



Chief Executive's Department
Civic Centre
HARTLEPOOL

28 November 2011

The Mayor (Stuart Drummond)

Councillors Aiken, C Akers-Belcher, S Akers-Belcher, Barclay, 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, 8th December, 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



Thursday 8th December 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 last meeting of the Council held on 27 October 2011, as a correct record (copy 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.
8. To deal with any business required by statute to be done.
 - (i) Special Urgency Decisions – No special urgency decisions were taken in respect of the period July 2011-September 2011.

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 General Purposes Committee – Review of Polling Districts, Polling Places and Polling Stations (to follow).
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) Petition to Council – Closure of Falcon Road, Hartlepool (to follow).
13. To consider reports from the Executive:-
 - (a) Proposals in relation to the Council's budget and policy framework
 - (i) Revision to the Local Development Scheme
 - (b) Proposals for departures from the budget and policy framework

None.
14. To consider any motions in the order in which notice has been received.
 - (a) Hartlepool Borough Council, is alarmed by the recent intimation by Government that the NICE (National Institute for Clinical Excellence) rules governing the use of Caesarean Section during childbirth may be relaxed, so allowing for elective Caesarean being available on the NHS.

We believe that this change is fundamentally flawed:

- At a time when finances are being restricted within the NHS, this has the potential to increase costs.
 - NHS – Normal Childbirth - £750 to £1500 (dependant on where the birth takes place and how much assistance is needed)
 - NHS – Caesarean Section - £2,500 (due to need for, an anaesthetists, surgery time, the extra drugs and aftercare needed)
 - Private Hospital – Caesarean - £5,000 + up to £1,000 per night
- It has the potential to reduce the availability of Midwife-led Maternity Units, such as the one at the University Hospital of Hartlepool.

This Council therefore resolves to work closely with our MP Iain Wright so that he can keep us informed of any changes to the rules governing the availability of elective Caesarean Section and any potential impact this may have on services in Hartlepool.

Councillor C Simmons
Councillor G Hall
Councillor R W Cook
Councillor M A James
Councillor L Shields

- (b) This Council is concerned by the conflicting decisions being made by Government.

At a time when Government is pushing ahead with the replacement of Primary Care Trusts (PCT's) as commissioners of local health care, they also believe that a G.P. should no longer be able to sign a sick note. Such diverse decision making has the potential to undermine G.P.'s and leave patients confused and distrustful of the health provision being afforded them.

Councillor C Simmons
Councillor G Hall
Councillor R W Cook
Councillor M A James
Councillor L Shields

15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

<p style="text-align: center;">COUNCIL</p> <p style="text-align: center;">MINUTES OF PROCEEDINGS</p> <p style="text-align: center;">27 OCTOBER 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:

Aiken	C Akers-Belcher	Barclay
Cook	Cranney	Fenwick
Fleming	Gibbon	Griffin
Hall	Hill	Jackson
James	Lauderdale	Lawton
A Lilley	G Lilley	Maness
A Marshall	McKenna	Dr. Morris
Payne	Preece	Robinson
Shaw	Shields	Tempest
Thomas	P Thompson	Wilcox
Wright.		

OFFICERS:

Nicola Bailey, Acting Chief Executive,
Peter Devlin, Chief Solicitor,
Chris Little, Chief Finance Officer,
Dave Stubbs, Director of Regeneration and Neighbourhoods,
Denise Ogden, Assistant Director, Neighbourhood Services,
Graham Frankland, Assistant Director, Resources,
Caroline O'Neill, Assistant Director, Performance and Achievement,
Julian Heward, Public Relations Officer,
David Cosgrove and Denise Wimpenny, Democratic Services Team.

86. APOLOGIES FOR ABSENT MEMBERS

Councillors S Akers-Belcher, Brash, Fleet, Hargreaves, Ingham, Loynes, J Marshall, J W Marshall, Rogan, Simmons, Sirs, Sutheran, H Thompson, Turner and Wells.

87. DECLARATIONS OF INTEREST FROM MEMBERS

None

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

None

89. PUBLIC QUESTIONS

None.

90. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 8 September, 15 September and 6 October, 2011, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

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

In relation to the minutes of the meeting held on 8 September 2011, specifically the reconvened section of the Extraordinary meeting on 29 September, a Member questioned if any response had been received from the Secretary of State for Health to the Chair's letter. The Chair reported that no response had been received. The Chair reported that he had been contacted by the Member of Parliament for Hartlepool, Mr Iain Wright, who had indicated that he and the Member of Parliament for Easington had arranged a meeting with the Minister of State for Health, Mr Simon Burns, and four councillors could attend that meeting which was scheduled for the day of this council meeting. The Chair advised Council that a cross-party group including the Vice-Chair of Council had attended the meeting and would report to the Joint Scrutiny Meeting to be held on 3 November 2011. The Chair encouraged Councillors and members of the public to attend that meeting.

Members raised concern that no response to the questions raised at the reconvened Extraordinary Council meeting appeared to have been received from the NHS Foundation Trust. The Chair indicated that he would pursue the matter.

92. 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

From Councillor A Lilley to the Mayor, Stuart Drummond.

