

# CABINET

## MINUTES AND DECISION RECORD

15 April 2013

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)

Officers: Dave Stubbs, Chief Executive  
Andrew Atkin, Assistant Chief Executive  
Chris Little, Chief Finance Officer  
Alyson Caman, Legal Services Manager  
Denise Ogden, Director of Regeneration and Neighbourhoods  
Damien Wilson, Assistant Director, Regeneration and Planning  
Sally Robinson, Assistant Director, Prevention, Safeguarding and Specialist Services  
Fiona Stanforth, Regeneration Officer  
Andrew Golightly, Principal Regeneration Officer  
Julian Heward, Public Relations Officer  
Louise Wallace, Director of Public Health  
Denise Wimpenny, Principal Democratic Services Officer

### 209. Apologies for Absence

None.

### 210. Declarations of interest by Members

None at this point in the meeting. However, interests were declared by the Mayor and Councillor Hill later in the meeting (Minute 214 refers)

### 212. Minutes of the meeting held on 15 April 2013

Received

### 213. Seaton Carew Development Sites – Results of Joint Working with Preferred Developer *(Director of Regeneration and Neighbourhoods)*

### **Type of decision**

Key Decision – Forward Plan Ref No RN 5/12

### **Purpose of report**

The purpose of the report is to advise members on the progress made with the preferred developer to take forward the sites identified in the Seaton Carew Development Brief. As part of that progress a set of Heads of Terms have been drafted that will form the basis of the development agreement (or legal agreement) between the two parties to take forward the range of project proposals for Seaton Carew. The report seeks Cabinet endorsement of the Heads of Terms.

### **Issue(s) for consideration by Cabinet**

The Mayor presented the report which provided background information relating to the proposed regeneration scheme for Seaton Carew. Details of the developer's proposals were outlined and included residential development of three Council owned sites. The Council owned development sites included in the development brief, heads of terms and subsequent development agreement included land behind Elizabeth Way, Coronation Drive/Warrior Drive and the Old Fairground Site.

The agreement between the Council and the developer to ensure delivery of the priorities in Seaton Carew was set out in a Development Agreement. The Heads of Terms formed the basis of the Development Agreement and the agreed final draft of the document was included as a confidential appendix to the report. **(This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) (para 3) namely information relating to the financial or business affairs of any particular person (including the authority holding that information).**

In the discussion that followed a Member emphasised the importance of the provision of youth and community facilities in Seaton Carew and in the town generally. Given the temporary youth provision arrangements, it was suggested that the replacement community facilities at Elizabeth Way should be treated as a priority. The Assistant Director outlined the expected timetable for development and indicated that it was envisaged that development of all sites would be linked. Further details of the design work for community facilities would be available in due course.

Following a request for clarification regarding the progress made in acquiring the Longscar building, whilst the preference to acquire the site by agreement was acknowledged the Mayor raised concerns in relation to the length of time negotiations had been ongoing with the owner and was of the view that should early agreement not be reached, then other powers of acquisition should be considered.

A Member welcomed the scheme and the benefits it would bring to the town

and took the opportunity to express thanks and appreciation to the Mayor for his leadership in taking the scheme forward as well as all officers involved.

### Decision

- i) That the negotiated Heads of Terms, as set out in a confidential appendix **(This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).** which included:-
  - a) The creation of a regeneration fund;
  - b) Acquisition by agreement and demolition of the Longscar Building;
  - c) The implementation of a regeneration scheme at The Front, following further consultation with business and residents; and
  - d) The development of replacement community facilities, following further public consultation
- ii) Officers be instructed to finalise the drafting of the development agreement;
- iii) It was agreed that the draft proposals for the seafront regeneration scheme and community facilities would be subject to a comprehensive consultation exercise and the agreed scheme would be submitted for final consideration and endorsement to Finance and Policy and full Council prior to implementation.

**Prior to consideration of the following item of business the Mayor declared an interest in relation to one of the applications and indicated his intention to leave the meeting at the appropriate point.**

## **214. Community Pool Category 4 Grant Allocations 2013/14** *(Director of Regeneration and Neighbourhoods)*

### **Type of decision**

Key Decision (test (i)/(ii)) Forward Plan Reference No. RN9/13

### **Purpose of report**

The purpose of the report is to outline the level of grants recommended for allocation to Voluntary and Community Sector Organisations through Category 4 of the Community Pool for 2013/2014. The report also outlined

the proposed level of funding available for Category 5 grants. A decision was sought from Cabinet on these proposals.

### **Issue(s) for consideration by Cabinet**

The report included background information relating to the review of the Community Pool in 2011/12, the value of the Community Pool Grant Fund for 2012/13 of £403,000 as well as the outcome of the formal procurement process undertaken to award Categories 1, 2 and 3 resulting in a level of expenditure for these three categories of £251,203 agreed by Cabinet on 19 March 2012. The level of budget available for Categories 4 and 5 was a total of £151,797.

