



Chief Executive's Department  
Civic Centre  
HARTLEPOOL

20 February, 2012

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, 1 March, 2012 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



**1 March 2012**

**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 23 February 2012, as a correct record (to follow).
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.

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;

None.

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;
13. To consider reports from the Executive:-
  - (a) Proposals in relation to the Council's budget and policy framework
  - (i) Formal Council Tax Setting 2012/2013 – Incorporation of Police and Fire Authority Precepts.
  - (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:-
15. To receive the Acting Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

# **COUNCIL**

## **MINUTES OF PROCEEDINGS**

### **23 February 2012**

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
Cook	Cranney	Fenwick
Fleet	Fleming	Gibbon
Griffin	Hill	Ingham
James	Lauderdale	Lawton
A Lilley	G Lilley	Loynes
Maness	A Marshall	McKenna
Dr. Morris	Preece	Robinson
Rogan	Shaw	Shields
Sirs	Tempest	Thomas
H Thompson	P Thompson	Turner
Wells	Wilcox	Wright

Officers    Andrew Atkin, Assistant Chief Executive  
              Nicola Bailey, Acting Chief Executive  
              Peter Devlin, Chief Solicitor  
              Jill Harrison, Assistant Director, Adult Social Care  
              Chris Little, Chief Finance Officer  
              Alastair Smith, Assistant Director (Transport & Engineering)  
              Dave Stubbs, Director of Regeneration & Neighbourhoods  
              Damien Wilson, Assistant Director (Regeneration & Planning)  
              David Cosgrove and Amanda Whitaker, Democratic Services Team

#### **148. APOLOGIES FOR ABSENT MEMBERS**

Councillors Brash, Hargreaves, Jackson, Payne and Simmons

149. DECLARATIONS OF INTEREST FROM MEMBERS

Councillors Cook and Griffin declared personal and prejudicial interests in minute 154 (b)(i).

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

None

151. PUBLIC QUESTION

(i) Question submitted by S Latimer to Mayor:-

*“Does the Mayor agree that in circumstances when community groups, resident associations and support agencies are in receipt of public money received through Hartlepool Borough Council that whenever such groups are able to generate paid job opportunities, those opportunities should be open to all members of the public on an equal basis and in a way that can be demonstrated to comply with all equal opportunity and diversity legislation.”*

The Mayor responded that Groups who had been awarded funding by the Council were required to demonstrate that they had the resources to deliver whatever the funding objectives were. If the organisations were an employer the Council expected them to operate within the law and to comply with the Council's broader policies for example financial arrangements, health and safety and environmental management. The Mayor added that the Council respected the independence of community groups, resident associations and supported agencies and would not want to undermine that independence by directing them to manage their resources in a particular way.

There were no supplementary questions.

(ii) Question from C Blakey to Mayor:-

*‘With regard to the budget cuts, why is the Council stating that buses are not a priority, when people and businesses are suffering badly?’*

In response, the Mayor advised that he was slightly confused by the question as the Council's budget papers had not stated that buses were not a priority.

Prior to asking the following supplementary question the questioner referred to the contents of an e mail which she had received from the Mayor. The Mayor clarified the contents of the e mail which he had sent the previous year relating to radio Hartlepool funding.

- Would consideration be given to selling the civic car, in view of the need for budget cuts?

The Mayor referred to the budget consultation process which had been undertaken and added that he would loathe to make changes to the budget at this stage of the process. The Civic Car was used by the Chairman of the Council. However, it was at the discretion of the Council to consider savings relating to the civic car.

(iii) Question from D Nin to Mayor:-

*‘With regards to Jackson’s Landing, how many partners are involved already and what tendering or space will be available once the building and land is purchased?’*

The Mayor responded that the Council was still in discussions with the owners and a potential interested party.

The following supplementary questions were raised:-

- (i) Is there a business plan available for residents and business owners?
- (ii) How much had been spent to date on the project?