“At the Cabinet meeting of the 26th September 2011 the Mayor guaranteed that the green wedge between the Fens Estate and any development at Claxton and Owton Grange (which was secured during the consultation process) would not be diminished in any way and that it would be an exemplar site in the terms of landscape and conservation.

Unfortunately this guarantee was not recorded in the minutes of the meeting. For the sake of good order could the guarantee be confirmed at this meeting and duly entered into the minutes.”

The Mayor stated that the Councils Planners were currently working on the final draft of the Core Strategy which was known as the publication document. Since the Cabinet meeting of the 26th September 2011 planning officers have had further meetings with members of the Fens Residents Association and Greatham Parish Council to discuss the Green Wedge and the proposed South Western extension. This had included two extensive site visits to look at the proposed boundaries of the Green Wedge. It was intended that this proactive involvement with these groups would continue as the plan was developed.

The Council is committed to ensuring that the south west extension was developed to the highest possible standard and that the Green Wedge provided an extensive and valuable community and wildlife resource. While there may be some changes to boundaries as the plan develops to reflect issues such as flood risk management and landscape form, the Council would do all it could to ensure that the scale and impact of the green wedge would not be diminished. We will seek to achieve this through the development of bespoke policies relating to the South Western Extension and would work to the green wedge being an exemplar site.

In a supplementary question Councillor A Lilley sought the Mayor's guarantee that this would happen. The Mayor responded that he had reinforced in this meeting his statement made at Cabinet on 26 September.

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

None.

93. BUSINESS REQUIRED BY STATUTE

None.

94. ANNOUNCEMENTS

A Member questioned when the Mayor would be announcing the date of the State of the Borough debate. The Mayor indicated that he would write to Members in this regard.

95. 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.

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

- (i) Constitution Changes for the 2011/12 Municipal Year - Report of Constitution Committee

The Vice-Chair of the Constitution Committee moved the report of the Constitution Committee in so doing requested that Council refer the matter back to the Constitution Committee to discuss and resolve the issues with The Mayor, Stuart Drummond. The Chair commented that he would be happy to arrange a mutually agreeable date of the Committee to forward the matter.

RESOLVED – That the matter be referred back to the Constitution Committee for further consideration.

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

None.

98. REPORT FROM THE EXECUTIVE

- (a) Proposals in relation to the Council's budget and policy framework
- (i) Youth Justice Strategic Plan 2011-12

The Mayor, Stuart Drummond, presented the Youth Justice Strategic Plan 2011-12, which was a requirement under the Budget and Policy Framework, and sought Council's approval to the plan.

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

Those in favour –

The Mayor, Stuart Drummond,
Councillors: C Akers-Belcher, Barclay, Cook, Cranney, Fenwick , Fleming, Gibbon, Griffin, Hall, Hill, Jackson, James, Lauderdale, Lawton, A Lilley, G Lilley, Maness, A Marshall, McKenna, Dr. Morris, Payne, Preece, Richardson, Robinson, Shaw, Shields, Tempest, Thomas, P Thompson, Wilcox, Wright.

Those against the recommendation:

None.

Those abstaining:

Aiken.

The vote was carried.

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

None.

99. MOTIONS ON NOTICE

None.

100. TREASURY MANAGEMENT REPORT

The Acting Chief Executive submitted 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. The Acting Chief Executive outlined the principal matters within the report for Council's information.

RESOLVED – That the report be noted.

101. REVIEW OF POLITICAL STRUCTURE

The Acting Chief Executive reported that 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. Therefore, any Members of the General Purposes Committee that wish to be co-opted onto the Constitution Task and Finish Group were requested to indicate at the meeting.

Members proposed that all Members of the General Purposes Committee be co-opted onto the Task and finish Group for the purpose of the review.

RESOLVED - that all Members of the General Purposes Committee be co-opted onto the Task and finish Group for the purpose of the review of the Political Structure of the Council

102. OUTSIDE BODY APPOINTMENTS

The Acting Chief Executive reminded Members that 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 had confirmed the following changes to appointments: -

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.

RESOLVED – that the changes to Outside Body Appointments be noted.

103. APPOINTMENT OF INDEPENDENT MEMBER TO THE COUNCIL'S STANDARDS COMMITTEE AND THE INDEPENDENT REMUNERATION PANEL

The Acting Chief Executive reported that 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.

Council was therefore requested to 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.

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

Those in favour –

The Mayor, Stuart Drummond,
Councillors: Aiken, C Akers-Belcher, Barclay, Cook, Cranney, Fenwick ,

Fleming, Gibbon, Griffin, Hall, Hill, Jackson, James, Lauderdale, Lawton, A Lilley, G Lilley, Maness, A Marshall, McKenna, Dr. Morris, Payne, Preece, Richardson, Robinson, Shaw, Shields, Tempest, Thomas, P Thompson, Wilcox, Wright.

Those against the recommendation:

None.

Those abstaining:

None.

The vote was carried.

104. CHILDREN'S SERVICES SCRUTINY FORUM – CO-OPTED MEMBER

The Acting Chief Executive reported that as Members were aware, there were 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 was currently a vacancy for a primary school governor. A nomination had 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 had been duly nominated to the primary school position for a term of two years. Council's approval to the nomination was requested.

