

CABINET

MINUTES AND DECISION RECORD

9 July 2012

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

Present:

The Mayor, Stuart Drummond - In the Chair

Councillors: Cath Hill (Children's and Community Services Portfolio Holder)

John Lauderdale (Adults' and Public Health Services Portfolio Holder)

Paul Thompson (Finance and Corporate Services Portfolio Holder)

Also Present:

Councillors: Christopher Akers-Belcher, Vice Chair of Scrutiny Co-ordinating Committee/Chair of Children's Services Scrutiny Forum

Stephen Akers-Belcher, Chair of Health Scrutiny Forum

Carl Richardson, Chair of Adult and Community Services Scrutiny Forum

Geoff Lilley

Officers:

Andrew Atkin, Assistant Chief Executive,

Peter Devlin, Chief Solicitor

Alyson Carman, Legal Services Manager

John Morton, Assistant Chief Finance Officer

Dave Stubbs, Director of Regeneration and Neighbourhoods

Damien Wilson, Assistant Director, Regeneration and Planning

Denise Ogden, Assistant Director, Neighbourhood Services

Graham Frankland, Assistant Director, Resources

Sally Robinson, Assistant Director, Prevention, Safeguarding and Specialist Services

Louise Wallace, Assistant Director, Health Improvement

Joan Stevens, Scrutiny Manager

Angela Armstrong, Principal Democratic Services Officer

23. Apologies for Absence

None.

24. Declarations of interest by Members

Councillor Thompson declared a personal interest in minute 33 and 34.

25. Minutes of the meeting held on 25 June 2012

Received.

26. Referral Response – Medium Term Financial Strategy – ICT Services *(Scrutiny Co-ordinating Committee)*

Type of decision

Non key.

Purpose of report

The report informed Cabinet of the Scrutiny Co-ordinating Committee's formal response to the referral from Cabinet on 11 June 2012, in relation to the provision of Information and Communications Technology (ICT) services for the authority.

Issue(s) for consideration by Cabinet

At its meeting on 29 June 2012, the Scrutiny Co-ordinating Committee had considered the three potential options identified for competitive dialogue. The Vice Chair of Scrutiny Co-ordinating Committee confirmed that the Committee had considered all the information provided and considered that the 'In house' and 'public/public' options should be disregarded due to the level of additional monies required to pursue those options. Whilst the Committee were supportive of the 'private sector only' option, they were keen to see the retention and growth of local jobs within the contract to provide local economic benefits along with the incorporation of scalability in terms of services and the potential for expansion to other local authorities.

On the basis of the information provided and discussions at the meeting on 29 June 2012, the Scrutiny Co-ordinating Committee:

- (i) Recommended that options in relation to public/public arrangements and in-house provision should be disregarded at this time and that all enquiries should be put into securing the best possible private sector outcome.
- (ii) Supported the principle that the objectives outlined in Section (vii) of the report should flow through any outsourced arrangement/contract; and
- (iii) Recognised the importance of the officer monitoring/management role in ensuring that the promised outcomes of any contract (ie employment generation, economic benefits and performance) were delivered.

Decision

The referral response from Scrutiny Co-ordinating Committee was noted.

27. Medium Term Financial Strategy – ICT Services *(Assistant Chief Executive/ Chief Finance Officer/Assistant Director, Resources)*

Type of decision

Key Decision – Test (i) and (ii) applies – Forward Plan ref: CE50/11

Purpose of report

The purpose of the report was to consider the options available to the Council and the associated timescales, costs and implications of implementing the decision of Council on 23 February in respect of the Medium Term Financial Strategy (MTFS) and more specifically the provision of Information and Communications Technology (ICT) services for the authority.

This report was considered by Cabinet on 11 June 2012 and was presented to Cabinet again in the light of the referral to Scrutiny, for further consideration in the light of the comments received from Scrutiny Co-ordinating Committee on 29 June 2012 as noted in minute 26 above.

