

FINANCE AND POLICY COMMITTEE AGENDA



Friday 28 August, 2015

at 9.30 am

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS: FINANCE AND POLICY COMMITTEE

Councillors C Akers-Belcher, Barclay, Cranney, James, Loynes, Richardson, Riddle, Simmons, Sirs, Springer and Thompson.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the minutes of the meeting of the Finance and Policy Committee held on 27 July 2015 (*previously published and circulated*)
- 3.2 To receive the minutes of the meeting of the Health and Wellbeing Board held on 2 March 2015
- 3.3 To receive the minutes of the meeting of the Safer Hartlepool Partnership held on 15 May 2015

4. BUDGET AND POLICY FRAMEWORK ITEMS

- 4.1 Savings Programme 2016/17 – Chief Executive's Department – *Chief Executive*
- 4.2 Savings Programme 2015/16 and 16/17 – Public Health Department – *Director of Public Health*



5. KEY DECISIONS

- 5.1 Community Right to Bid – *Director of Regeneration and Neighbourhoods*
- 5.2 NHS Health Check – Options for Future Delivery – *Director of Public Health*

6. OTHER ITEMS REQUIRING DECISION

- 6.1 Referral from Council (Council Motion from 25th June 2015) – *Chief Executive*
- 6.2 Referral from Council (Council Motion from 26th February 2015) – *Assistant Chief Executive*
- 6.3 Proposal to close Hartlepool Magistrates and County Court – *Director of Regeneration and Neighbourhoods*
- 6.4 Business Continuity – *Director of Regeneration and Neighbourhoods*
- 6.5 Equality in Employment Policy – *Assistant Chief Executive*
- 6.6 Strategic Financial Management Report – as at 30th June 2015 – *Corporate Management Team*

7. ITEMS FOR INFORMATION

No items.

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

9. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006

EXEMPT ITEMS

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) (Variation) Order 2006

10. EXEMPT ITEMS FOR DECISION

- 10.1 Update on the potential merger of the Teesside and Hartlepool Coroner Areas (para 3) – *Chief Executive and Chief Solicitor*

FOR INFORMATION:

Date of next meeting – Monday 21 September 2015 at 9.30 am in the Council Chamber, Civic Centre, Hartlepool.



FINANCE AND POLICY COMMITTEE

MINUTES AND DECISION RECORD

27 July 2015

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

Present:

Councillor Christopher Akers Belcher (In the Chair)

Councillors: Allan Barclay, Kevin Cranney, Marjorie James, Carl Richardson, David Riddle, Chris Simmons, George Springer and Paul Thompson.

Also Present: Edwin Jeffries, Hartlepool Joint Trades Union Committee

Officers: Gill Alexander, Chief Executive
Chris Little, Chief Finance Officer
Peter Devlin, Chief Solicitor
John Morton, Assistant Chief Finance Officer
Sally Robinson, Director of Child and Adult Services
Damien Wilson, Assistant Director, Regeneration
Julian Heward, Public Relations Officer
Angela Armstrong, Principal Democratic Services Officer

22. Apologies for Absence

Apologies for absence were received from Councillors Brenda Loynes and Kaylee Sirs.

23. Declarations of Interest

Councillor Chris Simmons declared a personal interest in minute 28. See minute for a further declaration of interest.

24. Minutes of the meeting held on 29 June 2015

Received.

25. Youth Justice Strategic Plan 2015-2016 *(Director of Child and Adult Services)*

Type of decision

Budget and Policy Framework.

Purpose of report

To present the Youth Justice Strategic Plan for 2015-2016 attached at Appendix 1 and seek final comments from the Committee prior to the Plan being submitted to the Full Council for ratification.

Issue(s) for consideration

The report provided the background to the provision of the Youth Justice Strategic Plan and detailed the planning and consultation undertaken to develop the plan which included consideration by the Youth Justice Board's Regional Partnership Manager, the local Youth Offending Service Strategic Management Board, service users, staff and key partners. In addition, incorporated into the Plan were recommendations from the Safer Hartlepool Partnership, the Audit and Governance and Children's Services Committees. The report highlighted the progress made across the year's priorities including:

- Youth Crime;
- Meeting National Standards;
- Service User Feedback;
- Risks to Service Delivery and Performance ; and
- Management of Resources.

The key strategic objectives that were proposed for 2015-16 were outlined in the report.

A Member sought clarification on the elected Member input into the Youth Offending Strategic Board. The Chair of Children's Services Committee confirmed that he received regular reports from the Board which concentrated on operational issues as opposed to strategic direction. In addition, he had previously suggested that a young person with experience of the youth offending service be appointed to the Board to provide a young person's perspective. The Director of Child and Adult Services confirmed that the appointment of this young person to the Board was being progressed. A Member suggested that it would be useful to appoint both a male and female young persons' representative as their experiences can be quite different and it would broaden the young persons' perspective to the Board. It was noted that the Children's Services Committee had also suggested that meetings of the Board could be held in Young Offenders' Institutions from time to time to provide a greater insight for Board members.

The following decision was unanimous.

Decision

- (1) That the appointment to the Youth Offending Strategic Board of both a female and male young representative of service users of the Youth Offending Service be considered by the Board.
- (2) The progress made against the local Youth Justice Plan (2014-15) was noted and the Plan endorsed for submission to Council.

26. Local Council Tax Support 2016/17 *(Chief Finance Officer)***Type of decision**

Budget and Policy Framework

Purpose of report

- (1) To update Members on the operation of the Local Council Tax Support (LCTS) Scheme in 2015/16 and a proposed LCTS Scheme for 2016/17.
- (2) To update Members on financial risks to the LCTS Scheme from future funding settlements following the 2015 Comprehensive Spending Review and the financial risks linked to the Government's proposed £12bn national Welfare Reforms.

Issue(s) for consideration

The report provided the background on the introduction of Local Council Tax Support Schemes (LCTS) and how these schemes operated. The Assistant Chief Finance Officer presented a detailed and comprehensive report which provided an update on the 2015/16 LCTS Scheme as well as the financial modelling for the proposed LCTS scheme for 2016/17 and future years. The proposals were based on the current forecast grant cuts for 2016/17 to 2018/19 and Members' previous decision to allocate the Government grant cuts proportionately between LCTS scheme and the General Fund budget. In the event that the actual Government grant cuts for 2016/17 and future years were higher than forecast, Members will need to review the impact on both the LCTS scheme and General Fund budget.

It was noted that a detailed assessment of the financial risks from the measures outlined by the Chancellor in the July 2015 budget would be undertaken and a further update report would be submitted to Committee when more information was made available and the financial impact on the current forecasts had been assessed.

A Member referred to the difference in council tax collection levels by direct debit between Local Council Tax Support Cases and Non Local Council

Tax Support Cases. The Assistant Chief Finance Officer confirmed that collection by direct debit was the most cost effective and regular way of receiving council tax and there were a number of initiatives in place to encourage residents to pay by direct debit.

The following decision was unanimous.

Decision

Members noted that:

- (1) The LCTS scheme financial modelling completed before the Chancellor's July 2015 Budget indicated that maintaining a LCTS cut at 12% for 2016/17 should be financially viable.
- (2) The risk that the actual 2016/17 Government Grant cut may be higher than forecast which may impact on the funding which can be allocated to support the 2016/17 LCTS scheme.
- (3) That a further report be submitted to the Committee to enable Members to consider this issue before final approval of the 2016/17 LCTS scheme proposals for referral to full Council in December 2015, including the impact of updated financial modelling to reflect the Welfare Reforms announced by the Chancellor in the July 2015 Budget, which may require increased use of the one-off LCTS Reserve in 2016/17 if Members wish to maintain a 12% scheme.

27. Hartlepool Housing Strategy 2015-2020 *(Director of Regeneration and Neighbourhoods)*

Type of decision

Budget and Policy Framework.

Purpose of report

To approve the Housing Strategy for 2015-2020 and the adoption of the Action Plan. The Strategy details the key housing priorities for the Council and its partners for the period to 2020. The Action Plan is the delivery plan for the priorities which had been identified.

Issue(s) for consideration

The report provided a detailed background to the development of the Housing Strategy. The Strategy had been produced following engagement with the Council's partners and included Registered Providers, residents, voluntary organisations and the private sector. Five stages of consultation were undertaken and these were outlined in the report. The draft Strategy,

Action Plan and further information on the consultation undertaken were attached by way of appendices. The Strategy had been developed around the following five priority outcomes:

- Delivering suitable new homes, including affordable homes and older persons accommodation;
- Making the best use of existing homes; improving quality conditions and the environment;
- Bringing long-term empty homes back into use;
- Improving health and wellbeing; promoting sustainability by supporting people with specific housing needs;
- Preventing homelessness and providing options.

In response to a request by a Member, the Assistant Director, Regeneration indicated he would circulate the results of the online survey to the Committee.

The Chair suggested a further report be submitted to the Committee to explore the financial viability of increasing the Council housing stock including the associated income/costs and the availability of any New Homes Bonus to fully inform future budget decisions.

Decision

- (1) The adoption and publication of the draft Housing Strategy 2015-2020 attached at Appendix 1 be approved.
- (2) The associated Action Plan contained within Appendix 2 be approved.
- (3) The consultation report attached at Appendix 3 was noted.
- (4) The Equality Impact Assessment contained at Appendix 4 was noted.
- (5) The Assistant Director, Regeneration to circulate the results of the online survey undertaken as part of Stage 2 of the consultation on the Housing Strategy.
- (6) That a further report be submitted to the Committee exploring the financial viability of utilising empty homes to increase the Council housing stock, detailing the associated income, costs and incurred outputs to fully inform future budget decisions. (See minute 28 for additional information to be included within the above report.)

28. Council Housing Stock Development – July 2015 (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision.

Purpose of report

- i) To consider the business case for the purchase of 14 bungalows on the former Raby Road Corridor/Perth Street Compulsory Purchase Order (CPO) site, subject to a successful bid for additional Homes and Community Agency (HCA) funding; and
- ii) To refer the proposals to Council on 6 August 2015 for approval of the capital funding required as part of the business case.

Issue(s) for consideration

The report provided the background to the Council becoming a stock holding Local Authority in 2010. A further opportunity to develop the Council housing asset by acquiring 14 additional bungalow units on the Alexander Square site (formerly Perth, Hurworth CPO site). It was noted that there was a high demand and waiting list for social housing bungalows in the Town. A bid had been submitted with the Homes and Communities Agency (HCA) to access an element of the required funding and the Assistant Director, Regeneration informed the Committee that since the agenda papers were printed, he had been informed that this bid had been successful. Further detail was provided on the options available for the remainder of the required funding from a mix of Prudential Borrowing and Section 106 monies and these were outlined in the report.

Members were supportive of utilising as much uncommitted Section 106 funding as possible in order to reduce the amount of prudential borrowing required. In response to a question from a Member, the Assistant Director, Regeneration indicated he would forward the list developments contributing to the uncommitted Section 106 funding that would be utilised for this proposal to Members of the Committee.

A Member sought clarification on the identification of houses within the Council stock as opposed to those within the Thirteen Group's housing stock. The Chair indicated that a schedule identifying Council housing stock could be attached to the report requested in minute 17 in relation to the Housing Strategy.

In response to a question from the Chair, the Assistant Director, Regeneration confirmed that work was ongoing in relation to the clawback of grant funding previously provided to Barnardos. The Chair questioned the provision of new homes bonus and whether this would enable the Council to increase its housing stock further and suggested that this be explored further in the report requested above.

The following decisions were unanimous.

Decision

- (1) The proposal to purchase 14 bungalows on the Alexander Square development on condition that:
 - (i) There was a successful outcome to the bid for £329,000 HCA Grant funding under the National Affordable Homes Programme and it was noted during the meeting that this had been successful.
 - (ii) The Department for Communities and Local Government approved the arrangements for either increasing the HRA exemption, or approve the arrangements for the Council re-establishing the HRA. It was noted that any minor additional administrative costs of operating an HRA can be funded within the existing business case.
 - (iii) The following option was approved for referral to Council for funding the balance of the scheme costs:
Option B – use of Prudential Borrowing of £735,000 (ie £52,000 per property) which equated to 58% of the total project funding and Section 106 funding of £196,000.
 - (iv) It was noted that due to the successful bid for HCA grant funding and the scheme proceeds, the total capital budget for this scheme will be £1,260,000.
 - (v) It was noted that if the approval detailed in recommendation (ii) was not successful the scheme would not proceed.
- (2) That the Assistant Director, Regeneration circulate to Members of the Committee the list developments contributing to the uncommitted Section 106 funding that would be utilised for this proposal.
- (3) With reference to a request for a further report in minute 28 above, the report should also incorporate a schedule highlighting the location of Council housing stock and include further information on the potential new homes bonus that may be available from increasing the level of Council housing stock.

29. **Workforce Arrangements** (*Chief Executive and Assistant Chief Executive*)

Type of decision

Key Decision.

Purpose of report

To advise on progress in respect of Workforce Arrangements and seek the Committee's response to the result of the ballot of local trade union members.

The trade unions confirmed to the Council on 23 June 2015 that they had

not been mandated, via a ballot of their members, to enter into a collective agreement to reflect the changes to terms and conditions agreed, in principle, at Finance and Policy Committee on 30 January 2015.

As a consequence, it will not be possible to implement the whole package, as planned on 1 October 2015 and it was necessary for the Committee to consider the impact on the MTFS, the available options for moving forward and the alternatives to find savings.

30. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved 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) (Variation) Order 2006.

Minute 29 – Workforce Arrangements – Chief Executive and Assistant Chief Executive – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority (para 4).

29. Workforce Arrangements (*Chief Executive and Assistant Chief Executive*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority (para 4).

Issue(s) for consideration

Further details can be found in the exempt section of the minutes

Decision

Further details can be found in the exempt section of the minutes.

The meeting returned to open session.

The Chair stated that all the recommendations contained in the previous confidential report had been accepted with a further report requested on the implementation of the living wage in Hartlepool before the end of December 2015.

31. Employee Sickness Absence Annual Report 2014/15 (Assistant Chief Executive)

Type of decision

Non key.

Purpose of report

To provide an update on the Council's performance in 2014/15 in relation to employee sickness absence and seek approval for the sickness absence targets (paragraph 3.7) and key focus areas (paragraph 3.8) for 2015/16.

Issue(s) for consideration

The report provided the background to the collation and reporting of sickness absence for Local Authority employees including school employees. The Chief Executive highlighted that the report was a good news story with a continuation in the reduction of sickness absence resulting in an overall reduction in annual sickness rates from 8.86 to 8.47 wte.

The Chair requested that the appreciation of the Committee be forwarded to all employees for over achieving the targets set for the reduction in annual sickness.

The following decisions were unanimous.

Decision

- (1) The information in relation to employee absence in 2014/15 was noted and the sickness absence targets and key focus areas for 2015/16 were approved
- (2) That the Chief Executive pass on the appreciation of the Committee to all employees for over achieving the targets set for the reduction in annual sickness.

32. **Integrating Health and Social Care Services to Deliver the Better Care Fund Plan** *(Director of Child and Adult Services and Director of Regeneration and Neighbourhoods)*

Type of decision

Non key.

Purpose of report

- i) To provide an update on integration of adult social care and health services as part of the delivery of Hartlepool's Better Care Fund Plan.
- ii) To seek approval for the Council to lease office accommodation from the North Tees and Hartlepool NHS Foundation Trust (FT) on the University Hospital of Hartlepool site to facilitate the creation of a co-located service that was a key element to the Better Care Fund Plan.

