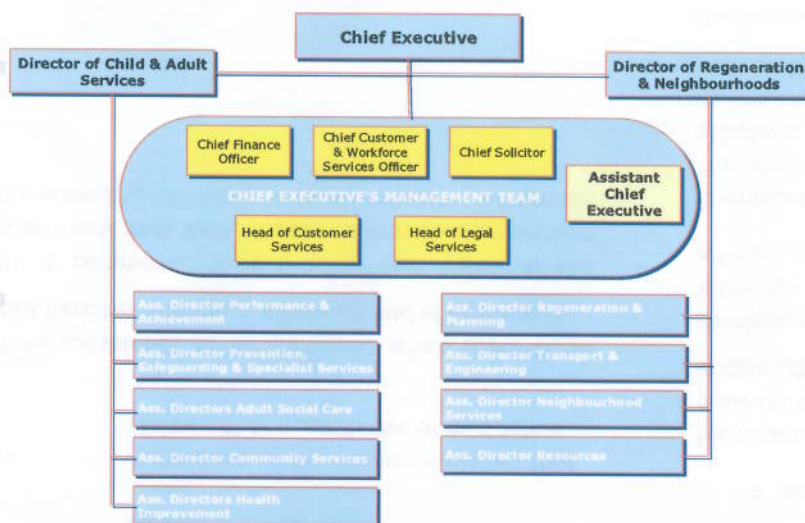
The YOS will review existing commissioned services to ensure that commissioned services provide best value for money.

Structure and Governance

Governance

The YOS is located within the Prevention, Safeguarding and Specialist Services Division of the Child and Adult Services Department. The Management Board is chaired by the Director of Child and Adult Services and has representatives from Child and Adult Services, Prevention, Safeguarding and Specialist Services, Police, Probation, Health, Courts and Housing.

Hartlepool Borough Council Structure



Effective integrated strategic partnership working and clear oversight by the Management Board are critical to the success and effective delivery of youth justice services in Hartlepool.

The leadership, composition and role of the Management Board are crucial. The board is directly responsible for:

1. delivery of the principal aim of preventing offending and re-offending and accountability for performance against the youth justice national indicators
2. strategic and performance oversight
3. justice services for children and young people
4. accountability and active youth justice representation.

The Management Board is clear about the priority areas for improvement, and monitors the delivery of the Youth Justice Strategic Plan, performance and prevention work. It is reliably attended and receives comprehensive performance reports.

Members of the Board are knowledgeable, participate well in discussions and also participate in many other related boards, which contribute to effective partnership working at a strategic level. Board meetings are well structured and members are held accountable.

The Youth Offending Head of Service and nominated officers of the YOS are members of a number of groups where strategies need to take into account young people who offend for example Criminal Justice Intervention Managers, Anti-social Behaviour, Family Intervention Project, Parenting Strategy, Substance Misuse, Pupil Referral Unit Management Board, Social Inclusion Strategy Group, Children's Partnership Infrastructure Group, Multi Agency Public Protection Arrangements (MAPPA), Strategic Management Board, Running away, missing from home (MFH) and Care Strategy, Local Children's Safeguarding Board and the Cleveland Criminal Justice Board. The YOS is represented on the Children's Partnership, Local Safeguarding Children Board and the Crime and Disorder Reduction Partnership.

The membership of Hartlepool YOS Board is as follows:

YOS Management Board

Nicola Bailey (Chair)	Director – Child & Adult Services
Sally Robinson (Deputy Chair)	Ass. Director - Prevention, Safeguarding & Specialist Services
Khalid Azam	Ass. Director – Children’s Services PCT
June Fawcett	Senior Clinical Nurse – Children & Young People
Lucia Saiger	Director of Offender Services - Durham Tees Valley Probation Trust
Jean Bell	Principal Legal Advisor - Hartlepool Magistrates Court
Lynda Igoe	Principal Housing Officer
Lynne Beeston	Chief Inspector - Neighbourhoods, Cleveland Police
Sally Forth	Community Safety Manager - Safer Hartlepool Partnership and Community Safety Team

Structure

The YOS is currently structured into 2 main areas; **‘Pre-court’** and **‘Restorative Justice and Post-court’**. The Pre-court and Restorative Justice Team works with those children and young people requiring support to prevent them becoming involved in crime and anti-social

behaviour and as a consequence entering the criminal justice system. The team also work with those young people who have come to the attention of the Police and have been the subject of a triage intervention, reprimand or final warning. Each worker within the team is attached to a designated secondary school as part of the ‘Team Around the School’ arrangements.

The promotion and introduction of Restorative Justice procedures is a high priority for both YOS Teams. The increased use of the ‘Triage’ early intervention system in partnership with Cleveland Police and the effective use of reparation are just two areas in continual development.

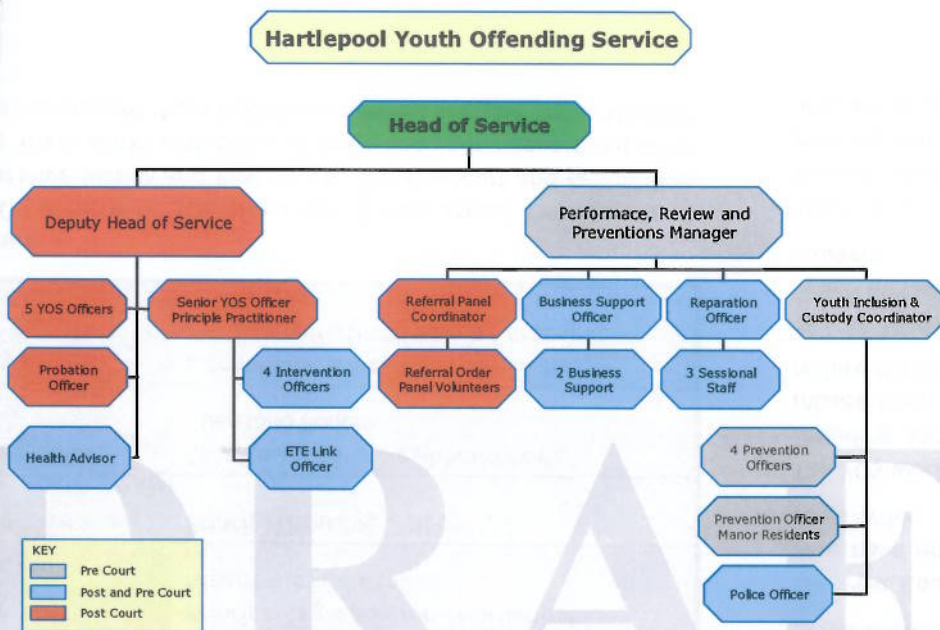
During 2010-11 with the aid of funding from YCAP (Youth Crime Action Plan) the YOS delivered 690 individual sessions of reparation activity to 206 young people, 150 of those young people were given timetables which included a session, or a combination of sessions on either a Friday evening, or on a Saturday or Sunday.

