

CABINET

MINUTES AND DECISION RECORD

17 December 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: Councillor Marjorie James, Chair of Scrutiny Coordinating Committee
Councillor Christopher Akers-Belcher, Vice- Chair of Scrutiny
Coordinating Committee
Councillor Carl Richardson, Chair of Adults and Community Services
Scrutiny Forum

Officers: Dave Stubbs, Chief Executive
Andrew Atkin, Assistant Chief Executive,
Chris Little, Chief Finance Officer
Peter Devlin, Chief Solicitor
Denise Ogden, Director of Regeneration and Neighbourhoods
Damien Wilson, Assistant Director, Regeneration and Planning
Graham Frankland, Assistant Director, Resources
Jill Harrison, Assistant Director, Adult Social Care
Sally Robinson, Assistant Director, Prevention, Safeguarding and
Specialist Services
John Mennear, Assistant Director, Community Services
Louise Wallace, Director of Public Health
John Morton, Assistant Chief Finance Officer
Joan Wilkins, Scrutiny Manager
Alistair Rae, Public Relations Manager
David Cosgrove, Democratic Services Team

122. Apologies for Absence

None.

123. Declarations of interest by Members

None at the commencement of the meeting. During the consideration of Minute 130 Councillor Hill declared a prejudicial interest and left the meeting during its consideration.

124. Minutes of the meeting held on 3 December, 2012

Confirmed.

125. Local Development Framework – Authorities Monitoring Report 2011/2012 (*Director of Regeneration and Neighbourhoods*)

Type of decision

Budget and Policy Framework.

Purpose of report

The report seeks approval of the draft Local Development Framework Authorities Monitoring Report (AMR) 2011/12 that will be subject to final approval by Council.

Issue(s) for consideration by Cabinet

The Assistant Director, Regeneration and Planning reported that the planning policies assessed in the AMR were those of the Hartlepool Local Plan adopted in April 2006. The policies were assessed in line with the local objectives and local indicators that formed part of the 2006 Local Plan monitoring regime.

The report stated that in general the Local Plan policies had been effective in both the management of planning proposals and in maintaining and/or improving the economic, social and environmental development of the borough. In most instances policies had ensured that development occurred in the correct locations i.e. within the urban limits or beyond the urban limits with regard to agricultural development.

Decision

That the Authorities Monitoring Report 2011/12 be endorsed and forwarded to Council for approval.

126. Medium Term Financial Strategy (MTFS) 2013/14 to 2016/17 (*Corporate Management Team*)

Type of decision

Budget and Policy Framework.

Purpose of report

The purpose of the report is to update the MTFS and to enable Cabinet to determine the formal budget proposals it wishes to refer for Scrutiny.

Issue(s) for consideration by Cabinet

The Finance and Corporate Services Portfolio Holder reported that the report brought together the financial plans that had been in preparation since June to address the significant financial challenges facing the Council over the next four years. The Portfolio Holder outlined the key elements of the report for Cabinet's consideration.

Section 4 to the report summarised the progress in achieving the targets previously set for reviewing reserves and achieving in-year managed budget underspends to identify funding for additional one-off commitments. The objective of this strategy was to avoid even higher budget cuts over the next few years when these unavoidable one off commitments would arise.

Through hard work and careful management of this years' budget and the reserves review these targets would be achieved. Depending on the final outturn we may exceed the targets by between £191,000 and £1.011m. This money may be needed to offset the actual grant cuts for next year if these were higher than forecast.

Section 5 of the report highlighted the key issues from the Chancellor's recent Autumn Statement. In broad terms the financial outlook for the country was worse than previously forecast and as a result public sector spending cuts would continue until 2017/18. The Council would need to wait until 19th December to find out the actual grant cuts for 2013/14, although the Chancellor did say that local government funding would be cut by a further 2% in 2014/15.

Section 6 of the report provided an update of the budget forecast for the next four years and in total these forecasts showed a slight increase, of around £400,000 in the previously reported deficits, owing to the impact of reducing planned Council Tax increase over the next two years from 2.5% to 2%. The total deficit for the next four years was between £19m and £21m.

In relation to the budget for 2013/14 the report indicated that the Council could set a balanced budget, based on the proposed saving plans and the use of temporary monies. This plan was also based on a Council Tax increase of 1.99%.

The issues in relation to Council Tax were detailed in section 7 of the report. In relation to Council Tax for 2013/14 the Council had to either: -

- accept the Government freeze grant, which will mean the authority would have to make additional cuts of £100,000 in 2013/14 and a further £300,000 when the Council Tax freeze grant was removed in 2015/16; OR
- increase Council Tax by 1.99%, which would secure ongoing additional income of £400,000 and avoid the higher cuts from accepting the temporary Council Tax freeze grant.

