



Chief Executive's Department
Civic Centre
HARTLEPOOL

8 September, 2014

Councillors Ainslie, C Akers-Belcher, S Akers-Belcher, Atkinson, Barclay, Beck, Brash, Clark, Cook, Cranney, Dawkins, Fleet, Gibbon, Griffin, Hall, Hargreaves, Hind, Jackson, James, Lauderdale, Lilley, Loynes, Martin-Wells, Dr. Morris, Payne, Richardson, Riddle, Robinson, Simmons, Sirs, Springer, Thomas and Thompson

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY, 18 September, 2014 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



Thursday 18 September 2014

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 11;
- (5) To approve the minutes of the meeting of the Council held on 7 August 2014 and the Special meeting of Council held on 4 September 2014 as the correct record;
- (6) To answer questions from Members of the Council on the minutes of the last meeting of Council;
- (7) To answer questions of Members of the Council under Rule 12;
 - (a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 12.1
 - (b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 12.2
 - (c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority
 - (d) Minutes of the meetings held by the Police and Crime Panel held on 26th June 2014

- (8) To deal with any business required by statute to be done;
- (9) To receive any announcements from the Chair, or the Head of Paid Service;
- (10) To dispose of business (if any) remaining from the last meeting and to receive the report of any Committee to which such business was referred for consideration;
- (11) To consider reports from the Council's Committees and to receive questions and answers on any of those reports;
- (12) To consider any other business specified in the summons to the meeting, and to receive questions and answers on any of those items;
- (13) To consider reports from the Policy Committees:
 - (a) proposals in relation to the Council's approved budget and policy framework; and
 - (b) proposals for departures from the approved budget and policy framework;
- (14) To consider motions in the order in which notice has been received; and
- (15) To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.



Public questions for Council

Meeting Date: 18 September 2014

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|----|--|
| 1. | From: Mr Shane Moore |
| | To: Chair of Finance and Policy Committee |
| | <p>Question:</p> <p>“Given the difficulties this council is now experiencing to recover money promised to it from a deal made with the owners of the Sports Comes regarding the lifting of a restrictive covenant on the land, could you confirm whether this covenant has already been lifted despite not receiving the money and party politics aside, will this council give assurances to me and the public that they will not be so eager to spend money before they even get it in future.”</p> |
| | |
| 2. | From: Mr Graeme Measor |
| | To: Chair of Finance and Policy Committee |
| | <p>Question:</p> <p>“Regarding the money the council are expecting from the sports domes. What progress has been made regarding the receipt of the money promised? This issue has been brought up at the previous 2 council meetings. Given that it is now three months down the line since this was highlighted. Was an agreement signed by the Domes owners promising the council the money? If so, how is this being pursued? Or was this just word of mouth, giving the council no redress whatsoever. Is the money going to be recovered, or not? I'm sure the good people of Hartlepool would like to see the money recovered, and it put towards our under threat lifeguard service.”</p> |
| | |

COUNCIL

MINUTES OF PROCEEDINGS

7 August 2014

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

PRESENT:-

The Ceremonial Mayor (Councillor S Akers-Belcher) presiding:

COUNCILLORS:

| | | |
|--------------|-----------------|----------|
| Ainslie | C Akers-Belcher | Atkinson |
| Barclay | Beck | Brash |
| Cook | Cranney | Dawkins |
| Fleet | Gibbon | Griffin |
| Hall | Hind | Jackson |
| James | Lauderdale | Loynes |
| Martin-Wells | Richardson | Riddle |
| Robinson | Simmons | Sirs |
| Springer | Thomas | |

Officers: Dave Stubbs, Chief Executive
Peter Devlin, Chief Solicitor
Chris Little, Chief Finance Officer
Alastair Smith, Assistant Director, Neighbourhoods
Louise Wallace, Director of Public Health
Amanda Whitaker and Denise Wimpenny, Democratic Services Team

Prior to the commencement of business, Members stood in silence as a mark of respect following the recent death of former Mayor, Gwynneth Hanson. The Ceremonial Mayor highlighted the decision of Council that Gwynneth Hanson should be awarded the honour of Honorary Alderwoman. Due to the circumstances, it was agreed that the honour be awarded posthumously.

28. ANNOUNCEMENTS

The Ceremonial Mayor referred to the achievements of Savannah Marshall at the recent Commonwealth Games. A standing ovation was paid by Members in recognition of Savannah's achievements. Council expressed congratulations and thanks to Savannah and noted that discussions were ongoing with a view to the town celebrating Savannah's achievements.

29. APOLOGIES FOR ABSENT MEMBERS

Councillors Clark, Hargreaves, Lilley, Morris, Payne and Thompson.

30. DECLARATIONS OF INTEREST FROM MEMBERS

The following declarations of interest were made by Members:-

Councillor James – item 13(b) – Local Authority representative on Northumbria Regional Flood and Coastal Committee.

Councillor Brash – item 15 (3) – Trustee Families First

Councillor Simmons – item 15 (4) – West View Advice and Resource Centre and West View Project. Councillor Simmons highlighted that he was not a Director of Hartlepool Credit Union Limited as incorrectly listed in appendix C to item 15.

Councillor Jackson – item 15(4) - Trustee Families First

Councillor Cook – item 15(4) - Director West View Advice and Resource Centre and West View Project

Councillor Griffin - item 15(4) - Director West View Advice and Resource Centre

Councillor Cranney – item 15(4) - Hartlepool Access Group

Councillor Hall - item 15(4) – Director Hartlepool Credit Union Limited

Councillor Thomas - item 15(4) –Hartlepool Carers and Hartlepool Voluntary Development Agency

Councillor Barclay - item 15(4) – Hartlepool Citizens Advice Bureau and Trustee of ORCEL

Councillor Fleet - item 15(4) – Hartlepool Carers

Councillor James - item 15(4) –Councillor James highlighted that she was not a Director of Owton Rossmere Community Enterprise Limited as incorrectly listed in appendix C to item 15

Councillor Beck - item 15(4) – Councillor Beck highlighted that he has no involvement in Manor Residents Association as incorrectly listed in appendix C to item 15

The Chief Executive advised Members that the information included in Appendix C to item 15 was included in the Register of Members' Disclosable Pecuniary Interests.

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

None

32. PUBLIC QUESTION

Question from Mr Measor to Chair Neighbourhood Services Committee

"Given that there is no end date on the permit for the landfill at Seaton Meadows, and the company who have the permit are now starting the final "cell" of the landfill.

What are the council going to do to ensure that dumping is stopped when this final cell is completed and that the size of the landfill does not exceed appropriate levels?