The Post Court work is undertaken with young people aged 10 – 17 who have entered the criminal justice system and are subject to a court order.

The YOS works closely with the Police, Courts and a range of agencies including social care, health, education, housing and the substance misuse team to deliver services to young people and their families to reduce the risk factors associated with their offending.

The Youth Offending Service currently has a staff team of 34 people, which includes 3 seconded staff, 3 outsourced staff and 3 sessional workers.

There is also an existing team of 12 active volunteers who sit as Referral Order Panel members who have recently received refresher training. Plans are in place to recruit and train a further 12 volunteers who will be available to sit on panels by July 2011.



All staff and volunteers are subject to enhanced CRB checks which are renewed every three years.

Hartlepool YOS is committed to workforce development, understanding the need to develop and maintain a competent and skilled workforce able to deliver an effective and efficient Criminal Justice Service.

Hartlepool YOS understands the need to develop and maintain a confident and competent skilled workforce, in order to deliver an effective and efficient local youth justice system and meet any future challenges to youth justice priorities. The YOS is committed to the development of its people and values the contribution they make to provide quality services within a best value framework.

These arrangements compliment the government's vision of a children's workforce that:

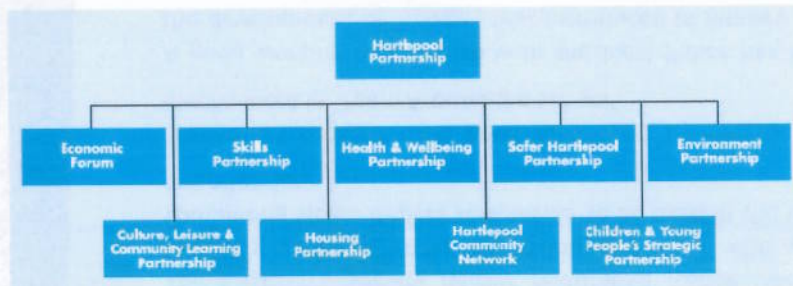
- ♦ is striving to achieve the best possible outcomes for all children and young people and to reduce inequalities between the most disadvantaged and the rest.
- ♦ is competent, confident and safe to work with children and young people.
- ♦ people aspire to be part of and want to remain in, where they can develop their skills and build satisfying careers.
- ♦ parents, children and young people trust and respect.



Partnership arrangements

The Hartlepool Partnership

The Hartlepool Partnership brings together all of the Borough's partnerships delivering local services and is a network of partnerships. It provides opportunities for involvement for a wide range of organisations and individuals in the development and implementation of policy. The Partnership is made up of a series of Themed Partnerships.



The Partnership has worked to prepare a comprehensive Community Strategy.

Community Strategy 2008 – 2020

The updated Community Strategy builds on the 2002 Strategy and provides a revised policy framework for Hartlepool. It describes a long-term vision – Hartlepool's ambition and aspirations for the future:

"Hartlepool will be an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential"

The Vision is further articulated through a set of aims, outcomes and associated objectives grouped into eight priorities:

1. Jobs and the Economy
2. Lifelong Learning & Skills
3. Health & Well-being
4. Community Safety
5. Environment
6. Housing
7. Culture & Leisure
8. Strengthening Communities

Hartlepool YOS is a multi-agency team which has responsibility for the geographic area of Hartlepool Borough. Working from our new location at Windsor Offices above Middleton Grange Shopping Centre.

Partnership working across the statutory and voluntary sector is well established and effective. Relevant partners second the appropriate level of staff and contribute funding to the Youth Offending Service pooled budget. Additional sources of income have been achieved through successful partnership bids to the Youth Justice Board and the Youth Crime Action Plan, which supports projects such as prevention, parenting, mentoring, reparation schemes, restorative justice and the Integrated Resettlement Service.

Intensive Supervision and Surveillance (ISS) funding which was previously centralised across the Tees Valley has now been devolved to individual Services, and Hartlepool is currently developing ISS in-house, as part of the more integrated case management system.

The YOS is a key member of the Safer Hartlepool Partnership, which is the local crime prevention and community safety service, covering anti-social behaviour, prevention of offending and re-offending, drugs and alcohol with a focus upon public reassurance.

Service level agreements and protocols are in place with partner agencies for referrals and delivery of appropriate services to young people and their families to meet their needs.

A protocol is in place which sets out the working arrangements between Children's Social Care and the Youth Offending Service to ensure delivery of effective joint working with young people to achieve positive outcomes.

A Service Level agreement exists between Child and Adult Services and Barnardo's to deliver parenting support and interventions to parents requesting help and to those subject to a parenting order imposed by the court who have not previously engaged with parenting services.

The Children's Society deliver restorative justice interventions including victim offender mediation and work with victims in completing victim impact statements to be used in the work with the offender.

Prevention services have been developed by the multi-agency involvement in 'Team Around the School'.

A good working relationship with the local Police has facilitated the development of 'Triage', first introduced in January 2010, for young people in Police custody who would previously have received a conviction. The Triage intervention addresses the young persons offending and includes a restorative activity. If the young person successfully completes the 'Triage' intervention there will be no further action from the Police. As a result the young person does not have a criminal record, which could affect

their life chances in the future. In addition, the coordinator is also able to identify and alert police to persistent offenders at an early stage, thereby speeding up procedures and ensuring that young person receives an appropriate disposal.

The YOS is represented within the Children's Partnership and is a member of the appropriate sub-groups. It is also represented on the Local Safeguarding Children Board.

