



Chief Executive's Department
Civic Centre
HARTLEPOOL

18 February, 2013

The Mayor (Stuart Drummond)

Councillors Ainslie, C Akers-Belcher, S Akers-Belcher, Atkinson, Beck, Brash, Cook, Cranney, Dawkins, Fisher, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hill, Jackson, James, Lauderdale, A E Lilley, G Lilley, Loynes, Dr. Morris, Payne, Richardson, Robinson, Shields, Simmons, Sirs, Tempest, Thompson, Wells and Wilcox.

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY, 28 February, 2013 at 7.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

D Stubbs
Chief Executive

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COUNCIL AGENDA



28 February 2013

at 7.00 p.m.

**in the Council Chamber,
Civic Centre, Hartlepool**

1. To receive apologies from absent members.
2. To receive any declarations of interest from members.
3. To deal with any business required by statute to be done before any other business.
4. To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 10.
- 5 To approve the minutes of the last meeting of the Council held on 14 February 2013, as a correct record (to follow).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under Council Procedure Rule 11;
 - (a) Questions to members of the Executive about recent decisions of the Executive (without notice)
 - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.
 - (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given. Minutes of the Cleveland Fire Authority held on 14 December 2012 attached.
8. To deal with any business required by statute to be done.

9. To receive any announcements from the Chair, the Mayor, members of the Cabinet or the head of the paid service.
10. To dispose of business (if any) remaining from the last meeting and to receive the report of any scrutiny forum or other committee to which such business was referred for consideration.
11. To receive reports from the Council's committees and working groups other than any overview and scrutiny committee and to receive questions and answers on any of those reports;

None.

12. To consider any other business specified in the summons to the meeting, including consideration of reports of the overview and scrutiny committees for debate and to receive questions and answers on any of those items;
13. To consider reports from the Executive:-
 - (a) Proposals in relation to the Council's budget and policy framework
 - (i) Formal Council Tax Setting 2013/2014 – Incorporation of Police and Fire Authority Precepts.
 - (b) Proposals for departures from the budget and policy framework

None.

14. To consider any motions in the order in which notice has been received:-
15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

COUNCIL

MINUTES OF PROCEEDINGS

14 February 2013

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

PRESENT:-

The Chairman (Councillor S Akers-Belcher) presiding:

The Mayor, Stuart Drummond

COUNCILLORS:

Ainslie	C Akers-Belcher	Atkinson
Beck	Brash	Cranney
Dawkins	Fisher	Fleet
Gibbon	Griffin	Hall
Hargreaves	Hill	Jackson
Lauderdale	A Lilley	G Lilley
Loynes	Payne	Richardson
Shields	Simmons	Sirs
Tempest	Thompson	Wells

Officers: Dave Stubbs, Chief Executive
Andrew Atkin, Assistant Chief Executive
Peter Devlin, Chief Solicitor
Chris Little, Chief Finance Officer
Denise Ogden, Director of Regeneration & Neighbourhoods
Sally Robinson, Assistant Director (Prevention, Safeguarding and Specialist Services)
Louise Wallace, Director of Public Health
Amanda Whitaker and Angela Armstrong, Democratic Services Team

Prior to the commencement of business, the Chairman welcomed Councillor Dawkins to the meeting, following his absence from meetings due to ill health.

It was agreed that a card of best wishes, on behalf of all Members of the Council, be sent to Councillors Cook and Robinson who were absent from meetings due to ill health.

118. APOLOGIES FOR ABSENT MEMBERS

Councillors Cook, James, Dr Morris, Robinson and Wilcox

119. DECLARATIONS OF INTEREST FROM MEMBERS

Councillor Cranney declared a prejudicial interest in item 4 of agenda – public questions – and advised that he would leave the room during consideration of that item.

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

None

121. PUBLIC QUESTION

The following question had been received from Mr Riddle to the Mayor:-

"Can the Mayor please clarify why it was felt necessary to put the proposed renewal of the 'Who Cares North East/connected care contract out to public tender please?"

In response the Mayor advised that the duration of the contract was a year and was due to end. Cabinet had agreed that the best course of action would be to retender to test the market and ensure best value was achieved.

A supplementary question from Mr Riddle stated that the Portfolio Holder at the time of the award of the initial contract was Councillor Hall. Mr Riddle questioned whether the Mayor thought it was appropriate for a Labour Councillor to have significant input into the award of a contract worth over £600,000 to an organisation involving two other serving Labour Councillors especially given Councillor Hall's background as an accountant for Manor Residents Association. It was questioned whether that was not a blatant conflict of interest.