Issue(s) for consideration by Cabinet

The Assistant Chief Executive referred to the referral response received from Scrutiny Co-ordinating Committee on 29 June 2012 and the recommendations contained therein (see minute 26). Members' attention was drawn to paragraph 15.6.3 which detailed the objectives for the procurement of the delivery of ICT Services to the local authority. In addition to the above, a request was made for Council approval to identify £80k in relation to undertaking a competitive dialogue process.

It was confirmed that as part of the reprocurement of ICT Services, employees classed as in scope for provision would be the current Northgate employees and normal TUPE arrangements would apply for those employees.

A Member highlighted the potential risk that the private sector may be reticent to invest in producing and formalising tender documentation for this contract. The Assistant Chief Executive noted that this had been flagged up as a potential risk and there were arrangements in place to mitigate that risk. Whilst it was recognised that there would be a risk, it was also noted that there had been significant interest from the private sector and the progress of this proposal was being monitored as it was considered a significant contract. It was believed that the private sector would be reassured once the scope of the agreement was determined and the objectives clarified.

Cabinet supported the private sector only option along with the objectives noted in paragraph 15.6.3 as it was considered the most cost effective option with the potential to save more money in the long term. Whilst the Assistant Chief Executive confirmed that resources would be needed for some external support, the majority of the process would be undertaken by reallocating workloads.

Decision

Cabinet:

- (i) Considered the views of Scrutiny as noted in minute 26 as a result of

- the referral from the Cabinet meeting on 11th June 2012
- (ii) Noted the investigations and information which has been undertaken in respect of the decision of Council on 23rd February 2012.
 - (iii) Noted the results of the informal assessment of the potential for a Public / Public arrangement and the implications of this identified in the report.
 - (iv) That the scope of the competitive dialogue should be Private sector only was approved.
 - (v) The objectives of the procurement to maintain and improve services, achieve savings and maintain a base in Hartlepool, retain and grow jobs, provide local economic benefits, provide TUPE protection for staff and include scalability in terms of services and expansion to other local authorities were approved.
 - (vi) Notwithstanding the objectives of the procurement identified above the implementation of a competitive dialogue process was agreed.
 - (vii) That full Council approval be sought to allocate up to £0.215m from the uncommitted backed-dated Job Evaluation Appeal reserves (i.e. the resources not needed to replace the loss of the ICT / Revenues and Benefits and the removal of the Denominational Transport savings in 2012/13 and net of the £50K managed revenue underspend which has been earmarked to contribute to this) of £0.545m transferred to the General Fund Reserves to fund the up-front costs associated with this along with £80,000 to enable a competitive dialogue process to be undertaken for the private sector only option.
 - (viii) That full Council approval be sought to allocate the remaining balance of the resources transferred to the General Fund Reserves from the uncommitted backed-dated Job Evaluation Appeal reserves of £0.330 on an 'in principle' basis to provide temporary support for the budget in 2013/14 pending the full year ICT saving being achieved in 2014/15. The 'in principle' decision will then be ratified as part of the formal budget setting report in February 2013 to enable full Council to consider this issue in the context of the Councils overall financial position and the budget cuts which will need to be made in 2013/14.
 - (ix) That the Assistant Chief Executive be authorised to conduct negotiations with the current supplier in relation to the revision of timescales for re-tendering in relation to the current contractually agreed dates.
 - (x) That the results of the exercise would be received by Cabinet once completed.

28. Final Report into 'Cancer Awareness and Early Diagnosis' (Health Scrutiny Forum)

Type of decision

Non key.

Purpose of report

To present the Final Report of the Health Scrutiny Forum following its investigation into 'Cancer Awareness and Early Diagnosis'.

Issue(s) for consideration by Cabinet

The Chair of the Health Scrutiny Forum presented the report which outlined the overall aim of the scrutiny investigation, terms of reference, method of investigation, findings, conclusions, and subsequent recommendations. The Chair highlighted that during the investigation, Members were concerned to note the prevalence of smoking, in particular with young people. The Forum had taken a dim view around the branding, packaging and marketing of cigarettes which was obviously aimed at attracting younger people to smoking. However the Forum did express their support for the work undertaken by FRESH and other similar organisations in their efforts to combat the dangers of smoking and discourage young people from beginning to smoke.