This issue would need to be considered carefully in terms of the impact on the Council's ongoing resources at a time of continuing grant cuts, and also the impact on households, as shown in the table at paragraph 7.7 to the report. It was a difficult issue, however, the Portfolio Holder believed that the Council should increase Council Tax to protect services in future years from even higher cuts.

Section 8 and 9 of the report covered the Early Intervention Grant and Local Authority Central Spend Equivalent Grant. For both of these areas Cabinet previously approved a strategy of using one-off resources in 2013/14 to offset Government grant cuts in these areas. This strategy would provide slightly more time to develop plans for managing these services with less Government funding.

Section 10 of the report dealt with Public Health and the authority was still waiting for the detailed funding allocations for 2013/14. Section 11 outlined the Capital Programme for 2013/14 and in particular schemes to be funded from the Council Capital Fund. A schedule of proposed schemes had been circulated separately to the main agenda papers and it was recommended that these schemes be approved and referred to Council in February for approval.

Conclusions to the report were provided in section 14 of the report. As was known from previous reports, the public sector faced a period of continued austerity. The Chancellor confirmed this position in the recent Autumn statement and this view was supported by the Office for Budget Responsibility. The financial challenges facing the county were also underpinned by continued speculation that the UK would follow other major economies and may lose its 'AAA' credit rating next year.

For local authorities this would mean a period of continued funding cuts. The exact impact of grant cuts for 2013/14 would not be known until later in the week (19th December) and a further Cabinet meeting had been scheduled for 21 December to update Members on any changes which affected the Council. In the meantime the recommendations detailed in section 15 of the report provided a robust basis for managing the forecast 2013/14 budget deficits and the financial challenges facing the Council and should therefore be approved, including the proposed 1.99% Council Tax increase.

Prior to moving into debate on the MTFs, the Mayor invited the Chair of Scrutiny Coordinating Committee to present Scrutiny's initial response to the budget consultations. Details are set out in Minute 127 below.

The Chief Finance Officer emphasised the comments in the autumn statement in relation to government departments having to take a further 1% cut next year and a further 2% the year after. The cuts passed onto local government would be the highest again. There was, therefore, great emphasis to be placed on the robustness of the Council's budget forecasts. The authority had both to face the present difficulties and also set itself up

in the best position for future years. There were significant risks to be addressed such as the Capital Receipts target. Even delays in receiving some of the larger capital receipts could create budget pressures as prudential borrowing may be required to fill the gap. There was also significant uncertainty around business rates re-localisation and the amount that would be received by the Council.

The Mayor indicated that in order to consider the MTFs in light of all the major issues that were affecting the budget it would be appropriate to consider the report on the Localisation of Council Tax Support 2013/14 as this had implications for a number of the elements of the MTFs and its recommendations. Details are set out in Minute 128 below.

The Mayor indicated that he was concerned that the localisation of council tax support would mean that many households would be paying for the first time. This together with the many changes that were coming through the government's welfare reforms would be placing significant pressure on many households. The economic position had changed little since last year when the Council had agreed that it should take the government's grant and not increase Council Tax as a means of protecting the least well off. The Mayor considered that he found it difficult to support an increase in Council Tax, even if it was only 1.99%.

Cabinet Members disagreed indicating that not increasing Council Tax this year would simply be storing up problems for future years. The increase would maintain some services to the most vulnerable. The Mayor indicated that he understood the longer term issues but considered that increasing the pressure on families through an increase in council tax would simply push more people into not being able to afford to pay.

The Finance and Corporate Services Portfolio Holder stated that the proposed Council tax increase would only add £30 to the annual bill for a Band C property. It was only a modest increase that could protect many essential services. The Chief Finance Officer indicated that the scheme for localisation of Council Tax Benefit agreed by Cabinet would mean that the least well off in Hartlepool would not be faced with the full effects of a 2% rise and having to pay 20% of their council tax straight away as was likely to be the case in neighbouring authorities.

Before agreeing the recommendations below to be forwarded to Scrutiny Coordinating Committee for consideration, the Mayor referred to the additional Cabinet meeting scheduled on 21 December which would consider the details of the Government's grant allocation and make any further recommendations as may be necessary.

Decision

That the Cabinet notes the report and refers the following proposals to Scrutiny Co-ordinating Committee.

“2012/13 Outturn Strategy

1. Approve the proposed strategy for funding additional one-off commitments of £5.350m from the review of reserves and the achievement of 2012/13 managed underspend targets, as detailed in paragraph 4.4.
2. To note that the level of resources achieved from the review of reserves and the achievement of 2012/13 managed underspend targets is forecast to exceed the additional one-off commitments by between £0.191m and £1.011m, depending on the actual outturn, and to defer making a decision on the allocation of these uncommitted resources until details of the 2013/14 actual grant cuts are known.

