

<p style="text-align: center;">COUNCIL</p> <p style="text-align: center;">MINUTES OF PROCEEDINGS</p> <p style="text-align: center;">22nd June 2006</p>
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PRESENT:-

The Chairman (Councillor C Richardson) presiding:

The Mayor, Stuart Drummond

COUNCILLORS:

Barker	Belcher	Brash
Clouth	R W Cook	S Cook
Cranney	Fenwick	Fleet
Gibbon	Griffin	Hall
Henery	Isley	Jackson
James	Johnson	Lauderdale
Lilley	London	A Marshall
J Marshall	Dr. Morris	Payne
Preece	Rayner	Rogan
Shaw	Suthearn	Tumilty
R Waller	Wistow	Worthy
Young		

OFFICERS:

Paul Walker, Chief Executive
Peter Scott, Director of Regeneration and Planning
Andrew Atkin, Assistant Chief Executive
Tony Brown, Chief Solicitor
Alan Dobby, Assistant Director (Support Services)
Graham Frankland, Head of Procurement and Property Services
Ian Merritt, Senior Education Officer
Michael Ward, Chief Financial Officer
Charlotte Burnham, Scrutiny Manager
Steve Hilton, Assistant Public Relations Officer
Amanda Whitaker, Democratic Services Team Manager
Pat Watson, Democratic Services Officer

12. APOLOGIES FOR ABSENT MEMBERS

Councillors D Allison, S Allison, J Coward, P Hargreaves, C Hill, S Kaiser, D Waller, M Waller and E Wright

13. DECLARATIONS OF INTEREST FROM MEMBERS

Councillor Brash advised that he had a non prejudicial interest as he is employed by the Hartlepool Primary Care Trust

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

None

15. PUBLIC QUESTION

None

16. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council meetings held on the 13th April 2006 and 25th May 2006, having been laid before the Council.

RESOLVED – (i) That the minutes of the meeting held on 13th April 2006 be confirmed subject to minute 148(b)(i) being amended to delete reference to Councillor Lilley in the details of those Members who submitted a question to the Portfolio Holder for Finance and Performance Management.

(i) That the minutes of the meeting held on 25th May 2006 be confirmed.

The minutes were thereupon signed by the Chairman.

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

None

18. QUESTIONS FROM MEMBERS OF THE COUNCIL

(a) Questions to Members of the Executive about recent decisions of the Executive

None

(b) Questions to Members of the Executive and Chairs of Committees and Forums, for which Notice has been given

(i) Question from Councillor Brash to Councillor Wistow, Chairman of the Adult and Community Services and Health Scrutiny Forum.

"Will the Chairman of the Adult and Community Services and Health Scrutiny Forum:-

- i) Report on the outcome of the Tees Valley Scrutiny meeting of 16th June.*
- ii) Outline what steps might now be taken through the Hartlepool Scrutiny Process"*

Councillor Wistow responded to the question and advised that the meeting on 16th June had been the final meeting of the Tees Valley Joint Health Scrutiny Committee which had been convened to consider the report prepared by Professor Darzi on the Tees Review. Members were reminded of Professor Darzi's recommendations in relation to gynaecological services and paediatric proposals at Hartlepool. Stockton residents had campaigned against those recommendations. The Committee had 3 options:

- (a) to support the recommendations included in the Darzi report;
- (b) that there should be a Centre of Excellence in Hartlepool but there should also be a Consultant led maternity service also at Stockton, and
- (c) (this had not been mentioned before) that there should not be a Centre of Excellence in Hartlepool but should be one in Stockton.

It was highlighted that the decision made was absolutely critical to the future of Hartlepool Hospital. At the meeting on 16th June, Stockton Council Members had read a prepared statement, of which people had not had notice, saying that they would not support any other proposal other than (c). When the vote had taken place the majority had voted for (b). Members from Hartlepool and Stockton had voted against (b) each for different reasons, outlined by Councillor Wistow. Clinical advice was in support of a Centre of Excellence in Hartlepool. As a consequence the Joint Scrutiny Committee agreed to write to the Secretary of State to say it did not support the Darzi Report and wished to see Consultant led services in Stockton and Hartlepool.

Members were reminded that this Council been unanimous that they wished to see full implementation of the Darzi Report. The Hartlepool Health Scrutiny Forum would need to consider whether to write to the Secretary of State to confirm support of the Darzi Report. The Forum was to meet in July and would be reporting to Scrutiny Coordinating Committee on 30th June 2006.

Supplementary Question from Councillor Brash to Councillor Wistow, Chairman of the Adult and Community Services and Health Scrutiny Forum.

"I recently became aware that we are sharing a Chief Executive with Stockton PCT – do you see any conflict"?

Councillor Wistow responded by confirming that was the arrangement until the end of September, which demonstrated a Chief Executive having to deal with competing interests and was an example of why this town needed its own PCT.

Additional supplementary Question from Councillor Brash to Councillor Wistow, Chairman of the Adult and Community Services and Health Scrutiny Forum.

“What opportunity does this Council have to pursue this issue further”?

Councillor Wistow responded by advising that the Adult and Community Services and Health Scrutiny Forum would meet on 23rd June 2006 and re-open its enquiry. The Forum would be coming to a view on the issue and there was also be an item on the Chief Executive's report later on this Council meeting agenda.

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

Minutes of the meetings of the Cleveland Police Authority held on 23rd and 24th February 2006 and the minutes of the meetings of the Cleveland Fire Authority held on 24th March and 31st March 2006 had been circulated.

There were no questions.