And what assurances will you give the good people of Seaton Carew that no further licences to dump waste will be granted at this site, or any site within Seaton Carew as it is a residential area"

The Chair of the Neighbourhood Services Committee responded that as the Director of Regeneration and Neighbourhoods had advised in correspondence to Mr Measor on 4 July, there was no end condition restricting the time period for which the landfill could operate, however it was hoped that as it was onto the final 'cell', the end date would not be far away.

It was highlighted that the Licence or Permit for the site was issued by the Environment Agency and not by the Council. The original waste management licence was issued on 23rd March 1992, another licence had been issued on 10th July 1995 and the current Permit had been issued on 17th October 2006 and this permit superseded the previous waste management licences. This Council however had involvement through the Planning Committee. The original decisions had been made by Cleveland County Council. The Planning Committee of this Council had considered what is now the governing permission in June 2000, since then there had been numerous additional applications for minor developments on the site. It was highlighted that it was through those permissions that the Council ensured that the conditions attached to the permissions by the Planning Committee were adhered to.

The final part of the question related to assurances that no further licenses to dump waste would be granted for the site. The Chair referred to his earlier comments relating to it being the Environment Agency that granted the licenses and not this Council. However, any licenses granted would then need the appropriate planning consent. In August 2012 an application for a proposed vertical extension and revised restoration of Seaton Meadows landfill had been refused by the Planning Committee, this application was currently the subject of a planning appeal which was being dealt with by the Planning Inspectorate, any new planning applications for waste activities would be treated on their merits by the Planning committee with the impacts on the local area taken into consideration.

Question from Mr Corbett to Chair Finance and Policy Committee

"Is it right & proper that in these extremely difficult financial times for the council tax payers of the town, that the Chairs of the North & South neighbourhood forums receive an allowance of £3495 for chairing 4 meetings per year, which

given that the meetings last approximately 2 hours works out at £436.87p per hour”

The Chair of the Finance and Policy Committee responded that he believed the allowance was appropriate and reflected the integral part the Forum Chairs had in the consultation process with residents on a number of issues, including budget setting. The decision to retain the Special Responsibility Allowances for the Neighbourhood Forum chairs at 60%, rather than 30% recommended by the Independent Remuneration Panel (IRP) would incur a cost of £3.5k per year. However, the Council would save £17,000 by not implementing the recommended IRP increase in the Basic Allowance of £250 (i.e. 4%). Therefore, when those issues were considered together there was a net reduction in costs of £13.5k per year.

In line with the Council's Constitution, there were two Neighbourhood Forums which allowed local people to raise issues of concern. Meetings took place quarterly. The broad remit of the Neighbourhood Forums was highlighted. The functions of the Forums included being a focal point for local consultation on the provision of Council Services through Face the Public and other events incorporating consultation on the council's Annual Budget. The Forums also enabled discussion to take place with community representatives on issues of local interest, to advise the Council on matters of interest to their area, to be a key part of the Council's local consultation process and to assist all Councillors in listening to and representing their community. The Forums also helped build Partnerships between the Local Authority, other local public, private and voluntary sector organisations and the public. Meetings of the Neighbourhood Forums could therefore not be taken in isolation. The Chair advised that the Neighbourhood Forum Chairs worked with Chairs of Policy Committees including himself as Chair of Finance and Policy Committee.

The Chair of the Committee advised that under the new Governance arrangements the Council was saving approximately £120,000 per year compared to the costs of the elected Mayoral system. Over a 10 year period this saved the residents of Hartlepool over a million pounds. The Council had used the annual saving in Members Allowances to implement the Hartlepool Living Wage, which helped the lowest paid employees of the Council. It was highlighted that the IRP report considered by Council on 3rd July 2014 had confirmed that Hartlepool's Basic Allowance of £5,825 was the lowest out of the 12 North East Council's and 54% lower than the regional average of £8,965

During the debate that followed the response being given to the public question, concern was expressed in relation to inconsistency of Council in terms of its adoption of recommendations made by the Independent Remuneration Panel. The Chair of the North and Coastal Neighbourhood Forum reiterated the comments made by the Chair of Finance and Policy Committee in clarifying the roles of the Neighbourhood Forum Chairs. Council was advised on the varied functions of the Neighbourhood Forums and consequent responsibilities of the Chairs of the Neighbourhood Forums.

33. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 3 July 2014, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Ceremonial Mayor.

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

With reference to minute 25 of the Council meeting held on 3 July 2014, further clarification was sought on whether the lump sum payment had been received in respect of the Domes development, if funding had not been received how the free swim initiative had been funded and whether it had been appropriate for a decision to be taken under special urgency provisions at the meeting of the Finance and Policy Committee meeting held on 28 March 2014. The Chief Executive advised that payment had not yet been received. Whilst recognising the frustrations of the Member, assurances were given that discussions were ongoing. The Chief Executive advised that the Regeneration Services Committee on 31 July 2014 had agreed that the costs of the free swims would be funded from 2014/15 outturn as a fallback position, but only in the event that the Domes proceeds were not received within the financial year. The Chief Executive reiterated that it had been appropriate for special urgency provisions to be utilised to meet the requirements of a time limited offer from the third party to purchase the Domes development.

35. QUESTIONS FROM MEMBERS OF THE COUNCIL

- (a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 12.1

None

- (b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 12.2

None

- (c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority

None

- (d) Minutes of the meetings held by the Cleveland Fire Authority held on 6 June 2014 and 25 June 2014 and the Police and Crime Panel held on 5 February 2014 and 7 April 2014 had been circulated.

The minutes were noted.

36. BUSINESS REQUIRED BY STATUTE

None

37. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

None

38. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES

None

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

None

40. REPORT FROM THE POLICY COMMITTEES

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

None

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

(1) Empty Homes Scheme Phase 2 – Report of Finance and Policy Committee

The Chairman of Finance and Policy Committee presented a report to consider the Committee's recommendation for the Empty Property Purchasing Scheme to be added to the capital programme and to increase the Prudential Code Indicators and Borrowing Limits accordingly. The report informed Council that after the issue had been considered by the Finance and Policy Committee on 21 July 2014, the Homes and Communities Agency had announced details of funding allocations for individual Councils on 22 July 2014; a copy of the Committee report had been circulated to Council.

It was noted that Hartlepool had been awarded £1.110m. This had been more than anticipated in the business case which had been submitted to the Committee and reflected the Council's successful track record in delivering previous Homes and Community Agency supported schemes. The report

therefore set out two options for using the additional funding. The report advised that the Corporate Management Team had confirmed that either option could be implemented.