In response the Mayor advised that the Council was considering a Plan that would not incur any costs to the Council and that the Council had not incurred any costs. The Mayor added that a report would be submitted to Council when appropriate.

Members debated issues arising from the question.

(iv) Question from J Slater to Mayor:-

*‘What are the protocols for responses to emails, phone calls and letters when a resident contacts Councillors, Officers or MP’*

The Mayor advised that there were no protocols in place for Councillors to respond to enquiries from residents via email, phone or letter. If a resident contacted the Council and asked for their enquiry to be passed to a Councillor, the details would be forwarded to relevant ward councillor(s) for them to deal with direct.

Depending upon the service area in question, all responses from Officers were based on either legislative requirements or in line with the Council’s Customer Charter.

For emails, if it was a straightforward enquiry, a response would usually be sent the same day if this was possible. If it was a more complex query the aim was to send an initial response the same working day with a further, more detailed reply within 10 working days.

The Council tried to answer phone calls within 20 seconds through Hartlepool Connect which was the main point of contact for most residents. If it was a straightforward query, a response would be given immediately. If the enquiry was more complex or needed to be dealt with by a specialist or technical officer, full details would be taken and the relevant officer would respond.

The Council usually responded to letters within 10 working days. If the enquiry could not be handled within this timescale, a letter would be issued advising the resident when a full response could be expected.

All Council departments followed the Corporate Complaints Procedure. However, social care complaints were dealt with under separate procedures that followed statutory guidelines and were maintained by the Child and Adult Services department. Further details in relation to complaints were available via the Council's website or complaints leaflets.

The Mayor was not aware of the protocols followed by the MP. If a resident contacted the Council asking for the MP, the resident would be provided with his telephone, email and/or address details so that they can contact him direct. The Mayor added that he was aware that the MP usually responded quickly.

There were no supplementary questions as the questioner was not in attendance at the meeting.

(v) Question from K Fisher to Chairman of Council:-

*'Since you revealed at the full council meeting of February 9th. that you had not written formally to the North Tees and Hartlepool Hospital Trust to inform them of this full councils Vote of No Confidence in them and with respect to the public expectation and thereby disappointment do you now intend to respond to that concern by writing and sending such a letter now ?'*

The Chairman responded to the question by advising that he could only act on a Council resolution. Supplementary questions from the questioner related to whether the Chairman would ask the Council to move a Motion at this meeting to progress the Vote of No Confidence.

Advice was received from the Chief Solicitor in respect of Motions which could be passed without notice. During the debate which followed Members discussed issues arising from the question.

It was moved and seconded:-

"That the Chair of Council write to the Trust urgently to inform them of this Council's vote of no confidence in them".

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

Those in favour:

The Mayor, Stuart Drummond and Councillors C Akers-Belcher, Barclay, Cook, Cranney, Fenwick, Fleet, Fleming, Gibbon, Griffin, Hill, Ingham, James, Lauderdale, Lawton, A Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Dr. Morris, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Sirs, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells, Wilcox and Wright

Those against:

Councillor S Akers-Belcher

Those abstaining:

None

The vote was carried.

## 152. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 9<sup>th</sup> February 2012, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

## 153. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

Following a request from a Member, the Chief Solicitor provided clarification in relation to Council Procedure Rules and confirmed that a Council resolution could not be rescinded until a period of six months had elapsed, since the decision had been made.

## 154. 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

Further to minute 149, Councillors Cook and Griffin left the meeting during consideration of the question. Prior to leaving the meeting, Councillors Cook and Griffin advised that they were opposed to the proposals affecting children and parents of English Martyrs School.

- (i) Question from Councillor Turner to Children's Services Portfolio Holder

*"Is it true that parents of pupils at English Martyrs School have never been informed explicitly that there was, what HBC papers term (Cabinet Report, 5<sup>th</sup> December 2012), a discretionary element for some pupils in the Council's provision of free school transport; and it is only the 2012 September intake that have been informed of this "discretionary" element?"*

In the absence of the Children's Services Portfolio Holder, the Mayor responded to the question. The Mayor advised that parents had been reminded at the beginning of the process. A letter had been sent to pupils currently receiving free transport and all Year 6 intake parents. In addition a statement had been included in the Admission Brochure.