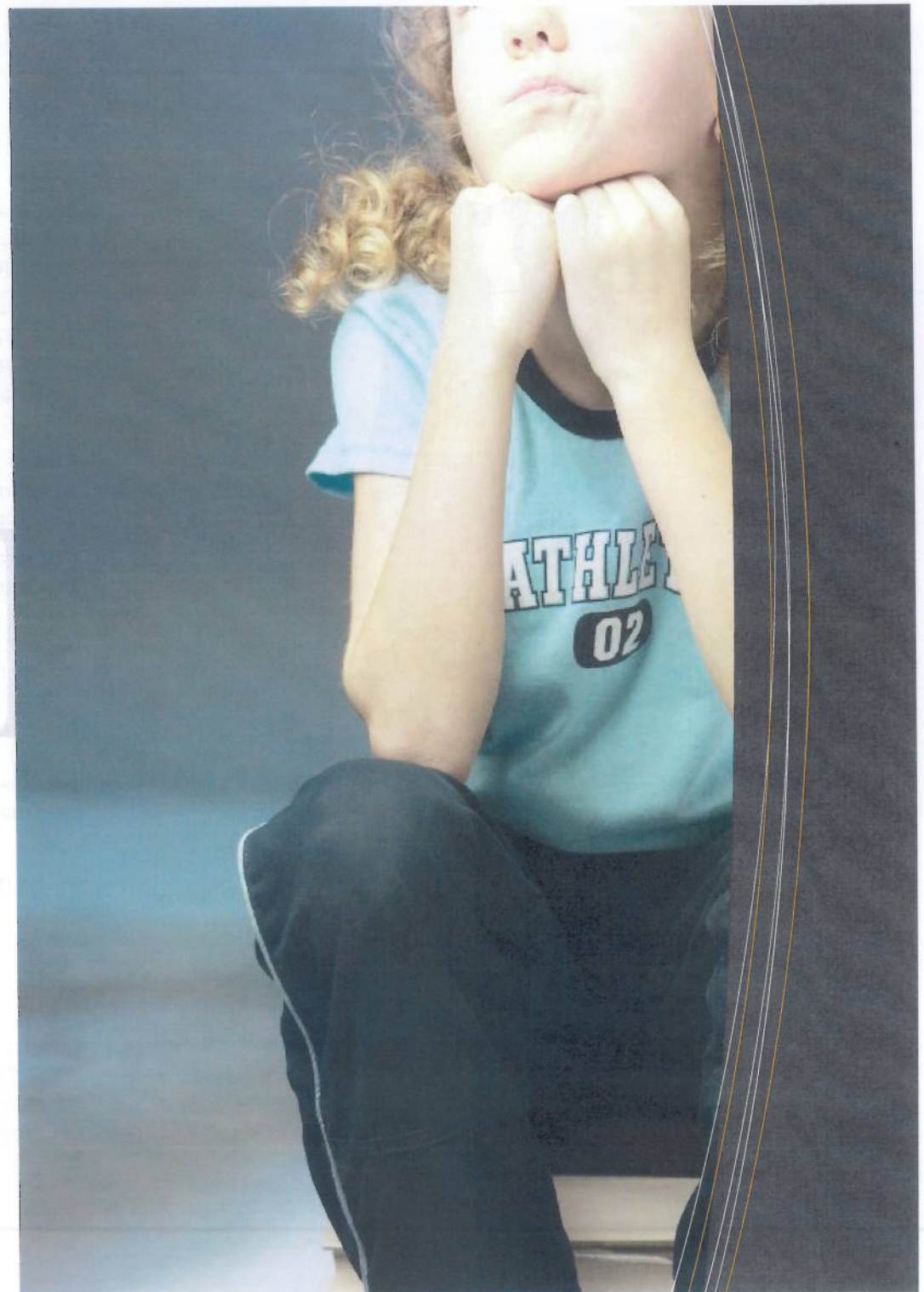
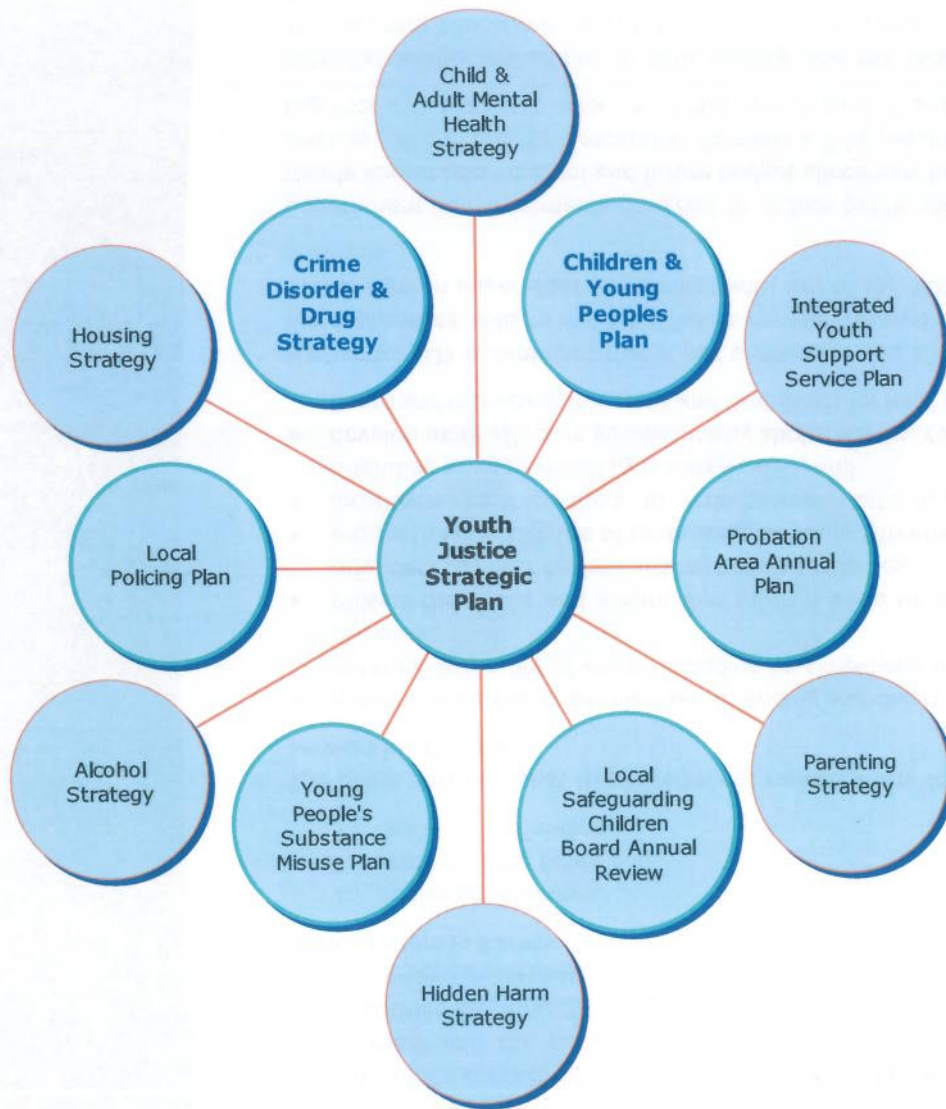
The Positive Contribution element of the Children and Young People's Plan includes the work of the YOS in preventing crime and anti-social behaviour.

Hartlepool YOS also engages with the complex web of priorities and targets from local partners and agencies.

Hartlepool YOS recognises that there is much to be gained from collaborative approaches across the Tees Valley and arrangements are in place, and a variety of natural links have been developed with other YOSs including joint training, shared resources etc.

The YOS has excellent relationships with other agencies and organisations the key aim being to share expertise, skills, knowledge and resources in a commonality of purpose to prevent offending and to ensure the security and prosperity of the people of Hartlepool. The YOS is involved at the highest levels of strategic decision making throughout the Borough. This is illustrated opposite.