Cabinet welcomed the report and its findings and thanked Scrutiny for the work completed.

Decision

That the recommendations set out below of the Health Scrutiny Forum following its investigation into 'Cancer Awareness and Early Diagnosis' be approved and adopted: -

- (a) That in relation to the Teesside Cancer Awareness Roadshow:-
 - (i) Hartlepool Borough Council hosts a Roadshow ensuring messages are embedded in the Council's health and wellbeing promotion to staff; and
 - (ii) Hartlepool Borough Council encourages appropriate Town based community venues and events to host a Teesside Cancer Awareness Roadshow.
- (b) That Hartlepool's Health and Wellbeing Board ensures that Stop Smoking Services and smoking cessation is embedded in the JSNA;
- (c) That in relation to the issue surrounding whether there is a link between high risk industrial workers and the contraction of cancers through the ingestion of particulates, such as coal dust:-
 - (i) The Public Health Directorate at NHS Tees carries out a literature research into the topic; and
 - (ii) That in relation to recommendation c(i) this information is shared with the Health Scrutiny Forum;

- (d) That NHS Hartlepool and the emerging Clinical Commissioning Group:-
 - (i) Ensure that cancer screening levels are improved across GP Practices in Hartlepool; and
 - (ii) Devise and share a strategy with the Health Scrutiny Forum for targeting cancer screening and awareness activity in the workplace / venues where residents gather socially; building on the good practice of those workplaces who employ nurses.
- (e) That the evidence about the impact of the role of the former Head of Community Midwifery in encouraging access to stop smoking services by pregnant women, be emphasised with North Tees and Hartlepool NHS Foundation Trust to seek assurances for its continued impact, following recent post restructuring;
- (f) That Hartlepool Borough Council, through its new Public Health responsibility, ensures that young people in schools and youth groups receive appropriate hard hitting messages about the cancer risk of smoking, alcohol and poor diet;
- (g) That in line with the smoke free workplace, as detailed in the Health Act 2006, Hartlepool Borough Council develops a strategy with partner organisations that:-
 - (i) Educates licensed taxi drivers about the effects of passive smoking, reminding them of the legislation of not smoking in the workplace; and
 - (ii) Determines appropriate enforcement options for licensed taxi drivers who are in breach of the smoke free workplace.

29. Scrutiny Investigation into 'Cancer Awareness and Early Diagnosis' – Action Plan *(Director of Public Health)*

Type of decision

Non key.

Purpose of report

To agree an Action Plan in response to the findings and subsequent recommendations of the Health Scrutiny Forum's investigation into 'Cancer Awareness and Early Diagnosis'.

Issue(s) for consideration by Cabinet

The report included background information into the 'Cancer Awareness and Early Diagnosis' scrutiny investigation and provided a proposed Action Plan set out at Appendix A to the report in response to the Scrutiny Forum's

recommendations.

Decision

- (i) That the Action Plan in response to the recommendations of the Health Scrutiny Forum's investigation into 'Cancer Awareness and Early Diagnosis' was approved.
- (ii) That the Action Plan be reported to the next meeting of the Health and Well Being Board for information

30. Call-In of Decision: Future Options for the Provision of a Strategic HR Function *(Scrutiny Co-ordinating Committee)* **Future Options for the Provision of a Strategic HR Function** *(Chief Executive)*

Type of decision

Non key

Purpose of report

A report was submitted to Cabinet on 11 June 2012 which set out options for the future provision of a strategic HR function. This report presented three options for Cabinet to consider:

- Reappointment of a Chief Customer and Workforce Services Officer
- Undertake an internal restructure which removes the strategic HR post
- Continue to share a Head of HR with Darlington Borough Council

At the meeting on 11 June, Cabinet's decision was as follows:

- (i) Cabinet agreed to enter into a new agreement with Darlington Borough Council to share a joint Head of HR and that the Acting Chief Executive and/or Chief Solicitor be delegated to finalise the legal agreement with the General Purposes Committee.
- (ii) That the arrangements be reviewed in 12 months' time.