Issue(s) for consideration

The report provided the background and the aims and objectives of the Better Care Fund (BCF) Plan for Hartlepool. One of the key themes of the Plan is Intermediate Care which aims to support people in their own homes and in the community to prevent unavoidable admissions to hospital and to prevent or postpone permanent admissions to residential care through providing a range of community based alternatives. The report provided further detail on the current position in relation to adult social care.

The proposal was to reconfigure the service and co-locate with a Single Point of Access for FT Community Services and health teams that support hospital discharges as an essential element of the Better Care Fund Plan. Further information on the operational element of the proposal was included within the report and it was proposed to co-locate the Council and NHS professionals involved on the hospital site. The significant advantage of this arrangement would be that the adult social care managerial and supervisory staff can be made available at all times to support decision making for each aspect of the operational function. As such, more assessments can be completed and discharges facilitated without necessarily increasing staffing resources and adult social care reablement staff will be able to work alongside NHS therapists more effectively. The FT were supportive of the proposal and have offered to provide accommodation at nil rent subject to the Council contributing towards the operating costs of the building on a proportionate area basis together with a contribution to the costs of the refurbishment as detailed in confidential Appendix 1 which also included the Heads of Terms of the agreement with the FT. **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 did have some reservations about using part of the hospital site when people were still campaigning to bring A&E services back to Hartlepool. However, it was highlighted that whilst the majority of people would wish to see accident and emergency services returning to Hartlepool, this proposal would utilise part of the site to integrate health and social care and achieve better outcomes for the people of Hartlepool through joined up working between acute services and hospital care. It was suggested that some Members may wish to view a video produced by the King's Fund which showed the benefits of a joined up approach between acute hospital services and social care.

Decision

- (1) That the plans to reconfigure services as part of the Better Care Fund Plan with the aim of promoting integration of health and social care and improving outcomes for vulnerable people was noted.
- (2) It was agreed that the Council enter into a lease of accommodation with North Tees and Hartlepool NHS Foundation Trust subject to payment (from the Better Care Fund Pooled Budget) of a proportion of the running costs and contribution towards the refurbishment works as set out in confidential Appendix 1. **This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to the financial or business affairs of any particular person (including the authority holding that information).**

33. Corporate Procurement Quarterly Reports on Contracts and Update on Collaborative Procurement Services Agreement (*Director of Regeneration and Neighbourhoods*)

Type of decision

For information.

Purpose of report

To satisfy the requirements of the Council's Contract Procedure Rules with regard to the Finance and Policy Committee:

- i) Receiving and examining quarterly reports on the outcome of contract letting procedures including those where the lowest/highest price is not

- payable/receivable.
- ii) Receiving and examining reports on any exemptions granted to these Contract Procedure Rules.

Issue(s) for consideration

The report provided the background to the quarterly monitoring of contracts. Attached at Appendix A were the details required for each procurement tender issued since the last quarterly report. Included within Appendix B were details of the required information in relation to Contract Procedure Rules exemptions granted since the last report. Also attached at confidential Appendix C was a table including the commercial information in respect of the tenders received. **This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to the financial or business affairs of any particular person (including the authority holding that information) para 3.**

At this point in the meeting, Councillor Chris Simmons declared a personal interest in this item.

Decision

The contents of the report were noted.

34. Any Other Items which the Chairman Considers are Urgent

None.

The meeting concluded at 10:16 am

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 3 August 2015

HEALTH AND WELLBEING BOARD

MINUTES AND DECISION RECORD

2 March 2015

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

Present:

Councillor C Akers-Belcher, Leader of Council (In the Chair)

Prescribed Members:

Elected Members, Hartlepool Borough Council – Councillors Carl Richardson and Paul Beck as substitute for Chris Simmons

Representatives of Hartlepool and Stockton-on-Tees Clinical Commissioning Group (2) – Dr Schock and Alison Wilson

Director of Public Health, Hartlepool Borough Council - Louise Wallace

Representatives of Healthwatch – Margaret Wrenn and Lynn Allison as substitute for Ruby Marshall

Other Members:

Director of Regeneration and Neighbourhoods, Hartlepool Borough Council – Denise Ogden

Representative of the NHS England – Ben Clark

Representative of Hartlepool Voluntary and Community Sector – Tracy Woodhall

Representative of North Tees and Hartlepool NHS Foundation Trust – Alan Foster

Observer – Statutory Scrutiny Representative, Hartlepool Borough Council (1) – Councillor George Springer.

Also in attendance:-

Director of Balance, North East Alcohol Office - Colin Shevills,
Pharmaceutical Adviser, Tees Valley Public Health Shared Service - Philippa Walters

Elected Member, Hartlepool Borough Council - Councillor Jim Ainslie,
Health Improvement Practitioner (drugs and alcohol), Hartlepool Borough Council - Sharon Robson,
Representatives of Healthwatch – J Gray, S and G Johnson.

Officers: Joan Stevens, Scrutiny Manager
 Amanda Whitaker, Democratic Services Team

46. Apologies for Absence

Elected Member, Hartlepool Borough Council – Councillor Chris Simmons
Representative of Healthwatch – Ruby Marshall
Chief Executive, Hartlepool Borough Council – Dave Stubbs
Director of Child and Adult Services, Hartlepool Borough Council – Gill Alexander
Representative from Tees, Esk and Wear Valley NHS Trust – Martin Barkley

47. Declarations of interest by Members

None.

48. Minutes

The minutes of the meeting held 12 January 2015 were confirmed.

In relation to Minute 39 – HealthWatch Hartlepool Hospital Discharge Investigation - it was agreed that the HealthWatch report be referred to the Council's Adult Services Committee. The Chairman advised that a meeting was to be held between HealthWatch and the North Tees and Hartlepool Foundation Trust.

49. Pharmaceutical Needs Assessment 2015 *(Director of Public Health)*

The Board's approval was sought of the final draft version of the Hartlepool Pharmaceutical Needs Assessment (PNA) 2015. The report set out the background to the Health and Wellbeing Board's statutory responsibility to publish and keep up to date a statement of needs for pharmaceutical services for the population in its area, referred to as a 'Pharmaceutical Needs Assessment' (PNA). Engagement and consultation (including statutory consultation) had been undertaken on the draft PNA, details of which were outlined in the report. A copy of the Board's response to the formal consultation had been included in the final draft of the PNA and had been appended to the report submitted to the Board. The consultation process had identified key areas of change and additional recommendations. Without prejudice to the full content of the PNA, the summary conclusions were presented in the report.

A representative of Hartlepool and Stockton-on-Tees Clinical Commissioning Group referred to the 'minor ailments' service and requested that the current wording that the service "is a necessary pharmaceutical service for at least some conditions and/ or some locations in Hartlepool where the needs of the population are greatest" be changed to reflect the service being desirable.

The Board was advised that in accordance with the Regulations, the Hartlepool PNA would be updated as a minimum every three years, however

notifications and Supplementary Statements had to be approved and published as required in the intervening time.

The representative from the Tees Valley Public Health Shared Service provided an assurance that the process undertaken to produce the PNA had been completed in line with the Board's statutory duty and the PNA had to be published before 1 April 2015. The representative also responded to a query from an Elected Member regarding the feedback from the consultation process.

The Chief Executive of North Tees and Hartlepool NHS Foundation Trust undertook to discuss issues relating to the provision of palliative care drugs to the Hartlepool and District Hospice with colleagues at the Foundation Trust.

Decision

The final version of the Pharmaceutical Needs Assessment was approved for publication on the Tees Valley Public Health Shared Service website before 1st April 2015 subject to changing the categorisation relating to minor ailments to desirable.

It was agreed to delegate authority to the Director of Public Health (in conjunction with the Chair of the Board, to approve as required.

- publication of minor errata/ service updates as on-going notifications that fall short of formal Supplementary Statements to the PNA (for example changes of ownership, minor relocations of pharmacies, minor adjustments to opening hours and service contracts that do not impact on need).
- any response on behalf of the Hartlepool HWB to NHS England (42 day) consultation on applications to provide new or amended pharmaceutical services, based on the PNA.

The Board acknowledged its responsibility for maintenance of the PNA including the need to assess on-going changes which might impact on pharmaceutical need and the assessment thereof and respond by initiating early review or publishing a Supplementary Statement to the 2015 PNA as required.

It was agreed to delegate authority to the Director of Public Health and Chair of the Board to make initial assessment with respect to potential Supplementary Statement or need for full review.

50. Minimum Unit Price for Alcohol – Referral from Council *(HBC Director of Public Health)*

The report provided the background to the Council's aspiration to establish a Minimum Unit Price (MUP). A representative from Balance was in attendance and provided a detailed and comprehensive presentation outlining the national position in on 'MUP – an exquisitely targeted policy'. The presentation outlined the problems associated with the consumption of alcohol along with the UK mortality trends and the affordability that drives the problem. Figures were provided on the consumption of alcohol by income group and highlighted that the heaviest drinkers buy the cheapest alcohol.

The presentation provided an outline of the benefits of MUP at 50p along with the percentage of English population to benefit as well as the effects on the total mortality reduction. The presentation concluded that an Exquisitely Targeted Policy would need to be aimed at the right products, the right market and the right people. The representative indicated his intention to submit a future paper to the Board in relation to the legal advice provided and the other options that may be available for consideration. The Chair advised the Board that at a recent meeting of Council it had been agreed that he would request the consideration of the Board in relation to whether an invitation would be extended to Members and Legal Officers from Manchester City Council with reference to their Minimum Unit Price considerations.

Board Members were advised that a group had been established in the north-west to consider MUP issues including cross boundary effects and to consider if the introduction of byelaws is appropriate/effective. With the approval of the Board, the Chair agreed to write to the group to advise that this Board was content to send a representative to be involved in that group. The Chair suggested also that it could be appropriate to refer the issue to the Association of North East Councils.

Decision

(i) It was agreed that the Chair write to the Chief Executive of Sefton Council as Chair of the North-West Councils Group on MUP to advise that this Board wishes to engage with the Group with the aim of establishing links to share and learn from each other in terms of how best to progress MUP in the absence of a national policy on this and to advise that the Board would be willing to be represented on that Group by the Chair of this Board.

(ii) It was agreed that the issue of MUP be referred to the Association of North East Councils to seek a view on each of the Councils on this issue.

(iii) It was agreed that a copy of the presentation be circulated to all Members of the Health and Wellbeing Board.

51. Implementation of the Special Educational Needs and Disability (SEND) Reforms *(HBC Assistant Director, Children's Services)*

The report provided the background to the implementation of the SEND reforms. It was noted that the Local Authority reported on the progress in implementing the reforms to the Department for Education through an Implementation Survey and regular contact with a DfE Adviser. The most recent visit from the DfE had been undertaken on 13 January 2015 to meet with stakeholders and details of the progress made were detailed within the report. It was noted that a multi agency steering group was in place to oversee the implementation of the reforms and reported to the Joint Commissioning Executive sub-group of this Board.

Decision

The Board recognised the significant progress made in implementing the SEND Reforms and agreed that all agencies should use the current momentum for change to further develop the cultural shift towards personalisation and the improved outcomes for children and young people with SEND.

52. Clinical Commissioning Group – Operational Plan *(Chief Officer, NHS Hartlepool and Stockton on Tees CCG)*

The report provided an overview of the NHS planning guidance issued in December 2014 for NHS commissioners, entitled 'The Forward View into Action: Planning for 2015/16 which built upon the vision set out in the 'NHS Five Year Forward View'. The report also provided the Health and Wellbeing Board with an overview of progress to date and constraints to determining local ambition indicator(s) noting that the CCGs operation plans were required to be submitted to NHS England by 10 April 2015. Further detail was included on the challenge for the NHS to deliver high quality care within available resources..

The Chief Officer, NHS Hartlepool and Stockton on Tees Clinical Commissioning Group advised the Board that outcome measures had not yet been received to enable discussion with the Board. It was confirmed that draft plans were being developed and that the CCG was committed to continuing developing dementia care as set out in the report. If there was an opportunity for further development that would be submitted to the Board. However if timescales precluded a further report being submitted to the Board, the authority of the Board was sought to allow discussions to be held with the Chair in order to determine how issues should be addressed.

The Chair highlighted reference in the report to creating new models of care

and suggested that following the Dalton Review, it would be appropriate to submit a report to the Board. The Chief Officer undertook to submit reports to the Board periodically.

Decision

The Board noted the timescales, approach and the requirements of the planning guidance.

53. Primary Care Co-Commissioning (*Chief Officer, NHS Hartlepool and Stockton on Tees CCG*)

Further to minute 45 of the meeting held on 12 January 2015, the report provided an overview of the current primary care co-commissioning guidance, outlined the CCG Council of Members decision in progressing this and shared the CCG's application to NHS England for Joint Commissioning arrangements from 1 April 2015 together with draft Terms of Reference for the Joint Committee. Also provided was the background to the submission of expressions of interest for the co-commissioning of primary care with the overall aim to harness the energy of CCGs to create a joined up, clinically led commissioning system to deliver seamless, integrated out-of-hospital services based around the needs of local populations. The following three models of co-commissioning were outlined in the report:

Model 1 – Greater Involvement;
Model 2 – Joint Commissioning; and
Model 3 – Delegated Arrangements.

The Board was advised that guidance and standardised models, including opportunities and risks, had been discussed in detail with the Council of Members at their meeting on 6 January 2015. An impact and risk assessment had been fully considered and it had been agreed that Model 2, Joint Commissioning, was the preferred option for 2015/16, as it would enable the CCG to further consider their plan and implementation strategy and better understand the potential finance and resource risks of moving to the fully delegated model. The CCG had submitted an application to NHS on 30 January 2015 [submitted as Appendix C] together with draft Terms of Reference for the Joint Committee [submitted as Appendix D].

It was noted that the CCGs in the north east were currently discussing roles and responsibilities for the Joint Committees with NHS England, with a view to the Terms of Reference being agreed by the end of March 2015, in preparation for implementation on 1 April 2015.

It was highlighted that a local Healthwatch representative and a local authority representative from the local Health and Wellbeing Board would have the right

to join the delegated committee as non-voting attendees. The Chair advised that, subject to the approval of the Board, he would be content to be the Board's local authority representative on the Joint Committee.

Decision

The Board noted the report and agreed that a local authority representative should attend the Joint Committee.

It was agreed that the Chair of the Board be appointed the local authority representative on the Joint Committee.

54. COPD Screenings *(HBC Scrutiny Support Officer)*

The report referred to the Audit and Governance Committee's investigation into Chronic Obstructive Pulmonary Disease and the associated action plan. Further detail was included on the impact/progress of the Action Plan along with a Public Health report in relation to COPD screenings. Further background was provided on the uptake, impact and variation of the COPD screening service provided by GP surgeries.

Decision

The progress of the COPD recommendations and action plan was noted.

55. 38 Degrees – Petition for Re-opening Hartlepool A & E *(HBC Scrutiny Manager)*

The report informed the Board that a copy of a petition sent to the Secretary of State calling for the re-opening of Hartlepool A&E had been received by the Leader of the Council; details of the content of the petition was included in the report.

The Chair indicated that he would write to the petitioner on behalf of the Board advising that the petition had been noted and that the issue had been referred to the Secretary of State.

