

# **CABINET**

## **MINUTES AND DECISION RECORD**

23<sup>rd</sup> November 2005

### **Present:**

Councillors: Stanley Fortune (Policy Co-ordination Portfolio Holder),

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)

Officers: Andrew Atkin, Assistant Chief Executive  
Ian McMillan, Acting Director of Adult and Community Services  
John Mennear, Acting Assistant Director (Community Services)  
Stuart Green, Assistant Director (Planning and Economic Development)  
Tony Brown, Chief Solicitor  
Mike Ward, Chief Financial Officer  
Graham Frankland, Head of Procurement and Property Services  
Ian Jopling, Transportation Team Leader  
Steve Hilton, Public Relations Officer  
Derek Reynolds, Project Manager, Neighbourhood Services  
David Cosgrove, Principal Democratic Services Officer  
Angela Hunter, Principal Democratic Services Officer

### **135. Apologies for Absence**

Apologies for absence were received from The Mayor, Stuart Drummond and Cath Hill, Children's Services Portfolio Holder.

### **136. Appointment of Chairman**

In the absence of The Mayor, Stuart Drummond and Deputy Mayor, Councillor Cath Hill, Councillor Ray Waller was appointed Chairman for the duration of the meeting.

### **137. Declarations of interest by Members**

None.

### **138. Confirmation of the minutes of the meeting held on 7 November 2005**

Confirmed.

### **139. Briarfields Allotments** *(Acting Director of Adult and Community Services)*

#### **Type of decision**

Key Decision – test (i) applies.

#### **Purpose of report**

To place before Cabinet a report in response to the Local Government Ombudsman's conclusions on the future of the former Briarfields allotment site and to invite Cabinet to determine action to be taken in response.

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

The Culture, Housing and Transportation Portfolio Holder presented the report which followed on from that submitted to Cabinet at its meeting on 24 October 2005 by the Chief Solicitor which outlined the Ombudsman's finding of "Maladministration causing injustice" in relation to the Briarfields site. The report set out the decision required in relation to the allotments and the potential actions that could be taken. The Portfolio Holder detailed the contents of the report which included an analysis of the current allotment provision in Hartlepool, the views of the former allotment tenants and estimates of the costs of re-establishment options.

The Cabinet Members present supported the view that the allotments should be reinstated. It was, however, acknowledged that there was no financial allocation for the reinstatement and this would therefore need to be submitted to Council for consideration as a departure from the budget and policy framework. Members requested that the estimates provided in the report be re-examined to ascertain if there were any areas for reduction. The Culture, Housing and Transportation Portfolio Holder proposed that he meet with allotment holders to discuss in more detail the options available prior to further consideration by Cabinet.

## **Decision**

- i) The potential reinstatement of the Briarfields allotments site be supported in principle.
- ii) The estimated costs set out in the report be reviewed to ascertain if any reductions can be identified.
- iii) That the Culture, Housing and Transportation Portfolio Holder meet with the former allotment holders to discuss the options in detail.

## **140. Construction, Property Management and Highways Partnership** (*Steering Group of the Cabinet*)

### **Type of decision**

Key Decision – test (i) applies.

### **Purpose of report**

Cabinet's views were sought on the next steps in the potential establishment of a partnership with a private sector company to provide construction, property management and highways related services to the Council.

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

The Steering Group of Cabinet submitted a report that provided an assessment of the current position with regard to the preparation of the outline business case for the potential establishment of a strategic service delivery partnership and the consideration of alternative options. The Local Government Procurement Agency (LGPA) had visited the authority to provide practical support, guidance and project assurance. The LGPA had submitted thirteen recommendations and they were submitted as an appendix to the report.

Although feedback from staff and Members had indicated some uncertainty and concerns, it was acknowledged that there was some difficulty within the services including the potential for a drop in workload within the Building Consultancy service. The Head of Procurement and Property Services indicated that a decision on the direction that should be followed from the options set out in the report was necessary in order to remove any uncertainty. The potential next steps included:

- Joint Venture Company (JVC): The completion of an outline business case including financial detail to enter into a potential partnership with a private sector partner on the basis of a JVC with in-house

provision (secondment)

- Public-Public: The working up of a proposal to collaborate with one or more local authorities or the JSU in the Tees Valley.
- Framework: To work up a proposal to enter into a single framework agreement with a private sector partner.

The Steering Group were to report back to Cabinet in March 2006 for a decision on the way forward.

Members indicated some concern with regard to allowing potential partners to “shape the deal” of any arrangement and felt that private organisations may put profit as a higher priority than meeting the needs of the Authority. Cabinet Members considered that a public:public arrangement may be the preferred option. It was requested by Members that partnership arrangements be examined with local organisations in order to benefit the local economy.

### **Decision**

1. That the next steps in the process in relation to the options, as outlined below, be agreed;

JVC: The completion of the outline business case including financial detail to enter into a potential partnership with a private sector partner on the basis of a JVC with in-house provision (secondment) for the provision of construction, property management and highways related services. On the basis that in future the Authority might need to go in this direction and would be in a better state of preparation.

Public-Public: The working up of a proposal to enter into a collaboration with one or more local authorities or possibly the JSU in the Tees Valley.

Framework: The working up of a proposal to enter into a single framework agreement with a private sector partner. This could be achieved in incremental stages to replace current framework agreements.