This decision was subsequently subject to a Call-In notice issued on 22 June 2012. This notice was accepted and considered at the meeting of Scrutiny Co-ordinating Committee on 29 June 2012.

Issue(s) for consideration by Cabinet

The Vice Chair of Scrutiny Co-ordinating Committee confirmed that the Committee had unanimously requested further information and additional time to consider that information, to enable an informed decision to be made on what was considered integral to how the Council moves forward. It was also requested that this proposal be referred to full Council to enable the input of all Members. It was highlighted that the provision to undertake an extended investigation had been included within the Call-In process on previous occasions, albeit in exceptional circumstances.

Members of the Cabinet were reminded of the decision making process involving the Executive and the Overview and Scrutiny function and considered that changing this process to include referring decisions to Council would undermine the process that had operated for over 10 years. The importance of finalising a decision on the future of the provision of Strategic HR in a timely manner was reiterated by The Mayor as this may affect any future collaborative arrangements as well as the reputation of the Council.

It was noted that there had been concerns raised at Scrutiny Co-ordinating Committee that as this decision would result in the Local Authority entering into a year long contract, this would ultimately affect the budget and policy framework and should therefore be a Council decision. It was argued that all decisions that were made impacted on the budget and policy framework in some way.

The Chief Solicitor drew Members' attention to paragraphs 3.9 and 3.10 in the report which outlined the timescale provisions around the Call-in function.

The Mayor provided the background to the original decision to share a Head of HR post with Darlington which had generated a considerable saving to the Local Authority. As a result of a change in circumstances, the Strategic HR function needed further review and from the options available, the sharing of a Head of HR post, which was the current arrangement, was the most cost effective. The Mayor indicated he was minded to reaffirm the original decision subject to any comments from other Cabinet Members. During the discussions that followed The Mayor stated that sharing the post of Head of HR with Darlington Borough Council was the most cost effective option.

Decision

Cabinet reaffirmed the decision taken on 11 June 2012 as follows:

- (i) Cabinet agreed to enter into a new agreement with Darlington Borough Council to share a joint Head of HR and that the Acting Chief Executive and/or Chief Solicitor be delegated authority to finalise the legal agreement with the General Purposes Committee.
- (ii) That the arrangement be reviewed in 12 months' time.
- (iii) That in accordance with the Constitution, this decision be reported back to Scrutiny Co-ordinating Committee.

31. Models of Senior Management Officer Structure for the Authority (*Corporate Management Team/General Purposes Committee*)

Type of decision

Key Decision – Test (i) and (ii) apply. Forward Plan ref no CE52/12.

Purpose of report

To set out the options available for Members' consideration in respect of the future Tier 1 management of the authority and to enable consideration of the recommendations from the General Purposes Committee held on 2 July 2012, reconvened from 25 June 2012.

Issue(s) for consideration by Cabinet

At its meeting on 25 June 2012, adjourned and reconvened on 2 July 2012, the General Purposes Committee considered two reports from the Corporate Management Team in relation to Models of Senior Management Officer Structure for the Authority. It was highlighted that the Corporate Management Team had recommended the appointment of a Chief Executive Officer. The Committee considered all options proposed along with background information and associated financial implications for the local authority.

The Committee made the following recommendations:

1. The statutory role of Head of Paid Service of Hartlepool Borough Council should be combined with the duties of a Chief Executive Officer.
2. A Chief Executive Officer should be remunerated through a salary banding of £140,000 - £150,000.
3. The above salary banding, should be based upon five annual increments and performance should be based against measurable criteria including the Council's Annual Governance Statement.
4. That amendment to the Chief Executive's remuneration and relationship between Chief Officer and non-Chief Officer remuneration should be reflected through amendments to the Council's Pay Policy Statement and will require the consent of Council.
5. That an Appointment Panel should be convened in line with the Council's Officer Employment Procedure Rules to make appropriate recommendations to Council.

Decision

Cabinet agreed with the recommendations as noted above.

32. Furniture Solutions Project (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision – Test (ii) applies. Forward Plan ref RN 14/12.

Purpose of report

To outline the proposal for the delivery of a Furniture Solutions Project, and to seek Cabinet approval to progress with this preferred option in terms of the deliver model.