RESOLVED – That Sacha Paul Bedding be appointed as the primary school governing body representative on the Children's Services Scrutiny Forum for a term of two years.

105. PETITION FOR A REFERENDUM

The Acting Chief Executive informed Members that on the 21st October, 2011, the Council received a petition requesting a "Mayoral Referendum". The date of the receipt of a petition became the "petition date" and the Council would have a period of one month beginning with this date, to verify whether or not the petition was valid.

If the petition was valid then notification had to be given to the petition organiser and to the Secretary of State within this verification period, and that a Referendum would be held. Publication of such an outcome would also need to be given in at least one newspaper circulating within the Borough. If the petition was invalid, then again during the same period, formal notification and publication would be required.

The verification number to trigger a Referendum was that which represented 5% of the number of local government electors. In the case of Hartlepool Borough Council that figure equated to 3,467. Consequently, the petition

received would need to meet this particular requirement to be considered as being valid. Conversely, where a petition was invalid then the Secretary of State had a discretion to direct a Local Authority to proceed with a Referendum. This discretion would be exercised where there was “significant expression of public support” for such a Referendum.

Before a Referendum were to proceed, there would 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 was a provision within the Localism Bill which provided for a further model of governance, namely a return to the “Committee system” of governance. A further report would 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 was 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 was 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 appeared opportune for that the Group to also consider “fall-back” proposals as outlined within this report. It was suggested that this Group may also wish to co-opt additional Members to develop such proposals before any recommendations are made to Council.

RESOLVED - That Council notes the receipt of a petition requesting a Mayoral Referendum and that a report be submitted to the next meeting of Council outlining whether the petition was valid or not and what action Council was subsequently required to take.

The meeting concluded at 7.35 p.m.

CHAIR

COUNCIL

8 December 2011



Report of: General Purposes Committee

Subject: REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

1. PURPOSE OF REPORT

- 1.1 To invite the Council to approve to the proposals attached at **Appendix 1** for following the review of the Polling Districts, Polling Places and Polling Stations for the Hartlepool Parliamentary Boundary.

2. BACKGROUND

- 2.1 In discharge of the requirement for review of polling districts, polling places and polling stations imposed on all authorities by the Electoral Administration Act 2006 (EAA 2006) to undertake a full review every four years, the General Purposes Committee have produced proposals for review of the polling districts, polling places and polling stations in the Hartlepool Constituency.
- 2.2 Proposals prepared by the General Purposes Committee have been the subject of a public consultation exercise from 12 September to 2 December 2011. The proposals have been reviewed in the light of the responses received in the consultation exercise.

3. PROPOSALS

- 3.1 Appendix 1 set out the proposals as approved by the Committee at their meeting on 5 December 2011. Members wishing to view plans showing street names should contact the Electoral Registration Officer.
- 3.2 The Committee were concerned to ensure that the changes to be made were adequately brought to the attention of electors by appropriate publicity and clear endorsement on poll cards when circulated for the next election. The Legal Services Manager confirmed that these steps could be taken; apart from publication of statutory notice, arrangements would be made for a press release in Hartlepool Mail and an article in Hartbeat (March 2012 edition).

11 (i) APPENDIX 1

REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

PROPOSALS

PROPOSED POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE	EXISTING POLLING STATION	COMMENTS
AA	1551	Eldon Grove Bowling Club	Eldon Grove Bowling Club	No Change – the polling station is considered to be acceptable
AB	1937	St. Matthews Community Centre	St. Matthews Community Centre	No Change – the polling station is considered to be acceptable
AC	1132	Walmsley Hall	Walmsley Hall	No Change – the polling station is considered to be acceptable
AD	870	Stranton Centre	New	Due to changes in polling district composition, Stranton Centre considered easily accessible to electorate and provides acceptable accommodation
AE	1066	Epilepsy Outlook, Oxford Road	Oxford Road Baptist Church	Epilepsy Outlook Charity outlet is considered to be acceptable. Whilst acceptable as a polling station, Oxford Road Baptist Church is outside the Polling District and should not be used where other acceptable premises are available.
BA	999	Barnard Grove Primary School	Barnard Grove Primary School	No Change – the polling station is considered to be acceptable
BB	2173	Northern Lights Academy	Northern Lights Academy	No Change – the polling station is considered to be acceptable
BC	1759	West View Community Centre or West View Project	Training Room, West View Community Centre, Miers Avenue	West View Community Centre or West View Project identified to give the option of moving location if suitable accommodation is unavailable in a particular community venue on polling day
BD	964	St Thomas More Church Hall	St Thomas More Church Hall	No Change – the polling station is considered to be acceptable