2013/14 General Fund Budget

3. Reconfirm approval of the budget pressures detailed in Appendix 1.
4. Approve the Departmental savings plans for 2013/14 of £3.364m detailed in Appendices 2 to 12 (including the Waste Management Service savings approved by Cabinet on 3rd December 2012) and the ICT procurement saving.
5. Approve the proposal to fund one-off costs of £184,000 of achieving ongoing accommodation savings of £170,000 from 2014/15 from a combination of the 2012/13 outturn (£119,000) as detailed in recommendation 15.3 and the 2013/14 in-year savings in accommodation costs (£65,000). To note that the savings of £170,000 exceeds the forecast savings included in the 2014/15 MTFS by £70,000, which will reduce the budget deficit for this year.
6. Note that in the event of there being any shortfall in planned 2013/14 savings individual departments will be responsible for identifying alternative proposals for consideration by Members to address any temporary/permanent funding shortfall.
7. Approve the allocation of £0.367m from the ‘Delayed implementation of planned 2013/14 and 2014/15 savings’ reserve to offset a reduction in the planned People Collaboration savings, to a part year saving of £0.25m. To note that the budget forecast assumes a full year saving of £0.75m in 2014/15.
8. Approve the proposal that any in-year saving achieved in 2013/14 from the Chief Executive’s Structure Review are allocated to reduce the call on the ‘Delayed implementation of planned 2013/14 and 2014/15 savings’ reserve, which will enable any uncommitted reserve to be carried forward to manage risk in future years.
9. Reconfirm approval to use one-off resources of £1.198m to support of 2013/14, consisting of

- £0.348m from the reserve earmarked to offset the removal of the 2012/13 Council Tax freeze grant and to note the remaining balance of this reserve of £0.379m is allocated to support the 2014/15 budget; and
 - £0.85m from the 2012/13 outturn to offset the impact of higher anticipated grant cuts.
10. To note that recommendations 15.10 (£0.367m) and 15.12 (£1.198m) will result in total one off support for the 2013/14 budget of £1.565m.
 11. Approve the revised planning assumptions detailed in paragraph 6.15, which in total are budget neutral and reflect increases in the budget deficit including the additional Looked After Children pressure, the impact of not achieving the Denominational School Transport savings, which are offset by additional savings/income, including an increase in the Council Tax base.
 12. Approve a 2013/14 Council Tax increase of 1.99%, which is just below the 2% Council Tax Referendum threshold and to note this secures a permanent increase in net Council Tax income of £0.4m, which would not be achieved if 2013/14 Council Tax is frozen.
 13. Note that the previous recommendations enable a 2013/14 balanced budget to be set, assuming the actual grant cut does not exceed the forecast.
 14. Approve the production of a 2013/14 Council Tax Leaflet to explain the budget issues for 2013/14 and to note this cost of £1,800 can be funded from the existing budgets.

2014/15 to 2016/17 General Fund Budget

15. Approve indicative Council Tax increases of 1.99% for 2014/15 and 2.5% for 2015/16 and 2016/17.
16. Note that an initial savings plan has been developed for 2014/15, which reduces the forecast deficit still to be bridged for this year to £0.608m and a detailed report will be submitted during 2013/14 to finalise this strategy. To note that the 2014/15 deficit will be reduced by any additional accommodation cost savings which are achieved (as detailed in recommendation 15.8) and savings achieved from the Chief Executive's Structure Review.
17. Note that no saving plans have been developed for 2015/16 and 2016/17 and these will be developed during 2013/14.

Early Intervention Grant.

18. Approve the proposed strategy to allocate EIG 2011/12 and 2012/13

underspends of between £1.431m and £1.531m (depending on the final 2012/13 outturn) to temporarily offset the EIG grant cut in 2013/14 of £1.15m and increasing grant cut in 2014/15 of £1.6m.

19. To note that if 15.26 is approved this will provide a longer lead time for developing a strategy to address these funding cuts, which will be reported to Members before the end of June 2013.

Local Authority Central Spend Equivalent Grant

20. Approve the proposed strategy to allocate Formula Grant refunds of top sliced Academy funding (£0.48m) and 2012/13 budget underspend for forecast Academy funding top slice (£0.28m) to manage the risk of in-year 2013/14 LACSEG funding cuts if schools convert to academies
21. To note that if 15.22 is approved this will provide a longer lead time for developing a strategy to address these funding cuts, which will be reported to Members before the end of June 2013.

Public Health Funding

22. Note the current position as detailed in section 10 and note that further a further update will be provided when the Government announced details of 2013/14 Public Health allocations.

Capital Programme 2013/14

23. Note that detailed proposal for using the Council Capital Fund will be reported to Cabinet and Council in February 2013 as part of the final 2013/14 budget report and will include the following proposed schemes:
 - £100,000 towards the reconstruction of the A689 (as detailed in paragraph 11.6, which provided details of the funding strategy for meeting the total costs of this scheme of £680,000);
 - Approve the proposal in relation to the Empty Homes project to seek Council approval of the original strategy for funding the additional costs for this scheme of £165,000 (additional 3 properties) and £150,000 (contingency provision) from Prudential Borrowing, which will be repaid from the additional rental income generated from extending this scheme, in line with the original business case. To note that this strategy will maximise the Councils' overall financial flexibility to address the impact of the actual 2013/14 grant cuts, whilst providing a robust financial base for the Empty Homes project."

