

# **FINANCE AND CORPORATE SERVICES PORTFOLIO**

## **DECISION RECORD**

15 August 2012

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

### **Present:**

Councillor: Paul Thompson (Finance and Corporate Services Portfolio Holder)

Also Present: Jacqui Cameron and Ivy Slimmings.

Officers: Andrew Atkin, Assistant Chief Executive  
Chris Little, Chief Finance Officer  
Graham Frankland, Assistant Director (Resources)  
Dale Clark, Estates and Asset Manager  
Kenny Wardhaugh, Pay and Rewards Team Leader (Acting)  
Christine Armstrong, Customer and Support Services Manager  
David Cosgrove, Principal Democratic Services Officer

### **16. Sale of Land at Less than Best Consideration** *(Director of Regeneration and Neighbourhoods / Chief Solicitor / Chief Finance Officer)*

#### **Type of decision**

Non-key.

#### **Purpose of report**

To review the Local Government Act General Disposal Consent 2003, and, recommend a protocol to ensure a standardised approach for adoption by the Council to ensure compliance with the provisions of the Act.

#### **Issue(s) for consideration by Portfolio Holder**

The Assistant Director (Resources) reported that the government's Plan for Growth Strategy encourages Councils to dispose of Surplus Assets to increase the supply of land for development to stimulate the economy. Where assets are released, the Council generally seeks to maximise the value of capital receipts achieved from the sale of land and buildings. On specific occasions it is appropriate to consider disposing of land at less than best consideration. This situation is specifically recognised within national regulations - The General Disposal Consent (England) 2003, which provides a general consent for Local Authorities to dispose of land or grant a lease in excess of 7 years for less than best consideration.

The report went on to outline the areas that had been considered, including financial, legal and risk issues, in developing arrangements that would satisfy the 2003 General Disposal Consent regulations and cover all the authorities disposal at undervalue. It was proposed that the arrangements would be discussed with the District Audit to seek any views.

The approach set out in the report for the disposal of land at less than best consideration recognised that although legislation provided an opportunity to introduce greater flexibility in relation to the acceptance of monetary and non-monetary benefits as part of best consideration in terms of disposal of assets, substantial control measures needed to be adopted to ensure that this was correctly applied.

### **Decision**

That the approach set out in the report for the disposal of land at less than best consideration be approved.

## **17. Customer and Support Services Annual Report** *(Assistant Chief Executive)*

### **Type of decision**

Non-key.

### **Purpose of report**

To provide the Portfolio Holder with an update on the Customer and Support Services section's performance over the last 12 months including key highlights and achievements and setting out future plans and continuous improvement targets for 2012-13.

### **Issue(s) for consideration by Portfolio Holder**

The Customer and Support Services Manager reported that Hartlepool Connect, the Registration and Nationality Service and Chief Executive's Department Support Services make up the Customer and Support Services section. The section also leads on and coordinates activities to ensure that the Council meets the requirements of the Public Sector Equality Duty that is included in the Equality Act 2010.

Each of the teams within the division previously had their own individual business, service and/or work plans. As staff within the Customer and Support Services section now work more closely together and across teams, all the plans had been collated and refreshed and a business plan for the next three years has been produced. The draft business plan was submitted as Appendix 1. By co-ordinating the plans the division were –

- able to focus our staffing resources where they are needed most
- enhancing our processes by utilising existing and new technology across teams
- improving resilience and considering succession planning.

The service/work plan for 2012-13 was included as Appendix 2 of the report.

During the year, Hartlepool Connect handled 368,763 customer enquiries across the three primary contact channels which was a slight decrease in overall contacts since last year due to reduced signposting.

A total of 71% (263,717) of customers contacted Hartlepool Connect by telephone, 24% (88,076) were personal visits and 5% (16,970) by e-communications. E-communications had increased as expected as the authority pursued a move towards cheaper channels for dealing with customers.

The Portfolio Holder welcomed the report and wished that his congratulations be passed onto the team for their work. The Assistant Chief Executive also commented that the service received quite a number of compliments from users and very few complaints which was very positive for such a busy and high profile service area.

#### **Decision**

1. That the Business Plan 2012-15 be endorsed and that the Portfolio Holders congratulations be forwarded to the Customer and Support Services staff.

### **18. Single Status Agreement Appeals** (*Organisational Development Manager*)

#### **Type of decision**

Non-key.