Councillor Turner referred to the consultation which was to be undertaken during March and highlighted that parents would be informed on 1 March which school their child had been allocated. At that time the results of the consultation would not be known. It was considered that this would lead to confusion with some parents not being able to send their children to English Martyrs School. The Mayor was asked if he was aware of the possible disruption. The Mayor acknowledged the issue which had been highlighted and added that it was an issue which the Cabinet would need to consider.

During the debate which followed, Members expressed sympathy for the parents concerned and it was proposed that when the consultation was complete, a report should be submitted to Council. It was suggested that any withdrawal of free transport should be phased so that students already attending the school would not be affected. It was highlighted that the budget to be considered later in the agenda did not include funding for the free transport. Reference was made to the number of public in attendance at the meeting and Members referred to the number of representations which had been made opposing the proposal.

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

"That on completion of the current consultation exercise, Council considers the options for funding the denominational home to school transport service".

Those in favour:

The Mayor, Stuart Drummond and Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Cranney, Fenwick, Fleet, Fleming, Gibbon, Hill, Ingham, James, Lauderdale, Lawton, A Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Dr. Morris, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Sirs, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells, Wilcox and Wright

Those against:

None

Those abstaining:

None

The vote was carried.

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

None

#### 155. BUSINESS REQUIRED BY STATUTE

None

#### 156. ANNOUNCEMENTS

The Chairman reminded Council that a meeting of Council would be held on 1<sup>st</sup> March. He also advised Members that tickets were on sale for the Chairman's Charity Night, on 23<sup>rd</sup> March, in aid of the British Heart Foundation.

#### 157 .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

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

None

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

- (i) Medium Term Financial Strategy – Budget and Policy Framework 2012/2013 to 2014/2015

A joint report submitted by Acting Chief Executive, Chief Finance Officer and Chief Solicitor, set out details of the Mayor's formal objection to the Council's amendments to the 2012/13 budget and policy framework proposals following the meeting of full Council on 9<sup>th</sup> February. The report enabled Council to consider the Mayor's objections and to make a final decision on these issues to enable the 2012/13 budget and Council Tax to be set.

In order to assist Members consideration of the Mayor's objection copies of the reports and supporting information, presented to Council on 9<sup>th</sup> February 2012, had been provided. Prior to consideration of the report, the Chief Solicitor highlighted that Members should be conscious that the documentation included exempt/sensitive information. The Chief Solicitor also clarified the contents of the report in terms of the process required to be followed at the meeting. It was highlighted that in accordance with the Council's Budget and Policy Framework Procedure Rules and statutory regulations required a two thirds majority of Members present and voting in favour of the Council's changes to the proposals. If a two thirds majority was achieved, the decision made by Council on 9<sup>th</sup> February would be confirmed and the detailed supporting documentation set out in Appendix 3, and supporting statutory calculations set out in Appendix 4, would be approved. Where a two thirds majority in favour of the Council's amendments was not achieved then the Executive's original proposals would stand as detailed in Appendix 5 and supporting statutory calculations detailed in Appendix 6.

Members were reminded that Council had considered the detailed Cabinet proposals and had resolved to amend those proposals as detailed in Appendix 1 to the report. In accordance with the Council's Budget and Policy Framework Procedure rules the Council's decision became effective 5 working days after publication unless the Mayor formally objected within that period. The Mayor must notify the proper officer (the Acting Chief Executive) prior to the decision becoming effective of that objection and give the reasons for the objection. The proper officer must then call a meeting of the full Council within 14 days of the Mayor's objection.