The Board was advised by the Chair that he would feedback to the next meeting of the Board on the outcomes of the future meeting with the Secretary of State for Health.

Decision

- (1) The petition was received and it was noted that this had been sent to the Secretary of State.

- (2) The Chair to write to the petitioner advising that the petition had been noted by the Board.
- (3) Feedback on the future meeting with the Secretary of State for Health would be submitted to the Board in due course.

56. Membership Request (*Chief Executive*)

The report sought consideration of a membership request received from Cleveland Police seeking a position on the Health and Wellbeing Board for a senior officer from Cleveland Police to 'enable stronger strategic joint working and the enhancement of preventative activity to support our communities'.

The Director of Regeneration and Neighbourhoods supported this request as a representative from the Safer Hartlepool Partnership.

Decision

That the membership of the Health and Wellbeing Board be amended to include a Senior Officer representative from Cleveland Police as a non-prescribed member and the Chair write to Cleveland Police advising of the Board's decision and to seek a nomination in respect of the Police representative.

57. Obesity Conference Feedback (*Director of Public Health*)

The report provided detailed feedback on the obesity conference 'Healthy Weight, Healthy Life – Tackling Obesity in Hartlepool' which was held on 3 February 2015. After the event, 26 evaluation forms had been completed and the results were outlined in the report. Details of specific comments received as part of the evaluation were attached at Appendix A which highlighted that the input from Hartlepool young people of a video and dedicated workshop being well received. It was noted that a significant amount of information and evidence had been obtained from the 'cafe' session and workshops held.

A small Officer group had been created to work with the Joint Commissioning Executive on the development of the Hartlepool Childhood Obesity Strategy which would be presented to the Health and Wellbeing Board for comment and approval at its first meeting in the new municipal year. Following this, a full action plan would be produced to monitor progress against the identified aims and assigned actions.

The Director of Public Health added that the conference would contribute positively to the development of a Childhood Obesity Strategy including the consideration of pathways and the individual roles of GPs and primary care.

Decision

The feedback on the Obesity Conference was noted along with the timescale for the preparation of the Strategy.

58. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following items of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

59. Any Other Business – Land at Hospital Site, Holdforth Road (*Chief Executive, North Tees and Hartlepool NHS Foundation Trust*)

The Chief Executive, North Tees and Hartlepool NHS Foundation Trust, referred to discussion at a recent Council meeting in relation to the Hartlepool Local Plan in the context of safeguarding the existing University Hospital of Hartlepool site for hospital and health related use. The Chief Executive took the opportunity to request some flexibility in the context of the land at the hospital site in Holdforth Road which he stressed continued to be in the ownership of the Trust. The 5 year forward view outlined the different models of care to be provided. He added that the position of the Trust continued to be a new hospital but also need work with Local Authority. It was highlighted that Hartlepool Hospice would need to consider how best to utilise their site. The Chief Executive added that even if health services were to be relocated back to this site, there was more land than would be required and a plea was made for flexibility to secure private investment for any unused part of the site in the form of private investment to enable the further development and investment in health services elsewhere.

The Chair clarified the motion submitted to Council indicating that Officers would liaise with all health partners to ensure the best outcome was achieved adding that the information provided at this meeting would be forwarded to the Planning Team.

Decision

The Chair agreed to feedback the issues, which had been highlighted at the Board meeting, to the Council's Planning Team.

Meeting concluded at 10.50 am

CHAIR

SAFER HARTLEPOOL PARTNERSHIP MINUTES AND DECISION RECORD

15 May 2015

The meeting commenced at 1.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Christopher Akers-Belcher (In the Chair)
Councillor Chris Simmons, Hartlepool Borough Council
Denise Ogden, Director of Regeneration and Neighbourhoods
Clare Clark, Head of Community Safety and Engagement
Gordon Lang, Chief Superintendent, Cleveland Police
Barry Coppinger, Police and Crime Commissioner
Chief Inspector Lynn Beeston, Cleveland Police
John Bentley, Safe in Tees Valley
Stewart Tagg, Housing Hartlepool
Karen Hawkins, Hartlepool and Stockton on Tees Clinical
Commissioning Group

In accordance with Council procedure rule 5.2 (ii)
Mark Smith was in attendance as substitute for Sally Robinson,
Kevin Parry was in attendance as substitute for Barbara Gill, and
Karen Clark was in attendance as substitute for Louise Wallace

Also present:

Neville Cameron, Police and Crime Commissioner's Office
Gilly Marshall, Housing Hartlepool
Steven Hume, Independent Chair of the Review Panel,
Stockton on Tees Borough Council

Officers: Laura Stones, Scrutiny Support Officer
Denise Wimpenny, Principal Democratic Services Officer

52. Apologies for Absence

Apologies for absence were submitted on behalf of Dave Stubbs, Chief Executive, Louise Wallace, Director of Public Health, Barbara Gill, Head of Offender Services, Tees Valley Community Rehabilitation Company and Sally Robinson, Assistant Director, Children's Services.

53. Declarations of Interest

None.

54. Minutes of the meeting held on 20 March 2015

Confirmed.

55. Domestic Violence and Abuse Service Review *(Director of Regeneration and Neighbourhoods)***Purpose of report**

To update the Safer Hartlepool Partnership on the findings and recommendations of a recent review undertaken in relation to the specialist domestic violence and abuse service.

To request that the Safer Hartlepool Partnership discuss and adopt the service review recommendations.

Issue(s) for consideration

The Director of Regeneration and Neighbourhoods presented the report which set out the background together with the aims and objectives of the Domestic Violence and Abuse Service. A review had been undertaken in the autumn and winter of 2014/15, and covered, in the main, the first two years of the contract which set out to determine the extent to which the services delivered by Harbour were meeting the aims and objectives.

The Partnership was referred to the final report which outlined the key findings, conclusions and recommendations of the review as set out at Appendix A. The review of the service found that the service was performing well against a backdrop of continuing need and, as such, an option to extend the contract for a further two years had been confirmed with the provider. There was also evidence to suggest that individuals had increased confidence in disclosing domestic violence and abuse and were doing so at an earlier stage.

In light of the findings, the Partnership was asked to consider and adopt the service review proposals as outlined in the report which included remodelling of the children's service element of the contract to provide a specialist domestic violence service for children and young people, that consideration be given to embedding the healthy relationships work in the contract, further exploration be undertaken in relation to how to increase the numbers of men accessing the perpetrator programme, that further work be undertaken to improve recording practices and that work should begin during 2015 in preparation for the commissioning of a new service in 2017.

Decision

- (i) That the Domestic Violence and Abuse Service Review proposals be noted and adopted.
- (ii) That the Partnership receive progress reports from the Domestic Violence Strategic Group in relation to the proposals as set out in the report.

56. Cleveland Police Anti-Social Behaviour Action Plan - Presentation (*Chief Superintendent of Neighbourhoods and Partnerships*)**Purpose of report**

To present for discussion the Cleveland Police draft Anti-Social Behaviour Action Plan.

Issue(s) for consideration

The report provided background information to the production of a draft Anti-Social Behaviour Action Plan following concerns regarding high levels of anti-social behaviour across the Cleveland Force area, a copy of which was attached as an appendix to the report. Progress on actions taken was also attached at Appendix B.

In support of the report, Superintendent Gordon Lang, who was in attendance at the meeting, provided the Partnership with a detailed and comprehensive presentation in relation to progress on actions taken as well as timescales for completion. Actions identified included:-

- Redefine Neighbourhood Policing
- Address key themes from the Performance Scrutiny Panel
- Work with key partners to understand how to redefine engagement with communities
- Undertake a geographic approach to identify key locations etc and work with partners to implement long term solutions
- Instigate and evaluate corporate operations dedicated to tackling ASB and violence
- Research and benchmark good practice from other forces
- Develop an understanding of the factors, external to police administrative processes that can explain the significant disparity between levels of ASB in Cleveland and other forces across the country
- Instigate and roll out Victims First Policy
- Make best use of police constables and PCSO's
- Ensure tasking at all levels is focused

- Hold quarterly Neighbourhood Inspector problem solving problems
- Co-ordinate with partners early intervention in a number of areas

In the lengthy discussion that followed the Partnership debated the issues highlighted in the presentation. The potential reasons why anti-social behaviour incidents were under-reported was debated. With regard to feedback from Residents' Groups in relation to crime, a Member advised that incidents of anti-social behaviour may not be reported due to confusion around who to contact, the length of time spent on the telephone reporting issues of this type, lack of confidence that any action will be taken as well as fears of reprisal. Some concerns were also expressed that the option to report crime anonymously was not widely publicised. The Chief Superintendent responded to issues raised by Members. Clarification was provided in relation to the process for dealing with anti-social behaviour complaints and assurances were provided that the option to report crime anonymously was available. The impact of the reduction in police officers/neighbourhood policing was discussed as well as the benefits of reviewing engagement with communities.

With regard to delivery of the action in relation to redefining Neighbourhood Policing and examining resources, the Director of Regeneration and Neighbourhoods offered the Partnership's support in this regard. In terms of progress on delivery of the actions, the Chair suggested that the action plan be shared with the Partnership to update as necessary.

The Chief Inspector was pleased to report that work had commenced with the top 10 troubled families in Hartlepool with a view to reducing crime and anti-social behaviour. The various methods of addressing anti-social behaviour was further debated including the benefits of strengthening partnership working. Members commented on the value of working with voluntary organisations including the fire service and the benefits of a uniform presence patrolling communities.

Decision

That the contents of the presentation and comments of the Partnership be noted.

57. Strengthening Refuge Accommodation in Hartlepool (Community Safety and Engagement Manager)

Purpose of report

To update the Safer Hartlepool Partnership plans to strengthen refuge accommodation in Hartlepool.

Issue(s) for consideration

The Partnership was advised on the background to the current refuge and resettlement service in Hartlepool and the reasons for the plans to strengthen refuge accommodation following a service review. The service review recommended that additional refuge provision should be made available if funding support could be found and that this could take the form of a pool of flexible dispersed properties to complement the existing refuge provision.

On this basis, an application for funding to strengthen refuge accommodation had been subsequently submitted to the DCLG which had been successful. This would provide six Council owned dispersed properties with an enhanced support service provided by Harbour for victims of domestic abuse. The additional provision would also free up crisis level emergency accommodation and provide a flexible resource that could accommodate a broader range of victims.

Decision

The Partnership noted and welcomed the plans to strengthen refuge provision in Hartlepool and the opportunity to extend the service to a broader range of victims through the provision of dispersed accommodation in Hartlepool.

58. Victim Services – Police and Crime Commissioner Update *(Police and Crime Commissioner)*

Issue(s) for consideration

The Police and Crime Commissioner for Cleveland, who was in attendance at the meeting, provided the Partnership with a detailed and comprehensive presentation in relation to the Police and Crime Plan 2015/17, a copy of which was circulated to all Members. The presentation focussed on the following:-

- Five priorities
- Ensuring a better deal for victims and witnesses
- Commissioning Responsibilities Overview
- Victim and Witness Strategic Planning Group
 - Multi-Agency Group
 - Improve Service Provision
- Victim Referral Service
 - Service transferred from the Ministry of Justice to PCCs in April 15
- What will be different – improved services for victims
- Cleveland and Durham Hate Crime Steering Group established and

- undertaking dip sampling of hate crime cases covering all 5 strands
 - Race
 - Religion
 - Disability
 - Sexual Orientation
 - Transgender
- Regional Strategy to tackle violence against women and girls (VAWG)
- Progress to date on (VAWG) Strategy
- Restorative Justice

The Chair thanked the Police and Crime Commissioner for an informative presentation.

Decision

The contents of the presentation and comments of Members were noted

59. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the grounds that it involved 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) (Variation) Order 2006.

Minute 60 – Verbal Feedback from Domestic Homicide Review – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information which is likely to reveal the identity of an individual (para1).

60. Verbal Feedback from Domestic Homicide Review – Covering Report/Overview Report *(Chair of the Safer Hartlepool Partnership)* 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 which is likely to reveal the identity of an individual (para 1)

Issue(s) for consideration

The Partnership considered a letter from the Home Office Quality Assurance Panel, a copy of which was tabled at the meeting, in response to submission of a Domestic Homicide Review (DHR) report.

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

Decision

- (i) That the contents of the letter and comments of Partnership Members, as outlined in the closed section of the minutes, be noted.
- (ii) That a meeting of the Partnership be scheduled in July to consider the feedback and revised report to enable a response to be provided to the Home Office by 31 July 2015.

The meeting concluded at 2.25 pm.

CHAIR

FINANCE AND POLICY COMMITTEE

28 August 2015



Report of: Chief Executive

Subject: SAVINGS PROGRAMME 2016/17 – CHIEF
EXECUTIVES DEPARTMENT

1.0 TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Budget and Policy Framework.

2.0 PURPOSE OF REPORT

2.1 The purpose of this report is to enable Members to consider the initial 2016/17 savings proposals relating to the Committees remit. Comments made are to be incorporated with those received from each of the Policy Committees in relation to their remits.

3.0 BACKGROUND

3.1 An initial update of the Medium Term Financial Strategy (MTFS) 2016/17 to 2018/19 was considered by the Finance and Policy Committee on 29th June 2015. This report highlighted the key issues impacting on the development of the budget for 2016/17 and future years, which reflects the following key issues:

- The scale of the Government grant cuts implemented over the lifetime of the previous Parliament. These reductions had a disproportionate impact on Council's serving more deprived communities and in 2015/16 the Council's Government grant was £30.4m less than it was in 2010/11, which is a reduction of 39%;
- Continuing significant Government grant cuts in 2016/17 and future years. It is currently forecast that further budget cuts of £14m will need to be made over the next three years, although the actual cuts may be higher if the actual Government grant cuts exceed current forecasts;
- The impact of financial risks transferred to Local Authorities from April 2013 arising from the implementation of the Business Rates Retention system and the transfer of responsibility for the Local Council Tax Support Scheme;
- The impact of demand led pressures – particularly in relation to Older People demographic pressures and increases in Looked After Children;

- Continued restriction of Council Tax increases.

3.2 In addition, to the above financial challenges, a separate report was presented to the Finance and Policy Committee on 1st June 2015 to provide details of the outcome of the Power Station's Rateable Value appeal. The Valuation Office Agency, the organisation responsible for determining Rateable Values, has determined to reduce the Power Station Rateable Value by 48%. As a result of this reduction the Council's share of Business Rates income from the Power Station will reduce by £3.9m on a permanent basis. The Finance and Policy Committee will receive a further report on the strategy for addressing this issue. A meeting with the Local Government Minister has been requested to express the Council's concern at the impact of this reduction and to seek Government support to manage this significant reduction in Business Rates income.

3.3 As part of the process for the budget for 2016/17 it has been agreed that individual Policy Committees will consider these savings proposals prior to consideration of the overall proposals by this and then Council.

3.4 Details are provided in this report in relation to the:-

- i) Proposals identified to make the savings;
- ii) Risks associated with the proposed savings; and
- iii) Financial considerations taken into account in developing the proposals.

3.5 In line with the process adopted last year and to assist Members consideration of budget proposals, experience gained through the implementation of a Social Return on Investment (SROI) process by the previous Regeneration and Planning Services Scrutiny Forum is to be utilised. Key to the SROI process was the provision of additional information in relation to the aim and scope of the service, its service users and engagement, inputs, outputs and outcomes. On this basis, information in relation to the Chief Executives Department is provided below.