#### **Purpose of report**

To obtain ratification of Appeals Panel outcomes in respect of appeals arising from the implementation of the Single Status Agreement.

#### **Issue(s) for consideration by Portfolio Holder**

The Pay and Rewards Team Leader (Acting) reported on the background and procedures relating to the determination of appeals submitted in relation to the implementation of the Single Status Agreement. Details of the outcomes of individual appeals was included in a “Not for Publication” Appendix A submitted with the report. The appendix contained exempt information under Schedule 12A Local Government Act 1972, namely information relating to a particular employee, former employee or applicant to become an employee of the Council (para 1).

The Portfolio Holder took questions from two members of the public who sought clarity on the statistical information set out in the open section of the report. Comment was also made on the appeals procedure and the fact that there was no additional appeal to elected members and also the changes to the composition of the appeal panel post implementation of the Single Status Agreement job evaluation appeals. The Portfolio Holder took the comments

on board and indicated that they would be considered should the process be reviewed in the future.

**Decision**

1. That the Appeals Panel Outcomes in respect of Council employees (as detailed in the “Not for Publication” schedule attached to the report) be ratified,
2. That the updated situation in relation to appeals be noted.

**19. Annual Complaints Report 2011/12** *(Assistant Chief Executive)*

**Type of decision**

Non-key.

**Purpose of report**

To inform Portfolio Holder of performance in relation to complaints made against the Council and on the content of the Local Government Ombudsman’s Annual Review Letter detailing a summary of complaints made to them against the authority in 2011/12.

**Issue(s) for consideration by Portfolio Holder**

The Assistant Chief Executive reported that complaints received by the Council were recorded across the Council, by the investigating department, and on a quarterly basis a summary report was prepared by the Performance and Partnerships Team in Corporate Strategy.

For each complaint received, the outcome of the complaint was recorded, as well as the length of time the investigation into the complaint took. Where the Council was found to be at fault, the remedy offered to the complainant and any lessons learnt were also recorded. A summary of the statistical information relating to the numbers of corporate and social care complaints was set out in the report together with information on investigation timescales and complaint outcomes. The Assistant Chief Executive also highlighted the annual letter received from the Local Government Ombudsman which raised no concerns.

The Portfolio Holder considered that the numbers of complaints were extremely low, particularly when taken against the number of individual contacts that the authority had with local residents.

**Decision**

That the report be noted.

**20. Open Data White Paper – Unleashing the Potential**  
*(Assistant Chief Executive)*

**Type of decision**

Non-key.

### **Purpose of report**

To inform Portfolio Holder of the Government's Open Data White Paper – Unleashing the Potential and to outline its implications for the Council.

### **Issue(s) for consideration by Portfolio Holder**

The Assistant Chief Executive reported that the Department for Communities and Local Government (DCLG) published, in late 2011, the Code of Recommended Practice for local authorities on Data Transparency. The code set out to define 'public data' and included some general statements in relation to satisfying other legal requirements, technical details for licensing and file formats, timeliness of publication and dealing with errors. On 28 June 2012 the Cabinet Office published the "Open Data White Paper – Unleashing the Potential" which aimed to develop a 'Transparent Society' and plans to do this by getting "more data into the public domain".

The report set out the principle changes within the new white paper and the implications for the council. The Assistant Chief Executive indicated that there was already a presumption to openness within the authority and that there would be little difficulty in meeting the new requirements.

### **Decision**

That the report be noted.

## **21. Local Government (Access to Information) (Variation) Order 2006**

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 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 22 – Potential Lease of Land at Gladys Worthy Close and Kipling Road (Para 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).)

## **22. Potential Lease of Land at Gladys Worthy Close and Kipling Road** *(Assistant Director of Resources) (Para. 3)*

### **Type of decision**

Non-key.

### **Purpose of report**

To consider an application for the incorporation of adjacent land into a resident's garden at Gladysworthy Close and the formalisation of a similar arrangement at properties in Kipling Road.

**Issue(s) for consideration by Portfolio Holder**

The Assistant Director (Resources) outlined proposals for the potential incorporation of adjacent land into resident's gardens and the legal and other implications involved. Full details are set out in the exempt section of the minutes.

**Decision**

That a further report be submitted following the outcome of continued discussions and the submission of an appropriate planning application.

The meeting concluded at 4.55 p.m.

**P J DEVLIN**

**CHIEF SOLICITOR**

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