At this point in the meeting, Councillor Hall raised an objection on the basis of misinformation included in the supplementary question. Councillor Hall explained that the first contract had been awarded to a new company, 'Who Cares North East'. It was a completely new independent company with new governance arrangements. Also, at no time and under no circumstances had Councillor Hall ever been the accountant for that new company. He added that his earlier professional relationship with another organisation was irrelevant.

In responding to the supplementary question, the Mayor highlighted that the contract had been awarded by the Cabinet. If it was considered that a Member had a conflict of interest, it was up to that Member to declare that interest. With respect to the wider issue of perceptions of conflicts of interest, the Mayor

referred to the item included on Chief Executive's Business relating to proposed public inquiry. The Mayor wanted to ensure that there was accountability for every decision taken by Cabinet. The Mayor acknowledged also that there were a lot of concerns regarding the letting of the contract. He considered that whether those concerns were founded or unfounded was irrelevant. It had been decided to go back out to tender to ensure it was a clear, accountable and fair contract.

Prior to his second supplementary question, Mr Riddle referred to the European Convention definition of acts of corruption and questioned whether there was a danger that the way the contract had been awarded could be perceived as corruption. Prior to the Mayor responding to the question, the Chief Solicitor intervened and highlighted that the question was straying potentially into aspects of defamation.

The Mayor reiterated comments he had made earlier in the meeting regarding accountability of Cabinet decision making. He added that if anybody had any information relating to alleged corruption or fraud, it would be a matter for the police. The Mayor advised that he was happy to take any information to the police. However, he guaranteed that contracts were monitored in extreme detail by Officers. The Mayor was not aware of anything that could be construed as fraud/corruption but it was important to ensure perceptions were addressed.

During the debate that followed, issues relating to public perception were highlighted together with Nolan's Committee Report on Standards in Public Life. Councillor Hall reiterated that he had no connection with the new company and that the decision to award the Contract had been endorsed by Cabinet. Councillor Hall referred also to the roles of Councillors on the Board of various organisations and voluntary groups throughout the Borough. It was stressed that perception should be well informed and caution should be exercised in terms of what was said in a public forum.

122. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Special Council meeting held on the 6th December 2012, the Ordinary meeting of Council held on 6th December 2012 and the Extraordinary Council meeting held on 24th January 2013 having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

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

None

124. QUESTIONS FROM MEMBERS OF THE COUNCIL

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

None

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

None

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

None

Minutes of the meetings of the Cleveland Police and Crime Panel held on 6 August 2012; Cleveland Police Authority held on 25 September 2012 and 6 November 2012 and Minutes of the Cleveland Fire Authority held on 19 October 2012 and 23 November 2012 had been circulated.

125. BUSINESS REQUIRED BY STATUTE

- (i) Report on Special Urgency Decisions

It was noted that no special urgency decisions had been taken in respect of the period October 2012 – December 2012.

126. ANNOUNCEMENTS

None

127. 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

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

None

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

(i) Empty Property Purchasing Scheme Update Report

Further to minute 83 of the Council meeting held on 18 October 2012, the Mayor presented a report which set out the objectives of the Council's Empty Property Purchasing Scheme and provided an update on the implementation of the Scheme. Updates were provided in relation to Property Acquisition, Property Refurbishment and Lettings. The report set out also details relating to the funding profile.

Council was advised that the project was being delivered on programme and within budget with the average cost for acquisition and refurbishment being £53,000 per property and no additional contingency had been used. To date 7 properties had been completed and would be handed over to Housing Hartlepool for letting in the near future.

It was highlighted at the meeting that Council had been seeking assurances that properties would be refurbished by the Council's own staff and that the Scheme would be delivered on or below budget. It was requested that future quarterly reports include purchase/refurbishment costs of each property.

RESOLVED – That the report is noted and future quarterly reports include information relating to the purchase and refurbishment costs of each property.

130. REPORT FROM THE EXECUTIVE

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

(i) Medium Term Financial Strategy – Budget and Policy Framework 2013/2014 to 2016/2017

The Finance and Corporate Services Portfolio Holder presented the Executive's 2013/14 budget proposal for Council consideration to enable the 2013/14 budget and Council Tax to be determined. The Portfolio Holder highlighted key issues included in the report. The progress in achieving the targets which had been previously set for reviewing reserves and achieving managed budget under spends was summarised in the report. Cabinet had recommended that the final uncommitted outturn be transferred to the General Fund.