11 (i) APPENDIX 1

PROPOSED POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE	EXISTING POLLING STATION	COMMENTS
CA	2031	The Mow bray	The Mow bray	No Change – the polling station is considered to be acceptable
CB	2159	Fens Primary School	Fens Primary School	No Change – the polling station is considered to be acceptable
CC	1115	St Teresa's Church Hall	New	Due to changes in polling district composition, St Teresa's Church Hall considered easily accessible to electorate and provides acceptable accommodation
CD	834	Rossmere/Ardrossan Centre	Rossmere/Ardrossan Centre	No Change – the polling station is considered to be acceptable
CE	1054	Rossmere Youth Centre	Rossmere Youth Centre	No Change – the polling station is considered to be acceptable
DA	1235	Brow ning Avenue Baptist Church	Brow ning Avenue Baptist Church	No Change – the polling station is considered to be acceptable
DB	1156	Kingsley Children's Centre	Kingsley Children's Centre	No Change – the polling place is considered to be acceptable and a more user friendly room w ith direct access will be made available for 2012 elections onw ards
DC	2020	Foundation Stage, St Aidan's Primary School	Foundation Stage, St Aidan's Primary School	No Change – the polling station is considered to be acceptable
DD	1099	St Cuthbert's Church Hall	St Cuthbert's Church Hall	No Change – the polling station is considered to be acceptable
DE	976	Belle Vue Community Centre	Belle Vue Community Centre	No Change – the polling station is considered to be acceptable

11 (i) APPENDIX 1

PROPOSED POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE	EXISTING POLLING STATION	COMMENTS
EA	501	Hart Village Hall	Hart Village Hall	No Change – the polling station is considered to be acceptable
EB	1361	St Mark's Community Centre	St Mark's Community Centre	No Change – the polling station is considered to be acceptable
EC	1648	Bamburgh Court	Bamburgh Court	No Change – the polling station is considered to be acceptable
ED	1269	Hartfields Manor	Hartfields Manor	No Change – the polling station is considered to be acceptable
EE	1379	Portable Unit, junction of Merlin Way/Moorhen Road	Portable Unit, Moorhen Road/Throston Grange Lane	Currently, no suitable premises available in Polling District EE but a portable unit could be located at the junction of Merlin Way/Moorhen Road. Portable units are generally unacceptable providing inferior accessibility to disabled voters and substandard accommodation for staff. Also inadequate capacity at peak voting times. They should not be used unless no adequate alternative is available.
FA	1161	Phoenix Centre	Phoenix Centre	No Change – the polling station is considered to be acceptable
FB	1476	St Helen's Primary School	St Helen's Primary School	No Change – the polling station is considered to be acceptable
FC	1330	Borough Hall, Middlegate	Borough Hall, Middlegate	No Change – the polling station is considered to be acceptable
FD	849	Marketing Suite, Maritime Avenue	Marketing Suite, Maritime Avenue	No Change – the polling station is considered to be acceptable
FE	827	Burbank Community Centre	Burbank Community Centre	No Change – the polling station is considered to be acceptable

11 (i) APPENDIX 1

PROPOSED POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE	EXISTING POLLING STATION	COMMENTS
GA	1202	Throston Community Centre	Throston Community Centre	No Change – the polling station is considered to be acceptable
GB	1081	Throston Youth Project	New	Due to changes in polling district composition, Throston Youth Project considered easily accessible to electorate and provides acceptable accommodation
GC	1425	Jesmond Gardens Primary School	New	Suitable accommodation identified in Jesmond Gardens Primary School.
GD	1102	Lime Crescent Flatlets	Lime Crescent Flatlets	No Change – the polling station is considered to be acceptable
GE	1537	Wharton Annexe	Wharton Annexe	No Change – the polling station is considered to be acceptable and a more user friendly room will be made available for 2012 elections onwards
HA	1516	Grange Primary School	Grange Primary School	No Change – the polling station is considered to be acceptable
HB	1469	Owton Manor Primary School	Owton Manor Primary School	No Change – the polling station is considered to be acceptable
HC	1687	Wynyard Road Community Centre	Wynyard Road Community Centre	No Change – the polling station is considered to be acceptable
HD	1615	St Columba, Dryden Road	New	Due to changes in polling district composition, the facility at St Columba considered easily accessible to electorate and provides acceptable accommodation
HE	907	Masefield Road Centre	Masefield Road Centre	No Change – the polling station is considered to be acceptable

11 (i) APPENDIX 1

PROPOSED POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE	EXISTING POLLING STATION	COMMENTS
IA	1019	Ward Jackson Bow ls Pavilion	Ward Jackson Bow ls Pavilion	No Change – the polling station is considered to be acceptable
IB	937	Cricket Club	Cricket Club	No Change – the polling station is considered to be acceptable
IC	1985	High Tunstall School	High Tunstall School	No Change – the polling station is considered to be acceptable
ID	244	Dalton Piercy Village Hall	Dalton Piercy Village Hall	No Change – the polling station is considered to be acceptable
IE	498	Elw ick WI	Elw ick WI	No Change – the polling station is considered to be acceptable
IF	252	Wynyard Woods Grange, Wynyard Woods	Wynyard Woods Grange, Wynyard Woods	No Change – the polling station is considered to be acceptable
IG	883	Greatham Community Centre	Greatham Community Centre	No Change – the polling station is considered to be acceptable
JA	1936	The Schooner	The Schooner	No Change – the polling station is considered to be acceptable
JB	1662	Seaton Library	Seaton Library	No Change – the polling station is considered to be acceptable
JC	1732	Seaton Rugby/Cricket Club	Seaton Youth Centre	Facilities at proposed polling place provides improved accessibility and accommodation
JD	800	Jutland Road Community Centre	Jutland Road Community Centre	No Change – the polling station is considered to be acceptable
JE	668	Golden Flatts	New	Due to changes in Polling District composition, Golden Flatts identified to give the option of moving location if suitable accommodation is unavailable in a particular community venue on polling day