The Chairman of the Committee proposed that in relation to recommendation iii, that Council approve Option 1 and defer the additional prudential borrowing until evaluation of the Empty Homes Scheme via Regeneration Services Committee with a view to submitting a further bid to the Homes and Communities Agency, which could allow for a greater number of properties to be purchased and refurbished as part of a Phase 3 programme.

RESOLVED – That the proposal to fund the Phase 2 Expansion of the Empty Property Purchasing Scheme be approved as follows:-

- (i) To approve Prudential Borrowing of £2,846,000 for a Locally Funded Scheme of 44 properties and to note the annual loan repayment costs would be fully funded from rental income.
- (ii) To note the Council had secured HCA grant funding of £1,110m, compared to £0.688m forecast in the Business Case reported to Finance and Policy Committee.
- (iii) To approve Option 1 set out in the report (i.e. total phase 2 cost of £1.514m to be funded from a combination of Homes and Communities Agency grant of £1.110m and Prudential Borrowing of £0.404m) and defer the additional prudential borrowing until evaluation of the Empty Homes Scheme via Regeneration Services Committee with a view to submitting a further bid to the Homes and Communities Agency, which could allow for a greater number of properties to be purchased and refurbished as part of a Phase 3 programme.
- (iv) That these schemes be included within the Capital Programme and Prudential Indicators.

The above was agreed by show of hands.

A request was made that Councillor Springer's abstention from voting be recorded in the minutes.

(2) Headland Walls and Block Sands Coastal Protection Works – Report of Finance and Policy Committee

The Chairman of the Finance and Policy Committee presented a report to enable Council to consider the Committee's recommendation for the Headland Walls and Block Sands Coastal Protection Works to be added to the capital programme and to increase the Prudential Borrowing Limits accordingly. The report to the Finance and Policy Committee on 21st July, 2014 (appended to the report) set out detailed proposals for the scheme to upgrade key coastal structures on the Headland Walls and Block Sands. The recommended scheme was estimated to cost £9.645m and grant funding of £7.120m was being secured from the Environment Agency to partly fund this work. The grant required match funding of £2.525m and partner contributions of £725,000 had

been secured to date, leaving a balance of £1.8m for the Council to fund. It was noted that £500,000 had previously been approved and set aside from other Coastal Protection budgets leaving £1.3m to be funded from prudential borrowing. The loan repayment costs would be funded from the Coastal Protection Maintenance budget, on the basis that future maintenance costs should be substantially reduced once the scheme had been completed.

RESOLVED - That the proposal to fund the Council's contribution towards the Headland Walls and Block Sands Coastal Protection Works be approved as follows: -

- (i) Approve Prudential Borrowing of £1,300,000 to provide the balance of match funding required and to note the annual loan repayment costs will be fully funded from the annual Coastal Protection Maintenance budget.
- (ii) Note negotiations are progressing with Northumbrian Water to secure a contribution towards this scheme which will reduce the £1,300,000, although the Council will still be required to fund the majority of this amount.
- (iii) On the basis of Council approving the above recommendation, approve the inclusion of these schemes within the Capital Programme and Prudential Indicators.

The above was agreed by show of hands. The Chair confirmed, in the absence of dissent, that this was the unanimous decision of the Council.

41. MOTIONS ON NOTICE

None

42. PAY POLICY 2014/15

The Chief Executive reported that under Section 38 of the Localism Act 2011, the Council had to approve a Pay Policy on an annual basis. The 2014/15 Pay Policy had been agreed by Council on 3 April 2014. On 30 June 2014, Finance and Policy Committee had approved a number of pension related policy statements and the 2104/15 Pay Policy, appended to the report, had been updated to reflect the new policy statements.

A Member made reference to discussions which had been associated with the decision made by Council, on 5 September 2013, to introduce its own Living Wage for its employees with effect from 1 September 2013. It was questioned at the meeting as to the progress that had been made in relation to the decision which was made at that time by Council that a consortium should also be established, led by Hartlepool Borough Council, to support the implementation of a living wage for everyone in Hartlepool. The Chief Executive advised that he would provide the Member with a written response to his question.

RESOLVED as follows: –

- (i) That the updated Pay Policy 2014/15 be approved.
- (ii) That a written response be provided by the Chief Executive on progress made to date in relation to the establishment of a consortium led by HBC to support the implementation of a living wage for everyone in Hartlepool as previously agreed by Council.

43. COMMITTEE/OUTSIDE BODY VACANCIES

Children's Services Committee

Council was advised that the Chief Executive had been informed that Councillor Atkinson had resigned from the Children's Services Committee. Notification had been advised that Councillor Lilley would be Councillor Atkinson's replacement on the Committee.

RESOLVED – That Councillor Lilley replace Councillor Atkinson as a member of the Children's Services Committee.

Committee Vacancy

Following the appointments to Committees and Forums made at the meetings of Council held on 10 June and 3 July, 2014, a vacancy on the Finance and Policy Committee remained. Under normal proportionality the seat would be allocated to an Independent member though no nomination had been forthcoming. Under applicable legislation, where no nomination had come forward within a period of three weeks from the initial request, it was open to Council to make such appointment as it thought fit. Council was therefore requested to consider whether the Committee should continue to carry a vacancy or that nominations should be invited.

RESOLVED – That as no nominations were made at the meeting, a vacancy would continue to be carried on the Finance and Policy Committee.

Outside Body Vacancies

The Chief Executive sought the views of Council on vacancies relating to the following outside bodies:-

Local Joint Consultative Committee – 1 vacancy; based on political balance - PHF

Together Project Steering Group – 2 vacancies (from 4) remained; based on political balance to come from PHF, CON, UKIP or IND.

Tees Esk Wear Valley NHS Foundation Trust – The Director of Child and Adult Services had requested that an Elected Member be appointed to the Council of Governors of the Trust. It was suggested that this nomination be Member

Champion for Mental Health. Council was therefore recommended to include this position within Part 7 of the Council's Constitution under the category of 'Council in the Community'.

Industrial Communities Alliance - Council was requested to appoint two representatives onto the Alliance. It was suggested that those representatives consist of the Leader of the Council (substitute: Chair Regeneration Services Committee) and Director of Regeneration and Neighbourhoods

RESOLVED as follows: –

- (i) That in the absence of nominations, the vacancies remain on the Local Joint Consultative Committee and the Together Project Steering Group.
- (ii) That the Member Champion for Mental Health be appointed to the Council of Governors of the Tees Esk Wear Valley NHS Foundation Trust.
- (iii) That the Leader of the Council (substitute: Chair Regeneration Services Committee) and Director of Regeneration and Neighbourhoods be appointed as the Council's representatives on the Industrial Communities Alliance.

