

# **FINANCE AND POLICY COMMITTEE**

## **MINUTES AND DECISION RECORD**

27 February 2014

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

**Present:**

Councillor: Christopher Akers-Belcher (In the Chair)

Councillors: Peter Jackson, Alison Lilley, Robbie Payne, Carl Richardson and Chris Simmons

In accordance with Council Procedure Rule 5.2 (ii), Councillor Kevin Cranney was in attendance as substitute for Councillor Marjorie James and Councillor Sylvia Tempest was in attendance as substitute for Councillor Rob Cook.

**Also present:**

Councillors Jim Ainslie and Geoff Lilley  
Edwin Jeffries, Hartlepool Joint Trades Union Committee

Officers: Dave Stubbs, Chief Executive  
Peter Devlin, Chief Solicitor  
Chris Little, Chief Finance Officer  
Denise Ogden, Director of Regeneration and Neighbourhoods  
John Mennear, Assistant Director, Community Services  
Kerry Trenchard, Acting Performance and Partnerships Manager  
Joan Stevens, Scrutiny Manager  
Julian Heward, Public Relations Officer  
Angela Armstrong, Principal Democratic Services Officer

### **209. Apologies for Absence**

Apologies for absence were received from Councillors Rob Cook, Keith Dawkins, Marjorie James, Ray Martin-Wells and Paul Thompson.

### **210. Declarations of Interest**

Councillor Carl Richardson declared a personal interest in minute 212.

### **211. Minutes**

- (i) Minutes of the meeting of the Finance and Policy Committee held on 24 and 31 January 2014 – Received.

- (ii) Minutes of the meeting of the Health and Wellbeing Board held on 9 December 2013 – Received.
- (iii) Minutes of the meeting of the Safer Hartlepool Partnership held on 13 December 2013 – Received.

## **212. Workers' Memorial Day** *(Assistant Chief Executive)*

### **Type of decision**

Non key.

### **Purpose of report**

To present a request from the Hartlepool Joint Trades Union Committee for the Council to continue to recognise and support Workers Memorial Day on 28 April 2014.

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

The report provided the background to Workers' Memorial Day which takes place around the world on 28 April each year. The proposed arrangements for this year's event were detailed in Appendix 1 along with a list of guest speakers.

The representative from the Hartlepool Joint Trades Union Committee added that the Trades Union fully respect and thank the Council for continuing to support this event with the Hartlepool service becoming the biggest event in the north east.

A Member responded that he fully supported the recommendations and the ongoing campaign to raise awareness of health and safety issues across the Country and it was noted that Hartlepool attracted national guest speakers to this event.

### **Decision**

- (i) That a minute's silence in Council Buildings and to Council staff at 12.30pm on Monday 28 April 2014 be promoted in remembrance of 'those workers who have lost their lives through industrial accident or disease'.
- (ii) That the lowering of flags on public buildings on Monday 28 April 2014 be approved.
- (iii) That the sale of the Workers Memorial Day Remembrance forget-me-not purple ribbons on Council premises to staff and public be approved.
- (iv) That assistance to promote/publicise the event to the wider public be

provided by the Authority.

## **213. Land at Central Park** (*Assistant Director, Regeneration*)

### **Type of decision**

Non key.

### **Purpose of report**

To update the Committee on the proposed sale of land at Central Park and related transactions and seek approval to minor amendments to the previously approved terms and conditions.

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

The report provided the background to the former Steetley Magnesite sites on Old Cemetery Road and the outline planning permission for the development of 484 homes within that area. The decision making route for the sale of the area was outlined in the report. It was proposed that some amendments to the contract head of terms be undertaken and the key amendments were:

- ? **Site Clearance** – The sale condition requiring Starford to clear the sites had been removed as this had already been completed.
- ? **Stage Payments Dates** – The dates for the stage payments had been put back by one year in each case due to the time that had elapsed.
- ? **Contract Termination** – A condition had been inserted to the effect that if the stage payments had not been made because the development sites had not been sold, and the contract for the sale of the Council's land has exchanged but not completed, the contract will terminate and the Council will retain the money paid up to that point.
- ? **Option to Re-Purchase** – A condition had been inserted to the effect that if the stage payments had not been made as the sites had not been sold but the sale of the Council's land had been completed, the Council will have an option to re-purchase on or after 31 December 2022.

In addition it was recommended that to avoid a future unfunded expenditure commitment, that part of the sale proceeds be earmarked to cover the potential cost of re-purchasing the road land until either this option had expired, or the development had been completed if this occurred earlier than 31 December 2022. Once this potential commitment expired, a report on the use of these monies will be submitted to a future meeting of the Committee. Further details were included within confidential Appendix 3.