11 (i) APPENDIX 1

PROPOSED POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE	EXISTING POLLING STATION	COMMENTS
KA	1334	St Luke's Church Hall	New	Due to changes in polling district composition, St Luke's Church Hall considered easily accessible to electorate and provides acceptable accommodation
KB	1422	Portable Unit, Supporters Club Car Park	Portable Unit, Supporters Club Car Park	No change – although portable units are generally unacceptable, there is no alternative accommodation available in this polling district. A portable unit has been used in this location for a number of years and no problems have been reported by the electorate or staff. If a suitable venue becomes available this should be used.
KC	1258	Mill House Leisure Centre	Mill House Leisure Centre	No Change – the polling station is considered to be acceptable
KD	1602	Lynnfield Community & Learning Centre	Lynnfield Community & Learning Centre	No Change – the polling station is considered to be acceptable
KE	597	Central Library	Central Library	No Change – the polling station is considered to be acceptable

4. RECOMMENDATIONS

- 4.1 That Council approve the polling districts and polling places as set out in Appendix 1 and authorise the Electoral Registration Officer to take all necessary steps to implement the changes proposed, including publication of the review as required by the Electoral Administration Act and as requested by the General Purposes Committee.

5. CONTACT OFFICER

Alyson Caman, Legal Services Manager

COUNCIL
8th December 2011



Report of: EXECUTIVE

Subject: REVISION TO THE LOCAL DEVELOPMENT
SCHEME

1. PURPOSE OF REPORT

- 1.1 To seek approval for a revision to the current Local Development Scheme (LDS) of October 2010 to take account of recent changes within planning at a national and regional level and changing circumstances locally.

2 RELEVANCE TO THE COUNCIL

- 2.1 The Local Development Scheme sets out the Council's programme for the preparation of development plan documents forming part of the Development Plan which is part of the Budget and Policy Framework.

3. BACKGROUND

- 3.1 The preparation of a Local Development Scheme is a requirement under the planning system. Its main purpose is to identify a rolling programme for the Council's proposals for producing planning policy documents over the next three years and to highlight the stages in the preparation of planning policy documents particularly with regard to public participation with the community and major stakeholders.
- 3.2 The Secretary of State approved the original Local Development Scheme in March 2005 since when there have been revisions in 2006, 2007, 2008, 2009 and 2010.
- 3.3 Cabinet, at its meeting on 24 October 2011, considered the proposed revisions to the Local Development Scheme as set out in this report, which also now needs the endorsement of Council as part of the Budget and Policy Framework.

4. REVISIONS TO THE LOCAL DEVELOPMENT SCHEME

- 4.1 It is important that the Local Development Scheme is kept up to date and is revised periodically to ensure that it is rolled forward and that milestones are as realistic as possible.
- 4.2 It should be a definitive programme management document which should only be departed from in exceptional circumstances or as agreed in response to the Annual Monitoring Report. There has been a tendency to revise the LDS annually in response to changing circumstances at national, regional and local level. Some of these changes have been simply amendments to the projected timescales for completing Development Plan Documents (DPDs) or Supplementary Planning Documents (SPDs), but others have resulted from Cabinet approvals to prepare additional SPDs eg for some of the towns regeneration areas. Technically, Supplementary Planning Documents do not need to be included within the LDS, and have therefore been removed from this LDS and included in a separate non-statutory document which can be easily updated without the need to update the LDS. This will help reduce the frequency of updating the LDS, allowing Planning Officers more time to concentrate on other tasks.
- 4.3 Given the recent adoption of the Tees Valley Minerals and Waste DPD on the 15th September 2011, and the decision to incorporate the Affordable Housing policies within the Core Strategy, the only document included in the 2011 Local Development Scheme is the:
- Core Strategy Development Plan Document (DPD)
- There are a number of changes proposed to the Core Strategy DPD document. Primarily the responses received to the 2nd Preferred Options Document were of a significant level and took longer than anticipated to collate and digest. Secondly emerging changes to the National Planning Framework in the form of the emerging National Planning Policy Framework (NPPF) also need to be understood and accurately reflected in the Core Strategy. At its meeting on the 24th September Cabinet asked officers to produce the Publication stage of the Core Strategy for February 2012. This new timescale has been reflected in the revised LDS.

5. NEXT STEPS

- 5.1 The Revised Local Development Scheme 2009 needs to be formally agreed With the Planning Inspectorate prior to it being formally submitted to the Secretary of State

6. FINANCIAL CONSIDERATIONS

- 6.1 There are no financial implications relating to the proposed LDS amendments.

7. LEGAL CONSIDERATIONS

- 7.1 There is a statutory duty on the Local Authority to have an up-to-date LDS.