The Portfolio Holder highlighted the impact of the Government's continuing austerity regime, which was having a significant impact on the Council in terms of cuts in core grant funding and also cuts in a range of other grants, including the Council Tax Support grant. As a result of grant cuts the budget gap which would need to be bridged over the next 4 years had increased by £2m to a revised gap of between £21.09m to £23.09m. The range reflected uncertainty around the actual cuts for 2015/16 and 2016/17.

The report set out the proposed strategy for managing the 2013/14 budget gap of £5.982m, which would be bridged from a combination of budget cuts of £3.664m and the use of one-off resources of £2.318m. The use of one-off resources in 2013/14 was designed to provide a longer lead time to implement budget cuts which would be required in 2014/15 and the following two years.

The report set out also the issues in relation to Council Tax in terms of whether the Council should freeze Council Tax, or whether it should be increased. After considering these issues, Cabinet had recommended a Council Tax freeze. Cabinet recognised this deferred an additional budget shortfall of £0.4m until 2015/16 when the two year Council Tax freeze grant was removed.

An updated document had been circulated to Members prior to the meeting to reflect the final grant figures provided by the Government, details of which had been received after the reports for Council had been issued. The final grant cut had increased by £926 and as this had an impact on the statutory budget calculations a supplementary report has been issued. Therefore, to set the 2013/14 budget and the proposed Council Tax freeze Council was asked to consider:

- the detailed recommendation in section 5 of the report included in the agenda papers as item 13a (i); and
- the revised supporting statutory calculations for freezing Council Tax in 2013/14 detailed in Appendix A of the supplementary report issued separately.

During the debate which followed the presentation of the report, the Mayor commended the proposed final budget to Council and referred Members to the forward planning which had resulted in the robust proposal which had been presented to Members.

Whilst supporting the proposal, Members expressed some concerns regarding the future financial implications of the proposed Council Tax freeze. Members also took opportunity to pay tribute to the work which had been undertaken by Officers in preparing the final budget, particularly the work of the Chief Finance Officer.

RESOLVED – That in order to set the 2013/14 budget and the proposed Council Tax freeze, the following were approved

- the detailed recommendation in section 5 of the report included in the agenda papers as item 13a (i); and
- the revised supporting statutory calculations for freezing Council Tax in 2013/14 detailed in Appendix A of the supplementary report issued separately.

The Chair confirmed, in the absence of dissent, that this was the unanimous decision of Council.

(ii) Local Development Framework – Authorities Monitoring Report 2011/2012

A report presented by the Mayor, on behalf of the Executive, sought Council approval to the Local Development Framework Authorities Monitoring Report for 2011/12. Members were advised that under the Planning and Compulsory Purchase Act 2004, Local Planning Authorities were required to prepare a number of documents which together formed the Local Development Framework (LDF) for an area. The documents included the following:

- i) Development Plan Documents (DPD), (which include Neighbourhood plans) and set out the spatial objectives and policies for the borough;
- ii) Supplementary Planning Documents, which link to DPD policies but provides further guidance on how to achieve goals and implement policies;
- iii) a Local Development Scheme (LDS) setting out a rolling programme for the preparation of Development Plan Documents (DPDs);
- iv) a Statement of Community Involvement (SCI) setting out the standards to be achieved in involving the community in the preparation of planning documents included in the LDS; and
- v) an Authorities Monitoring Report (AMR) assessing the progress of preparation work against key milestones identified in the LDS and the effectiveness of existing planning policies.

The report related to the Authorities Monitoring Report and covered the period April 1st 2011 to March 31st 2012. The AMR included an assessment of performance against key milestones, which included delivery of those documents listed within the LDS and policy implementation through the development management process. Supplementary Planning Documents were no longer listed within the Councils Local Development Scheme so no formal assessment of their progress has been included within the document.

Members were advised that due to new legislation the council had to report on two new elements relating to the Community Infrastructure Levy and Duty to Cooperate. Formal endorsement of the Authorities Monitoring Report by the Council was required. Details were set out in the report. The AMR had been presented and discussed at the Cabinet meeting on 17th December 2012. Cabinet had recommended that the report be endorsed and forwarded to Council for approval.

RESOLVED – That the 2011/12 Local Development Framework Authorities Monitoring Report be approved.

The Chair confirmed, in the absence of dissent, that this was the unanimous decision of Council.

