

CABINET

MINUTES AND DECISION RECORD

29th March 2006

Present:

The Mayor (Stuart Drummond) - In the Chair

Councillors: Peter Jackson (Finance and Performance Management Portfolio Holder),
Robbie Payne (Culture, Housing and Transportation Portfolio Holder),
Ray Waller (Adult and Public Health Services Portfolio Holder).

Also in attendance:-

Councillor Richardson who presented the report relating to the scrutiny of the second draft of the Children and Young People's Plan on behalf of the Children's Services Scrutiny Forum (minute 216 refers)

Councillor Lilley who was granted permission by the Cabinet to speak on the report relating to the Committee on Radio Active Waste Management (minute 222 refers)

Officers: Ian Parker (Director of Neighbourhood Services),
Adrienne Simcock (Director of Children's Services),
Andrew Atkin (Assistant Chief Executive)
Paul Briggs (Education Consultant)
Tony Brown (Chief Solicitor)
Alan Dobby (Assistant Director (Support Services))
Graham Frankland (Head of Procurement and Property Services)
Stuart Green (Assistant Director (Planning and Economic Development)),
Alison Mawson (Head of Community Safety and Prevention),
Mike Ward (Chief Financial Officer),
Alastair Rae (Public Relations Officer),
Jonathon Wistow (Scrutiny Support Officer),
Amanda Whitaker (Democratic Services Team Manager)

213. Apologies for Absence

Councillors Stanley Fortune (Policy Co-ordination Portfolio Holder) and Cath Hill (Children's Services Portfolio Holder) and Paul Walker (Chief Executive)

214. Declarations of interest by members

The Mayor, Stuart Drummond, declared a non prejudicial interest in minute number 221, New Deal for Communities Community Housing Plan – Thornton Street, and explained the interest related to his membership of Hartlepool Revival.

215. Minutes of the meeting held on 13th March 2006

Received.

216. Scrutiny of the Second Draft of the Children and Young People's Plan – Final Report (*Children's Services Scrutiny Forum*)

Type of decision

Non-key

Purpose of report

To present the findings of the Children's Services Scrutiny Forum in relation to the Second Draft of the Children and Young People's Plan (CYPP).

Issue(s) for consideration by Cabinet

The report set out the details and findings of the Children's Services Scrutiny Forum's investigation into the second draft of the CYPP. Following that investigation, Members of the Forum had expressed their broad support for the development of the second draft of the CYPP. Given that this was the first year that the CYPP had been produced, Members were particularly pleased with the development of the Plan in comparison with other authorities. Furthermore, Members had made a number of comments, that had been highlighted in the report, that they would like to see incorporated into the current (where possible – given the tightly defined timetable for the development of the CYPP and the partnership working that has led to the current draft of the CYPP) and future development of the CYPP.

Decision

It was agreed that the Scrutiny Forum be thanked for the report and the comments made by the Forum were accepted.

217 Children and Young People's Plan (CYPP) *(Director of Children's Services)*

Type of Decision

Budget and Policy Framework.

Purpose of Report

To consider the third draft of the Children and Young People's Plan

Issue(s) for Consideration by Cabinet

Further to minute 216, the report provided information on the process of preparation and publication of a first Children and Young People's Plan for Hartlepool, as required by the Children Act 2004. The third draft of the Plan was appended to the report.

At the Cabinet meeting held on 24th January 2006, approval had been given to a second round of public consultation. The outcomes of the consultation had helped inform the Forum's consideration of the second draft. A number of amendments had been made to the draft, in light of comments from the Forum. Other issues raised by the Forum would be addressed during the first year of the life of the Plan

Throughout the consultation periods, officers of the Children's Services Department had engaged with a wide range of partners, stakeholders and the general public. Three reference groups (Core, Voluntary and Community Sector and Staff) had been established and had met on a number of occasions. Members of all three reference groups had indicated that they supported the process of preparing the Children and Young People's Plan and the content of the two earlier drafts on which they had been consulted. The second stage of consultation had focused heavily on direct engagement with children and young people and with the public. The outcome of that consultation was outlined.