The Mayor had notified the proper officer on 17<sup>th</sup> February 2012 that he wished to object to the amendments proposed by Council on 9<sup>th</sup> February 2012, as detailed in Appendix 2. As a meeting of full Council was already scheduled for 23<sup>rd</sup> February 2012 an additional meeting did not need to be scheduled as this issue could be considered at this meeting.

It was noted that the Mayor had also stated that he did not wish to object to the proposed allocation of the one-off savings from last year's industrial action of approximately £50,000 to retrain staff on the redeployment register as proposed by the Hartlepool Joint Trade Union Committee. The Mayor had stated that he would support this amendment to the original budget proposals referred by Cabinet to Council on 9<sup>th</sup> February.

As indicated in the Medium Term Financial Strategy (MTFS) report referred to Council on 9<sup>th</sup> February 2012 the Local Government Act 2003 placed a statutory requirement on an Authority's Chief Finance Officer (CFO) to advise Members on the robustness of the budget forecasts and the adequacy of the proposed level of reserves. This advice needed to be taken into account before the Council finalised the budget proposals for 2012/13 and made a decision on the alternatives detailed in the previous paragraph.

The Chief Finance Officer had advised both Cabinet and Council that the initial budget proposals referred to Cabinet on 6<sup>th</sup> February 2012 and Council on 9<sup>th</sup>

February 2012 were robust and set out the reasons for this advice in the previous MTFS report. The Chief Finance Officer was required to review this advice to reflect the decisions made by Council on 9<sup>th</sup> February 2012, to ensure Council was aware of the financial impact before finalising the 2012/13 budget. This review had been completed and the Chief Finance Officer confirmed that the revised Council proposals, if implemented, would also be robust. This advice recognised that the alternative Council proposal of using £330,000 from the one-off funding no longer needed to fund back-dated Job Evaluation costs to replace the saving which would have been achieved in 2012/13 from implementing the ICT / Revenues and Benefits procurement would enable a balanced budget to be set for 2012/13. Whilst, the Chief Finance Officer's statutory advice was only required in relation to the 2012/13 budget and the level of reserves, it was appropriate to formally advise Members that the alternative strategy may not provide the same level of saving in 2013/14 as the proposed ICT / Revenues and Benefits procurement. In this event alternative savings would need to be identified as part of the 2013/14 budget process. Members had previously acknowledged that they understood this position and believed the alternative strategy would deliver the required alternative savings.

In accordance with the Council's Budget and Policy Framework Procedures, Council needed to consider the Mayor's objections and make a final decision on the budget proposals and approve the necessary statutory calculations to set the 2012/13 budget and Council Tax level.

The Mayor addressed Council and explained the background and reasons for the objections which he had submitted, set out in appendix 2. Council was advised that his main objection related to ICT/Revenues and Benefits procurement saving and funding strategy for one-off costs. The proposal would fund significant financial savings and ensured existing staff were protected for the life of the contract. The Mayor considered the proposed course of action was essential to reduce the risk to every other job in the organisation and reduced the need for budget cuts in other areas. The Mayor considered that the amendment which had been agreed by Council was not a permanent solution and that no strategy had been identified to fund significant future deficits. In view of the budget cuts being made and which would have to continue to be made, the Mayor advised that he could not support the proposal to establish a ward fund. Also in the current financial climate, the Mayor did not think the proposed service relating to the furniture project needed to be developed as alternative providers already operated within Hartlepool.

Members of the Council made comment upon and discussed issues arising from the report including the background to the amendments to Cabinet's budget proposal which had been approved by Council on 9<sup>th</sup> February 2012. During the discussion, reference was made to the representations which had been received objecting to proposals relating to the denomination transport issue discussed earlier in the meeting (minute 153(b)(i) refers).

It was moved and seconded:-

'That this Council does not establish the Ward Fund as proposed in the amendment to the Executive's Budget proposals agreed on 9<sup>th</sup> February and

that £125,000 of the funding identified be utilised to continue the provision of Denominational Home to School Transport in Hartlepool.'