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

None

131. MOTIONS ON NOTICE

None

132. TREASURY MANAGEMENT STRATEGY REVIEW

The Chief Executive sought Council's consideration of the proposed Treasury Management Strategy for 2013/14. The Local Government Act 2003 required the Council to set out its Treasury Management Strategy for borrowing and to prepare an Annual Investment Strategy, which would set out the Authority's policies for managing its investments and to give priority to the security and liquidity of those investments. The report provided detailed information regarding contributing factors and reviews that had occurred in the process of compiling the Treasury Management Strategy before being referred to Council by Audit Committee on the 9th November 2012.

The report to the Audit Committee had advised Members that a comprehensive review of the Treasury Management Strategy had been undertaken to reflect a significant change in the funding arrangements for local authority capital spending by the Government. This change enabled a £1m saving to be achieved from 2014/2015. Achieving this saving was not without risk as the Council would need to carefully manage future borrowing decisions to ensure it could lock into long term interest rates at an affordable level. To manage this risk it was recommended that the forecast 2013/14 Treasury Management saving of £0.870m be earmarked to establish a 'Treasury Management Risk Reserve.' This reserve would be reviewed on an annual basis.

Members were advised that Audit Committee had carefully scrutinised the proposed Treasury Management strategy and had approved that the strategy be referred to full Council. At the time of the Audit Committee it was not possible to calculate supporting Prudential Indicators as this was reliant on Government Capital Allocations which had not been issued. However, as the Treasury Management Strategy outlined the key principles covering the operation of the Authority's borrowing and investment strategy the unavailability of this information did not prevent the Audit Committee from considering and scrutinising the proposed strategy.

Prudential indicators and other regulatory information had been completed and were appended to the report.

RESOLVED – (I) that the report and the recommendation from the Audit Committee including the following detailed recommendations for the 2013/14 Treasury Management Strategy and related issues be approved;

- i) the adoption of Option 1 for the Council's borrowing strategy be approved which will delay long term borrowing and continue the

existing strategy of netting down investments and borrowings until there is a significant forecast change in current interest rates;

- ii) the Chief Finance Officer's professional advice that if recommendation (ii) is approved that a permanent interest and MRP saving of £1m can be built into the 2014/15 base budget forecast;
- iii) Note that if recommendation (iii) is approved this will help reduce the 2014/15 budget deficit and to note this saving is reflected in the budget deficits detailed in the Medium Term Financial Strategy report considered earlier on the agenda;
- iv) Note and approve the Chief Finance Officer's professional advice that the saving detailed in recommendation (iii) can only be achieved if the forecast 2013/14 Treasury Management saving of £0.870m is earmarked to establish a 'Treasury Management risk reserve' to manage the risk of interest rates increasing over the period of the MTFS and therefore costs exceeding the reduced ongoing revenue budget;
- v) Note that an annual review of the 'Treasury Management risk reserve' will be reported to Members as part of the annual Treasury Management review;
- vi) the continuation of the existing investment strategy and counterparty list be approved;
- vii) the proposal for managing the Capital Funding Reserve detailed in paragraph 6.7 of Appendix 1 be approved and an annual update be reported to Members;
- viii) the Capital Prudential Indicators and the Minimum Revenue Provision Statement included in Section 1 Appendix 2 be approved;
- ix) the Borrowing Prudential Indicators included in Section 2 Appendix 2 be approved;
- x) the Investment Prudential Indicators included in Section 3 Appendix 2 be approved;
- xi) the Investment Strategy Counterparty Criteria contained in section 4 Appendix 2 be approved and it was noted that the operational limits will continue to be further restricted; and,
- xii) the Treasury Management Limits on Activity in section 5 Appendix 2 be approved.

The Chair confirmed, in the absence of dissent, that this was the unanimous decision of Council.

133. PAY POLICY

The Chief Executive reported that last year the Council had published its first annual pay policy statement for 2012/13 as required under Section 40 of the Localism Act. Members were advised that the Pay Policy statement had to be agreed each year by Council. The proposed pay policy statement for 2013/14 had been circulated and included information relating to the following:-

- the revised pay ranges and performance increments for the post of Chief Executive and Director of Regeneration and Neighbourhoods
- the pay arrangements for Public Health senior managers who will transfer to the Council on 1 April 2013
- the pay arrangements in respect of duties undertaken by senior managers on behalf of Cleveland Fire Brigade
- the approach to bonuses (which are not payable unless there is an entitlement under a TUPE or similar transfer)
- the 'pay multiple' which is now based on median pay rather than mean pay

It was noted that the pay policy statement would be updated to reflect any significant changes made by Council to the pay and non pay benefits of the officers covered by the pay policy. Thereafter an updated pay policy statement would be submitted to Council for approval.