127. Formal Response to the Executive's Medium Term Financial Strategy (MTFS) 2013/14 to 2016/17 – Initial Budget Consultations (*Scrutiny Co-ordinating Committee*)

Type of decision

Non-key.

Purpose of report

To provide the formal response of the Scrutiny Coordinating Committee in relation to the Executive's initial proposals for the Medium Term Financial Strategy (MTFS) 2013/2014 to 2016/2017.

Issue(s) for consideration by Cabinet

The Chair of the Scrutiny Coordinating Committee reported that as in previous years, each of the standing Scrutiny Forums had considered the budget proposals for their specific service areas. Comments / observations were subsequently fed back to the meeting of the Scrutiny Coordinating Committee held on 7 December 2012 to assist in the formulation of the Committee's formal response. The report set out the collated comments for Cabinet's consideration.

The Chair of the Scrutiny Coordinating Committee indicated that scrutiny looked forward to receiving the detailed proposals of Cabinet following this meeting. The only specific additional comment that the Chair wished to make was to emphasise Scrutiny's view that income generation across the authority needed to be subject to greater focus as a means of offsetting cuts to frontline services.

The Chair of the Adult and Community Services Scrutiny Forum indicated that an area of concern to his forum had been the issue of mental health services and he questioned if recruitment in this area had been subject to a freeze over the past three months. The Assistant Director, Adult Social Care indicated that, as with all service areas across the Council, there had been a recruitment freeze in place for some time. The proposed restructure of provider services involved Employment Link services being relocated to work more closely with Economic Development, and other floating support services being reduced and configured differently. Some posts had been held vacant for potential redeployment and new posts were being created as part of the restructure, which again would provide redeployment opportunities. The Chief Executive indicated that there were very few jobs at this moment on the redeployment register due to the current budget process. Those posts held vacant would be released onto the register once the budget process had been completed and the position within departments was clearer.

The Mayor echoed the Chief Executive's comments and indicated that the position was unavoidable in light of the cuts the authority faced. The aim was to protect front line services as far as was possible, and this was where

scrutiny could assist in examining the detail of the proposals.

Decision

That the comments of the formal response of the Scrutiny Coordinating Committee in relation to the Executive's initial proposals for the Medium Term Financial Strategy (MTFS) 2013/2014 to 2016/2017 be received.

128. Localisation Of Council Tax Support 2013/14 (*Chief Finance Officer*)

Type of decision

Key decision test (i) and (ii) apply. Forward Plan ref CE 53/12.

Purpose of report

The purposes of the report are:

- (i) To set out the implications of the Government's replacement of the current national Council Tax Benefit scheme with a localised Council Tax Support scheme and the linkages to the Medium Term Financial Strategy (MTFS) ; and
- (ii) To enable Cabinet to approve a proposed Local Council Tax Support Scheme for 2013/14 to be referred to full Council for approval.

Issue(s) for consideration by Cabinet

The Finance and Corporate Services Portfolio Holder indicated that the report detailed the impact of the Government's decision to replace the current national Council Tax Benefit scheme with a localised Council Tax Support scheme from 1st April 2013, and enabled Cabinet to approve proposals to be referred to Council for consideration and approval.

The Portfolio Holder highlighted the key issues covered within the report.

Section 3 of the report summarised the information reported to Cabinet on 3rd September in relation to the changes being implemented as part of the Government's wider Welfare Reforms. Nationally this would result in a funding cut of 10% for 2013/14. For Hartlepool the actual grant cut is 12.2% for 2013/14, which is slightly lower than the previous forecast of 14%, owing to the impact of lower planned Council Tax increases in 2013/14 and 2014/15.

Sections 4 of the report provided an overview of the Government proposals. There were two key issue; firstly, the requirement to protect low income pensioners from the grant cut. This had previously been supported, but it was recognised that this would mean other vulnerable households would face higher cuts in Council Tax Support.

Secondly, Government changes to regulations provided increased flexibility for councils to change existing Council Tax 'exemptions and discounts'.

Cabinet had previously agreed to make these changes as this should achieve additional income of £0.3m. This would help offset the Government funding cut and avoid even higher cuts in the level of Council Tax Support.

Section 5 of the report summarised the impact on councils of the Government Council Tax Benefit grant cut and the Portfolio Holder highlighted paragraph 5.2 in the report which showed Hartlepool had the highest grant cut per person in the North East.

Section 6 provided the results of the Public Consultation on the draft proposal approved in September.