YOS Strategic Plan - Linkages to other Plans



Risks to future delivery

The immediate context for this Plan is the recent change to a Coalition Government and the publication (December 2010) of their green paper entitled [Breaking the Cycle: Effective Punishment, rehabilitation and Sentencing of Offenders](#), which outlines their plans for the criminal justice system in 3 areas;

1. punishing offenders,
2. protecting the public and
3. reducing reoffending.

The paper sets out what the government expects from Youth Justice Services in order to:

- ◆ prevent more young people from offending and divert them from entering into a life of crime, including by simplifying out-of-court disposals;
- ◆ protect the public and ensure that more is done to make young offenders pay back to their victims and communities;
- ◆ ensure the effective use of sentencing for young offenders;
- ◆ incentivise local partners to reduce youth offending and re-offending using payment by results models; and
- ◆ develop more effective governance by abolishing the Youth Justice Board and increasing freedoms and flexibilities for local areas.

Hartlepool YOS is confident that it has a structure and the staff with the appropriate skills to meet any future demands placed upon it and that the green paper does not conflict with any of the YOS's existing priorities.

Government announcements designed to reduce public spending will clearly impact upon current and future budget allocations for all public services and the YOS is no exception. Partners will be required to work together with restricted resources in this new climate of 'austerity'.

Potential further reductions in core funding and the lack of clarity around grant allocations, with subsequent loss of specialist staff and difficulties with recruitment are always areas of concern, however, the

YOS has successfully met these challenges in the past and is well placed to overcome any unpredictable future problems with the support of a committed, strong Management Board.

Hartlepool YOS intends to work with its partners to continue to drive efficiency within the Service through the delivery of high quality, lean and efficient practices which make maximum use of resources.

The YOS Partnership will be proactive in addressing risks to ensure it continues to achieve its central aim in it's priorities for 2010-11.

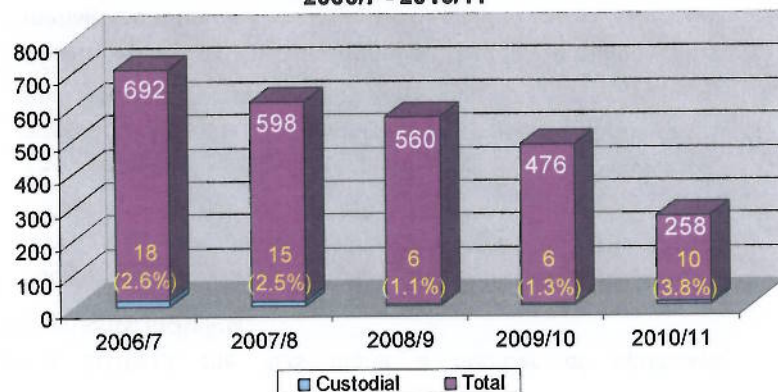


YOS Priorities and Actions for 2010-2011

Priorities

1. Ensure the YOS is a good place to work focusing on staff training, support and development.
2. Ensure effective risk and vulnerability management of all young people.
3. Maintain and improve compliance and performance in accordance with National Standards.
4. Sustain and deliver excellent partnership arrangements particularly with the Integrated Youth Service.
5. Provide high quality Restorative Justice Services that support victims of crime and provide confidence to both community and Youth Justice Services.
6. Sustain the reduction of first time entrants to the youth justice system and the reduction of further offending by young people already in the system.
7. Ensure the safe and effective use of custodial and remand sentencing. (see below)

**Number of disposals and % of which were custodial
2006/7 - 2010/11**



Actions

- ✓ Continue to ensure the efficient and effective use of resources by streamlining processes.
- ✓ Participate fully in any funding reviews undertaken in 2011-12 aimed at defining future budgets.
- ✓ Develop, review and improve current interventions particularly those associated with parenting and victim procedures.
- ✓ Promote the work and success of the YOS in local communities and with key stakeholders.
- ✓ Work effectively to increase the engagement in education, training and employment (ETE) of young people in the youth justice system.
- ✓ Improve our data recording procedures and performance management by ensuring regular data auditing and reporting procedures are in place.
- ✓ Develop a team which has a 'quality' culture at its centre.
- ✓ Develop and build upon the success of the 'Triage' system.
- ✓ Work more closely with the new management of the Attendance Centre to introduce and improve the interventions we can provide.
- ✓ Introduce additional data processing auditing, training and data surgeries to improve accuracy of recording procedures.
- ✓ Review existing commissioned services to ensure that commissioned services provide best value for money.
- ✓ Update our website to reflect recent changes in legislation and local arrangements.
- ✓ Review our operational procedures to ensure we are working within guidance issued by MAPPA (Multi Agency Public Protection Arrangements).

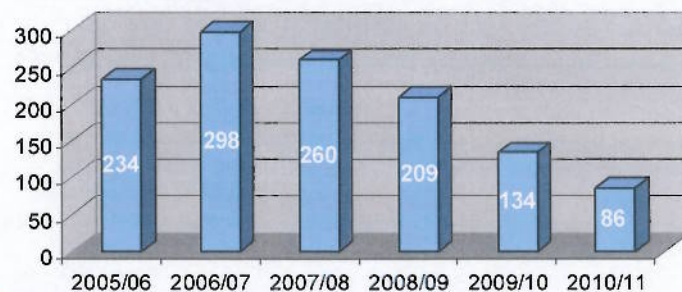
Details of the progress of actions are contained in the YOS Action Plan which is updated on a monthly basis.

Significant Achievements

During 2010/11 the YOS made a number of significant achievements, including:

- ✓ Successfully developing the pilot 'Triage' model at the point of arrest with our partners Cleveland Police and the Crown Prosecution Service (CPS).
- ✓ The successful development of our 'Crime Prevention' approach which the HMI Inspection Team noted was one of the best structured schemes it had seen.
- ✓ Development of a professional highly qualified case management team.
- ✓ Improved court team arrangements.
- ✓ Increase in the number of reparation projects undertaken by young people and increased week-end and evening work.
- ✓ Improved performance against key indicators particularly the reduction in the number of first time entrants to the youth justice system. (see below)

Young People entering the Criminal Justice System for the first time 2005/6 - 2010/11



- ✓ Introduction of a 'learning style' assessment for all young people dealt with by the YOS.
- ✓ Improved health screening for young people.
- ✓ Introduction of scheduled risk and vulnerability multi agency meetings.
- ✓ Significant improvements in victim confidence and satisfaction levels.
- ✓ Successful disaggregation of Intensive Supervision and Surveillance without disruption to services.
- ✓ Significant reductions in both the numbers of young offenders (21.5%) and the offences committed by those offenders (22.1%) being dealt with in the criminal justice system; compared with 2009-10.