The Chief Executive highlighted that in accordance with the previous decision of Council, it was intended to submit a detailed report to the June meeting of Council. However, it was highlighted at the meeting that there had been no Member involvement in the review.

It was proposed and seconded:-

The Pay Policy Statement was referred to General Purposes Committee for further discussion to be reported back to Council before 31 March 2013 and a further comprehensive review be conducted under the Council's new governance arrangements.

RESOLVED – That the Pay Policy Statement be referred to General Purposes Committee for further discussion to be reported back to Council before 31 March 2013 and a further comprehensive review be conducted under the Council's new governance arrangements..

The Chair confirmed, in the absence of dissent, that this was the unanimous decision of Council.

134. PROPOSED PUBLIC INQUIRY – CORPORATE PEER CHALLENGE OF HARTLEPOOL BOROUGH COUNCIL

At the meeting of Council held on 6th December, 2012, Members had resolved to give consideration to the holding of a Public Inquiry but requested additional information by way of a draft “Terms of Reference” and indicative costs, associated with such a process. The request for an inquiry followed the findings and recommendations of the Corporate Peer Challenge of the Council which was conducted through the Local Government Association over the period 17th-20th September, 2012. In particular, the comments and recommendations surrounding ‘commissioning in the voluntary sector’ and a “perceived lack of rigour around declarations of interest at Member level” had caused anxiety, as referenced by the Peer Review Team. This report therefore provided information previously requested to assist in their determination of this issue, together with additional information as to suggested approaches that could be undertaken in line with the sentiments to have some form of inquiry.

Appended to the report was a draft ‘Terms of Reference’ for the consideration of Council. The document highlighted the two issues raised through the Corporate Peer Challenge as mentioned at the previous Council meeting and that evidence should come through “core participants” (this should comprise Elected Members, representatives from the voluntary and community sector and such other personnel who will be expected to contribute to an Inquiry) and following completion of the Inquiry the compilation of a report with a set of recommendations. Also circulated was a “projected timetable” for the holding of an Inquiry. It was highlighted that the duration of any form of inquiry was dependent upon its subject matter and the format of an Inquiry. The indicative cost as requested by Council had also been circulated.

The Chief Executive advised Members at the meeting that he believed an inquiry should be undertaken. He added that the Corporate Management Team believed concerns and perceptions needed to be ‘laid to rest’. The way in which the inquiry was undertaken was to be decided by Members. However, at the very least the Chief Executive advised the option 4 in the report should be considered.

Following presentation of the report, Members expressed views regarding the importance of an independent inquiry and the process associated with the appointment of an independent person to Chair the inquiry. Whilst supporting an inquiry to address public perception issues the costs associated with the inquiry, at a time when the Council was facing continuing financial constraints, were highlighted.

It was moved and seconded:-

‘That the total budget for undertaking the Public Inquiry be limited to £20,000 to be funded from the outturn referred to in the Medium Term Financial Strategy approved earlier in the meeting and that the inquiry be chaired by a former Local Authority Monitoring Officer and completed within a period of 4 weeks’.

It had been suggested earlier in the meeting that the appointment of the Independent Chair be conducted by the members of the Council's Appointments Panel. Following further discussion, Members agreed that the appointment should instead be conducted by a panel comprising the leaders of the Political Groups together with an independent Councillor.

Following further debate, it was:-

RESOLVED –(i) That a Public Inquiry be held with the Chair of the Inquiry being appointed by the following Members: Leader of the Labour Group, Cllr C Akers-Belcher; Leader of Putting Hartlepool First Group, Cllr G Lilley; Leader of the Conservative Group, Cllr R Wells and an independent Member to be nominated.

(ii) That the nominated Members in conjunction with the Chief Executive agree the Terms of Reference and accompanying timetable for the Public Inquiry.

(iii) That a limit on the total budget for undertaking the Public Inquiry be set at £20,000 to be funded from the outturn referred to in the Medium Term Financial Strategy

(iv) That the results of the Public Inquiry are reported to Council upon the conclusion of the exercise.

The Chair confirmed, in the absence of dissent, that this was the unanimous decision of Council.

The meeting concluded at 8.25 p.m.