The Chairman of the Council sought advice from statutory officers in relation to the affect of the amendment on achieving a balanced budget. The Section 151 Officer addressed Council and clarified that funding had been identified for the establishment of a ward fund. If Council agreed to an alternative use for that funding, it would have no affect in terms of enabling a balanced budget to be set for 2012/13.

Members of the Council expressed support for the amendment. However, reference was made to the unanimous decision made by Council, earlier in the meeting, that on completion of the current consultation exercise, Council consider the options for funding the denominational home to school transport service.

The Chief Solicitor referred Members to the Rules of Debate as set out in the Constitution's Council Procedure Rules. It was highlighted that only one amendment may be moved and discussed at any one time. No further amendment could be moved until the amendment under discussion had been disposed of.

Further discussion took place in relation to the denominational transport issue. During those discussions, the Mayor advised that he would withdraw his objection to the establishment of a ward fund, if the amendment was agreed by Council. The Mayor advised that if the amendment was carried, Cabinet Members would be aware of the views of Council when considering the denomination transport report, due to be submitted to Cabinet in March.

Following further discussion, an amendment was moved and seconded to Part 1 of the amendment agreed at the Council meeting on 9<sup>th</sup> February to be inserted before the final sentence of the first paragraph:-

"That a further £125,000 of the Job Evaluation Appeal Reserve be utilised to maintain non-statutory denominational home to school transport and the remainder of the reserve be transferred to the General Fund'

On the basis of reinstatement of £125,000 in relation to denominational home to school transport, the amendment moved earlier in the debate to not establish the Ward Fund and that £125,000 of the funding identified be utilised to continue the provision of Denominational Home to School Transport in Hartlepool, was withdrawn by the mover of the amendment.

The Chief Solicitor referred Members to the Rules of Debate as set out in the Constitution's Council Procedure Rules. It was noted that the amendment would be decided by a simple majority of those Members voting and present in the room at the time the amendment was put. It would then be necessary to vote on the decision made by Council on 9<sup>th</sup> February. If a two thirds majority in favour of the Council's amendments, on 9<sup>th</sup> February, was not achieved, then the Executive's proposals would stand.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the following amendment to Part 1 of the amendment agreed at the Council meeting on 9<sup>th</sup> February to be inserted before the final sentence of the first paragraph:-

“That a further £125,000 of the Job Evaluation Appeal Reserve be utilised to maintain non-statutory denominational home to school transport and the remainder of the reserve be transferred to the General Fund’

Those in favour of the recommendation:

The Mayor, Stuart Drummond and Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Cook, Cranney, Fenwick, Fleet, Fleming, Gibbon, Griffin, Hill, Ingham, James, Lauderdale, Lawton, A Lilley, G Lilley, Loynes, Maness, A Marshall, McKenna, Dr. Morris, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Sirs, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells, Wilcox and Wright

Those against the recommendation:

None

Those abstaining:

None

The amendment was carried.

In accordance with Council Procedure Rule 17.4 of the Constitution a recorded vote was taken in relation to the decision made by Council on 9<sup>th</sup> February and supporting resolutions detailed in appendix 3 and supporting calculations detailed in appendix 4. It was highlighted that if a two thirds majority in favour of the Council's amendments, on 9<sup>th</sup> February, was not achieved, then the Executive's proposals would stand.

Those in favour:

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Cook, Cranney, Fenwick, Fleet, Griffin, Ingham, James, Lawton, Loynes, Maness, A Marshall, McKenna, Dr. Morris, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Sirs, Tempest, Thomas, P Thompson, Turner, Wells, Wilcox and Wright

Those against the recommendation:

The Mayor, Stuart Drummond and Councillors Fleming, Gibbon, Hill, Lauderdale, A Lilley, G Lilley and H Thompson

Those abstaining:

None

Members were advised that a two thirds majority in favour of the Council's amendments, on 9<sup>th</sup> February, had been achieved and therefore the detailed supporting proposals to implement this decision as set out in Appendix 3 and supporting statutory calculations detailed in Appendix 4 were approved.

