

Chief Executive's Department  
Civic Centre  
HARTLEPOOL

29 March, 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, 12 April, 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



**12 April 2012**

**at 7.00 pm**

**in the Council Chamber**

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 1<sup>st</sup> March 2012 and the Extraordinary Council meeting on 22<sup>nd</sup> March 2012, as a correct record (copies attached).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under Council Procedure Rule 11;
  - (a) Questions to members of the Executive about recent decisions of the Executive (without notice).
  - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.
  - (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given. Minutes of the meetings of the Cleveland Police Authority held on 20 December 2011 and 23 January 2012 and the meetings of the Cleveland Fire Authority held on 16 December 2011 are attached.

8. To deal with any business required by statute to be done.
  - (i) Pay Policy Statement – *Chief Solicitor*
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.
  - (i) Jacksons Landing Proposal – Project Costs
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) Proposed Changes to the Council's Constitution – *Constitution Committee (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;
13. To consider reports from the Executive:-
  - (a) Proposals in relation to the Council's budget and policy framework
    - (i) Corporate Plan 2012/13 – *The Executive*
  - (b) Proposals for departures from the budget and policy framework
    - (i) Revenue Budget Forecast Outturn 2012/13 – *The Executive*
14. To consider any motions in the order in which notice has been received.
15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

# **COUNCIL**

## **MINUTES OF PROCEEDINGS**

### **1 March 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
Brash	Cook	Cranney
Fenwick	Fleet	Gibbon
Griffin	Hall	.Hill
Jackson	James.	Lauderdale
Lawton	A Lilley	G Lilley
Loynes	Maness	A Marshall
.J W Marshall	Dr. Morris	Payne
Preece	Robinson	Rogan
Shields	Simmons	Sirs
Tempest	Thomas	H Thompson
P Thompson	Turner	Wells
Wilcox	Wright	

Officers Nicola Bailey, Acting Chief Executive  
Andrew Atkin, Assistant Chief Executive  
Peter Devlin, Chief Solicitor  
Chris Little, Chief Finance Officer  
Alastair Smith, Assistant Director (Transport and Engineering)  
Dave Stubbs, Director of Regeneration and Neighbourhoods  
Amanda Whitaker and David Cosgrove, Democratic Services Team.

Prior to the commencement of business, the Chairman paid tribute to Peter Spires, Superintendent Registrar, who had died recently. Members stood in silence as a mark of respect.

163. APOLOGIES FOR ABSENT MEMBERS

Councillors Fleming, Hargreaves and McKenna

164. DECLARATIONS OF INTEREST FROM MEMBERS

None

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

None

166. PUBLIC QUESTION

None

167. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 23 February 2012, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

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

With reference to minute 151 (iii), a Member reiterated concerns that had been expressed at the last meeting of Council in respect of costs which had been incurred by the Council in relation to the Jackson Landing project and a request for a report to be submitted to Council detailing those costs. The Mayor responded to the issue which had been raised and advised that he expected to be able to report further in the near future.

Following further discussion, it was moved and seconded:-

‘That a report be submitted to the next meeting of Council setting out details of any costs and officer time incurred in the purchase of Jackson’s Landing’

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

Those against:

None

Those abstaining:

None

The vote was carried.

#### 169. 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

None

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

None

#### 170. BUSINESS REQUIRED BY STATUTE

None

#### 171. ANNOUNCEMENTS

The Chairman advised Council that tickets were still available for the Chairman's Charity Night, on 23 March, in aid of the British Heart Foundation.

172. 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

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

None

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

None

175. REPORT 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.

A report was presented which enabled 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.

At the Council meeting on 23<sup>rd</sup> February, 2012, Members had reconsidered the proposed Medium Term Financial Strategy and this Authority's own 2012/2013 Council Tax level, including Parish Council Tax levels where applicable. In accordance with statutory requirements the Council then needs to approve the overall Council Tax, inclusive of the Police and Fire Authority precepts.

It was noted that both the Fire and Police Authorities were 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 had set its precept with a 3.95% increase in its Council Tax on 10<sup>th</sup> February, 2012. The Police Authority had set its precept and Council Tax on the 1st March, 2012. The Police Authority had increased its Council Tax by 3.5%.

Members were advised that the Council Tax bills for Hartlepool residents would clearly show that this Council had frozen its own tax and would show the relevant percentage increases for the Police and Fire authorities.

It was highlighted that the determination of the overall Council Tax level was a statutory function, which brought together the individual Council Tax levels determined by this Council, Cleveland Fire Authority, Cleveland Police Authority

and where applicable Parish Councils. A detailed schedule of the statutory Council Tax calculation incorporating the approved Fire and proposed Police Authority Council Tax levels for 2012/2013 had been circulated. The schedule assumed the Council would approve a freeze in Hartlepool Council's own Council Tax for 2012/13 on 23<sup>rd</sup> February, 2012 and the Police Authority would increase Council Tax by 3.5%.

During the debate which followed presentation of the report, a Member referred to the submission of Police Authority minutes to this Council and advised that the last minutes of the Police Authority, submitted to this Council, had related to a meeting held in October last year.

Following a request for an explanation, Council was addressed by the Mayor as a representative of the Police Authority and Councillor Payne as a representative of the Fire Authority. The representatives explained the reasons why the respective Authorities had approved an increase in precepts. Following the explanations, Members spoke in support of the emergency services particularly in relation to neighbourhood policing which the Mayor had explained would have been reduced if the Police Authority had agreed an increase of less than 3.5%.

It was moved and seconded that:-

'The amount of Council Tax be approved 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.'

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, S Akers-Belcher, Barclay, Brash, Cook, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hill, Jackson, James, Lauderdale, Lawton, A Lilley, G Lilley, Loynes, Maness, A Marshall, J W Marshall, Dr. Morris, Payne, Preece, Richardson, Robinson, Rogan, Shields, Simmons, Sirs, Tempest, Thomas, H Thompson, Wells, Wilcox and Wright

Those against:

Councillors P Thompson and Turner

Those abstaining:

None

The vote was carried.



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

None

176. MOTIONS ON NOTICE

None

177. CABINET

The Acting Chief Executive reported receipt of notification from the Mayor of changes made to the Cabinet which involved Councillor Cath Hill now performing the Children's Services Portfolio Holder duties. Further, Councillor Hilary Thompson would carry out the Adult and Public Health Portfolio Holder duties. These changes to responsibilities were in addition to the current portfolios. The Mayor would carry out the rest of the necessary duties in each portfolio area.

As a result of the changes, the Mayor had also appointed Councillor Cath Hill to the position of Deputy Mayor.

The meeting concluded at 7.25 p.m.

CHAIR

# EXTRAORDINARY COUNCIL

## MINUTES OF PROCEEDINGS

**22 March 2012**

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

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Barclay
Brash	Cook	Cranney
Fenwick	Fleet	Griffin
Hall	Hill	James
Lauderdale	A Lilley	G Lilley
Maness	A Marshall	J W Marshall
Dr. Morris	Payne	Preece
Robinson	Rogan	Shaw
Shields	Simmons	Sirs
Tempest	Thomas	Turner
Wells	Wilcox	Wright

Officers Nicola Bailey, Acting Chief Executive  
 Andrew Atkin, Assistant Chief Executive  
 Andrew Carter, Senior Planning Officer  
 Peter Devlin, Chief Solicitor  
 John Morton, Assistant Chief Finance and Customer Services Officer  
 Dave Stubbs, Director of Regeneration & Neighbourhoods  
 Damien Wilson, Assistant Director of Regeneration & Planning  
 Angela Armstrong, Amanda Whitaker, Democratic Services Team

### 178. APOLOGIES FOR ABSENT MEMBERS

The Mayor, Stuart Drummond and Councillors Gibbon, Hargreaves, Lawton, Loynes, McKenna, H Thompson and P Thompson.

Following submission of apologies, a Member sought clarification in relation to whether this Extraordinary meeting of Council had been arranged to take into consideration the availability of the Mayor. It was agreed that clarification would be provided at a future meeting of Council.

## 179. DECLARATIONS OF INTEREST FROM MEMBERS

None

## 180. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None

## 181. REPORT FROM THE EXECUTIVE

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

(i) Adoption of Local Development Orders relating to Enterprise Zones

The Mayor, whose Portfolio Holder included responsibility for the service area/function, had submitted his apologies for the meeting due to other commitments. The report, which sought the agreement of Council to the adoption of Local Development Orders in support of the delivery of Enterprise Zone sites, was therefore presented by the Culture, Leisure and Tourism and Children's Services Portfolio Holder.

The report set out comprehensive background information and informed Members that Hartlepool had been successful in securing Enterprise Zone status for three sites as part of a wider Tees Valley Enterprise Zone Scheme. The sites were at The Port, Oakesway and Queens Meadow. A summary of the types of incentive and sectors eligible to receive those benefits for each Enterprise Zone was set out in the report.

Members noted that a condition of the Enterprise Zones being designated was that planning controls on the site were 'simplified' and the Government was promoting Local Development Orders as a means to simplify the planning process. The report set out the implications of the Local Development Order approach. A Local Development Order could, however, be revoked at any time. The Local Development Orders referred to in the report had a proposed lifetime of three years commencing on 1 April 2012. The timescale corresponded with the Government's planned timeframe for the Enterprise Zones. Cabinet, on 10<sup>th</sup> October 2011, had agreed a course of action and timetable to allow that timeframe to be achieved.

Copies of the final Local Development Orders had been available prior to the meeting. The documents had been developed in consultation with key partners including statutory consultees, businesses, Tees Valley Unlimited and the Department of Communities and Local Government Link Officer. The draft Local Development Orders had been subject to a four week statutory period of consultation and the feedback had been taken into consideration when preparing the final documents. Those final Local Development Orders had been sent to the Secretary of State in early February who had 21 days to respond to the proposed Orders. That period had elapsed and the Secretary of

State had confirmed that he did not wish to make any Direction on the Local Development Orders. This allowed Council to consider adoption of the Local Development Orders.

The Portfolio Holder moved that the adoption of the Local Development Orders for The Port, Queens Meadow and Oakesway be approved.

Members debated a number of issues arising from presentation of the report to Council. Arising from the debate, the Portfolio Holder undertook to provide a written response to all Members of the Council with an explanation of those who had been consulted, including clarification in terms of involvement of Fens Residents and Greatham Parish Council. It was agreed also that the written response should include specific details of A689 infrastructure.

During the debate the following amendment was moved and seconded:-

‘That the adoption of the Local Development Orders for The Port, Queens Meadow and Oakesway be approved subject to power being delegated to the Assistant Director (Regeneration and Planning) to make any final amendments in conjunction with the Chair and Vice Chair of the Planning Committee’.

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

Those in favour:

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cook, Cranney, Fenwick, Fleet, Griffin, Hall, Hill, James, Lauderdale, A Lilley, G Lilley, Maness, A Marshall, J W Marshall, Dr. Morris, Payne, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Simmons, Sirs, Tempest, Thomas, Turner, Wells, Wilcox and Wright

Those against:

None

Those abstaining:

None

The vote was carried.

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

(i) Empty Property Purchasing Scheme

The Mayor, whose Portfolio Holder included responsibility for the service area/function, had submitted his apologies for the meeting due to other commitments. The report, which sought the approval of Council to the Empty Property Purchasing Scheme, was therefore presented by the Culture, Leisure

and Tourism and Children's Services Portfolio Holder.

Members were reminded that the proposed Empty Property Purchasing Scheme had been approved in principle within the budgetary decision and proposals set out in the Medium Term Financial Strategy by Council on 23 February 2012. Council had noted that a detailed business case for this scheme would then be developed and reported to Cabinet and Council for consideration and approval.

It was noted that the detailed business case had been presented to Cabinet for approval on 19th March. A copy of that Cabinet report had been circulated. The scheme proposed the acquisition and refurbishment of long term empty private sector properties by agreement. The properties would remain in the Council's ownership and let to tenants at an affordable rent (80% of market rent). The proposals were in line with the adopted Empty Homes Strategy. The detailed business case proposed the scheme be split into projects linked to distinct funding streams. The business case demonstrated that rental income was not sufficient to support costs of providing affordable homes and subsidy was required for these types of schemes. The business case had been developed to manage risk and avoid any costs falling on the General Fund Revenue budget.

Members were advised that the subsidy for the first project would be financed from an ongoing saving of £60,000 from lower interest rates in relation to the HCA New Build scheme, in addition to a one-off saving of £200,000 resulting from the timing of borrowing for that scheme. This initial subsidy was vital to the financial viability of the scheme and equated to 50% of the overall funding total. The remaining capital costs would be funded from Prudential Borrowing which would be repaid from rental income. The total capital budget would be £2,630,000

The project would be completed in two phases of 24 properties being purchased and renovated. This phased approach will enable risks to be managed and ensure the assumptions built into the business case are achievable and the overall project can be delivered within the available resources. This is essential to avoid any increased costs falling on the General Fund budget. The planning assumptions included in the business case include capital costs of acquiring and refurbishing homes, the level of rent income, maintenance and management costs, borrowing costs and potential voids and bad debt levels. A prudent view of these has been taken, consistent with the self financing model used by authorities with a Housing Revenue Account.

Additional funding opportunities including £1.2m from Section 106 monies from the Wynyard development and the possibility of HCA match funding would be considered in separate future reports. Detailed business cases would be submitted to future Cabinet and Council meetings for consideration and approval.

The Portfolio Holder moved that Council approve:

- a) the first phase of the project to purchase and renovate 24 affordable homes up to a capital cost of £1,315,000, to be repaid from £1,115,000 prudential borrowing and a one-off saving of £200,000 as detailed in the attached report;
- b) the second phase of the project to purchase and renovate a further 24 affordable homes up to a capital cost of £1,315,000 of prudential borrowing to be repaid from future rental income subject to a further a further report to Cabinet at the interim project review stage to confirm the financial viability of the project prior to implementation.
- c) the resulting amendments to the capital programme and prudential indicators.

Members debated issues arising from presentation of the report. During the debate clarification was sought on how the figures included in recommendation 3.1(a) in the report reflected the subsidy for the first project being financed from an ongoing subsidy of £60, 000 from the lower interest rates in relation to the Homes and Communities Agency New Build Scheme. Clarification was sought also in relation to the Price and Renovation Cost Framework set out in the Cabinet report which had been circulated.

With the permission of Council, the Assistant Chief Finance and Customer Services Officer addressed Members to clarify financial issues. The Portfolio Holder undertook also to ensure a written response was circulated to provide clarification of the issues which had been raised.

The following amendment was moved and seconded:-:

(a) The first phase of the project to purchase and renovate 24 affordable homes up to a capital cost of £1,315,000 to be repaid from £1,115,000 prudential borrowing and a one-off saving of £200,000 as detailed in report.

(b) The second phase of the project to purchase and renovate a further 24 affordable homes up to a capital cost of £1,315,000 of prudential borrowing to be repaid from future rental income subject to an evaluation by the Regeneration and Planning Services Scrutiny Forum and a further report to Council at the interim project review stage to confirm the financial viability of the project prior to implementation.

(c) The resulting amendments to the capital and prudential indicators

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

Those in favour:

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Brash, Cook, Cranney, Fenwick, Fleet, Griffin, Hall, Hill, James, Lauderdale, A Lilley, G Lilley, Maness, A Marshall, J W Marshall, Dr. Morris, Payne, Preece, Richardson, Robinson, Rogan, Shaw, Shields, Simmons, Sirs, Tempest, Thomas, Turner, Wells and Wilcox

Those against:

Councillor Wright

Those abstaining:

None

The vote was carried.

The meeting concluded at 8.00 p.m.

CHAIR

## **CLEVELAND POLICE AUTHORITY EXECUTIVE**

A meeting of Cleveland Police Authority Executive was held on Tuesday 20<sup>th</sup> December 2011 in the Members Conference Room at Police Headquarters.

**PRESENT:** Councillor Chris Abbott, Councillor Ron Lowes, Councillor Ray Goddard, Councillor Terry Laing, Councillor Sean Pryce, Councillor Norma Stephenson, Mayor Stuart Drummond (Vice Chair), Councillor Carl Richardson and Councillor Bernie Taylor

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

**OFFICIALS:** Mrs Clare Hunter, Mr John Bage and Mr Michael Porter (CE)  
Mrs Jacqui Cheer, Mr Adrian Roberts, Mr Sean White, Mrs Ann Hall and Miss Kate Rowntree (CC)  
Mrs Gill Gittins and Mr Mark Kirkham (Audit Commission)

Mayor Stuart Drummond in the Chair

### 207 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### 208 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

The Vice Chair agreed to take an urgent business item.

### 209 **URGENT BUSINESS ITEM – ELECTION OF CHAIR**

The Chief Executive informed Members that following the resignation of Mr Peter Race MBE as Chair of the Police Authority, there is a requirement to elect a new Chair.

Members were informed that three Members had expressed an interest in the position of Chair and he requested that they give a brief statement regarding their application.



The Vice Chair provided Members with a brief résumé. A proposer and seconder was noted.

A second Member sought clarification regarding the Vice Chair's capacity to hold both Offices of the Chairman and Mayor should he be elected.

Mayor Drummond gave such assurances.

The second Member withdrew their nomination.

A third Member provided Members with a brief résumé. A proposer and seconder was noted.

A secret vote was taken and Mayor Stuart Drummond was duly elected as Chair.

Mayor Stuart Drummond in the Chair.

The Chair proposed a vote of thanks to Mr Peter Race MBE as previous Chair. Members agreed.

The Chief Executive informed Members that there had been a number of Members expressing an interest in the role of Vice Chair and proposed postponing any such election until early in the New Year.

**ORDERED that;**

1. the election of the role of Vice Chair be postponed until the next meeting of the Police Authority Executive be agreed.

210

**GRANT SETTLEMENT UPDATE**

The Treasurer informed Members that the Minister of State for Policing and Criminal Justice had set out proposals for the aggregate amount of grant to Police Authorities and in so doing indicated a cash reduction in funding for each Police Authority of 6.7% in 2012/13. This followed on from the 5.1% cash reduction in 2011/12.

The table at paragraph 3.2 to the report showed the expected impact on Cleveland Police Authority in 2012/13, of the reductions in funding provided by the Government. The Authority is expected to receive a 6.7% reduction in Formula Grant which will be the same for every Police

Authority. However, in terms of the reduction in overall Government Funding, the Authority will be £6,562k worse off in 2012/13, in cash terms, than in 2011/12. This equates to a 6.16% reduction in cash terms even though the Home Office is 'only' having its overall budget reduced by 5% in cash terms.

Members were informed that the overall settlement provided the Authority with significant financial challenges and represented a significant risk for future service delivery. A more detailed report on the impact of the settlement on the 2012/13 budget and Long Term Financial Plan will be debated further on the agenda.

Members sought assurances that approaches would be made to Ministers regarding any top slicing of the capital grants for any proposed national police air service.

The Chief Constable and Treasurer assured Members that approaches would be made to Ministers.

**ORDERED that;**

1. the contents of the report be noted.
2. the Chairman, in consultation with the Chief Constable, Chief Executive and Treasurer, to make representations in response to the proposed settlement be authorised.

211

**LONG TERM FINANCIAL PLAN UPDATE**

The Treasurer reminded Members that at their meeting on 24<sup>th</sup> February 2011 Members approved the budget for 2011/12 and the Long Term Financial Plan (LTFP) for 2012/16.

Members were informed that for the current year, an £80k overspend is forecast as detailed to Members of the Policy and Resources Panel in the Budget Monitoring report – several areas outlined in that report are being investigated in order to mitigate this and bring the Force back to a break-even position for 2011/12; this will be taken back to Policy and Resources panel for scrutiny.

The Treasurer informed Members that the Government stated that they would instigate capping against any

Authority who increased their precept by more than 3.5%. Given this indication the current LTFP remained based on Precept increases of 3.5% for the life of the plan. Capping rules have now been superseded and referenda are required for any Precept rise over 4%.

Members were informed that the report outlined financial challenges with further work to be done. Further briefings will be arranged for Members in January and February before the final budget proposals for 2012/13 is presented to Members in February.

Members queried who would have to pay for any referendum should a Precept of more than 4% be set.

The Treasurer informed Members that the Police Authority would have to pay such costs.

**ORDERED that;**

1. the contents of the report be noted.
2. updates be presented to Members in briefings to be held in January and February be agreed.
3. the final 2012/13 budget and the 2012/16 LTFP are brought to their meeting in February be agreed.

212

**NATIONAL POLICE AIR SERVICE ISSUES**

The Assistant Chief Constable (Crime Ops) gave a verbal update to Members regarding the National Police Air Service.

Members were informed that the Police Authority and Force were still not content with a number of areas surrounding the suggested creation of the NPAS in particular financial predictions.

The ACC (Crime Ops) informed Members that a letter had been sent from the Chair, Chief Constable and Panel Chair to Chief Constable Alex Marshall outlining the concerns of the Police Authority and Force. In addition to this, an invitation had been sent to A/Supt Richard Watson NPAS Implementation Manager to come and talk to the Police Authority on these matters.

**ORDERED that;**

1. the report be noted.

213

**2012/13 POLICING PRIORITIES AND LOCAL  
POLICING PLAN**

Members were informed that the report had been prepared to seek Members approval for the proposed process for developing the policing plan, policing priorities and targets for 2012/13.

The Chief Constable informed members that the proposal was to produce a document by end March 2012 and to continue to develop the plan close to the wishes of the new Police and Crime Commissioner as time passes.

The Chief Executive reminded Members that it is their responsibility to publish the Policing Plan and that it would be of value to put a small team together to aid this. This shall consist of Mr Peter Hadfield, Miss Pam Andrews-Mawer, Mr Chris Coombs and Councillor Ron Lowes.

**ORDERED that;**

1. regular liaison with nominated Members and Police Authority Officers to develop the plan in the form of a small working group. Tuesday night briefings to be used as an opportunity for all Members to be kept informed of policing plan, annual priorities and targets developments be agreed.
2. approval of the Policing Plan is undertaken by the Police Authority Executive as detailed in the attached scheduled at Appendix 2 to the report be agreed.
3. the Plan will be available in electronic format although printed copies will be available on request be agreed.
4. the document will only be translated into a foreign language upon request be agreed.
5. the joint 2011/12 Annual Report is prepared and published as part of the Policing Plan be agreed.

**INTERIM AUDIT LETTER**

The Audit Commission informed Members that the interim letter summarised the findings from their 2010/11 audit to date. The audit had not been closed due to an ongoing investigation. Members were informed that the audit comprised of two elements:

- the audit of the Authority's financial statements;
- the Audit Commissions assessment of the Authority's arrangements to achieve value for money in its use of resources.

Members were informed that Officers produced the accounts well ahead of 30 June 2011 deadline, and only a few minor amendments and changes to disclosure were required. This year's financial statements were the first prepared under International Financial Reporting Standards, with a number of complex and time-consuming changes to address. The Authority managed the implementation well. An unqualified opinion was issued on 28 September 2011.

The Audit Commission informed Members that they have concerns about the robustness of the Authority's action plans to secure savings required to deliver the longer-term financial plan. They have identified several weaknesses in governance and internal control arrangements for the calculation and approval of redundancy payments; the appointment of a Monitoring Officer; the powers available to reimburse legal fees and arrangements for employing some consultants. The Authority needs to take urgent action to address these weaknesses.

Members were informed that the Audit Commission had not issued a value for money conclusion because of the external investigation which may have implications for their assessment of the Authority's arrangements. They will await the outcome of the investigation before issuing a conclusion.

**ORDERED that;**

1. the report be noted.

## **PFI INDEMNITY**

The Treasurer informed Members that when the PFI contract for Action Stations were signed; one of the requirements of the PFI provider was that the Authority provided those individuals who were to sign the PFI contracts with a specific personal Indemnity. This Indemnity was to protect the individuals from any claims made against them personally in connection with signing the certificates.

Members were informed that although the governance procedures and the Officer indemnity insurance undoubtedly cover these eventualities the PFI provider insists that this approval is given and a minute from a Police Authority meeting to show this indemnity has been authorised.

There have been a number of changes over the years to the Action Stations buildings however the biggest was the approval to build the Car Park at Kirkleatham recently.

This will require the signing of a Deed of Variation to cover the Car Park Extension and all other changes made to the building since the original contract that was signed on the 31<sup>st</sup> March 2005.

The report sets out a strategy that provides the Chief Executive with the necessary indemnity so that no claims can be made against him personally from signing such documentation.

### **ORDERED that;**

1. the Chief Executive can sign the Deed of Variation in relation to changes made to the Action Stations PFI contract and that the Authority approves an Indemnity so that the Chief Executive is not personally liable for any claims made against him as a result of signing this documentation be agreed.

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

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

## PROFESSIONAL STANDARDS PANEL

## ACTION

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

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

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

### 217 **APOLOGIES FOR ABSENCE**

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

### 218 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

### 219 **MINUTES OF THE PREVIOUS MEETING 27 January 2011**

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

### 220 **OUTSTANDING RECOMMENDATIONS**

All outstanding recommendation were discharged.

### 221 **CIVIL CLAIM STATISTICS**

The Legal Advisor presented the Civil Claim Statistics for the period 1<sup>st</sup> April 2010 – 31<sup>st</sup> March 2011. The Panel was informed of the number and types of civil claims against the Force received during that period, the amount paid out for those claims finalised during the period and the amount recovered. The report also detailed a comparison between the Basic Command Units.

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

**Legal  
Department**

#### **ORDERED** that:

- 1) Members noted there had been a 5.15% decrease in number of claims received when compared with the same period last year. Public liability was the leading category.
- 2) There had been a 48% increase in the number of claims finalised when compared with the same period last year.
- 3) There had been an increase in the number of successfully

defended cases. 46.62% of finalised cases during the period were successfully defended, which was to be compared with 38.00% successfully defended during the same period last year.

- 4) There had been an increase in the overall sum paid out. The 79 cases settled during the period cost the Force £635,125. This was to be compared with the 62 cases settled during the same period last year at a cost of £386,797.
5. Headquarters was the area with most claims.
6. The contents of the report be noted.

222

## **COMPLAINTS AGAINST POLICE**

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

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

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

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

During this period the Force recorded 136 letters of appreciation.

### **ORDERED** that:

1. The contents of the report be noted.

223

## **DELIBERATE DAMAGE STATISTICS**

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

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



series.

**ORDERED** that:

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

**224 IPCC DIRECT COMPLAINTS SURVEY FINDINGS UPDATE**

This report was withdrawn from the meeting

**225 EXCLUSION OF THE PRESS AND PUBLIC**

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

**226 CASES FROM THE COMPLAINTS REGISTER**

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

**227 MINUTES OF THE OPERATIONAL POLICING PANEL HELD ON 21 JULY 2011**

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

**OPERATIONAL POLICING PANEL**

A meeting of the Operational Policing Panel was held on Thursday 21 July 2011 commencing at 10.00 am in the Police Authority Members Room at Police Headquarters.

**PRESENT** Councillor Barry Coppinger (Chair), Mr Chris Coombs (Vice Chair), Miss Pam Andrews-Mawer, Mr Geoff Fell, Mr Aslam Hanif, Councillor Carl Richardson and Councillor Terry Laing.

**ADDITIONAL ATTENDEES** Mr Ted Cox JP, Mayor Stuart Drummond (ex officio), Councillor Ray Goddard and Councillor Ron Lowes.

**OFFICIALS** Mrs Julie Leng, Mrs Sarah Wilson and Miss Rachelle Kipling (CE). Mr Derek Bonnard and Miss Kate Rowntree (CC).

**228 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Peter Race MBE (ex officio), Mr Dave Pickard and Mr Sean White.

**229 DECLARATIONS OF INTERESTS**

There were no declarations of interests.

230 **MINUTES OF THE PREVIOUS MEETING HELD ON 26 MAY 2011**

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

231 **OUTSTANDING RECOMMENDATIONS**

**ORDERED** that: -

1. the outstanding recommendations be noted and updated.

232 **FORCE PERFORMANCE REPORT – APRIL TO JUNE 2011**

The Deputy Chief Constable presented the report to update Members on Force Performance against the 2011/12 Policing Plan Priority.

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

Members were informed that for 2011/12, there were 9 key performance indicators (KPI's) within the Priority Indicator Set, each with an associated performance target. Performance data was currently available in 5 of the 9 KPI's with the remainder being updated on a quarterly basis. Current performance against the KPI's were detailed with targets achieved in 3 areas (green), improvements were required to be made in 1 (amber) and 1 (red) with 4 yet to be assessed.

Members asked if any progress had been made in regards to volunteers carrying out follow up calls to the Public.

The Deputy Chief Constable informed Members that volunteers were used as an additionality to staff and work was being carried out in relation to the volume of follow up calls and feedback to the Public.

In relation to Anti-Social Behaviour, Members asked if there were any geographical 'hot spots' and if so what was being implemented in order to improve these areas.

The Deputy Chief Constable informed Members that action plans were put in place during potential problematic times such as summer holidays and bonfire night etc. to alleviate any possible problems.

Members made a comment in relation to the 'Crime in your area' section of the Police Force website, which covered statistics from May 2011 and not anything more recent.

The Deputy Chief Constable informed Members that he would provide them with a response as to the reasons for this.

ACC (Territorial Operations)

Members raised a question in relation to house burglary and whether the Force were aware of any areas of concern.

The Deputy Chief Constable informed Members that the Force were aware of these areas of concern and that the data was available if Members wished to see this. He also informed Members that each BCU had their own breakdown of areas where burglary was an issue.

**ORDERED** that:-

1. the Force performance against targets be noted.

233

#### **UPDATE ON THE SEXUAL ASSAULT REFERRAL CENTRE (SARC)**

The Deputy Chief Constable presented the report to update Members on the progress of the Sexual Assault Referral Centre (SARC).

The SARC was founded on the basis of best practice recommendations from Her Majesty's Inspectorate of Constabulary (HMIC) and Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI). The purpose of the SARC was to improve the service provided to victims of rape or sexual assault.

Members were informed that between 1st April 2010 and 31st March 2011 the SARC had a total of 340 referrals, an increase of 16% on the same period last year.

The Chair suggested to Members that it may be of benefit for an operational tour of Police initiatives such as the SARC be arranged for Members to get an insight into the good work that is going on.

Administration  
Officer

Members asked what proportion of the 16% increase were referrals from the Police Force and the Health Service.

The Deputy Chief Constable informed Members that he would provide them with a written response.

ACC (Crime  
Operations)

Members noted that there was an interesting increase in the number of male clients compared to the same period last year and asked if this could be due to the SARC being accessible.

The Deputy Chief Constable informed Members that it could be a reflection of knowledge that the SARC exists.

The Vice Chair raised concerns in relation to the sustainability of the SARC due to reduced funding.

The Chair of the SARC Strategic Board informed Members that a contract was in place covering a period of 25 years that both the PCT's and Police Authority had signed up to.

Members commented on the number of referrals under the age of 16 and welcomed any publicity to increase awareness of the SARC.

Members requested if it would be possible for a breakdown of referrals to be provided by ethnicity and on how many occasions interpreters were required and what cost this was.

The Deputy Chief Constable informed Members that he would provide a written response.

ACC (Crime Operations)

**ORDERED** that:-

1. an operational visit to the SARC and other police initiatives be agreed;
2. the content of the report be noted.

234

#### **SPEED AWARENESS COURSE UPDATE**

The Deputy Chief Constable presented the report to provide Members with a summary of speed awareness course provision between 1st January 2011 and 31st May 2011.

Members were informed that with effect from 1st April 2011 the thresholds for the national speed awareness element of the National Driver Offenders Rehabilitation Scheme (NDORS) increased in line with ACPO guidelines. The course was now offered to members of the public who had exceeded the speed limit by margins of between 10%+2 and 10%+9. The course was offered as an alternative disposal method to the issue of a fixed penalty notice and penalty points on their license.

Between 1st January 2011 and 31st May 2011, 5216 clients had attended courses, compared with 2760 for the same period in 2010 as shown in Appendix 1 to the report.

Members were informed that the client uptake had continued to increase incrementally throughout the year and comparing the number of clients January to May 2010, against those attending Speed Awareness Courses January to May 2011, the figures showed an 89% increase, this increase had ensured that current Speed Awareness Courses were fully booked.

Members asked what percentage of people who attended the speed awareness course committed a speeding offence again.

The Deputy Chief Constable informed Members that there was a time limit against the course and within one 3 year period the course could not be completed on more than one occasion.

**ORDERED** that:-

1. the contents of the report be noted.

235

#### **PREVENT STRATEGY UPDATE**

The Deputy Chief Constable presented the report to update Members on the Prevent work currently taking place within Cleveland Police.