Issue(s) for consideration by Cabinet

The report provided the background to the proposal and outlined the project purpose and delivery mechanisms. It was noted that the £50,000 approved by full Council on 23 February 2012 would be used to spearhead an expansion in the provision of fair, affordable credit to protect the interests of financially excluded consumers and would support the delivery of the Council's empty homes agenda. The additional benefits of the project which would deliver a number of positive outcomes across the town were detailed in the report. The report included the funding and financial considerations and the risks associated with the project.

In relation to the funding of the proposal, it was noted that there were a number of different community and voluntary sector organisations already providing this type of service in the town. It was suggested that the funding be provided to a host organisation on a secured loan basis to ensure the implementation of the project. To enable Members' to give full consideration to the proposal, further information on similar services already provided within the town was requested. In addition, it was suggested that examination be undertaken of how the local authority develop the social fund to ensure joined up thinking was in place to enable it to complement the Furniture Solutions Project.

The Assistant Director, Regeneration and Planning Services confirmed that current providers of similar schemes were being consulted on the best way forward for the next stage in the process. The importance of ensuring all local organisations were involved in this service provision was emphasised with links through the host organisations via loans at reasonable rates of interest. The Vice Chair of Scrutiny Co-ordinating Committee added that it was important to complement the services that was already being delivered within the town and to ensure progress, did not see any value in referring this issue back to Scrutiny Co-ordinating Committee.

However, it was suggested that this issue be reported to the next meeting of Cabinet with further information on what similar services were provided in the town and by which organisation and to enable further consideration to be given to how this service should link into the social fund.

Decision

That an additional report be submitted to the next meeting of Cabinet including further information on the current level of similar service provision within the town and which organisations provide that, along with details of how this service should link into the social fund.

33. Renewal of Longhill and Sandgate Business Improvement District (BID) *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision – Test (ii) applies. Forward Plan ref RN 21/12.

Purpose of report

To provide background information on the Longhill and Sandgate Business Improvement District (BID) and to seek authorisation to engage in pursuing a re-ballot for the renewal of the current BID.

Issue(s) for consideration by Cabinet

The report provided the background to the Business Improvement District (BID) and the proposal to pursue a renewal ballot to extend the current BID for a further 5 years. The process to renew the BID would involve a number of steps that have to be taken and a timetable for this process was detailed in the report.

Clarification was sought on whether any scoping work had been undertaken to gauge opinions. The Assistant Director, Regeneration and Planning confirmed that informal consultation had been undertaken with local businesses who were supportive. It was noted that any financial implications would be contained within the information provided to businesses.

In response to a question, the Assistant Director, Regeneration and Planning indicated that the current BID proposal would cover environmental enhancements and dedicated business support but other areas such as marketing may be included.

Decision

That discussions continue with businesses and internal Council sections with a view to completing the business plan and undertaking the renewal ballot with Hartlepool Borough Council as a Partner on the BID Board.

34. Voluntary and Community Sector Strategy – Final for Endorsement *(Director of Regeneration and Neighbourhoods)*

Type of decision

Key Decision – Test (i) applies. Forward plan ref 96/11.

Purpose of report

To present the final Voluntary and Community Sector Strategy for endorsement and report the governance arrangements to take the strategy forward for consideration by Cabinet.

Issue(s) for consideration by Cabinet

The report provided the background to the review of the Voluntary Sector Strategy (VSS) and Compact and detailed the 8-week comprehensive consultation process which commenced in March 2012. In relation to governance, it was proposed that a VCS Steering Group be established and a proposed membership was included within the report. The report provided two options for the chairing arrangements for the VCS Steering Group and Members' views were sought.

It was noted that a significant amount of work had been undertaken to progress the review of this Strategy. The Assistant Director, Neighbourhood Services confirmed that there had been a lot of good feedback on the Strategy from the voluntary and community sector.

In relation to the chairing of the Steering Group, it was suggested that the Group should nominate a Chair from within the membership. During the discussions it was suggested that 2-3 Elected Members should also be included within the membership of the Steering Group and nominations should be sought from Council.