44. DIRECTOR OF PUBLIC HEALTH'S ANNUAL REPORT

The Chief Executive reported the requirement for the Director of Public Health to write an Annual Report on the health status of the town and the Local Authority duty to publish the annual report as specified in the Health and Social Care Act 2012. Members were advised that the 2013/14 Director of Public Health Annual Report focused on the risk factors for developing diseases which involved the three key priority areas of smoking, alcohol and obesity. The three priority areas provided an opportunity to improve health although that change would not be achieved solely by individual behaviour change but through education, accessible services, and local and national policy changes. Councillors had received a briefing on the annual report, by the Director of Public Health, prior to the commencement of the Council meeting.

During the debate, a Member highlighted implications when individual behaviour had an effect on the health of children. The benefits arising from the introduction of free school meals, on the health of children, were presented together with the potential benefits of the introduction of free breakfasts for all primary school children comparable to that introduced by Blackpool Borough Council.

It was moved by Councillor Brash:-

"That this Council sets strategic policy so all primary school children receive free healthy breakfasts and a cross party group be established to ensure the policy is achieved by September 2015."

In response the Chairman of the Children's Services Policy Committee advised Council that a breakfast pilot project was in operation in two schools in the

Borough. The outcomes of the pilot project were continuing to be evaluated. Whilst supporting the sentiments of the Motion, the Chairman of the Committee suggested it would be appropriate to wait until the evaluation was concluded and a report had been submitted to the Children's Services Committee, including financial implications.

The mover of the Motion advised that he was content that the Children's Services Committee should lead the initiative.

Further support was expressed of the Motion's concept and it was suggested that following evaluation of the pilot project by the Children's Services Committee, a report be submitted to Council. Councillor Brash clarified that his intention had been to establish clear policy direction with the intention of achieving the objective by 2015.

The Motion was seconded by Councillor C Akers-Belcher subject to inclusion of the following:-

"The implementation of the scheme by 2015 is explored".

The above was agreed by show of hands. The Chair confirmed, in the absence of dissent, that this was the unanimous decision of the Council.

An additional issue highlighted by the annual report related to the key priority area of alcohol. Support was expressed for the introduction of minimum pricing per unit of alcohol and disappointment expressed that the initiative had not been progressed by national Government.

It was moved by Councillor Brash and seconded by Councillor Atkinson:-

"That a byelaw be introduced to impose a minimum unit price on alcohol of 50p per unit"

The Chief Solicitor reminded Members that the Licensing Committee had considered previously the issue of minimum pricing per unit of alcohol. He expressed concerns regarding the implications of the introduction of a byelaw and suggested the issue be referred to the Licensing Committee.

Amendment moved by Councillor Ainslie and seconded by Councillor Martin-Wells:-

"That consideration of the introduction of minimum pricing per unit of alcohol is referred to the Licensing Committee".

The mover of the Motion accepted the amendment.

The referral to the Licensing Committee was agreed by show of hands. The Chair confirmed, in the absence of dissent, that this was the unanimous decision of the Council.

The Chair of the Health and Wellbeing Board expressed his appreciation to the Director of Public Health and her staff for the annual report and took the opportunity to express his thanks also to Councillor Richardson who had chaired the Health and Wellbeing Board the previous year.

45. EXPENDITURE RELEVANT TO MEMBERS' INTERESTS

The Chief Executive reported that further to requests by members, information had been appended to the report which provided details of any contracts for works or services which were subject to the Council's tender process and awarded to a body/entity listed on the Member's Register of Interests during the last 3 months. Details were provided of any payments made to a body/entity listed on the Member's Register of Interests during the last 3 months. The report did not include information on those bodies listed on members interests forms which either did not have a supplier number on Integra or which could not be identified on Integra given the information provided.

RESOLVED – That the report be noted.

The meeting concluded at 8.05 p.m.

CEREMONIAL MAYOR

SPECIAL COUNCIL

MINUTES OF PROCEEDINGS

4 September 2014

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

PRESENT:-

The Ceremonial Mayor (Councillor S Akers-Belcher) presiding:

COUNCILLORS:

| | | |
|------------|-----------------|------------|
| Ainslie | C Akers-Belcher | Atkinson |
| Barclay | Beck | Clark |
| Cook | Cranney | Fleet |
| Gibbon | Griffin | Hall |
| Jackson | James | Lauderdale |
| Loynes | Martin-Wells | Dr Morris |
| Richardson | Riddle | Robinson |
| Simmons | Sirs | Springer |
| Thomas | Thompson | |

Officers: Dave Stubbs, Chief Executive
Alyson Carman, Legal Services Manager
Denise Ogden, Director of Regeneration and Neighbourhoods
Louise Wallace, Director of Public Health
Alastair Rae, Public Relations Manager
Amanda Whitaker, Democratic Services Team

46. APOLOGIES AND COMMUNICATIONS

Councillors Dawkins, Lilley and Payne

47. DECLARATIONS OF INTEREST FROM MEMBERS

None

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

None

49. CIVIC HONOURS

The Chief Executive reported that at the meeting of Council held on 3 April 2014, it was agreed that the titles of Honorary Freeman/Honorary Freewoman and Honorary Alderman/Honorary Alderwoman be bestowed on a number of individuals recommended by the Civic Honours Committee. Members were reminded that this Special Meeting of the Council had been called to confer those civic honours in pursuance of Section 249 of the Local Government Act 1972

The following Motion was proposed by the Ceremonial Mayor, Councillor S Akers-Belcher, and seconded by Councillor Cook:-

“That this Council, in appreciation and recognition of the eminent service rendered to the Borough of Hartlepool by Gwynneth Hanson, Cath Hill and Gladys Worthy and in pursuance of Section 249 of the Local Government Act 1972, do hereby admit the said Gwynneth Hanson, Cath Hill and Gladys Worthy to be Honorary Alderwomen (Posthumous) of the Borough of Hartlepool.”

The Motion was put and agreed unanimously.

Councillor James was invited to address the Council in proposing Gwynneth Hanson for the title of Honorary Alderwoman (posthumous).

Councillor Chris Simmons was invited to address the Council in seconding Gwynneth Hanson for the title of Honorary Alderwoman (posthumous).

Councillor Paul Thompson was invited to address the Council in proposing Cath Hill for the title of Honorary Alderwoman (posthumous).