Members were informed that Prevent was one of the four components that made up the Government's national counter-terrorism strategy (CONTEST). These are:

- Pursue to stop attacks

- Prepare where we cannot stop an attack, to mitigate its impact
- Protect to strengthen our overall protection against terrorist attacks
- Prevent to stop people becoming or supporting terrorists and violent extremists.

Members were informed that the new Coalition Government had reviewed the Prevent Strategy and in June 2011 the Home Secretary, presented the new Strategy to the House of Commons. The old Prevent Strategy was described as being flawed and failed to confront the extremist ideology at the heart of the threat the UK faced. It confused the delivery of Government policy to promote integration with Government policy to prevent terrorism. To avoid confusion the name Prevent remained. An Executive Summary was attached at Appendix 1 to the report.

Members were informed that a vast amount of effort had resulted in a positive response to implementing Prevent into Partnership activity. A holistic and partnership approach was required to ensure long term solutions were found to local problems.

Members asked if there was any feedback received in relation to the DVD and role play as mentioned at paragraphs 3.6 and 3.19 of the report.

The Deputy Chief Constable informed Members that there was no feedback from the DVD, although feedback from the role plays had been received and could be provided to Members.

ACC (Crime Operations)

The Acting Chief Executive informed Members that a Briefing could be utilised in order for Members to see the Operation Fairway DVD.

Members asked how the Force were ensuring that they didn't attract negative media coverage which would impact on trust with-in the community.

The Deputy Chief Constable informed Members that the Force had a positive media strategy and that each press release was scrutinised prior to being released.

**ORDERED** that:-

1. the contents of the report be noted.

236

## **THE MANAGEMENT OF TIME OFF IN LIEU/REST DAYS OWED**

The Deputy Chief Constable presented the report to update Members on the work being undertaken by the Force to reduce levels of time off in lieu (TOIL) and rest days owed.

Previous reports to Members had highlighted the approach taken by the Force in reducing the commitment in TOIL and rest days owed. These reports were in response to concerns previously raised around

the changes to the International Financial Recording Standards (IFRS), and any potential financial liability that may be incurred as a consequence of retaining large amounts of time off held by members of the Force as a consequence of working additional duty.

Members were informed that to date the Operational Performance Team (OPT) had conducted nine audits to determine the level of exposure to this liability.

The Force continued to work to manage the levels of time off in lieu held by Officers across the Force.

The Deputy Chief Constable informed Members that there was a need to undertake further work in this area and a report on TOIL would be brought to the next meeting of the Operational Policing Panel. ACC (Crime Operations)

The Chair asked if it would be possible to see evidence of an action plan that was in place to reduce TOIL levels and whether the Royal Wedding impacted on TOIL levels across the Force. ACC (Crime Operations)

The Deputy Chief Constable informed Members that there was a potential impact and these would be explored for the next meeting. ACC (Crime Operations)

**ORDERED** that:-

1. an additional report be brought to the next meeting be agreed;
2. the contents of the report be noted.

237

## **YOUNG PERSONS LOCAL POLICING SUMMARY 2011-2012**

The Consultation and Performance Officer presented the report to Members which outlined Cleveland Police Authority's approach to participation and engagement with young people in the Cleveland Police area. The overall aim of the work was to:

- Communicate Cleveland Police Authority's Local Policing Plan Summary to young people aged 11-19, living in the area.
- Deliver some of the key messages within the plan to young people and obtain their views on policing priorities for 2012-2013.

The Serious and Organised Crime and Police Act 2005 introduced the requirement on Police Authorities to produce and distribute a local policing summary to all council tax paying households in the area. The summaries were seen as a good means of communicating with the public to get across some key messages about the Force and its planned activities.

The Police Authority (Community Engagement and Membership) Regulations 2010 which came into force on 17th March 2010 stated that in making arrangements for obtaining the views of people in the police area, the Police Authority had particular regard for people who were under 21.

For the past four years, Cleveland Police Authority had worked with groups of young people from each of the four policing districts to produce district versions of the summary specifically for 11-19 years old.

The final documents will be presented by the young people to Cleveland Police Authority and representatives of the Force at a launch event that will take place in September 2011.

The Chair pointed out that this project had received national recognition.

The Acting Chief Executive suggested that advertising the SARC in the summaries could be a key opportunity for SARC promotion.

Consultation &  
Performance  
Officer

**ORDERED** that:-

1. the contents of the report be noted.

238

## **CRUCIAL CREW RESULTS**

The Consultation & Performance Officer informed that the purpose of the report was to present the findings of the consultation activities with primary school pupils undertaken by Cleveland Police Authority at Middlesbrough and Redcar and Cleveland's Crucial Crew events.

The Police Act 1996 clearly sets out the statutory duty placed upon Police Authorities to 'consult with those in that policing area, about policing of that area'. The Policing and Crime Act 2009 and (Community Engagement and Membership) Regulations 2010 adds that requirement to 'have regard to the views of the people in the Authorities area about policing in that area'.

Crucial Crew is an annual multi-agency event aimed at year 6 pupils (10 and 11 year olds), where children participated in a variety of scenarios which aimed to give them the chance to learn how to cope with a wide range of safety issues.

The Cleveland Police Authority session involved using the interactive IML software to ask the children a variety of questions covering crime and anti-social behaviour.

Over the course of the two events 1812 children were consulted, 1090 in Middlesbrough and 722 in Redcar and Cleveland. The full results of the consultations were outlined at Appendix A (Redcar and Cleveland) and Appendix B (Middlesbrough) to the report.

**ORDERED** that:-

1. the consultation findings at Appendix A and Appendix B to the report be agreed.

239

## **MINUTES OF THE PUTTING PEOPLE FIRST BOARD HELD ON 5 MAY 2011**

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

- 5 May 2011.

**ORDERED** that:-

1. the minutes be noted.

240

**MINUTES OF THE STRATEGIC PERFORMANCE GROUP HELD ON 4 MAY 2011 AND 27 MAY 2011**

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

- 4 May 2011
- 27 May 2011

**ORDERED** that:-

1. the minutes be noted.

241

**MINUTES OF THE STRATEGIC AIR SUPPORT PANEL HELD ON 26 July 2011.**

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

**STRATEGIC AIR SUPPORT**

A meeting of the Strategic Air Support Panel was held on Tuesday 26 July 2011 commencing at 10.00am in the Members Conference Room at Police Headquarters.

**PRESENT:** Mr Peter Race MBE (ex officio), Mr Ted Cox JP (Vice Chair), Councilor Ron Lowes, Mr Chris Coombs, Mr Geoff Fell and Mr Mike Mcgrory JP.

**ADDITIONAL MEMBERS** Councillor Carl Richardson, Mr Peter Hadfield, and Councillor Terry Laing.

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

242

**CHAIR OF MEETING**

Mr Chris Coombs in the Chair

243

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mayor Stuart Drummond (ex officio) and Councillor Ray Goddard

244

**DECLARATIONS OF INTEREST**

There were no declarations of interest.



245 **MINUTES OF THE PREVIOUS MEETING HELD ON 13  
FEBRUARY 2011**

The minutes were held as a true and accurate record.

246 **OUTSTANDING RECOMMENDATIONS**

The Chair of the Police Authority gave Members a verbal update of a discussion with Mr Brian Greenslade who is the Leading Member from the APA on Air Support issues.

**ORDERED** that;

1. the Outstanding Recommendations were noted.

247 **AIR OPERATIONS UNIT PERFORMANCE UPDATE**

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

Members were informed that during the period January to June 2011, the aircraft had flown for 375 hours, attended 1047 incidents and made 199 arrests. In the same period in 2010 the aircraft flew 467 hours, attended 1485 incidents and made 232 arrests. This is a reduction but the percentage of arrests per flying hour had increased, which is believed to be due to the far improved technology and role equipment on the new helicopter.

The Assistant Chief Constable (Crime Ops) informed Members that towards the end of 2010 due to the financial constraints within the Force, the unit had a 20% cut in the flying hours imposed, and is now working within these reduced hours.

Members queried what tasks were not being carried out following the reduction of finances.

The UEO informed Members that due to the process it had given the Unit an opportunity to manage their processes better. Members were informed that there was now greater dialogue with Officers on the ground permitting less flying, plus the Unit was landing more so that greater availability to ground units and other tasking.

A Member queried whether the provision of a helicopter was luxury.

The ACC (Crime Ops) informed Members that the provision of a helicopter was an excellent piece of operational equipment, it saves many Officer hours and is exceptionally flexible. He gave a number of examples of how the Unit operates to combat serious and organised crime.

The Chair of the Professional Standards Panel reminded Members that the IPCC states that in pursuits the helicopter should be deployed.

Members were then shown a presentation on air support.

**ORDERED** that;

1. the report be noted.

248

## **NATIONAL AIR SUPPORT SERVICE UPDATE**

Members were informed on the latest developments with the proposals for a National Air Support Service.

ACC White (Crime Ops) informed Members that since the last report to Members there had been several meetings in connection with the proposed NPAS and a number of developments.

The meetings included a finance meeting in Cleveland with representatives from NPAS; a North East regional finance meeting; two North East Regional Air Operations meetings chaired by ACC White; and an NPAS meeting with ACC White representing the North East region.

The Force Head of Finance expressed concern that the figures were based on data from two years ago and up to date figures would need to be presented before any final decisions could be considered.

At a regional finance meeting the same figures were presented again, but it was further explained that if South Yorkshire retained their helicopter, which had been identified as being cut, then this would lead to additional costs to all the Forces in the region. There was criticism in connection with how NPAS intended raising capital for the replacement of assets.

Members were informed that the plans for a National Police Air Service are still being progressed but it had the potential to offer savings for the Force. However the present financial proposals still show we would be paying additional costs for a reduced service.

Members were informed that the Force and the Authority are currently in no position to make any final decision about joining the NPAS until we have received the updated financial information and it had been indicated these figures will not be available until the end of October.

Members expressed concerns and sought assurances regarding the possibility of remote control rooms in other areas or actually a national control room.

ACC White (Crime Ops) informed Members that there had been some discussions on this subject and the consensus presently was that it would only add an additional layer to any communications and that this would lead to delays in deployment. However at present no decisions had been made.

Members queried what collaboration had taken place with other outside Forces.

The Chair of the Police Authority informed members that he would be speaking with ACC White (Crime Ops) and the Collaboration Group outside of this meeting.

**Chair**

**ORDERED that;**

1. the report be noted.

249

**MINUTES OF THE PROFESSIONAL STANDARDS  
PANEL HELD ON 28 JULY 2011.**

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

**PROFESSIONAL STANDARDS PANEL**

**ACTION**

A meeting of the Professional Standards Panel was held on Thursday 28 July 2011 in the Members Conference Room at Police Headquarters.

**PRESENT:** Mr Ted Cox JP (Chair), Mr Peter Hadfield, Mr Aslam Hanif, Cllr Ron Lowes, Mr Mike McGrory JP, Cllr Sean Pryce.

**OFFICIALS:** DCC Bonnard, Mrs Joanne Monkman (Legal), A/Supt Steve Gillson (Professional Standards) and Miss Kate Rowntree (CC).  
Mrs Jayne Harpe (CE)

**ADDITIONAL  
MEMBERS** Cllr Terry Laing

250

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Peter Race (ex-officio), Mr Chris Coombs, Mayor Stuart Drummond (ex-officio), Supt Martin Campbell (Professional Standards),

251

**DECLARATIONS OF INTERESTS**

There were no declarations of interests.

252

**MINUTES OF THE PREVIOUS MEETING 27 April 2011**

The minutes of 27 April 2011 were agreed as a true record. There were no matters arising.

253

**OUTSTANDING RECOMMENDATIONS**

All outstanding recommendations were discharged.

254

**CIVIL CLAIM STATISTICS**

The Legal Advisor presented the Civil Claim Statistics for the period 1st April 2011 – 30th June 2011. The Panel was informed of the number and types of civil claims against the Force received during that period, the amount paid out for those claims finalised during the period and the amount recovered. The report also detailed a comparison between the Basic Command Units.

**ORDERED** that:

1. Members noted there had been an 8.11% increase in number of claims received when compared with the same period last year. Public liability was the leading category.
2. There had been a 2.56% decrease in the number of claims finalised when compared with the same period last year.
3. There had been an increase in the number of successfully defended cases. 55.26% of finalised cases during the period were successfully defended, which was to be compared with 35.89% successfully defended during the same period last year.
4. There had been a slight increase in the overall sum paid out. The 17 cases settled during the period cost the Force £174,955. This was to be compared with the 25 cases settled during the same period last year at a cost of £172,701.
5. Headquarters was the area with most claims.
6. The contents of the report be noted.

255

## **COMPLAINTS AGAINST POLICE**

A representative from the Professional Standards Department presented the Complaints Against Police for the period 1st April to 30th June 2011. The Quarterly Progress Report on Complaint Issues for Cleveland Police for the period 1st April to 30th June 2011 was attached to the report. The report was produced in this format to be National Intelligence Model (NIM) Compliant.

There had been a 1% increase in the number of cases recorded during that period (111 to 112), with a 20% increase in the number of complaints (167 to 201).

Complaints of "other neglect/failure in duty" and "Incivility" continued to outnumber those of "Assault" allegations, 51 and 37 complaints respectively, compared to 20 in the "Assault" categories.

29% (39) of completed complaints had been locally resolved. During that period 82% (32) of locally resolved complaints had been by District and 18% (7) by the Professional Standards Department.

During this period the Force recorded 88 letters of appreciation.

Members discussed the application of handcuffs and were invited to attend Personal Safety Training Sessions where application and associated assault allegations would be demonstrated.

A briefing would be arranged to provide Lessons Learned and Local Resolution refresher.

Chief Constable's  
Staff Officer

Executive Staff  
Officer

**ORDERED** that:

1. The contents of the report be noted.

256

### **DELIBERATE DAMAGE STATISTICS**

The Deputy Chief Constable informed Members of the cost to the Force of deliberate damage by way of forced entry into premises for the period 1st April to 30th June 2011 and of the operational results achieved through such forced entry and other premises searches.

Members were informed that the Force had paid out £5,868 in compensation for acts of deliberate damage, this compared to £14,971 paid out in the same period during the previous year. Whilst 2498 searches were conducted, only 180 (7.2%) resulted in deliberate damage compared to 10.1% in the previous year. The value of property, cash and drugs seized totaled £720,542 compared to £412,282 seized during the same period in 2010.

**ORDERED** that:

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

257

### **INDEPENDENT CUSTODY VISITING ANNUAL REPORT 2010-2011**

The Independent Custody Visitor Co-ordinator presented the report to Members. The report provided an update on the Cleveland Police Authority Custody Visiting Scheme in particular in respect of the number of visitors, visits undertaken, training and meetings during 2010-2011.

During 2010-11 a recruitment campaign resulted in the appointment of seven Custody Visitors across the three panels. The appointments were 3 males, including one BME and four females. This was offset by the death of one long serving ICV and the resignation of one other ICV.

Appendix 'A' was attached to the report which detailed statistics for Visits, Age and Recruits.

**ORDERED** that:

1. Members received the annual report and agreed to its publication on the Cleveland Police Authority Website.
2. Letters of appreciation be sent to existing Independent Custody Visitors.

ICVA  
Co-ordinator

258

### **EXCLUSION OF THE PRESS AND PUBLIC**

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

259

## **CASES FROM THE COMPLAINTS REGISTER**

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

260

## **MINUTES OF THE EXTRAORDINARY POLICE AUTHORITY EXECUTIVE HELD ON 3 AUGUST 2011**

**ORDERED that** the minutes of the Extraordinary Police Authority Executive held on 3 August 2011 were submitted and approved and signed by the Chair as a true and accurate record.

261

## **MINUTES OF THE POLICE AUTHORITY EXECUTIVE HELD ON 4 AUGUST 2011**

**ORDERED that** the minutes of the Police Authority Executive held on 4 August 2011 were submitted and approved and signed by the Chair as a true and accurate record.

262

## **MINUTES OF THE LEADERSHIP PANEL HELD ON 11 August 2011.**

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

### **LEADERSHIP PANEL**

A meeting of the Leadership Panel was held on Thursday 11 August 2011 in the Members Conference Room at Police Headquarters.

PRESENT:

Miss Pam Andrews-Mawer, Cllr Barry Coppinger, Mr Ted Cox JP, Mr. Aslam Hanif, Mr Peter Race MBE (Chair), Mr Chris Coombs, Mayor Stuart Drummond and Mr Peter Hadfield (as substitute for Mr Mike McGrory JP).

Mr John Bage and Mr Michael Porter.

ADDITIONAL MEMBERS;

Mr Geoff Fell and Mr Ray Goddard.

ACTIONS

263

## **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Mike McGrory JP.

264

## **DECLARATIONS OF INTERESTS**

There were no declarations of interest.

265

## **EXCLUSION OF PRESS AND PUBLIC**

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

266

## **TEMPORARY APPOINTMENTS**

The Chair briefed Members on the present situation regarding current investigations and made a proposal for Members to consider.

The Chair informed Members that the Acting Chief Executive had excluded herself from the meeting and had requested to step back down to her substantive role as Deputy Chief Executive.

The Chair informed Members that he had asked Mr Jeremy Holderness to consider acting as Acting Chief Executive and the Chair would welcome Members to consider this.

Members were informed that Mr Holderness currently held the substantive position of Chief Executive at North Yorkshire Police Authority and had recently concluded an eighteen month investigation at his Police Authority.

All Members robustly queried the present situation and sought qualified assurance on numerous areas of interest.

The Chair responded to each and every query and gave assurance to Members regarding the current investigations.

**ORDERED** that;

1. Mr Jeremy Holderness be appointed as Acting Chief Executive for a temporary period, which can be terminated by either party, at any such time, be agreed.

267

## **MINUTES OF THE AUDIT & INTERNAL CONTROL PANEL HELD ON 18 AUGUST 2011**

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

### **AUDIT & INTERNAL CONTROL PANEL**

A meeting of Audit & Internal Control Panel was held on Thursday 18 August 2011 in the Members Conference Room at Police Headquarters.

**PRESENT:** Mr Mike McGrory JP (Chair), Mr Peter Hadfield (Vice Chair), Mr Geoff Fell, Mr Chris Coombs, Councillor Sean Pryce, Councillor Ron Lowes and Councillor Ray Goddard.

**OFFICIALS:** Mr Michael Porter and Mr John Bage (CE)  
Mrs Ann Hall and Miss Kate Rowntree (CC)  
Mrs Sue Turner (IA) Mrs Lynne Snowball (AC)

268

## **APOLOGIES FOR ABSENCE**

Mr Peter Race MBE (ex officio), Mayor Stuart Drummond (ex officio) and Councillor Terry Laing.

269

## **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

270

## **MINUTES OF THE PREVIOUS MEETING HELD ON 14 JUNE 2011**

The minutes were held as a true record.

271

## **OUTSTANDING RECOMMENDATIONS**

**ORDERED** that;

1. the Outstanding Recommendations were noted and updated.

272

## **INTERNATIONAL FINANCIAL RECORDING STANDARDS (IFRS) UPDATE**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) provided a final update to Members on the work undertaken by the Force to implement the International Financial Reporting Standards (IFRS) for Local Authority (including Police Authority) financial statements from 2010/11.

ACO F+C informed Members that all of the required changes had been implemented on time with no major issues to report. The auditors had confirmed that they were happy with the work undertaken to implement the International Financial Reporting Standards (IFRS). These new standards were now 'business as usual'.

Members were informed that any issues that arise as a result of the implementation of IFRS will be reported to Members of the Policy & Resources Panel as part of the Budget Monitoring report.

The Audit Commission informed Members that the Police Authority always delivered good accounts ahead of time.

**ORDERED** that;

1. the content of the report be noted.

273

## **AUDITED STATEMENT OF ACCOUNTS**

The Treasurer reminded Members that they had received and approved the Un-audited Statement of Accounts 2010/11 be submitted to the June 2011 Police Authority Executive Meeting where it was subsequently approved. It was agreed that the audited accounts and any amendments resulting from the audit would be presented to a future meeting of the Police Authority.

By undertaking the review of the Statement of Accounts the Audit and Internal Control Panels' role was essentially to provide assurance



to the Police Authority Executive and to the wider stakeholder base that they conform to proper practices.

Members were informed that the report was to seek Members approval that delegated authority for the scrutiny of any changes resulting from the audit are delegated to the Chair and Vice Chair of the Panel to ensure the required 30th September 2011 deadline for the approval by the Police Authority Executive can be achieved.

**ORDERED** that;

1. the authority is delegated to the Chair and Vice Chair of the Audit and Internal Control Panel to meet with the Treasurer and scrutinise any amendments to the Statement of Accounts, since acceptance at the June 2011 Police Authority Executive, prior to them being presented to the September 2011 Police Authority Executive be agreed.

274

### **CLEVELAND POLICE AUTHORITY INTERNAL AUDIT PROGRESS REPORT**

The Internal Auditor informed Members that the periodic internal audit plan for 2010/11 had been approved by the Audit and Internal Control Panel on 21 April 2011. The report presented at the meeting summarised the outcome of work completed to date against that plan. Appendices A and B to the report provided cumulative data in support of internal audit performance.

Members were informed that quarterly meetings are held with the Chair and Vice Chair of the Panel, Treasurer, Deputy Chief Constable, ACO Finance and Commissioning and the Audit Commission. The next meeting was planned for 6th September 2011.

The Internal Auditors met with the Treasurer on 1st July to discuss developments within the Authority and the Force and the audit plan for 2011/12. Further meetings will be held with the Authority and the Force during 2011/12.

Members were informed that in Appendix B to the report, most dates for the auditable areas were now in place.

Following discussion of the current scope of the Internal Audit Programme, it was agreed that no changes were currently required but this would be kept under review as the year progressed.

**ORDERED** that;

1. the report be noted.

275

### **AUDIT UPDATE**

The Audit Commission presented a verbal update.

Members were informed that the function of the Audit Commission in relation to the Police Authority was to;

1. give an opinion on the accounts

2. give an opinion on Value for Money (VfM)
3. Issue a Certificate

Members were informed that most of the work was substantially completed with a few areas to be finalised. The Audit Commission informed Members of these areas.

The Audit Commission informed that the conclusion of the audit was being affected by the current investigations, but confirmed they had spoken to the investigation team.

The Audit Commission informed that they expected to provide an unqualified opinion on the accounts but that the Value for Money conclusion would need to await the finalisation of the current investigations.

Members queried how unusual was it not to issue a certificate.

The Audit Commission stated it was not an unusual position to be in and can happen quite often.

Members queried whether the Audit Commission were revisiting the process of payments made to the previous Chief Executive.

The Audit Commission said it was not revisiting these issues although they are seeking one area of clarification, however similar issues are regularly looked at. There is currently one uncorrected error but this relates to disclosure and will add clarity to the accounts. The Audit Commission have raised similar issues with other organisations and that it is a noting issue.

**ORDERED** that;

1. the verbal report be noted.

276

## **EXCLUSION OF THE PRESS AND PUBLIC**

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

277

## **CONTRACT STANDING ORDER NO. 9 – EXEMPTION FROM THE NORMAL REQUIREMENT TO TENDER (APRIL – JUNE 2011)**

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

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

Members queried the proposed exemptions and sought assurances regarding such matters.

Members made further queries regarding in-house contracts run by the Police Authority.

**ORDERED** that;

1. the exemptions 1, 3 and 4 in Appendix A to the report be noted.
2. exemption number 2 in Appendix A to the report be deferred, be agreed.
3. the Treasurer provide an update on the in-house contracts run by the Police Authority be agreed.

Treasurer

278 **Close of Meeting**

279 **OPEN MINUTES OF THE LEADERSHIP PANEL HELD ON 24 AUGUST 211**

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

**PUBLIC MINUTES OF THE LEADERSHIP PANEL**

A meeting of the Leadership Panel was held on Wednesday 24 August 2011 in the Members Conference Room at Police Headquarters.

PRESENT: Miss Pam Andrews-Mawer, Cllr Barry Coppinger, Mr Ted Cox JP, Mr. Aslam Hanif, Mr Peter Race MBE (Chair), Mr Chris Coombs, Mayor Stuart Drummond and Mr Mike McGrory JP

ADDITIONAL MEMBERS; Councillor Ron Lowes

OFFICIALS Mr John Bage and Mr Michael Porter.

280 **APOLOGIES FOR ABSENCE**

There were no apologies of absence

281 **DECLARATIONS OF INTERESTS**

There were no declarations of interest.

282 **EXCLUSION OF PRESS AND PUBLIC**

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

283 **MINUTES OF THE POLICY & RESOURCES PANEL HELD ON 25 AUGUST 2011**

**ORDERED that** the following minutes of the Policy &

Resources Panel were submitted and approved.

## **POLICY & RESOURCES**

A meeting of the Policy & Resources Panel was held on Thursday 25 August 2011, commencing at 10.00 am in the Members Conference Room at Police Headquarters.

PRESENT Mr Aslam Hanif (Chair), Miss Pam Andrews-Mawer (Vice Chair), Councillor Ron Lowes, Councillor Barry Coppinger Mr Peter Race MBE (ex officio) Councillor Norma Stephenson, Councillor Ray Goddard, Mr Geoff Fell and Mr Ted Cox JP.

OFFICIALS Mr Jeremy Holderness, Dr Neville Cameron, Mr Micael Porter and Mr John Bage (CE).

Mrs Ann Hall, Mrs Denise Curtis-Haigh and Miss Kate Rowntree (CC).

### 284 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Sean White.

### 285 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

### 286 **MINUTES OF THE POLICY & RESOURCES PANEL HELD ON 30 JUNE 2011**

The minutes were agreed as a true and accurate record.

### 287 **OUTSTANDING RECOMENDATIONS**

**ORDERED** that:-

1. the Outstanding Recommendations be noted.

### 288 **BUDGET MONITORING REPORT TO THE 30<sup>TH</sup> JUNE 2011**

Members were reminded that at their meeting on 24<sup>th</sup> February 2011 Members approved a Net Budget Requirement (NBR) of £129,843k and budgeted revenue expenditure of £141,678k, the balance of expenditure being funded by specific grants, other income and transfers from reserves.

The Assistant Chief Officer Finance & Commissioning informed Members that forecasts suggest that the Authority has pressures of £0.6m against the expenditure plan for 2011/12; but has sufficient predicted underspends to cover these pressures. This will be reported to Members at a future meeting.

**Action**

**ACO F&C**

Similarly the current investigations had not been factored into the financial reporting. The Treasurer will bring a report to Members at the next meeting.

**Treasurer**

Members were informed that the position to date and the year-end forecast were shown at Appendix A to the report. No material risks,

other than those set out in the Risk Monitor at Appendix D to the report, had been identified to that forecast.

Members queried whether costings pertaining to medical retirements were planned in advance.

Members were informed that the Deputy Chief Constable and the Head of People and Diversity assess well in advance all medical assessments and restricted duties to assist budgetary matters.

**ORDERED that;**

1. the content of the report be noted.
2. future updates will be brought to Members.

289

**CAPITAL MONITORING REPORT TO THE 30<sup>TH</sup> JUNE 2011**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) reminded Members that they approved the capital programme of £6,054k for 2011/12 and the capital plan for 2011/15 at their meeting on 24<sup>th</sup> February 2011. Net carry forwards of £3,275.4k were also approved by the Authority on the 30<sup>th</sup> June 2011; giving a total capital programme for 2011/12 of £9,329.4k.

Members were informed that as there are no proposed changes the budget and forecast spend for 2011/12 remained unchanged at £9,329.4k. Appendix B to the report refers.

Members requested an update regarding the proposed planning process for the new headquarters site.

The ACO F+C informed Members that there was a slight delay in the process due to an outside agency, however this was being acted on and progress is expected.

**ORDERED that;**

1. the contents of the report.

290

**TREASURY MANAGEMENT REPORT TO THE 30<sup>TH</sup> JUNE 2011**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) reminded Members that they agreed an investment strategy for 2011/12 in line with the CIPFA Code of Practice at their meeting on 24<sup>th</sup> February 2011.

Members were informed that the report was to update Members on the status of the Authority's investments and borrowing. It was part of the process introduced by the Authority to maintain prudent financial management.

The ACO F+C informed Members that protection of the Authority's underlying investments will continue to be of utmost importance throughout 2011/12. To that end the investments of the Authority will continue to be placed in a prudent manner and also one that ensures sufficient funds are available to meet its' commitments as they

become due.

**ORDERED that;**

1. the contents of the report be noted.

291

**ENVIRONMENTAL MONITORING UPDATE**

The Service Improvement Manager informed Members that at the Policy & Resources Panel on 28 April 2011, it was agreed a regular update would be provided of the business of the Environmental Monitoring Group. The Group met for the second time on 26 July 2011 and will continue to meet bi-monthly to discuss the Force and Authority's environmental performance.

The meeting was chaired by the Police Authority Chairman with eight Members also in attendance. Strategic Partners were also present. Steria were represented by the Head of Police Shared Business Service, the Estates Lead Business Partner and the Acting Procurement Business Partner. The Head of Facilities Management for the Cleveland PFI buildings represented Reliance.

The Environmental Monitoring Group is key to enabling the delivery of reduced carbon emissions year on year for both Force and Authority. The scope of the Group's business will ensure that holistic scrutiny is applied to the effects that the day to day business of Cleveland Police Authority and the Force have on the environment.

Members queried possible savings that could be made regarding automated light sensors (PIR) and which budget head any savings would be accrued.

Members were informed that the Force held the budget head for such activity and as such it would be to the Force where such monies would accrued.

Members further queried other areas of possible savings and sought further information regarding processes in place to maximize such.

The Service Improvement Manager informed Members that all utility savings would come to the Police Authority / Force, similarly the Treasurer reminded Members that any savings created through investments would similarly come to the Police Authority / Force.

Members asked if there were any incentives or targets to encourage greater savings.

The ACP F+C informed Members that there were no such efficiencies in place; however the financial situation was well briefed and the imperative to saving both energy and money was well understood.

292

**CLEVELAND POLICE AUTHORITY SINGLE EQUALITY SCHEME UPDATE**

The Police Authority Advisor informed members that the purpose of the report was to provide Police Authority Members with an update on the Cleveland Police Authority Single Equality Scheme in line with

current legislation.

Members were informed that Cleveland Police Authority's Single Equality Scheme 2007 – 2010 had been updated and reported to Members during this period to take account of new legislation. However this scheme now requires revising in light of new legislation including The Equality Act 2010.

The Police Authority Advisor informed Members that in order to ensure that Cleveland Police Authority complies with this legislation and meets its obligations under the Act it is proposed that a detailed action plan is brought to the meeting of this panel scheduled for December 2011.

Members queried what was on the Scheme.

The Police Authority Advisor updated Members.

**ORDERED that;**

1. the report be received and the proposed production of a detailed timescale for updating the Single Equality Scheme to include all relevant legislation be agreed.

293

**SINGLE EQUALITY SCHEME UPDATE**

The Head of Human Resources informed Members that the purpose of the report was to update Members on progress in refreshing the Force's Single Equality Scheme.

The Cleveland Police Single Equality Scheme (SES) was published in 2007 as an overarching scheme covering all six strands of diversity: sex; disability; race; sexual orientation; age, and religion & belief.

Members were informed that since publication of the Force's Single Equality Scheme new legislation had been issued, notably The Equality Act 2010, and the scheme is now being reviewed and refreshed to ensure that it meets all the requirements of the new legislation

Members queried whether the Force carried out any Equality Impact Assessments.

The Head of People & Diversity confirmed to Members that Equality Impact Assessments are carried out which also includes development of future training initiatives, reports to Management and policy reviews.

**ORDERED that;**

1. the contents of the report be noted.

294

**REDUNDANCY PAYMENTS POLICY**

The Head of Human Resources informed Members that the purpose of the report was to seek Members support for commencing formal consultation with UNISON to consider the suitability, and continued viability, of the Early Retirement/Redundancy Payment Policy – Police

Staff.

Members were informed that revised Redundancy Payment policy was agreed by the Police Authority Executive at its meeting on 23<sup>rd</sup> February 2007. The policy applied to Police Authority staff and police staff, who are eligible to be a member of the Local Government Pension Scheme (LGPS), whether or not they are a member.

The current policy is based around an enhancement to the statutory redundancy calculator of a multiple of 2.2, based on actual weeks' salary as well as the provision for payment up to 104 weeks in exceptional circumstances.

The Head of People & Diversity informed Members that the outcome of the Comprehensive Spending Review (CSR) by the Coalition Government has meant that significant cost savings are being placed upon all public sector organisations. Cleveland Police is no exception.

Members were informed that given the financial and economic climate in which the Authority finds itself, it would not be considered prudent if the Authority did not explore the possibility of reviewing the redundancy / early retirement payment policy and bringing it in line with other local government and public body employers across the region.