8. RECOMMENDATIONS

- 8.1 That Council approve the revised Local Development Scheme 2011, and that following consultation with the Planning Inspectorate, the revised Local Development Scheme be submitted to the Secretary of State.

9. BACKGROUND PAPERS

- 9.1 Copies of the LDS have been placed in the Member's Room and can be accessed online on the planning policy page of the Council's website www.hartlepool.gov.uk or obtained from the contact officer below.

10. CONTACT OFFICER

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Our Ref: CE/LS/J/Letters/2011
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3 November 2011

CHIEF EXECUTIVES DEPT
HARTLEPOOL

Chief Executive
Hartlepool Borough Council - 7 NOV 2011
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

PASSED TO
DEALT WITH

Dear Chief Executive

GURKHA CAMPAIGN FOR PENSION PARITY

I am writing on behalf of Reading Borough Council to ask you to support the Gurkha campaign for Pension Parity and to invite you to sign the e-petition and to promote in your local area, in pursuit of their case.

You will no doubt be aware of the proud 200-year heritage that Gurkhas have in support of the UK, at home and abroad.

The long established and vibrant Nepali community in Reading has grown substantially in recent years with the arrival of ex-Gurkhas and their families and there are now estimated to be around 5000 people of Nepali origin in the Greater Reading area. Reading Borough Council has developed a close working relationship with the Nepali Community in supporting people to settle into the area.

Notwithstanding the recent advances that have been made with and for the Gurkha community, this council regrets that Gurkha servicemen discharged before 1 July 1997 are still being discriminated against in terms of their pensions and that they and their widows are being denied parity with other British and Commonwealth ex-servicemen.

I have therefore been instructed to write to you in the above terms and confirm that this Council urges you - along with our own Mayor, Group leaders and the Members of Parliament for Reading - to sign the e-petition on the direct.gov website and encourage residents in your area to do likewise. The petition can be found at:

<http://epetitions.direct.gov.uk/petitions/10609>

I do hope you will feel able to lend your support to this important issue for a highly valued community and look forward to your contribution to a nationwide effort to have this matter addressed. I enclose a copy of this letter for your Council's Leader as instructed by my Council.

Yours sincerely


Michael Coughlin
Chief Executive

COUNCIL
8th December 2011



Report of: Portfolio Holder for Transport and Neighbourhoods

Subject: PETITION AGAINST THE CLOSURE OF FALCON ROAD TO THROUGH TRAFFIC

1. PURPOSE OF REPORT

- 1.1 To inform Council of a petition received calling upon Hartlepool Borough Council to re-examine the decision taken by the Cabinet on 19 September 2011 to close Falcon Road to through traffic in the belief that this will cause increased traffic on other roads, especially Hart Lane
- 1.2 For the Council to debate the issues included within the petition.

2. CONTEXT

- 2.1 Council agreed to the adoption of a Petition Scheme in June 2010. Members are requested to note that Section 45 of the Localism Act, 2011, repeals the duty to 'promote local democracy' as introduced under the Local Democracy, Economic Development and Construction Act 2009 and consequently (under Section 46) there is the repeal of the requirements to have and to operate petition schemes. It would be open to a local authority to continue to operate a petition scheme, even if not legally obliged to do so. The Localism Act and its 'constitutional' implications is presently being considered by the Constitution Committee. It is advised that the Council continue to receive petitions under the present scheme until the Council determines otherwise.

3. CLOSURE OF FALCON ROAD

- 3.1 A petition has been presented to the Portfolio Holder for Transport and Neighbourhoods, signed by 1662 people, calling upon Hartlepool Borough Council to re-examine the decision taken by the Cabinet on 19 September 2011 to close Falcon Road to through traffic in the belief that this will cause increased traffic on other roads, especially Hart Lane.
- 3.2 In 2006, the first representations were made by residents of Falcon Road, seeking that the road be closed to through traffic. Following consultation,

however, there was found to be a significant majority of people in favour of keeping the road open.

3.3 In June 2008, Cabinet took the decision to close Falcon Road at its junction with Throston Grange Lane. Since that time, discussions have taken place with residents (of both viewpoints) to consider potential alternatives and seeking to find an acceptable compromise. As part of this process, the following measures have been implemented:-

- An HGV ban has been introduced on Falcon Road.
- A restriction has been placed on all Council vehicles using the road, other than those accessing the road for operational reasons.
- The temporary speed humps on Merlin Way, at the northern end of the estate, have been removed to make access more attractive at this point.
- Additional traffic calming on Falcon Road, Moorhen Road and Lapwing Road has been installed.
- Speed cushions have been introduced on Merlin Way to reduce vehicle speeds, and also discourage through traffic to and from Falcon Road.

3.4 The original legal order from 2008 has since lapsed, as implementation did not take place within 2 years of the order being made. As a result of the initial advertising for this order 77 letters of objection and 2 petitions were received.

3.5 As a result of the scale of the objections further discussions were undertaken with residents both for and against the proposal and a decision was made, through informal Cabinet to carry out another consultation with residents in the area.

3.6 The results of this consultation were reported to Cabinet on 19th September 2011 as a result of which a decision was made to close Falcon Road at its junction with Throston Grange Lane.