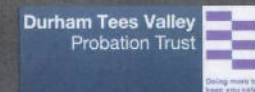
Further information about Hartlepool Youth Offending service can be obtained from

**Youth Offending Service
Windsor Offices
Unit 24**

**Middleton Grange Shopping Centre
Victoria Road
Hartlepool
TS24 7RJ**

Or visit our Website
at

http://www.hartlepool.gov.uk/a_to_z/service/1214/youth_offending_service



COUNCIL
27th October 2011



Report of: Acting Chief Executive

Subject: BUSINESS REPORT

1. TREASURY MANAGEMENT REPORT

- 1.1 I attach, at Appendix 1, the Treasury Management report which was considered by the Audit Committee at its meeting on 23rd September 2011 when it was determined, by the Committee, that the report should be referred to Council for information.

2. REVIEW OF POLITICAL STRUCTURE

- 2.1 The Constitution Committee at its recent meeting agreed a recommendation from the Constitution Task and Finish Group that the Group be responsible for the review of the Political Structure of the Council that will be required following the Boundary Commission Review to be implemented in May 2012. It has also been suggested that any interested members of the General Purposes Committee be co-opted onto the Task and Finish Group for the purposes of the review.
- 2.2 Therefore, any Members of the General Purposes Committee that wish to be co-opted onto the Constitution Task and Finish Group are requested to indicate at the meeting.

3. OUTSIDE BODY APPOINTMENTS

- 3.1 As indicated at the meeting of Council on 15 September 2011, following the changes made to Cabinet and the executive delegation scheme, there would be some consequent changes required to Outside Body appointments. Accordingly, the Mayor has confirmed the following changes to appointments: -
- 3.2 **Archives Joint Committee** – Councillor Cath Hill (Portfolio Holder for Culture, Leisure and Tourism) to replace Councillor Hilary Thompson.

Hartlepool Economic Forum – Councillor Peter Jackson (Portfolio Holder for Regeneration, Economic Development and Skills) to replace Councillor Pamela Hargreaves.

Local Government Association – Urban Commission - Councillor Peter Jackson (Portfolio Holder for Regeneration, Economic Development and Skills) to replace Councillor Pamela Hargreaves.

Tees Valley Local Access Forum - Councillor Cath Hill (Portfolio Holder for Culture, Leisure and Tourism) to replace Councillor Hilary Thompson.

Durham Heritage Coast partnership Steering Group - Councillor Peter Jackson (Portfolio Holder for Regeneration, Economic Development and Skills) to replace Councillor Pamela Hargreaves.

Museums Libraries Archives North East - Councillor Cath Hill (Portfolio Holder for Culture, Leisure and Tourism) to replace Councillor Hilary Thompson.

Northern Consortium of Housing Authorities – Councillor Jonathan Brash (Portfolio Holder for Housing and Transition) to replace the Mayor, Stuart Drummond.

North East Strategic Migration Partnership – Councillor Hilary Thompson (Portfolio Holder for Performance) to replace Councillor Jonathan Brash.

Durham Tees Valley Airport Board – Councillor Pam Hargreaves (Portfolio Holder for Transport and Neighbourhoods) to replace Councillor Peter Jackson.

3.3 Council is requested to note the changes detailed above.

4. **APPOINTMENT OF INDEPENDENT MEMBER TO THE COUNCIL'S STANDARDS COMMITTEE AND THE INDEPENDENT REMUNERATION PANEL**

The Relevant Authorities (Standards Committees) Regulations, 2001 and subsequently the Standards Committee (England) Regulations, 2008, provide that Standards Committees must ensure that at least 25 per cent of its membership are “independent members”. As previously noted to Council, the 2008 Regulations also provide the criteria for the appointment of independent members, as follows:

- approved by majority of the members of the authority;
- advertised in one or more newspapers circulating in the area of the authority, and in such other publications or websites as the authority considers appropriate;
- of a person who submitted an application to the authority;
- has within a period of five years immediately preceding the date of the appointment has not been a member or officer of the authority; or
- is a relative or close friend of a Member or Officer of the authority.

Following a publicity exercise, an application was forthcoming from the Reverend John Lund, for appointment as an independent and therefore a co-opted member of the Council's Standards Committee. Reverend Lund also

confirmed his willingness to be considered for appointment as an independent member of the Council's Independent Remuneration Panel.

Reverend Lund was interviewed for these positions before a meeting of the Council's Standards Committee, which convened on 11 October 2011. The Committee unanimously recommended that Reverend Lund be appointed to these two positions, subject to formal Council approval. Such appointments are normally for a term of four years.

RECOMMENDATION

That Council approve the appointment of the Reverend John Lund as an Independent Member upon the Council's Standards Committee for a term of four years and as a Member of the Independent Remuneration Panel.

TREASURY MANAGEMENT OUTTURN 2010/2011

1. PURPOSE OF REPORT

- 1.1 This report provides a review of the Treasury Management activity for 2010/2011 and the outturn Prudential Indicators for this period.

2. BACKGROUND

- 2.1 As part of the annual Budget and Policy Framework process Council approved the 2010/11 Treasury Management Strategy and associated Prudential Indicators on the 29th January, 2010.
- 2.2 The submission of the outturn report to Council is a requirement of the CIPFA Code of Practice on Treasury Management, DCLG (Department for Communities and Local Government) Investment Guidance and the CIPFA Prudential Code for Capital Finance in Local Authorities, as it allows Members to review progress against the approved strategy.
- 2.3 The 2010/11 financial year continued the challenging economic environment of the previous year with weak signs of recovery. The implications have been the continuation of low investment returns and continued counterparty risk, albeit less severe than in previous years.
- 2.4 The focus of this report is events relating to the financial year 2010/2011 and summarises:
- the Review of the Treasury Management Outturn 2010/2011 by the Audit Committee
 - the economic background for 2010/2011;
 - the Council's capital expenditure and financing in 2010/2011;
 - the Council's treasury position at 31st March 2011;
 - the regulatory framework, risk and performance;
 - Pooled Investment Fund Termination
- 2.5 This report is being submitted to finalise the reporting of 2010/11 Treasury Management issues.