Members queried if this policy covered Police Authority staff as well as Police staff.

The Head of People and Diversity confirmed that it did.  
Members queried what would the consultations include.

The Head of People and Diversity informed Members that a range of options would be discussed and that this would be brought back to Members after consulting with UNISON.

Members sought the timescales for this consultation period.

Members were informed that a report would be brought to Members at a briefing scheduled for October 2011.

**Head of P&D**

**ORDERED that;**

1. the commencement of formal consultation with UNISON on the Early Retirement/Redundancy Payment Policy – Police Staff be agreed.

295

**BODY ARMOUR RECONFIGURATION**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that the purpose of the report was to advise Members on the need to re-certify the Force's body armour and to seek approval for the best value option.

Members were informed that during 2006, Cleveland Police completed a full roll-out of body armour across all officers and staff. This body armour had a warranty period of 5 years and therefore re-certification now needs to take place to ensure that the armour purchased remains



certified for use and provides members of the Force with the necessary protection.

Working closely with the supplier, Aegis, advice had been given as to the most effective and efficient way of conducting the re-certification process. Aegis presented a number of options for the Force to consider.

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that there is a mandatory requirement to have body armour re-certified after five years use. The first batches were received in force in September 2006. The reconfiguration option is the best value option to maintain the integrity of the Force's body armour and ensure that members of the Force deployed to front-line duties are properly protected.

Members queried whether there were any other areas of equipment that could have similar cost saving exercises applied.

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that the situation mainly applies to body armour but assured Members that the Forces Procurement Team regularly review this.

**ORDERED that;**

1. the reconfiguration of the Force's body armour be agreed.
2. adding Body Armour Reconfiguration & Recertification as a capital scheme to the 2011/12 Capital Programme be agreed.

296

**JOB EVALUATION SOFTWARE**

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that the purpose of the report is to seek approval from Members for the purchase of specialist job evaluation software.

Members were reminded of agreeing to the implementation of an analytical job evaluation scheme for Police Staff at their meeting of the Policy & Resources Panel on 28<sup>th</sup> April 2011.

The Assistant Chief Officer Finance & Commissioning (ACO F+C) informed Members that following a detailed cost benefit analysis, two job evaluation schemes have been selected as the most appropriate for Cleveland Police. The Police Staff Council (PSC) thirteen factor scheme is to be used for all posts currently below Service Unit Manager level, and the Local Government Employers Senior Officers' Scheme is to be used for all Police Staff posts of Service Unit Manager and Executive level.

Members had previously agreed to the implementation of an analytical job evaluation scheme including the use of the PSC thirteen factor scheme, which required the purchase of specialist software. Members were recommended to approve adding Job Evaluation Software as a capital scheme to the 2011/12 Capital Programme.

**ORDERED that;**

1. the purchase of the job evaluation software be agreed.
2. adding the Job Evaluation Software as a capital scheme to the 2011/12 Capital Programme be agreed.

297

**MINUTES OF THE OPEN LEADERSHIP PANEL HELD ON 22 SEPTEMBER 2011**

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

**PUBLIC MINUTES OF THE LEADERSHIP PANEL**

A meeting of the Leadership Panel was held on Thursday 22 September 2011 in the Members Conference Room at Police Headquarters commencing at 10.30am.

PRESENT:

Miss Pam Andrews-Mawer, Cllr Barry Coppinger, Mr Ted Cox JP, Mr. Aslam Hanif, Mr Peter Race MBE (Chair), Mr Chris Coombs, Mayor Stuart Drummond and Mr Mike McGrory JP.

OFFICIALS

Mr John Bage and Mr Michael Porter (for part of the meeting), and Mr Stuart Pudney.

298

**APOLOGIES FOR ABSENCE**

There were no apologies for absence.

299

**DECLARATIONS OF INTERESTS**

There were no declarations of interest.

300

**EXCLUSION OF PRESS AND PUBLIC**

**ORDERED that** pursuant to the Local Government Act 1972, the press and public be excluded from the meeting under Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act.

301

**MINUTES OF THE POLICE AUTHORITY EXECUTIVE HELD ON 28 SEPTEMBER 2011**

**ORDERED** that the minutes of the Police Authority Executive held on 28 September 2011 were submitted and approved and signed by the Chair as a true and accurate record.

302

**MINUTES OF THE OPERATIONAL POLICING PANEL HELD ON 29 SEPTEMBER 2011**

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

#### **OPERATIONAL POLICING PANEL**

A meeting of the Operational Policing Panel was held on Thursday 29 September 2011 commencing at 10.00 am in the Police Authority Members Room at Police Headquarters.

PRESENT Councillor Barry Coppinger (Chair), Mr Chris Coombs (Vice Chair), Councillor Chris Abbott, Miss Pam Andrews-Mawer, Mr Geoff Fell, Councillor Terry Laing and Mr Peter Hadfield.

ADDITIONAL ATTENDEES Mayor Stuart Drummond and Councillor Ron Lowes.

OFFICIALS Mrs Sarah Wilson and Miss Rachelle Kipling (CE).  
Mr Sean White, Mr Adrian Roberts and Miss Kate Rowntree (CC).

303 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Peter Race MBE (ex officio) and Councillor Carl Richardson.

304 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

305 **MINUTES OF THE PREVIOUS MEETING HELD ON 21 JULY 2011**

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

306 **OUTSTANDING RECOMMENDATIONS**

**ORDERED** that: -

1. the outstanding recommendations be noted and updated.

307 **FORCE PERFORMANCE REPORT – APRIL TO AUGUST 2011**

The Temporary Assistant Chief Constable presented the report to update Members on Force Performance against the 2011/12 Policing Plan Priority.

Members learnt that progress against the Policing Plan Priority was monitored using the Priority Indicator Set. The Priority Indicator Set provided a suite of key

performance measures (i.e. 'a performance dashboard'), which aimed to reflect outcome performance in relation to the local policing priority and the Chief Constables vision of Putting People First.

Members were informed that for 2011/12, there were 9 key performance indicators (KPI's) within the Priority Indicator Set, each with an associated performance target. Performance data was currently available in relation to 8 out of the 9 KPI's. Current Performance against the KPI's were detailed with targets achieved in 7 areas (green), improvements were required to be made in 1 (amber), and 1 was yet to be assessed.

In regards to reductions in volume crime, the Chairman asked if the Commercial Sector were attempting to make an effort with initiatives such as Town Centre Schemes etc.

The Temporary Assistant Chief Constable informed Members that the Community Safety Partnerships were playing a part, work with the Commercial Sector had improved and progress was strengthening, although impediments were national regulations and not local.

Members queried whether the economic climate played a part in the increase in the 'other theft' category.

The Temporary Assistant Chief Constable informed Members that there was more to it than the economy and the focus was on dealing with this.

Members sought assurance as to the volume of call backs made and the use of feedback to the victims, as well as to the Force.

The Assistant Chief Constable (Crime Operations) informed Members that a proposal had been received from Steria with ways to modify the call backs.

It was agreed that a report be brought to a future meeting outlining refinements made to the call back process.

**ACC (Territorial Operations)**

Members commented on the exceptional low levels of volume crime in December 2010 and January 2011, believed to have been contributed to by the abnormal weather conditions, and asked if the Government would acknowledge this over what will be a challenging six months compared to the same period last year, with many forces likely to be in the same predicament.

The Temporary Assistant Chief Constable assured Members that benchmarking would be undertaken against other Forces.

**ORDERED** that:-

1. the Force Performance against targets be noted;
2. a report be brought to a future meeting regarding call backs be agreed.

308

## **CLEVELAND & DURHAM SPECIALIST OPERATIONS UNIT REPORT**

### **ORDERED** that:-

1. this report be withdrawn and taken to a future meeting of this panel be agreed.

309

## **YOUNG PERSONS LOCAL POLICING SUMMARY LAUNCH 2011**

The Consultation and Performance Officer presented the report to Members which outlined Cleveland Police Authority's approach to participation and engagement with young people in the Cleveland Police area. The overall aim of this work was to:

- Communicate Cleveland Police Authority's Local Policing Plan Summary to young people aged 11-19, living in the area.
- Deliver some of the key messages within the plan to young people and obtain their views on policing priorities for 2012-2013.

The Serious and Organised Police Act 2005 introduced the requirement on Police Authorities to produce and distribute a local policing summary to all council tax paying households in the area. The summaries were seen as a good means of communicating with the public to get across some key messages about the force and its planned activities.

The Police Authority (Community Engagement and Membership) Regulations 2010 which came into force on 17 March 2010 stated that making arrangements for obtaining the views of people in the police area, the Police Authority has particular regard for people who are under 21.

Members were reminded that this was the fifth year that Cleveland Police Authority had worked with groups of young people from each of the four policing districts to produce district versions of the summary, specifically for 11-19 year olds.

52,000 copies of the leaflets were produced for distribution to young people aged 11-19 in education in the Cleveland Police area.

The final documents were presented by young people to Cleveland Police Authority and representatives of the Force at a launch event at Ladgate Lane on 12 September 2011.

Members pointed out that the Helen Britton House awareness raising campaign was not included on the Stockton Summary and asked if there was a reason for this.

The Consultation and Performance Officer informed Members that the young people designed the layout and content of the 'youth proofed' leaflet and this is something that they did not chose to include.

The Chair added that this project is excellent value for money for youth engagement and reminded Members that it had received national acclaim.

**ORDERED** that:-

1. the contents of the report be noted.

310

#### **CLEVELAND POLICE AUTHORITY SUMMER ROADSHOW CONSULTATION RESULTS 2011**

The Consultation and Performance Officer presented the report to inform Members of the recent consultation exercises carried out to ascertain the public's priorities and views regarding anti-social behaviour.

Members were informed that the consultation used three distinct methods:

- Members of the public were given ten imitation Police Officers and asked to allocate them amongst eight categories of anti-social behaviour;
- Members of the public were asked to complete a questionnaire focusing on their priorities and views regarding anti-social behaviour and;
- Members of the public who engaged in the above activities and had much to say about anti-social behaviour, were invited to give their views on camera in the Safe in Tees Valley Voicebox Vehicle.

In all 713 people took part in the police allocation exercise, 326 people completed the questionnaires and 13 gave an interview in the Voicebox.

**ORDERED** that: -

1. the content of the report, when setting and

approving the local policing priorities for 2012-2013 be noted.

311

## **END OF YEAR POLICE AUTHORITY CONSULTATION REPORT**

The Consultation and Performance Officer presented the report to present the findings of consultation activities undertaken by Cleveland Police Authority, Cleveland Police and partner agencies from September 2010 to August 2011.

Members were informed that the joint Force and Authority Local Public Confidence Survey was introduced in October 2009, and replaced the previous Neighbourhood Survey. The survey was conducted via telephone interview by an independent research company. Interviews were conducted on a rolling basis, with 2400 undertaken per year.

Demographic data on age, gender and ethnicity was collected, which enabled the Force and Authority to determine if certain sectors of the population were under represented in the survey results. If this was found to be the case then additional consultation activities were organised with under represented groups. If the results indicated that a particular issue was a concern in an area then an additional consultation was arranged in this area to explore the issue in greater depth.

Members were informed that key consultation findings were attached at Appendix 1 to the report.

The Consultation & Performance Officer informed Members that the Police Act 1996, as amended by the Police and Justice Act 2006, stipulated that the Force and Authority will produce an annual, rolling three year Policing Plan which will be informed by the consultation activities.

Members raised a question in regards to the number of hits the Force and Authority website receives and what pages are viewed most.

The Consultation and Performance Officer informed Members that this information was available and could be provided.

### **ORDERED** that:-

1. cognisance be taken of the consultation findings at Appendix 1 to the report, to assist in setting the local policing priorities for 2011 – 2012, be agreed.

312

## **MINUTES OF THE STRATEGIC PERFORMANCE GROUP**

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

- 24 June 2011
- 29 July 2011

Members raised a question in relation to the number of 'no crimes' and asked what this meant.

The Assistant Chief Constable (Crime Operations) informed Members that a 'no crime' was basically a crime that was falsely alleged, carried out in another Force area or which had already been recorded.

**ORDERED** that:-

1. the minutes of the above meetings be noted.

313

#### **MINUTES OF THE PUTTING PEOPLE FIRST BOARD**

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

- 12 July 2011

**ORDERED** that:-

1. the minutes of the above meeting be noted.

314

#### **PUBLIC MINUTES OF THE LEADERSHIP PANEL HELD ON 6 OCTOBER 2011**

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

#### **PUBLIC MINUTES OF THE LEADERSHIP PANEL**

A meeting of the Leadership Panel was held on Thursday 6 October 2011 in the Members Conference Room at Police Headquarters commencing at 4.00pm.

PRESENT:

Miss Pam Andrews-Mawer, Cllr Barry Coppinger, Mr. Aslam Hanif, Mr Peter Race MBE (Chair), Mayor Stuart Drummond and Mr Mike McGrory JP.

OFFICIALS

Dr Neville Cameron, Mr John Bage and Mr Stuart Pudney.

315

#### **APOLOGIES FOR ABSENCE**

Apologies were received from Mr Ted Cox JP, Mr Chris Coombs, and Mr Michael Porter



316

## **DECLARATIONS OF INTERESTS**

There were no declarations of interest.

317

## **OPEN MINUTES OF THE PREVIOUS MEETING HELD ON 22 SEPTEMBER 2011**

The Open Minutes of the previous meeting held on 22 September 2011 were held as a true record.

318

## **CLEVELAND POLICE AUTHORITY BUSINESS PLAN UPDATE**

The Service Improvement Manager informed Members that the purpose of the report was to provide Members with an update on the progress against the Action Plan within the 2010-13 Business Plan.

Members were reminded that the Business Plan 2010-2013 was approved at the Police Authority Executive on 25<sup>th</sup> February 2010. This plan was subsequently amended in July 2010 mainly as a result of the changes to policing priorities as announced by The Home Secretary, and was agreed at the Leadership Panel on 20<sup>th</sup> July 2010. The last update of the Action Plan was presented to the Panel on 15 March 2011.

The report outlined the most recent update of the Action Plan as at 23 September 2011. A full refresh of the Business Plan will be presented at the next Leadership Panel on 14<sup>th</sup> December 2011. Changes to the Action Plan denoting delivery or part-delivery of tasks, or changes to timescales, have been highlighted in blue in Appendix A to the report.

### **ORDERED that;**

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

319

## **CLEVELAND POLICE AUTHORITY RISK REGISTER**

The Service Improvement Manager informed Members that the purpose of the report was to ask Members to consider outcomes from the update of the Police Authority's Risk Register and Risk Action Plan for the period 4 March 2010 to 16 September 2011 and to consider the updated terms of reference of the Joint Risk Management Group.

Members were reminded that at the Leadership Panel on 15 March 2011, the last updated versions of the Police Authority Risk Register and Risk Action Plan were approved by Members. The Force and Authority regularly meet to discuss internal risk and business continuity arrangements and developments as part of the Joint Risk Management Group. Meetings of the group

took place on 17 May 2011 and 20 September 2011. Updated terms of reference of the Joint Risk Management Group are presented for consideration in sections 3.23 to 3.25 of the report.

This process of scrutiny and agreement of risk within the Police Authority enhances its ongoing management and adoption and remains a proactive process of embedding risk management in all aspects of the business.

Members informed of a recent Court case in Birmingham where there were potential organisational risks following budget cuts, and that Equality Impact Assessments should be carried out to ascertain risk potential.

The Police Advisor confirmed to Members that for any such decisions to be considered and taken by the Police Authority, Equality Impact Assessment need to be carried out.

Service  
Improvement  
Manager

**ORDERED that;**

1. the updates to the Police Authority Risk Register and Risk Action Plan for the period 4 March 2010 to 16 September 2011, be agreed.
2. the updated terms of reference of the Joint Risk Management Group be agreed.

320

**EXCLUSION OF PRESS AND PUBLIC**

**ORDERED that** pursuant to the Local Government Act 1972, the press and public be excluded from the meeting under Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act.

321

**MINUTES OF THE SPECIAL POLICE  
AUTHORITY EXECUTIVE HELD ON 18  
OCTOBER 2011**

**ORDERED that** the minutes of the Special Police Authority Executive held on 18 October 2011 were submitted and approved and signed by the Chair as a true and accurate record.

322

**MINUTES OF THE AUDIT & INTERNAL  
CONTROL PANEL HELD ON 20 OCTOBER  
2011**

**ORDERED that** the below minutes were submitted and approved.

## **AUDIT & INTERNAL CONTROL PANEL**

A meeting of Audit & Internal Control Panel was held on Thursday 20 October 2011 in the Members Conference Room at Police Headquarters.

**PRESENT:** Mr Mike McGrory JP (Chair), Mr Peter Hadfield (Vice Chair), Mayor Stuart Drummond (ex officio), Mr Geoff Fell, Councillor Sean Pryce, Councillor Terry Laing and Councillor Ray Goddard.

**ADDITIONAL MEMBERS** Mr Chris Coombs.

**OFFICIALS:** Dr Neville Cameron and Mr John Bage (CE)  
Mrs Ann Hall and Miss Kate Rowntree (CC)  
Mr Ian Wallace (IA)

### 323 **WELCOME**

The Chair extended a warm welcome to the Panel to Cllr Terry Laing.

### 324 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Peter Race MBE (ex officio), Councillor Ron Lowes, Mr Michael Porter and Mr Graeme Slaughter.

### 325 **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

### 326 **MINUTES OF THE PREVIOUS MEETING HELD ON 18 AUGUST 2011**

With reference to the Audited Statement of Accounts Members were informed that the Panel Chair and Vice Chair would be liaising with the Treasurer with a view to discharging such.

**Panel Chair /  
Treasurer**

With regard to the Interim Audit Commission report the Panel Chair and Acting Chief Executive spoke with the Audit Commission and a final report to be brought in December 2011 coupled with a briefing before hand.

**Chief Executive /  
Treasurer**

The minutes were held as a true record.

### 327 **OUTSTANDING RECOMMENDATIONS**

#### **ORDERED that;**

2. the Outstanding Recommendations were noted and updated.

## **CLEVELAND POLICE AUTHORITY RISK REGISTER**

The Service Improvement Manager informed Members that the purpose of the report was to provide Members with the opportunity to review the updates of the Police Authority's Risk Register and Risk Action Plan (from 4 March 2010 to 16 September 2011) which were agreed at the Leadership Panel on 6 October 2010.

Members were updated with the most recent appraisal of the Risk Register and Action Plan which reflected the current conditions of the organisation and the prevalent economic climate. This process of scrutiny and agreement of risk within the Police Authority enhanced its ongoing management and adoption and remains a proactive process of embedding risk management in all aspects of the business.

Members queried whether Risk should be on every Police Authority Panel as a standing agenda item for debate.

Members were informed that each actual paper that comes to a Panel has in it an area highlighted as 'Implications' where Risk should be considered with-in the body of the report.

The Service Improvement Manager also assured Members that Risk is also debated and considered at the Joint Risk Management group.

### **ORDERED that;**

1. the routine maintenance, chronological updates and modifications to the Risk Register (Appendix 1) and Action Plan (Appendix 2) be noted.

## **RISK APPETITE OF CLEVELAND POLICE AND CLEVELAND POLICE AUTHORITY**

The Service Improvement Manager informed Members that the purpose of the report was to provide Members with an explanation of the influence of risk appetite in the decision making processes of Cleveland Police Authority and the Force.

Members were informed that the Police Authority monitor and provide routine maintenance of the Police Authority Risk Register and Risk Action Plan through the Leadership Panel, reporting updates at alternate Audit & Internal Control Panels and at the Joint Risk Management Group, held with the Force every two

months.

The Service Improvement Manager informed Members that in the Force, Risk Management arrangements are set out in the Corporate Risk Management Policy at Section 3.2 of the Corporate Governance Framework. The Deputy Chief Constable is accountable for risk at an ACPO level. The Head of Corporate Planning & Governance is responsible for the day-to-day management of the Force's Risk Registers, both on a Strategic and Corporate level. This included by linking in with our strategic partner, Steria, who provide advice and training via the recently outsourced Resilience and Operational Planning Service and monitor and update the risk documents in respect of legacy risks.

The HM Treasury elements of risk appetite will be assessed by both the Force and Authority through the Joint Risk Management Group, for applicability in the current risk management process and report its findings back to the Audit & Internal Control Panel in February 2012.

Members queried what Governance issues are Members informed of and how.

The Service Improvement Manager assured Members by informing them that there is a 'Risk' element of scrutiny on every Police Authority report, further scrutiny is carried out by the Joint Risk Management Group, briefings, evidence provided to HMIC, Internal and External Auditors.

**ORDERED that;**

1. the Joint Risk Management Group to further assess the elements of Risk Appetite, as dictated by HM Treasury, to assist with risk management in Cleveland Police Authority and the Force and report back to the Audit & Internal Control Panel be agreed.

330

**ANNUAL GOVERNANCE STATEMENT**

The Assistant Chief Officer Finance + Commissioning (ACO F+C) informed Members that the purpose of this report was firstly to update the Panel on progress against significant governance issues, and the action points for improvement, identified in the 2010/2011 Statement (approved by the Police Authority Executive on the 23<sup>rd</sup> June 2011).

Secondly it was to set out a broad timetable to produce a near final draft of the Statement for consideration by the Panel on the 19<sup>th</sup> April 2012.

The final statement will be prepared for the year ending 31<sup>st</sup> March 2011, and up to the date of approval of the annual accounts, and formal approval sought then.

The ACO F+C then took Members through significant internal control and action points for 2011/2012 arising from the 2010/2011 Statement.

Members queried if the Treasurer was fully appraised on Workstreams and LTFP.

The ACO F+C informed Members that the Treasurer is fully up to speed with all aspects and that she would be happy to provide any further information Members or the Treasurer may require.

Members sought clarification regarding the Audit Commission's comments in its Interim Report regarding the scrutiny of contracts. The Treasurer to make further investigations.

**Treasurer**

The Internal Auditor suggested consideration be given to what type of assurances the Panel requires, but this should be aligned with the Risk Register.

**Service  
Improvement  
Manager /  
Treasurer**

#### **ORDERED that;**

1. the current progress against the significant governance issues and action points for 2011/2012 identified in the 2010/2011 Annual Governance Statement be noted.
2. the proposed timetable as outlined in Table 1 for review and production of the 2011/2012 Statement be agreed.

331

#### **INTERNAL AUDIT PROGRESS REPORT**

The Internal Auditor presented the report to Members which summarised the outcome of work completed to date against that plan. The Appendices A and B to the report provided cumulative data in support of internal audit performance.

Members were informed that the Following audits were in the process of being completed:

- Succession Planning
- Futures Working Group and Efficiency Savings
- Financial Planning and Budgetary Control
- Payroll and Expenses
- Key Financial Controls

The Internal Auditor informed Members that quarterly meetings are held with the Chair and Vice Chair of the

Panel, Treasurer, Deputy Chief Constable, ACO Finance and Commissioning and the Audit Commission. The next meeting is planned for 22<sup>nd</sup> November 2011. During 2011/12 the Internal Audit have met with the Treasurer, ACO Finance and Commissioning and the Audit Commission.

Members asked the Internal Auditor to briefly explain how the scheduling of audits is arranged.

The Internal Auditor gave an explanation that met Members requirements and gave appropriate assurances.

**ORDERED that;**

1. the report be noted.

332

**INTERNAL AUDIT FOLLOW UP REPORT**

The Internal Auditor informed Members that as part of the approved internal audit periodic plan for 2010/11 the Internal Audit have undertaken a review to follow up progress made by Cleveland Police Authority to implement previous internal audit recommendations. Recommendations with dates for implementation not yet due will be followed up as part of the 2011/12 follow up work.

The Internal Auditor informed Members that the audits considered as part of the follow up review were:

- Service Continuity Planning
- Corporate Planning 09/10;
- Digital Imaging Services 09/10;
- Use of Internet & Email Services 09/10;
- Key Financial Controls & Petty Cash 09/10;
- Network Security 09/10;
- Risk Maturity 09/10;
- Vetting 09/10; and
- Follow Up 09/10.

Members were informed that in addition, the Internal Audit gained assurance from management that the recommendations included with the HR Policies and Procedures Report and the Data Quality Report were being addressed. Further detailed testing will be undertaken on both of these reports during 2011/12.

Taking account of the issues identified in the remainder of the report and in line with Internal Audit's definitions set out at Appendix A to the report, in their opinion Cleveland Police Authority had demonstrated reasonable progress in implementing actions agreed to address internal audit recommendations. There were no significant

recommendations that they considered to be receiving inadequate management attention.

Members queried if there were any 'significant' risks that needed to be brought to the Police Authority's attention.

The Internal Auditor assured Members that all issues are discussed with the management team and any risks dealt with.

The ACO F+C assured Members that the Executive Officer manages all risk areas and regularly liaises with Service Unit Managers for follow up reports and updates.

The ACO F+C explained a number of points in the report pertaining to paragraphs. 3.4, 3.6 and 3.9 and gave assurance to Members that they were content with.

It was agreed that progress towards implementing agreed Internal Audit recommendations in categories 'fundamental' and 'significant' be reported to alternate meetings of the panel in cases where the original implementation date had not been met. This report to be from the action owner. **ACO F+C**

**ORDERED that;**

1. the report be noted.
2. a report be brought to alternate panel meeting to advise of progress in implementing agreed Internal Audit recommendations.

333

**EXCLUSION OF THE PRESS AND PUBLIC**

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

334

**STRATEGIC RISK MANAGEMENT AND SERVICE CONTINUITY PLANNING**

The ACO F+C informed Members that the purpose of the report was to provide Members with an update on progress in developing a risk management culture within the Force and preparing and testing robust service continuity plans.

Members were reminded of the integrated approach to embedding risk management and service continuity planning within the Force. The programme is



progressing on a systematic basis with the intention of developing and testing robust service continuity plans and further embedding a risk management culture.

The Force Risk & Insurance and Service Continuity Managers conducted and completed baseline assessments across all Districts and Service Units in 2010/11 from which robust, informed and auditable risk registers were developed.

The ACO F+C informed Members that the Force's integrated approach to strategic risk management and service continuity planning is progressing on a systematic basis with the intention of developing robust risk management and service continuity plans and further embedding a risk management culture.

**ORDERED that;**

1. the report be noted.

335

**Close of Meeting**

336

**MINUTES OF THE POLICY &  
RESOURCES PANEL HELD ON 27  
OCTOBER 2011**

**ORDERED that** the minutes of the below meeting were submitted and approved.

**POLICY & RESOURCES**

A meeting of the Policy & Resources Panel was held on Thursday 27 October 2011, commencing at 10.00 am in the Members Conference Room at Police Headquarters.

**PRESENT**

Mr Aslam Hanif (Chair), Miss Pam Andrews-Mawer (Vice Chair), Councillor Chris Abbott, Councillor Barry Coppinger Councillor Norma Stephenson, Councillor Ray Goddard

**ADDITIONAL  
MEMBERS**

Councillor Ron Lowes, Councillor Terry Laing.

**OFFICIALS**

Mrs Clare Hunter, Dr Neville Cameron, Mr Michael Porter and Mr John Bage (CE).

Mr Sean White, Ms Claire Hinnigan and Miss Kate Rowntree (CC).

337

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Peter Race MBE (ex officio), Mayor Stuart Drummond,

Councillor Carl Richardson and Mrs Ann Hall.

338

## **MARK OF RESPECT**

A minutes silence was held in respect of the death of PC Michael Gillespie.

339

## **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

**Action**

340

## **MINUTES OF THE POLICY & RESOURCES PANEL HELD ON 25 AUGUST 2011**

There was one correction from the previous meeting, following this the minutes were agreed as a true and accurate record.

341

## **OUTSTANDING RECOMENDATIONS**

**ORDERED** that:-

2. the Outstanding Recommendations be noted.

342

## **REVENUE OUTTURN 2010/2011 – REVISED**

The Head of Finance informed Members that at their meeting on 25<sup>th</sup> February 2010 Members approved a Net Budget Requirement (NBR) of £132,172k and budgeted revenue expenditure of £149,573k, the balance of expenditure being funded by specific grants, other income and transfers from reserves. The report set out the revised year end position against that budget.

Members were informed that the report was a revision of the final report for 2010/11 and set out the year end position against the approved budget. This reflected the single monetary adjustment as a result of the audit, and also a correction to the original Appendix A to the report.

In the original Appendix A the split between core and transfers to/from reserves was incorrectly stated and is now corrected, this had no impact on the accounts or outturn. It also appended the reconciliation of transfers to/from reserves as requested by Members at Appendix D to the report.

It should be noted that the results had now been subject to audit by the Audit Commission.

**ORDERED that;**

1. the revised revenue outturn position for 2010/11 of a £650k underspend which represented a 0.43% underspend against a

gross expenditure budget of £149.6m be noted.

2. the outturn position is in excess of the £250k underspend forecast in the Period 11 report be noted.
3. the results are presented having been audited by the Audit Commission be noted.

343

### **BUDGET MONITORING REPORT TO THE 31<sup>st</sup> AUGUST 2011**

Members were reminded that at their meeting on 24<sup>th</sup> February 2011 Members approved a Net Budget Requirement (NBR) of £129,843k and budgeted revenue expenditure of £141,678k, the balance of expenditure being funded by specific grants, other income and transfers from reserves.

The Head of Finance informed Members that forecasts suggested that the Authority had pressures against the expenditure plan for 2011/12; but had sufficient predicted underspends to more than cover these pressures and therefore forecast a £100k underspend after medical retirement expenditure. The position to date and the year-end forecast are shown at Appendix A to the report.

Members were informed that the position to date and the year-end forecast were shown at Appendix A to the report. No material risks, other than those set out in the Risk Monitor at Appendix D to the report, had been identified to that forecast.

#### **ORDERED that;**

3. the content of the report be noted.

344

### **CAPITAL MONITORING REPORT TO THE 31<sup>ST</sup> AUGUST 2011**

The Head of Finance reminded Members that they approved the capital programme of £6,054k for 2011/12 and the capital plan for 2011/15 at their meeting on 24<sup>th</sup> February 2011. Net carry forwards of £3,275.4k were also approved by the Authority on the 30<sup>th</sup> June 2011; giving a total capital programme for 2011/12 of £9,329.4k.

Members were reminded that they approved a capital programme totaling £6,054k at their meeting on 24<sup>th</sup> February 2011. Net carry forwards of £3,275.4k were also approved taking the total capital plan for 2011/12 to £9,329.4k.

The Head of Finance informed Members that the report set out progress against delivery of the Capital Programme for 2011/12 and recommendations to make optimum use of the capital resource available to the Authority to refresh and develop the asset base for policing in the 21<sup>st</sup> Century in line with the vision of 'Putting People First'.

**ORDERED that;**

2. the contents of the report.
3. the addition of the Electrical Re-wiring of Stockton Divisional HQ scheme (phase 2) at a cost of £28.0k to be funded from the Provision for Business Cases be agreed.
4. the addition of the Replacement of Obsolete Air-conditioning Units and Dehumidifiers in HQ scheme at a cost of £15.0k to be funded from the Provision for Business Cases and approved under delegated authority be noted.
5. the addition of the Body Armour scheme at a cost of £88.0k, to be funded from the Provision for Business Cases and approved by Members at the Policy and Resources Panel on 25<sup>th</sup> August 2011 be noted.
6. the addition of the Job Evaluation scheme at a cost of £30.0k, to be funded from the Provision for Business Cases and approved by Members at the Policy and Resources Panel on 25<sup>th</sup> August 2011 be noted.
7. the addition of the Covert Equipment scheme at a cost of £17.5k to be funded with a transfer from revenue, as external funding has been received, and approved under delegated authority be noted.

345

**TREASURY MANAGEMENT REPORT TO THE 30<sup>TH</sup> JUNE 2011**

The Head of Finance reminded Members that they agreed an investment strategy for 2011/12 in line with the CIPFA Code of Practice at their meeting on 24<sup>th</sup> February 2011.

Members were informed that the report was to update Members on the status of the Authority's investments and borrowing. It was part of the process introduced by the Authority to maintain prudent financial management.

The ACO F+C informed Members that protection of the Authority's underlying investments will continue to

be of utmost importance throughout 2011/12. To that end the investments of the Authority will continue to be placed in a prudent manner and also one that ensures sufficient funds are available to meet its' commitments as they become due.

**ORDERED that;**

2. the contents of the report be noted.

346

**PLAN B IMPLEMENTATION UPDATE**

The Assistant Chief Constable (Crime & Operations) informed Members that the report outlined to Members the Human Resource activities planned to enable the delivery of Plan B, within the constraints of the Long Term Financial Plan (LTFP).