3.4 Service Aims

3.4.1 The services under consideration are those delivered by the Chief Executives Department and in service planning terms are largely, though not exclusively encompassed within the Council aim which relates to an effective organisation. Whilst these services are largely internally focussed around providing support services to the rest of the organisation this is not universally the case. A number of services are provided directly to the public including the Revenues and Benefits services and the Contact Centre. In providing the services encompassed within the Department the aims are that they are provided effectively, that other Departments are supported in the delivery of their service portfolios and that the Governance of the Council is effectively managed and delivered. Those services which are delivered externally are, in effect, universally available services to all residents (and businesses within the town). Following changes in 2013/14 to relocalise Business Rates and implement Local Council Tax Support (LCTS) schemes

there has been a significant and sustained increase in workloads and customer contacts, particularly in relation to LCTS which affected around 8,600 working age households and has impacted on Revenues, Benefits and the Contract Centre.

3.5 Service Users

- 3.5.1 For a range of the services delivered by the Department the services users are largely internal (although there are a range of the support services provided which are also utilised by external agencies such as the Fire Authority; a range of services are provided to schools; and some to other external bodies through Service Level Agreements (SLA). There has been an increase in services delivered to outside bodies over the last few years although this is undertaken as part of a managed development. For those services which are delivered externally the services are available town wide and to all potential users (such as the Contact Centre, Revenues and Benefits, Elections & Electoral registration, Local land searches.)

3.6 Engagement

- 3.6.1 The services provided are primarily internal. In assessing feedback and experience of utilising the service this is primarily, for internal services through regular liaison meetings with service Departments to identify any issues for consideration in respect of the services provided. For those services which are delivered externally the mechanisms for collecting feedback are as follows. For electoral registration a customer feedback option is included as part of the annual canvass and during all elections, electors have the option to take participate in a satisfaction survey. Revenues and Benefits Services the public can provide feedback via the respective service generic e-mail boxes. For the Contact Centre there are arrangements in place to assess the service provided at the point of use, with positive feedback received from the vast majority of users.

3.7 Inputs

- 3.7.1 The current cost to the Council of the services delivered by Chief Executives Department is as follows :

Service Area	2015/16 Gross Budget £'000
Finance	2,712
Assistant Chief Executive	2,883
Chief Solicitor	821
	6,416

The costs of these services to the Council have, in line with many other service areas in the Council reduced significantly over the last 5 years.

3.8 Outcomes

3.8.1 A summary of the outcomes from the services are outlined below

Revenues and Benefits – Council Tax in year collection was 95.4% in 2014/15. This is slightly below the 95.7% average for the 10 North East Councils that operate LCTS schemes involving cuts to Local Council Tax Support entitlements (the range is 93.6% to 96.9%). If the LCTS scheme had not been in place, Hartlepool's in year collection of Council Tax would have been 96.1%.

Hartlepool's Business Rates in year collection was 98.0% in 2014/15. This is the same as the 98.0% average of all 12 North East Councils (the range is 96.2% to 99.1%).

Housing Benefit new claims average processing times were 21.18 calendar days (placing Hartlepool 7th out of North East Councils) and Local Council Tax Support new claims were processed on average in 18.3 days placing Hartlepool 4th out of North East Councils.

3.8.2 The Council awaits confirmation of Central Government funding to develop and implement Individual Electoral Registration (IER) and whether this will be on a 'formula' basis or incentivised through performance. On a 'dry run' of data systems the Council performed at a level (82.5%) comparable with other Tees Valley Authorities. Similarly the canvass figures indicate a 95/96% response rate.

3.8.3 Customer & Support Services –. During 2014/15 the Customer Service Centre supported residents with over 350,000 enquiries across three main contact channels – telephone, personal visit and online. In addition to providing first contact support on behalf of a wide range of Council sections, a number of new services transferred into the centre including Allotments, Housing Services and the Good Tenant Scheme. The service played a key role in the introduction of Universal Credit by assisting claimants to make an on-line application and also provided support for the Energy Switching Scheme initiative. Birth and death registration performance was above regional and national averages and the newly decorated and refurbished Marriage Room at the Borough Hall has received positive feedback. The main reception area received the Breast Feeding Gold Award for its inclusive approach and the service made a pledge to help create a dementia friendly community by becoming a Dementia Friend. Ten members of the team received a British Sign Language qualification, demonstrating an ongoing commitment to the hard of hearing. Apprentices continue to be supported by the service and one has progressed to permanent employment within the team

4.0 PROPOSALS

- 4.1 The savings target established at the outset of the budget process for Chief Executives department was £211,000. As part of the considerations for the options to deliver these savings considerable thought has been given to how these may be delivered in the light of previously required savings. The proposals and options considered as part of the potential savings package have been set in the context of the financial challenges and the changes in requirements of the Authority.

The proposals in respect of the services in the Chief Executives Department, are ordered by Division within the Chief Executives Department. These savings total £235,000, which exceeds the initial target of £24,000 (which was also the case in 2014/15 and 2015/16) and reflects the overall approach adopted by the Corporate Management Team for identifying achievable savings, as part of an approach to protecting front line services, recognising that some elements of the Chief Executives Department are front line services.

There have been a number of requests for voluntary redundancies within the Department as part of the rolling process for considering Voluntary Redundancy and Early retirement costs. Vacant or fixed term posts which have been considered as part of the options for savings in this year. Whilst it is not possible to manage all of the savings in this way it has been an underpinning principle for the budget for 2016/17.

4.2 ASSISTANT CHIEF EXECUTIVE

- 4.2.1 At this stage the savings target for the Division has been exceeded, as part of an approach to enable the protection of front line services but also to ensure that the support required to the rest of the Authority can be maintained particularly through the significant staffing changes that the Authority is to face.

4.2.2 Changes in operations and management arrangements £42.5k

At this stage there are limited options available around vacant posts though in the few areas where this is the case and there may be temporary or acting up arrangements in place, the option will be taken to review these and this will mean that there are options both now, and potentially through the year to take these opportunities for savings subject to an assessment of the service impact and the ability to continue to deliver services. In essence this aligns with the management practice supported by Members in previous years to minimise the impact of compulsory redundancies.

The further changes required to deliver the savings will be as a result of a review of a number of aspects of operations and some reductions in staffing levels. It is anticipated that these can be delivered without the need for compulsory redundancies.

4.2.3 Income and Running costs £62.5k

A further review has been undertaken of running costs and there has been a concerted effort in the last year to both confirm existing income and generate income from new sources. This has proven to be successful in both aspects and as a result of this (with no required additional costs to deliver) it is anticipated that through the combination of income and reducing certain expenditure heads that the figure above can be realised.

4.3 CHIEF FINANCE OFFICER

4.3.1 At this stage the savings target for the Division has been exceeded. It is anticipated that additional savings will again need to be made in 2016/17 to manage a further reduction in the Housing Benefit Administration grant and details will be reported when this grant cut is known. In previous years there has been scope to achieve savings through reducing running costs, increasing income (summons charges) and contract renegotiation. These areas have been reviewed again and they will not provide any significant additional benefit for 2016/17. Total gross savings of £100k have been identified within the Finance Division, as detailed in the following paragraphs.

4.3.2 Removal of vacant post / Changes in operations and management arrangements £80k

These savings will be achieved by reviewing existing management structures and other operations across the Finance Division. The review that has been undertaken has identified that whilst there are potential risks from this action that these risks can be managed in the context of the services to be delivered. The changes required are not without risk and given the impact of making additional savings to offset an anticipated forecast Housing Benefit Administration grant cut will need careful management. This will be particularly the case in relation to those elements of the savings which affect the front facing services within the Division. It is currently envisaged that the remaining savings in staffing budgets can be achieved through a combination of voluntary redundancy and removal of vacant posts. There may be some instances where staff are redeployed in lower graded posts.

4.3.3 Running costs £20k

The implementation of functionality associated with the Council's new telephony system and improvements to the Council's web site will remove the need for the current externally hosted self service facility for Revenues and Benefits enquiries without any impact on existing customer service standards .

4.4 CHIEF SOLICITOR

- 4.4.1 At this stage the savings target for the Division is under consideration by the Chief Solicitor and through on-going communications and engagement with staff.

4.4.2 Staffing Savings £30k

Previous savings have relied on staff reducing their working hours (subject to operational requirements) and departure of personnel through EVR, with a re-alignment of duties as a consequence. All 'non staff' budgets have been exhausted to a position where the allocated budget for the Division relates to staff costs solely. Vacant posts have not been a feature of savings for some considerable time.

All attempts will be made to manage savings without impacting, particularly on those statutory areas of service, which is a feature of the composition of the Division. Meetings with all staff have taken place so that they are fully conversant with the savings that need to take place within the Division and also corporately. However, savings to be achieved for 2016/17 and in future years will require a reconfiguration of services at an operational level, which may result in compulsory redundancy and/or retirement situations.

As with all other required savings this is not without some degree of risk but is required as part of the overall consideration of savings.

5 Consideration of Options

- 5.1 A number of options have been considered in respect of the savings proposed. A summary of these considerations is included below.
- 5.2 Not to take savings from vacant posts.
- 5.2.1 Consideration was given to not taking those savings which are available through posts which have, or may, become vacant through the year. Whilst this option would provide for the continuation at the current level, in conjunction with the ability to reduce the potential compulsory redundancy, it was determined that this would not provide an effective solution for the Authority.
- 5.3 Savings other than staffing and operational issues.
- 5.3.1 There are a range of savings identified through the ICT contract and in line with corporate considerations these have been accounted for corporately which is appropriate and have been reported separately to Members. Beyond this there are limited if any options to make savings other than those which can come from staffing and operational arrangements. The opportunity has been taken to realise these from voluntary arrangements where this has been possible but given the scale of the changes this is not always possible.

5.4 Consideration of service demands

- 5.4.1 The savings proposed reflect consideration of current service demands. As an example the impact of Business Rates Re-localisation, the introduction of the Local Council Tax Support Scheme and the need to maintain adequate financial support services during a period of significant financial challenge and risk. The Welfare Reforms and Local Council Tax Support Scheme (LCTS) continue to generate significant workload issues. These workload demands are likely to continue into the foreseeable future and therefore in defining 2016/17 savings proposals net reductions to key front line staffing capacity are not considered operationally appropriate or feasible. Although proposals for restructuring to provide resilience will be implemented. For 2016/17 these alternative savings would not be recommended. However, given the continuing financial challenges in future years these areas are likely to require re-consideration next year.
- 5.4.2 Introduction of Individual Electoral Registration (IER) which is the most significant change since the universal franchise. It needs to be implemented carefully and in a way which maximises both accuracy and completeness of the electoral registers – and which puts the voter first. Local knowledge will be key to the success of this change.
- 5.5 The options which have been included in the report are recommended to the committee as they provide for a balance between protecting front line services, maximising savings to be taken, the assessment of service delivery and receipt of voluntary redundancy requests is aligned and can be managed in the context of the continued delivery of services.

6 RISK IMPLICATIONS

- 6.1 There are a number of risks implicit in the delivery of any package of savings and it is important to recognise these as part of any decision making. A summary of the risks considered as part of the proposals has been identified below:
- 6.2 There are a number of risks in these changes, particularly taken in the context of previous savings which have been made. The assessments which have been undertaken (and a summary of the conclusions from this are included in the sections above). All others, in the context they have been described are viewed as being manageable but with there being a significant need to review workloads, priorities and for the potential scaling back of a number of current activities in line with the resources available.
- 6.3 It is considered that these savings can be delivered, although not without difficulty or some degree of risk but that this can be managed in this year, however achieving these savings becomes more difficult each year, which is the case in other departments.

7 FINANCIAL CONSIDERATIONS

- 7.1 It has been highlighted in previous reports that failure to take savings identified as part of the Savings Programme will only mean the need to make alternative unplanned cuts and redundancies elsewhere in the Authority to balance next year's budget.
- 7.2 The savings that have been identified have been assessed for their sustainability. As with all others parts of the Authority the sustainability of the savings required by the ongoing cuts which the Authority faces becomes increasingly difficult as the compound affect of these savings impacts on services. It is not necessary to remind Members of the level of savings which have been delivered in previous years or those which are likely to be required in future years. The savings have been identified as sustainable in the light of the need to make ongoing changes to both what is delivered and the scaling back of some activity. The principles that have been applied in determining the proposals for savings have been linked to protecting front line services, savings being realised in respect of vacant posts where this can be managed, considering early retirement / voluntary redundancy request where these have been received and reflecting the pressures, both internal and external that the Authority needs to address to maintain effective governance arrangements.
- 7.3 The proposals deliver the following proposed savings:-

Service	Proposed Savings
Assistant Chief Executive	(£k)
Changes in operations / Management Arrangements	42.5
Income and running costs	62.5
Chief Finance Officer	
Deletion of vacant post / Changes in Management Arrangements	80
Running costs	20
Chief Solicitor	
Changes in Management Arrangements	30
Total Proposed Savings	235

- 7.4 The savings identified for the Chief Executive's Department exclude the Corporate savings included within the MTFs report considered by this Committee on 29th June 2016 of £0.5m. The achievement of these savings is dependent upon the Chief Executive's Department having the necessary skills and capacity to deliver these savings, which involve the management of complex operational areas and negotiations covering the ICT contract and Treasury Management activities.

8 EQUALITY CONSIDERATIONS

- 8.1 For each of the proposed savings areas where there is likely to be a direct impact on customers/service users and/or staff, consideration is given to the

impact across each of the protected characteristic groups. This is recorded through an Equality Impact Assessment.

- 8.2 More than 90% of the above savings will be made by reducing staffing levels (mainly from vacant posts and ER/VR applications) with some changes to day to day running costs.
- 8.3 This impact assessment will be reviewed by the Corporate Equality Group alongside those for the other Department savings proposals. An overall Equality Impact Assessment will be undertaken to identify if there is any Council-wide cumulative impact on protected groups from the savings proposals for 2016/17.

9 RECOMMENDATIONS

- 9.1 That Members of the Committee note the content of the report and formulate a response to be presented to Finance and Policy Committee on 19th October 2015.

10 REASON FOR RECOMMENDATIONS

- 10.1 The proposals included in this report have been identified as being sustainable and deliverable.

11 BACKGROUND PAPERS

- 11.1 The following background papers were used in the preparation of this report:-

Finance and Policy Committee - Medium Term Financial Strategy (MTFS) 2016/17 to 2018/19 - 29th June 2015

12 CONTACT OFFICERS

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FINANCE AND POLICY COMMITTEE

28th August 2015



Report of: Director of Public Health

Subject: SAVINGS PROGRAMME 2015/16 and 16/17–
PUBLIC HEALTH DEPARTMENT

1. TYPE OF DECISION/APPLICABLE CATEGORY

Budget and Policy Framework.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to identify proposals for the delivery savings in relation to public health grant funded services. These savings proposals are for consideration as part of the 2015/16 budget management process and budget setting process for 2016/17.