4. CONCLUSION

- 4.1 A petition has been received calling upon Hartlepool Borough Council to re-examine the decision taken by the Cabinet on 19 September 2011 to close Falcon Road to through traffic in the belief that this will cause increased traffic on other roads, especially Hart Lane. As the petition has over 1500 signatures it triggers referral to Council, in accordance with the Council's petition scheme adopted in June 2010.
- 4.2 There are four options for the Council to consider in dealing with a petition:
- (i) Council agrees to take the action asked for in the petition
 - (ii) Council commissions further investigations of the issue by a relevant committee
 - (iii) Council makes recommendations to inform the decision when the issue requires an Executive decision
 - (iv) Council agrees to take no action.
- 4.3 In considering the above options, Council will note that the closure of Falcon Road is an 'executive decision' and although Council may wish to 're-examine' this matter, they can not determine as that would be for the executive to decide upon.

5. RECOMMENDATION

- 5.1 Council are requested to debate the petition content and determine the most appropriate actions

6. FINANCIAL IMPLICATIONS

- 6.1 Any costs associated with the appropriate action will need to be identified from existing budgets.

7. BACKGROUND PAPERS

Petition Scheme, Council Report June 2010
Petition

8. CONTACT OFFICER

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REPLACEMENT REPORT

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COUNCIL 8th December 2011



Report of: Acting Chief Executive

Subject: BUSINESS REPORT

1. GURKHA CAMPAIGN FOR PENSION PARITY

- 1.1 I attach at Appendix 1 correspondence which has been received from Reading Borough Council seeking support for the Gurkha campaign for Pension Parity. The letter also promotes the signing of an e-petition.
- 1.2 Council's instructions are requested

2. RESIGNATIONS FROM POLITICAL GROUPS

- 2.1 I have been informed that Councillors Gibbon, A Lilley and G Lilley have submitted their resignation from the Association of Independent Councillors Group. A new Notice of Constitution of Political Group form has been forwarded to the Group to reflect the change.

3. OUTSIDE BODY APPOINTMENTS

- 3.1 Northumbria Regional Flood and Coastal Committee.

Following changes to the establishment of the Committee, Hartlepool now has a permanent seat on the Committee; in the past it was shared with Redcar and Cleveland Borough Council. As the body is listed under Schedule B of the Outside Bodies list, where the "Executive appoints any Member", the Mayor was consulted and appointed Councillor G Lilley to the position.

Council is requested to note the appointment.

- 3.2 Hartlepool Credit Union

As Members are aware, the Council has four seats on the Board of the Credit Union, though nominations are subject to approval by the Financial Services Authority. I have been informed that Councillor C Akers-Belcher wishes to

REPLACEMENT REPORT

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resign from his appointment to the Credit Union. The Credit Union has also indicated that it does not wish to accept the nomination of Councillor James.

Council's instructions are requested for two replacement nominations.

4. APPOINTMENTS PANEL ASSISTANT DIRECTOR – PERFORMANCE & ACHIEVEMENT CHILD & ADULTS SERVICES DEPARTMENT

- 4.1 The current Assistant Director – Performance & Achievement has given notice that she intends to resign from her post.
- 4.2 The post will be considered by Vacancy Monitoring Panel on 30 November and the Trade Unions will be consulted on 1 December regarding the release of the post during the Recruitment Freeze. The outcome of the meetings will be reported to Council.
- 4.3 Council is requested, therefore, to approve the establishment of an Appointments Panel. In line with the Officer Employment Procedure Rules, as set out in the Constitution, the Panel will consist of eight members, as follows:-
- The Mayor
The Chairman of the Council
Group nominations – 3 Labour Councillors, 1 Conservative Councillor, 1 Liberal Democrat Councillor and 1 Councillor representing the Association of Independent Councillors.
- 4.4 In addition, as identified in the Officer Employment Procedure Rules, Council is also requested to reflect the gender balance of the Council when nominating to the Panel. It is suggested therefore that Council nominate three female Councillors to the Panel.
- 4.5 Council is requested to approve the establishment of the Appointments Panel and nominate members accordingly.

5. APPOINTMENTS PANEL TEMPORARY DIRECTOR OF CHILD & ADULT SERVICES CHILD & ADULTS SERVICES DEPARTMENT

- 5.1 As a result of the Assistant Director – Performance & Achievement giving notice, the temporary backfill arrangements for the Director of Child & Adult Services need to be reviewed. It is proposed that a temporary appointment be made to the role internally.
- 5.2 Should an appointment result in a temporary vacancy of Assistant Director which would be filled on a full-time basis it is proposed that the same

REPLACEMENT REPORT

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Appointments Panel undertake the recruitment and selection, following the necessary vacancy approval.

- 5.3 Council is requested, therefore, to approve the establishment of an Appointments Panel. In line with the Officer Employment Procedure Rules, as set out in the Constitution, the Panel will consist of eight members, as follows:-

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Group nominations – 3 Labour Councillors, 1 Conservative Councillor, 1 Liberal Democrat Councillor and 1 Councillor representing Association of Independent Councillors.