Members had requested that the HR plan referred to within the Plan B proposal, be presented to the Policy and Resources Panel. This would provide sufficient information and assurances that the Force is able to plan and deliver the necessary activities that will facilitate the implementation of the Plan B proposal within the constraints of the LTFP.

The Assistant Chief Constable (Crime Operations) informed Members that the implementation of Plan B will be closely monitored to ensure it is delivered within the relevant timescales.

Members queried who was to carry out these actions and how frequently would they be done.

The Assistant Chief Constable (Crime Operations) informed Members that it was his role to carry out these functions and that this would continue to 2013-14. He would be happy to report back to Members at a frequency that Members were content with.

**ORDERED that;**

1. the content of the report be noted.
2. Members would receive updates every second meeting be agreed.

347

**TIME OFF IN LIEU**

The Assistant Chief Constable (Crime Operations) informed Members that the report was to update Members on the work being undertaken by the Force to manage the levels of time off in lieu (TOIL) and rest days in lieu (RDIL).

Previous reports to Members had highlighted the approach taken by the Force in reducing the

commitment in TOIL and RDIL. These reports were in response to concerns raised around the changes to the International Financial Recording Standards (IFRS), and any potential financial liability that may be incurred as a consequence of retaining large amounts of time off held by members of the Force.

Members were informed that there is a financial risk to the Force in respect of time off owing particularly as figures are not currently available to assess whether the levels are increasing or decreasing. The financial cost of the outstanding levels of TOIL is calculated at the end of each financial year. The figures for the last three years were presented to Members.

Members were assured that the Force is working closely with Steria to ensure that Oracle is an accurate record of 'time off' and that a corporate response can easily be given to the amount of hours and days of time off owing to Officers. Future audits will be able to provide a more accurate reflection of outstanding time off once the Oracle system is updated.

Members queried if Officers received increases in pay for any overtime worked.

The Assistant Chief Constable (Crime Operations) informed Members that Officers do receive increases in pay for overtime worked and Bank Holidays, he informed members of the increase ranges.

Members queried if this information was captured and reported on.

The Head of Finance assured Members that all information pertaining to this was captured and reported annually in the Statement of Accounts, but that this element of cost was not chargeable to Council Tax payers.

The Treasurer informed Members that an update would be brought to the December meeting.

**ACC (Crime and Ops).**

**ORDERED that;**

1. the content of the report be noted.

348

**ENVIRONMENTAL MONITORING UPDATE**

The Service Improvement Manager informed Members that the purpose of the report was to provide Members with an update of the business of the Environmental Monitoring Group held on 11 October 2011.

Members were given an update of the participation in

the Public Sector Carbon Management Programme 2011/12 and environmental updates from departments whose operations are included within the scopes of the carbon footprint; namely Fleet Management, Estates Management (including PFI), Information and Communication Technology, Business Support and Sustainable Procurement.

The Service Improvement Manager informed Members that the Environmental Monitoring Group is key to enabling the delivery of reduced carbon emissions year on year for both Force and Authority. The scope of the Group business will ensure that holistic scrutiny is applied to the effects that the day to day business of Cleveland Police and its Authority have on the environment.

**ORDERED that;**

1. the report be noted.

249

**EXCLUSION OF THE PRESS AND PUBLIC**

**ORDERED that** pursuant to the Local Government Act 1972 the press and public be excluded from the meeting under paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

250

**PRIVATE MINUTES OF THE LEADERSHIP  
PANEL HELD ON 24 AUGUST 2011.**

**ORDERED that** the private minutes of the Leadership Panel held on 24 August 2011 were submitted and approved.

251

**PRIVATE MINUTES OF THE LEADERSHIP  
PANEL HELD ON 22 SEPTEMBER 2011.**

**ORDERED that** the private minutes of the Leadership Panel held on 22 September 2011 were submitted and approved.

252

**PRIVATE MINUTES OF THE LEADERSHIP  
PANEL HELD ON 6 OCTOBER 2011.**

**ORDERED that** the private minutes of the Leadership Panel held on 6 October 2011 were submitted and approved.

253

**ISSUES ARISING FROM THE AUDIT –  
REPORT OF THE AUDIT COMMISSION**

The Audit Commission presented a report on issues arising from the Audit. Members were informed that the new Audit Commissioner to the Police Authority had reviewed the case and agreed with the

judgements and its factual contents. Members were informed that this had been agreed by Officers of the Police Authority.

**ORDERED that;**

1. the report be noted.

254

**MANAGEMENT RESPONSE TO ISSUES  
FROM THE AUDIT**

The Annual Audit Letter 2010/2011 summarised the key issues arising from the work of the Audit Commission auditors carried out during the year. The Chief Executive presented the report to Members to provide Members of the Police Authority Executive with the recommended response to the issues raised by the Audit Commission in their report '2010-11 Issues arising from the Audit'. It contained recommendations to assist the Authority in meeting its responsibilities and which are shown below.

Members queried and sought assurances in a number of areas and suggested a number of slight amendments, all of which were agreed by the Chief Executive.

**ORDERED that;**

1. the management responses to the issues raised by the Audit Commission, as set out at Appendix A to the report, are accepted as the responses of the Authority be agreed.
2. the progress on the resolution of the Actions from the Draft Annual Audit Letter, as responded to within Appendix A to the report, are reported to and monitored through the Audit and Internal Control Panel be agreed.
3. the alterations suggested by Members be agreed.



## **SPECIAL CLEVELAND POLICE AUTHORITY EXECUTIVE**

A special meeting of Cleveland Police Authority Executive was held on Monday 23 January 2012 in the Members Conference Room at Police Headquarters.

**PRESENT:** Councillor Chris Abbott, Councillor Ron Lowes, Councillor Ray Goddard, Councillor Terry Laing, Councillor Sean Pryce, Councillor Norma Stephenson, Mayor Stuart Drummond (Chair), Councillor Carl Richardson and Councillor Bernie Taylor

Independent Members

Mr Aslam Hanif, Mr Geoff Fell, Mr Mike McGrory JP, Miss Pam Andrews-Mawer, Mr Ted Cox and Mr Chris Coombs

**OFFICIALS:** Mr Stuart Pudney and Mr John Bage (CE)  
Mrs Jacqui Cheer, Mr Adrian Roberts, Mr Sean White, Mrs Ann Hall and Miss Kate Rowntree (CC)  
Ms Lynda Turnbull (UNISON)

### 255 **APOLOGIES FOR ABSENCE**

Apologies for absence. were received from Mr Peter Hadfield

### 256 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 257 **MINUTES OF THE PREVIOUS MEETING HELD ON 20<sup>TH</sup> DECEMBER 2011**

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

### 258 **ELECTION OF VICE CHAIR**

The Chair informed Members that he had received two nominations for the position of Vice Chair. He invited the two Members to give a short briefing to Members.

Mr Aslam Hanif spoke to Members and his nomination was duly seconded.

Mr Ted Cox JP spoke to Members and his nomination was duly seconded.

A secret ballot then took place and Mr Aslam Hanif was duly elected as Vice Chair.

259

### **PROPOSALS FOR CHANGES TO POLICE AUTHORITY INTERNAL PROCESSES AND POLICIES.**

The Chief Executive informed Members that the purpose of the report was to advise Members of, and, where appropriate, seek the Authority's approval to a number of internal Police Authority organisational and process changes.

Members were informed that the proposals were aimed at reducing the workload in the Police Authority support office (& Force), reducing paperwork/unnecessary processes, potentially releasing efficiency savings and improving member support. The overall objective of this is to:

- Create capacity and resources to work on the (significant and complex) transitional projects/programme in preparation for the Police & Crime Commissioner in November 2012.
- Reduce formal meetings but increase value and focus when members do meet.

Members raised concerns regarding reducing the number of Panel meetings especially surrounding finance and queried whether in the current climate this would be a prudent move.

Members also requested if it were possible, to have clearly marked papers and documents that could be shared with others outside Police Authority meetings.

The Chief Constable informed Members that she was currently working on a similar project to clearly identify what documents are available at what level (the Government Protective Marking Scheme) and as such certain documents would be available for Members to share.

The Chief Executive informed Members that there would be future papers available for Members to circulate with-in their organisations.

A Member moved an amendment that the Policy & Resources and the Audit & Internal Control Panels remain at their present scheduling.

This was seconded by another Member.

**ORDERED that;**

1. the Strategic Air Support Panel be disbanded, with business moving to the Operational Policing Panel be agreed.
2. the Environmental Monitoring Group be discontinued and any environmental related business be taken by Policy and Resources Panel be agreed.
3. the Joint Risk Management Group be disbanded with its work being taken on by Officers, perhaps overseen by a CPA lead member, with quarterly reporting to the Leadership Panel be agreed.
4. to move to a presumption of not having pre-panel meetings unless issues are identified and the Panel Chairman considers it necessary be agreed.
5. prior to the formal start of all meetings there is a 15 or 30 minute pre-meeting (depending on the agenda) for all members of the panel – supported by a member of the Authority’s support team be noted.
6. a confidential briefing note will be prepared by the Police Authority support team and sent to Members of a Panel in advance of panel meetings be agreed.
7. hard copies of meeting papers only to be sent to Members who are on that Panel - with electronic copies to everybody else be agreed.

8. Panel Chairs be appointed at the meeting following the Authority's AGM by the Panel itself in the same way as the Authority's Chairman/Vice Chairman are elected by the Executive be agreed.
9. Panel Membership appointments made/affirmed by the Executive at the AGM and by the Chairman if a casual vacancy arises be noted.
10. the Code of Corporate Governance be amended / reviewed only in respect to matters that are important to the Authority's current position and that a major review be undertaken so as to write a new Code as part of the transitional arrangements in preparation for the Commissioner be noted.
11. Membership of the Leadership Panel be the Chairs and Vice Chairs of Panels plus the Authority Chairman and Vice Chairman be noted.
12. Councillor and elected Members be asked to submit themselves to the routine vetting process applied to all independent Members be agreed.
13. the current discretionary £200 pa honorarium paid to Independent Custody Visitors and £300pa to panel coordinators be discontinued for all ICVs except the panel coordinators who will be paid an honorarium of £100pa be agreed.
14. Wifi connectivity at the CPA Office be discontinued be agreed..
15. the Members' allowance scheme, be changed to:
  - standard class rail travel (or of a similar cost).
  - a mileage rate of 45p per mile.
  - the use of taxis should be an exception rather than the rule, especially in London where there are substantial public transport networks,be agreed.

16. the Members allowance scheme be reviewed generally, so as to ensure that it is both appropriate and to in line with other local authorities and public service agencies be noted.
17. Members' attendance at conferences and training events be limited to those which are absolutely essential and only with the approval of the Authority's Chairman be agreed.
18. not to make an appointment to the Authority's Independent Member vacancy be agreed.
19. to cease reporting minutes of all Panel meetings to the Executive ve agreed.
20. the Authority continues to pro-actively review procedures and examine ways in which it can make efficiency savings be noted.
21. the Policy & Resources Panel and the Audit & Internal Control Panel remain on a bi-monthly schedule, with the remaining Police Authority Panels moving to a quarterly schedule be agreed.

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## **EXCLUSION OF THE PRESS AND PUBLIC**

**ORDERED that** pursuant to Section 100a(4) of the Local Government Act 1972, excluding the press and public from the meeting under Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act.

# CLEVELAND FIRE AUTHORITY

## MINUTES OF ORDINARY MEETING

16 DECEMBER 2011



### PRESENT:

#### CHAIR:-

Councillor O'Donnell – Stockton on Tees Borough Council

#### HARTLEPOOL BOROUGH COUNCIL

Councillors Akers-Belcher, Richardson, Wells

#### MIDDLESBROUGH COUNCIL

Councillors Biswas, Brunton, Clark, Morby, Pearson

#### REDCAR & CLEVELAND BOROUGH COUNCIL

Councillors Briggs, Cooney, Dunning, Jeffries, Ovens

#### STOCKTON ON TEES BOROUGH COUNCIL

Councillors Corr, Cunningham, Stoker, Woodhead

#### AUTHORISED OFFICERS

Chief Fire Officer, Director of Corporate Services, Legal Adviser/Monitoring Officer, Treasurer

### APOLOGIES FOR

### ABSENCE:

Councillor Payne

(Hartlepool Borough Council)

Councillor Lancaster

(Middlesbrough Council)

Councillor Walmsley

(Stockton on Tees Borough Council)

**Members honoured a minutes silence in memory of the late Councillor Glynis Abbott.**

### 74. DECLARATIONS OF MEMBERS INTEREST

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

### 75. MINUTES

**RESOLVED – that the Minutes of the Cleveland Fire Authority Meeting held on 14 October 2011 be confirmed.**

### 76. MINUTES OF COMMITTEES

**RESOLVED – that the Minutes of the Executive Committee held on 25 November 2011 be confirmed.**

### 77. COMMUNICATIONS RECEIVED BY THE CHAIRMAN

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

- Glyn Morgan, Chief Executive, Fire Officers Association re Registration of Trade Dispute
- Alex Cunningham MP re Community Interest Company & Social Enterprise
- Bob Neil MP, CLG re Fire & Rescue National Framework Consultation

The Chief Fire Officer informed Members that the National Framework Consultation runs until the end of March 2012 and that he would report on the implications and gap analysis at a future meeting.

**RESOLVED – that the communications be noted.**

**78. JOINT PRESENTATION OF THE CHIEF FIRE OFFICER AND TREASURER**

**78.1 Presentation on Budget Options 2012/13**

The Treasurer detailed the current budget strategy, the impacts of the Comprehensive Spending Review 2010, inflation, pay and pensions, council tax and the current economic situation on the budget strategy.

The Treasurer confirmed that efficiencies of £4.4m have already been delivered via the transformation review and that prudent use of reserves would buy some time to make the fundamental changes required to respond to the significantly reduced resources but the council tax strategy would be a key component to business planning.

The Treasurer reported that the following issues should be taken into account when considering budget options:

- Further funding cuts amounting to 1% per annum
- Pay for public sector employees has been capped at 1%
- Reduced pension costs may well be withheld from the grant received
- Fire Authorities have a Council Tax limitation of 4%
- Localising Business Rates
- Localising Council Tax benefit
- Technical changes to Council Tax

The Treasurer asked Members what provision they would like to make in the budget for pay. Members discussed the issue in detail and agreed that over the three year period a provision of 2%, 1% and 1% be included in the Budget Strategy for pay.

The Treasurer also asked Members to consider the Council Tax Level for 2012/13, taking into account:

- Maximum tax increase in line with possible cap (which would balance next year's budget)
- Future increases to balance the budget would equate to approximately 10% and would likely be capped
- Should a referendum be triggered the costs would be approximately £0.75m

Following discussion, Members agreed that the Council Tax Level for 2012/13 should be set at 3.95%.

The Treasurer sought Members views in connection with Members Allowances for 2012/13. Members agreed that Members Allowances be frozen for 2012/13.

The Treasurer informed Members that a further consultation had been received from CLG relating to technical changes to Council Tax. He advised that he had drafted a response on behalf of the Chair, which whilst supporting the changes, also raised some concerns.

**RESOLVED:**

- (i) that the presentation be noted**
- (ii) that over the three year period a provision of 2%, 1% and 1% be included in the Budget Strategy for pay**
- (iii) that the Council Tax Level for 2012/13 be set at 3.95%**
- (iv) that the draft response to CLG regarding Technical Changes to Council Tax be approved**
- (v) that Members Allowances be frozen for 2012/13**

**79. REPORT OF THE CHIEF FIRE OFFICER**

**79.1 Information Pack – December 2011**

- 79.1.1 Fire and Rescue Service Monthly Bulletins
- 79.1.2 Employers Circulars
- 79.1.3 Fire Brigade Long Service and Good Conduct Medal

**RESOLVED - that the report be noted.**

**80. REPORT OF THE DIRECTOR OF CORPORATE SERVICES**

**80.1 Information Pack**

- 80.1.1 Standards Committee
- 80.1.2 Combined Fire Authorities Meeting

**RESOLVED - that the report be noted.**

**81. REPORT OF THE LEGAL ADVISER/MONITORING OFFICER**

**81.1 Localism Act, 2011 – An Overview**

The Legal Adviser/Monitoring Officer (LAMO) provided Members with an overview of the provisions of the Localism Act 2011 and its application to Fire and Rescue Authorities.

The LAMO detailed the General Power of Competence which would allow a Fire and Rescue Authority to enter into commercial joint ventures, undertake greater service delivery and other emergency services and therefore make a greater use of assets and capacity to support the 'big society'. He highlighted the amendment to the Fire and Rescue Services Act, 2004 which now provides a discretion for a Fire and Rescue Authority to charge a person for any action taken by the Authority in the United Kingdom or at sea or under the sea, and otherwise, for a commercial venture. However, a Fire and Rescue Authority would be prohibited from charging for extinguishing fires, or protecting life and property in the event of fires, other than fires at or under the sea.

The LAMO summarised implications of the formal abolition of 'the Standards Board regime' and highlighted the areas of community empowerment including:

- Referendums relating to Council Tax increases
- Community Right to Challenge
- Assets of Community Value

The LAMO explained the requirement under the Act to have a pay policy statement to improve accountability and transparency, which will also require approval at the Authority's Annual Meeting.

The LAMO advised Members that subsequent reports will be brought back to the Authority as and when Regulations and statutory or other guidance is issued.

Councillor Briggs asked for clarification regarding the Standards Committee. The LAMO explained that the new arrangements would be adopted at the Annual Meeting of the Authority.

**RESOLVED:**

- (i) that the report be noted.**
- (ii) that a further report be received by the Fire Authority once regulations and statutory or other guidance is issued.**



**82. REPORTS OF THE TREASURER**

**82.1 Treasury Management Annual Review 2010/11**

The Treasurer provided Members with a review of the Treasury Management activity for 2010/11 and the outturn Prudential Indicators for this period. He confirmed that the report had been submitted to the Audit and Governance Committee at their meeting on 18 November 2011 for scrutiny prior to the being presented to the Authority.

The Treasurer confirmed that Treasury Management activities had been undertaken in accordance with relevant legislation, regulation and the Authority's approved Treasury Management Strategy and therefore there were no specific issues to bring to Members attention.

**RESOLVED – that the report be approved.**

**82.2 Treasury Management Strategy Update 2011/12**

The Treasurer updated Members on matters relating to Treasury Management for 2011/12 and asked Members to consider the continuation of the existing Treasury Management Strategy. He confirmed that the report had been scrutinised and recommended for approval by the Audit & Governance Committee at their meeting on 18 November 2011 and that all prudential indicators had been complied with.

The Treasurer stated that the Authority is currently funding some of its Capital Financing Requirement by using temporary cash balances which is the most cost effective way to finance this expenditure in the short term. He advised that in order to address the Authority's future capital requirements, borrowing will increase over the medium to long term and this will be managed in accordance with the Treasury Management Strategy which will be kept under review.

**RESOLVED – that the report be approved.**

**83. REPORT OF THE CHAIR OF THE AUDIT AND GOVERNANCE COMMITTEE**

**83.1 Audit and Governance Information Pack – December 2011**

- 83.1.1 Audit Committee – Audit 2010/11
- 83.1.2 Internal Audit Reports – Quarterly Update
- 83.1.3 Organisational Performance Presentation
- 83.1.4 Corporate Risk Register Review – September 2011
- 83.1.5 Progress Against Revenue and Capital Budgets
- 83.1.6 Treasury Management Annual Review 2010/11 and Treasury Management Strategy Update 2011/12

**RESOLVED – that the report be noted.**

**84. ANY OTHER BUSINESS**

The Chair sent Members and Officers her best wishes for the festive season and Members thanked staff for their support and hard work throughout the year.

**RESOLVED – that the Authority's thanks to staff for their support and hard work be noted.**

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

**Minute No 86 Paragraphs 1, 3 and 4**

**Minute No 87 Paragraphs 3 and 4**

Paragraph 1 – namely information relating to any individual.

Paragraph 3 – namely information relating to the financial or business affairs or any particular person (including the authority holding that information).

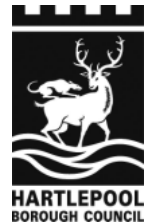
Paragraph 4 – namely information relating to any consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

86. **CONFIDENTIAL MINUTES**  
**RESOLVED – that the Confidential Minutes of the Cleveland Fire Authority**  
**Meeting held on 14 October 2011 be confirmed.**

87. **CONFIDENTIAL MINUTES OF COMMITTEES**  
**RESOLVED – that the Confidential Minutes of the Executive Committee held on**  
**25 November 2011 be confirmed.**

**COUNCILLOR JEAN O'DONNELL**  
**CHAIR**

**COUNCIL**  
12 April 2012



**Report of:** CHIEF SOLICITOR

**Subject:** PAY POLICY STATEMENT

---

**1. PURPOSE OF REPORT**

In recent months there have been three new or amended requirements to pay policy and pay data publication requirements as a result of:

- (a) The Accounts and Audit (England) Regulations 2011;
- (b) The Code of Recommended Practice for Local Authorities on Data Transparency published by the Department for Communities and Local Government;
- (c) Openness and accountability in local pay: Guidance under Section 40 of the Localism Act 2011 issued by the Department for Communities and Local Government.

**2. BACKGROUND**

The Localism Act requires the Council to agree a written pay policy for 2012/13 and a proposed policy is attached for Council approval based on a common policy statement jointly prepared by the Tees Valley Heads of HR adapted to reflect local arrangements. The proposed pay policy statement at Appendix A reflects the current policies and arrangements within the Council.

**3. PROPOSALS**

The provisions of the Localism Act and the requirement to agree and publish a pay policy statement annually reflects the Government's aim to increase accountability, transparency and fairness in the setting of local pay.

- 4.** Final guidance has recently been issued in respect of Section 40 of the Localism Act which clarifies that full Council is required to approve an annual pay policy statement in respect of:

- (a) Its senior staff (i.e. Chief Executive, Directors and Assistant Directors);

- (b) Its lowest paid employees; and
- (c) The relationship between:
  - (i) the remuneration of its chief officers and
  - (ii) the remuneration of its employees who are not chief officers.

**5.** The pay policy statement must include specific details in relation to:

- the definition of 'lowest-paid employees' adopted by the authority for the purposes of the statement and the reasons for adopting it;
- the authority's policies relating to chief officer remuneration e.g. grades, on appointment, increases, additions, bonuses, ceasing to be employed, publication of information;
- whether election fees are included within a chief officer's overall salary or are paid separately and if separate fees are paid, describe their approach to setting and publishing these;
- the approach an authority may take in offering a severance payment to senior staff as part of a decision to terminate a contract for any reason;
- whether they will permit an individual to be paid a salary and a pension and whether they will re-engage ex-chief officers made redundant under a contract for services;
- the remuneration of its lowest paid employees.

The pay policy statement must be published, including being published on the Council's website

- 6.** The guidance stipulates that full council must consider whether the pay policy should require Council approval before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set. For this purpose, salary packages should include salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment. The attached policy reflects the Council's constitution regarding the appointment to posts defined under the Officer Employment Rules which includes all Chief Officers posts. The lowest Chief Officer salary point is currently £54,041.
- 7.** The guidance suggests that local authorities may wish to consider extending and developing the scope and range of remuneration policies which is not proposed due to the limited time for Council to consider and agree this pay policy statement.
- 8.** Council are asked to note the report and agree the attached Pay Policy Statement.

**9. CONTACT OFFICER**

Peter Devlin  
Chief Solicitor  
Tel: 01429 523003  
Email: [peter.devlin@hartlepool.gov.uk](mailto:peter.devlin@hartlepool.gov.uk)

Joanne Machers  
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# Hartlepool Borough Council

## Pay Policy Statement

(Section 38, Localism Act 2011)

### 1.1 Introduction

This document sets out the Council's pay policy in relation to the remuneration of its staff in accordance with section 38 of the Localism Act 2011. The policy is subject to annual review and must be approved by the Borough Council for each financial year. The policy will be published on the Council's website as soon as reasonably practicable after approval or amendment.

- 1.1 The arrangements set out within this document do not extend to those members of staff who are employed within schools.

### 2.0 Definitions

The following definitions will apply throughout this policy statement:

#### 2.1 'Lowest-paid employees':

those staff who are employed in jobs which are paid at Band 1 (spinal column point 5), this being the lowest salary paid to employees.

#### 2.2 'Chief Officer':

Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989;

Monitoring officer designated under section 5(1) of that Act;

Any statutory chief officer mentioned in section 2(6) of that Act;

Any non-statutory chief officer mentioned in section 2(7) of that Act;

Any deputy chief officer mentioned in section 2(8) of that Act.

Note: In Hartlepool BC Deputy Chief Officer includes Green Book employees.

### 3.0 Chief Officers

#### 3.1 Levels and Elements of remuneration for Chief Officers

The following principles will apply:

Chief Officer posts and the attributable salaries which are currently payable from appointment are as follows:

<u>Role</u>	<u>Salary</u>
JNC Chief Executive	£ 158,000 - £168,000 p.a.
JNC Executive Directors	£ 120,000 - £130,000 p.a.
JNC Assistant Director / HOS CO1	£ 70,254 - £81,062 p.a.
JNC Assistant Director / HOS CO2	£ 64,850 - £75,658 p.a.
JNC Assistant Director / HOS CO3	£ 54,041 - £64,850 p.a.
NJC Band 15	£ 43,684 - £47,744 p.a.
NJC Band 14	£ 38,961 - £42,617 p.a.

Salary scales include an entitlement to incremental progression.

- 3.2 JNC Chief Executive/Chief Officer terms and conditions are incorporated into all Chief

## Appendix A

Officers' contracts of employment. NJC for Local Government Services (LGS) terms and conditions and the Council's Single Status Agreement are incorporated into NJC (LGS) Bands 14 & 15.

- 3.3 The salaries attributable to Chief Officer posts are subject to job evaluation and based on:
- clear salary differentials which reflect the level of responsibility attached to any particular role; and
  - rates which are reasonably sufficient to recruit and retain senior officers taking into account market conditions.
- 3.4 Increases in pay for Chief Officers will occur only as a result of:
- pay awards agreed by way of national/local collective pay bargaining arrangements; or
  - significant changes to a Chief Officer's role which result in a higher salary being appropriate as confirmed by the outcome of an appropriate job-evaluation process.
  - recruitment and/or retention payments which, in all the given circumstances at the relevant time, are deemed necessary in the best interests of the Council and which are determined under a relevant policy relating to such payments.
- 3.5 It is expected that senior officers will perform to the highest level and performance related pay does not, therefore, form part of current remuneration arrangements. This position will be reviewed if legislation and/or guidance relating to senior posts is changed.
- 3.6 In cases of new JNC Chief Executive and Chief Officer recruitment, an appointment may not be made in respect of any post without the prior approval of the full Borough Council.

### 3.7 Election Duties undertaken by Chief Officers

Fees for election duties undertaken by chief officers are not included in their salaries. These are determined separately in consultation with the other Tees Valley Councils. For contested elections the fees are based on an agreed sum for the first 1000 electors and a further sum for each additional 1000 electors or fraction thereof, and a set agreed sum for uncontested elections.

### 3.8 Payments to Chief Officers upon termination of their employment

Chief Officers who cease to hold office or be employed by the Council will receive payments calculated using the same principles as any other member of staff, based on entitlement within their contract of employment, their general terms and conditions and existing policies.

- 3.9 In the case of termination of employment by way of early retirement, redundancy (voluntary or otherwise) or on the grounds of efficiency of the service, the Council's Early Retirement and Redundancy Policy sets out provisions which apply to all staff regardless of their level of seniority.
- 3.10 The Council's Early Retirement and Redundancy Policy also sets out the applicable provisions in respect of awarding additional pension entitlement by way of augmentation or otherwise.

## Appendix A

### **4.0 Publication of and access to information relating to remuneration of chief officers.**

Information will be published on the Council's website in line with The Code of Recommended Practice for Local Authorities on Data Transparency.

### **5.0 Remuneration of lowest paid employees.**

The Council introduced 'single status arrangements' with effect from 2007. The lowest paid employees within the authority are appointed to posts which have been evaluated using an agreed job evaluation scheme and are remunerated accordingly.

### **6.0 Relationship between Chief Officer and non-Chief Officer remuneration:**

The 'pay multiple' for the Council is determined by comparing the hourly pay (\*) for the highest paid employee against that of the mean basic hourly pay for the organisation as a whole. (\*\*)

(\*) Using Green Book hourly rate formula i.e. salary x 7/365 x 1/37

(\*\*)The guidance makes reference to "The Code of Recommended practice for Local Authorities on Data Transparency – Paragraph 12, Bullet 4.

6.1 The Council's current pay multiple is 7.73

6.2 The Council will generally aim to ensure that the pay multiple does not exceed ten.

### **7.0 General principles regarding remuneration of staff:**

7.1 The salaries attributable to posts are determined via job evaluation. Staff are remunerated according to the evaluated score of the post they hold and by reference to the salary scale existing at any given time.

7.2 New appointments are subject to the Council's Recruitment and Selection Policy and will generally be made at the bottom spinal column point of all pay bands unless there are special circumstances and payment at a higher level can be objectively justified. However, in the event of any member of staff securing a higher-graded post via internal promotion/recruitment and there being an overlap of salary points between their current post and bottom point of the newly secured position, then the Council will generally pay at a minimum point in the new grade which provides a reasonable increase. Where staff are redeployed because of redundancy or ill health, they will generally be appointed to the highest spinal column point within the lower grade so as to minimise financial loss.



**COUNCIL**  
12<sup>th</sup> April 2012



**Report of:** The Executive

**Subject:** JACKSONS LANDING PROPOSAL - PROJECT COSTS

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**1. PURPOSE OF REPORT**

- 1.1 The report provides details of the costs to the Council to date associated with the proposal to bring forward development on Jacksons Landing.

**2. BACKGROUND**

- 2.1 Officers from across the Council are often requested to contribute to the development of project ideas and concepts, explore feasibility and get involved in the direct delivery of projects. This can include officers from the specific service area bringing forward the project proposal, but also support services and functions for example legal, finance, procurement, estates, planning etc.
- 2.2 Project ideas emerge for all sorts of reasons policy changes, external funding opportunities, member / officer ideas, income generation potential, customer needs and demand, etc.
- 2.3 In order to establish whether those project ideas are viable officer time can be dedicated to explore these ideas in more detail to assess whether the idea is credible, how it would be financed, who would deliver it and how it would be managed. Recent examples of projects which have been through this process include:- the empty homes purchasing scheme, the furniture project, the Church Square master plan, the Work Programme, PV Retrofit and the ESF Families with Multiple problems project.
- 2.4 When undertaking project development of this nature it is always difficult to predict what the outcome will be and inevitably there will be some projects which require substantial project development costs due to the scale and complexity of the specific projects.
- 2.5 This aspect of officer time is part of the day job and is in effect the role officers are paid to do during their normal course of their work.

- 2.6 There will be occasions when small projects actually absorb huge amounts of officer time by comparison to the size of the project and the potential outcomes they may achieve once delivered and conversely some extremely large projects can be delivered with relatively little development input and costs.
- 2.7 Bringing forward the development of Jacksons Landing has been a complicated process not least because the site is not in the ownership of the Council, but also because it has an existing structure on it and identifying a suitable a viable use in the current economic climate has presented some difficulty and indeed risk.

### 3. JACKSONS LANDING – PROJECT DEVELOPMENT COSTS TO DATE

- 3.1 Table 1 below highlights the costs to date against a range of activities

Total No of Officers	Total Hours of Officer Time	
6 Core	Internal Meeting	140
	External meetings	32
	Project Development Work	75
	Preparation of Reports	57
	<b>Total</b>	<b>304</b>
	<b>Total Cost</b>	<b>£8,549.63</b>

Advertising / Marketing	Site Survey Costs	Misc Cost
Soft market testing with agent and potential developers	Engineering and Environmental Surveys	Land Registry Fees
<b>£24,750</b>	<b>£2,616</b>	<b>£20</b>

- 3.2 As can be seen from the table above a total of 282 hours of officer time has been spent on the Jackson's landing development proposal. These hours worked have been individually costed against each officer according to their hourly rate including on costs and this comes to a total of £8,549.63.
- 3.3 This combined with the other costs highlighted in the table brings the total cost to £35,935.63. Consideration, however, must be given to the fact that all officers working on the project are establishment posts and thus their time is already accounted for within the overall Council budget. If these costs are removed from the calculation the real cost to the Council is £27,386.00.

### 4. RECOMMENDATIONS

- 4.1 Council is requested to note the information provided in relation to project development costs for Jackson's Landing.