Councillor Chris Simmons was invited to address the Council in seconding Cath Hill for the title of Honorary Alderwoman (posthumous).

The Ceremonial Mayor, Councillor S Akers-Belcher, addressed the Council in proposing Gladys Worthy for the title of Honorary Alderwoman (posthumous).

Councillor Marjorie James was invited to address the Council in seconding Gladys Worthy for the title of Honorary Alderwoman (posthumous).

The title of Honorary Alderwoman (Posthumous) was accepted for Gwynneth Hanson by a family member.

The title of Honorary Alderwoman (Posthumous) was accepted for Cath Hill by a family member.

The title of Honorary Alderwoman (Posthumous) was accepted for Gladys Worthy by a family member.

Following the acceptance of the titles of Honorary Alderwoman (posthumous), there

was a pause in proceedings to allow time for reflection of the recipients of the posthumous awards and of the late Ray Waller who had the honour of Alderman bestowed on 4 April 2014, as acknowledged later in the meeting.

The following Motion was proposed by the Ceremonial Mayor, Councillor S Akers-Belcher, and seconded by Councillor Cook:-

“That this Council, in appreciation and recognition of the eminent service rendered to the Borough of Hartlepool by David Gibson, Keith Hewitson, Dr George Morris, Sir Ronald Norman OBE, Elizabeth O’Rourke, The Rifles and Jim Rodgers and in pursuance of Section 249(5) of the Local Government Act 1972, do hereby admit the said David Gibson, Keith Hewitson, Dr George Morris, Sir Ronald Norman OBE, Elizabeth O’Rourke, The Rifles and Jim Rodgers, to be Honorary Freeman/Freewoman of the Borough of Hartlepool”

The Motion was put and agreed unanimously.

Councillor Rob Cook addressed the Council in proposing David Gibson for the title of Honorary Freeman.

Councillor Chris Simmons addressed the Council in seconding David Gibson for the title of Honorary Freeman.

Councillor Jim Ainslie addressed the Council in proposing Keith Hewitson for the title of Honorary Freeman.

Councillor Allan Barclay addressed the Council in seconding Keith Hewitson for the title of Honorary Freeman.

Councillor Ray Martin-Wells addressed the Council in proposing Dr George Morris for the title of Honorary Freeman.

Councillor Christopher Akers-Belcher addressed the Council in seconding Dr George Morris for the title of Honorary Freeman.

Councillor Christopher Akers-Belcher addressed the Council in proposing Sir Ronald Norman OBE for the title of Honorary Freeman.

Councillor Chris Simmons addressed the Council in seconding Sir Ronald Norman OBE for the title of Honorary Freeman.

Councillor Carl Richardson addressed the Council in proposing Elizabeth O’Rourke for the title of Honorary Freewoman.

Councillor Ray Martin-Wells addressed the Council in seconding Elizabeth O’Rourke for the title of Honorary Freewoman.

Councillor Allan Barclay addressed the Council in proposing The Rifles for the Freedom of the Borough.

Councillor Paul Beck addressed the Council in seconding The Rifles for the Freedom

of the Borough.

Councillor Jim Ainslie addressed the Council in proposing Jim Rodgers for the title of Honorary Freeman.

Councillor Allan Barclay addressed the Council in seconding Jim Rodgers for the title of Honorary Freeman.

The Ceremonial Mayor, Councillor S Akers-Belcher, conveyed congratulations to the Honorary Freeman and Freewoman.

Honorary Freeman David Gibson accepted the title of Freeman of the Borough, signed the Freedom Roll and addressed the Council in suitable terms.

Honorary Freeman Keith Hewitson accepted the title of Honorary Freeman and signed the Freedom Roll.

Honorary Freeman George Morris accepted the title of Honorary Freeman and signed the Freedom Roll.

Honorary Freeman Sir Ronald Norman OBE accepted the title of Honorary Freeman, signed the Freedom Roll and addressed the Council in suitable terms.

Honorary Freewoman Elizabeth O'Rourke accepted the title of Honorary Freewoman, signed the Freedom Roll and addressed the Council in suitable terms.

The Freedom of the Borough was accepted on behalf of the Rifles, the Freedom Roll was signed and the Council was addressed the Council in suitable terms.

Honorary Alderman Jim Rodgers accepted the title of Honorary Freeman, signed the Freedom Roll and addressed the Council in suitable terms.

The following Motion was moved by the Ceremonial Mayor, Councillor S Akers-Belcher, and seconded by Councillor Cook:-

“That this Council, in appreciation and recognition of the eminent service rendered to the Borough of Hartlepool by Russell Hart, Brian Smith and Dennis Waller, and in pursuance of Section 249 of the Local Government Act 1972, do hereby admit the said Russell Hart, Brian Smith and Dennis Waller, to be Honorary Aldermen of the Borough of Hartlepool.”

The Ceremonial Mayor, Councillor S Akers-Belcher, addressed the Council in proposing Russell Hart for the title of Honorary Alderman.

Councillor Christopher Akers-Belcher addressed the Council in seconding Russell Hart for the title of Honorary Alderman.

Councillor Peter Jackson addressed the Council in proposing Brian Smith for the title of Honorary Alderman.

Councillor Allan Barclay addressed the Council in seconding Brian Smith for the title

of Honorary Alderman.

Councillor Kevin Cranney addressed the Council in proposing Dennis Waller for the title of Honorary Alderman.

Councillor Sheila Griffin addressed the Council in seconding Dennis Waller for the title of Honorary Alderman.

The Ceremonial Mayor, Councillor S Akers-Belcher, conveyed congratulations to the Honorary Aldermen.

Alderman Hart accepted the title of Honorary Alderman, signed the Honorary Alderman Roll and appreciation was expressed to the Council for the honour.

Alderman Smith accepted the title of Honorary Alderman, signed the Honorary Alderman Roll and addressed the Council in suitable terms.

Alderman Waller accepted the title of Honorary Alderman, signed the Honorary Alderman Roll and addressed the Council in suitable terms.

The Ceremonial Mayor acknowledged the title of Alderman bestowed on the late Ray Waller, former Councillor, Mayor and Freeman of the Borough of Hartlepool on 4 April 2014.

Following the conclusion of the ceremony, the Ceremonial Mayor invited the Lord Lieutenant, Members, Officials and Guests to partake of light refreshments.

CEREMONIAL MAYOR

The meeting concluded at 9.00 p.m.

Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Thursday, 26th June, 2014.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Charles Rooney(Vice-Chairman), Cllr Chris Abbott, Geoff Baines, Cllr Ken Dixon, Gwen Duncan, Cllr George Dunning, Ian Jeffrey, Cllr Terry Laing, Cllr Steve Nelson,

Officers: David Bond, Margaret Waggott, Michael Henderson, Steve Hume (Stockton BC)

Also in attendance: Barry Coppinger (Commissioner), Joanne Hodgkinson (Commissioner's Office)

Apologies: Cllr Christopher Akers Belcher, Cllr Paul Thompson and Cllr Bernie Taylor

PCP 1/14 Appointment of Chairman 2014/15

RESOLVED that Councillor Norma Stephenson be appointed Chairman for the Municipal Year 2014/15.

PCP 2/14 Evacuation Procedure/Mobile Phones

The Chairman presented the Evacuation Procedures and reminded those presented to turn off, or turn to silent, any mobile phone, or similar device, they might have with them.

PCP 3/14 Declarations of Interest

Cllr George Dunning declared an interest in the item entitled Annual Report of the Police and Crime Commissioner for Cleveland as he was a serving member of Cleveland Fire Authority.

PCP 4/14 Appointment of Vice Chairman 2014/15

RESOLVED that Councillor Charles Rooney be appointed Vice Chairman for the Municipal Year 2014/15.

PCP 5/14 Minutes of the meeting held on 5 February 2014 and the Confirmation Hearing held on 7 April 2014

The minutes of the meetings held on 5 February 2014 and 7th April 2014 were confirmed as a correct record and were signed by the Chairman.

PCP 6/14 Police and Crime Commissioner's - Performance Outturn

Members received a report that provided an update of performance scrutiny undertaken by the Police and Crime Commissioner for Cleveland to support the delivery of the priorities of the Police and Crime Plan for the fourth quarter and full year of 2013 - 14.

During consideration of this item a number of matters were discussed, including:

- the new definition of Anti-Social Behaviour (ASB) and it was expected that this

7 (d)

would lead to more recorded incidents of ASB. The Commissioner explained that he would be organising a seminar on ASB legislation and Members of the Panel would be invited. The Commissioner explained that daily assessments were made, based on an analysis of information and incidents to identify where police officers should be deployed.

- Organisational Stability and Time off in Lieu. Members noted that lots of work had taken place in this area and senior officers took a very robust approach. Figures in this area had improved and the Commissioner indicated that he would provide members with further information on this.

RESOLVED that the report and discussion be noted and the additional information referred to, be forwarded to the Panel.

**PCP
7/14**

Annual Report of Cleveland Police and Crime Commissioner

The Panel considered the Commissioner's Annual Report. It was explained that the financial outturn figures associated with the report had not been published at that time and would be presented to the Panel's July meeting.

The Panel discussed the Annual Report and reference was made to the following areas

- support for a Myth Buster that the Commissioner had produced aimed at dispelling commonly reported myths about asylum seeking.

- a planned demonstration that the English Defence League was holding in Middlesbrough that weekend. The Commissioner explained that he had been briefed on policing arrangements associated with the demonstration and counter demonstration and he would continue to receive briefings, from senior police officers throughout the event. He explained that police officers from Durham and Northumbria would be involved in the policing and he was satisfied that arrangements would be adequate and any necessary response, to any issues that arose, would be proportionate. In response to a specific question the Commissioner indicated that he would provide the Panel with details of the costs of the police operation, including the cost of the assistance from the Durham and Northumbrian Forces.

- Domestic Violence - The Commissioner provided a brief overview of his action plan tackling violence against women and girls. The Commissioner explained that initiatives were looking to ensure victims of domestic violence were not the entire centre of the evidence in any prosecutions. He explained that 75-80% of incidents in Cleveland had men as the perpetrator and women as the victim. The figures quoted, in terms of gender split of domestic violence victims, were queried and it was agreed that this would be clarified.

RESOLVED that:

1. the Annual Report be noted.
2. the report be further considered at the Panel's next meeting, when financial

outturn information would also be included.

3. the discussion be noted and the additional information and clarification be provided.

**PCP
8/14**

Police and Crime Plan

Members were provided with the final edition of the revised Police and Crime Plan 2014-17.

Members asked a number of questions about the Plan, including:-

- the National ranking of forces and influences on a force's position, such as its size and financial position.
- Strategic Policing requirements.
- was there any policy that allowed police officers, who were the subject of an investigation and possible discipline, to resign? The Commissioner explained that the Commission had an Ethics Committee that was undertaking work in this area and he would bring a report on this work back to the Panel

The Panel determined that it did not wish to make any recommendations to the Commissioner.

RESOLVED that:

1. the Police and Crime Plan 2014 -2017 be supported.
2. the report relating to the work of the Ethic Committee and described above be provided to the Panel.

**PCP
9/14**

Restorative Justice

The Panel received a report that provided an overview relating to the use of Restorative Justice (RJ) within Cleveland Police.

The report outlined plans for the future Commissioning of RJ across the Cleveland Police area, including how funding, allocated by the Ministry of Justice (MoJ) would be utilised.

Members were reminded that RJ was the process which brought victims and offenders together to discuss their account of the same incident, with the aim of putting victims back in control and presenting offenders with the consequences of their actions.

RJ held offenders to account for what they had done and helped them understand the real impact, take responsibility and make amends for their actions.

The RJ agenda aimed to:

- Improve victim satisfaction
- Sustainably reduce re-offending
- Restore confidence in the police and CJS
- Promote effective community engagement
- Tackle low level crime, disorder and anti-social behaviour effectively; and
- Promote 'Respect' Agenda

MoJ research had shown that RJ could benefit both the victim and the offender. Evaluation of pilots found that RJ was associated with an estimated 14% reduction in the frequency of re-offending. The evaluation also found that 85% of victims, that participated in the conferencing method of RJ, were satisfied with the experience.

RJ was launched within Cleveland Police in April 2013 to enable most offences committed by under 18s to be dealt with by means of a RJ Intervention. The main focus of introducing RJ was to enable low level crime, disorder and anti-social behaviour to be dealt with instantly or by an 'on-street' disposal. Examples of some of the methods used when undertaking an RJ intervention include; face to face apology, letter of apology and a written assignment. A number of case studies were presented to the Panel as was some feedback received from both victims and offenders who had taken part in the RJ process.

Cleveland Police had commissioned Unite to undertake a piece of work to evaluate the effectiveness of RJ in year one. This report was due imminently and would form an action plan for further RJ development, within Cleveland Police, for the future.