3. REVIEW OF THE TREASURY MANAGEMENT OUTTURN 2010/2011 BY THE AUDIT COMMITTEE

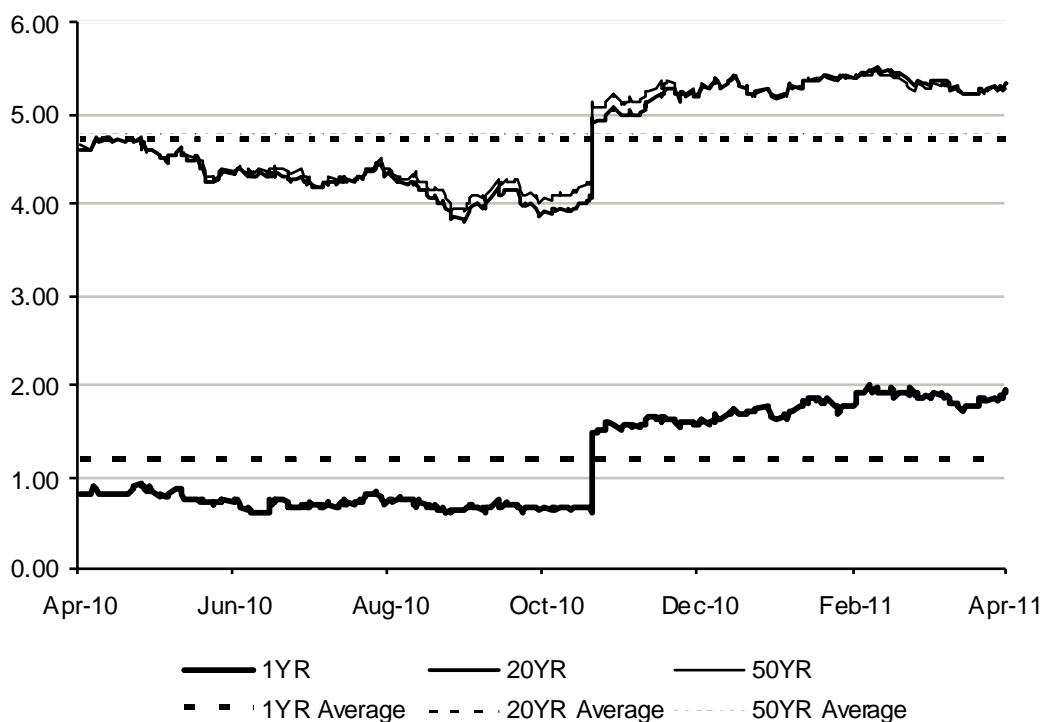
- 3.1 Treasury Management guidance requires councils to nominate a body to be responsible for ensuring effective scrutiny of the Treasury Management arrangements before making recommendations to Council. This responsibility has been allocated to the Audit Committee.

Appendix 1

- 3.2 The Treasury Management Outturn 2010/2011 was considered by the Audit Committee on 23 September 2011. The Audit Committee approved that it should be referred to Council.

4 ECONOMIC BACKGROUND FOR 2010/2011

- 4.1 2010/11 proved to be another difficult year for financial markets. Rather than a focus on individual institutions, market fears moved to sovereign debt issues, particularly in the peripheral Euro zone countries. Local authorities were also presented with changed circumstances following the unexpected change of policy on Public Works Loan Board (PWLB) lending arrangements in October 2010. This resulted in an increase in new borrowing rates of 1%, without an associated increase in early redemption rates. This made new borrowing more expensive and early repayment less attractive and in some cases not cost effective.
- 4.2 The graph below shows PWLB borrowing rates during 2010/2011, the increase in new borrowing rates can clearly be seen.



- 4.3 UK growth proved mixed over the year. The first half of the year saw the economy outperform expectations, albeit growth was only 1.1%. The economy slipped back into negative territory in the final quarter of 2010. The year finished with prospects for the UK economy being decidedly downbeat over the short to medium term while the Japanese disasters in March, and the Arab Spring, especially the crisis in Libya, caused an increase in world oil prices, which all combined to dampen international economic growth prospects.

Appendix 1

- 4.4 The change in the UK political background was also a factor behind weaker domestic growth expectations. The new coalition Government adopted a policy to reduce the national budget deficit and announced significant spending cuts in the October Comprehensive Spending Review. The March 2011 Budget continued this theme. Although the main aim was to reduce the national debt burden to a sustainable level, the measures are also expected to act as a significant drag on growth.
- 4.4 Gilt yields (i.e. interest paid on Government debt) fell for much of the first half of the year as financial markets deemed the UK debt to be safer than European debt which was affected by sovereign debt concerns. Expectations of further quantitative easing also helped to push yields to historic lows. However, this position was mostly reversed in the closing months of 2010 as sentiment changed owing to sharply rising inflation pressures.
- 4.5 The developing Euro zone peripheral sovereign debt crisis caused considerable concerns in financial markets. First Greece (May), then Ireland (December), were forced to accept assistance from a combined EU / IMF (International Monetary Fund) rescue package. Subsequently, fears steadily grew about Portugal, although it managed to put off accepting assistance till after the year end. These worries caused international investors to seek safe havens in investing in non-Euro zone government debt.
- 4.6 Deposit rates picked up modestly in the second half of the year as rising inflationary concerns, and stronger than expected first half growth, fed through to prospects of an earlier start to increases in Bank Rate by the Bank of England. However, in March 2011, slowing actual growth, together with weak growth prospects, saw consensus expectations of the first UK rate rise move back from May to August 2011 despite high inflation. However, the disparity of expectations on domestic economic growth and inflation encouraged a wide range of views on the timing of the start of increases in Bank Rate. This sharp disparity was also seen in the Bank of England MPC (Monetary Policy Committee) voting which, by year-end, had three members voting for a rise while others preferred to continue maintaining rates at historically low levels. A rise in interest rates is now not expected until the final quarter of 2012.

5. THE COUNCIL'S CAPITAL EXPENDITURE AND FINANCING 2010/2011

- 5.1 The Council's approved capital programme is funded from a combination of capital receipts, capital grants, revenue contributions and prudential borrowing.

Appendix 1

- 5.2 Part of the Council's treasury management activities is to address this prudential borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council. The wider treasury activity also includes managing the Council's day to day cash flows, its previous borrowing activities and the investment of surplus funds. These activities are structured to manage risk foremost, and then optimise performance.
- 5.3 Actual capital expenditure forms one of the required prudential indicators. As shown at Appendix A, the total amount of capital expenditure for the year was £33.5m, of which £9.7m was funded by Prudential Borrowing. Capital expenditure of £30.7m was rephased into 2011/2012 and matched by rephased resources.
- 5.4 The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is the accumulated value of capital expenditure which has been financed from Prudential Borrowing. Each year the Council is required to apply revenue resources to reduce this outstanding balance.
- 5.5 Whilst the Council's CFR sets a limit on underlying need to borrow, the Council can manage the actual borrowing position by either;
- borrowing externally to the level of the CFR; or
 - choosing to use temporary internal cash flow funds instead of borrowing; or
 - a combination of the two.
- 5.6 The Council can also borrow for future planned increases in the CFR up to 3 years in advance, when this is deemed to be appropriate. This was not the case in 2010/2011.
- 5.7 The Council's CFR for the year was £92.2m as shown at Appendix A. This is lower than the approved estimate owing to the rephasing of capital expenditure until 2011/2012. The Council's total long term external borrowing as at 31st March, 2011 was £48.3m. This is currently less than the CFR as a result of being able to use the Council's balances to internalise the funding of capital expenditure. This strategy was approved in January 2010 and enabled the council to significantly reduce counterparty risk by reducing the level of external investments. This strategy was also the most cost effective strategy in 2010/2011 and contributed to the overall favourable 2010/2011 outturn reported in May 2011.
- 5.8 As reported when the Treasury Management Strategy was approved the Council will need to fund the CFR from external borrowing at some stage. The timing of new long term borrowing will need to be carefully managed to ensure the annual repayment and interest costs relating to the CFR do not exceed the available budget and become a

Appendix 1

budget pressure. This risk will continue to be managed closely to protect the Council's medium term financial position.