Decision

- (i) The consultation process undertaken to develop the Voluntary and Community Sector Strategy was noted.
- (ii) The Voluntary and Community Sector Strategy was noted.
- (iii) The governance arrangements for the Voluntary and Community Sector Strategy Steering Group were approved.
- (iv) The Chair of the Voluntary and Community Sector Strategy Steering Group to be nominated by the Group from within its membership.
- (v) That nominations be sought from Council for 2-3 Elected Members to participate in the Voluntary and Community Sector Strategy Steering Group.

35. Development of a Children's Home: Business Case *(Director of Child and Adult Services and Chief Finance Officer)*

Type of decision

Key Decision – Test (i) and (ii) apply. Forward Plan ref CAS 130/12.

Purpose of report

To present the Business Case for the development of a Children's Home within Hartlepool and seek approval to proceed.

Issue(s) for consideration by Cabinet

The report provided the background to development of a Children's Home within Hartlepool and detailed the two options being considered. It was noted that further examination and review of the option to approach another local authority to develop and manage a children's home within Hartlepool had identified a number of potential difficulties. In relation to the option for

the local authority to develop and manage a children's home, it was considered that the Child and Adult Services Department had the necessary expertise, skills and knowledge to pursue this option. Some of the benefits of the Council delivering the home were outlined in the report. Furthermore, it was noted that a potential property had been identified and whilst the potential of that property was being explored, work would continue to examine all the options available.

The financial considerations were detailed within a confidential appendix. **This items contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, information relating to the financial or business affairs of any particular person (including the authority holding that information).**

A cost benefit analysis had been undertaken examining the cost of placements for children looked after by Hartlepool Borough Council in residential care and this was included within the report. The financial projections were also detailed in the report.

In conclusion it was considered that the development of a children's home by Hartlepool Borough Council would be in the best interests of the children looked after by the local authority leading to improved outcomes. It would also demonstrate value for money and enable the Council to better control costs associated with children's residential care.

A Member commented that she had received a number of telephone calls from concerned residents and the possible location of the proposed children's home. The Assistant Director, Safeguarding, Prevention and Specialist Services confirmed that full consultation would be undertaken with local residents, once a potential property had been identified. In response to clarification sought from a Member, the Assistant Director indicated that even some of the more complex cases could be managed within a local authority owned children's home in conjunction with appropriate wraparound services being in place.

It was hoped that elected Members would reassure any concerned local residents by explaining the importance of having Hartlepool children located within Hartlepool and the substantial benefits children and young people would gain through being placed within their own community promoting the continuity of relationships with family members, education, health care and social networks. This would provide the children and young people with a strong sense of identity and belonging and this had been highlighted as an important factor by looked after children who had stipulated they wished to live within Hartlepool.

Decision

- (i) The development of a Children's Home in Hartlepool managed by the local authority and to proceed with the development was approved.
- (ii) Authority was granted to enter into formal discussions with a Housing

- Association for the transfer of a property to Hartlepool Borough Council, which was the preferred building for the Home.
- (iii) Council approval be sought to allocate up to £0.1m from the final Early Intervention Grant underspend of £0.135m transferred to the General Fund Reserve, to fund one off adaptation/set up cost of a children's home. To note that if the costs were less than £0.1m the uncommitted monies will remain within the General Fund.
 - (iv) As a fall back position, Council approval would need to be sought to use Prudential Borrowing up to a maximum of £0.4m to purchase a suitable property (if the property does not transfer from Three Rivers Housing Association or an alternative property cannot be rented), which was the amount the revenue business case can support based on a 25 year loan period and the necessary amendments to the Capital Programme. If a property can be rented, the Prudential Borrowing limit and amendments to the capital programme will not be needed.
 - (v) The savings from operating the Council's own home be earmarked to manage temporary under occupancy and/or increased Looked After Children costs.
 - (vi) The legal and statutory requirements in respect of the Council managing and delivering a Children's Home were noted.

36. Business Rate Retention and Localising Support for Council Tax – Response to Government Consultation (*Chief Finance Officer*)

Type of decision

Non key.