2. The Steering Group to report back to Cabinet in March 2006 for a decision on the way forward based on the options endorsed.

**141. Extension of Groundwork East Durham into Hartlepool** (*Assistant Director (Planning and Economic Development)*)

**Type of decision**

Non-key.

**Purpose of report**

To inform Cabinet of the potential for the extension of the operation of Groundwork East Durham into Hartlepool and to consider the position on such an extension subject to the ongoing budget review.

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

The Assistant Director (Planning and Economic Development) presented the report which summarised the findings of the Phase 2 study into the potential role for a Groundwork Trust in Hartlepool. The report set out the programmes of work, which might be developed by Groundwork Project Officers and established a model for Groundwork Trust operation in the Borough.

Members felt that at this time it would be difficult to commit to supporting this project financially in light of the current budget uncertainty.

**Decision**

That the potential for the extension of Groundwork East Durham to Hartlepool be noted, but that no further action be taken at this time.

**142. Concessionary Local Bus Travel** (*Director of Neighbourhood Services*)

**Type of decision**

Non-key.

**Purpose of report**

To inform the Cabinet of the Government's changes to the statutory minimum requirement for older and disabled persons' travel concessions from the 1<sup>st</sup> April 2006 and the implications and opportunities for Hartlepool residents.

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

The Culture, Housing and Transportation Portfolio Holder presented a report which provided background information on the current concessionary fares scheme operating within Hartlepool, the new statutory minimum scheme and proposed enhancements. The Portfolio Holder considered that should there be any surplus funding from the grant allocation this should be made available to enhance older people's travel, particularly cross-boundary travel. The Chief Finance Officer commented that at this time there was no certainty as to what level of finance the Council would receive from central government and whether this would cover the costs of the local scheme.

Cabinet supported the proposed discussions with the bus operators being held on a Tees Valley basis on the assurance that Hartlepool would not be financially disadvantaged by such an arrangement. The option of a regional concessionary travel arrangement was discussed, with Members proposing that it would be appropriate to approach the other North East local authorities and Government Office for the North East (GO-NE) to discuss such an arrangement as well as pursuing the Tees Valley proposal. The importance of maintaining good transport links with hospitals in the region was also emphasised.

### **Decision**

- i. That approval was given to establishing a Tees Valley concessionary travel scheme and that the potential for a north-east region concessionary travel scheme be pursued.
- ii. That the issuing of the statutory notice indicating that Hartlepool Borough Council would comply with the Government's statutory minimum scheme be approved, but Cabinet was minded to enhance the scheme subject to financial implications.
- iii. That Officers be authorised to commence negotiations with the bus operators to securing unlimited free travel for people aged over 60 and people with disabilities at any time of day, with journeys allowable both between and within participating authorities.
- iv. That Officers be authorised to negotiate with neighbouring authorities as how best to administer and enhance the scheme.
- v. That Cabinet be provided with a report on the conclusion of negotiations with bus operators and partner authorities setting out the recommended scheme to be implemented on 1st April 2006.

### **143. Supporting People Improvement Plan** (*Director of Neighbourhood Services*)

#### **Type of decision**

Non Key.

#### **Purpose of report**

The report advised the Cabinet of the informal feedback received from the Audit Commission Inspectors who had recently carried out an inspection of the Supporting People service for which the Council was the responsible body. The report also included a proposed improvement plan to address key issues raised by the Inspection.

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

The Culture, Housing and Transportation Portfolio Holder presented a report which detailed:

- A brief description of the service
- The inspection process and timetable and the importance of the inspection in respect of the next Comprehensive Performance Assessment (CPA) which is due to take place between November 2006 and March 2007.
- The key issues that the inspection team have fed back during the course of the inspection
- An improvement plan to address the key issues raised by the inspection.

Cabinet considered that as the inspectors report had not yet been published it was unnecessary to make major changes as much of the recent problems had been caused by long-term sickness rather than an inadequacy in service. Cabinet suggested that a skills audit would be beneficial to ascertain if there were any in-house skills available to meet the needs of this service although it was acknowledged that the appointment of an Interim Manager was imperative to begin implementing the improvements identified by the Inspection Team.

## **Decision**

- i) That the Cabinet note the informal feedback received to date from the Inspection Team
- ii) That the Cabinet approve:-
  - (a) the improvement plan prepared to address the issues raised
  - (b) that an interim manager to take the role of Head of Housing be appointed as quickly as possible and it be explored whether there were other more effective ways of managing the services without the need for an additional appointment.
  - (c) the funding arrangements described in Section 5 for both the interim and permanent appointments

## **144. Local Government (Access to Information) Act 1985**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

Minute 145 Doctors Surgery at the Headland (para 5, namely information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority, and para 7, namely information relating to the financial or business affairs of any particular person (other than the authority).

## **145. Doctors' Surgery at The Headland** (*Director of Neighbourhood Services*)

### **Type of decision**

Non key.

### **Purpose of report**

To consider a request for financial assistance.



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

Details of Cabinet's discussions are set out in the 'Not for Publication' section of the decision record.

**Decision**

Details of Cabinet's decision is set out in the 'Not for Publication' section of the decision record.

**J A BROWN**

**CHIEF SOLICITOR**

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