**5. CONTACT OFFICER**

Dave Stubbs – Director of Regeneration and Planning Tel: 01429 523568,  
Email: [Dave.stubbs@hartlepool.gov.uk](mailto:Dave.stubbs@hartlepool.gov.uk)

# COUNCIL

12th April 2012



**Report of:** CONSTITUTION COMMITTEE

**Subject:** REVIEW OF THE COUNCIL'S CONSTITUTION

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## 1. PURPOSE OF REPORT

- 1.1 The Constitution Committee have given detailed consideration to suggested changes to the Council's Constitution taking account of the recommendations of the Local Government Boundary Commission for England in its review of the Borough Council, which recommendations have taken effect through the Hartlepool (Electoral Changes) Order, 2012. Consequently the majority of recommendations made herein by the Constitution Committee will reflect the reduction in Council size from 47 to 33 Elected Members together with recommendations (where indicated) following previous referrals to the Committee by Council.
- 1.2 This report therefore covers a variety of recommendations as set out below and which incorporates the following items;
- (i) Financial Procedure Rules
  - (ii) Constitution Review – Proposed Policy Framework
  - (iii) Budget and Policy Framework Procedure Rules – Framework Development Process
  - (iv) Delivery of Member Support and Community Engagement
  - (v) Review of Outside Bodies
  - (vi) Miscellaneous

## 2. FINANCIAL PROCEDURE RULES

- 2.1 At its meeting on 29th March, 2012 the Committee received the report of the Council's Corporate Management Team which considered a referral from Council on 23rd February, 2012. A copy of that report as presented to the Committee is attached herewith (**Appendix 1**). The report draws comparisons with other neighbouring local authorities, most particularly on budget transfer limits.
- 2.2 Following consideration of the report the Constitution Committee have recommended that the existing revenue budget transfer rules, as set out in

paragraph 4.5.4 should be replaced. The proposed changes are set out in the recommendations below.

### **RECOMMENDATIONS**

1. That Directors may approve revenue budget transfers up to £100,000 (cumulatively up to £200,000 over the financial year) and that formal Council approval be sought for transfers over this limit.
2. There be no other revenue budget transfers outside of the above limits and no transfers between “directorates” without former Council approval.

## **3. CONSTITUTION REVIEW – PROPOSED POLICY FRAMEWORK**

- 3.1 Council are again directed to the report which came before the Constitution Committee on 29th March, 2012 (**Appendix 2**) which made proposals to a revised policy framework which in turn relates to Article 4 of the Council’s Constitution. As indicated therein, full Council is responsible for approving the contents of the policy framework and the Executive is thereafter responsible for implementation of that framework. It is recognised that national guidance and regulations have become somewhat outdated and a review of the policy framework has been undertaken against this background. Particular attention is therefore drawn to paragraph 3.1 of the appended report together with references to Appendices A and B to that report.

### **RECOMMENDATIONS**

1. That the policy framework be revised as indicated within paragraph 3.1 of the appended report (Appendix 2 refers) subject to the Food Law Enforcement Service Plan being incorporated within the Health and Wellbeing Strategy.
2. There be a further review of the policy framework during the forthcoming municipal year.

## **4. BUDGET AND POLICY FRAMEWORK PROCEDURE RULES – FRAMEWORK DEVELOPMENT PROCESS**

- 4.1 Council is referred to the report presented to the Constitution Committee on 29th March, 2012 (**Appendix 3**) wherein reference was made to the Council’s existing Budget and Policy Framework Procedure Rules and specifically the budget process and certain anomalies in the information contained within these particular procedure rules. These procedure rules need to adequately reflect the Local Authority’s (Standing Orders) (England) Regulations, 2001. These particular Regulations are to be found as an

annex to the Council's Procedure Rules and cover the procedure relating to the executive's objection to any Council amendment to any plan or strategy. This procedure was utilised in the recent consideration of the Council's Medium Term Financial Strategy and budget setting process. In order to bring clarity to these Procedure Rules as to the specified periods in which objections and meetings are to be held and also the voting process wherein it is Members "present and voting" which is the material consideration, the following recommendation is made;

## **RECOMMENDATION**

1. That the changes noted in Appendices 1 and 2 to the report to the Constitution Committee on 29th March, 2012, be agreed.

## **5. DELIVERY OF MEMBER SUPPORT AND COMMUNITY ENGAGEMENT**

- 5.1 Council is requested to consider the recommendations of the Constitution Committee which relates to the thorough and detailed consideration by Cabinet to a review of community involvement and engagement as well as the delivery of support to Members and to Council, as well as comprising Executive, non Executive and scrutiny functions. Council is therefore requested to approve the recommendations of the Constitution Committee in that there should be two Neighbourhood Forums with each having an Elected Member Chair and Vice-Chair and that the two Forums be called "North and Coastal" and "South and Central". It is also recommended that meetings of the Forums take place quarterly within the Civic Centre and the Quorum of the Forums should comprise six Elected Members. Council will recognise that the Neighbourhood Forums are based around the neighbourhood management boundaries and it is also recommended that a review be commenced upon the operations of the Forums after a period of six months, with such a review to be reported to Cabinet and Scrutiny. It is also a recommendation that the Chair and Vice-Chair of the Forums be Members of the "in principle" Strategic Partner Group, with membership of the 'themed' partnerships, subject to statutory requirements. It is further recommended that there be "no neighbourhood voice" but that there should be positive encouragement for participation and engagement by community and voluntary groups and residents in the Neighbourhood Forums and that the Council publicises such participation and engagement. It is also recognised that the Elected Mayor will convene such meetings with the Parish Council representatives as he deems appropriate at his entire discretion, and that the existing Parish Liaison meetings as mentioned within Article 10 (para 10.8 refers) of Council's Constitution be deleted. These recommendations are contained within Appendix A to the report to the Constitution Committee as dated 29th March, 2012 and as annexed herewith (**Appendix 4 refers**).
- 5.2 In addition Council is requested to have regard to the various recommendations contained on Appendix B to that report and to note the

acceptance of a review of Members accommodation, Members ICT and other matters which require similar noting as indicated. In addition, the Constitution Committee have made recommendations as to the composition of the Council's Committees and Forums in view of the changes to the size of the Council as well as the frequency of those meetings and the appropriate quorum. Those recommendations are set out below;

Meeting Name	Council Membership	Quorum	Frequency	Notes
Council	All Members	9	6 Weekly	
Audit Committee	6	3	Quarterly	
<del>Contract Scrutiny Committee</del>				
General Purposes Committee	9	3	6 Weekly	
General Purposes (Appeals and Staffing) Committee	5 (Comprising of Chair, appropriate Cabinet Member plus 3 Members selected from rota)	3	Ad Hoc	
Licensing Committee	15	3	Quarterly	
Planning Committee	16	7	4 Weekly	
Constitution Committee	9	3	6 Weekly	
Civic Honours Committee	6	6	Ad Hoc	
Neighbourhood Forum - North Coastal	Self Selecting	6	Quarterly	Both Neighbourhood Forums to be held on the same day in the Civic Centre
Neighbourhood Forum - West Central	Self Selecting	6	Quarterly	Both Neighbourhood Forums to be held on the same day in the Civic Centre
Standards Committee	7	4	6 Monthly	
Scrutiny Co-ordinating Committee	16	6	4 Weekly	
Children's Services Scrutiny Forum	6	3 (drawn from at least two political groups) plus 1 voting co-opted Member (subject to clarification of statutory regulations)	4 Weekly	
Regeneration and Planning Services Scrutiny Forum	6	3 (drawn from at least two political groups)	4 Weekly	
Adult and Community Services Scrutiny Forum	6	3 (drawn from at least two political groups)	4 Weekly	
Health Scrutiny Forum	6	3 (drawn from at least two political groups)	4 Weekly	
Neighbourhood Services Scrutiny Forum	6	3 (drawn from at least two political groups)	4 Weekly	
Corporate Parent Forum	13 (Children's Services Portfolio Holder, Adult and Public Health Services Portfolio Holder, The Mayor, Chair of Children's Services Scrutiny Forum plus 3 non executive Members)	3	Quarterly	

## RECOMMENDATIONS

1. That the recommendations as contained in **Appendix A** to the report of the Constitution Committee dated 29th March 2012 be adopted. This recommendation comprises the formation of two Neighbourhood Forums termed “North and Coastal” and “South and Central” and such meetings should be held quarterly within the Civic Centre and the quorum for each Forum should be six Elected Members. Further, that a review as to the operation of these Forums be instigated after the period of six months from the commencement of the municipal with a report to the Council’s Cabinet and to Scrutiny. Furthermore, the Chair and Vice-Chairs of the Forums, be Members of the “in principle” Strategic Partners Group with membership onto the four themed partnerships, subject to statutory requirements. It is also agreed that there be “no neighbourhood voice” and that the Parish Liaison meetings do cease, with recognition that the Elected Mayor will hold such meetings at his entire discretion.
2. That the proposals following discussions between Cabinet and Scrutiny Co-ordinating Committee as discussed on 9th March, 2012 as recorded in **Appendix B** to the report of the Constitution Committee dated 29th March, 2012, be adopted. In addition, Council is requested to consider and adopt the recommendations as to the composition, frequency of meetings and quorum of those Committees and Forums as set out above.

## 6. OUTSIDE BODIES REVIEW

Council’s attention is again drawn to the report presented to the Constitution Committee dated 29th March, 2012 and which is also appended herewith (**Appendix 5**). Council will note that the authority currently makes 196 nominations to 78 organisations and generally those nominations are approved/noted at Annual Council. It is also a feature that some of these nominations are expressly linked to particular positions within the Council, whilst others require nominations on the basis of political balance requirements and in some cases, reflect the particular interest/expertise of a particular Elected Member. As indicated, the last review of the “outside bodies” was conducted in 2007 and the Constitution Task and Finish Group did meet on 1st March, 2012, to consider the Council’s participation in such ‘outside bodies’ based upon the following themes;

- The value of participation to the Council
- The value of Council’s participation to the community
- Ensuring that the Council is effectively represented on outside bodies
- Ensuring that the Council fulfils its statutory responsibilities
- Not overburdening some positions with nominations
- Ensuring that Councillors serve on bodies whose work interests them



Broadly, the participation through nominations in these outside bodies is prescribed within the Council's Constitution as follows;

Schedule A – The Executive appoints an Executive Member

Schedule B – The Executive appoints any Member

Schedule C – Council appoints, includes at least one Executive Member

Schedule D – Council appoints any Member

As noted, the Elected Mayor has been consulted most particularly on Schedules A and B and Council is requested to consider the attached reference to these outside bodies as mentioned within Appendix 1 to the report to the Constitution Committee as dated 29th March, 2012. In addition there are some areas which require further consideration and these are marked by an asterisk where required.

## RECOMMENDATION

1. That the recommendations in relation to 'Part 7 – Appointments to Outside Organisations and Other Bodies' as detailed in **Appendix 1** to the report dated 29th March, 2012 to the Constitution Committee, be adopted.

## 7. MISCELLANEOUS

At its meeting on 29th March, 2012, the Constitution Committee also considered some minor amendments to the operation of the Scrutiny Forums. These minor amendments have been forwarded to the Elected Mayor for his approval as the same will form part of the description of 'executive arrangements' as contained within Schedule 2 of Part 2 of the Council's Constitution with additional reference to Article 6 (Overview and Scrutiny) and the Overview and Scrutiny Procedure Rules.

## RECOMMENDED

- (i) Allotments – to move from Adult and Community Services Scrutiny Forum to Neighbourhood Scrutiny Forum (to reflect departmental responsibility).
- (ii) Youth Justice Plan – moved from Regeneration and Planning Services Scrutiny Forum to Children's Services Scrutiny Forum (to reflect departmental responsibility).
- (iii) Housing (all housing issues including strategic housing) – to be referred to the Regeneration and Planning Services Scrutiny Forum, as opposed to the current division of this area of Council functionality between the Regeneration and Planning Services Scrutiny Forum and the Neighbourhood Services Scrutiny Forum.

- (iv) Crime and Disorder Committee – responsibility with the Scrutiny Co-ordinating Committee

Members of Council will be conscious that there are a number of recommendations contained within this report and accompanying documents which will also entail a variety of cross references within the Council's Constitution. Consequently, there is an additional recommendation that the Council's Chief Executive Officer undertakes such consequential and other changes that would be required in order to implement and properly reflect within the Council's Constitution the recommendations as contained within this report to Council. This also reflects Article 15 (para 15.02 refers) that such an authorisation is delegated to the Chief Executive Officer in order to "make factual, grammatical, presentational and other changes....."

## **RECOMMENDATIONS**

1. That all consequential and other changes required to implement the resolutions of Council be delegated to the Council's Acting Chief Executive Officer to make such factual, grammatical, presentational and other changes that may be required in order to fully implement and reflect the resolutions of Council.

# CONSTITUTION COMMITTEE

29 March 2012



**Report of:** Corporate Management Team

**Subject:** Financial Procedure Rules

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## 1. Purpose of Report

- 1.1 The purpose of the report is to enable the Constitution Committee to consider the referral from Council on 23<sup>rd</sup> February 2012 that “the current Financial Procedure rules are to be considered by the Constitution Committee as part of their ongoing review of the Constitution”.

## 2. Background

- 2.1 Details of the current Financial Procedure rules are set out in part 4 of the Constitution and are summarised at Appendix A. The rules and the financial limits have operated since 2008 when the last review was completed. The previous limits operated between 2003 and 2008.
- 2.2 The current rules set out specific criteria in relation to budget changes involving staffing budgets, budget transfers under a single Directors control and transfers requiring approval by Portfolio Holders, Cabinet and full Council.

## 3. Objectives of the Financial Procedure rules

- 3.1 The objective of the Financial Procedure rules is to provide an effective operational framework for managing individual budgets, and the services funded from these budgets, included within the overall budget approved by full Council. The current rules delegate responsibility within a clearly defined framework and are designed to provide a degree of flexibility to manage changing service demands and requirements.
- 3.2 The ability to transfer budgets, within defined parameters, encourages effective management of budgets and accountability for management actions. These factors are extremely important in the context of the value of the overall gross revenue budget, which is in excess of £200 million. The existing budget transfer rules also reflect the range and complexity of services provided by the Council, many of which are demand lead and therefore flexibility is needed to manage changes between planned and actual demand.

- 3.3 At a practical level over the last few years the Council has prepared robust budgets and this has minimised the level of budget transfers which have been required. Where revenue budget transfer have been necessary these have been within the limits delegated to individual Directors.
- 3.4 The effective management of revenue budgets over the last few years has resulted in underspends across a range of corporate and departmental budgets. For 2011/12 this position was identified through the normal financial management reporting arrangements and regular updates on the forecast outturn were referred to Cabinet and then on to Scrutiny Co-ordinating Committee. The reports also identified new financial risks which need to be funded.
- 3.5 The reporting arrangements also included referring forecast outturns as part of the 2012/13 Medium Term Financial Strategy (MTFS) proposals referred to Cabinet and Scrutiny Co-ordinating Committee. The final MTFS report submitted to Cabinet and Council in February 2012 identified a forecast net revenue underspend for 2011/12 of £4.066m and a strategy for earmarking these resources to meet significant future commitments as summarised in table 1 below. These reporting arrangements underpin the Financial Procedure rules as they provide details of the financial position of the authority and proposals for using underspends to underpin the Council's medium term financial position.

Table 1 – Summary of financial risks to be funded from 2011/12 forecast outturn reported in the MTFS.

	Carry Forward to Fund 2012/2013 Commitments £m	Carry Forward to Fund 2013/2014 Commitments £m	Total £m
Strategic One-Off Costs	1.650	0.330	1.980
Works in Default Empty Homes	0.050		0.050
2012/13 Budget Defect	0.029		0.029
Transitional Support to Offset Council Tax Benefit Cuts *	-	1.197	1.197
Contribution to Members Ward Issues Budget	0.083		0.083
Support 2013/14 Budget and Loss of 2012/13 Council Tax Freeze Grant *		0.727	0.727
	1.812	2.254	4.066

\* Subject to review as part of the 2013/2014 budget process.

#### 4. Comparison with other authorities

- 4.1 As indicated early in the report details of Hartlepool's current Financial Procedure rules are set out in part 4 of the Constitution and are summarised at Appendix A.

- 4.2 For Members information the position for the other Tees Valley Authorities is summarised in the following paragraphs. In Middlesbrough and Redcar and Cleveland councils 'Heads of Service' are the management level below Chief Officers.
- 4.3 Darlington Council - there is no limit on the revenue budget transfers which individual Directors can approve, provided the overall department expenditure will be within the approved departmental budget and service objectives are achieved. Cabinet can approve in-year one off increases in the overall budget of up to £0.5m, without approval by full Council.
- 4.4 Middlesbrough Council - the limit of transfers which can be approved by individual Heads of Service is £50,000. Transfer above this limit only need Cabinet approval, provided overall Council expenditure will be within the overall budget approved by Council. Budget transfers which need approving by Cabinet are included in quarterly financial management reports submitted to Cabinet. Prior approval of Cabinet is required for budget transfers between budgets of different Portfolio Holders or budgets managed by different Heads of Service.
- 4.5 Redcar and Cleveland Council - the limit of transfers which can be approved by individual Chief Officers within the Head of Service allocated budget is £250,000. Budget transfers between Head of Service allocated budgets of up to £250,000 need approval of the Chief Officer and the relevant Cabinet Member. Budget transfers above these limits only need Cabinet approval.
- 4.6 Stockton Council - there is no limit on the revenue budget transfers which individual Directors can approve, provided the overall department expenditure will be within the approved departmental budget. Budget transfers across departmental revenue budgets only need Cabinet approval provided the overall expenditure will be within the budget originally approved by full Council.
- 4.7 The above limits are summarised in the following table overleaf alongside the limits for Hartlepool.

	Approved by officers	Approved by Portfolio Holder or Cabinet	Approved by Council
Hartlepool	Directors may approve up to £100,000	Portfolio Holder £100,001 to £500,000 with Directorate  Cabinet £100,000 (transfers between Directorates)	Budget transfer above limits delegated to officers, Portfolio Holders or Cabinet
Darlington	No Limit	Cabinet can approve in-year increase in overall budget of up to £0.5m	Only budget transfer above £0.5m limit delegated to Cabinet to increase total budget need Council approval
Middlesbrough	Head of service may approve up to £50,000	Cabinet approve all other transfer above £50,000	No budget transfers need Council approval provided overall expenditure is within the approved budget
Redcar and Cleveland	Chief Officers may approve up to £250,000	Cabinet approve all other transfer above	No budget transfers need Council approval provided overall expenditure is within the approved budget
Stockton	No Limit	Cabinet approve budget transfers across departments	No budget transfers need Council approval provided overall expenditure is within the approved budget

## 5. Corporate Management Team Professional Advice on budget transfer limits

- 5.1 The Corporate Management Team's professional advice is that the existing limits for budget transfers which can be approved by individual Directors (i.e. up to £100,000) provides the flexibility needed to manage complex budgets and services. These arrangements enable issues to be addressed as they

arise and ensure there is an ability to provide a timely response. In comparison to the other Tees Valley authorities the existing limit provides a balance between those authorities which have a limit and those operating without any limits.

- 5.2 In relation to the level of budget transfers which can be authorised by either the relevant Portfolio Holder for transfers between service areas under a single Directors control (i.e. £100,001 and £500,000) and by Cabinet in relation to budget transfers between service areas covering more than one Directorate (i.e. up to £100,000) the Corporate Management Team's professional advice is that these limits are also appropriate. These limits also provide a balance in comparison to the limits operated by the other Tees Valley authorities.

If Members wished to review these limits the Corporate Management Team would recommend that authority delegated to officer would need to increase from the current limit of £100,000 to ensure effective management of services and budgets. Officers would need to provide advice in light of proposed changes to existing limits identified by Members.

## **6. Conclusion**

- 6.1 The report sets out details of the existing budget transfer rules for the Council, how these arrangements fit in with the Council's budget management and reporting arrangements.
- 6.2 The report also provides the professional advice of the Corporate Management Team in relation to the appropriateness of the existing budget transfer and the issues which would need to be addressed if these rules are changed.

## **7. Recommendations**

- 7.1 It is recommended that the Constitution Committee consider the professional advice of the Corporate Management Team in relation to the existing budget transfer rules.

APPENDIX A

**EXTRACT FROM CONSTITUTION**

**4.5      Budget/Reserves Transfers & Contingencies**

- 4.5.1      The Council sets budgets for both Revenue and Capital expenditure; equally the Council holds reserves for earmarked purposes. Circumstances can and do change that result in those detailed budgets becoming outdated. It is necessary, to ensure good financial management, that flexibility exists to allow transfers of resources.

All transfers must be notified to the Chief Financial Officer for their agreement prior to those transfers being actioned in the Accounting System. All transfers must leave the originating budget with sufficient funds to meet its commitments for the provision of that service at the level approved by Council within the budget and policy framework within the current financial year and not affect the sustainability of the service in future financial years.

- 4.5.2      These rules should be interpreted for both budget and reserve transfers and cover:

- i)          Detailed transfers between service areas within a Director's/Chief Officer's control;
- ii)        Transfers from Revenue to Capital;
- iv)        Transfers of managed revenue underspends to the following financial year;
- v)        Transfers of resources into and from Specific Reserves;

- 4.5.3      For Capital these rules cover:

- i)          Transfers between projects;
- ii)        Transfers from Capital to Revenue, which are subject to specific rules.

**4.5.4      Revenue Transfers**

In relation to budget transfers the following rules apply:

- i)          Changes to staffing structures need to be approved in accordance with the relevant Council policy and be approved by the relevant Director, the Chief Executive, CPSO and CFO and must be wholly sustainable. No permanent staffing changes can be funded from reserves without Cabinet and Council approval. Approval to fill all



vacant posts must be granted by the Monitoring of Vacancy Panel prior to the commencement of the recruitment process.

- ii) In relation to transfers between service areas under a single Directors control, the Director may transfer budgets as required up to £100,000.
- iii) In relation to transfers between service areas under a single Directors control of between £100,001 and £500,000, these must be authorised by the relevant Portfolio Holder.
- iv) In relation to transfers between service areas covering more than one Directorate, transfer of budgets up to £100,000 of a budget, must be authorised by the Cabinet.
- v) Budget transfers in excess of the above limits must be approved by the Council.

4.5.5 Transfers from Revenue to Capital are allowed subject to continued service delivery as determined in 4.5.1.

4.5.6 Transfers of managed revenue underspends from one year to the following are allowed subject to the transfer not exceeding 10% or £500,000, whichever is the lower, of the Departmental budget. Details of contributions to managed revenue underspend must be reported to Cabinet within the annual outturn report.

4.5.7 In addition, transfers into and from Specific Reserves and technical budget adjustments necessary to allocate grant resources and comply with grant conditions are allowed. Details of contributions to Specific Reserves must also be reported to Cabinet within the annual outturn report.

4.5.8 Capital Transfers

In relation to Capital, transfers of resources from one project to another subject to a maximum of:

- £5,000 or 10%, which ever is the higher, for projects up to £100,000,
- £20,000 or 10%, which ever is the higher for projects between £100,001 and £500,000,
- £100,000 or 10%, which ever is the lower for projects above £500,001, which must be approved by the CFO prior to being authorised by the relevant Portfolio Holder and reported with the quarterly budget monitoring report.

The Council must approve budget transfers in excess of the above limits.

4.5.9 Transfers between capital and revenue are allowed subject to the continued delivery of the capital program and compliance with capital accounting regulations and specific funding arrangements and approved by the CFO, Internal Audit and reported to Scrutiny Co- ordinating Committee.

4.5.10 Contingencies

In circumstances where action is required for which no or insufficient budget provision is available the Cabinet has authority to authorise the incurring of expenditure up to £100,000 in any one year from contingencies with maximum allocations for any one instance of £10,000, subject to the budget provision for Cabinet contingency.

4.5.11 Any additional favourable outturn must be allocated to the Council's General Fund. This will ensure that any further allocation of said monies is subject to Full Council approval.

4.5.12 Responsibilities of the Chief Financial Officer:

To maintain and administer the scheme of budget transfers and contingencies.

4.5.13 Responsibilities of Directors and Chief Officers:

To ensure the Chief Financial Officer is informed of any changes, which require a budget transfer.

# CONSTITUTION COMMITTEE

29 March 2012



**Report of:** Chief Solicitor and Assistant Chief Executive

**Subject:** Constitution Review – Proposed Policy Framework

---

## 1. PURPOSE OF REPORT

- 1.1 The report makes proposals for a revised Policy Framework to form part of a revised Constitution, Article 4.

## 2. BACKGROUND

- 2.1 Decision-making is underpinned by a framework of policies, plans and strategies. These are collectively referred to as the Policy Framework and form part of the Council's Constitution.
- 2.2 Full Council is responsible for approving the contents of the Policy Framework, and the Executive (Cabinet) is responsible for implementing it. Full Council is also responsible for amending the Constitution.
- 2.3 Cabinet draws up initial proposals in relation to any policies, plan or strategy within the Policy Framework, the details of which shall be included in the Forward Plan.
- 2.4 Stakeholders are consulted on the plans, including the appropriate Overview and Scrutiny Committee or, in some cases, the relevant Regulatory Committee (e.g. planning).
- 2.5 Council considers the proposals and may adopt them, subject to a simple majority vote.
- 2.6 The national regulations identify three classes of policies, plans and strategies: named policies, plans and strategies that must be included in the Policy Framework; other named policies, plans and strategies where the council can decide whether to include or not; and thirdly any other policies, plans and strategies that the council choose to include in the Policy Framework. The Policy Framework in the Council's first Constitution was based wholly and exclusively on the first two of these. **Appendix A** describes the changes between the original, current and Proposed Policy Framework. **Appendix B** describes the changes between the current Policy Framework and the proposal.

- 2.7 Since then the national guidance and regulations have become outdated and no longer reflect the national policy framework within which local authorities operate. We are not aware that central government has any plans to comprehensively update the regulations at present although they are asking for comments from Local Authorities as to how to reduce burdens and this is one area which could potentially be identified.
- 2.8 Locally the Policy Framework has been updated to reflect some but not all changes. Some plans included in the national guidance and which are longer required have been dropped already from the local Policy Framework. Where appropriate new plans have been included in the Policy Framework to ensure the relevant issues are still considered by Council.
- 2.9 Corporate Management Team therefore thought it appropriate to review the Policy Framework to ensure it provided a sound basis for decision making and reflected the Council's current priorities. These proposals were considered by Cabinet on 6 February 2012 who recommended that the proposals be forwarded to the Constitution Committee and thereafter to Council.

### 3. PROPOSED POLICY FRAMEWORK

- 3.1 In making the proposal the following criteria were taken into account:
- The national regulations (as far as it was sensible to do so)
  - Member policy priorities
  - An assessment of the strategic and long term issues facing the town
  - Local partnership arrangements

1. Children and Young People's Plan	Retain
2. Vision For Adult Social Care In Hartlepool	Name change
3. Youth Justice Strategic Plan	Name change
4. Child Poverty Strategy	New
5. Health and Wellbeing Strategy	New
6. Council Plan	Name change
7. Sustainable Community Strategy	Retain
8. Crime and Disorder Reduction Strategy	Retain
9. The plans and strategies which together comprise the Development Plan	Retain
10. Housing Strategy	Name change
11. Local Transport Plan	Retain
12. Tees Valley Joint Waste Management Strategy	Retain

13. Economic Regeneration Strategy	New
14. Voluntary Sector Strategy and Compact	New

- 3.2 In summary the proposed Policy Framework includes:
- 6 (out of 12) policies, strategies and plans retained from the current framework
  - 4 plans and strategies in the current framework where names have been changed to reflect current processes
  - 4 new policies, plans and strategies that have been added to reflect current priorities.
- 3.3 Corporate Management Team's view is that the proposed Policy Framework addresses the major strategic issues facing the town and Council and provides a framework for working with all the Council's major delivery partners in the public, private and voluntary sectors.

#### **4. RECOMMENDATIONS**

- 4.1 Refer the proposed Policy Framework for consideration by Council on 12 April 2012.

#### **5. REASONS FOR RECOMMENDATIONS**

To progress agreement on updated Policy Framework.

#### **6. BACKGROUND PAPERS**

Hartlepool Borough Council Constitution, Article 4  
Local Authorities (Functions and Responsibilities) (England) Regulations 2000

#### **7. CONTACT OFFICER**

Peter Devlin, Chief Solicitor  
Andrew Atkin, Assistant Chief Executive

**Appendix A – Policy Framework – national guidance and current position**

<b>Policy Framework List taken from national guidance. 1-11 required. 12-17 optional</b>	<b>Current status within HBC Policy Framework and how addressed in proposal</b>
1. Annual Library Plan;	Not included in current Framework. No longer produced, elements can be included in Department plan which is subject to approval by Cabinet and overview by scrutiny.
2. Best Value Performance Plan	Not included in current Framework. No longer required or produced; relevant issues incorporated in Corporate Plan.
3. Children's Services Plan	Not included in the current Framework; relevant issues addressed in Children and Young People's Plan which is included in the current Framework and the proposal.
4. Community Care Plan	Not included in the current Framework; addressed in the current Framework by the Commissioning Strategies for Vulnerable People and in the proposal by the Vision For Adult Social Care In Hartlepool.
5. Community Strategy	Included in the current Framework as Sustainable Community Strategy and retained in the proposal. Note; Government is considering removing the requirement to produce a Community Strategy.
6. Crime and Disorder Reduction Strategy	Included in current Framework and retained unchanged in the proposal.
7. Plans and alterations which together comprise the Development Plan	Included in current Framework and retained in the proposal but the development plan system has been subject to considerable reform e.g. adoption of Core Strategy, abolition of Regional Spatial Strategies.
8. Early Years Development Plan	Not included in the current Framework; relevant issues addressed in Children and Young People's Plan which is included in the current Framework and the proposal.
9. Education Development Plan	Not included in the current Framework; relevant issues addressed in Children and Young People's Plan which is included in the current Framework and the proposal.
10. Local Transport Plan	Included in current Framework and retained unchanged in the proposal.
11. Youth Justice Plan.	Included in current Framework and retained in proposal but now known as Youth Justice Strategic Plan
12. Food Law Enforcement Service Plan	Included in current Framework and is still produced and proposed to be retained but not in the Policy Framework and approved by portfolio holder.

<b>Policy Framework List taken from national guidance. 1-11 required. 12-17 optional</b>	<b>Current status within HBC Policy Framework and how addressed in proposal</b>
13. the strategy and plan which comprise the Housing Investment Programme	Included in current Framework and retained in proposal but now known as Housing Strategy
14. Local Agenda 21 Strategy;	Not included in current Framework. No longer required or produced; relevant issues can be incorporated in Department Plans and Corporate Plan.
15. Adult Learning Plan;	Not included in current Framework. No longer required or produced; relevant issues can be incorporated in Economic Regeneration Strategy, Department Plans and Corporate Plan.
16. Quality Protects Management Action Plan;	Not included in current Framework. No longer required or produced; relevant issues addressed in Vision For Adult Social Care In Hartlepool.
17. Local authority's Corporate Plan or its equivalent (if the local authority has one).	Included in the current Framework and retained in the proposals as the Council Plan.

**Appendix B – Policy Framework as at January 2012 and proposal from Corporate Management Team**

<b>List taken from current HBC Constitution Article 4 – para 4.04</b>	<b>Final proposal agreed at Corporate Management Team 9/1/12</b>
1. Children and Young People's Plan	Retain
2. Commissioning Strategies for Vulnerable People	Change: now known as Vision For Adult Social Care In Hartlepool; see Cabinet report 9/1/12.
3. Corporate Plan	Change: rename Council Plan to reflect changes to Council's streamlined performance management framework
4. Crime and Disorder Reduction Strategy	Retain
5. The plans and strategies which together comprise the Development Plan	Retain
6. Food Law Enforcement Service Plan	Drop, but require to be approved by relevant portfolio holder
7. The plan and strategy which comprise the Housing Investment Programme	Change: now known as Housing Strategy
8. Local Transport Plan	Retain
9. Quality Protects Management Action Plan	Drop. No longer required or produced; relevant issues addressed in Vision For Adult Social Care In Hartlepool.
10. Sustainable Community Strategy	Retain
11. Tees Valley Joint Waste Management Strategy	Retain
12. Youth Justice Plan	Change: now known as Youth Justice Strategic Plan



# CONSTITUTION COMMITTEE

29th March 2012



**Report of:** Chief Solicitor

**Subject:** BUDGET AND POLICY FRAMEWORK PROCEDURE  
RULES – FRAMEWORK DEVELOPMENT PROCESS

## 1. PURPOSE OF REPORT

- 1.1 At a meeting of Council on 9th February, 2012, there was consideration of the Executive proposals on the Medium Term Financial Strategy – Budget and Policy Framework 2012/2013 – 2014/2015. Whenever those proposals are amended by Council there follows a procedure which is prescribed under the Local Authorities (Standing Orders) (England) Regulations, 2001. Specific reference is made to these Regulations within the first Schedule to the Council's Procedure Rules and although largely incorporated within the Budget and Policy Framework Procedure Rules there are some subtle differences between "Figure 1 – Summary of Budget and Policy Framework Development Process" and the text to the Procedure Rules under paragraph 2(d) and (e). It is therefore appropriate as part of the review of the Council's Constitution that any such anomalies be addressed and that the position is made clear so that there is a proper and correct interpretation of these particular procedure rules and to avoid any confusion or contrary interpretation.