Decision

The third draft of the Children and Young People's Plan was referred to full Council for approval.

218. Youth Justice Plan 2006-2007 *(Director of Regeneration and Planning Services)*

Type of decision

Budget and Policy Framework.

Purpose of report

To seek approval for the Youth Justice Plan 2006-07.

Issue(s) for consideration by Cabinet

With reference to minute 194 of the Cabinet meeting held on 27th February 2006, the report advised Cabinet Members that the Scrutiny Co-ordinating Committee had considered the draft delivery plan section of the Youth Justice Plan on 10th March. A consultation event had also been undertaken with partner agencies. The Youth Justice Plan 2006-07, submitted as an appendix to the report, had incorporated all the comments and suggestions raised during the process.

It was noted that the Youth Justice Board had requested Youth Offending Services (YOS) to complete an annual plan. The annual plan examined performance over the past year and sought to improve on that performance. The plan should also demonstrate the future direction of the service. The Corporate Performance Assessment excellence rating for the Authority meant that the Youth Justice Board did not require an annual plan, but the Council's constitution required completion as part of the Budget and Policy Framework. Good practice dictated that one should be produced in order to inform the service for next year. YOS Performance contributed to the assessment of the overall local authority performance via the Annual Performance Assessment (APA) process. The overall score from this assessment and the accompanying performance data would inform the final score for the Children and young People service block of the CPA.

The 2006-2007 Youth Justice Plan covered the performance for April-December 2005 to meet the timescales for the Annual Performance Assessment. The YOS continued to perform well against the Youth Justice Boards performance measures being one of only three YOS's to achieve level 5 (highest). Re-offending rates had reduced by 7% when comparing the 2002 cohort with the 2003 cohort after 24 months and by 14.75% comparing 2001 to 2003. Less than 5% of the 2003 cohort offended as frequently or more frequently. The delivery plan focused on sixteen key themes. It was noted that the Safer Hartlepool Partnerships Young Peoples Group was the partnership responsible for the performance management of the Youth Justice Plan.

Decision

The Youth Justice Plan 2006-07 was approved.

219. Construction, Property Management and Highways Partnership (JVC Steering Group)

Type of decision

Key Decision – test (i) applies

Purpose of report

To consider options for future service delivery and decide on the way forward.

Issue(s) for consideration by Cabinet

In accordance with minute 140 of the meeting of the Cabinet held on 23rd November 2005, a report was submitted which sought a decision in respect of the way forward, based on the options previously endorsed by the Cabinet.

It was noted that the Outline Business Case for a JVC was virtually complete. The outline business case would be useful for any future feasibility studies but at this time a JVC would not be pursued. Cabinet had agreed its key objectives, which addressed what the Council would require in the case of a strategic partnership. The previously agreed objectives were set out in the report. In considering options, it was aimed to achieve as many of the original objectives as possible.

The report addressed the following areas:-

- No change option in terms of the current business position, potential remedies and the potential impact on the Council
- Public-Public Collaboration in terms of strategic fit, option assessment and selection of a partner
- Framework arrangements in terms of strategic fit, option assessment and learning from experience

It was concluded that the use of collaboration with other public authorities could be pursued but could only prove suitable in selected cases. Framework agreements gave a flexible option for top up support for the in-house team. The agreements could be via single or multi partners. Any framework agreement procurement could give options for bidders across the variety of services. A Framework Agreement provided an effective and efficient procurement process to formalise all requirements for external consultancy support. The conclusions had Trade Union support.

In response to concerns expressed by a Cabinet Member, the Head of Procurement and Property Services confirmed that a further report would be submitted to Cabinet which would seek specific approval to the procurement of framework agreements. Cabinet Members agreed that a further report needed to include a breakdown of statistics in respect of the workforce affected and financial detail.