**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).**

A Member sought clarification on the timescales for the new access road to the proposed development in view of the recent issues with flooding on the access route to the Headland area. The Director of Regeneration and Neighbourhoods confirmed that the new road would be created in line with the timescales for the development but highlighted that discussions were ongoing with the Port Authority with a view to securing an alternative access to the Headland area should similar access restrictions due to flooding occur in the future.

### **Decision**

- (i) That the amendments as noted above to the terms and conditions for the disposal of land at Central Park to facilitate the regeneration of the former Steetley Magnesite works be approved.
- (ii) That the proposal that part of the sale proceeds were earmarked to cover the potential cost of re-purchasing the road land until either this option had expired, or the development had been completed was approved to avoid a future unfunded expenditure commitment and it was noted that this proposal will be reported to Council as part of a future Medium Term Financial Strategy report.

## **214. Bullying and Harassment Policy** *(Assistant Chief Executive)*

### **Type of decision**

Non key.

### **Purpose of report**

To provide Members with a report in relation to the review of the Council's Bullying and Harassment Policy and Procedure.

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

The report provided the background to the development of the Council's Bullying and Harassment Policy which clearly set out the process for employees wishing to make an allegation and highlighted both the informal and formal routes available to resolve the issue with minimal impact on working relationships where possible. The Local Joint Consultative Committee had been consulted and had agreed the revised policy which

was attached at Appendix 1. As requested by the Finance and Policy Committee, the Policy was circulated to all staff to enable any issues staff wished to be raised to be submitted to the Committee. A number of minor comments were received from employees and trades unions which helped to clarify the policy and associated documentation rather than substantially change it.

A Member questioned what timescales were in place for responding and dealing with any reported incidents. The Chief Executive confirmed that Officers always endeavoured to deal with any reported incidents as quickly as possible. It was noted that Appendix 3 provided an outline of timescales although some investigations may take longer depending on the collation of information or evidence required.

### **Decision**

The following were approved as attached to the report:

- (i) Bullying and Harassment Policy and Procedure;
- (ii) Bullying and Harassment Grievance Form;
- (iii) Bullying and Harassment Guidance Leaflet.

## **215. Hartlepool Borough Council Smoking Policy** *(Assistant Chief Executive)*

### **Type of decision**

Non key.

### **Purpose of report**

To provide an update to the Committee on the revised smoking policy and to seek the Committee's support in its adoption.

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

The report provided the background to the introduction of the Council's Corporate Smoking Policy in October 2010. It was highlighted that smoking continued to cause significant health effects and conditions with nearly one in five (18%) of all deaths among adults over 35 being estimated to be as a result of smoking. In Hartlepool at current smoking levels, there will be approximately 164 deaths each year in adults aged 35 and over which equates to 316.1 deaths per every 100,000 people living in Hartlepool. It was noted that this was higher than the north east average of 282.5 and significantly higher than the England average of 216.0. The aim of the policy was to ensure that the Council was seen to be encouraging a

smokefree workplace as no Council staff should be smoking in works time or whilst on Council business.

The Council's Corporate Management Team were fully supportive of the changes and representatives of the Trades Unions also accepted the wording of the revised policy which was attached at Appendix 1.

**Councillor Geoff Lilley joined the meeting.**

The Chief Executive confirmed that e-cigarettes were also included within the Policy.

**Decision**

That the adoption of the revised smoking policy was supported.

**216. Civic Collections Review – Final Report** (*Assistant Director, Community Services*)

**Type of decision**

Non key.

**Purpose of report**

To report on the findings of a comprehensive review of all the historical objects held by the Authority in the Civic Collections.

To seek recommendations as to those items in the Civic Collections that should be permanently transferred into the care of the Museum of Hartlepool.

To identify those items which should be retained for Civic use or returned to their original owners.

To acknowledge the approval of the report by Regeneration Services Committee on 16 January 2014 and accept the report for approval by the Finance and Policy Committee.

**Issue(s) for consideration**

The report provided the background to the review of the Authority's Civic Collection which had been undertaken. It was highlighted that 343 items had been recorded and these were detailed in Appendix 1. During the review, each item was considered for Accession; Retain for Civic Use; or Disposal and this was identified on the attached appendix. It was noted

that once approved, the physical process of transferring, accessioning and identifying owners for returns will commence in March 2014.

A Member sought clarification on the process for items where ownership could not be traced. The Assistant Director, Community Services confirmed that a detailed and comprehensive search for ownership would be undertaken but in the event that owners could not be identified, the items would be taken into the care of the collection.

The Chair commented that it was important that any items of significant importance or relevance should be on public display and the Assistant Director, Community Services confirmed that this was currently being explored further.

In response to a question from a member of the public, the Assistant Director confirmed that there were thousands of items within the Council's collection, however, the Chair confirmed that the exact location of individual items could not be revealed at the current time for security purposes.