The Portfolio Holder indicated that Section 7 was the main part of the report which detailed the impact of additional financial modelling completed since Cabinet considered the issue in September, including further Government announcements. Three main options were set out for Cabinet's consideration but there was a requirement for Cabinet to determine the level of cut in Council Tax Support to be implemented next year.

The Portfolio Holder stated that Cabinet was only able to consider options in relation to Council Tax Support as the financial impact of the Government's proposals had been recognised long before detailed information was available. As a result one-off resources of £1.197m had been set aside from the 2011/12 budget outturn to help manage this change and the financial risk transferring to the Council. The availability of this money now gave choices and also helped manage risk in 2013/14 and future years. It was also another good example of the benefits to the Council and the people of Hartlepool of managing our resources over more than one year in a period of austerity.

The Portfolio Holder outlined the three main options for Cabinet's consideration. They were;

Option 1 – Implement planned 20% reduction from 2013/14

Option 2 – Implement a 15% reduction for 2013/14 to 2015/16 and increase to 20% in 2016/17

Option 3 – Implement an 8.5% reduction for 2013/14 and 15% for 2014/15 and 2015/16 and increasing to 20% in 2016/17

Option 3 was proposed as the best option as it would enable the Council to limit the reduction in support in 2013/14 to 8.5% and should be referred to full Council.

Option 3 would require the Council to provide funding of £0.16m and secure a one-off Government grant of £0.26m. This option would limit the cuts in Council Tax next year to some of the most financial vulnerable households in Hartlepool, as detailed in the tables at paragraph 7.35 of the report. It would also give people more time to plan for the impact of the Council Tax Benefit funding cuts being implemented next year by the Government

Unfortunately, this option was not sustainable after 2013/14 as the one-off Government grant would be withdrawn. Therefore, in 2014/15 and 2015/16 the cut in Council Tax support will need to increase to 15% and then 20% in 2016/17.

The detailed supporting recommendations for Option 3 were set out in paragraph 11.3 of the report. The supporting recommendations included the phased use of the one-off resources of £1.197m set aside from the 2011/12 budget outturn to partly support this proposal and to manage the risks transferring to the Council as a result of this change.

The Chief Finance Officer referred to the work undertaken on this issue by the Working Group established by the Scrutiny Coordinating Committee. The proposal set out in option 3 had not been made available to the Working Group as the level of government grant had not been known. At the request of the chair of the Working Group the Chief Finance Officer had written to the external partners on the working group to outline the proposed 8.5% scheme for 2013/14. The majority had responded and all responses supported the 8.5% proposal. The Chair of Scrutiny Coordinating Committee, who had chaired the Working Group, commented that Option 3 had been outlined to the Committee at its last meeting and she was confident the option would be supported by Council.

Cabinet Members noted the comments in relation to Hartlepool suffering the severest cuts in the North East and indicated that this probably meant the cuts here were some of the most severe anywhere in the country. Many wished to claim that Hartlepool were the highest taxed residents in the country but as the report clearly showed the Council was simply reacting to the situation it was placed in by central government.

Decision

1. That Cabinet approves the adoption of Option 3 - an initial 8.5% reduction in existing support for households currently receiving Council Tax Benefit for 2013/14, increasing to 15% for 2014/15 and 2015/16 and increasing to 20% in 2016/17 and that this option be referred to full Council for approval.
2. That the following supporting recommendations be referred to full Council for approval:
 - (i) That the implementation of the reduced Council Tax exemptions detailed in paragraph 4.5 of the report (and summarised below) be approved and the allocation of the resulting additional income to partly mitigate the impact of the Government Council Tax Benefit grant cut in 2013/14 and future years;
 - Implement Principle 2 – Increase Non Dependant Deductions in line with Government increases;
 - Implement a lower capital/savings threshold -Principle 3;
 - Implement measures to encourage work Principle 4;
 - Implement changes to streamline / simplify the administration of

- a local CTS scheme -Principle 5;
 - Maintain the existing local war widow / war pension disregards - Principle 6;
- (ii) That the application of £0.67m of the one-off Council Tax Scheme Transitional Support Reserves of £1.197m be approved to partly mitigate the impact of the Government Council Tax Benefit grant cut over the period 2014/15 to 2016/17;
- (iii) That the balance on Transitional Support Reserve of £0.527m be earmarked to manage risks associated with the LCTS in 2013/14 and future years;
- (iv) That the use of £0.160m from the Supporting Family Poverty Reserve be approved and to note this will leave an uncommitted balance of £0.149m;
- (v) That the approved Local Council Tax Support Scheme will be subject to annual review and approval by full Council;
- (vi) That in accordance with National regulations approximately £1,200 of the Council Tax Support Grant will be passported to Parish Councils.

129. Future use of Brierton Site *(Director of Regeneration and Neighbourhoods and Chief Finance Officer)*

Type of decision

Key Decision Tests (i) and (ii) apply. Forward Plan Reference No: RN 89 / 11.