Members were advised that as in the previous financial year the Community Pool Grants Programme for 2013/14 was open to applications from all VCS organisations in Hartlepool with set eligibility criteria for both Categories 4 and 5. In relation to Category 4 applications, 20 applications had been received totalling £263,072, an over-subscription of £113,072. Due to the level of funding requested being in excess of that available, a thorough assessment process had been undertaken by officers. With regard to the process, all applications were fully considered and scored. However, two applications were received after the deadline and were therefore deemed exempt from the full application process. In addition a further application was a duplication of a service that was due to be commissioned by the Council and this application was therefore excluded from the process.

Details of the applications received and recommendations for approval were outlined in a confidential appendix attached to the report. **This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government Access to Information) (Variation) Order 2006) namely 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' (para 3).**

The level of funding recommended for approval was £148,087 which would support 11 of the 20 applications. It was suggested that the remaining budget of £1,913 was allocated to Category 5, along with the remaining reserve of £17,043 and inflation £10,348. This level of budget allocation would enable the allocation of at least 6 grants as Category 5 grants were capped at a maximum of £5,000 from April 2013 onwards.

A discussion ensued in relation to the reasons the applications received and recommendations were in a closed appendix and the most appropriate process of considering this item given that the Mayor was keen to ensure transparency and openness. A Member indicated that he wished to raise issues of a confidential nature and following the advice of the Legal Services Manager in this regard, it was suggested that the meeting move into closed session at the appropriate point.

Following a request for clarification the Director of Regeneration and

Neighbourhoods outlined the proposed process and timescales for informing organisations regarding the outcome of Cabinet's decision given concerns expressed that decisions had previously been printed in the press in advance of organisations being informed.

A Member referred to consideration of applications of this type at a previous meeting of the Mayor's Portfolio and whilst he was happy to support the applications recommended for approval was keen to receive a comparable level of detail to that provided at the Mayor's Portfolio Meeting which provided a more detailed understanding of strategic links/Council priorities. Officers agreed to take those comments on board for future reports.

**As a result of a query in relation to an application Councillor Cath Hill declared a prejudicial interest and left the meeting during discussions in relation to this application.**

In response to a query, the Director of Regeneration and Neighbourhoods provided further details regarding the reasons for the recommendation.

#### **Councillor Cath Hill rejoined the meeting**

Further details of discussions were set out in the exempt section of the minutes.

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

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting during part of the discussion on the previous item 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.

### **214. Community Pool Category 4 Grant Allocations 2013/14** *(Director of Regeneration and Neighbourhoods)*

Further to discussions, as set out in the exempt section of the minutes, the meeting returned to open session.

**At this point in the meeting the Mayor declared a prejudicial interest in relation to an application and left the meeting during discussions in this regard.**

**The Mayor vacated the Chair and Councillor Cath Hill took the Chair**

Members were happy to support the recommendation in relation to this

application.

**The Mayor rejoined the meeting, Councillor Cath Hill vacated the Chair and the Mayor took the Chair**

In concluding discussions the Mayor suggested that the names of organisations and level of grant awarded be included in the open section of future reports. It was also suggested that all groups be notified that day of Cabinet's decision and feedback be provided to those groups who were not successful.

**Decision**

1. Cabinet noted the process undertaken to consider applications for Category 4.
2. That the recommendations for allocating grants in Category 4 as set out in **Appendix 1. This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' (para 3))** be approved.
3. That the projects not recommended for approval as outlined in **Appendix 1. This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' (para 3))** be noted.
4. Cabinet approved the use of £1,913 unallocated Category 4 budget to Category 5.
5. Cabinet noted the flexibility proposed in the payment and monitoring of Category 4 projects.
6. Cabinet noted the proposed support arrangements for unsuccessful applicants.

**216. OFSTED School Inspection Update, Autumn 2013 and Spring 2013** *(Assistant Director, Child and Adult Services Performance and Achievement)*

**Type of decision**

For information

**Purpose of report**

1. To update the Cabinet on the outcomes of OFSTED inspections of schools in Hartlepool since the introduction of a revised OFSTED inspection framework in September 2012.

2. To update Cabinet on the progress towards ensuring that every pupil in Hartlepool attends a school judged by OFSTED to be Good or Outstanding by September 2015.

### **Issue(s) for consideration by Cabinet**

The Assistant Director, Prevention Safeguarding and Specialist Services reported on the background to revised school inspection framework. Ten Hartlepool schools had been inspected since the introduction of the revised schedule, details of which were set out in the report. Members were advised that only one inspection (Seaton Carew Nursery), resulted in a lower judgement than in the previous inspection. St. Aidan's and St Hild's both remained at Grade 3 and the Council continued to work closely with all three schools to bring about rapid improvements in order to obtain a Grade 2 outcome when re-inspected. The report provided a detailed summary of the findings from each individual inspection which included what the school did well as well as any areas for improvement

In the discussion that followed presentation of the report, emphasis was placed upon the importance of thanks being expressed to Head Teachers, governors and parents of those schools where positive inspections had been achieved. For those schools underachieving, the need to reiterate the importance of delivery of rapid improvements was highlighted.

### **Decision**

That the contents of the report be noted.

## **217. Date of Next Meeting**

The Mayor reported that the next meeting of Cabinet scheduled for 29 April 2013 would be rearranged to Wednesday 1 May.

The meeting concluded at 10.15 am.

**P J DEVLIN**

**CHIEF SOLICITOR**

**PUBLICATION DATE: 19 APRIL 2013**