CHAIR

CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

14 DECEMBER 2012



PRESENT:

ACTING CHAIR:-

Cllr Briggs – Redcar & Cleveland Council

HARTLEPOOL BOROUGH COUNCIL

Cllrs James, Richardson, Wells

MIDDLESBROUGH COUNCIL

Cllrs Biswas, Hussain

REDCAR & CLEVELAND BOROUGH COUNCIL

Cllrs Cooney, Dunning, Hannon, Moses, Ovens

STOCKTON ON TEES BOROUGH COUNCIL

Cllrs Cunningham, O'Donnell, Stoker, Woodhead, Walmsley

AUTHORISED OFFICERS

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

APOLOGIES:

Cllr Payne - Hartlepool Borough Council

Cllrs Brunton, Clark, Pearson, Sanderson - Middlesbrough Council

Cllrs Corr, Gardner - Stockton Borough Council

92. DECLARATIONS OF MEMBERS INTEREST

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

93. MINUTES

RESOLVED – that the Minutes of the Cleveland Fire Authority Annual Meeting on 19 October 2012 and the Special Meeting on 27 November 2012 be confirmed.

94. MINUTES OF COMMITTEES

RESOLVED – that the Minutes of the Executive Committee held on 23 November 2012 and the Standards Committee held on 30 November 2012 be confirmed.

95. COMMUNICATIONS RECEIVED BY THE CHAIR

The Chairman informed Members of the receipt of the following communications:

- Cllr John Livings - Combined Fire Authorities Chair - Requesting Meeting With The Minister To Discuss Precept Proposal
- Chris Williamson MP – Invite To Discuss Becoming A Mutual
- Brandon Lewis MP - Business Rate Retention Policy Statement
- Kay Hammond – LGA Fire Services Committee Chair – Work Programme 2012/13
- Neil O'Connor – Re Mutualisation in the Fire Sector

RESOLVED - that the communications be noted.

96. REPORTS OF THE CHIEF FIRE OFFICER

96.1 Pay Protection Policy

The Chief Fire Officer (CFO) reported that the Pay Protection Policy had recently been reviewed in line with the Authority's Policy Framework. The proposed major change to the policy was the reduction of Pay Protection from three years to one year as outlined at Appendix 1. He advised Members that Appendix 2 outlined for comparison purposes the Pay Protection arrangements in other organisations. The Chief Fire Officer reported that Representative bodies had been consulted with Unison's response outlined at Appendix 3 and the FBU response had been circulated prior to the meeting. Councillor Richardson proposed a motion to change the Pay Protection Policy to fully protect the salary of an employee for a two year period (not one) and that this arrangement should last for two years, then the pay protection period be reduced to one year. This motion was seconded and Members voted unanimously in favour of this amendment to the policy.

RESOLVED – That Cleveland Fire Authority's Pay Protection Policy be approved subject to the pay protection period being reduced from three to two years for a two year period, then be further reduced to one years pay protection. Paragraph 4.3.1 of the Policy will read as follows:

4.3.1 *"the salary of the individual will be fully protected for two years from the date the change in position becomes effective. In the case of redeployment to a lower graded post as an alternative to redundancy, every effort will be made to transfer the employee to a suitable role at the protected level within the two year period".*

96.2 Firefighter Pension Contribution Consultation

The CFO reported that on 29 November 2012 the Department of Communities and Local Government (DCLG) published a consultation paper (attached at Appendix 1) seeking views on the proposed average increase of 1.28 % in employee contributions from 1 April 2013 for members of the Firefighters' Pension Scheme (1992) and New Firefighters' Pension Scheme (2006).

The CFO referred to the tables on pages 3 and 4 of the report detailing how individuals in both schemes will be affected and noted that the trade unions were involved in national dialogue to oppose the proposed increase. He reported that the consultation sought views in connection with the 4 key questions outlined on page 5 of the report and that a response would be drafted and brought back to the Authority prior to the closing date of Friday 25 January 2012.

RESOLVED:-

- (i) that the contents of the report be noted.**
- (ii) that a draft response be brought back to the CFA in January 2013.**

96.3 Information Pack – October 2012

- 96.3.1 Fire and Rescue Service Monthly Bulletins
- 96.3.2 National Joint Council Circulars
- 96.3.3 Employers Circulars
- 96.3.4 Brigade Policies

96.3 Information Pack – October 2012 continued

96.3.5 WOW Awards

The CFO reported that Cleveland Fire Brigade had received three national awards at the recent WOW! Awards Ceremony in London for:

- Best Organisation in the Community
- Best Newcomer to the WOW! Awards
- 'WOW! You changed my life' Award, won by Kelly Reed, Youth Engagement Co-ordinator' based at Stranton Fire Station.