Decision

It was agreed that:-

- (i) framework agreements be pursued as the short-term solution to provide service support for construction, property management and highways services. This would involve rationalisation of existing framework agreements.
- (ii) each framework be set-up such that it allows it to be built upon to develop a partnering arrangement.
- (iii) small-scale specific collaboration be continued with other local

authorities where appropriate.

- (iv) the further report to be submitted to the Cabinet include statistics relating to the total number of staff involved, in terms of past, current and projected figures for the workforce.

220. Joint Commissioning with Hartlepool PCT (*Director of Adult and Community Services*)

Type of decision

Key Decision – test (ii) applies

Purpose of report

To set out proposals for the development of joint commissioning of 'out of hospital services' between Hartlepool Borough Council and Hartlepool PCT.

Issue(s) for consideration by Cabinet

The report set out the agreements in place between this Council and Hartlepool PCT in respect of the Vision for Care proposals, which focused on services being provided in a flexible way, by integrated teams of staff as close to the persons own home as possible. The Council and PCT had previously agreed to develop aligned and joint commissioning for some areas of service. The report described progress in areas of service, such as mental health and learning disability services, where the move towards a single commissioning lead, on behalf of both organisations, had been agreed and was beginning to take shape.

The report also identified the current policy context that both the Council and the PCT were working within. In particular, that included the use of Local Area Agreements to identify and focus on local priorities and the new White paper for health and social care services, Our Health, Our Care, Our Say. Within the report, progress was highlighted on other initiatives, such as Commissioning a Patient Led NHS (CPLNHS), which considered the future shape of local health provision and its impact on commissioning.

A proposed framework for future joint commissioning was presented which identified the steps that needed to be taken to continue to embed the principles of joint commissioning within Hartlepool.

Concern was expressed by a Cabinet Member that the report did not address financial implications and that responsibility for staff was not identified.

Decision

- (i) The contents of the report were noted and Cabinet confirmed their commitment to the further integration of planning and commissioning processes between Adult and Community Services and the PCT.
- (ii) It was agreed that future reports should detail the budgetary and responsibility for staff.

221. New Deal for Communities Community Housing Plan – Thornton Street *(Director of Regeneration and Planning Services and the Director of Neighbourhood Services)*

Type of decision

Key Decision (tests (i) and (ii) apply)

Purpose of report

To update Cabinet Members in respect of proposals for Thornton Street within the New Deal for Communities (NDC) Housing Plan and to seek in principle agreement to these.

Issue(s) for consideration by Cabinet

The report summarised the background to the Community Housing Plan (CHP) with specific reference to Thornton Street. The original CHP had made a variety of proposals for Thornton Street, including partial demolition of the south side of Thornton Street and the provision of new bungalows, and various supporting environmental improvements. As reported to the then Town Management Portfolio Holder in June 2003, the CHP had no formal planning or legal status and therefore it was necessary at that time to have the proposals independently tested to ensure they could be supported as part of the proper planning of the area, and be practically delivered. This piece of technical work (known as 'area assessments') had been completed during 2004.

The area assessment report had suggested the retention of the south side of Thornton Street for possible improvements/ refurbishment, and some demolition to the north side be pursued to create a linear park, which could as well as contribute toward an uplift of the immediate street environment. This idea had received strong community support during consultations on the outcomes of the area assessments later in 2004. The New Deal For Communities Steering Group had therefore agreed to amend demolition proposals for Thornton Street within its Community Housing Plan accordingly in September 2004, resolving to work up further and more detailed land use proposals in due course.

In order to make progress with the linear park, a Thornton Street project group comprising local residents, Hartlepool Revival, NDC and HBC officers had been established in 2005, and had produced a draft work programme to progress the consultation and design of the proposed park. One element of the work programme will include establishing a final defined boundary for a proposed park. Whilst still to be exactly determined, this indicative boundary was set within the plan appended to the report. The project group had prepared and agreed a formal development brief for the linear park project, and this was issued to various interested landscape architects in February 2006. Interviews had taken place on 14 March 2006, and Anthony Walker & Partners (AWP) had been provisionally appointed to take forward the work. New Deal for Communities had set aside an element of its

budget for projects such as this and it was anticipated that NDC funding for the necessary physical works could be confirmed, after due appraisal process, in May 2006.