6. THE COUNCIL'S TREASURY POSITION AT 31ST MARCH, 2011

- 6.1 The table overleaf shows the treasury position for the Council as at the 31st March, 2011 compared with the previous year:

Treasury position	31st March 2010		31st March 2011	
	Principal	Average Rate	Principal	Average Rate
Fixed Interest Rate Debt				
- PWLB	£1.8m	4.12%	£1.8m	4.12%
- Market Loans	£45.0m	4.00%	£45.0m	4.00%
Total Long Term Debt	£46.8m	4.00%	£46.8m	4.00%
Variable Interest Rate Debt				
- Temporary loans	£4.0m	0.45%	£1.5m	1.00%
Total Debt	£50.8m	3.24%	£48.3m	3.42%
Total Investments	£29.4m	2.68%	£24.3m	1.26%
Net borrowing Position	£21.4m		£24.0m	

- 6.2 As shown in the above table, the Council has reduced the level of total debt. This resulted from the Council's Treasury Strategy of funding a greater share of the Council's Capital Finance Requirement by temporarily using balance sheet resources, such as reserves and reducing the level of investments. This strategy has enabled the Council to reduce exposure to counterparty default risk while also managing to achieve the optimum level of cost effectiveness.
- 6.3 A key performance indicator shown in the above table is the very low average rate of external debt of 3.42% for debt held as at 31st March, 2011. The latest available data from CIPFA shows that the Council ranked joint lowest out of 48 unitary Councils in terms of lowest average rate for external borrowing.
- 6.4 The Council's investment policy is governed by Department of Communities and Local Government (DCLG) guidance, which has been implemented in the annual investment strategy approved by Council on 29th January, 2010.
- 6.5 The original criteria approved by Members provided a starting point which was then restricted further to produce an operational list which is reviewed on a regular basis. Following the increased risk and uncertainty arising from the unprecedented recent economic crisis the Chief Finance Officer continued to adopt an even more vigilant approach resulting in what is effectively a 'named' list. This consists

Appendix 1

of a very select number of counterparties that are considered to be the lowest risk. This has involved the Council temporarily suspending making new deposits with all building societies except the Nationwide, which has a financial standing rating equivalent to the major clearing banks.

- 6.6 The Council's approach of suspending building societies from the counterparty list has proven prudent as the ratings for all building societies (except Nationwide) were downgraded during 2010/2011 owing to continuing concerns about their financial stability and exposure to property loans
- 6.7 The Council also continued to exclude all foreign banks, including Irish banks from the list following the downgrading of the countries sovereign rating.
- 6.8 By not relying on credit ratings the Council sought to take a more pragmatic and broad based view of the factors that impact on counterparty risk. The downside of this prudent approach is that the Council achieved lower investment returns than would have been possible if deals were placed with organisations with a lesser financial standing. In the current climate the risk associated with these higher returns would not have been prudent.
- 6.9 As part of the approach to maximising investment security the Council has also kept investment periods short. This has also resulted in lower investment returns.
- 6.10 A prudent approach will continue to be adopted in order to safeguard the Council's resources.

7 REGULATORY FRAMEWORK, RISK AND PERFORMANCE

- 7.1 The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance:
- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
 - The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2010/2011);
 - Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
 - The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;

Appendix 1

- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the DCLG has issued Investment Guidance to structure and regulate the Council's investment activities;
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November, 2007.

7.2 The Council has complied with all of the above relevant statutory and regulatory requirements which limit the levels of risk associated with its Treasury Management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable and its treasury practices demonstrate a low risk approach.

7.3 The Council is aware of the risks of passive management of the Treasury Portfolio and with the support of Sector (who recently acquired Butlers), the Council's advisers, has proactively managed its treasury position. A proactive approach will continue to be adopted.

7.4 **Prudential Indicators and Compliance Issues**

7.5 Details of each Prudential Indicator are shown at Appendix A. Some of the prudential indicators provide either an overview or specific limits on treasury activity. The key Prudential Indicators to report at outturn are described below.

7.6 The **Authorised Limit** is the "Affordable Borrowing Limit" required by Section 3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. Appendix A demonstrates that during 2010/2011 the Council has maintained gross borrowing within its Authorised Limit.

7.7 **Net Borrowing and the CFR** - In order to ensure that borrowing levels are prudent, over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose. Net borrowing should not have exceeded the CFR for 2010/2011 plus the expected changes to the CFR over 2011/2012 and 2012/2013. The Council has complied with this Prudential Indicator.

8 **POOLED INVESTMENT FUND TERMINATION**

8.1 From February 2009 the Council 'pooled' its investments with Cleveland Fire Authority to help spread counterparty risk. As a result of this collaboration both organisations shared the same Treasury

Appendix 1

Management Strategies and criteria determining approved investment counter-parties. During 2010/2011 it was agreed to unwind the 'pooled' fund as the investment and borrowing needs of two authorities now differ. The Chief Finance Officer, using delegated powers, revised the Council's individual counterparty limits for 2010/2011 in order to assist the unwinding of the fund.

- 8.2 The fund had been largely unwound during the year and at the 31st March, 2011 only two pooled investments remained with a total value of £5.5m. These investments have now matured and the pooled fund has now been terminated.

9 CONCLUSION

- 9.1 The report provides members with an overview of the Treasury Management activities for 2010/2011, as required by legislation. The report demonstrates that these activities have been undertaken in accordance with relevant legislation, regulations and the Council's approved Treasury Management Strategy. Therefore, there are no specific issues to bring to Members attention.

10. RECOMMENDATION

- 10.1 It is recommended that Members note that the report.

Appendix A

Prudential Indicators 2010/11 Outturn

1. Ratio of Financing Costs to Net Revenue Stream

This indicator shows the proportion of the total annual revenue budget that is funded by the local tax payer and Central Government, which is spent on servicing debt. The outturn is lower than the estimate, mainly as a result of a technical change in the calculation of this indicator as a result of the Government's decision to un-ring fence a number of revenue grants. Savings have also been achieved from long term borrowing repayment and the very low rates of interest on short term loans.

2010/11 Estimate		2010/11 Outturn
7.32%	Ratio of Financing costs to net revenue stream	4.70%

2. Capital Expenditure

This indicator shows the total capital expenditure for the year.

2010/11 Estimate £'000		2010/11 Outturn £'000
34,167	Capital Expenditure	33,483

The actual is slightly lower than the estimate as a result of rephasing of capital expenditure into future years.