3. BACKGROUND

- 3.1 In April 2013, local authorities assumed statutory responsibility for improving and protecting the health and well being of their local population. These new duties came under the Health and Social Care Act 2012. In order to discharge these new responsibilities for public health, the Government made funding available through a ring fenced public health grant. This funding is separate from NHS resources for public health services discharged through NHS England such as for screening and immunisations.
- 3.2 The ring fenced public health grant has been allocated for 3 years covering financial years 2013/14, 2014/15 and 2015/16. The ring-fenced allocation for Hartlepool Borough Council was £8.255 million for 2013/14 and £8.486 million for 2014/15 and 2015/16. An additional in year allocation of £761,000 has been added to the grant as the Local Authority becomes the commissioner of 0-5 children's health visiting services from 1st October 2015.
- 3.3 On 4th June 2015, the Chancellor of the Exchequer, George Osborne, announced that the £2.8 billion ring fenced public health budget was to be reduced in year and on a recurring basis by £200 million. This represents a circa 7.4% cut in funding. On this assumption, for Hartlepool, this equates to approximately a £630,000 (excluding 0-5 services) budget cut in year in 2015/16 and on a recurring basis from 2016/17 and beyond. However, it

must be noted that there are no details of how the cut of £200 million nationally will be distributed so it may be more than 7.4% for Hartlepool.

- 3.4 The risk to the public health budget is not limited to this £200 million reduction. Previous guidance indicates that there is likely to be future reductions in the public health grant funding, to bring the allocation in line with the target spend per head of population. The current spend is £91 per head, with target of £75 per head. The pace of change to target spend per head is currently unclear, but must be borne in mind as part of the wider Medium Term Financial Strategy (MTFS). If public health funding was moved to the target allocation this would mean the grant would reduce from £8.4 million to £6.9 million (circa £1.5 million reduction) on a recurring basis before considering the implication of the in year and recurring assumed £629,000 reduction in grant. If the pace of change happened and the target allocation was set it would mean another recurring reduction of circa £800,000 in addition to the £630,000.
- 3.5 The ring fenced public health grant is deemed as non NHS Departmental spend. The Department of Health has commenced a national consultation regarding the in year and recurring budget cut of £200 million nationally. Therefore until this consultation is completed we will not know the exact reduction in budget. For planning purposes however we have assumed 7.4% reduction in funding.
- 3.6 It is important to put this grant reduction in the context of the wider Council financial position. An initial update of the Medium Term Financial Strategy (MTFS) 2016/17 to 2018/19 was considered by the Finance and Policy Committee on 29th June 2015. This report highlighted the key issues impacting on the development of the budget for 2016/17 and future years, which reflects the following key issues:
- The scale of the Government grant cuts implemented over the lifetime of the previous Parliament. These reductions had a disproportionate impact on Council's serving more deprived communities and in 2015/16 the Council's Government grant was £30.4m less than it was in 2010/11, which is a reduction of 39%;
 - Continuing significant Government grant cuts in 2016/17 and future years. It is currently forecast that further budget cuts of £14m will need to be made over the next three years, although the level of cuts may be higher if the actual Government grant cuts exceed current forecasts;
 - The impact of financial risks transferred to Local Authorities from April 2013 arising from the implementation of the Business Rates Retention system and the transfer of responsibility for the Local Council Tax Support Scheme;
 - The impact of demand led pressures – particularly in relation to Older People demographic pressures and increased demand for children's social care services.
 - Continued restriction of Council Tax increases.

- 3.7 In addition, to the above financial challenges, a separate report was presented to the Finance and Policy Committee on 1st June 2015 to provide details of the outcome of the Power Station's Rateable Value appeal. The Valuation Office Agency, the organisation responsible for determining Rateable Values, has determined to reduce the Power Station Rateable Value by 48%. As a result of this reduction the Council's share of Business Rates income from the Power Station will reduce by £3.9m on a permanent basis. The Finance and Policy Committee will receive a further report on the strategy for addressing this issue. A meeting with the Local Government Minister has been requested to express the Council's concern at the impact of this reduction and to seek Government support to manage this significant reduction in Business Rates income.

4. EXISTING COMMITMENTS AND USE OF PUBLIC HEALTH GRANT

- 4.1 The letter from Jeremy Hunt, Secretary of State for Health and Duncan Selbie, Chief Executive of Public Health England to local authorities on the 10th January 2013, outlined the services and eligible spend of the ring fenced public health grant. There are mandatory services expected to be delivered using the ring fenced grant and they include:

- *appropriate access to sexual health services;*
- *steps to be taken to protect the health of the population, in particular, giving the Director of Public Health a duty to ensure there are plans in place to protect the health of the population;*
- *ensuring NHS commissioners receive the public health advice they need;*
- *the National Child Measurement Programme;*
- *NHS Health Check assessment;*

The letter clearly states that:

‘In giving funding for public health to Local Authorities, it remains important that funds are only spent on activities whose main or primary purpose is to improve the health and wellbeing of local populations (including restoring or protecting their health where appropriate) and reducing health inequalities’

- 4.2 The aim of the remaining discretionary investment should be focused on ensuring local authorities have the local flexibility to commission the other critical services to help people live longer, healthier and more fulfilling lives, and to improve the health of the most vulnerable fastest. It should be noted that services that are not mandatory but already have substantial existing financial commitments and contracts are services relating to drug and alcohol use, children and young people's well being service (school nursing), smoking services etc.
- 4.3 Investment of the grant should be based on a robust Joint Strategic Needs Assessment (JSNA), Joint Health and Well being Strategy (JHWS) and Public Health Outcomes Framework. It is expected that the grant will be

used for improving health and well being; carrying out health protection functions delegated from Secretary of State; reducing inequalities and ensuring the provision of population healthcare advice.

5. PROPOSALS

5.1 The following section outlines recurring savings proposals for 2016/17 and beyond in each of the service areas in public health funded through the ring fenced public health grant including:

- Drug and Alcohol Services
- Health Improvement Services
- Sport and Recreation
- Public Protection
- Commissioning and Clinical Quality

For each proposal there is a brief description of what the service is that is proposed to be ceased, scaled back or delivered in an alternative way. It is noteworthy that these proposals will mean the loss of service provision and preventative activity in Hartlepool, but have been put forward as proposals as they are deemed 'discretionary' to be funded from the ring fenced grant.

5.2 Drug and Alcohol Services

Proposal 1 - £100,000

- Reduce the budget for tier 4 treatment services including medically assisted detoxification and residential rehabilitation services.
- Increase efficiencies in non pay budgets drug and alcohol budget.

5.3 Health Improvement

Proposal 2 - £195,500

- Review the contribution to the 50 plus forum seeking to mainstream key activities across health and social care.
- Review the contribution to oral health promotion programme.
- Reduce the contribution to Stay Safe Stay Warm Fire Service Programme.
- Review the commissioning of bereavement services.
- Cease recurring funding for Young People's Smoking Intervention Programme and seek to mainstream through partnership with schools.
- Remove the vacant nutritionist post from the established structure.
- Reduce expenditure on public health resources and health promotion activities.

5.4 Sport and Recreation

Proposal 3 - £125,000

- Reduce the range of physical activities initiatives on offer.

5.5 Public Protection

Proposal 4 - £95,000

- Review capacity to deliver environmental Health health improvement initiatives.
- Review contribution to the taxi marshalling scheme.
- Efficiencies in non pay budgets.
- Reconsider the feasibility of offering a student Environmental Health Officer post (currently vacant).

5.6 Commissioning and Clinical Quality

Proposal 5 - £125,000

- Negotiate with providers of the following services a reduction of 7.4% on contract values:

Drug and Alcohol services
Smoking services
Sexual Health service
Children and Young People's Health and Wellbeing Service

The outcome of any negotiations may not be the same for each public health commissioned service, with individual providers having their own unique set of circumstances and differing contract values to consider. A universal 7.4% cut to existing funding arrangements could therefore have a variety of different outcome ranging from; providers acceptance of the cuts through introduction of non pay efficiencies, a reduction in overall service provision and potential loss of jobs which would require renegotiation of individual contracts payments or the need to consider decommissioning services in their entirety if the provider states efficiencies cannot be realised.

6. RISK

- 6.1 There is a risk that the overall health and well being of the population and the health of specific groups within the population will not improve and the gap in inequalities may widen.

7. FINANCIAL IMPLICATIONS

- 7.1 The proposals deliver the following proposed savings against an anticipated recurring budget reduction of £630,000:=-.

Service	Proposed Savings (£)
Drug and Alcohol Services	£100,000
Health Improvement	£195,500
Sport and Recreation	£125,000
Public Protection	£95,000
Commissioning and Clinical Quality	£125,000
Total Savings	£640,500

8. EQUALITY CONSIDERATIONS

- 8.1 Equality Impact Assessments attached for each service area.

9. STAFF CONSIDERATIONS

- 9.1 The proposals do not include any compulsory or voluntary redundancies for HBC staff.
- 9.2 There will inevitably be staffing consequences to provider organisations who employ staff who are not HBC employed if the proposals in section 4 are implemented. It is impossible to determine what those implications will be at this time.

10. LEGAL CONSIDERATIONS

- 10.1 Contracts are legally binding and therefore careful consideration is required with regard to negotiating any contract variations or providing notice of termination. Communicating any intention to vary or terminate existing contracts should be carefully considered and managed as relationships will need to be maintained with the existing service providers during any notice period in order to ensure and maintain the quality of service.
- 10.2 Each individual contract will need to be checked to confirm the existence and length of individual termination clauses, failure to adhere to these clauses could result in a breach of contract claim from the existing provider.
- 10.3 All Public Health contracts issued since 2014 have termination clauses and notice periods within them. In the absence of any formal arrangements, in older contracts, English Law requires that 'reasonable' notice is given to terminate a contract. What is reasonable will depend on the specific circumstances of the relationship, including:
- the length of our relationship with the provider
 - how much our business contributes to the overall business of the provider
 - how quickly the provider may be able to replace our business
 - The original intention of both parties when we entered into the relationship.

11. RECOMMENDATIONS

- 11.1 That Members of the Committee note the content of the report and formulate a response to be presented to Finance and Policy Committee on 19th October 2015.
- 11.2 That members note the £630,000 reduction in public health grant funding in 15/16 and on a recurring basis.
- 11.3 That members note the possibility of a further reduction of an additional circa £800,000 in public health grant funding if pace of change is applied and Hartlepool is moved to target allocation of £6.9 million.

12. REASONS FOR RECOMMENDATIONS

- 12.1 To ensure Members are fully aware of the proposed public health grant funded Public Health Department savings proposals in year in 2015/16 and 2016/17. The savings are necessary in the light of the cut to non departmental NHS spend implications on the ring fenced public health grant. The proposals are made against the backdrop of the ongoing core revenue grant funded savings proposals as part of the Council's wider Medium Term Financial Strategy (MTFS).

13. BACKGROUND PAPERS

- 13.1 Ring-fenced Public Health Grant -Local Authority Circular (LAC (DH) (2013)1 – gateway reference 18552)
- Annex B comprises the grant determination and conditions, which set out the detailed arrangements for administering the grant.
 - Annex C lists the categories of public health spend against which local authorities will need to report to the Department.
 - Annex D is the statement local authority Chief Executives will need to send back confirming that the grant has been used in accordance with the conditions.
- 13.2 Cabinet Report of 18th March 2013 - Joint Report of the Director of Public Health and Chief Finance Officer - Ring fenced Public Health Grant.

14. CONTACT OFFICER

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Department	Division	Section	Owner/Officer	
Public Health		Substance Misuse	Karen Clark	
Service, policy, practice being reviewed/changed or planned	Tier 4 provision. Detox and Rehabilitation			
Why are you making the change?	Cuts to the Public Health Grant			
How might this impact (positively/negatively) on people who share protected characteristics?				
		Please tick	POSITIVELY	NEGATIVELY
Age				✓
This decision affects the whole community. Any reduction in the opportunities available to our client group and their families to recover in a safe environment could result in increased criminal activity, higher levels of deprivation, increased substance Misuse related deaths, increased hospital admissions and possible increase in child in need and child protection cases.				
Disability				✓
As Above				
Gender Re-assignment				✓
As Above				
Race				✓
As Above				
Religion				✓
As Above				
Gender				✓
As Above				
Sexual Orientation				✓
As Above				
Marriage & Civil Partnership				✓
As Above				
Pregnancy & Maternity				✓
As Above				
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?	Planned Consultation			
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good	We will focus on trying to mitigate against the damage by bolstering the opportunities to replicate some of the interventions within the			

relationships?		<i>community but there will always be a need to assist those in need who can not recover in their own community.</i>	
Describe how you will address and monitor the impact		1. No Impact - No Major Change N/A	
		2. Adjust/Change Policy N/A	
		3. Adverse Impact but Continue as is <i>If there are risks identified to an individual, family or the community. And where these risks make it unsafe for the individual to further attempt to recover locally that the opportunity to fund a placement remains. We will constantly monitor need and availability.</i>	
		4. Stop/Remove Policy/Proposal N/A	
Initial Assessment	05/08/15	Reviewed	00/00/00
Completed	05/08/15	Published	00/00/00

Department	Division	Section	Owner/Officer	
Public Health		Health Improvement	Carole Johnson	
Service, policy, practice being reviewed/changed or planned	Reviewing and reducing the level of provision of a range of health improvement initiatives			
Why are you making the change?	Budget savings due to grant cut.			
How might this impact (positively/negatively) on people who share protected characteristics?				
		Please tick	POSITIVELY	NEGATIVELY
Age				✓
Please describe... One service to be reviewed is the activity of 50+ Forum.				
Disability				
Please describe...				
Gender Re-assignment				
Please describe...				
Race				
Please describe...				
Religion				
Please describe...				
Gender				
Please describe...				
Sexual Orientation				
Please describe...				
Marriage & Civil Partnership				
Please describe...				
Pregnancy & Maternity				
Please describe...				
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?	No there has been no consultation and none is planned. Currently the role is vacant - out to advert but the contract is due to end on 31 st March 2016 with no expectation of it being renewed.			
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?	A member of staff from Healthwatch is currently picking up aspects of the work. It may be possible for this to be formalised.			
Describe how you will address and monitor the impact	1. No Impact - No Major Change Please Detail Not expected to have a major impact			
	2. Adjust/Change Policy Please Detail			
	3. Adverse Impact but Continue as is Please Detail			
	4. Stop/Remove Policy/Proposal Please Detail			

Initial Assessment	04/08/15	Reviewed	00/00/00
Completed	00/00/00	Published	00/00/00

Department	Division	Section	Owner/Officer
Public Health		Sport & Recreation	Louise Wallace, Director - Public Health
Service, policy, practice being reviewed/changed or planned	<p>Sport & Recreation consists of the following core services:-</p> <ul style="list-style-type: none"> • Mill House Leisure Centre • Brierton Community Sports Centre • Headland Sports Hall /Borough Hall • Summerhill Outdoor Centre and Country Park • Carlton Outdoor Education Centre (leased from Carlton Trustees) • Grayfields Pavilion and Recreation Ground <p>Within the service structure, there is also a Learn to Swim Team, GP Referral Team and Sport and Physical Activity Team. In addition, the service also manages sports pitch bookings at all Council sites and has a strategic role around sports provision in general across the Borough and works in partnership with clubs, national governing bodies of sport and national agencies such as Sport England to ensure that the town has the relevant local offer. It is also responsible for delivery on regional and national priorities for sport.</p> <p>The service has received some additional funding for the last three financial years from the Public Health grant to enable additional sport and physical activity initiatives to be delivered to adults and young people (2013/14, 2014/15, 2015/16) across the services. This has been over and above what is already provided for services funded by the Council's core revenue funding.</p>		
Why are you making the change?	<p>The review will result in a proposal to deliver cost savings as part of the 2016/17 financial strategy for the Council. This is linked to overall service provision and future development and delivery of facilities and services for the Borough.</p>		
How might this impact (positively/negatively) on people who share protected characteristics?			
		Please tick	
		POSITIVELY	NEGATIVELY
Age			
<p>Whilst a good range of activities will still be available for adults and young people, some of the more bespoke programmes that are offered as a consequence of this funding will have to cease. Some examples of these are as follows:-</p> <ul style="list-style-type: none"> • Support of our 'Looked after children' where currently free activities are made available to them. • £1.00 promotional swim initiative • Coach Leadership training programme • Conservation programme supporting work of volunteers • Pre-school adventure play • Community Activities Network grant funding programme to clubs and organisations for new physical activity initiatives 			
Disability			
Whilst no specific data is recorded, it is likely that some users may be affected			
Gender Re-assignment			
No impact			
Race			

Religion			
No impact			
Gender			
No impact			
Sexual Orientation			
No impact			
Marriage & Civil Partnership			
No impact			
Pregnancy & Maternity			
No impact			
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?		Where there is likely to be a direct impact on service users who can access a specific targeted intervention (for example with our Looked after Children), consultation will be undertaken in conjunction with colleagues from the Child & Adult Department.	
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?		We will still be able to offer an inclusive programme of activities to all service users as a result of the Council's core funding support. We will also continue to seek external funding support to supplement our "offer".	
Describe how you will address and monitor the impact		1. No Impact - No Major Change N/A	
		2. Adjust/Change Policy N/A	
		3. Adverse Impact but Continue as is We will continue to offer alternative service options from our balanced programme of activities. We will also continue to seek alternative sources of funding to support additional activity provision.	
		4. Stop/Remove Policy/Proposal N/A	
Initial Assessment	22/07/15	Reviewed	00/00/00
Completed	29/07/15	Published	00/00/00

FINANCE AND POLICY COMMITTEE

28th August 2015



Report of: Director of Regeneration and Neighbourhoods

Subject: COMMUNITY RIGHT TO BID

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision Test 2 applies. General Exception Provisions apply.