Purpose of report

To update Cabinet on options for the future use of the site.

To seek Cabinet endorsement of a preferred option and the associated funding solution.

To seek Cabinet endorsement to the referral of the preferred solution to full Council to consider as part of the Budget and Policy Framework for 2013/14.

Issue(s) for consideration by Cabinet

The Assistant Director, Resources reported that the Brierton buildings were used by Dyke House School during the construction phases of the Building Schools for the Future (BSF) project and are now vacant. It had originally been anticipated that these buildings would have been used over the lifetime of the BSF programme which was originally anticipated to run until 2017/18. Following withdrawal of BSF funding this will no longer be the case and a strategy for managing this site now needs to be developed.

Demolition of the upper school building started on 15th October and this

work was programmed to be complete by the end of January 2013 but this will largely be complete before Christmas. In addition to this two wings of the lower site will need to be demolished together with the greenhouse and swimming pool to make space for the outcomes of the playing pitch strategy and future road junction requirements at Catcote Road.

An agreement with “Cadcote Futures” has been reached for them to lease some of the buildings on the lower site including the former Caretaker’s house and craft block. Some adaptation works will be undertaken which will be funded by the school. Their presence on site brings benefits to both the school and the Council and links with the concept of a “community campus”.

The Final Draft Playing Pitch Strategy had now been received and was adopted by Cabinet at the meeting on 3rd December 2012. There would be a further piece of work on playing pitch layouts relating to changing FA requirements, which would need to be taken into account in the future. The options outlined in the report related to allocating space to meet the playing pitch strategy at this point in time. The added benefit of a 3G pitch was also included to support the strategy and enhance the Brierton site substantially. In addition the playing pitch strategy highlights the contribution of the existing tennis courts to the site.

The Assistant Director focussed on the options for the future use of the site. Any scheme identified must be, as a minimum, self funding and this could only be achieved by the sale of all associated property assets. In the event that actual capital receipts from these property sale are higher than needed for this project these could contribute to the existing £4.5m capital receipts target included in the Medium Term Financial Strategy (MTFS). The achievement of the £4.5m capital receipts target is a fundamental part of MTFS and the resources allocated to fund specific commitments relating to the completion of Housing Market Renewal Projects. Not achieving these receipts would bring additional pressure in the light of limited potential to achieved alternative capital receipts. To this end Council had already agreed that the top site at Brierton can be demolished with a view to potential disposal of land as a development site. This would, of course, be subject to consultation with Sport England and the Playing Pitch Strategy.

The report detailed three main options for the future of the site. They were;

Option 1: The Minimum Option (status quo and demolish lower site but add a 3G pitch

Option 2: Re-site existing services (develop lower site and dispose of land at the upper site for development)

Option 3: Re-site existing services (as option 2 with additional facilities)

Details of each option were included in the report together with plans detailing the potential future layout of the area.

The Assistant Director indicated that Option 3 was the favoured option at this time, though it was subject to further discussions with Sport England.

The financial details set out both an optimistic and pessimistic valuation of the land released for development and based on the current economic situation; the lower values had formed the basis of the recommendations.

Cabinet Members welcomed the proposals for the site and considered them well thought out. The potential for a Community Café on the site was questioned as there were already two other similar facilities not too distant from the Brierton site. The Assistant Director commented that the facilities would serve the sports hall on the site and there was the potential spin off of the conference facilities that may be developed alongside the Pupil Referral Unit's (PRU) move to the site. The site would also be the location of the Council's own function catering kitchens.

A Cabinet Member questioned the move of the PRU to this site after a significant amount had been invested in the Golden Flatts site for the unit. The Chief Executive acknowledged that there may be adverse comments in relation to the move. However, the original plan for the site had been as part of the BSF plans for the secondary schools in the town. The situation had changed dramatically.

Cabinet questioned the potential of gaining any grant money through the Olympic Legacy Fund. The Assistant Director, Community Services commented that this could not be ruled out though the authorities chances of this or other funding would be enhanced by the development of the Playing Pitch Strategy.

Decision

1. That Cabinet endorses Option 3 as set out in the report as the preferred option for consideration by full Council at its meeting on 7th February 2012 as part of the Council's Budget and Policy Framework for 2013 / 14 including the marketing of relevant areas of the Brierton site and the Education Development Centre site.
2. That Cabinet notes the MTFs report includes the following recommendations
 - To note the additional financial risk of setting an additional capital receipts target of £2m (minimum) to fund developments at the Brierton Site from the sale of land at the Brierton (upper) site and the EDC site.
 - To note that any shortfall in the achievement of capital receipts targets will need to be funded from Prudential borrowing and this will result in an unbudgeted revenue budget pressure. Therefore, it is recommended that should additional revenue resources become available as part 2012/13 outturn that these should be earmarked to temporarily fund the revenue costs of having to use Prudential Borrowing on a short-term basis if capital receipts are achieved later than expected.