3. Capital Expenditure Financed from Borrowing

This shows the borrowing required to finance the capital expenditure programme.

2010/11 Estimate £'000		2010/11 Outturn £'000
13,459	Capital Expenditure Financed by Borrowing	9,708

The actual is lower than the estimate owing to expenditure funded by prudential borrowing rephased into future years.

4. Capital Financing Requirement

CFR is used to determine the minimum annual revenue charge for capital expenditure repayments (net of interest). It is calculated from the Authority's Balance Sheet and is shown below. Forecasts for future years are directly influenced by the capital expenditure decisions taken and the actual amount of revenue that is set aside to repay debt.

2010/11 Estimate £'000		2010/11 Outturn £'000
95,347	Capital Financing Requirement	92,207

The actual is lower than the estimate as a result of capital expenditure included within the estimate which has been rephased into 2011/2012.

5. Authorised Limit for External Debt

The authorised limit determines the maximum amount the Authority may borrow at any one time. The authorised limit covers both long term borrowing for capital purposes and borrowing for short term cash flow requirements. The authorised limit is set above the operational boundary to provide sufficient headroom for operational management and unusual cash movements. In line with the Prudential Code, the level has been set to give the authority flexibility to borrow up to three years in advance of need if more favourable interest rates can be obtained.

Appendix 1

2010/11 Limit £'000		2010/11 Peak £'000
115,000	Authorised limit for external debt	65,766

The above Authorised Limit was not exceeded during the year. The level of debt as per the Balance Sheet at the year end, excluding accrued interest was £46.8m. The peak level during the year was £65.766m.

6. Operational Boundary for External Debt

The operational boundary is the most likely prudent, but not worst case scenario, level of borrowing without the additional headroom included within the authorised limit. The level is set so that any sustained breaches serve as an early warning that the Authority is in danger of overspending or failing to achieve income targets and gives sufficient time to take appropriate corrective action.

2010/11 Limit £'000		2010/11 Peak £'000
102,000	Operational boundary for external debt	65,766

The operational limit was not exceeded in the year. The peak level of debt was £65.766m.

7. Interest Rate Exposures

This indicator is designed to reflect the risk associated with both fixed and variable rates of interest, but must be flexible enough to allow the Authority to make best use of any borrowing opportunities.

2010/11 Limit £'000	Upper limits on fixed and variable interest rate exposure	2010/11 Peak £'000
102,000	Fixed Rates	46,817
102,000	Variable Rates	18,949

The figures represent the peak values during the period.

8. Maturity Structure of Borrowing

This indicator is designed to reflect and minimise the situation whereby the Authority has a large repayment of debt needing to be replaced at a time of uncertainty over interest rates, but as with the indicator above, it must also be flexible enough to allow the Authority to take advantage of any borrowing opportunities.

	Upper Limit £000	Lower Limit £000	Actual £000
Under 12 months	92,000	0	1,470
12 month to 2 years	102,000	0	65
2 years to 5 years	102,000	0	15
5 years to 10 years	102,000	0	145
10 years to 20 years	102,000	0	39
20 years to 30 years	102,000	0	0
30 years to 40 years	102,000	0	0
40 years to 50 years	102,000	0	1,553
50 years to 60 years	102,000	0	5,000
60 years to 70 years	102,000	0	40,000

9. Investments over Maturing over One Year

This sets an upper limit for amounts invested for periods longer than 364 days. The limit was not exceeded as a prudent approach to investment has been taken owing to uncertainties in the economy this is in line with the Treasury Management Strategy. Consequently all investments made during the year were limited to less than one year.

	1 year £000	2 year £000	3 year £000
Maximum Limit	30,000	20,000	15,000
Actual	0	0	0

COUNCIL
27th October 2011



Report of: Chief Executive

Subject: BUSINESS REPORT (2)

5. CHILDREN'S SERVICES SCRUTINY FORUM – CO-OPTED MEMBER

As Members are aware, there are two statutory added Member positions on the Membership of the Children's Services Scrutiny Forum for school governing body representatives from both the primary and secondary sectors. There is currently a vacancy for a primary school governor. A nomination has now been received for this position. Sacha Paul Bedding, Chair of Governors of the Federated Governing Body of St Peter's Elwick and Hart Primary School has been duly nominated to the primary school position for a term of two years. Council's approval to the nomination is required.

RECOMMENDATION

Council's approval to the nomination is requested.

6. PETITION FOR A REFERENDUM

Members are informed that on the 21st October, 2011, the Council received a petition requesting a "Mayoral Referendum". The date of the receipt of a petition becomes the "petition date" and the Council will have a period of one month beginning with this date, to verify whether or not the petition is valid.

If the petition is valid then notification has to be given to the petition organiser and to the Secretary of State within this verification period, and that a Referendum will be held. Publication of such an outcome will also need to be given in at least one newspaper circulating within the Borough. If the petition is invalid, then again during the same period, formal notification and publication will be required. Members will also be aware, that the verification number to trigger a Referendum is that which represents 5% of the number of local government electors. In the case of Hartlepool Borough Council that figure equates to 3,467. Consequently, the petition received would need to meet this particular requirement to be considered as being valid. Conversely, where a petition is invalid then the Secretary of State has a

discretion to direct a Local Authority to proceed with a Referendum. This discretion would be exercised where there is “significant expression of public support” for such a Referendum.

Before a Referendum were to proceed, there would be a requirement for the Council to have “fall-back” arrangements in place should the electorate decide to depart from the present Mayor and Cabinet model of governance. Such ‘fall-back’ arrangements would need to be subject to public consultation. Presently, the only alternative model of governance is that relating to the “Leader and Cabinet” model. There is a provision within the Localism Bill which provides for a further model of governance, namely a return to the “Committee system” of governance. A further report will be brought back to Council to confirm whether this present petition is valid or not. However, Members may wish to explore the potential of its “fall-back” proposals as the timeframe for moving to Referendum, by way of the “trigger” through a petition or through the direction of the Secretary of State is exceptionally tight. Referendums should be held within six months from the date of receipt of a valid petition, although, there are provisions which relate to the combination of polls. Nevertheless, a Local Authority would be required to publish an outline of its “fallback” proposals at least two months prior to any Referendum. As the Constitution Committee through a Task and Finish Group (which seeks in a separate report to Council, the co-option of members of the General Purposes Committee) is already established to look at a review of the Council’s Constitution and potentially the ‘political structures’ following on from the final recommendations of the Local Government Boundary Commission for England, it appears opportune for that the Group to also consider “fall-back” proposals as outlined within this report. It is suggested that this Group may also wish to co-opt additional Members to develop such proposals before any recommendations are made to Council.

Recommendations:-

1. That Council notes the receipt of a petition requesting a Mayoral Referendum.
2. That the Constitution Committee through its Task and Finish Group consider and make recommendations upon “fall-back” proposals contingent upon a Referendum being held.