### **Decision**

- (i) That the proposals for Accession; Retain for Civic Use; or Disposal of the Civic Collection be approved as identified in Appendix 1.
- (ii) That the principle of returning items to their owners where this was necessary was supported.
- (iii) The importance to local communities of preserving their material heritage by formally placing such items within the permanent care of the Borough's accredited public museum was noted.
- (iv) That further consideration be given to the public display of items from within the collection within Council buildings.

## **216. Six Monthly Monitoring of Agreed Scrutiny Recommendations** (*Scrutiny Manager*)

### **Type of decision**

Non key.

### **Purpose of report**

To provide Members with the six monthly progress made on the delivery of scrutiny recommendations that fall within the remit of this Committee.

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

The report provided the background to the reporting of progress made

against the investigations undertaken by the previous Scrutiny Co-ordinating Committee and detailed the actions undertaken. It was noted that one action remained in progress and Members were asked to consider whether it was more appropriate to continue to monitor this action through the Overview of Performance and Risk 2013/14 which was reported to this Committee on a quarterly basis.

**Decision**

- (i) The progress against the agreed recommendations was noted.
- (ii) The remaining action be monitored through the Overview of Performance and Risk 2013/14 report which was presented to this Committee on a quarterly basis.

**218. Council Plan 2014-15** (*Corporate Management Team*)

**Type of decision**

Non key.

**Purpose of report**

To enable the Finance and Policy Committee to consider and comment on the final draft of the proposed Council Plan 2014/15.

**Issue(s) for consideration**

The report provided the background to the Council's Service Planning Framework. It was noted the detailed proposals for 2014/15 had been considered by each of the Council's Committees and summaries of the issues raised was attached at Appendix A. The proposed Council Plan was attached at Appendix B and set out how the Council proposed to deliver the priority outcomes. It was proposed to submit the Council Plan to Council for approval on 3 April 2014.

**Decision**

The proposed Council Plan attached at Appendix B was approved for submission to Council on 3 April 2014.



## **218. Revised Pay Policy 2014/15** *(Chief Executive)*

### **Type of decision**

Non key.

### **Purpose of report**

To obtain Finance and Policy endorsement subject to Member comments, of the proposed changes to the Council's Pay Policy Statement 2014/15 in advance of Council approval being sought on 3 April 2014 and to confirm any policy, practices and/or understandings which had not previously been formally established by Members.

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

The report outlined the background to the current Pay Policy Statement. It was proposed that the existing pay policy be expanded so it reflected the pay policies which applied to all employees. This will make the pay related arrangements for employees more transparent and bring together the policies reflected in other documents into a single document. The revised Pay Policy 2014/15 was attached at Appendix C. The main changes which were proposed were detailed in the report. It was noted that Hartlepool Joint Trade Union Committee had been consulted and the comments of that Committee were outlined in the report.

A Member raised a number of issues which were clarified by the Chief Executive as follows:

- ? The Pay Policy Statement ensures that all workers are paid at least the national minimum wage. It was noted that whilst any required uniform was paid for by the Local Authority, payment for time taken to travel to and from work was not included.
- ? Whilst it was recognised that there were some zero hours contracts in place, there was not a vast amount of them. It was noted that in the majority of cases, employees who were on zero hours contracts welcomed this, for example in the case of casual employees.
- ? Clarification would be sought on whether an Equality Impact Assessment had been undertaken on the Pay Policy Statement and would be carried out if not.
- ? In relation to the pay ratios within the Council, it was noted that Senior Officers had not been awarded a pay increase for six years and the Council had introduced the 'living wage' which had resulted in the pay ratios reducing naturally. The denominator of top and bottom salaries was well within the national parameters. It was suggested that consideration be given to including the fact that the Council was aiming

to reduce the pay ratios be included within the Statement.

- ? It was noted that youth employment was a huge issue in Hartlepool and the Council should be encouraged to offer employment opportunities to young people.
- ? It was confirmed that all employees who were made redundant from the Local Authority receive the same statutory redundancy pay which was based on a maximum of 30 weeks salary.

A Member sought clarification on the financial implications employing agency workers and whether the Council could create its own pool of workers. The Chief Executive confirmed that the Council had casual registers in various areas of work across all Departments, such as catering, cleaning and drivers. However, there may still be occasions when agency workers are required for specialised areas of work and where some people preferred to be employed on a casual basis.

The Director of Regeneration and Neighbourhoods commented that Members' concerns in relation to agency workers were taken on board and that this would be reduced to a bare minimum.