2. PURPOSE OF REPORT

2.1 To seek Committee approval to list Victoria Park as an Asset of Community Value subsequent to an application by Hartlepool United Football Club Supporters Association (HUFCSA)

3. BACKGROUND

3.1 Assets of Community Value are rights derived from the Localism Act 2011 and reflected in accompanying regulations.

3.2 Local people through community or voluntary organisations with a local connection or Parish Council's can identify local buildings and land which are of importance to them and nominate them to the Council. These can be in either public or private ownership.

3.3 The Council is under a duty to consider the nomination and assess within an 8 week timescale whether the nominated land should be listed against the definition of an Asset of Community Value as defined in the Localism Act. This states that the current use of the asset furthers the social wellbeing or social interests of the community.

3.4 If the nomination meets the definition then the asset should be listed. The diagram in **Appendices A & B** set out the listing process.

3.5 The listing of a building or land is a clear statement on behalf of the community that it values the asset and feels it should be retained for the community and contributes to the wellbeing of the area. Assets of Community Value are designed not to impinge on property rights. It does not

place any restriction on what the owner can do with their property once it has been listed. It is only when the owner decides to sell that a moratorium is placed on the sale. This is initially for a period of 6 weeks - if the community group decides not to submit a bid the sale can go ahead after this 6 week period. However if the group do wish to submit a bid this triggers a 6 month moratorium. During this period an owner may not sell the property unless it is to a community group.

- 3.6 The Right to Bid is not a right to buy nor is it a right of first refusal for communities. At the end of the moratorium an owner is free to sell to whoever they choose. The purpose is to allow communities the space and time they require to organise timelines and raise the finance needed to submit a bid that may be of interest to the owner. The owner does have an opportunity to object to a proposal to list the property requiring an internal review within the Council and if necessary an appeal to an independent First Tier Tribunal.
- 3.7 The report to members on 17th April 2013 outlined procedures to be adopted by the Council including standardised application forms and guidance information. It was agreed that the Estates & Regeneration Manager take responsibility for managing the process and setting up a working group to assess the applications.
- 3.8 Details of the Council's application process and assessment criteria are set out in **Appendix C** and a copy of the application form from HUFCS is attached in **Appendix D**. The assessment criteria adopted reflects guidance as provided by DCLG and is considered robust and accords with best practice.

4. PROPOSALS

- 4.1 It is proposed that having undertaken an assessment of the application by HUFCS that the information provided accords with the requirements for listing and therefore should be listed as an asset of Community Value and a land charge placed against the Title.
- 4.2 Victoria Park belongs to the Council and let to Hartlepool United Football Club by way of a lease for 70 years with 52 years unexpired. The listing of these assets of community value Bid would affect either a freehold sale or a proposal from the Football Club to assign their lease as the leasehold interest was originally granted for a period in excess of 25 years.

5. RISK IMPLICATIONS

- 5.1 If the Council or HUFC wish to dispose of their interest in the football ground then there will be a potential delay of up to 6 months before being able to transfer the interest. As such there may be a delay in achieving a capital receipt.

6. FINANCIAL CONSIDERATIONS

- 6.1 An owner may be entitled to claim compensation for loss or expense incurred as a result of the listing. A claim must be made in writing by the end of thirteen weeks after the loss or expense was incurred, or finished being incurred.

7. LEGAL CONSIDERATIONS

- 7.1 As part of the process of listing Assets of Community Value it is necessary to register a land charge with the Land Registry.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 Nominations and the procedures to deal and evaluate them will need to be open and transparent.

9. STAFF CONSIDERATIONS

- 9.1 There are no staff implications

10. ASSET MANAGEMENT CONSIDERATIONS

- 10.1 The requirements to actively manage the process place additional demands on the Asset & Regeneration section. Where assets of community value belong to the Council there may be delays in disposing of properties due to the moratorium periods specified in the legislation.

11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 11.1 When an asset is nominated and under consideration for listing, community safety issues will need to be addressed.

12. RECOMMENDATIONS

- 12.1 Committee are recommended to approve the nomination to agree to Victoria Park being listed as an Asset of Community Value and the applicants/owners and lessees be informed and a land charge registered against the freehold title.

13. REASONS FOR RECOMMENDATIONS

- 13.1 The application has been assessed in accordance with the DCLG guidance and the information provided accords with all the recommended guidance.

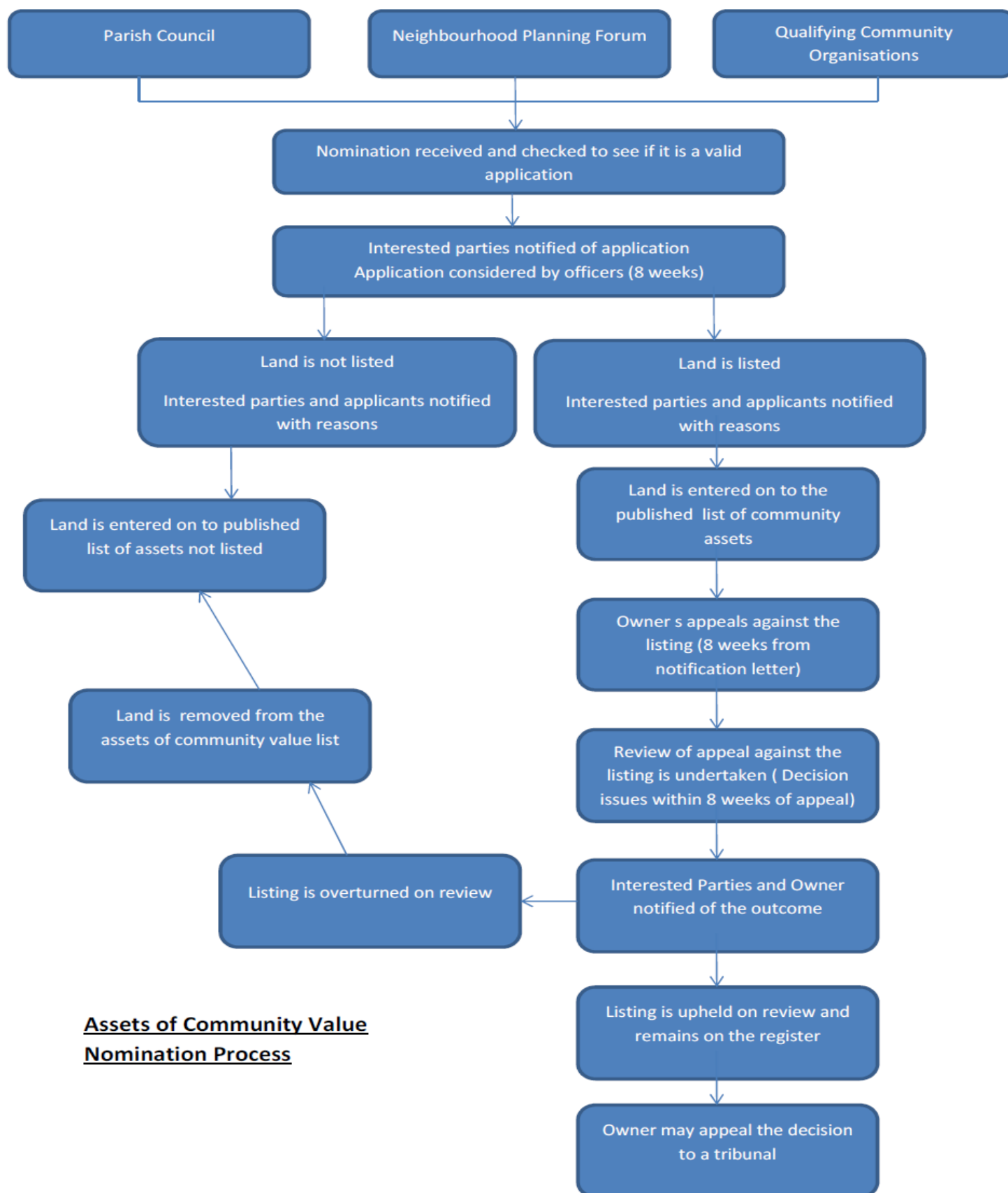
14. BACKGROUND PAPERS

- 14.1 Finance & Corporate Services Portfolio 17th April 2013.

15. CONTACT OFFICER

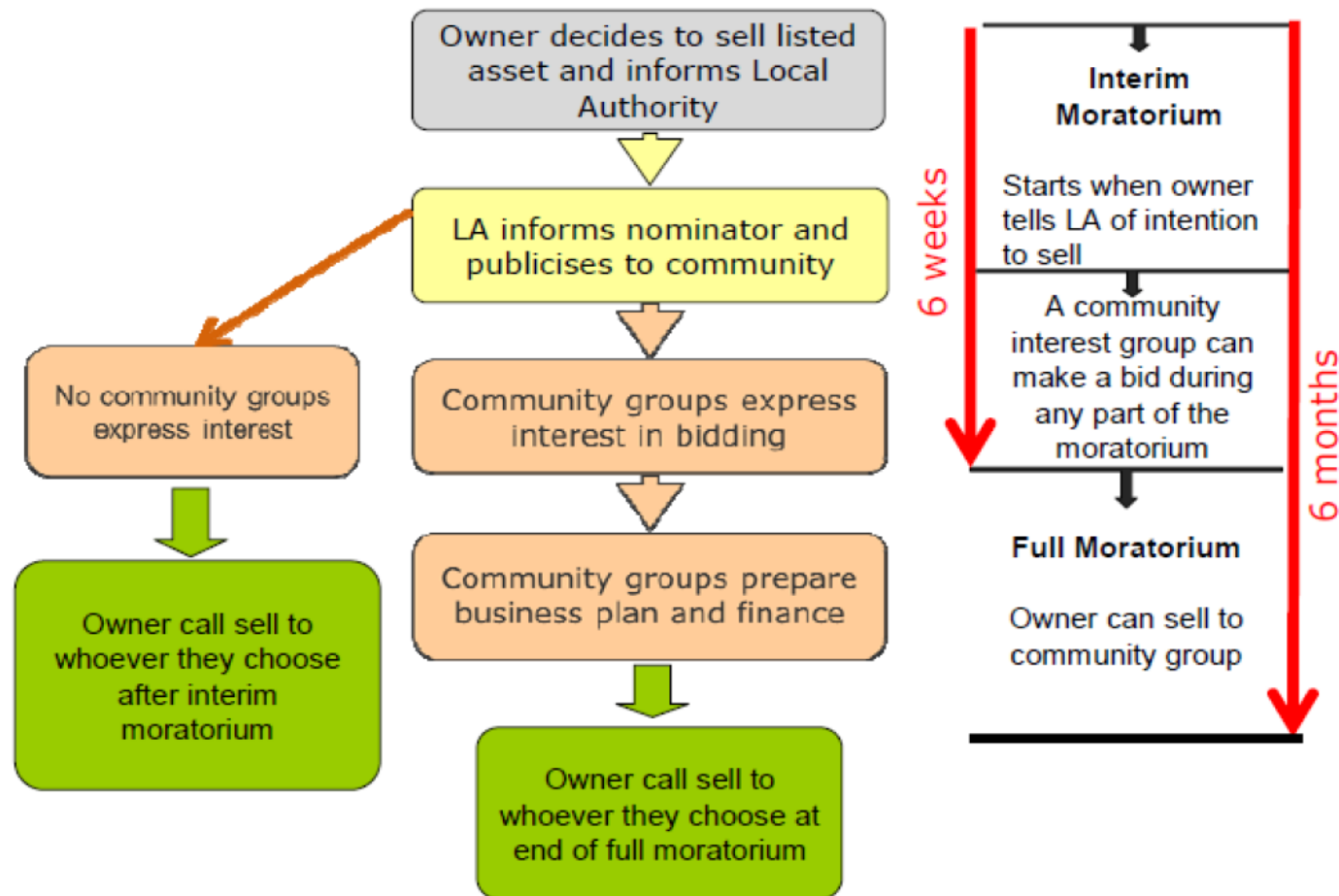
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APPENDIX A



**Assets of Community Value
Nomination Process**

Moratorium Process



APPENDIX C

ASSETS OF COMMUNITY VALUE – ASSESSMENT PROCESS

STAGE 1 ASSESSMENT – ELIGIBILITY CRITERIA

All of the Criteria must be fulfilled for the nomination to be taken to stage 2 assessments

Location – Victoria Park Football Ground, Clarence Road

Criteria	Evidence Required	Notes	Criteria Fulfilled
<p>A Is the nominating organisation eligible</p> <p>Nomination must be received by a qualifying community organisation, as set out in government regulations:</p> <ul style="list-style-type: none"> • Parish council, including neighboring parish council • Unincorporated groups • Neighborhoods forums • Community interest groups with a local connection (charity, Community interest company, company limited by guarantee that is nonprofit distributing, industrial and provident society that is non-profit distributing) 	<p>In the case of community interest groups, the constitution, memorandum and articles of association or governing document</p> <p>In the case of an unincorporated group, evidence of the membership of at least 21 people who appear of the electoral roll</p>	<i>The Group has 21 members</i>	Yes
<p>B Can the nominating organisation demonstrate a local connection to the asset</p> <p>the organisation must demonstrate that its activities are concerned with the local authority area where the asset of located or with a neighboring authority</p>	Any evidence demonstrating local connection for example websites, publications, reports, maps	<i>The group is made up of supporters of Hartlepool United. Given the length of time that the team has existed the link to the club and their ground can be demonstrated</i>	Yes