#### 160. REPORT FROM THE EXECUTIVE

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

None

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

None

#### 161. MOTIONS ON NOTICE

The following Motion had been submitted:-

- (a) This Council resolves that any variation from the current Budget and Policy Framework and Financial Procedure rules must be considered and determined by full Council.

In addition this Council resolve that the current Financial Procedure rules are to be considered by the Constitutional Committee as part of their ongoing review of the Constitution.

Signed by:-

Councillor C. Akers-Belcher

Councillor M.A. James

Councillor R.W. Cook

Councillor A. Wilcox

Councillor G. Hall

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

Those in favour of the recommendation:

The Mayor, Stuart Drummond and Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Cranney, Cook, Fenwick, Fleet, Fleming, Gibbon, Griffin, Hill, Ingham, James, Lauderdale, Lawton, G Lilley, Loynes, Maness, A Marshall, McKenna, Dr. Morris, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Sirs, Tempest, Thomas, H Thompson, P Thompson, Turner, Wells, Wilcox and Wright

Those against the recommendation:

Councillor A Lilley

Those abstaining:

None

The vote was carried.

## 162. CHIEF EXECUTIVE'S REPORT

None

The meeting concluded at 9.15 p.m.

CHAIR

# COUNCIL REPORT

1<sup>st</sup> March, 2012



**Report of:** Chief Executive

**Subject:** FORMAL COUNCIL TAX SETTING 2012/2013 –  
INCORPORATION OF FIRE AND POLICE  
AUTHORITY PRECEPTS

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## 1. PURPOSE OF REPORT

- 1.1 To enable Council to set the overall level of Council Tax following the notification by the Police and Fire Authority of their Council Tax levels for 2012/2013.

## 2. BACKGROUND

- 2.1 At your meeting on 23<sup>rd</sup> February, 2012, Members reconsidered the proposed Medium Term Financial Strategy and this Authority's own 2012/2013 Council Tax level, including Parish Council Tax levels where applicable.
- 2.2 In accordance with statutory requirements the Council then needs to approve the overall Council Tax, inclusive of the Police and Fire Authority precepts.
- 2.3 Both the Fire and Police authorities are eligible to receive the Council Tax freeze grant if they determined to maintain their individual Council Taxes at the levels set in the current year. The Fire Authority set its precept with a 3.95% increase in its Council Tax on 10<sup>th</sup> February, 2012.
- 2.4 The Police Authority is scheduled to set its precept and Council Tax on the 1st March, 2012. It is currently anticipated that the Police Authority will increase its Council Tax by 3.5%.
- 2.5 The Council Tax bills for Hartlepool residents will clearly show that Hartlepool Council froze its own tax and will show the relevant percentage increases for the Police and Fire authorities.

## 3. DETERMINATION OF OVERALL COUNCIL TAX LEVELS

- 3.1 The determination of the overall Council Tax level is a statutory function, which brings together the individual Council Tax levels determined by this Council, Cleveland Fire Authority, Cleveland Police Authority and where applicable Parish Councils.
- 3.2 A detailed schedule of the statutory Council Tax calculation incorporating the approved Fire and proposed Police Authority Council Tax levels for 2012/2013 is attached. This schedule assumes the Council will approve a freeze in Hartlepool

Council's own Council Tax for 2012/13 on 23<sup>rd</sup> February, 2012 and the Police Authority will increase Council Tax by 3.5%. A revised schedule will be circulated at your meeting on 1<sup>st</sup> March, 2012 if there are any changes in Council Tax levels for either Hartlepool Council or Cleveland Police Authority.

**4. PROPOSAL**

4.1 Council is requested to approve the following proposal: -

- i) The amount of Council Tax including the Cleveland Police Authority and Cleveland Fire Authority precepts, in accordance with Section 40 of the Local Government Finance Act 1992 and the relevant inclusion of amounts of Council Tax for each category of dwelling in accordance with Sections 43 to 47 of the Act, as set out in Appendix A, Table 4.