### **Decision**

- (i) That the 2014/15 Pay Policy (Appendix C) be recommended to Council.
- (ii) That the substantive pay band for the post of Director of Public Health be established at Chief Officer (subject to Public Health England consideration of the revised job description) to reflect the duties and responsibilities as at 1 April 2014.
- (iii) That the number of increments in Chief Officer Band be reduced to five with effect from 1 April 2014.
- (iv) That any other policy, practices and/or understandings which have not previously been formally established by Members as detailed in the 2014/15 Pay Policy (Appendix C) be confirmed.
- (v) That clarification be sought to ensure an Equality Impact Assessment on the Pay Policy Statement had been undertaken.

## **220. Strategic Financial Management Report as at 31 December 2013** *(Corporate Management Team)*

### **Type of decision**

For information.

## **Purpose of report**

To inform Members of:

- (i) 2013/14 Forecast General Fund Outturn;
- (ii) Corporate Income Collection Performance;
- (iii) Progress in achieving the capital receipts target; and
- (iv) 2013/14 Capital Programme Monitoring.

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

The report provided the background to the submission of bi-monthly financial reports to Members and detailed the 2013/14 General Fund Outturn Forecast. Also outlined in the report was further information on the following:

- ? Creation of Departmental Reserves
- ? Projected Grant Income to be Earmarked to fund 2014/15 Expenditure
- ? Corporate Income Collection Performance
- ? Business Rates Income
- ? Council Tax
- ? Sundry Debts
- ? Progress in achieving the Capital Receipts Target
- ? 2013/14 Capital Programme Monitoring

The Chief Finance Officer highlighted that the Council was facing greater financial challenges over the next three years than it had faced since becoming a unitary authority in 1996. The initial assessment of the forecast outturn reported in May 2013 had enabled Members to begin to address these issues and this report provided an update on the initial outturn forecasts for 2013/14. In relation to Business Rates and Council Tax collection rates were slightly lower as at 31 December 2013, compared to the same period in 2012. The Business Rates collection rates had, however increased by the end of January 2014, compared to the same position for 2012. The Council Tax collection rates at the end of January 2014 were still lower than January 2013 and the Chief Finance Officer explained this reflected the impact in 2013/14 of the Local Council Tax Support scheme and the introduction on 12 monthly instalment arrangements.

## **Decision**

The report was noted.

## **221. Employee Sickness Absence 3<sup>rd</sup> Quarter 2013/14** (Assistant Chief Executive)

### **Type of decision**

For information.

### **Purpose of report**

To update the Committee on the Council's performance in relation to employee sickness absence for the third quarter of 2013/14.

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

The report provided the background to the direct impact on the quality, level and cost to the provision of services that employees who are absent from work have. The Council's performance, including schools up to the third quarter of 2013/14 was included in the report. It was highlighted that there was an overall downward trend in sickness absence rates across all Departments compared with the last three years, with the exception of Child and Adult Services and Public Health who have an unusually high level of long term sickness absence. The newly formed Public Health Department shows only the information from April 2013 and this figure is higher than would be expected due to the unfortunate combination of the small number of people in the Department coupled with a higher level of long term sickness absence. As more services were transferred it was expected that this figure would reduce.

There was a decline in medium and short term sickness and a slight increase in long term sickness, however overall there was a downward trend which reflected the improvement in the current year's figures to date. It was noted that the Council continued to focus resources to support managers on the long term cases and support employees to return to work as quickly as possible.

Members were pleased to note the overall downward trend in sickness absence as well as the continuing support for long term sickness absences. It was suggested that these positive figures as well as the Members' congratulations to employees for their performance be included in the next edition of Newslines.

### **Decision**

- (i) The employee sickness absence rates for the third quarter of 2013/14 were noted.
- (ii) That a future edition of Newline include an article on the downward trend of sickness absence of Council employees along with Members' congratulations to all employees for this positive performance.

## **222. Quarter 3 – Council Overview of Performance and Risk 2013/14** *(Assistant Chief Executive)*

### **Type of decision**

For information.

### **Purpose of report**

To inform the Finance and Policy Committee of the progress made against the 2013/14 Council Plan for the period ending 31 December 2013.

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

The report provided the background to the agreement of the current Council Plan as well as an overview of performance and risk which included 236 actions and 217 performance indicators. It was noted that 215 (91%) of all actions had already been completed or assessed as being on target to be achieved by their scheduled completion date. In addition, 45 performance indicators (78%) had been assessed as being on track to achieve their year end target. There were 18 actions (8%) and 12 performance indicators (21%) had been assessed as having made acceptable progress. Further detailed updates were on a Departmental basis.

### **Decision**

The current position with regard to performance was noted.

**223. Any Other Items which the Chairman Considers are Urgent**

None.

The meeting concluded at 2.44 pm

**P J DEVLIN**

**CHIEF SOLICITOR**

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