Within the indicative boundary, Hartlepool Revival owned all but 10 of the property interests within the area proposed for the linear park. Currently no resources had been identified to support the acquisition of these specific properties.

In terms of resources available to support housing market renewal generally, the Council has a confirmed funding allocation from the Regional Housing Board through the Single Housing Investment Pot (SHIP) for the period 2006-8, and also an in principle allocation from the ODPM's Housing Market Renewal Fund (subject to formal approval) for the same period. Whilst a large element of this resource is required to meet outstanding commitments in terms of fully completing site assembly and property acquisition on existing housing clearance sites in central Hartlepool where the Council has made Compulsory Purchase Orders (particularly in 2006-7), there was potentially some funding available to support additional activity over this period, subject to satisfactory resolution of cash flow and other budgetary management issues associated with a 2 year funding allocation. There were a number of emerging and existing schemes which could potentially be in competition for such resources, and decisions regarding priorities would need to be made in the near future. Without prejudice to that process, Cabinet was requested to agree to the principle of supporting this project, subject to confirmation of the availability of resources.

Decision

- (i) Support in principle was given to the proposals to create a linear park to the north side of Thornton Street (within a boundary still to be determined but which was broadly defined within the plan submitted as Appendix A) in the interests of the general improvement and enhancement of this area; and
- (ii) Agreement in principle was given to the use of housing market renewal (HMR) resources available for the period 2006-8 to acquire the remaining properties required to fully assemble the site for redevelopment, subject to the necessary funding being confirmed and overall HMR budgetary management requirements.
- (iii) A further report was requested detailing the outcome of the consultation process on the proposals for the linear park.

222. Committee on Radioactive Waste Management (CORWM) *(Assistant Director (Planning and Economic Development))*

Type of decision

Non-key

Purpose of report

To outline the work to date of the Committee on Radioactive Waste Management and to draw attention to the anticipated opportunity for the Council to comment in May on the Committee's recommended option(s) for the long term management of solid radioactive waste.

Issue(s) for consideration by Cabinet

The report set out the work to date by the CORWM, in producing an inventory of the relevant categories of materials and a shortlist of potential options for their management, comprising:

- Long term interim storage (above or below ground, at a central location or at the current locations of the wastes)
- Near-surface disposal of short-lived wastes (under consideration for reactor decommissioning wastes)
- Deep geological disposal (using an engineered repository, deep underground)
- Phased deep geological disposals (as above, but with the repository designed to function as a store with access and monitoring for an interim period until it is finally closed at some future date)

The report indicated that following an assessment of these options CORWM would be producing outline recommendations on the preferred option, or combination of options, in late April and will be seeking responses during May, prior to finalising recommendations to Government by July. Whilst the outline recommendations would not refer to specific sites, it was considered that the Council would wish to express a formal view on them. CORWM's work had covered a wide range of technical matters, reflected in the production of over 1400 documents and reports. It was expected that the outline recommendations would be presented clearly and openly by CORWM and that there would be an opportunity for the Council to be represented at a national seminar on the recommendations during May. The report suggested that consideration needed to be given to ways in which awareness and understanding of the relevant issues could be enhanced in readiness for the May consultation exercise.

It was noted that following circulation of the report, further information had been received in relation to the national seminar to be held on 12th May which was intended to be a technical workshop. A representative was sought to attend the seminar and advice had been received from CORWM that the representative should have had some involvement in the earlier rounds of consultation. It was noted that Councillors Lilley and Kennedy

and those relevant officers from Neighbourhood Services, Regeneration and Planning and Emergency Planning had attended earlier rounds of consultation and that Councillor Lilley was to attend the seminar as a representative of Friends of the Earth. With the approval of the Cabinet, Councillor Lilley updated Members on his involvement in the work of the Committee. It was also noted that further stages of consultation were anticipated once the Government had received CORWM's recommendations.