- 5.4 In addition, as identified in the Officer Employment Procedure Rules, Council is also requested to reflect the gender balance of the Council when nominating to the Panel. It is suggested therefore that Council nominate three female Councillors to the Panel.
- 5.5 Council is requested to approve the establishment of the Appointments Panel and nominate members accordingly.

6. PETITION FOR A REFERENDUM

- 6.1 At their meeting on 27th October, 2011, Council received a report confirming the receipt of a petition requesting amongst other matters, a “Mayoral Referendum”. That petition as received on 21st October, 2011, contained approximately 3,600 signatures and the Council is required to receive and proceed to verify such petitions as to their validity within a period of one month from receipt.
- 6.2 The Council’s Chief Solicitor gave notification to the “petition organiser” and the Secretary of State on 18th November, 2011, that the petition was deemed to be invalid. In accordance with the requirement under The Local Authorities (Referendum) (Petitions and Directions) (England) Regulations, 2000, public notice of this determination was also given in an edition of the Hartlepool Mail. Correspondence was also sent to all Borough Councillors outlining the reasons behind this determination. Through the verification of this petition, it transpired that 2,815 signatories were from individuals who appear on the published register of electors (the petition organiser did volunteer an additional 66 signatories, 45 of them were registered electors) and in consequence the verification number, which applies for the Borough, namely 3,457 was not met. Whilst there was an expression of discontentment within this petition, the aims and objectives did not provide a clear indication as to the constitutional change required to constitute a valid petition for the purposes of Regulation 9. However, the more fundamental reason of why this petition should be determined as being invalid is that where a local authority is operating a Mayor and Cabinet Executive, as Hartlepool Borough Council does, there is no scope within Part II of these

Regulations for local authority electors to effect a “constitutional change” to comply with Regulation 9(2) in the form of the Executive by such a petition. The only change in the form of an Executive that is permitted under Part II of these Regulations is a change to an Executive involving an Elected Mayor and Cabinet. There is no other form of Executive that a petition under Part II of these Regulations could seek to promote. As there is no other form of Executive to which the Council could change that could satisfy the requirements of Regulation 9, such a petition is necessarily invalid.

- 6.3 The Department for Communities and Local Government appear to accept this interpretation of these Regulations although the Secretary of State has power to issue a direction for the local authority to hold a referendum, this power would only be exercised in wholly exceptional circumstances
- 6.4 Members will be aware that any change to the Council's governance arrangements would need to be endorsed through a referendum. Further, there is a moratorium of 10 years on holding a referendum from one held previously, a position that is not altered under the Localism Act, 2011. Should the Secretary of State ever direct the Council to hold a referendum or should the Council resolve to so hold, a referendum should generally be held within a period of six months from such direction or resolution and there would be a combination of polls, should the referendum coincide with an ordinary or other election. A local authority in proceeding towards a referendum must undertake reasonable consultation and would be required, amongst other matters, to agree upon its “fallback” proposals at least two months prior to any referendum.
- 6.5 At the present time, the only alternative form of Executive arrangement from that of Mayor and Cabinet, is the “Leader and Cabinet” model. It should be noted, that whilst the 2000 Regulations have limited application in relation to a petition seeking a referendum as outlined, this is not the case where the Secretary of State directs a referendum to be held or where the Council so resolves. The Localism Act, 2011, which received Royal Assent on 15th November, also introduces a further model of governance namely that of a “committee system” and the power of the Secretary of State to introduce other “prescribed arrangements”. Amending Regulations are scheduled to be introduced early in 2012 and until that time, the Council will be unable to meaningfully and lawfully consult on these “new” models of governance. Clearly, should Members wish to resolve to move towards a referendum, the timing of the same will be crucial. It is also open to the Council to engage in informal consultations and this could be a preparatory step before any formal resolution to move towards a referendum is taken.
- 6.6 The options therefore available to Council are as follows;
- (i) That the Council resolve to hold a referendum, which would need to be held within a period of six months from the passing of that resolution, which currently would limit consultations to the present Executive form of

REPLACEMENT REPORT

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governance, namely Mayor and Cabinet and that relating to the Leader and Cabinet model.

- (ii) That the Council defers consideration to the holding of a referendum until the introduction of amending Regulations introduced under the Localism Act, 2001, which will provide for additional forms of governance to be considered and upon which the Council would then be able to engage in lawful consultation.

Notwithstanding the above 'options', Council may wish to proceed with informal consultations to seek a view as to how the Council should be governed and the results of such informal consultations be taken into account in any subsequent referendum process.

- 6.7 Council is requested to note the contents of this report and for Members to agree a position upon the options for holding a referendum, as detailed above.

Michael Coughlin
Chief ExecutiveCivic Centre, Reading, RG1 7AE
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Fax: 0118 937 2155

Our Ref: CE/LS/J/Letters/2011
Your Ref:Direct: ☎ 0118 937 2067
e-mail: chief.executive@reading.gov.uk

3 November 2011

CHIEF EXECUTIVES DEPT
HARTLEPOOL

Chief Executive
Hartlepool Borough Council - 7 NOV 2011
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

PASSED TO
DEALT WITH

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Yours sincerely


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Chief Executive