19. BUSINESS REQUIRED BY STATUTE

None

20. ANNOUNCEMENTS

None

21. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY SCRUTINY FORUM OR OTHER COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

None

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

None

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

(i) Overview and Scrutiny Annual Report 2005/06

Councillor James, Chair of Scrutiny Co-ordinating Committee, presented the Authority's first Overview and Scrutiny Annual Report 2005/06, a copy of which had been circulated with the Council agenda. The report outlined how the Overview and Scrutiny Function had developed and highlighted the key areas of work undertaken by each of the Scrutiny Forums over the previous year.

As outlined in the Authority's Constitution, it was a requirement of the Overview and Scrutiny Function to produce an Annual Report, detailing the work of the Scrutiny Co-ordinating Committee and the four standing Scrutiny Forums that had been undertaken during the last 12 months together with suggested developments etc for the forthcoming year.

It was noted that the Annual Report would be despatched to key stakeholders and placed in key venues of public interest for information purposes.

Councillor James commended the report to Council.

RESOLVED – That the report be received.

24. REPORT FROM THE EXECUTIVE

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

(i) Corporate (Best Value Performance) Plan, 2006/07

Councillor Jackson, Performance Management Portfolio Holder, presented the draft Corporate Plan (Best Value Performance Plan) 2006/07 for Council's approval.

Members noted that each Council had a statutory duty to publish a Best Value Performance Plan (BVPP) by 30th June. The Corporate Plan was part of the Council's Budget and Policy Framework and therefore required the involvement of scrutiny and approval by the full Council. The Scrutiny Co-ordinating Committee had considered the BVPP on 24 February and 19 May. Hartlepool's approach to the Corporate Plan was set out in the report.

RESOLVED – That the draft Corporate Plan 2006/07 be approved for publication.

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

(i) Additions to 2006/07 Capital Programme

Councillor Payne, Finance Portfolio Holder, presented a report which sought Council's consideration of Cabinet's proposed additions to the 2006/07 Capital Programme.

Members were advised that since the 2006/2007 Budget and Policy Framework had been approved by Council on 16th February, 2006, a number of capital issues, which could not have been anticipated, had arisen and Cabinet was seeking Council's approval to add these items to the 2006/2007 Capital Programme.

These items related to:

- Repairs to the multi-storey car park;
- Emergency Highway Maintenance.

Details of these items had been presented to Cabinet on 19th June, 2006.

RESOLVED – That the proposals be approved as follows:-

- i) to fund the Council's urgent liabilities of £179,000 for repairs to the multi store car park from the uncommitted capital contingency.
- ii) to fund a package of emergency highway resurfacing works of £135,000 from the LPSA Capital Reward Grant.

25. MOTIONS ON NOTICE

None

26. OUTSIDE BODIES 2006/07

Following approval of the appointments to Outside Bodies, Members were advised of the following minor change to those appointed at Annual Council:-

(i) Changes to those appointed at Annual Council

Forum for Racial Harmony – Councillor Richardson to replace Councillor Johnson.

(ii) Vacancy

Brierton Community Sports Centre (Management Committee) – Councillor M Waller to be appointed to vacancy deferred at the Annual Council meeting.

(iii) Additional Nominations Required

Together Project Steering Group – Three nominations have been made (Councillors R Cook, Lilley and Preece), though a further two Labour Councillors are required.

RESOLVED – (i) That the changes detailed above be approved.

(ii) That the outstanding two labour nominations to the Together Project Steering Group be submitted to the Chief Executive.

27. APPOINTMENTS TO COMMITTEES, FORUMS AND OTHER BODIES

Following approval of the Council's appointments to Committees, Forums and other Bodies, approval was sought of the following minor changes to those appointed at Annual Council:-

(i) Changes to those appointed at Annual Council

Regeneration and Planning Services Scrutiny Forum – Councillor D Waller to replace Councillor Cranney.

(ii) Independent Remuneration Panel – Member Working Group- Members were reminded that at the meeting of Council held on 16th February 2006, the report produced by the Independent Remuneration Panel was referred to a cross party working group. Council agreed appointments to the Working Group, on 23 February 2006, as follows:-

Councillors James, Richardson, Sutherland, Clouth, Johnson, Flintoff, Preece, Morris, Kaiser and Ferriday.

Council's instructions are requested in respect of replacements for ex Councillors Ferriday and Flintoff.

RESOLVED – That Councillors Lauderdale and Tumilty be appointed to replace Councillors Ferriday and Flintoff respectively.

28. BY-ELECTION

Members will be aware of the election of Councillor Trevor Rogan on 8th June, 2006.

Following approval of the Council's appointments to Committees, Forums and other Bodies, there are currently vacancies on the following meetings:-

General Purposes Committee
Licensing Committee
Children's Services Scrutiny Forum

RESOLVED – That Councillor Rogan be appointed to the Committees listed above.

29. PCT RECONFIGURATION

A report was presented by the Chief Executive which advised of Counsel's advice in relation to the merits of seeking a Judicial Review of the Strategic Health Authority's consultation process in respect of the reconfiguration of Primary Care Trusts.

RESOLVED – That the meeting pass the appropriate resolution under the Local Government (Access to Information) Act 1985 to enable Members to discuss this matter further in private session.

30. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 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 31 (PCT Reconfiguration)(para 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Minute 32 (Phoenix Centre)(para 3 – information relating to the financial or business affairs of any particular person [including the Authority holding that information])

31. PCT RECONFIGURATION

A report was presented by the Chief Executive which advised of Counsel's advice in relation to the merits of seeking a Judicial Review of the Strategic Health Authority's consultation process in respect of the reconfiguration of Primary Care Trusts. The Chief Solicitor commented in greater detail and on the contents of the advice.

32. PHOENIX CENTRE

A report was presented by the Mayor which sought Council's consideration of Cabinet's proposal to earmark funding for the purchase of the Phoenix Centre.

C RICHARDSON

CHAIRMAN