Cabinet Members agreed with a suggestion made at the meeting regarding the involvement of the Council's scrutiny process in due course. However, in view of the limited time available before the May seminar, it was agreed that at this stage it would be appropriate for a view to be sought at the next meeting of the Council.

Decision

The report was noted and it was agreed that the views of Members should be sought at the next meeting of the Council.

223. Efficiency Strategy (*Chief Financial Officer*)

Type of decision

Non- Key

Purpose of report

To consider the efficiency strategy for the Council following the allocation by Government of detailed targets to be achieved as part of the Gershon Efficiency review and in the context of the Corporate Performance Assessment framework.

Issue(s) for consideration by Cabinet

The report set out the background to the efficiency strategy, the efficiency workstreams, the detailed projects that constitute the strategy, the position regarding the annual efficiency statements and consideration of risks.

The Annual Efficiency Target had been introduced in March 2005. The Council had been given an efficiency target of £2.2m of which at least half had to be in cashable form. This target had been reported to Cabinet in summer 2005. Targets were annual and cumulative. Thus by the end of 2007/08 efficiencies of £6.6m had to have been achieved. Whilst the Efficiency Targets were only applied to Local Government in April 2005, the Council had been progressing in advance of this.

At a national level the Gershon Efficiency agenda concentrated on a number of workstreams as identified in the report. The workstreams had been used as a template for a detailed work programme which was appended to the report. Also submitted as an appendix, to the report, was

a summary of the Council's current Annual Efficiency Statement for 2005/06

It was noted that a corporate efficiency team had been established, supplemented on a pilot basis by a Departmental efficiency group within the Neighbourhood Services Department. In view of the scale of impact, the report proposed that it would be appropriate for the corporate efficiency team to include representation from the Trade Unions.

The report set out risks in terms of measurement, capacity, evolving and iterative process, economies of scale and staffing concerns. It was concluded that considerable work had already commenced and was delivering considerable efficiencies. Work had concentrated to date on cashable efficiencies, which was benefiting the Council's budgetary position. It was recognised that it was important to also address the non cashable aspects which would result in improved levels of service standards and satisfaction. The Council had put in place a number of plans and projects to assist in the delivering of efficiencies but needed to formalise an overarching strategy to guide those projects to implementation and allow the planning of subsequent projects to ensure that year on year improvements were achieved in a sustained manner.

In response to a question raised by a Member, Cabinet received an update on the establishment of the Vacancies Monitoring Panel and noted the role of the Panel in the context of efficiency.

Concerns were expressed in relation to expenditure which had recently been spent, by the Children's Services Department, on erecting enclosed offices. Information was sought on authorisation of the expenditure, the costs incurred and the reasons for the expenditure. Officers responded to those concerns and the Director of Neighbourhood Services undertook to provide a report to the Cabinet detailing the information sought by Cabinet Members and suggesting a mechanism to monitor expenditure spent on office moves, including a role for the Finance and Performance Management Portfolio Holder.

Decision

- (i) The detailed Efficiency Strategy was approved together with the work plan set out in Appendix A to this report.
- (ii) The position was noted in relation to the 2005/6 Annual Efficiency Strategy.
- (iii) The inclusion of those items detailed for the 2006/7 Annual Efficiency Statement was approved.
- (iv) The risk factors and mitigation actions, included above, were noted.
- (v) Quarterly monitoring to Cabinet was approved.
- (vi) A report to be submitted to the Cabinet addressing the concerns raised by Cabinet Members on expenditure incurred on the recent erection of enclosed offices and proposals for a mechanism to monitor the relocation of officers.

224. Selective Licensing and Voluntary Accreditation of Private Rented Accommodation (*Director of Neighbourhood Services*)

Type of decision

Non-key

Purpose of report

To outline the requirements for designation of selective licensing areas for rented accommodation and how consideration of licensing for Hartlepool could be progressed.