APPENDIX C

Criteria	Evidence Required	Notes	Criteria Fulfilled
C Does the nomination include the information requested on the nomination form? This should include: <ul style="list-style-type: none"> • A description of the land and proposed boundaries • Details of any information the nominating organisation has regarding ownership, occupancy, freeholder and leaseholders 	Nomination form to be checked for this information	<i>ACV form lists the Land Registry title numbers that the asset is covered by. This title is owned by Hartlepool Borough Council. An aerial photo of the area to be considered as an ACV is included</i>	Yes
D If the asset is outside one of the categories of exempt assets, as set out in schedule 1 of the regulations? <ul style="list-style-type: none"> • A residence and land associated with a residence, except where an otherwise eligible asset contains residential quarters • Licensed caravan sites • Operational land of statutory undertakers as defined in section 263 of the Town & Country Planning Act 1990 	Evidence will be checked against known information and planning history	<i>The asset is not an exempt category</i>	Yes
E Is there evidence of the use being described in the nomination, and that this is the main and non ancillary use of the land or premises, or this has been its use within the last 12 months?	Any evidence of usage history including number of individual groups, publicity, calendar of events, bookings schedule, etc	<i>Given the length of time that Hartlepool United have occupied the ground the link to the nominators and the asset can be demonstrated. This includes the football ground itself and the supports clubhouse</i>	Yes

APPENDIX C

Criteria	Evidence Required	Notes	Criteria Fulfilled
<p>F Does this use further the social wellbeing and social interests of the local community?</p> <p>In particular:</p> <ul style="list-style-type: none"> What is the current level of use of the asset and who uses it? Is it used by particular communities of interest or need? What do communities gain from their use of the asset and what would be the impact if it were lost 	<p>A broad variety of evidence including:</p> <p>Evidence of community involvement in managing the asset, individual or group usage data, policies and management plans relating to the asset, report from users of the asset, contribute to relevant health and wellbeing outcomes</p>	<p><i>Football matches are held at the ground regularly. It can be accessed by anyone with a ticket to a game. The use is considered to be of a social nature</i></p>	Yes
<p>G What is the nature of the social wellbeing and social interest which the asset particularly supports? Does the use of the asset?</p> <ul style="list-style-type: none"> Reduce social isolation Address the needs of disadvantaged members of the community Reach vulnerable people Support community cohesion or community involvement Enable communities to be self supporting Increase access to positive activities Provide opportunities for volunteering 	<p>Evidence of previous use of the asset in relation to this criteria e.g. Statements from users of the assets</p>	<p>The football ground offers an accessible social outlet, employment and volunteering opportunities</p>	Yes

APPENDIX C

Criteria	Evidence Required	Notes	Criteria Fulfilled
H Does the local community feel strongly that the asset should be retained as a community asset?	Any evidence of surveys, petitions, awareness raising, publicity, evidence from parish plans, neighborhood plan or other local document to support the case	<i>Document summarising minute of the supports club meetings show that the club feels strongly about the Club.</i>	Yes
I Could the asset realistically continue to be used for this or another qualifying community purpose (or could this be achieved within the next 5 years)?	<p>Evidence that there has been no significant change to the asset, which might impact on its fitness for purpose for the proposed use or any business plans available for the asset.</p> <p>Condition of the asset and likelihood of funds being raised to remedy any defects to ensure it is fit for purpose.</p> <p>Evidence of a suitable organisation in a position to take this on</p> <p>Market intelligence to support the case of sustainable community use of the asset.</p>	<i>Provided that the football club continue to occupy the ground the current use of the site could continue even if the ownership of the land changes</i>	Yes

Community Right To Bid**Nomination Form**

If you need assistance completing this form please refer to the guidance document that can be downloaded from the website www.hartlepool.gov.uk or alternatively phone 01429 523386

Section 1 About the property to be nominated

Name of property VICTORIA PARK, HARTLEPOOL UNITED F.C.
 Address of property CLARENCE ROAD
HARTLEPOOL
 Postcode TS24 8BZ
 Property owners name HARTLEPOOL BOROUGH COUNCIL
 Address CIVIC CENTRE
 Postcode TS24 8AY
 Current Occupiers Name HARTLEPOOL UNITED FC LTD (04112553)

Section 2 About your community organisation

Name of organisation HARTLEPOOL UNITED FC SUPPORTERS ASSN
 Title CHAIRMAN
 Name NOEL BROWN
 Position in organisation CHAIRMAN
 Email address JOHN.MQ@BTINTERNET.COM
 Address 'THE CORNER FLAG'
CLARENCE ROAD
HARTLEPOOL
 Postcode TS24 8BZ
 Phone Numbers

Organisation type

- | | |
|---|--|
| <input type="checkbox"/> Parish Council | <input checked="" type="checkbox"/> Unincorporated Community Group |
| <input type="checkbox"/> Neighbourhood Forum | <input checked="" type="checkbox"/> Community Interest Company |
| <input type="checkbox"/> Industrial & Provident Society | <input type="checkbox"/> Company limited by guarantee |
| <input type="checkbox"/> Charity | <input type="checkbox"/> |

How many members do you have? (this is particularly important for unincorporated community groups)

400+

Please send your completed form to either
Estates@Hartlepool.gov.uk or
 Estates & Asset Manager
 Level 3 Civic Centre Hartlepool TS24 8AY



Section 3 Supporting Information for Nomination

Any information entered in this section only may be copied and passed onto the owner of the property you are nominating

Why do you feel the property is an asset of community value? Please give as much information as possible:

Please See Attached

Section 4 Boundary of Property

What do you consider to be the boundary of the property? Please give as much detail/ be descriptive as possible, using a plan as you are able

THE CURRENT LAND KNOWN AS VICTORIA PARK
LEASED TO HARTLEPOOL UNITED FOOTBALL CLUB LTD.
BY HARTLEPOOL BOROUGH COUNCIL. INCLUDING
ALL FIXTURES & FITTINGS CONTAINED WITHIN
THE LEASE.

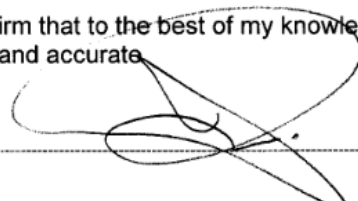
Section 5 Attachment Checklist

- ☒ Copy of group constitution (If you are a constituted group)
- ☒ Name and home addresses of 21 members registered to vote in nomination area (if group is not incorporated)
- ☒ Boundary plan (if possible)

Section 6 Declaration

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate

Signed



Date

30.3.2015

Data protection

We will process the information provided in accordance with the data protection act 1998 and in line with the Council's data protection policy. Information is stored securely for six years after which time it will be destroyed.

The information provided will be subject to the Freedom of Information Act but personal information (names and contact details) will not be released in response to requests



Addendum to Section 3 – Supporting Information for Nomination.

We are writing to you to nominate Victoria Park, Clarence Road, Hartlepool, TS24 8BZ as an Asset of Community Value under the Assets of Community Value Regulations of the Localism Act (2011).

Victoria Park consists of a football pitch, four spectator stands, and an attached social club along with surrounding car park. Below we set out the reasons why Victoria Park should be considered an Asset of Community Value.

Current Occupancy and Ownership of Victoria Park

Victoria Park is currently occupied by Hartlepool United Football Club Limited, a company registered in England, registration number 04112553.

The freehold of Victoria Park is currently held by Hartlepool Borough Council. Land Registry references: CE142029 & CE166224

Current Use of Victoria Park

Since 1908 Victoria Park (Pools), formerly known as The Victoria Ground, has been continuously used for the playing of association football by Hartlepool United, Hartlepool FC, Hartlepools United and West Hartlepool FC.

It is attended by several thousand Hartlepool United supporters each home game with the attendance varying between three and five thousand in recent years.

There is a supporter's social club located on part of the land occupied by the stadium known as the "Corner Flag" which has over 400 members and is well known for warmly welcoming visiting supporters.

Community Value

- The principal activities at the stadium is for the furtherance of sport and by listing the stadium as an asset of community value, the Council would demonstrate its intrinsic value to the town of Hartlepool as a community amenity. One of the most important types of assets in any community is its land and buildings. Some of these places will be of particular value to local people. In terms of football stadia, it is highly likely that they hold iconic status as well as community enterprise potential. As a result, the Community Right to Bid is a way for a supporters organisation can help to secure the long term future of this treasured asset.

Victoria Park safeguards the following community values by the following means;

- **Promotes the enjoyment of sport and exercise to local people** throughout the community, particularly young people, both through its own matches and through activities the Club undertakes through its Youth & Community Sports Trust.
- **Serves as a focus for community pride**, providing Hartlepool with a shared history and heritage through the achievements of the Club and the many celebrated players from its history, and regularly celebrating the contribution that the Club's non-player employees, volunteers, and supporters make to the Club's success.
- **Helps build a sense of community identity**, bringing together diverse elements of Hartlepool, across a range of ages and social and economic backgrounds, on a regular basis for a shared purpose.
- **Provides local people with an inclusive social environment** open to all members of the community which the Club works to foster, for example through its regular support of such initiatives as the 'Kick it Out' campaign (an equality and inclusion campaign for football and the wider community).

- **Engages fans in the support of local charitable causes** including the Hartlepool United Disabled Supporters Association.
- **Provides economic benefits to local businesses** such as increasing trade for nearby and associated pubs and restaurants on matchdays, as well as working to bring together a network of local businesses for mutual benefit.
- **Is the subject of considerable local interest**, as attested to by the consequent significant coverage in the local media, as well as regular coverage in the national media.
- **Represents the town and area nationally**, for instance on such occasions as the play off final at the Millennium Ground in Cardiff , watched by over 18,000 Hartlepool fans in attendance and a national television audience.

Victoria Park is crucial in enabling Hartlepool United Football Club to deliver this social value and community benefit through sporting and community activities, in that the Club needs a suitable home to host its football matches. The listing of Victoria Park as a Community Asset would mean that in any circumstance where the ground's current tenants were to look to dispose of it or it were to be considered for disposal to another interested party, the community would have the opportunity to secure the Football Club's future. This step would:

- Protect the Ground's viable use as venue for professional or semi-professional sport in the town for current and future generations,
- Ensure it continues as a site for delivering social benefit and community value, both through the continued hosting of Hartlepool United's and international games, and through the associated community activities Hartlepool United undertakes.
- Help ensure a sustainable future for Hartlepool United within the community, with the aim of the community owning a stake in The Ground.
- Provide the opportunity to use the non-football revenues generated by the Ground to support Hartlepool United and its sporting and community activities.

Nominator

This nomination is submitted by Hartlepool United Football Club Supporters Association.

List of Supports Club Members

	Andrew Menzies
2	Paul Norton
3	Paul Moore
4	Noel Brown
5	John Hawksworth
6	John Kier
7	Pauline McSweeney
8	Mark Reeve
9	Ronnie Harnish
10	Michael Sweeney
11	Simon Lamb
12	Joanna Grylls
13	Paul Parkinson
14	Adam Richardson
15	Scott Parkinson
16	Colin Foster
17	Trevor Bennison
18	Philip Dunn
19	Phil Wanley
20	Neil Walker
21	Chris Dunning
22	Mark Dobson
23	John McNaughton

FINANCE AND POLICY COMMITTEE

28 August 2015



Report of: Director of Public Health

Subject: NHS HEALTH CHECK – OPTIONS FOR FUTURE DELIVERY

1. TYPE OF DECISION/APPLICABLE CATEGORY

Key Decision, test (i) and (ii) apply. Forward Plan Reference Number PH12/15.

2. PURPOSE OF REPORT

- 2.1 To advise the Finance and Policy Committee of options for the future commissioning and delivery of, feasible and appropriate, NHS Health Checks, in the context of the Cardiovascular Disease (CVD) review and Council's provision of wider Public Health services to address ill health, inequalities and premature mortality caused by (CVD).

3. BACKGROUND

- 3.1 The NHS Health Check programme is a national risk assessment and management programme for those aged 40 – 74 living in England, who do not have an existing vascular disease and who are not currently being treated for certain risk factors. It is aimed at preventing heart disease, stroke, diabetes and kidney disease and raising awareness of dementia for those aged 65 – 74 and includes alcohol risk assessment. An NHS Health Check should be offered every 5 years. It is estimated that the programme has the potential to detect nationally at least 20,000 cases per year of diabetes and kidney disease earlier, helping people to manage these conditions better and improve their quality of life and to prevent:
- 650,000 premature deaths;
 - Over 4,000 people per year from developing diabetes; and
 - 1,600 heart attacks and strokes.
- 3.2 The programme systematically targets the top 7 causes of premature mortality (high blood pressure, smoking, cholesterol, obesity, poor diet, physical inactivity and alcohol consumption). It incorporates current National Institute for Health and Clinical Excellence (NICE) recommended Public

Health guidance, ensuring it has a robust evidence base. Economic modelling suggests that the programme is clinically and cost effective.

- 3.3 In Hartlepool, mortality rates from CVD, although decreasing, are significantly higher than the national average (91.7 deaths in persons under 75 per 100,000 populations, compared to 78.2 nationally) and it is a key contributor to local health inequalities. Amongst our local populations there is a high prevalence of the factors that contribute to a person's risk of CVD e.g. smoking, physical inactivity, obesity, and poor diet.
- 3.4 The check is face to face assessment carried out by a health professional, who advises the patient about their risk of Cardiovascular Disease. Following a series of questions and simple tests, the patient will receive personalised advice and lifestyle support to help lower their risk and maintain or improve their vascular health. The course of action will depend on an individual's results, for example they may receive advice on how to get more physically active, or how to eat a healthier diet, stop smoking, reduce alcohol intake and/or be offered appropriate medications such as statins. Those who are high risk or who are diagnosed with disease will exit the call and recall processes and be managed by General Practices in line with NICE guidance and under their core GP contract arrangements. While those who are lower risk will be recalled after 5 years for a repeat assessment. If the check is carried out in a location other than the GP surgery, then the agreed process is for the results to be sent to their GP for appropriate follow up and documentation in their patient record.
- 3.5 The Local Authority has a mandatory responsibility for:
- The commissioning of risk assessments from any provider of their choice, ensuring appropriate identification of individuals;
 - The delivery of NHS Health Checks that meet national quality standards;
 - Ensuring that robust data flows occurs between providers; and
 - Ensuring that there is a robust pathway to clinical follow-up and management.
- 3.6 Local Authorities are also the Commissioners for services which support lifestyle modifications such as weight management, physical activity, smoking cessation and, alcohol harm minimization. This provides an opportunity to influence pathway improvements in relation to the management of risk and is a key element of the package of measures available to address health inequalities, improving the health and wellbeing of residents.
- 3.7 The NHS Health Check has a well established track record across the Tees Valley, however, continuous improvement is always a priority, and a formal review of the provision across Hartlepool, Stockton, Redcar and Cleveland, Middlesbrough and Darlington is being undertaken by the Tees Valley Public Health Shared Service (TVPHSS). The review is to be completed in August 2015 and the Finance and Policy Committee, on the 23 February 2015,

approved the extension of the contract for the provision of NHS Health Checks through GP's for a further 12 months to fit in with this timetable.