## 2. BUDGET AND POLICY FRAMEWORK DEVELOPMENT PROCESS

- 2.1 Although Council is responsible for the formal adoption of its Budget and Policy Framework, it is the Executive which develops the proposals in relation thereto and who also have the responsibility to implement such a plan of strategy. As part of the process for developing the Budget and Policy Framework the Executive are required to consult and thereafter draw up initial proposals, which are then forwarded to Scrutiny Co-ordinating Committee for their consideration. Scrutiny Co-ordinating Committee have at least six weeks to consider the draft budget, plan or strategy and thereafter the Executive will finalise proposals for submission to Council.
- 2.2 If the proposals are adopted unamended by Council then they become effective immediately. Council can also refer the proposals back to the

Executive with reasons and a further meeting of Council will then be convened within 10 clear working days, where Council will make a decision upon the resubmitted proposals.

- 2.3 Where Council has any objections then it must follow the procedures that are to be incorporated within its Standing Orders (now termed “Procedure Rules”) under the Local Authorities (Standing Orders) (England) Regulations, 2001. Consequently, before the authority can amend and adopt a plan or strategy it must inform the Elected Mayor of its objections. Further, under Schedule 2 paragraph 4 of these Regulations, Council *“....must specify a period of at least 5 working days beginning on the day after the date on which the Elected Mayor received instructions on behalf of the Executive within which the Elected Mayor may –*
- (a) submit a revision of the draft plan or strategy as amended by the Executive (the “revised draft plan of strategy”), with the Executive’s reasons for any amendments made to the draft plan or strategy to the authority for the authority’s consideration; or*
  - (b) inform the authority of any disagreement the Executive have with any of the authority’s objections and the Executive’s reasons for any such disagreement”.*
- 2.4 Although, paragraph 2(d) of the Council’s Budget and Policy Framework Procedure Rules mentions the reconvened Council meeting being held in 10 clear working days, ‘Figure 1 – Summary of Budget and Policy Framework Development Process’ mentions “a further meeting of the Council will be convened within 14 days”. It would therefore be more consistent and add clarity to the Procedure Rules if reference is made to the convening of such a meeting “within 10 clear working days” both within the text to those Rules and also within ‘Figure 1 - Summary of the Budget and Policy Framework Development Process’.
- 2.5 It would also be beneficial if paragraph 2(e) of the Budget and Policy Framework Procedure Rules was also compatible within para (b) **“if proposals are amended by Council** of the ‘Summary’, and to reflect comparable time periods. It is therefore suggested, that the period of “5 working days” which covers the period in which the Mayor can make formal objection and which is in unison with the wording in the Regulations should be utilised as opposed to the reference of “7 days” mentioned within para (b) of ‘Figure 1 - Summary of the Budget and Policy Framework Development Process’.
- 2.6 Ultimately, where there is Mayoral objection to the Council’s amendment a meeting will be held and in accordance with Schedule 2 paragraph 7 of the Regulations any determination *“....must be decided by a two thirds majority of the Members of the authority present and voting on the question at a meeting of the authority”*. Both para (e) of the Budget and Policy Framework Procedure Rules and ‘Figure 1 – Summary of Budget and Policy Framework Development Process’ mentions “two thirds majority (of Members present at

the meeting)”. The Regulations though clearly specify a final decision on the matter is on the basis of Members “present and voting”. Again, it is submitted, the statutory wording is used in order to properly reflect the statutory provisions which should be within the Budget and Policy Framework Procedure Rules.

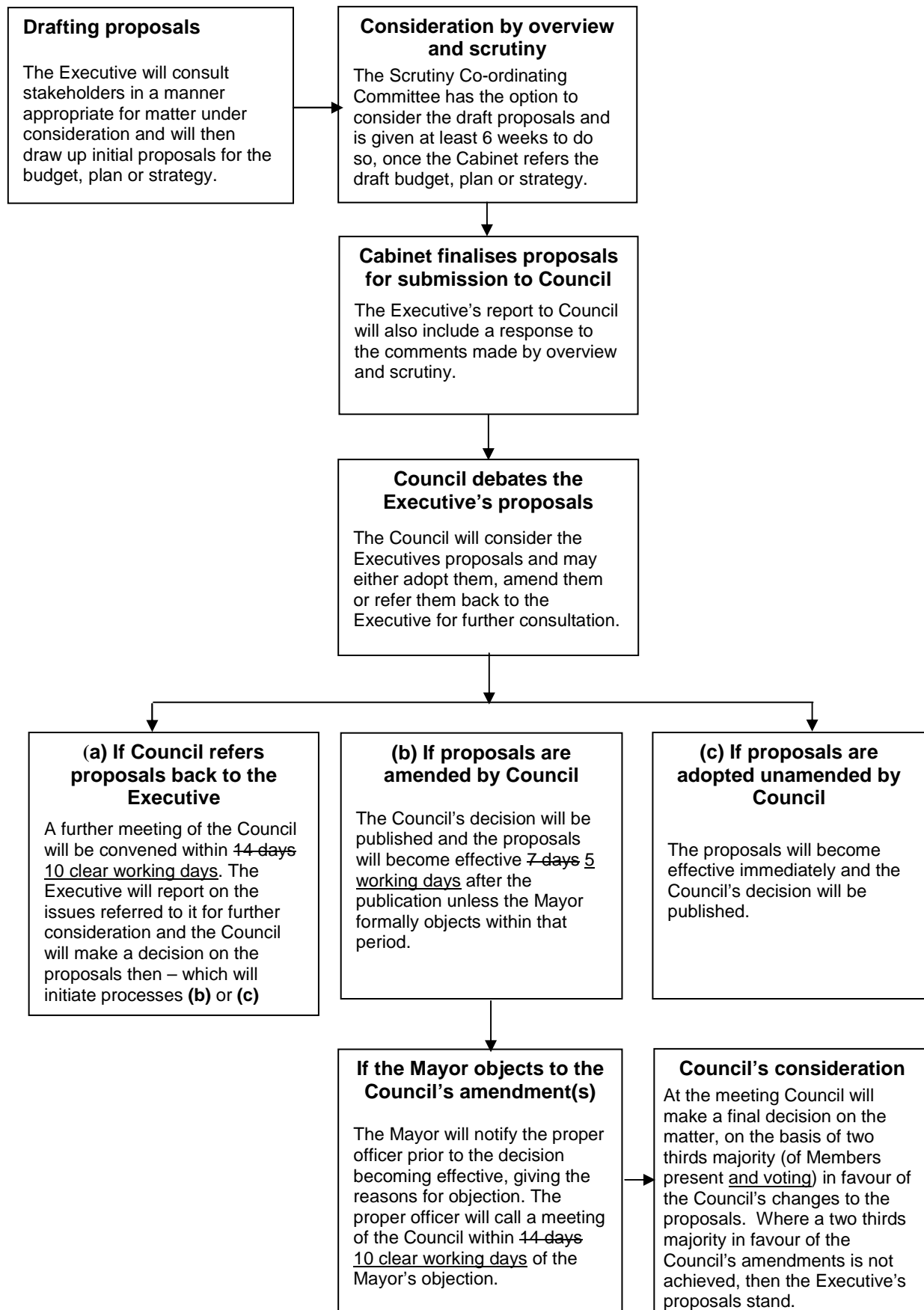
### **3. SUMMARY**

- 3.1 In **Appendix 1 and 2** are the suggested “tracked changes” to ensure that these particular Procedure Rules adequately cover the statutory requirements as set out within the applicable Regulations. Although, the Regulations are set out comprehensively within the first Schedule to the Council’s Procedure Rules, there is a clear need for the statutory position to be covered within the Budget and Policy Framework Procedure Rules in order to avoid any unnecessary confusion. The changes as suggested upon the appended documents therefore represent the statutory position.

### **4. RECOMMENDATIONS**

For Members to consider this report and to make recommendations to Council for the changes to the Budget and Policy Framework Procedure Rules as set out within **Appendix 1 and 2** to this report.

**Figure 1 Summary of Budget and Policy Framework Development Process**



**(a) Executive finalises proposals for submission to Council**

The Executive will finalise its proposals for the Council to consider, having taken into account the comments from the Scrutiny Co-ordinating Committee. The Executive's report to Council will include its response to those comments.

**(b) Council debates the Executive's proposals**

The Council will consider the Executive's proposals for the budget, plan or strategy and may adopt them, amend them or refer them back to the Executive for further consideration.

**(c) If the proposals are adopted unamended by Council**

The proposals become effective immediately and the Council's decision will be published.

**(d) If the Council refers the proposals back to the Executive**

The Council must identify the issue(s) that it wishes the Executive to reconsider and the reasons for asking it/them to be reconsidered. A further meeting of Council will be convened within 10 clear working days and at that meeting the Council will make a decision on the proposals. The Executive will report on the issues referred to it for further consideration.

**(e) If the proposals are amended by Council**

The Council's decision will be published and the proposals will become effective five working days after the publication of the decision unless the Mayor formally objects, within that period.

If the Mayor objects to the Council's amendment(s) to the budget, policy or strategy, the Mayor will notify the proper officer prior to the decision becoming effective, giving the reasons for objection. The proper officer will call a meeting of Council within 10 clear working days of the Mayor's objection. Council will reconsider the issue in light of the objection. At the meeting Council will make a final decision on the matter, on the basis of two thirds majority (of Members present and voting at the meeting) in favour of the Council's changes to the Executive's proposals. Where a two thirds majority in favour of the Council's amendment(s) is not achieved, then the Executive's proposals stand.

# CONSTITUTION COMMITTEE

29th March 2012



**Report of:** Chief Solicitor

**Subject:** REVIEW OF COMMUNITY INVOLVEMENT AND ENGAGEMENT AND THE DELIVERY OF SUPPORT TO MEMBERS AND TO COUNCIL, EXECUTIVE, NON-EXECUTIVE AND SCRUTINY FUNCTIONS

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## 1. PURPOSE OF REPORT

- 1.1 For the Constitution Committee to make recommendations to Council, following a review of community involvement and engagement and the delivery of support to the Council generally, which has incorporated the views of both the Executive, Constitution/General Purposes Working Group, and the Scrutiny Co-ordinating Committee.

## 2. BACKGROUND

- 2.1 At a meeting of Cabinet on 6th February, 2012, consideration was given to the views of the Constitution/General Purposes Working Group on a review of community involvement and engagement (including LSP review). Cabinet had initially taken decisions on 18th July, 2011, and subsequent consideration centred around the Working Group's alternative proposals, as outlined within **Appendix A** to this report. On 17th February, 2012, the Scrutiny Co-ordinating Committee discussed the reaffirmation of the Cabinet's decision as taken on 6th February, which subsequently led to discussions between the Scrutiny Co-ordinating Committee and the Elected Mayor at a meeting held on 9th March, 2012. The attached appended document therefore incorporates the views expressed at the meeting on 9th March and provides the basis of the recommendations to Council.
- 2.2 At the meeting on 9th March, 2012, there was broad agreement, that the Council should operate two Neighbourhood Forums, which should be aligned with the new neighbourhood management arrangements, with each Forum having an elected Member as Chair and Vice-Chair. It was also agreed "in principle" that there be a 'Strategic Partners Group' and that the composition should also include the Chairs and Vice-Chairs of the two

Neighbourhood Forums and where applicable, subject to any statutory requirement, there be a co-option onto the four themed partnerships. as appropriate. It was also agreed that there should be no 'Neighbourhood Voice' and that the present Parish Liaison meetings (article 10.8 of the Council's Constitution refers) would cease. It was acknowledged, that the Elected Mayor would also hold such ad hoc meetings with Parish representatives at his discretion. It was also agreed and acknowledged that a review of these measures should commence at the expiration of six months from the start of the forthcoming municipal year with reports to the Executive and Scrutiny Co-ordinating Committee (with involvement of Constitution Committee and General Purposes Committee Members, where required) to allow any changes to be effective before the start of the next municipal year.

- 2.3 At the meeting on 9th March, there was also consideration given to a series of measures as outlined within **Appendix B** to this report, which had been discussed at the Cabinet meeting on 20<sup>th</sup> February, 2012. Again, that appended document accommodates the initial recommendations of Cabinet, the response to Cabinet's referral from the Constitution/General Purposes Working Group and also from the Scrutiny Co-ordinating Committee and also the consensus emanating from the meeting held on 9th March, 2012. Again, further to Member discussion, the appended document can form the basis of recommendations to Council, for their consideration at the next scheduled ordinary meeting to be held on 12th April, 2012.

### 3. **RECOMMENDATIONS**

1. That the Constitution Committee recommend changes to the Council's Constitution to full Council as set out within Appendices A and B to this report.

### 4. **CONTACT OFFICER**

Peter Devlin  
Chief Solicitor

### 5. **BACKGROUND PAPERS**

Cabinet reports dated 18<sup>th</sup> July, 2011, 6<sup>th</sup> and 20<sup>th</sup> February, 2012.

<b><u>CABINET RECOMMENDATION</u></b>	<b><u>WORKING GROUP PROPOSAL</u></b>	<b><u>JOINT CABINET AND SCRUTINY DISCUSSION</u></b>
One Borough-wide Forum meeting every 10 weeks with the Chairman of the Council as Chair and a backbench Councillor as Vice Chair.	Two Neighbourhood Forums aligned with the new Neighbourhood Management boundaries, with each having an elected Member Chair and Vice Chair.	Agreement to two Neighbourhood Forums. Elected Member Chair and Vice Chair.  Review to be instigated after 6 months and reported to Cabinet and Scrutiny.
<p>'In principle' a Strategic Partners Group with the following membership and</p> <ol style="list-style-type: none"> <li>1. Hartlepool Borough Council - Mayor, all Cabinet Members and Chief Executive</li> <li>2. The Chairs of the theme groups (4)</li> <li>3. Cleveland Police Authority</li> <li>4. Cleveland Fire Authority</li> <li>5. Hartlepool PCT / NHS Hartlepool (until dissolved)</li> <li>6. Hartlepool GP Commissioning Consortia</li> <li>7. Director of Public Health (local representative of Public Health England)</li> <li>8. Job Centre Plus</li> <li>9. Skills Funding Agency</li> <li>10. A representative of the Voluntary &amp; Community Sector (VCS) in Hartlepool elected as per the Compact Code of Practice on Representation.</li> </ol>	<p>That both the Chairs and Vice Chairs of the Neighbourhood Forums (4 in total) be members of the Strategic Partners Group.</p> <p>In addition, that the Chairs and Vice Chairs of the Neighbourhood Forums be allowed to co-opt onto a themed partnership arrangement when they felt it would be appropriate.</p>	Chair and Vice Chair of the Forums to be Members of the Strategic Partners Group. Membership onto the four themed partnerships, subject to statutory requirements.



<b><u>CABINET RECOMMENDATION</u></b>	<b><u>WORKING GROUP PROPOSAL</u></b>	<b><u>JOINT CABINET AND SCRUTINY DISCUSSION</u></b>
One Neighbourhood Voice per Ward with individuals nominated being a member of a Resident's Association that had been in existence for more than a year.	No Neighbourhood Voice at all – it was felt that proposed ward areas were too big for one unelected Neighbourhood Voice to represent and would prove ineffective. It was noted that all members of the public were more than welcome to attend any council meeting, subject to Access to Information procedure rules, and engage with the decision making process. It was highlighted that there continued to be a role for members of the public throughout the scrutiny process.	Agreement that there be no 'Neighbourhood Voice'
Meetings to be held twice a year between the Mayor and the Chairs of the Town and Parish Councils with the relevant Neighbourhood Manager and Ward Councillors invited.	Objection was raised to this as it was felt that Parish Councillors would have more access to the Mayor than Members and therefore it should not go ahead.	Parish Liaison meetings to cease, ad hoc meetings to take place between the Mayor and Parish representatives at the Mayor's discretion.

	<b>Initial Cabinet Recommendations</b>	<b>Response to Cabinet Referral from:</b> - <b>Constitution / General Purposes Working Group;</b> - <b>Council Working Group; and</b> - <b>Scrutiny Co-ordinating Committee</b>	<b>Proposals from Cabinet/Scrutiny Co-ordinating Committee discussions on 9th March 2012</b>
1 (i)	That the Constitution be reviewed annually through the Monitoring Officer and that the Constitution Committee be abolished, following the 2012 elections.	That the Constitution Committee continues to operate as it is, with Working Groups scheduled as and when required.	Agreement to continuation of Constitution Committee in providing recommendations to Council.
1 (ii)	That the functions of the Standards Committee be extended to include monitoring attendance of Members at induction and training sessions	It was noted that Members' attendances are already recorded, audited and published on an annual basis and any additional monitoring would be a further drain on resources. On this basis, the recommendation was not supported.	Agree that the current system of recording, auditing and publishing Members' attendances was probably sufficient but that more effective ways to deliver induction and training sessions for Members should be explored.
1 (iii)	That the General Purposes (Appeals and Staffing) Committee become a stand alone committee with a fixed membership.	That the General Purposes (Appeals and Staffing) Committee continue to operate as it currently does, with membership identified from the General Purposes Committee.	Confirmed that need to maintain the consistency of fully trained Members for appeals and staffing issues. Agreement to maintain the present current structure, role and remit, but to be reviewed subsequently.

1 (iv)	That the remaining General Purposes Committee functions to combined with the functions of the Audit Committee to form one expanded “Operations Committee” with exclusively backbench membership.	That General Purposes Committee continue to function as it currently does with no reduction in membership numbers. However, it was recommended that further discussion relating to the governance arrangements of the Council be undertaken by members in the forthcoming municipal year.	Agreement to maintain the current structure, role and remit of the committee but need to reflect changes in the overall political arrangements of the Council post May, 2012.
1 (v)	That the Contract Scrutiny Committee be abolished and the functions relating to the contracts/tenders be undertaken by the Executive.	That Contract Scrutiny Committee be abolished and the functions of opening tenders be undertaken by a sub-committee of 1 or 2 Members from within the membership of the Audit Committee. The governance and monitoring arrangements relating to the issuing of contracts and the subsequent procurement policy arrangements also be the responsibility of the Audit Committee.	The Audit Committee should have the ability to consider a contract for detailed examination should it not be performing and report their findings to the relevant Portfolio Holder where appropriate. Tender opening could be performed through a Sub-Committee of the Audit Committee (comprising 3 members). Consequently, there was justification to abolish the Contract Scrutiny Committee.
1 (vi)	That the number of Scrutiny Forums be reduced from six to four through the merging of Neighbourhood Services and Regeneration and Planning Services Scrutiny Forums and Health Scrutiny Forum to be combined with Adult and Community Services Scrutiny Forum to reflect the Council's new public health role.	The continuation of the five Scrutiny Forums as they currently stand, with a reduced membership of 5/6 Members appointed to each Scrutiny Forum depending on the requirements of proportionality. In addition to this, the Chair, Vice Chair and one other Member from the Scrutiny Forums be appointed to the Scrutiny Co-ordinating Committee to enable the full participation of back bench and cross party Members with the Chair appointed by Council resulting in a membership of 16 members on SCC.	Present arrangements to continue subject to review as part of the political arrangements and composition of the Council post May 2012.

2 (i)	That Members' Seminars be deleted from the council diary and replaced with ad hoc briefing/training sessions, to be organised following identification of issues by Members/Officers and be held immediately in advance of meetings of full Council.	Whilst Members supported the removal of diared Members' Seminars; the scheduling of the ad hoc briefing/training sessions needed further discussion.	Further consideration to be given to the appropriate scheduling of ad hoc briefing/training sessions.
2 (ii)	That the introduction of Task and Finish/Working Groups be monitored to ensure they are resourceable	Additional Task and Finish/Working Groups are already scheduled around the Council Annual Diary, Members and Officers diaries to ensure they are resourceable. Additional monitoring of this would put a further strain on officer resources.	Members should be mindful when arranging Task and Finish/Working Groups, as to the overall need for such Groups in the furtherance of assisting the policy direction of the Council.
2 (iii)	That task and finish groups be conducted in public, except where the information being discussed is exempt under the Local Government (Access to Information) (Variation) Order 2006.	Advice had been received that Task and Finish Groups are not subject to Access to Information Provision Rules and are therefore private meetings of members and officers.	The Chair would have the discretion to hold such a meeting in private should it be deemed necessary and be the view of the collective membership of the Group.
2 (iv)	That Committee/Forum/Group Chairs be advised of their responsibility in ensuring that only those additional meetings that are unavoidable are called in light of the additional workload the number of additional meetings	Members were fully aware of the additional workload that extra meetings incurred both for officers and Members. Therefore additional meetings are only called as and when necessary.	That Committee/Forum/Group Chairs recognise their responsibility in ensuring that only those additional meetings that were unavoidable were called or were otherwise necessary.

	over and above the agreed Council diary are creating		
2 (v)	<p>That a 'freeze' to be introduced in respect of attendance at conferences where conference costs are incurred. In exceptional circumstances that attendance at conference is justified, the Member attending the Conference is required to feedback to all Members of the Council in both written and verbal form</p>	<p>Members referred to the differentiation between conferences Members were invited to attend as appointed Council representatives, as opposed to specific individual requests from Members to attend ad hoc conferences. In view of this, Members suggested that an approved list of conferences be created to take into account conferences of the organisations that Council appoint Members to as Council representatives.</p> <p>Members were fully supportive of a review of the outside bodies that the Council appoint to on an annual basis and considered that the reintroduction of approved conference list should be considered in conjunction with the outside body list.</p> <p>The introduction of an informal mechanism, as implemented through Scrutiny, for the reporting of attendance at Conferences / Seminars would be the preferred option and that in the re-introduction of a formal written / verbal process for reports to full Council was not supported. It was considered that any freeze on conference attendances apply to both officers as well as Members.</p>	<p>An Approved Conferences List be adopted in conjunction with the review of 'Outside Body' Appointments.</p>

2 (vi)	That a review of Members' accommodation be undertaken involving all Councillors based on the principle of need	A review of Members' accommodation was supported and suggestions were made for the relocation of non Executive and Executive Members collective space to within the Civic Suite.	Agreed
2 (vii)	That further consideration be given to improving Members' ICT with the aim of reducing costs and simplifying its use and that all Councillors be encouraged to utilise the systems available to them	Members supported this recommendation and looked forward to an effective solution being identified.	Agreed
2 (viii)	That the practice of producing summary sheets for reports cease as soon as practicable and that appendices to reports are not customarily printed but available electronically, on request and in the Members' Library	Members supported this recommendation.	Agreed
3 (i)	That the size of all committees/forums established/reappointed after May 2012 reflect the reduction in the overall size of Council	Members considered that a pro rata reduction in committees/forums in line with the reduction in Elected Members was unworkable and that each individual committee/forum should be examined separately and on their own merits and required functions.	<b>NOTE:</b> Constitution Committee recommendations for consideration of Council on 12. 4. 2012 referred within paragraph 5.2 of the covering report to Council.

3 (ii)	The Mayor to consider the potential options for the size of the Cabinet and any associated savings in line with the parameters set out in legislation and the Constitution	As the Mayor was unable to give an indication of the number of Executive Members likely to be appointed to Cabinet post May 2012 elections; Members had based their consideration of the political structure on 25 Members being available to participate in back bench committees.	Noted.
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# CONSTITUTION COMMITTEE

29 March 2012



**Report of:** Joint report of Chief Solicitor and Assistant Chief Executive

**Subject:** Outside Bodies Review

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## 1. PURPOSE OF REPORT

The report sets out information to assist consideration of a review of representation on outside bodies to reflect the reduction in council size, with effect from May 2012.

## 2. BACKGROUND

Hartlepool Borough Council currently makes approximately 196 nominations to 78 organisations. These organisations vary greatly and include statutory bodies, national lobbying organisations and local charities. The roles of Members on these bodies and the demands on their time vary greatly. Some organisations may only meet once or twice a year while others may meet every few weeks. Some of these nominations could also require detailed briefings prior to the meetings.

Nominations are made in different ways. Generally nominations are approved/noted at Annual Council in May each year. Some nominations are linked to particular positions (eg Executive Member/Forum Chair), some require nominations on the basis of political group (eg Cleveland Fire Authority) and some may reflect the particular interest/expertise of a Councillor.

Approximately 40 per cent of places are appointed by cabinet members. Within the Executive, representation varies greatly with some portfolios having more nominations attached to them than others.

Nominations that are not attached to a particular position are generally allocated to political groups. They will then nominate individuals to those positions.

A review of representation on outside bodies, and the process by which members are nominated to them, was last undertaken in 2007. A further review is timely to reflect the reduction in Council size from May this year.



### **3. PROPOSALS**

The Constitution Task and Finish Group met on 1 March 2012 to consider Council participation and nominations to outside bodies. These include:

- the value of participation to the Council
- the value of Council participation to the community
- ensuring that the Council is effectively represented on outside bodies
- ensuring that the Council fulfils its statutory responsibilities
- not overburdening some positions with nominations;
- and ensuring that Councillors serve on bodies whose work interests them.

A schedule had been compiled which included a range of information to assist Members' in reviewing representation to outside bodies. The schedule reflects the four main outside body categories as follows:-

Schedule A – Executive appoints Executive Member

Schedule B – Executive appoints Any Member

Schedule C – Council appoints, includes at least one Executive Member

Schedule D – Council appoints any Member

The Task and Finish Group considered representation on those bodies comprising Schedules C and D. The outcome of those considerations will be circulated under separate cover as **Appendix 1**.

### **4. EXECUTIVE APPOINTMENTS**

The Mayor has been consulted on Schedules A and B. The outcome of the review undertaken by the Mayor has also been reflected in Appendix 1.

### **5. RECOMMENDATIONS**

The Committee is requested to consider the recommendations of the Task and Finish Group in terms of those organisations which they consider (i) should no longer be included on the Council's outside body list and (ii) those organisations where the number of members appointed to an organisation should be reduced.

# **Part 7**

## **Appointments to outside organisations and other bodies**



**APPOINTMENTS TO OUTSIDE ORGANISATIONS AND  
OTHER BODIES**

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**APPOINTMENTS TO OUTSIDE ORGANISATIONS AND  
OTHER BODIES**

## **Introduction and explanation**

The attached schedules show the categorisation of the currently recognised outside organisations and other bodies.

There are four main categories as follows:

- A. Executive appoints executive member(s)
- B. Executive appoints any member(s)
- C. Council appoints but must include at least one executive member
- D. Council appoints any member(s).

It will be open to the Council or the Executive to make officer nominations where appropriate in respect of most bodies, the main exception being formal Joint Committees where Member attendance is a statutory requirement. In some cases it may be possible and appropriate to make nominations of persons from outside the body of the Council.

The schedules simply indicate who makes the nominations (the executive or the Council) and who is eligible to be nominated. It may be desirable in many cases to provide for representation which includes community councillors and executive members on a particular body. An example would be the New Deal for Communities Steering Group where the main member role has been identified as representation of ward interest but where there is also a need for representation of the Council as a service provider through the executive.

The four main categories have been sub divided in the Schedules to indicate how the statutory requirements have led to the categorisation of a group of bodies and to identify groups of bodies which have similar characteristics. This should assist in deciding on the selection of appropriate representatives.

Briefly the sub categories have been determined as follows,

### **A1. Joint Committees.**

Joint Committees of less than five Authorities exercising executive functions must be executive appointments of executive members.

B1. Leadership Bodies and Partnerships.

The Council's 'Proposals for Executive Arrangements' submitted to the Secretary of State in July 2001 identified the following as executive roles:

- to represent the interests of Hartlepool
- to lead the community planning process
- to be the focus for forming partnerships with other public, private, voluntary and community sector organisations to address local needs.

The identified bodies reflect these roles and statutory guidance is that the executive should make appointments to outside bodies in connection with functions which are the responsibility of the executive.

B2 Joint Committees.

These are Joint Committees of five or more Authorities exercising executive functions. Statute provides that the executive has responsibility for making appointments but may appoint any Member of the Council.

B3. Other decision making bodies.

These are decision making bodies other than Joint Committees which relate to the business responsibilities of the executive. The statutory guidance referred to in B1 above applies.

B4. Partners in delivery.

There are bodies which are closely related to the exercise of executive functions to the extent that they are likely to influence the planning and delivery of services and vice versa.  
Statutory guidance applies.

B5. Advisory bodies.

Bodies which relate to executive functions in an advisory or influencing capacity.  
Statutory guidance applies.

C1. Joint Committee.

This is a Joint Committee which exercises both executive and non executive functions and has more than one Hartlepool representative. Statute provides that the Council has responsibility for appointments but must include at least one Member of the executive.



D1. Local Choice Determination.

The Proposals to the Secretary of State (July 2001) provided that the Council (not the executive) would make the nominations in these cases.

D2. Joint Committee.

This is a Joint Committee discharging a non-executive function. Statute provides that the Council makes the nomination and may appoint any Member.

D3. Council business bodies.

These are bodies which impact directly on non-executive functions of the Council. The statutory guidance applies to the nomination process.

D4. Council in the community.

These are bodies which do not discharge functions of the Council and where the principal role of Members who are nominated will be to represent constituency interests, whether at the ward or Borough level. Statutory guidance applies.

## **SCHEDULE A – EXECUTIVE APPOINTS EXECUTIVE MEMBERS**

### **1. JOINT COMMITTEES**

*Less than five authorities exercising executive functions.*

None.

## SCHEDULE A – EXECUTIVE APPOINTS EXECUTIVE MEMBERS

### 1. JOINT COMMITTEES

*Less than five authorities exercising executive functions.*

Organisation	Current Membership	Proposed Membership
<b>Archives Joint Committee</b>	(1) CLLR H THOMPSON (Portfolio Holder for Culture, Leisure and Tourism)	(1) Exec Member
<b>Cleveland Emergency Planning Joint Committee</b>	(1) THE MAYOR (Cabinet Member with responsibility for Emergency Planning)	(1) Exec Member with responsibility for Emergency Planning

## SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)

### B1. LEADERSHIP BODIES AND PARTNERSHIPS

<i>Executive responsibility identified in Proposals</i>			
Organisation		Current Membership	Proposed Membership
Association of North East Councils	(1)	THE MAYOR	(2)
Executive	(2)	CLLR PAYNE	(1)
	(3)	CLLR HARGREAVES	
	(1)	THE MAYOR (Sub: CLLR PAYNE)	
<del>Hartlepool Economic Forum</del>	<del>(4)</del>	<del>CLLR HARGREAVES (Portfolio Holder for Regeneration)</del>	
Economic Regeneration Forum	(2)	<b>NEW</b>	Exec Members with responsibility for Economic Development and Children's Services
<del>Hartlepool Partnership</del>	<del>(1)</del>	<del>THE MAYOR</del>	
<del>* Can be any Member</del>	<del>(2)*</del>	<del>CLLR RICHARDSON</del>	
<del>** Leader of the Majority Group, not affiliated to the Mayor</del>	<del>(3)**</del>	<del>CLLR SIMMONS Leader of Majority Group</del>	
	<del>(4)*</del>	<del>CLLR TEMPEST</del>	
	<del>(5)</del>	<del>CLLR FLEET Chair – North Forum</del>	
	<del>(6)</del>	<del>CLLR CRANNEY Chair – Central Forum</del>	
	<del>(7)</del>	<del>CLLR A MARSHALL Chair – South Forum</del>	
	<del>(8)</del>	<del>CHIEF EXECUTIVE</del>	
Housing Partnership		<b>NEW</b>	(1) Exec Member with responsibility for housing
Local Government Association			
General Assembly	(1)	THE MAYOR	(1) Member/Officer?
	(2)	CLLR PAYNE (Portfolio Holder for Finance and Procurement)	
Urban Commission	(1)	CLLR HARGREAVES (Portfolio Holder for Regeneration)	(1) Member/Officer?
	(2)	DIRECTOR REGENERATION AND NEIGHBOURHOODS (or nominee)	

## SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)

### B1. LEADERSHIP BODIES AND PARTNERSHIPS

*Executive responsibility identified in Proposals*

Organisation		Current Membership	Proposed Membership
Rural Commission	(1) (2)	CLLR G LILLEY DIRECTOR REGENERATION AND NEIGHBOURHOODS (or nominee)	(1) Member/Officer?
North Tees and Hartlepool NHS Foundation Trust	(1)	CLLR HALL (Portfolio Holder for Adult Services)	Const Cttee views sought
Safer Hartlepool Partnership	(1)	THE MAYOR	(2) Mayor plus 1 other including Exec Member with responsibility for community safety
	(2) (3) (4)	(POSITIONS TO BE CONFIRMED BY THE MAYOR)	
Executive	(1)	THE MAYOR	(1)
Strategic Partners Group		<b>NEW</b>	All Exec Members plus Chairs and Vice Chairs of the Forums
Tees Valley Leaders & Chief Executives Meeting			(2) The Mayor (Sub: Deputy Mayor) and Chief Executive
	(1) (2) (3)	THE MAYOR DEPUTY MAYOR CHIEF EXECUTIVE	
Tees Valley Unlimited	(1)	THE MAYOR Sub: Deputy Mayor	(1)
Leadership Board			(1)
Planning and Economic Strategy			(1)
Transport Tees Valley			(1)
Housing Board			(1)

## **SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)**

### **B2 JOINT COMMITTEES**

*Five or more authorities exercising executive functions.*

None.

## SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)

### B3 OTHER DECISION MAKING BODIES

*Executive functions statutory guidance applies.*

Organisation		Current Membership	Proposed Membership
<b>Regional Flood Defence Committee</b> (Rotates 2-yearly with Redcar and Cleveland Borough Council)	(1)	R&CBC Appointment for 2011/12 and 2012/13.	(1) Sub for R&CBC Rep
<b>Schools Admission Forum</b> Members of Children's Services Scrutiny Forum (Appointed by CSSF)	(1) (2) (3) (4) (5)	CLLR FLEET CLLR GRIFFIN CLLR INGHAM CLLR SIMMONS CLLR WELLS	(3)
<b>SITA Board</b>	(1)	CLLR JACKSON (Executive Member)	(1) Exec Member Neighbourhood Services
<b>Tees Valley Joint Health Scrutiny Committee</b>  Members of Health Scrutiny Forum (Appointments to be considered by HSF)	(1)  (2)  (3)	CLLR S AKERS-BELCHER (Chair of Health Scrutiny Forum) CLLR GRIFFIN CLLR G LILLEY	(3)
<b>Tees Valley Local Access Forum</b> (3 year term of office – end 2014)	(1)	CLLR THOMPSON (Portfolio Holder for Culture Leisure and Tourism)	(1)

## SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)

### B4 PARTNERS IN DELIVERY

*Executive functions. Statutory guidance applies.*

Organisation	Current Membership	Proposed Membership
<del>Association for Public Service Excellence</del>	(1) <del>CLLR JACKSON</del> (Executive Member) (2) <del>CLLR THOMAS</del>	
<del>Durham Coast Rail Line Steering Group</del>	(1) <del>CLLR HARGREAVES</del> (Portfolio Holder for Transport)	
Durham Heritage Coast Partnership Steering Group	(1) CLLR HARGREAVES (Portfolio Holder for Regeneration and Economic Development)	(1)
<del>Federation of British Cremation Authorities</del>	(1) <del>ASSISTANT DIRECTOR</del> (NEIGHBOURHOOD SERVICES) (or nominee)	
Hartlepool and District Sports Council	(1) CLLR BARCLAY (2) CLLR JACKSON (3) CLLR PAYNE	(2)
Hartlepool Power Station Community Liaison Committee	(1) CLLR ROGAN (Chair Regeneration and Planning Services Scrutiny Forum)	(2) plus Assistant Director, Regeneration and Planning (or nominee) *CONSIDERATION AS TO WHETHER CHAIR OF VICE CHAIR OF PLANNING COMMITTEE SHOULD BE INCLUDED *
	(2) CLLR COOK (Chair Planning Committee) (3) CLLR CRANNEY (4) CLLR LAWTON (5) ASSISTANT DIRECTOR (REGENERATION AND PLANNING) (or nominee)	
Emergency Planning Committee	(1) CHIEF EMERGENCY PLANNING OFFICER	(1) Chief Emergency Plng Officer
Housing Hartlepool	(1) CLLR FLEET*	(1) *CONSIDERATION (DEPENDENT ON THE GOVERNANCE OF HOUSING HARTLEPOOL) FOR ADDITIONAL REPRESENTATION / NOMINATION BUT



## SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)

### B4 PARTNERS IN DELIVERY

*Executive functions. Statutory guidance applies.*

SUGGESTED. ONE  
EXECUTIVE MEMBER  
AND TWO NON  
EXECUTIVE (ONE FROM  
EACH NEIGHBOURHOOD  
FORUMN.)

(Terms of office: 3 years)	(2)	CLLR GIBBON*
* 2010 TO 2012	(3)	CLLR BRASH**
** 2010 TO 2013	(4)	CLLR HARGREAVES**

<b>HMS Trincomalee Trust</b>	(1)	CLLR HALL
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(2)  
\* CLARIFICATION OVER  
MEMBERSHIP.

(3 year term expires 2011)	(2)	CLLR TEMPEST
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## SCHEDULE B – EXECUTIVE APPOINTS ANY MEMBER(S)

### B4 PARTNERS IN DELIVERY

*Executive functions. Statutory guidance applies.*

Organisation		Current Membership	Proposed Membership
<b>National Society for Clean Air</b>	(1)	CLLR A LILLEY,	
	(2)	CLLR S AKERS-BELCHER	
	(3)	CLLR LAWTON	
	(4)	ASSISTANT DIRECTOR (REGENERATION AND PLANNING) (or nominee)	
<b>Museums Libraries Archives North East</b>	(1)	CLLR H THOMPSON (Portfolio Holder for Culture Leisure and Tourism)	
<b>Northern Consortium of Housing Authorities</b>	(1)	THE MAYOR (Portfolio Holder for Housing)	(1) * CLARIFICATION AS TO WHETHER THEY SHOULD BE TWO NOMINATIONS.
	(2)	CLLR INGHAM	
<b>North East Strategic Migration Partnership</b>	(1)	CLLR BRASH (Portfolio Holder for Performance)	(1)
<b>North East Rural Affairs Commission</b>	(1)	CLLR G LILLEY	(1)
<b>Regional Arts Council</b> 2 year term – Rotates around T Valley Authorities (HBC nomin: 2010/12)	(1)	CLLR C AKERS-BELCHER	
<b>Standing Advisory Council for Religious Education</b> (4 year term - ending 2012)	(1)	CLLR GRIFFIN	(2)
	(2)	CLLR P THOMPSON	
<b>Tees Valley Arts – Board of Directors</b>	(1)	CLLR C AKERS-BELCHER	(1)

## SCHEDULE C - COUNCIL APPOINTS, INCLUDES AT LEAST ONE EXECUTIVE MEMBER

### C1 JOINT COMMITTEES

*Exercises executive and non-executive functions. Includes two or more representatives.*

Organisation	Current Membership	Proposed Membership
<b>North East Procurement Organisation</b> *Executive Member	(1)* CLLR PAYNE (Portfolio Holder with Purchasing Responsibility)	(2) * AGREED SHOULD BE EXECUTIVE MEMBER WITH PROCUREMENT RESPONSIBILITY AND ONE NON EXECUTIVE MEMBER.
	(2) CLLR FENWICK	

## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D1 LOCAL CHOICE DETERMINATION

*Nomination decision previously made in proposals document*

Organisation	Current Membership	Proposed Membership
<b>Cleveland Police Authority</b> (Term of office - the duration of the Cleveland Police Authority or for a four-year term, whichever is the shorter)	(1) CLLR RICHARDSON (2) THE MAYOR, STUART DRUMMOND	(2)
<b>Cleveland Police Joint Committee</b>	(1) CLLR C AKERS-BELCHER (2) CLLR PAYNE (3) CLLR INGHAM (4) CLLR WELLS	(4)

## **SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)**

### **D2 JOINT COMMITTEE**

*Non executive function*

<b>Organisation</b>	<b>Current Membership</b>	<b>Proposed Membership</b>
<b>North Eastern Inshore Fisheries and Conservation Authority</b>	(1) CLLR THOMAS	(1)

## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D3 COUNCIL BUSINESS BODIES

<i>Council functions. Statutory guidance applies.</i>			
Organisation		Current Membership	Proposed Membership
<b>Local Joint Consultative Committee</b> (Politically balanced)	(1)	THE MAYOR	(9)
	(2)	CLLR BRASH	
	(3)	CLLR JAMES	
	(4)	CLLR ROGAN	
	(5)	CLLR RICHARDSON	
	(6)	CLLR SIMMONS	
	(7)	CLLR SHIELDS	
	(8)	CLLR PREECE	
	(9)	CLLR WELLS	
<b>National Association of Councillors</b>			
<b>Northern Branch</b>	(1)	CLLR C AKERS-BELCHER	(3)
	(2)	CLLR S AKERS-BELCHER	
	(3)	CLLR SHAW	
<b>General Management Committee</b>	(1)	CLLR C AKERS-BELCHER	(3)
	(2)	CLLR S AKERS-BELCHER	
	(3)	CLLR SHAW	
<b>North East Regional Employers Organisation</b>	(1)	CLLR BRASH	(3)
	(2)	CLLR ROGAN	
	(3)	CLLR LOYNES	
<b>Executive</b>	(1)	CLLR BRASH	(1)
<b>Teesside Pension Fund</b>	(1)	CLLR HALL	(1)
<b>Tees Valley Environmental Protection Group</b>			(3)
	(1)	CLLR LAWTON	
	(2)	CLLR TEMPEST	
	(3)	CLLR THOMAS	
<b>Together Project Steering Group</b> (Politically balanced)	(1)	CLLR SIRS	(5)
	(2)	CLLR SHIELDS	
	(3)	CLLR THOMAS	
	(4)	CLLR PREECE	
	(5)	CLLR WELLS	

## **SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)**

### **D3 COUNCIL BUSINESS BODIES**

*Council functions. Statutory guidance applies.*

## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D4 COUNCIL IN THE COMMUNITY

*Non-Council functions. Representative role. Statutory guidance applies*

Organisation		Current Membership	Proposed Membership
Age UK Teesside	(1)	CLLR HALL (Portfolio Holder designated as Older Person's Champion)	(1) Older Persons Champion * POSSIBLE CLARIFICATION REQUIRED
<del>Brierton Community Sports Centre Management Committee</del>	<del>(1)</del>	<del>CLLR S AKERS-BELCHER</del>	
Cleveland Fire Authority	(1) (2) (3) (4)	CLLR RICHARDSON CLLR S AKERS-BELCHER CLLR PAYNE CLLR WELLS	(4)
Durham Tees Valley Airport Board	(1)	CLLR JACKSON (Executive Member)	(1) Exec Member
Durham Tees Valley Airport Consultative Committee	(1)	CLLR JACKSON	(1)
<del>Furness Seamen's Pension Fund</del> (4 year term – expires 2012)	<del>(1)</del> (2)	<del>CLLR FLEET</del> CLLR GRIFFIN	
<del>Hartbeat (Barnado's)</del>	<del>(1)</del>	<del>CLLR SIRS</del>	
<del>Hartlepool Access Group</del>	<del>(1)</del> (2)	<del>CLLR CRANNEY</del> CLLR HALL	
<del>Hartlepool Carers</del>	<del>(1)</del>	<del>CLLR FLEET</del>	
<del>Hartlepool Citizen's Advice Bureau</del>	<del>(1)</del> (2)	<del>CLLR INGHAM</del> CLLR BARCLAY	
Hartlepool Credit Union	(1)	CLLR C AKERS-BELCHER	(4) * SUGGESTION FOR TWO EXECUTIVE APPOINTMENTS (MEMBER WITH FINANCE RESPONSIBILITY AND ONE OTHER)
(Nominations subject to FSA Approval)	(2) (3)	CLLR HALL CLLR JAMES	



## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D4 COUNCIL IN THE COMMUNITY

*Non-Council functions. Representative role. Statutory guidance applies*

	(4)	CLLR SIMMONS	
<b>Hartlepool Deaf Centre</b>	(1)	CLLR RICHARDSON	
	(2)	CLLR SIRS	
<b>Hartlepool Fair Trade Town Steering Group Organisation</b>	(1)	CLLR RICHARDSON (Chair of Council)	
		<b>Current Membership</b>	<b>Proposed Membership</b>
<b>Hartlepool Families First</b>	(1)	CLLR JACKSON	
<b>Hartlepool Indoor Bowling Club</b>	(1)	CLLR BARCLAY	
<b>Hartlepool People Centre</b>	(1)	CLLR SHIELDS	
<b>Hartlepool Voluntary Development Agency</b>			(1) * CLARIFICATION OVER LEVEL OF REPRESENTATION
	(1)	CLLR BARCLAY	
	(2)	CLLR JAMES	
	(3)	CLLR SIMMONS	
<b>Hartlepool War Memorial and Crosby Homes</b> (term until 2014)	(1)	CLLR BARCLAY	(1)
<b>Henry Smith Educational Trust</b> Nominated trustees (Terms of office to be clarified)	(1)	CLLR GRIFFIN	(3)
	(2)	CLLR PAYNE	
	(3)	CLLR FLEET	
# Non-educational charity (Term of office expires 2012)	(1)#	THE MAYOR	(1)
<b>Heugh Battery Trust</b>	(1)	CLLR PAYNE	
<b>Merchant Navy Welfare Board</b>	(1)	CLLR ROGAN	
<b>North Tees Women's Aid</b>	(1)	CLLR SHIELDS	
<b>Outdoor Bowls</b>	(1)	CLLR PAYNE	

## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D4 COUNCIL IN THE COMMUNITY

*Non-Council functions. Representative role. Statutory guidance applies*

#### **~~Consortium~~**

~~(2) CLLR C AKERS-BELCHER~~

#### **~~Owton Fens Community Association~~**

~~(1)~~

~~CLLR HARGREAVES~~

~~(3-year terms – expire  
2012)~~

~~(2) CLLR McKENNA~~

## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D4 COUNCIL IN THE COMMUNITY

*Non-Council functions. Representative role. Statutory guidance applies*

Organisation		Current Membership	Proposed Membership
<del>Owton Rossmere Community Enterprise Limited</del>	<del>(1)</del>	<del>CLLR JAMES</del>	
<del>PATCH Management Committee</del>	<del>(1)</del>	<del>CLLR A LILLEY</del>	
<b>Preston Simpson and Sterndale Scholarship in Music</b>	(1)	<b>**CLLR SIMMONS</b>	(3)
<i>*(Member of Children's Services Scrutiny Forum)</i>	(2)	<b>**CLLR GRIFFIN</b>	
<b>**Term expires 2013</b>	(3)	<b>*CLLR MANESS</b>	
<b>River Tees Port Health Authority</b>	(1)	<b>CLLR TEMPEST</b>	(2)
	(2)	<b>CLLR ROGAN</b>	
<del>Sarah Alice Todd Charity</del>	<del>(1)</del>	<del>CLLR GRIFFIN</del>	
	<del>(2)</del>	<del>CLLR MANESS</del>	
<del>Seaton Community Centre</del>	<del>(1)</del>	<del>CLLR HILL</del>	
<del>(3 Seaton Ward Councillors)</del>	<del>(2)</del>	<del>CLLR TURNER</del>	
	<del>(3)</del>	<del>CLLR P THOMPSON</del>	
<del>The Studio Management Committee</del>	<del>(1)</del>	<del>CLLR HALL</del>	
<b>Teesmouth Field Centre</b>	(1)	<b>CLLR BRASH</b>	(1) Exec Member for Children's Services
<del>Teesside Environmental Trust</del>	<del>(1)</del>	<del>CLLR THOMAS</del>	
<b>Tees Valley Community Foundation – Grant Giving Panel</b>	(1)	<b>CLLR THOMAS</b> (sub – Director Child and Adult Services)	(1)
<b>Victoria and Jubilee Homes</b>	(1)	<b>CLLR BARCLAY</b>	(4)
<b>Term of Office 2010 - 2014</b>	(2)	<b>CLLR BRASH</b>	
	(3)	<b>CLLR HALL</b>	
	(4)	<b>CLLR LAUDERDALE</b>	

## SCHEDULE D – COUNCIL APPOINTS ANY MEMBER(S)

### D4 COUNCIL IN THE COMMUNITY

*Non-Council functions. Representative role. Statutory guidance applies*

Organisation		Current Membership	Proposed Membership
<del>West View Advice and Resource</del>	(1)	<del>CLLR ROGAN</del>	
<del>West View Project</del>	(1)	<del>CLLR ROGAN</del>	
	(2)	<del>CLLR FENWICK</del>	
	(3)	<del>CLLR LAWTON</del>	

**COUNCIL**  
12 April 2012



**Report of:** The Executive

**Subject:** Corporate Plan 2012/13

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**1. PURPOSE OF REPORT**

- 1.1 To seek Council's approval of the 2012/13 Corporate Plan.

**2. BACKGROUND**

- 2.1 The Corporate Plan is the Council's top level plan and sets out the priorities and how the Council will help achieve the vision set in Hartlepool's Community Strategy: -  
*"Hartlepool will be a thriving, respectful, inclusive, healthy, ambitious and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential".*
- 2.2 As in previous years, the Corporate Plan sets out a series of outcomes arranged around the eight Community Strategy themes. There is also a section dedicated to organisational development activities.
- 2.3 The Actions, Performance Indicators and Targets set out in the Corporate Plan will be regularly reviewed through the Council's Performance Management Framework. Progress will be reported regularly to Cabinet and Scrutiny Coordinating Committee.

**3. DECISION MAKING ROUTE FOR THE PLAN**

- 3.1 The Corporate Plan is part of the Council's Budget and Policy Framework and therefore requires the involvement of Scrutiny and approval by the full Council.
- 3.2 The plan was considered by Cabinet on 19 December 2011 and 19 March 2012. Scrutiny Coordinating Committee considered the Plan on 11 November 2011, 17 February 2012 and 9 March 2012. In addition draft proposals were considered by all of the Service Scrutiny Forums in January/February 2012.

**4. HARTLEPOOL'S APPROACH TO THE CORPORATE PLAN**

- 4.1 The Corporate Plan, attached at **Appendix A**, sets out how the Council propose to deliver the priority outcomes. The plan contains the key Performance Indicators and targets, where available, which will be used to monitor progress throughout 2012/13.
- 4.2 As in 2011/12 the timetable for producing the Corporate Plan means that some target information for the Performance Indicators can not be included at this stage as the information is not yet available. However, a detailed year end performance report will be produced for Scrutiny Coordinating Committee and Cabinet later in the year which will include this information.
- 4.3 At the most recent meeting of Scrutiny Coordinating Committee, on 9 March 2012, it was suggested that both the Chief Executives Departmental Plan and the Corporate Plan should include reference to Benefits Support and it was agreed at Cabinet on 19 March 2012 that the Department would develop proposals and bring to this meeting for approval. In response two actions have been added to Outcome 4 (Hartlepool has increased economic inclusion of adults and is tackling financial exclusion) in both the Chief Executives Departmental Plan and the Corporate Plan (Appendix A).

**5. RECOMMENDATIONS**

- 5.1 That Council approves the 2012/13 Corporate Plan.

**6. CONTACT OFFICER**

For more information on the Corporate Plan or the Council's Performance Management Framework, please contact:

Andrew Atkin  
Assistant Chief Executive  
Corporate Strategy Division

Tel: (01429) 523040  
E-mail: [Andrew.Atkin@hartlepool.gov.uk](mailto:Andrew.Atkin@hartlepool.gov.uk)

## APPENDIX A



# Hartlepool Borough Council

## Corporate Plan 2012/13

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Actions, Performance Indicators and Targets	9



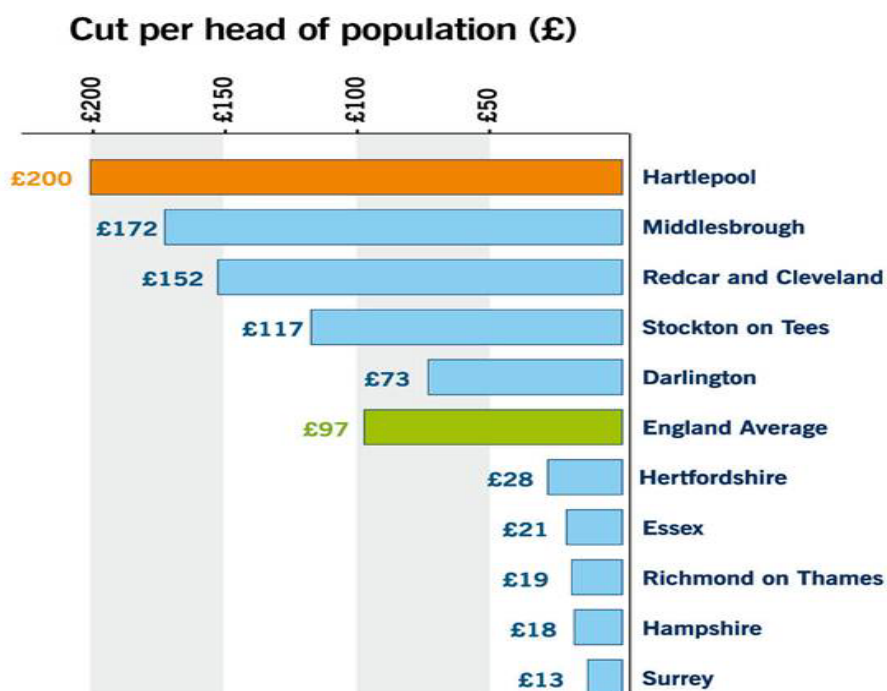
## Introduction

This document is Hartlepool Council's Corporate Plan for 2012/13 and forms part of the Council's overall Service Planning arrangements. The plan addresses the key priorities and issues facing the Council, and includes an action plan that draws the key actions and performance indicators from the Council's three Departmental Plans.

The Plan has been prepared in parallel with development of the Council's 2012/13 budget. The Coalition Governments Spending review included a 28% reduction in Council grants over 4 years with most reductions to be achieved in the first 2 years. The cuts in Government funding have a disproportionate impact on the North East, including Hartlepool, which have greater reliance on Government grant and serve some of the most deprived communities in the Country.

The key points from the Council's budget include:

- A cumulative reduction in Council's spending power for 2011/12 and 2012/13 of £200 per resident, more than twice the national average of £97
- Hartlepool's spending power cut per resident is also significantly more than the reductions in more affluent areas of the country, as illustrated in the following table: -



- £5.4million of efficiencies and service cuts implemented to produce a balanced budget for 2012/13, which is on top of the cuts implemented in 2011/12 of £10m

The details of the Council's budget decisions are available in Cabinet and Council reports:

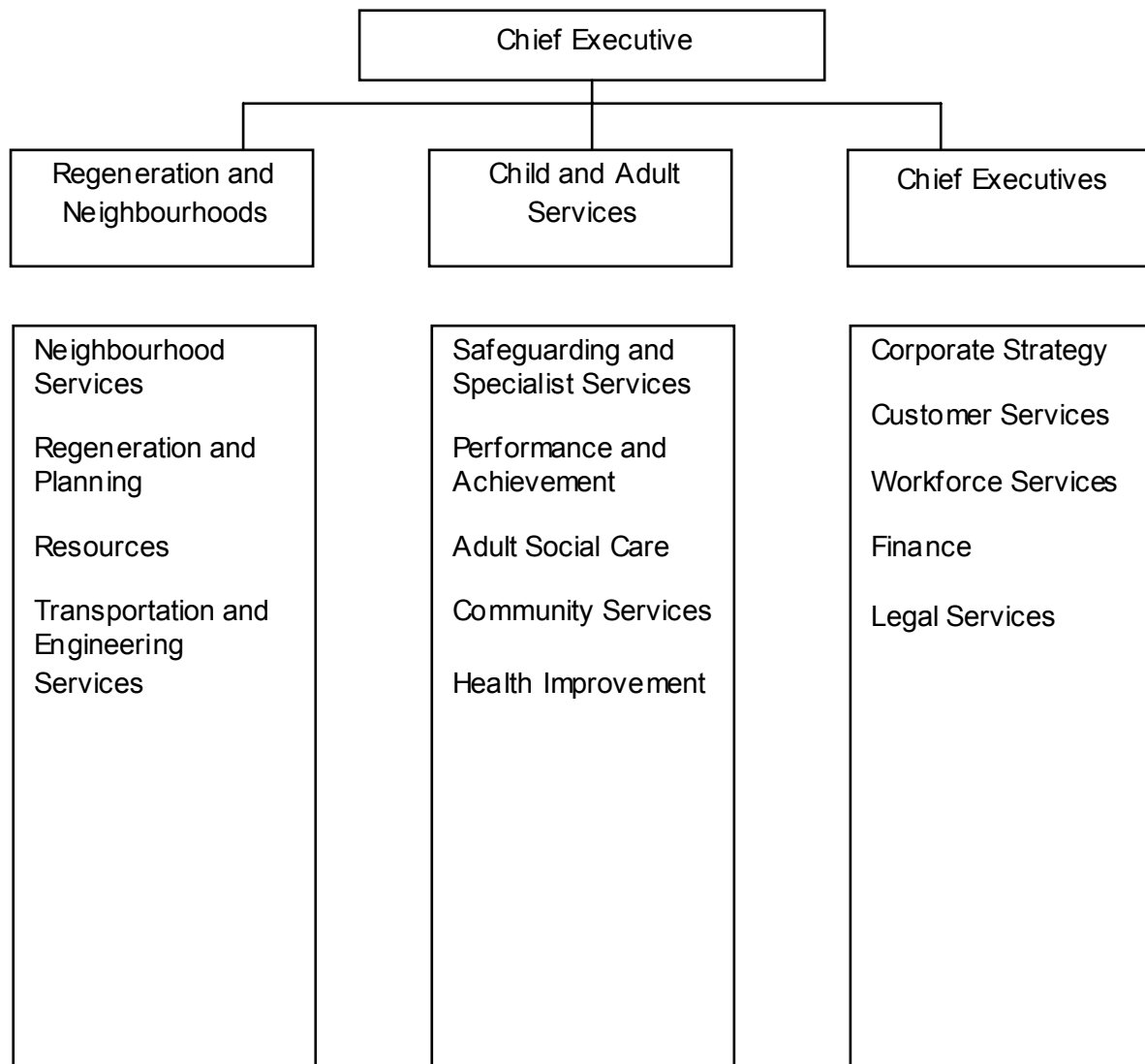
<http://www.hartlepool.gov.uk/meetings/meeting/2357/council>

This plan should be looked at in conjunction with the Council's three Departmental Plans, individual service plans and other plans that together form part of the Council's overall Service Planning Arrangements.

The Council's service planning framework is based on having **a clear set of outcomes** that the Council is working towards achieving. For each outcome the department has identified: -

- a number of **actions**, which when completed, will help to achieve the outcome;
- **performance indicators** as the basis for making and measuring progress towards achieving the outcome;
- the significant **risks** that could affect progress towards its achievement.

## Organisational Structure



## **Performance and Risk Monitoring and Reporting**

- **Monitoring and Reporting**

The action plan detailing how the Council will meet its main priorities for the forthcoming year will be monitored constantly, and regularly reported to Senior Officers and Councillors to update them on progress and highlight any key areas of achievement and concern.

Throughout the year, in certain circumstances, it may become necessary to either remove or amend an outcome or specific action from the annual plan. This could be for a number of reasons, such as changing priorities or a delay in implementing a particular scheme through unforeseen circumstances. Any amendments to the plan will only be made with full agreement of the Corporate Management Team and Cabinet.

The Council has a responsibility to put in place proper arrangements to manage risks and maintain a sound system of internal control – the Council does this through its risk management framework. The Council seeks to reduce the impact and likelihood of risks that will impact on the achievement of the outcomes being sought by the Council in this plan.

## Priorities

- **Overall Aim/Vision**

The Council's overall aim remains: -

**“To take direct action and work in partnership with others, to continue the revitalisation of Hartlepool life and secure a better future for Hartlepool people”.**

The Council's aim is based on the Hartlepool Partnership's new long term vision, agreed in July 2008, looking 20 years ahead is: -

**“Hartlepool will be a thriving, respectful, inclusive, healthy, ambitious and outward looking community, in an attractive and safe environment, where everyone is able to realise their potential.”**

The Council has adopted the eight themes that the Partnership has agreed which form part of the Sustainable Community Strategy: -

- Jobs and the Economy
- Lifelong Learning and Skills
- Health and Wellbeing
- Community Safety
- Environment
- Housing
- Culture and Leisure
- Strengthening Communities

The Council has a ninth theme, which covers what the Council is doing to sustain its capacity to deliver excellent, value for money services in the future:

- Organisational Development

- **Council Priorities**

The Council has identified a number of key outcomes that it will contribute towards in 2012/13, encompassing the following themes: -

Theme	Outcome
Jobs and the Economy	<ol style="list-style-type: none"> <li>1. Hartlepool has improved business growth and business infrastructure and an enhanced culture of entrepreneurship</li> <li>2. Hartlepool has attracted new investment and developed major programmes to regenerate the area and improve connectivity</li> <li>3. Hartlepool has increased employment and skills levels with a competitive workforce that meets the demands of employers and the economy</li> <li>4. Hartlepool has increased economic inclusion of adults and is tackling financial exclusion</li> <li>5. Hartlepool has a boosted visitor economy</li> <li>6. Fewer Hartlepool children experience the effects of poverty</li> </ol>
Lifelong Learning and Skills	<ol style="list-style-type: none"> <li>7. To promote opportunities for all children and young people to reach their full potential by accessing good quality teaching and curriculum provision which fully meets their needs and enables them to participate in and enjoy their learning</li> <li>8. Provision of high quality community learning and skills opportunities that widen participation and build social justice</li> </ol>
Health and Wellbeing	<ol style="list-style-type: none"> <li>9. Improve health by reducing inequalities and improving access to services</li> <li>10. Be healthy – children enjoy good physical and emotional health and live a healthy lifestyle</li> <li>11. Children &amp; young people are safe</li> <li>12. Vulnerable adults are supported and safeguarded and people are able to maintain maximum independence while exercising choice and control about how their outcomes are achieved</li> </ol>
Community Safety	<ol style="list-style-type: none"> <li>13. Hartlepool has reduced crime and repeat victimisation</li> <li>14. There is reduced harm caused by drugs and alcohol misuse</li> <li>15. Communities have improved confidence and feel more cohesive and safe</li> <li>16. Offending and re-offending has reduced</li> </ol>

Theme	Outcome
Environment	17. Hartlepool has an improved natural and built environment 18. Quality local environments where public and community open spaces are clean, green and safe 19. Provide a sustainable, safe, efficient, effective and accessible transport system 20. Hartlepool is prepared for the impacts of climate change and takes action to mitigate the effects
Housing	21. Hartlepool has an improved and more balanced housing offer that meets the needs of residents and is of high quality design 22. Hartlepool has improved housing stock where all homes across tenures offer a decent living environment 23. Housing Services and housing options respond to the specific needs of all communities within Hartlepool
Culture and Leisure	24. People enjoy equal access to leisure, culture, sport, libraries which enrich their lives, improve the places where they live, and strengthen communities
Strengthening Communities	25. Local people have a greater voice and influence over local decision making and the delivery of services 26. Make a positive contribution – people are involved with the community and society
Organisational Development	27. Improve the efficiency and effectiveness of the organisation 28. Deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction 29. Maintain effective governance arrangements for core business and key partnerships 30. Maintain effective Performance, Finance and Risk Management Arrangements 31. Maintain the profile and reputation of the Council 32. Deliver effective Member and Workforce arrangements, maximising the efficiency of the Council's Democratic function

- **Annual Action Plan**

The Council's Corporate Plan annual action plan is attached below, providing details on how the Council will be working towards achieving the outcomes set out above, using the key actions and performance indicators identified from within the Council's three departmental plans.

## Corporate Plan 2012//13 – Actions, Performance Indicators and Targets

### 1 Jobs and the Economy

Develop a more enterprising, vigorous and diverse local economy that will attract new investment, enable local enterprises and entrepreneurs to be globally competitive and create more employment opportunities for local people.