It was noted that the Commissioner had appointed a dedicated RJ co-ordinator for a two year period, to support the development of a longer term, sustainable Cleveland wide RJ service, alongside the good schemes that already existed across Cleveland.

With the co-operation and assistance of partners the PCC proposed to introduce a virtual 'restorative justice hub'. The hub would act as the Cleveland Restorative Justice development and co-ordination service across the whole of the Cleveland Police area.

Members commented that the case studies had been extremely helpful in illustrating the benefits of RJ.

It was suggested that it would be helpful to understand what percentage of total crimes, in each Borough, went down the RJ route.

RESOLVED that the overview be noted.

**PCP
10/14**

Police Estate

The Panel was provided with a copy of the strategy that would inform and direct the decisions made by the Commissioner in relation to the estate provided to,

and used by, Cleveland Police.

The strategy document set out the ways that would accelerate savings and drive better performance from the police estate and looked at opportunities for closer co-operation with partners, in line with the Commissioner's and Chief Constable's priorities.

The strategy, and the plan that went with it, provided the basis upon which the PCC and Force could make the best decisions about the way the property portfolio could help in meeting corporate objectives.

Members noted that achieving value for money from the estate would depend, not only on the cost and use of space, but also on whether it provided a suitable working environment and met the needs of the people who used it and the public.

There were a number of 'Drivers for Change' that were discussed in the Strategy document such as:

- Value for Money and Excess Capacity.
- Changing Requirements of the Police as a result of significant change programmes and investments in ICT

These 'Drivers for Change', allied with the Vision and Strategy around the physical estate, used for Policing in Cleveland, would inform the decisions made by the PCC over the coming years and give a clear direction on the changes that were likely.

The Panel noted that, to date, 6 leased premises were either in the process of being ended or had ended, with the staff relocated to existing buildings in line with the priorities and strategic intention of the PCC and Force. Savings for these 6 buildings would total over £200k per annum once this process was complete. These buildings were predominantly not buildings that were accessible to the general public.

Members discussed the strategy with the Commissioner and

- noted that decisions on police buildings were made by the Commissioner after receiving proposals from the Force. The Commissioner indicated that he would notify the Panel of any proposed police station closures. He would also highlight, with ward Councillors, any plans to remove police officers based at buildings in their ward.
- a member highlighted problems with satellite stations and officers' time being used to travel to and from such stations. The Commissioner would look into this.
- the Commissioner would encourage more informal police bases in the area.

RESOLVED that the report and discussion be noted.

**PCP
11/14** **Scrutiny Programme**

Members were provided with a report that briefly detailed the Scrutiny work undertaken by the Panel during 2013/14 and requested topics for scrutiny during 2014/15.

Members were reminded that the Panel had established a Task and Finish Group to look at Probation Services. During consideration of this there was a general discussion about the scrutiny of the Community Rehabilitation Company (CRC). The Commissioner indicated that he would bring a report to the Panel when the position around this became clearer.

RESOLVED that Members provide the Panel's Chairman or the Head of Stockton Council's Democratic Services with potential scrutiny topics for 2014/15, by 10 July 2014.

**PCP
12/14** **Decisions of Cleveland Police and Crime Panel**

The Panel considered a report that provided an update in relation to the decisions made by the Police and Crime Commissioner between 15 January 2014 and 6 June 2014.

The Panel discussed issues surrounding the decision on whether to build a new Community Safety Hub. The Commissioner indicated that he would provide the Panel with further information on this matter in due course.

RESOLVED that the report be noted and the Panel receives further information, from the Commissioner, relating to a possible new Community Safety Hub, in due course.

**PCP
13/14** **Programme of Engagement for Cleveland Police and Crime Commissioner**

Members were provided with a report that updated the Panel with regard to meetings attended by the Commissioner from February 2014 and May 2014.

RESOLVED that the report be noted.

**PCP
14/14** **Cleveland Police and Crime Panel - Grant Expenditure**

Members received a report that detailed grant expenditure associated with the operation of the Panel.

RESOLVED that the report be noted.

**PCP
15/14** **Review of Complaints Handling Procedures**

Members considered a report that reviewed the current arrangements for dealing with complaints about Cleveland Police and Crime Commissioner and sought the Panel's views regarding future arrangements.

Members considered the information provided to it and, in particular considered

issues relating to:

- the accessibility of the complaints handling procedures.
- information and documentation regarding complaints.
- the timeliness of the Panel's consideration of complaints.
- engagement of complainants with the complaints procedure.
- the powers the Panel had, the action it could take and how it had approached this to date.
- in depth research that the Local Government Association may be undertaking on Police and Crime Panels' experience to date on complaint handling, and potential recommendations to the Home Office in this regard.

The Panel felt that the operation of the complaints process would benefit if responsibility for handling complaints was delegated to a sub committee. It was suggested that there could be a caveat to this, that a complaint could be submitted to the full Panel where this was considered appropriate e.g. because it would lead to a more satisfactory resolution of the matter in the particular circumstances of the case.

RESOLVED that:

1. the current arrangements for handling complaints about the Commissioner be posted on dedicated pages of Stockton Council's website and that links to those pages be included on the websites of the other Councils in the Cleveland Force area.
2. information and documentation regarding complaints e.g. a complaint form and timescales for dealing with Complaints, be brought to a future meeting for consideration, and subject to approval be then made available and included on Stockton's website.
3. the responsibility for handling complaints be delegated to a sub committee of the Panel comprising 3 of its members.
4. further reviews of the Panel's complaint handling arrangements take place regularly, with the next review being undertaken during 2015/16.
5. a policy regarding the unreasonable behaviour of complainants be drafted for consideration at a future Panel meeting.
6. the Panel be kept informed of progress regarding any research undertaken by the Local Government Association in relation to police and crime panels' experience of complaint handling.

16/14

The Panel received a report relating to Public Questions.

Members were reminded of the agreed procedure for considering questions, on notice, and noted that no such questions had been received for this meeting

RESOLVED that the report be noted.

**PCP
17/14**

Forward Plan

The Panel considered its current Forward Plan and noted one change. Consideration of the Task and Finish Scrutiny Review of work in schools would slip to the Panel's October 2014 meeting.

RESOLVED that the revised Forward Plan be approved.

**PCP
18/14**

Complaint

RESOLVED that this issue be considered by a sub committee of the Panel, in line with the delegation approved earlier in the meeting.