Councillor Dunning wished to place on record the Authority's congratulations.

RESOLVED – that the Information Pack be noted.

97. REPORT OF THE CHAIR OF AUDIT & GOVERNANCE COMMITTEE

97.1 Information Pack

Councillor Stoker outlined the areas scrutinised by the Audit & Governance Committee at the 16 November 2012 meeting.

RESOLVED – that the Information Pack be noted.

98. REPORT OF THE CHAIR OF OVERVIEW & SCRUTINY COMMITTEE

98.1 Information Pack

Councillor Cooney updated Members on the progress of the scrutiny of Brigade Sickness and Retained Availability Analysis and reported that the FBU had attended the 9 November 2012 meeting to give their views on sickness. Councillor Dunning thanked the FBU for their attendance which had been very beneficial. Councillor James suggested the Authority should consider generating permanent part-time posts and consider having an apprenticeship scheme and investigate financial contribution via The Work Programme. The CFO reported that work was currently being done to move the establishment of apprenticeships forward and he was meeting with Job Centre Plus to seek their support in running the programme.

The CFO proposed that a future CFA meeting be held at Redcar Fire Station to allow Members to view the facilities.

RESOLVED:-

- (i) **that the Information Pack be noted.**
- (ii) **that a future CFA meeting be held at Redcar Fire Station.**

99. REPORT OF THE TREASURER

99.1 Treasury Management Strategy Annual Review 2011/12 and 2012/13 Mid-Year Update

The Treasurer advised Members on the economic background for 2011/12 and 2012/13 economic performance to date and outlook; the Authority's capital expenditure and financing in 2011/12; the Treasury position at 31 March 2012; the regulatory framework, risk and performance 2011/12 and the 2012/13 Treasury Strategy Mid-year Review. He reported that the report had been considered by the Audit & Governance Committee on 16 November 2012 who had recommended its approval by the Authority.

- 99.1 Treasury Management Strategy Annual Review 2011/12 and 2012/13 Mid-Year Update continued**
The Treasurer confirmed that the Treasury Management activities have been undertaken in accordance with relevant legislation, regulations and the Authority's approved Treasury Management Strategy and there were therefore no specific issues to bring to Members attention.
- RESOLVED – that the Treasury Management Strategy Annual Review 2011/12 and Mid-Year update 2012/13 be approved.**
- 100. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION ORDER) 2006**
RESOLVED - "That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph below of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006".
- Paragraph 4: namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.**
- 101. CONFIDENTIAL MINUTES**
RESOLVED – that the Confidential Minutes of the Cleveland Fire Authority Special Meeting held on 23 November 2012 be confirmed.
- 102. CONFIDENTIAL REPORT OF THE CHIEF FIRE OFFICER**
102.1 Budget 2013/14-2014/15
The CFO outlined to Members the latest estimate of resources for the next two financial years in respect of the annual revenue budget under the current spending review.

**COUNCILLOR BRIAN BRIGGS
VICE-CHAIRMAN**

COUNCIL REPORT

28th February, 2013



Report of: Chief Executive

Subject: FORMAL COUNCIL TAX SETTING 2013/2014 –
INCORPORATION OF FIRE AND POLICE
AUTHORITY PRECEPTS

1. PURPOSE OF REPORT

- 1.1 To enable Council to set the overall level of Council Tax following the notification by the Police and Fire Authorities of their Council Tax levels for 2013/2014.

2. BACKGROUND

- 2.1 At your meeting on 14th February, 2013, Members reconsidered the proposed Medium Term Financial Strategy and this Authority's own 2013/2014 Council Tax level, including Parish Council Tax levels where applicable.
- 2.2 In accordance with statutory requirements the Council then needs to approve the overall Council Tax, inclusive of the Police and Fire Authorities precepts.
- 2.3 Both the Fire and Police authorities are eligible to receive the Council Tax freeze grant if they determined to maintain their individual Council Taxes at the levels set in the current year. The Fire Authority set its precept with a 1.9% increase in its Council Tax on 15th February, 2013.
- 2.4 The Police Authority set its precept and Council Tax on the 5th February, 2013 with an increase of 1.99%.
- 2.5 The Council Tax bills for Hartlepool residents will clearly show that Hartlepool Council froze its own tax and will show the relevant percentage increases for the Police and Fire authorities.