Purpose of report

The purposes of the report are to:

- i) Update Cabinet on the latest information provided by the Government in relation to Business Rate Retention and proposal for Localising Support for Council Tax; and
- ii) to enable Cabinet to approve the Council's response to additional consultation questions asked by the Government.

Issue(s) for consideration by Cabinet

The report provided the background and Cabinet's previous considerations of the Government's main consultation proposals for both Business Rates Retention and Localising Support for Council Tax and approved the Council's response to those proposals. The response asked the Government to consider a number of significant issues, which were detailed in the report, before finalising detailed changes, in particular covering business rate safety net thresholds and council tax support grant "floors and

ceilings” arrangements. It was noted that the Government had issued a number of comprehensive ‘Statements of Intent’ which intend to provide details of the issues to be included in secondary legislation/regulations later in the year.

Members were informed that whilst the government has set out arrangements to allow local authorities to pool local business rates to help manage financial risk, discussions at an officer level within Tees Valley have concluded that at this stage as all councils are “top up” authorities and given the lack of final detailed regulations it is not possible to assess the impact and risk of pooling.

A draft response to the Department for Communities and Local Government’s consultation proposals was included within the report. The Assistant Chief Finance Officer added that Hartlepool faced the highest grant cut in the north east at £15 per head, which was nearly twice the lowest in the north east of £8 per head, and approval was sought to include this new information within the response to the consultation. The conclusions detailed the risks to be faced by the Council from the transfer of Council Tax support and Business Rates Retention.

It was hoped that the Government would take full consideration of the Council’s response, in particular around the issues in relation to Hartlepool Power Station.

The Director of Regeneration and Neighbourhoods provided some information on how other local authorities were dealing with this issue. The Assistant Chief Finance Officer confirmed that Hartlepool did not have as much flexibility as some other local authorities regarding council tax exemptions and reductions as the council had removed the council tax reductions for long term empty properties from April this year.

Decision

- (i) The report was noted.
- (ii) The response to the consultation proposals detailed in paragraph 6 table 1, incorporating the amendment that Hartlepool had received a disproportionate grant cut as opposed to other north east local authorities as noted above, was approved.

37. Hartlepool Borough Council/Housing Hartlepool Partnership Agreement (*Director of Regeneration and Neighbourhoods*)

Type of decision

Non key.

Purpose of report

To inform Cabinet of progress made following the decision to explore an

alternative proposal with the Cleveland Fire Authority (CFA) before entering into a partnership agreement with Housing Hartlepool for the provision of Community monitoring services.

Issue(s) for consideration by Cabinet

The report included the background on the original Service Level Agreement (SLAs) in place with Housing Hartlepool to deliver a number of services including the provision of CCTV monitoring, contact points for the Council's emergency call-out, emergency planning, community alarms monitoring for older/vulnerable residents along with Telecare. At the meeting of Cabinet on 25 June 2012, Members were informed that the Chair of the Cleveland Fire Authority had indicated there may be alternative service provision from within the Fire Authority that was worthy of consideration. Whilst Members were minded to agree the partnership arrangements with Housing Hartlepool this was subject to the exploration of the Cleveland Fire Authority proposals.

Further detailed examination had been undertaken of the capability of CFA to undertake these services as well as the impact of terminating the existing arrangements with Housing Hartlepool and any associated costs. Counsel's opinion had been sought and the advice given was that should the Council seek an alternative provider, a full competitive procurement exercise would be necessary.

Due to the complexity of the issues and the timescales involved, whilst Members were agreeable to the continuation of the current arrangements, it was recognised that sufficient break clauses should be included within any agreement to enable flexibility should an alternative more cost effective provider be identified in the future.

Decision

- (i) That Hartlepool Borough Council enter into a Partnership Agreement with Housing Hartlepool, on the basis detailed in the report, to facilitate the delivery of a range of services to the residents of Hartlepool.
- (ii) That appropriate break clauses be included within the agreement to enable both parties to terminate the agreement with a 12 month notice period.

The meeting concluded at 11.00 am

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 12 July 2012