COUNCIL
18 September 2014



Report of: Chief Executive

Subject: BUSINESS REPORT

1. CHANGE OF COUNCIL MEETING DATE

Finance and Policy Committee, on 24 November 2014, will be requested to consider finalised 2015/16 budget proposals to be referred to the Council meeting scheduled for 11 December 2013. In the interim period, it will be necessary to incorporate the initial 2015/16 Local Government settlement figures previously issued by the Department for Communities and Local Government into the budget proposals. In view of the anticipated timescale for receipt of the actual 2015/16 Local Government Settlement, it is proposed that the meeting of Council scheduled for 11 December be changed to 18th December to enable any minor changes in the grant allocation to be assessed. Council is requested to approve the change of date of the Council meeting.

2. COMMITTEE MEMBERSHIP

Audit and Governance Committee

I have been informed that Councillor Robinson has resigned from the Audit and Governance Committee and have been advised that Councillor Cook will be Councillor Robinson's replacement on the Committee.

3. SUPERMARKET LEVY PROPOSAL

Council is requested to consider the recommendation of the Finance and Policy Committee in relation to the Supermarket Levy Proposal. A detailed report will be considered by the Finance and Policy Committee on the 15th September 2014, which is attached at Appendix A. Owing to the timescale for issuing papers for this meeting a verbal update will be provided at the Council meeting by the Chair of the Finance and Policy Committee on the recommendation approved by the Committee in relation to this proposal.

Finance & Policy Committee

15th September 2014



Report of: Chief Finance Officer

Subject: SUPERMARKET LEVY PROPOSAL

1. TYPE OF DECISION / APPLICABLE CATEGORY

1.1 Non Key Decision.

2. PURPOSE OF REPORT

2.1 The purpose of the report is to:

- (i) Provide information to Members on a request received to support a proposal to give local authorities the power to introduce a Levy of up to 8.5% of the rateable value on supermarkets or large retail outlets in their area with a rateable value of more than £500,000 and for the revenue to be retained by individual local authorities to be used to help improve their local communities.
- (ii) Determine a recommendation to be referred to Council.

3. BACKGROUND

- 3.1 Derby City Council was approached by Local Works (a national campaign body) on behalf of a number of local authorities to seek support for a proposal to give Councils powers to introduce a Levy on the rateable value of large retail outlets. The campaign centres around the impact that large supermarket outlets have on local communities and the environment including local independent shops.
- 3.2 Derby City Council agreed to support the campaign and act as the “Sponsoring Body” to lobby Government for the necessary primary legislation under the Sustainable Communities Act 2007. Supported by other pathfinder Councils, Derby City Council have made a submission to central Government for the Local Levy. If the campaign is successful, the legal provisions will apply nationally to all Councils including Hartlepool.

3.3 Levy Charges are already operational in Northern Ireland and Scotland:

Northern Ireland – Legislation passed in 2012, provides for a new local rate of 8.5% to be applied to all retail outlets with a rateable value of over £500,000.

The resulting additional rates yield has been applied to fund an expansion of the Small Business Rates Relief scheme. The rationale was that during the economic downturn, small businesses in Northern Ireland had suffered more than the large businesses that would have to pay the Levy. The Levy was a measure to ensure that some of the largest businesses (for whom rates are generally a smaller percentage of their sales turnover) provide assistance to smaller businesses through to economic recovery.

Scotland – The Scottish Parliament legislated in 2012, to introduce a levy of 9.3% to all supermarket outlets with a rateable value of at least £300,000.

The rationale for the Scotland Levy was that large supermarkets were seen as having a negative impact on public health because they are the largest suppliers of tobacco and alcohol and therefore they should pay towards the public services needed to deal with the costs to society. The Scotland Levy is being used to help fund public services provided by Scottish Local Authorities and the National Health Service.

3.4 On 31st July 2014, the Leader of the Council received an e mail from the national co-ordinator of Local Works, the campaign body advising Derby, requesting that Hartlepool BC considers supporting the Derby Proposal. Should the Council wish to support the Levy Proposal, Hartlepool will be added to the list of Councils already named with the Derby City Council submission and currently lodged with the Government. Local Works have stated that the Government is allowing Councils to continue to add their support to the Proposal even though it has been submitted.

3.5 There has been no official statement from the Department for Communities and Local Government (DCLG) on the Derby Levy Proposal, however the Sunday Times has reported, “DCLG indicated that the Government would be opposed to a new tax”.

4 Potential Financial Impacts in Hartlepool

4.1 In Hartlepool there are only 3 retailers with a rateable value in excess of £500,000 and they are all supermarkets and these 3 retailers together pay £3.46 million in Business Rates, 10.5% of the total business rates collected in the Borough. An 8.5% Levy would generate a further yield of £294,000.

4.2 It is unclear at this stage whether the Levy Yield would be subject to sharing with central government under the Localisation of Business Rates arrangements. The actual yield to Hartlepool BC would be either £294,000 (100% to HBC) or £144,000 (49% to HBC under Localisation of Business Rates).

- 4.3 In addition, there remains a risk that if the Government changes its current opposition to this Proposal and supports the introduction of a Levy, they could make a compensatory reduction in core revenue grant for Councils or reduce the nationally funded part of the SBRR scheme. For 2014/15, the Government have temporarily doubled the value of SBRR relief and Hartlepool is receiving Section 31 Grant of £453,000 to compensate for the higher value of SBRR awards.

5. CONCLUSION

- 5.1 The introduction of a supermarket levy may have the potential to yield a new revenue stream that could be used to improve local communities. However, the large supermarket chains are likely to resist and challenge this potential legislation, will argue that they already pay significant levels of business rates and are operating in a difficult trading environment with new higher levels of competition.
- 5.2 In addition, there are uncertainties as to the proportion of any Levy Yield that would accrue to the Council or whether the Government would in response reduce the level of revenue grant for Councils or national funding for the SBRR scheme.
- 5.3 There are no financial costs in signing up to the Derby Levy Proposal, however should the Government decide not to support the Levy then there could be future costs if Derby / supporting councils decide to pursue legislative change via a Private Members Bill. Should this course of action be proposed a further report would be submitted to Members.

6. RECOMENDATION

- 6.1 Members determine whether they wish to recommend to full Council that Hartlepool Council either:
- (i) Should support the campaign, or
 - (ii) Should not support the campaign.

7. REASONS FOR RECOMMENDATION

- 7.1 To allow Members to consider whether they wish to formally support a Proposal to give local authorities the power to introduce a Levy of up to 8.5% of the rateable value on supermarkets or large retail outlets in their area with a rateable value of more than £500,000 and for the revenue to be retained by individual local authorities to be used to help improve their local communities.

8. BACKGROUND PAPERS

8.1 None.

9. CONTACT OFFICER

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