3. DETERMINATION OF OVERALL COUNCIL TAX LEVELS

- 3.1 The determination of the overall Council Tax level is a statutory function, which brings together the individual Council Tax levels determined by this Council, Cleveland Fire Authority, Cleveland Police Authority and where applicable Parish Councils.
- 3.2 A detailed schedule of the statutory Council Tax calculation incorporating the approved Fire and Police Authorities Council Tax levels for 2013/2014 is attached.

4. PROPOSAL

4.1 Council is requested to approve the following proposal: -

- i) The amount of Council Tax including the Cleveland Police Authority and Cleveland Fire Authority precepts, in accordance with Section 40 of the Local Government Finance Act 1992 and the relevant inclusion of amounts of Council Tax for each category of dwelling in accordance with Sections 43 to 47 of the Act, as set out in Appendix A, Table 4.

APPENDIX A

SCHEDULE OF DETAILED COUNCIL TAX CALCULATIONS

Table 1 - Council Tax for Areas without a Parish Council 2013/2014

	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
Hartlepool Borough Council Basic Amount without parishes or special items	945.80	1,103.43	1,261.07	1,418.70	1,733.97	2,049.23	2,364.50	2,837.40
Police Authority	132.19	154.22	176.25	198.28	242.34	286.41	330.47	396.56
Fire Authority	45.17	52.70	60.23	67.76	82.82	97.88	112.93	135.52
Areas without a Parish Council	1,123.16	1,310.35	1,497.55	1,684.74	2,059.13	2,433.52	2,807.90	3,369.48

TABLE 2 - Council Tax For Parish Councils 2013/2014

	Precept (1)	Parish Tax Base (2)	Parish Council Tax (3) [=(1)/(2)]	Basic Council Tax (4)	Billing Authority's Council Tax (5) [=(3)+(4)]
<u>Parishes</u>	£ p		£ p	£ p	£ p
Dalton Piercy	5,430	99.2	54.74	1,418.70	1,473.44
Elwick	4,934	446.5	11.05	1,418.70	1,429.75
Greatham	2,635	558.3	4.72	1,418.70	1,423.42
Hart	3,110	291.5	10.67	1,418.70	1,429.37
Headland	5,294	687.5	7.70	1,418.70	1,426.40
Newton Bewley	185	31.7	5.84	1,418.70	1,424.54

TABLE 3 - Council Taxes For Each Property Band 2013/2014

(Including Parish Precepts, and Excluding Police Authority & Fire Authority)

<u>Parishes</u>	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
Dalton Piercy	982.29	1,146.01	1,309.72	1,473.44	1,800.87	2,128.30	2,455.73	2,946.88
Elwick	953.17	1,112.03	1,270.89	1,429.75	1,747.47	2,065.20	2,382.92	2,859.50
Greatham	948.95	1,107.10	1,265.26	1,423.42	1,739.74	2,056.05	2,372.37	2,846.84
Hart	952.91	1,111.73	1,270.55	1,429.37	1,747.01	2,064.64	2,382.28	2,858.74
Headland	950.93	1,109.42	1,267.91	1,426.40	1,743.38	2,060.36	2,377.33	2,852.80
Newton Bewley	949.69	1,107.97	1,266.25	1,424.54	1,741.10	2,057.66	2,374.23	2,849.07
Areas without a Parish Council	945.80	1,103.43	1,261.07	1,418.70	1,733.97	2,049.23	2,364.50	2,837.40

TABLE 4 - Council Taxes For Each Property Band 2013/2014

(Including Parish Precepts, Police Authority & Fire Authority)

<u>Parishes</u>	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
Dalton Piercy	1,159.65	1,352.93	1,546.20	1,739.48	2,126.03	2,512.59	2,899.13	3,478.96
Elwick	1,130.53	1,318.95	1,507.37	1,695.79	2,072.63	2,449.49	2,826.32	3,391.58
Greatham	1,126.31	1,314.02	1,501.74	1,689.46	2,064.90	2,440.34	2,815.77	3,378.92
Hart	1,130.27	1,318.65	1,507.03	1,695.41	2,072.17	2,448.93	2,825.68	3,390.82
Headland	1,128.29	1,316.34	1,504.39	1,692.44	2,068.54	2,444.65	2,820.73	3,384.88
Newton Bewley	1,127.05	1,314.89	1,502.73	1,690.58	2,066.26	2,441.95	2,817.63	3,381.15
Areas without a Parish Council	1,123.16	1,310.35	1,497.55	1,684.74	2,059.13	2,433.52	2,807.90	3,369.48