Councillor Hill declared a prejudicial interest in the following item and left the meeting during its consideration.

130. Landlord Accreditation Scheme (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision (tests (i) and (ii) apply) Forward Plan Reference No. RN 36/12.

Purpose of report

To provide members with a summary of the findings of the recent internal review of the existing 'in-house' Landlord Accreditation Scheme. This is a non statutory service.

To seek approval to withdraw this already suspended scheme from service provision, subject to consent being given to the introduction of an alternative proposal, which will encourage private landlords to take up membership of an independent nationally recognised accreditation scheme.

Issue(s) for consideration by Cabinet

The Assistant Director, Regeneration and Planning reported that an internal audit inspection of the scheme had been carried out towards the end of 2011 and the main recommendation contained within the report was that this service would need significant development and investment in order to achieve its intended aims and objectives. The scheme was subsequently suspended, to allow a thorough review to take place which also considered all the viable alternatives to an 'in-house' scheme.

During this review consultation took place with all landlords participating in the existing scheme as well as with all landlords and managing agents operating within the areas of the town designated for Selective Licensing. Despite contacting over 140 landlords for their views, on the way forward for accreditation, there was an extremely poor response with only one landlord replying.

Accredited landlords currently benefit from a heavily discounted licence fee in Selective Licensing areas. The research undertaken during the review has shown that the number of properties now registered with the scheme has increased significantly since licensing was first introduced and now exceeds 1600, a rise of approximately 80%, a substantial number of which are located within the designation. This suggests the primary purpose of applying for membership is simply to qualify for this discount.

As the existing scheme was a locally operated scheme which accredited the landlord, although the unit of accreditation was the property itself. There were however, several schemes which are administered by nationally recognised organisations, and professional regulatory bodies, which

landlords can apply to join, which are focused around the management and competency skills of landlords and agents, with an emphasis on continuous professional development.

Membership of all these national schemes is subject to compliance with a range of qualifying criteria and 'Code of Practice'. Compliance with the requirements of any national scheme was monitored by the governing body of each provider and offered a degree of confidence that those members followed best practice. This would enable the authority to focus resources on licence holders who were not already members of an appropriate scheme. It was therefore proposed that the local scheme be abandoned and registered landlords encouraged to become members of one of the nationally recognised bodies.

Decision

That the current Accreditation Scheme administered by the Council be formally withdrawn and landlords and agents operating across the town are actively encouraged to become members of one of the nationally recognised accreditation schemes or other related professional bodies.

Councillor Hill returned to the meeting.

131. Children's Safeguarding Peer Review (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

The purpose of this report is to provide Cabinet with information relating to the findings of the Safeguarding Peer Review which took place in September 2012.

Issue(s) for consideration by Cabinet

The Assistant Director, Prevention, Safeguarding and Specialist Services reported that as a part of sector led improvement programme in the North East of England, Hartlepool Borough Council requested a peer review to examine how, with its partners; it was fulfilling its safeguarding children responsibilities in order to enhance its improvement plans. The Review took place over five days during September 2012. The Peer Review team was made up of six sector professionals including health, early intervention and social work and was led by the Director of Children's Services from Rotherham Metropolitan Borough Council.

The full report of the Safeguarding Peer Review was set out in Appendix 1 to the report which was available in the Members library and online. The report reflected upon local delivery and performance for safeguarding children and identified key strengths and areas for further consideration as follows:

Key Strengths

- Strong commitment at every level to improve outcomes for children;
- Highly motivated and passionate workforce;
- Safeguarding is understood and prioritised by all partners;
- The Early Intervention Model, particularly the Family Information and Support Hub.

Areas for further consideration

- The voice of the child needs to be embedded in all aspects of front line practice;
- Practice in relation to neglect needs to be reviewed to ensure it does not mask other issues such as emotional and sexual abuse;
- Welfare reform needs to be communicated to the workforce so everyone is aware of the impact the changes will have in their work with children;
- Capacity and resilience relies on a few key individuals which presents a major risk in terms of resilience of the organisation and the partnership.

The Assistant Director indicated that the findings of the Safeguarding Peer Review had been reported to the Local Safeguarding Children Board and the Children's Strategic Partnership. An action plan had been developed to address the identified areas for further consideration to ensure continuous improvement in the arrangements for safeguarding children in Hartlepool. The action plan was submitted as Appendix 2 to the report. Some identified areas for consideration had already been achieved, for example the delivery of a staff briefing across the Prevention Safeguarding and Specialist Services division on welfare reform and changes to the child protection conference arrangements to ensure that the child's voice is central to this meeting.

Cabinet Members considered that across all departments of the authority staff were aware of the significance of the welfare reforms and the affects they may have on service users. A Cabinet Member did feel that the issue in relation to capacity and resilience was a significant issue for the authority which could in part be addressed by the appointment of a new Director of Child and Adult Services.