Issue(s) for consideration by Cabinet

The report set out the new discretionary powers in the Housing Act 2004 and the relationship with the existing Voluntary Accreditation scheme. The power related to the designation of areas for the selective licensing of private rented houses suffering from, or likely to suffer from, low demand and/or significant and persistent anti-social behaviour. Designation was subject to certain conditions being met and this power was available to local authorities from 6 April 2006. The report addressed the designation of selective licensing areas, licensing requirements, licence conditions and the relationship with landlord accreditation.

The report concluded that whilst any additional powers designed to improve the private rented housing sector were to be welcomed, at this stage it was unclear whether a licensing scheme would have a substantial effect on the quality of landlords or tenants. There were several practical issues to be considered on the operation and enforcement of such a scheme. However, it was recognised that there was likely to be considerable pressure for licensing to be introduced in Hartlepool. On balance, it was considered that licensing should be seriously considered as an additional tool to tackle problems of low demand or anti-social behaviour. If licensing was introduced, decisions would need to be made as to the future operation of the voluntary accreditation scheme. In order to progress matters, it was suggested that a report be submitted to the Culture, Housing and Transportation Portfolio Holder.

It was considered that in view of concerns expressed regarding the disappointing level of powers detailed in the Act, a letter should be sent to the appropriate Minister and that a copy of that letter be forwarded to the Member of Parliament for Hartlepool.

Decision

It was agreed as follows:-

- (i) That following consultation, a report be brought back to the Culture, Housing and Transportation Portfolio Holder on the merits of introducing selective licensing, and, if appropriate, to suggest where

licensing areas might be designated.

- (ii) That a report on the future funding of the existing voluntary accreditation scheme also be brought before the Portfolio Holder.
- (iii) That a letter be sent to the appropriate Minister explaining Cabinet Members' extreme disappointment with the powers given to the Council and that a copy of that letter be sent to the Member of Parliament for Hartlepool.

225. Tees Valley Area Tourism Partnership (*Assistant Director (Planning and Economic Development)*)

Type of decision

No decision required – the report was for information.

Purpose of report

To inform Cabinet of the proposed governance arrangements for the Tees Valley Area Tourism Partnership (ATP).

Issue(s) for consideration by Cabinet

The report set out the proposed governance arrangements recently agreed with One North East. It was noted that such arrangements had been still under discussion when the Cabinet had endorsed the overall proposals for the formation of the ATP at its meeting on 24th January 2006.

Members were advised that it was the intention that the ATP should operate as a Partnership with a formal legally binding Framework Agreement, without creating a new legal vehicle. Stockton Borough Council would act as the accountable body to the Partnership. The Partnership Board would comprise a Chair from the business community, four further private sector directors (one of whom would be the nominated Deputy Chair) and three public sector directors. In addition a Strategic Advisory Group would be established, comprising the ATP Board, the lead officer of the Partnership and one senior officer from each of the local authorities and the Joint Strategy Unit. This Group would be responsible for agreeing the strategic direction of tourism management and in the context of agreed regional strategy for advising on the areas of responsibility for the ATP to lead and deliver. The Director of the Joint Strategy Unit would report the activities of the Strategic Advisory Group to the Tees Valley Joint Strategy Committee.

A "Shadow Board" had been established, with representatives from the public and private sectors across the Tees Valley, to oversee the arrangements for establishing the Partnership Board and the staffing arrangements. It was intended to advertise the positions of Chair and Board members in the sub-regional newspapers in the week beginning 27th March, with a view to appointments being made in late April.

Following discussion on the role of the private and public sectors on the Partnership, a report was requested costs and funding arrangements for the

ATP.

Decision

- (i) The governance arrangements for the Tees Valley Area Tourism Partnership were noted.
- (ii) It was agreed that a report be submitted to the Cabinet detailing the costs and funding arrangements for the ATP.

J A BROWN

CHIEF SOLICITOR

PUBLICATION DATE: 6th April 2006