Outcome No.	Description
1	Hartlepool has improved business growth and business infrastructure and an enhanced culture of entrepreneurship
2	Hartlepool has attracted new investment and developed major programmes to regenerate the area and improve connectivity
3	Hartlepool has increased employment and skills levels with a competitive workforce that meets the demands of employers and the economy
4	Hartlepool has increased economic inclusion of adults and is tackling financial exclusion
5	Hartlepool has a boosted visitor economy
6	Fewer Hartlepool children experience the effects of poverty

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
1	Undertake audit of existing commercial premises and business infrastructure in context of growth sectors and produce report for commercial premises and business parks.	Sept 2012	Mick Emerson
1	Undertake study of existing vacant properties / sites to identify potential end use for businesses and implement marketing campaign to promote sites.	Sept 2012	Mick Emerson
2	Adopt the Core Strategy	Oct 2012	Derek Gouldburn
2	Establish Local Development Orders covering identified Enterprise Zones to facilitate regeneration through the simplification of the planning process.	April 2012	Derek Gouldburn
3	Develop partnership agreements with work programme prime providers	March 2013	Antony Steinberg
3	Submit bid for the new 'Innovation Fund' to help address youth unemployment	Sept 2012	Antony Steinberg
3	Reduce the level of young people who are Not in Employment, Education or Training (NEET) by implementing NEET Strategy.	March 2013	James Sindair
3	Implement the Hartlepool 14-19 Strategy.	March 2013	Tom Argument
4	Support Big Lottery Financial Inclusion bid submission	Jun 2012	John Morton
4	Develop referral channels for adults to access financial advice services	Mar 2013	John Morton
4	Deliver Money Matters engagement programme	Mar 2013	John Morton
4	Implement a programme of benefits and Free School Meals take up initiatives including references in Council Tax correspondence and Hartbeat.	March 2013	Julie Pullman.
4	Respond to Welfare Reform Benefit Cap changes by engaging and supporting affected households.	Dec 2012	Tracey Rudd
5	Develop the tourism infrastructure and visitor offer through the delivery of the Seaton Carew Master Plan.	March 2013	Andrew Golightly
6	Implement Child Poverty Action Plan	March 2013	Danielle Swainston



## Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2012/13 Target
3	NI 151	Overall employment rate (proportion of people of working age population who are in employment)	Monitor Only
3	RPD P054	Youth unemployment rate (Hartlepool) the proportion of economically active 18 to 24 year olds who are unemployed.	Monitor Only
3	NI 117	Percentage of 16 to 18 year olds who are Not in Education, Employment or Training (NEET)	6.6%
3	NI 79	Percentage of young people achieving a Level 2 qualification by the age of 19	76.5%
3	NI 80	Percentage of young people achieving a Level 3 qualification by the age of 19	49.0%
6	New	Proportion of children in poverty	30%

## 2 Lifelong Learning and Skills

All children, young people, individuals, groups and organisations are enabled to achieve their full potential through equal access to the highest quality education, lifelong learning and training opportunities.

Outcome No.	Description
7	To promote opportunities for all children and young people to reach their full potential by accessing good quality teaching and curriculum provision which fully meets their needs and enables them to participate in and enjoy their learning
8	Provision of high quality community learning and skills opportunities that widen participation and build social justice

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
7	Analyse Early Years Foundation Stage Profile (EYFSP) data and challenge schools with anomalies. Provide support and Continuous Professional Development (CPD) to identified schools. Monitor impact through Foundation Stage Profile software.	September 2013	Danielle Swainston
7	Analyse Key Stage 2 data in English and mathematics. Identify schools below 60% floor target in combined English and mathematics and with below average progress in English and mathematics separately and report to Portfolio Holder under Council's schools causing concern.	March 2013	Caroline O'Neill
7	Analyse Key Stage 4 data. Identify schools below 35% for 5A*-C (including English and mathematics) threshold and report to Portfolio Holder under Council's schools causing concern.	March 2013	Tom Argument

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2011/12 Target
7	NI 73	Percentage of pupils achieving level 4 or above in both English and Maths at Key Stage 2	78%
7	NI 75	Percentage of pupils achieving 5 or more A* - C grades at GCSE or equivalent including English and Maths	58%
7	NI 93	Percentage of pupils progressing by 2 levels in English between Key Stage 1 and Key Stage 2	88%
7	NI 94	Percentage of pupils progressing by 2 levels in Maths between Key Stage 1 and Key Stage 2	86%
8	ACS P053	Number of learners participating in Adult Education Programmes	Not Required

### 3 Health and Well-Being

Work in partnership with the people of Hartlepool to promote and ensure the best possible health and well-being.

Outcome No.	Description
9	Improve health by reducing inequalities and improving access to services
10	Be healthy – children enjoy good physical and emotional health and live a healthy lifestyle
11	Children & young people are safe
12	Vulnerable adults are supported and safeguarded and people are able to maintain maximum independence while exercising choice and control about how their outcomes are achieved

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
9	Ensure implementation of the Cardiovascular Primary Preparation programme across all practices in Hartlepool	March 2013	Louise Wallace
9	Ensure all eligible people particularly in high risk groups take up the opportunity to be vaccinated especially in relation to flu	March 2013	Louise Wallace
9	The Health and Wellbeing Strategy be agreed by the shadow Health and Wellbeing Board	March 2013	Louise Wallace
9	Review Joint Strategic Needs Assessment (JSNA) in the context of the local authority responsibilities as described in the NHS White Paper	July 2012	Louise Wallace
10	Implement Breast Feeding Strategy	March 2013	Louise Wallace
10	Implement Child Measurement Programme	March 2013	Louise Wallace
10	Implement Smoking in Pregnancy Action Plan	March 2013	Carole Johnson
10	Implement Teenage Pregnancy Strategy and action plan	March 2013	Deborah Gibbin
10	Develop a robust Public Health Transition action plan	March 2013	Louise Wallace
10	Implement Child Poverty Action Plan	March 2013	Danielle Swainston
10	Increase the uptake of child vaccinations	March 2013	Louise Wallace
11	Implement the Youth Justice strategic plan	March 2013	Mark Smith
11	Implement the strategic priorities from the Looked After Children strategy	March 2013	Jane Young
11	Implement the Early Intervention strategy	March 2013	Sally Robinson
12	Maximise use of preventative approaches such as assistive technology to support people to maintain their independence.	March 2013	Phil Hornsby / John Lovatt

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2012/13 Target
9	NI 39	Alcohol related hospital admissions	TBC
9	NI 123	Stopping smoking	
9	NI 123	Stopping smoking (Neighbourhood Renewal Area	

<b>Outcome No.</b>	<b>PI Ref. No.</b>	<b>Performance Indicator</b>	<b>2012/13 Target</b>
	(NRA)	narrowing the gap indicator)	
<b>10</b>	LAA HW P001	Percentage of women smoking at time of delivery	22
<b>10</b>	NI 53a	Prevalence of breast-feeding at 6-8 wks from birth - Percentage of infants being breastfed at 6-8 weeks	Monitor Only
<b>10</b>	NI 55(iv)	The percentage of children in Reception who are obese	Monitor Only
<b>10</b>	NI 56(ix)	The percentage of children in Year 6 who are obese	Monitor Only
<b>11</b>	CSD P035	Children who became the subject of a Child Protection (CP) plan, or were registered per 10,000 population under 18	40
<b>11</b>	NI 62	Stability of placements of looked after children: number of moves	10%
<b>12</b>	NI 132	Timeliness of social care assessment (all adults)	85%
<b>12</b>	NI 135	Carers receiving needs assessment or review and a specific carer's service, or advice and information	25%
<b>12</b>	NI 136	People supported to live independently through social services (all adults)	4700
<b>12</b>	ACS P051	Access to equipment and telecare: users with telecare equipment	850

## 4 Community Safety

Make Hartlepool a safer place by reducing crime and anti-social behaviour, and tackling drugs and alcohol misuse.

Outcome No.	Description
13	Hartlepool has reduced crime and repeat victimisation
14	There is reduced harm caused by drugs and alcohol misuse
15	Communities have improved confidence and feel more cohesive and safe
16	Offending and re-offending has reduced

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
13	Deliver in conjunction with partners a strategic assessment which is monitored through the Safer Hartlepool Partnership executive.	Dec 2012	Sally Forth
14	Integrate drug and alcohol treatment and recovery programmes in line with new Drug Strategy	Dec 2012	Chris Hart
14	Strengthen safeguarding and address Hidden Harm issues within substance misuse services	March 2013	Karen Clark
15	Deliver the Anti-Social Behaviour Strategy action plan	March 2013	Nicholas Stone
15	Develop and implement troubled families approach incorporating the team around the households initiative to 'break the cycle' of households having a detrimental affect on communities'	July 2012	Denise Ogden

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2012/13 Target
13	RPD P028a	Number of reported crimes in Hartlepool	Monitor Only
13	RND P065	Number of repeat victims of crime	Monitor Only
14	NI 30	Reoffending rate of prolific and other priority offenders	TBC

## 5 Environment

Secure and enhance an attractive and sustainable environment that is clean, green, safe and valued by the community.

Outcome No.	Description
17	Hartlepool has an improved natural and built environment
18	Quality local environments where public and community open spaces are clean, green and safe
19	Provide a sustainable, safe, efficient, effective and accessible transport system
20	Hartlepool is prepared for the impacts of climate change and takes action to mitigate the effects

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
17	Complete the Hartlepool Managed workspace feasibility study for former Crown House site and selection of preferred business model	August 2012	Rob Smith
19	Deliver year 2 schemes as identified in the Local Transport Plan 2011 – 2015.	March 2013	Peter Frost
20	Progress changes to Waste Management Service including changes to kerbside collections; suspension of green waste winter collections; route optimisation and provision of 4 day working week for refuse operatives.	March 2013	Craig Thelwell

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2012/13 Target
17	RND P069	Crown House site business model produced	Yes
18	RND P050	Percentage of streets that fall below an acceptable level of cleanliness.	To be set
19	NI 168	The percentage of principal roads where maintenance should be considered	4%
19	NI 169	The percentage of non-classified roads where maintenance should be considered	12%
20	NI 191	Number of kilograms of residual household waste collected per household	710
20	NI 192	Percentage of household waste sent for reuse, recycling or composting	46%
20	NI 193	Percentage of municipal waste land filled	6%

## 6 Housing

Ensure that there is access to good quality and affordable housing in sustainable neighbourhoods and communities where people want to live.

Outcome No.	Description
21	Hartlepool has an improved and more balanced housing offer that meets the needs of residents and is of high quality design
22	Hartlepool has improved housing stock where all homes across tenures offer a decent living environment
23	Housing Services and housing options respond to the specific needs of all communities within Hartlepool

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
21	Implement Baden Street Improvement Scheme	Dec 2012	Gemma Day
21	Produce an annual assessment and evidence based housing need document using information obtained from Registered Providers.	Dec 2012	Nigel Johnson
22	Produce a new strategic housing market assessment that will identify housing need, including affordable housing need, across the borough for now and the future.	June 2012	Derek Gouldburn
23	Review the performance of the current selective licensing scheme by obtaining baseline data and use this review to inform a decision to expand the scheme	March 2013	Nigel Johnson

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2012/13 Target
21	NI 155	Number of affordable homes delivered (gross)	80
21	LAA H P001	Number of long term (over 6 months) empty homes brought back into use.	To be set
22	RND P071	Number of properties improved through grants or loans schemes.	Monitor Only
23	RND P051	Number of households where homelessness has been prevented through Local Authority action	To be set

## 7 Culture and Leisure

Create a cultural identity for Hartlepool which attracts people to Hartlepool and makes us proud to live and work here.

Outcome No.	Description
24	People enjoy equal access to leisure, culture, sport, libraries which enrich their lives, improve the places where they live, and strengthen communities.

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
24	Achieve Service Accreditation as required across community services.	March 2013	John Mennear
24	Work closely with key partners and groups to deliver programmes of activity to meet the sport and physical activity needs of the Hartlepool community increasing participation by 1%	March 2013	Pat Usher
24	Deliver New Renaissance Programme to improve access to Museum Services and develop new audiences	March 2013	David Worthington

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2012/13 Target
24	LAA CL P001	Number of people from vulnerable groups engaged in culture, leisure activities and sport	1115
24	P059 (LAA CL 003)	Overall average attendance at Mill House, Brierton and Headland Leisure Centres	410,000



## 8 Strengthening Communities

Empower individuals, groups and communities, and increase the involvement of citizens in all decisions that affect their lives.

Outcome No.	Description
25	Local people have a greater voice and influence over local decision making and the delivery of services
26	Make a positive contribution – people are involved with the community and society

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
25	Refresh the Voluntary & Community Sector (VCS) Strategy and combine with the Compact	March 2013	Karen Oliver
25	Implement revised Neighbourhood Management arrangements including revisions to Neighbourhood Action Plans and ward boundary changes	June 2012	Denise Ogden
25	Develop a Neighbourhood plan for the rural area of Hartlepool in line with new neighbourhood planning policy under the localism act.	April 2013	Adele Wilson
25	Develop and implement response to the Assets of Community Value within the Localism Act	March 2013	Dale Clarke
25	Develop and implement response to the Community Right to Challenge within the Localism Act	March 2013	David Hart
26	Develop parents forums within Early Intervention Localities that inform service design and planning	March 2013	Tracy Liveras
26	Support children and young people(0-19) to participate in service design and democratic processes	March 2013	Mark Smith

### Performance Indicators

Outcome No.	PI Ref. No.	Performance Indicator	2010/11 Target
SC24	NI 111	First time entrants to the Youth Justice System aged 10-17	To be agreed

## 9 Organisational Development

Outcome No.	Description
27	Improve the efficiency and effectiveness of the organisation
28	Deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction
29	Maintain effective governance arrangements for core business and key partnerships
30	Maintain effective Performance, Finance and Risk Management Arrangements
31	Maintain the profile and reputation of the Council
32	Deliver effective Member and Workforce arrangements, maximising the efficiency of the Council's Democratic function

### Actions

Outcome No.	Actions	Date to be completed	Responsible officer
27	Review the Council's Commissioning and Procurement Strategy	March 2013	David Hart
27	Review and update Medium Term Financial Strategy (MTFS)	Mar 2013	Chris Little
27	Determine and implement a revised programme to deliver the savings required in light of MTFS and budget settlement for 2012/13 and 2013/14 incorporating options for service delivery including collaboration.	Mar 2013	Andrew Atkin / Chris Little
27	Review of Corporate ICT Strategy to ensure it continues to support Corporate Objectives including opportunities to use ICT to generate efficiency savings across the Authority	Mar 2013	Joan Chapman
27	Delivery of key projects identified in ICT Strategy	Mar 2013	Joan Chapman
28	Continue to Model Impacts of Dept for Work and Pension changes to Housing Benefits system	Mar 2013	John Morton
28	Develop framework for new Local Council Tax Rebate Scheme	Feb 2013	John Morton
28	Ensure that the Council has procedures in place to meet the requirements of the Equality Act 2010 by co-ordinating activities across departments to meet the items included in the Equality & Diversity Action Plan	Mar 2013	Christine Armstrong
28	Implement Customer Service and Channel Strategy Action Plan	Mar 2013	Christine Armstrong
29	Ensure lawfulness and fairness of decisions	Mar 2013	Peter Devlin
29	Promote and maintain high standards of conduct by Members and co-opted members.	Mar 2013	Peter Devlin
29	Review governance arrangements for the Partnership working arrangements in the town including Strategic Partners Group and Theme Groups	Mar 2013	Catherine Frank
30	Produce statement of accounts	June 2013	Chris Little
30	Review 2012/13 service planning approach and make recommendations to improve service planning for 2013/14	Oct 2012	Catherine Frank
31	Implement the Corporate Communications Strategy Action Plan	Mar 2013	Alastair Rae
31	Continue to Promote Healthy Working	Mar 2013	Stuart Langston

<b>Outcome No.</b>	<b>Actions</b>	<b>Date to be completed</b>	<b>Responsible officer</b>
<b>31</b>	Continue to support how employees are recognised, engaged and rewarded	Mar 2013	Joanne Machers
<b>31</b>	Continue to apply and develop the Single Status Agreement and other equality in employment arrangements	Mar 2013	Wally Stagg
<b>31</b>	Compile and deliver the Scrutiny Work Programme for 2012/13	Mar 2013	Joan Stevens

## **Performance Indicators**

<b>Outcome No.</b>	<b>PI Ref. No.</b>	<b>Performance Indicator</b>	<b>2012/13 Target</b>
<b>27</b>	CEDCS P042	Actual savings from efficiency programme to support the MTFS	£3.2m (initial planning assumptions)
<b>27</b>	CEDFI P002	Percentage of Council Tax collected	97%
<b>27</b>	CEDFI P003	Percentage of non-domestic rating collected	98.4%
<b>28</b>	CEDFI P004	Average time to process new Housing Benefit/Council Tax Benefit claims	20 days
<b>28</b>	CEDFI P005	Average time to process Housing Benefit/Council Tax Benefit changes of circumstances	9 days



**Report of:** The Executive

**Subject:** REVENUE BUDGET FORECAST OUTTURN  
2012/13

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**1. Purpose of Report**

- 1.1 The purposes of the report are:
- i) to present details of the final forecast outturn reported to Cabinet on 19<sup>th</sup> March 2012;
  - ii) to enable Council to take account of advice from the Corporate Management Team to allocate part of the additional favourable outturn to manage specific risks and;
  - iii) to inform Council of the net favourable outturn to be allocated to the Council's General Fund Reserve.

**2. Background**

- 2.1 A detailed financial management report was submitted to Cabinet on 19<sup>th</sup> March 2012. This report will be referred to Scrutiny Co-ordinating Committee for detailed consideration.
- 2.2 The report to Cabinet reminded Members that details of the forecast outturn were reported to Cabinet in October and December 2011 and January 2012 for the different areas of the Council's operations. These details were then included in the Medium Term Financial Strategy (MTFS) report referred to Council in February 2012. The report identified the reasons for forecast outturns, which reflected the robust management of budgets, the avoidance of expenditure where possible and the early achievement of 2012/13 savings. The report also identified proposals for using available resources to address specific financial risks and to protect the Council's medium term financial position, particularly the financial challenges facing the Council in 2013/14 as a result of ongoing grant cuts, the re-localisation of Business Rates and the transfer of Council Tax Benefits to local authority control with a 10% funding cut.
- 2.3 Further detailed work has now been completed on the forecast outturns and details were reported to Cabinet on 19<sup>th</sup> March. In broad terms the outturn position is better than previously forecast.
- 2.4 The report to Cabinet also included advice from the Corporate Management Team on the establishment of specific reserves to manage specific risks, which commits part of the additional outturn and leaves a net contribution to the General Fund Reserves of £0.319m.

2.5 The advice provided to Cabinet also needs to be taken into account by full Council and the Corporate Management Team recommend that the specific reserves identified in the report are approved by full Council.

2.6 Section 3 of this report details the information reported to Cabinet.

### **3.0 Information reported to Cabinet 19<sup>th</sup> March 2012**

#### **3.1 General Fund Budget**

3.2 As reported previously further work was needed to assess the outturn position for gas and electricity budgets and adult social care costs. The latter issue reflected a risk of increasing costs as a result of the PCT taking a more robust approach to assessing and reviewing health needs than in the past, which legitimately could increase costs to the Council in some cases.

3.3 These issues have now been reviewed and it is expected there will be an underspend at the year end owing to lower energy prices and usage over the second half of the winter as a result of continuing milder weather. There have been no additional social care costs from the PCT.

3.4 Departments have also continued to manage expenditure robustly and avoided expenditure where possible. In addition, some expenditure anticipated in the current year will be delayed until 2012/13.

3.5 A number of additional expenditure commitments have also been identified which it would be prudent to fund from the additional 2011/12 underspend to protect the Council's financial position in 2012/13. These issues are detailed in Appendix A and total £225,000. This amount includes £90,000 to cover expenditure commitments delayed until 2012/13. These reserves will be managed in accordance with the Budget and Policy Framework Procedure Rules and monitored through the Council's existing financial reporting arrangements.

3.6 Council approval is needed to earmark additional outturn resources to fund the commitments detailed in Appendix A. Assuming this is granted there will be a net underspend to transfer to the General Fund Reserve of £177,000 as summarised below:

	Commitment/ (underspend) £'000
Lower Energy costs	150
Managed Departmental Underspends	162
Expenditure Commitments delayed to 2012/13	90
Proposed Specific Reserves (as detailed in Appendix A)	(225)
Net Underspend to transfer to General Fund Balances	177

#### **3.7 Trading Account Forecast Outturn**

3.8 Detailed work on forecast outturns for trading accounts has also been completed and a number of positive financial outturns are now anticipated at the end of the financial year. An assessment has also been made of the impact of these outturns on future years Trading Accounts as in some instances the 2011/12 outturn reflects

the receipt of income which needs to be carried forward to fund expenditure in future years.

- 3.9 For example, the Vehicle Fleet Trading account will be in surplus at the end of 2011/12 owing to repairs and maintenance costs being lower than they will be in future years when vehicles are older and need more repairs and maintenance. This position reflects the existing strategy of charging fixed annual repairs and maintenance charges for vehicles to avoid 'lumpy' annual recharges which would make year to year budget management unviable. In previous years these timing differences were managed through the year end budget management arrangements for Trading Accounts and resources were carried forward to meet future repairs and maintenance commitments.
- 3.10 Similarly, the Engineering Consultancy Trading account has generated additional fee income on major projects. It would be prudent to carry these resources forward to manage downturns in fee income. This will avoid unbudgeted pressures in future years and enable the Council to maintain in-house expertise and employment.
- 3.11 Following the recent decision by Council on the use of additional outturns proposals for using Trading Account outturns need full Council approval. The Corporate Management Team has recommended a range of proposals for allocating 2011/12 Trading Account outturns to manage financial risks as detailed in Appendix B totalling £0.325m. These reserves will be managed in accordance with the Budget and Policy Framework Procedure Rules and monitored through the Council's existing financial reporting arrangements.
- 3.12 **Early Intervention Grant Forecast Outturn**
- 3.13 Careful and robust management of Early Intervention Grant expenditure has continued and this action has achieved an additional underspend of £0.120m.
- 3.14 In addition, the Council received an unannounced increase in the EIG grant allocation for 2011/12 of £0.022m on 24th February 2012. The Department for Education have not provided an explanation for this increase. This position is not unexpected as this is not a ring-fenced grant.
- 3.15 There are no commitments or additional financial risks which need to be funded from the increased underspend on the EIG, or the additional grant recently announced by the Government. Therefore, it is recommended that these resources, which total £0.142m are transferred to the General Fund Reserve.
- 3.16 **Industrial Action Pay Saving and Special Responsibility Allowance Savings**
- 3.17 An initial assessment of the saving in pay costs as a result of the national day of industrial action anticipated a one off saving of £50,000. Council resolved to allocate these resources to establish a ring-fenced budget for retraining staff on the redeployment register. The actual budget saving has now been calculated and is £47,000.
- 3.18 There will be a saving in the current year from a reduction in the number of Special Responsibility Allowances paid to Cabinet Members of approximately £3,000. It is recommended that this amount is allocated to offset the reduction in the pay saving arising from the industrial action and is allocated towards the ring-fenced budget for retraining staff on the redeployment register.

- 3.19 The above issues will provide the ring-fenced budget for retraining staff on the redeployment register of £50,000.

#### **4. Conclusion**

- 4.1 Departments have continued to manage expenditure robustly and avoid expenditure where possible for the General Fund budget and EIG budgets. As a result of this action additional year end underspend are forecast to be achieved.
- 4.2 The Corporate Management Team have identified a number of additional commitments which are not covered within existing budgets. Officers recommended that Cabinet seeks Council approval to establish specific reserves to manage these commitments to avoid these issues impacting on the 2012/13 budget. These items total £0.225m, including £0.090m of expenditure delayed from 2011/12 until 2012/13, as detailed in Appendix A.
- 4.3 Assuming Council approves the establishment of the specific reserves recommended by the Corporate Management Team there will be a net underspend of £0.319m (£0.177m from the General Fund Budget and £0.142m from the EIG budget). In accordance with the resolution from the Council meeting on 9<sup>th</sup> February this money will be allocated to the Council's General Fund, to ensure that any further allocation of these monies is subject to full Council approval.
- 4.4 The Corporate Management Team recommend that full Council delay developing a strategy for using the net underspend until the 2013/14 budget is developed. This will enable any usage to be considered in the context the Council's overall financial position for 2013/14 and the financial issues which will need to be addressed, which includes:
- The actual level of 2012/13 grant cuts – as reported previously the MTFs forecast are based on the national grant cuts in local government funding. Based on experience in 2011/12 and 2012/13 there is a risk that actual grant cuts for Hartlepool could be higher;
  - The actual impact on Hartlepool of the re-localisation of Business rates; and
  - The actual impact of the Council Tax Benefit changes.

#### **5. Proposals**

- 5.1 It is proposed that Council:
- i) Note the report and the advice from the Corporate Management Team in respect of the following decision to be taken by full Council;
  - ii) Approve the allocation of part of the additional General Fund outturn to meet the commitments identified in Appendix A (£0.255m) and to transfer the remaining additional General Fund Outturn of £0.177m to the General Fund Reserve;
  - iii) Approve the allocation of £0.325m from the Trading Account outturn to manage the risks and commitments identified in Appendix B;

- iv) Note that no additional Early Intervention Grant commitment or risks have been identified and the increased outturn of £142,000 will transfer to the General Fund Reserve;
- v) Approve the proposal to delay developing a strategy for using the total resources transferred into the General Fund Reserve of £0.319m detailed in (ii) and (iv) above until the 2013/14 budget process commences. This will enable any usage to be considered in the context of the Council's overall financial position for 2013/14 and the financial issues and risks which will need to be addressed as detailed in paragraph 4.4.
- vi) Approve the allocation of the saving in the current year from a reduction in the number of Special Responsibility Allowances paid to Cabinet Members of approximately £3,000 is towards the ring-fenced budget for retraining staff on the redeployment register.



## APPENDIX A

**General Fund Budget - Proposed Specific Reserves**

Dept	Reserve	Amount £'000	Purpose of Reserve	How Reserve Funded
Adult	Bowling Club Rent	25	1 year rent free period from current lease for Indoor Bowling Club as approved by the Finance & Procurement Portfolio Holder on the 15.12.11	Increase in forecast managed underspend by Child & Adult Department
Child	Care Matters - Service Developments for Looked After Children	90	Internal Works at Church Street offices to create a suitable young persons space and multi purpose interview room. Young people will be involved in the design of this project. The balance of funding not required for this project will be allocated towards the potential refurbishment of Blakelock Gardens for semi independent housing for Care Leavers.	The underspend has arisen from the delayed implementation of this project.
Child	Education Psychology	17	Funding to cover maternity leave within the section ensuring services to schools are unaffected.	Increased income from services provided to schools.
Child	Performance Data - YOS Statistical Analysis	5	To fund a further 2 month secondment of a member of staff engaged in analysis relating to Youth Offending.	Funding was provided from YOS to carry out this statistical analysis. The project was delayed and this funding would ensure the project was completed.
Regen & N'Hoods	Contribution to Local Plan & Housing Strategic Studies Reserve	58	To support the future cost of undertaking Housing Strategic Studies and the Local Plan Review which occurs every 3-5 years.	An annual budget provision is set which will achieve the required cumulative amount required every 3-5 years. Underspends result each year and these are carried forward to fund the cost in year 3 or 5.
Regen & N'Hoods	Digital City	30	To cover Hartlepoons contribution towards a three year period of operation of the Digital City business initiative to assist in the development of a sub regional sustainable specialist business support programme. The funding requirement will likely be defrayed in financial year 2014-15 at the back end of the financial profile.	From overall outturn on departmental budgets.
<b>Total</b>		<b>225</b>		

## APPENDIX B

**Trading Operations - Proposed Specific Reserves**

Dept	Reserve	Amount £'000	Purpose of Reserve	How Reserve Funded
Regen & N'Hoods	Contribution to Engineering Consultancy Reserve	100	To cover potential bad debts in this area and manage future potential income shortfalls as the capital programme is reducing in future years.	Higher than anticipated fee income on major capital projects and some one off funding.
Regen & N'Hoods	Contribution to Fleet Reserve	100	To manage future repairs and maintenance costs over the whole life of the fleet	Vehicle charges are fixed and include an allowance for repairs and maintenance costs over the operational life of the vehicle. This arrangement provides financial stability for users and supports annual budget planning. However, the timing of repairs and maintenance is difficult to predict and as such a surplus may result in one year which is followed by an overspend the next year. It is therefore prudent to create a reserve to manage this risk over the life of the fleet.
Regen & N'Hoods	Contribution to Plant Replacement Reserve	40	To fund the costs associated with Plant equipment over more than one year. These include repairs and maintenance as well as the purchase cost of future replacements.	The Council purchases Plant equipment which is used over a number of years. Hire charges are intended to cover the costs of ownership over the operational life of the Plant, including the replacement cost. This arrangement provides financial stability for users and supports annual budget planning. However, the timing of when purchases occur and when repairs and maintenance costs are incurred, means that a surplus may result in one year and an overspend the next year. It is therefore prudent to create a reserve to manage this operation over more than one year.
Regen & N'Hoods	Contribution to Stranton Nursery Reserve	40	To contribute towards the works at Tanfield Road Nursery including the expansion and improvement of retail facilities. This will be added to the reserve already created.	Additional external income above budgeted levels.
Regen & N'Hoods	Contribution to Passenger Transport Reserve	45	To manage the risk of future income shortfalls in the developing area of private hire, as part of a strategy for income development and support income generating opportunities in the future.	This is a new service area which is still in its development stage and income this year was higher than anticipated.
<b>Total</b>		<b>325</b>		

**COUNCIL**  
12 April 2012



**Report of:** Acting Chief Executive

**Subject:** BUSINESS REPORT

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**1. Cover for Chief Executive Vacancy**

Following the post of Chief Executive becoming vacant the Director of Child & Adult Services was appointed as Acting Chief Executive and backfill arrangements were also agreed within the Child and Adult Services Department to provide necessary cover for statutory responsibilities in the absence of the Director and provide sufficient capacity to ensure service delivery. These temporary arrangements were due to expire on 31 March 2012.

Cabinet considered a report on 9 March 2012 which recommended that the current arrangements be extended until full consideration of the options available could be given after Council elections in May.

As reported to Council in October these arrangements delivered a saving in 2011/12 of £76,848. It was anticipated that the temporary arrangements may extend into 2012/13 and it was reported that if that should occur a monthly saving of £10,978 will accrue to the Council from April 2012.

This monthly saving figure will be adjusted to £10,483 however to reflect that one of the officers appointed to cover some of the Director of Child & Adult Services responsibilities has now left the authority and the Assistant Director – Prevention, Safeguarding & Specialist Services will undertake the additional responsibilities and is currently on a lower substantive salary.

Cabinet agreed to extend the cover arrangements until 30 June 2012 and to begin discussions with other Elected Members to determine an appropriate way forward in the new municipal year.

**2. Peer Challenge Session**

As Council will be aware the system of measuring and assessing a council's performance by a system of Comprehensive Area Assessment or Comprehensive Peer Assessment (CAA/CPA) has been abolished. In order to support councils to continue to improve and to be open to external challenge, the government has supported the development of a system of self regulation and improvement in partnership with the LGA and local

councils. The aim of this system is to help councils strengthen local accountability and tackle the way they evaluate and improve services. The approach has been discussed extensively with councils and builds on past experience. It is based on the following principles:

- councils are responsible for their own performance
- stronger local accountability leads to further improvement
- councils have a sense of collective responsibility for performance in the sector as a whole
- the role of the Local Government Association (LGA) is to help councils by providing the necessary support.

An approach has been developed with DCLG and LGA to offer councils a range of free of charge/subsidised tools and support available from April 2011 onwards.

This approach to sector led improvement is replicated in relation to Child and Adult Services who will also be subject to Peer Challenges over the next 12 months in relation to safeguarding services and one other themed review.

A central part of the offer is for each council to have a free corporate peer challenge.

At a meeting of the Scrutiny Coordinating Committee on the 9th March at which the Mayor was present it was agreed that a corporate peer challenge would be of benefit in September 2012. It was agreed that the peer challenge would be well timed to consider and review with the council how well the new governance arrangements within the council have bedded down post local elections this year.

Council is therefore asked to agree to undertake a Peer Challenge session in September 2012 and for the Mayor and Chair of Scrutiny Coordinating Committee to work with the Acting Chief Executive and the Local Government Association to agree the scope of the review.

### **3. Resignations**

#### **(i) Resident Representative**

Mr Peter Joyce, a resident representative for the South Area has indicated that he is resigning with immediate effect. As well as his position on the South Neighbourhood Forum, Mr Joyce was also appointed as a resident representative to the Regeneration and Planning Services Scrutiny Forum.

#### **(ii) Co-opted Member**

Mrs Eira Ballingall who was appointed co-opted Member of the Children's Services Scrutiny Forum as a secondary school parent governor, resigned

from the Scrutiny Forum. Arrangements are in place to seek a replacement secondary school parent governor to participate in the Scrutiny Forum.

Council is requested to note the resignations.