## APPENDIX A

## SCHEDULE OF DETAILED COUNCIL TAX CALCULATIONS

Table 1 - Council Tax for Areas without a Parish Council 2012/2013

	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
Hartlepool Borough Council Basic Amount without parishes or special items	945.80	1,103.43	1,261.07	1,418.70	1,733.97	2,049.23	2,364.50	2,837.40
Police Authority	129.61	151.21	172.81	194.41	237.62	280.82	324.02	388.82
Fire Authority	44.33	51.72	59.11	66.50	81.28	96.06	110.83	133.00
Areas without a Parish Council	1,119.74	1,306.36	1,492.99	1,679.61	2,052.87	2,426.11	2,799.35	3,359.22

TABLE 2 - Council Tax For Parish Councils 2012/2013 (Anticipated to be approved by Council on the 23rd February 2012)

	Precept (1)	Parish Tax Base (2)	Parish Council Tax (3) [=(1)/(2)]	Basic Council Tax (4)	Billing Authority's Council Tax (5) [=(3)+(4)]
<u>Parishes</u>	£ p		£ p	£ p	£ p
Dalton Piercy	5,813	101.3	57.38	1,418.70	1,476.08
Elwick	5,152	451.1	11.42	1,418.70	1,430.12
Greatham	3,201	669.3	4.78	1,418.70	1,423.48
Hart	3,250	306.1	10.62	1,418.70	1,429.32
Headland	8,000	998.7	8.01	1,418.70	1,426.71
Newton Bewley	200	32.0	6.25	1,418.70	1,424.95

TABLE 3 - Council Taxes For Each Property Band 2012/2013 (Anticipated to be approved by Council on the 23rd February 2012) (Including Parish Precepts, and Excluding Police Authority &amp; Fire Authority)

	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
<u>Parishes</u>								
Dalton Piercy	984.06	1,148.06	1,312.08	1,476.08	1,804.11	2,132.12	2,460.14	2,952.17
Elwick	953.41	1,112.31	1,271.22	1,430.12	1,747.93	2,065.73	2,383.53	2,860.24
Greatham	948.99	1,107.15	1,265.32	1,423.48	1,739.82	2,056.14	2,372.47	2,846.97
Hart	952.88	1,111.69	1,270.51	1,429.32	1,746.95	2,064.57	2,382.20	2,858.63
Headland	951.14	1,109.66	1,268.19	1,426.71	1,743.76	2,060.80	2,377.85	2,853.42
Newton Bewley	949.97	1,108.29	1,266.63	1,424.95	1,741.61	2,058.26	2,374.92	2,849.90
Areas without a Parish Council	945.80	1,103.43	1,261.07	1,418.70	1,733.97	2,049.23	2,364.50	2,837.40

TABLE 4 - Council Taxes For Each Property Band 2012/2013 (Including Parish Precepts, Police Authority &amp; Fire Authority)

	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
<u>Parishes</u>								
Dalton Piercy	1,158.00	1,350.99	1,544.00	1,736.99	2,123.01	2,509.00	2,894.99	3,473.99
Elwick	1,127.35	1,315.24	1,503.14	1,691.03	2,066.83	2,442.61	2,818.38	3,382.06
Greatham	1,122.93	1,310.08	1,497.24	1,684.39	2,058.72	2,433.02	2,807.32	3,368.79
Hart	1,126.82	1,314.62	1,502.43	1,690.23	2,065.85	2,441.45	2,817.05	3,380.45
Headland	1,125.08	1,312.59	1,500.11	1,687.62	2,062.66	2,437.68	2,812.70	3,375.24
Newton Bewley	1,123.91	1,311.22	1,498.55	1,685.86	2,060.51	2,435.14	2,809.77	3,371.72
Areas without a Parish Council	1,119.74	1,306.36	1,492.99	1,679.61	2,052.87	2,426.11	2,799.35	3,359.22