The Mayor noted the comments in the action plan in relation to free school meals and questioned how that had arisen. The Assistant Director commented that there was a concern expressed that an average teenage wouldn't get enough to eat based on what they could buy with the £2.10 allocation. The Director of Regeneration and Neighbourhoods commented that staff were aware that one of the most stressful things for secondary school pupils, particularly in year 7, was the school canteen as they moved to a choice based system rather than set meals. The free school meals allocation of £2.10 could provide an adequate nutritious meal.

Decision

1. That the findings of the Safeguarding Peer Review be noted and the Action Plan approved to enable services to bring about further improvements in service delivery, quality and performance.
2. That a further report be presented to Cabinet in March 2013 detailing progress against the action plan.

132. Localism Act 2011 – Community Right to Bid *(Director of Regeneration and Neighbourhoods)*

Type of decision

Non-key.

Purpose of report

To advise Cabinet of the requirements and guidance in connection with the “Community Right to Bid” subsequent to the Assistant Chief Executive’s Cabinet report of 6th August 2012.

Issue(s) for consideration by Cabinet

The Assistant Director, Resources reported that the Localism Act (“the Act”) was enacted on 15 November 2011, and the Assets of Community Value provisions in Part 5 Chapter 3 were commenced for England at the same time as the Regulations made under those provisions came into force, both on 21 September 2012.

The provisions

- Give communities the right to identify buildings or other land that they believe to be of importance to community’s social well-being (assets of community value)
- Ensure that if a (listed) asset comes up for sale, they will be given a fair chance to make a bid to buy it on the open market

Nothing further would happen unless and until owner decided to dispose of asset.

The Act placed a legal duty on all local authorities to maintain a publicly available list of assets of community value. A building or land in a local authority’s area is an asset of community value if in the opinion of the authority:

- current primary use of the building/land or use of the building/land in the recent past furthers the social well-being or social interests (cultural, recreational, or sporting interests) of the local community;
- it is realistic to think that now or in the next five years there could continue to be primary use of the building/land which will further the social well-being or social interests of the local community.

The report went on to set out in detail the scope of the regulations and their

impact on the authority. Cabinet Members questioned the value of the new regulations and also commented that the potential for the authority to have to pay compensation resulting from the sale of an asset it did not own and was not purchasing seemed perverse.

Decision

1. That the report be noted.
2. That the Director of Regeneration and Neighbourhoods and the Chief Solicitor be authorised to put procedures in place to receive and deal with nominations, compensation and enforcement and to maintain the list thereafter.
3. That the Finance and Corporate Services Portfolio Holder be delegated power to deal with procedures under the legislation.

133. Housing Market Renewal Transition Fund – Carr/Hopps Street Area Update *(Director of Regeneration and Neighbourhoods)*

Type of decision

Non-key.

Purpose of report

To provide Cabinet with a progress update on the implementation of the Carr/Hopps Street Regeneration project plan including progress of acquisition by agreement of privately owned properties and resident relocation on the site.

Issue(s) for consideration by Cabinet

The Assistant Director, Regeneration and Planning updated Cabinet on the progress of the Carr/Hopps Street Regeneration project.

The Mayor indicated that he understood that one of the initial aims had been to complete the purchase of the properties in the centre of the area and then demolish that area at the earliest opportunity to move the project ahead. The Assistant Director indicated that around 80-90% of those properties had been purchased but there was still work to be done with some of the property owners. The Mayor commented that time was now becoming the most frustrating element of the project for residents who simply wished to move on.

It was indicated that further updates on the acquisition of properties on the Carr/Hopps Street Area be provided in the Housing Services Quarterly Report.

Decision

That the report be noted.

134. 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 135 Future of the Indoor Bowling Club - This item contained exempt information under Schedule 12A Local Government Act 1972, namely, paragraph 3, information relating to the financial or business affairs of any particular person (including the authority holding that information).

135. Future of the Indoor Bowling Club (*Director of Regeneration and Neighbourhoods / Assistant Director (Community Services)*) This item contained exempt information under Schedule 12A Local Government Act 1972, namely, paragraph 3.

Type of decision

Non-key.

Purpose of report

The purpose of the report is to discuss options for the future of the Indoor Bowling Club based on the established current condition of the building and the request from the Club to extend their lease on the building in order to secure continuation of the Club and to support a grant application.

Issue(s) for consideration by Cabinet

The Assistant Director, Resources outlined an approach made to the Council by the Indoor Bowling Club in relation to the future of the club and the condition of the building. Full details of Cabinet's consideration of this matter are set out in the exempt section of the minutes.

Decision

Cabinet's decision is set out in the exempt section of the minutes.

The meeting concluded at 11.35 a.m.

P J DEVLIN

CHIEF SOLICITOR

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