- 3.8 In addition to this, in further considering the commissioning of NHS Health Checks the contract for the provision of mobile health improvement services in Hartlepool was extended for 6 months until September 2015 to enable the development of a potential specification. Members requested at the February Committee meeting that a specification, to include wherever feasible and appropriate the use of Council premises within the community (in particular Community Centre's and Libraries), be developed.
- 3.9 In exploring potential options for the delivery of NHS Health Checks in Hartlepool, in line with the wishes of the Committee, a review of the provision of the checks through GP and the Mobile Health Improvement Services was undertaken between February 2015 and July 2015.

Table 1 – Process for the Review

DATE	ACTION
February 2015	<ul style="list-style-type: none"> • Service Review Commenced
Feb / July 2015	<ul style="list-style-type: none"> • Data Gathering / Evaluation: <ul style="list-style-type: none"> - Consider national programme objectives and quality requirement. - Consider population need. - Evaluate current service models effectiveness. - Consider alternative commissioning models. - Consult and engage (including Survey monkey). - Commissioner meeting - Undertake Options Appraisal
July / August 2015	<ul style="list-style-type: none"> • Complete Options Appraisal. • Formulate recommend models of delivery; define the quality of delivery; suggest payment models; model programme costs; and explore commissioning options. • Write report/analysis. • Complete Service Review Report.

4. CURRENT PROVISION OF NHS HEALTH CHECK

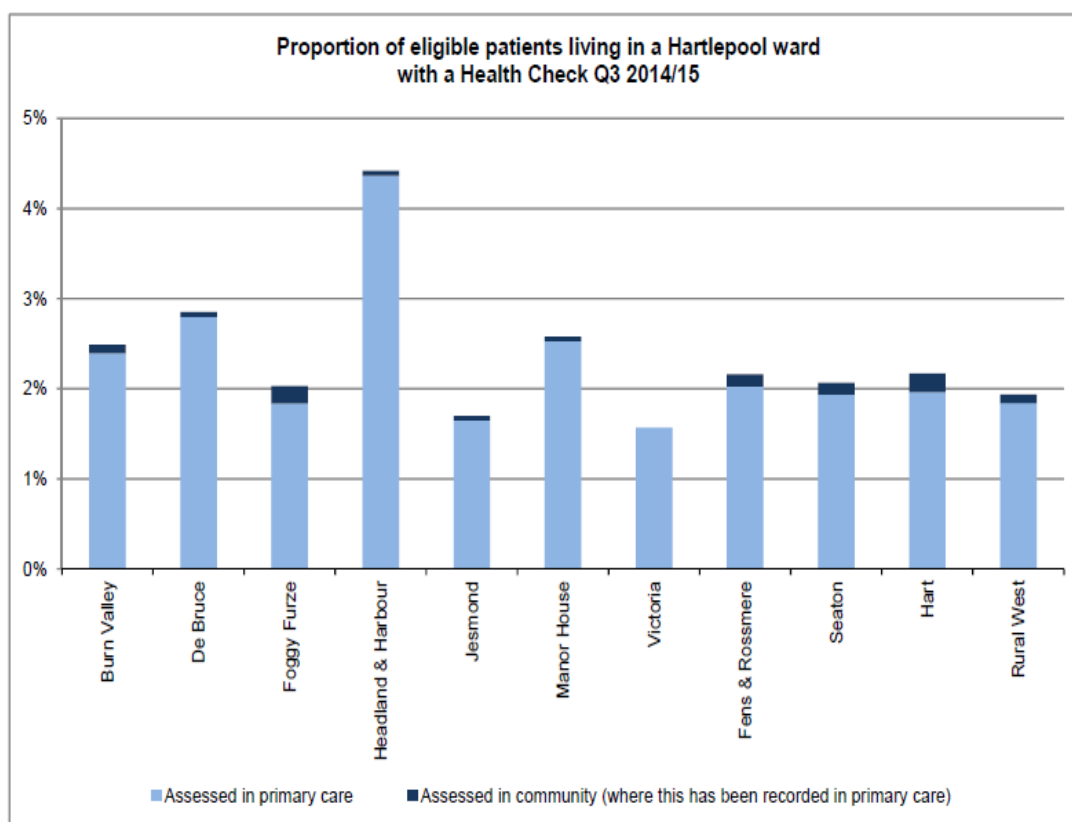
- 4.1 Nationally, the majority of NHS Health Checks are provided by General Practices (GP's). The Tees model, and pathway, blazed the trail for the provision of these checks and pre-dated the roll out of the national programme. In Hartlepool checks are provided through 15 General Practices (GP's), as well as delivery in the community through the Mobile Health

Improvement services. In addition, the Nurse Bank has been delivering checks in the workplace and some community settings.

- 4.2 The Mobile Health Improvement Service is not exclusively commissioned to deliver NHS Health Checks; it is also commissioned to address existing health inequalities through the delivery of services in community/outreach settings, targeting activities on prevention, early diagnosis and intervention for families / individuals currently not connecting with health services. The delivery of NHS Health Checks is only one aspect of the Contract. The service is of a specialist nature, staffed by health professionals and was clinically assessed as satisfactory in terms of NHS Health Check provision.
- 4.3 Prior to 1 April 2013 the NHS Health Check programme had been performance managed on an annual basis with a target for offers (20% of those eligible) and received (10% of those eligible). There was a national aspiration (led by Public Health England) to achieve 66% uptake by April 2015; and a longer-term aspiration for an uptake across the country of 75% (measured as percentage of those offered receiving a Check). There are now no mandated targets for Health Checks but Local Authorities have a legal duty to seek continuous improvement in the percentage of eligible individuals taking up the offer of an NHS Health Check. Local performance is monitored using the Public Health Outcomes Framework.
- 4.4 NHS Health Checks is a rolling five-year programme meaning that 100% of the eligible population should have been offered a check at the end of the period. Within a 5 year period only the first invite is counted towards the performance measurement for offers. Uptake is measured nationally as a percentage of eligible people offered that received a NHS Health Check (locally this has been measured as the percentage of eligible people that received a NHS Health Check). High performing areas are perceived as those that offer to a high proportion of the eligible population cohort and then achieve a high transfer rate (i.e. conversion of Health Check offered into Health Checks received). On 1 April 2015, Year 2 of a 5 year programme cycle began. In the first 5 years of the programme across Tees 149,054 were invited and 106,230 received a Check. As at 31 March 2015 there have been over 17,500 Health Checks provided in Hartlepool since the programme began and an estimated 31,650 offers made (this does not include second offers). In order to meet PHE aspirations and based on the current eligible population of 22,983, Hartlepool will be required to invite 4,597 residents for a Health Check and deliver in excess of 3,034 Checks in 2015/16 to achieve the national aspiration of 66% uptake.
- 4.5 In addition, analysis of invitations by ward identifies variation between wards of the proportion of those invited who have attended and also that people in the most deprived communities (Quintile 1) are worse at responding to an invite than other more affluent communities. Details of Ward data is provided in Table 2 (over the page). Further analysis of the outcomes of the assessment activity shows there is potential for significant health gains if patients are supported to access lifestyle support (currently referral into

services is low) and if they are offered appropriate pharmacological management of conditions.

Table 2 – Ward Data



- 4.6 Comparing performance with other Local Authorities across England is difficult as there is some evidence of variation in the robustness of local data management flows and the scope of delivery also varies. In comparison with the rest of Tees, Hartlepool performance is at a similar level to other localities and in line with national average. Due to nationally directed changes in eligibility criteria and the scope of service to be offered comparing year on year achievement is also not perfect.
- 4.7 Analysis of local performance to date suggests that achieving the aspiration of 66% uptake and the longer term vision of 75% is a significant stretch as we are currently circa 55% using primary care provision and that additional capacity through targeted outreach is required to bridge the gap and also reach those population groups who are not responding to the offer within a primary care setting.
- 4.8 In line with the legal requirement for the Authority to seek a continuous improvement in the percentage of eligible individuals taking up the offer and based on the first year performance of the current 5 year cycle, it is proposed that Hartlepool sets incremental targets to achieve a minimum of 50% uptake by year 5/5 with a vision to have built the capacity to achieve a stretched target of 66% for the commencement of the next 5 year cycle. In addition it is recommended that continued monitoring of uptake by Quintile is

required to demonstrate the programmes impact on addressing inequalities and inequities in access.

4.9 When Tees data is analysed against these targets, it is clear that the existing NHS Health Check model in Hartlepool will not achieve the ideal take up rate of the National Programme (75% of those eligible to take up the offer over a rolling 5 year period). It was also evident that:

- There is great variation in levels of activity amongst GP providers, with evidence to suggest that the programme is not reaching those at high risk, particularly those from the most deprived communities;
- A significant number of those receiving NHS Health Checks in Community and Workplace are not local residents; and
- Although NHS Health Checks in Community and Workplace are identifying significant numbers of individuals with lifestyle risk factors it is not targeting those who are at greatest risk.

4.10 The Council also took part in a self assessment pilot developed by Public Health England, bench marking NHS Health Check performance, against national guidance, to identify opportunities for locally led improvement. The result of the assessment highlighted that Hartlepool is not performing well in terms of the uptake by those eligible to receive the check, with offers being made not generally being converted into a high ratio of assessments. On this basis, it is not likely that Hartlepool will reach its targets for assessments by the year end. Concern was also expressed that the prioritisation of those in Quintile 1 people in most deprived communities may be impacting on the number of assessments, as this particular patient group appear to be the hardest to reach. There was also concern that the programme was failing to narrow the gap in health inequalities.

5 FUTURE DEVELOPMENT AND DELIVERY OF NHS HEALTH CHECKS

5.1 In considering options for the future delivery of NHS Health Checks, in the context of wider health improvement services, a number of challenges exist in terms of targeting provision:

- Ensuring the outreach offer is intelligence and insight led;
- Ensuring equity of provision;
- Extending NHS Health Checks into communities of greatest risk and population groups who are not engaging through primary care;
- Maximising the opportunity of the NHS Health Check to increase awareness of health risks and nudge people into health improvement support services;
- Ensuring that the quality of delivery meets programme standards and communicates risk effectively;
- Maintaining the confidence and engagement of General Practice to ensure appropriate follow up patients with clinical risk;
- Managing the balance of quality, quantity and cost;

- Capitalising on opportunities to extend outreach offer (i.e. Mini Health Check, Lung Health Check);
- Providing universal and targeted offer;
- Ensuring capacity to reach those at greatest risk;
- Developing effective partnerships and pathways;
- Ensuring robust data flow to support timely follow up; and
- Ensuring appropriate clinical management.

5.2 To assist the Committee a survey was undertaken seeking views of those residents in Hartlepool who were eligible to receive the NHS Health Checks (Aged 40 – 74) to assist in the future development of the service. The survey received 247 responses from those eligible and the results of the survey, show the following:-

- 55% (n97) of those who responded (n176) stated that they were not aware that anyone between the ages of 40 and 74 could have a free Health Check.
- Almost 80% (n190) of those who responded (n241) stated they thought they could receive a NHS Health Check at a GP surgery, 45% (n109) in the Community e.g. at the Health Bus and 17% (n41) in the workplace. Almost 19% (n45) were not sure where the checks were carried out.
- Almost 56% (n135) of those that responded (n243) stated they had not been offered the opportunity of a NHS Health Check-in the last 5 years. 6% (n15) did not know if they had or not.
- 63% (n148) of those that responded (n234) had not taken up the offer of a NHS Health Check,
- From those who had not taken up the offer, over 80% stated that they had not received an invitation letter. When asked what would make it easier to access the NHS Health Check 48% (n112) of those who responded (n232) stated more availability was required within the community, 45% (n105) stated easier to understand information on how to get the check was required, 39% (n91) stated more flexible GP hours were required and 24% (n56) stated easier access in the workplace.
- When considering options for future delivery 42 responses were received with 59% (n25) stating that more publicity was required, through letters from GPs, posters, emails, media campaigns and adverts. 21% (n9) stated the service was fine as it was, with 10% (n4) stating more venues in the community were required. Other responses included improving information provided during health checks and mandating the provision amongst eligible Hartlepool Borough Council staff and offering to groups such as darts teams, bowling teams, etc.

5.3 In terms of the survey, optional questions were asked in relation to Equality and Diversity. Responses that were received were as follows:-

- From those that declared their postcode (n193) evidence was received for representation from all wards across Hartlepool.
- From those that declared their GP practice (n229) evidence was received of patients from all GP practices in Hartlepool.

- 99.6% of those that responded to the question (n229) were of white ethnic origin.
 - 47.8% (n111) of those that answered (n232) were male and 52.2% (n121) female.
 - 17% (n40) of those that answered (n232) considered themselves to have a disability.
 - 39.5% (n90) of those that answered (228) were in full time employment, 29.8% (n68) retired, 16.7% (n38) part time employed, 5.7% (n13) self employed, 3.5% (n8) permanently sick or disabled, 2.6% (n6) Looking after the home, 2.2% (n5) unemployed.
- 5.4 Key messages from the survey were that there needs to be increased promotion of the availability of NHS Health Checks.
- 5.5 In the light of the challenges in meeting the target outlined in Section 5.1, the next section of this report will begin to look at options for future delivery of the NHS Health Check Programme. Before considering the options, it is essential to consider the initial findings of the Tees Valley CVD Review in relation to GP provision. A critical part of the NHS Health Check Programme is to ensure a universal offer of a check is available to the eligible population.
- 5.6 The majority of Local Authorities in England contract with General Practice to deliver NHS Health Checks having built on historic commissioning arrangements between the former PCTs under Local Enhanced Service Contracting. General Practices are an ideal place for health risk assessments programmes to be carried out as they are the most accessed part of the healthcare system. As a provider they are unique in that they hold a registered patient list. This is required to establish the eligible population and manage a robust call and recall process which is central to the NHS Health Check programme succeeding in its aim of providing a universal and targeted offer. Over a 5 year rolling programme people will enter and exit the eligibility list continuously and utilising the practice record enables an annual refresh of eligibility to support effective call and recall processes. Due to Information Governance restrictions it is not possible for General Practices to share eligibility lists with community providers.
- 5.7 In Hartlepool 15 General Practices are commissioned using the Public Health Contract to deliver NHS Health Checks to their eligible population. Each practice is contracted to deliver offers of 20% of the eligible population and 60% uptake. In 2014/15 General Practice provided 2,002 at a cost of £60,757 (average of £30 per check). Part of the fee includes an incentivised payment for reaching those patients at greatest risk and from Quintile 1. There are clear variations in performance across the practices. In 2014/15, 11 of 15 practices achieved the required targets for invites and only 5 out of 15 achieved the uptake target. The reasons for variability in practice performance differ, it may be as a result of temporary loss in nursing capacity due to sickness, a difficult to engage patient list, organisational processes within the practice and prioritisation of other practice workload.
- 5.8 By using general practices to deliver Health Checks patients (and Commissioners) benefit from their clinical expertise and continuity of care as

they input into the whole of the pathway of care. For example, general practice can identify those eligible (based on their existing patient records), carry out the screening, diagnose any conditions as a result of the screen and implement a treatment plan within the practice or refer patients direct to secondary care (if appropriate). As a result, if this is undertaken effectively, the information flow and patient management is more timely; and by using recorded patient information to find those who are most at risk service provision can be prioritised for those at greatest need. Clinicians who work in general practice are uniquely placed to capitalise on their knowledge of their patients which is gained from repeated contacts over extended periods of time and robust patient information collection.

5.9 In summary, the review indicates that for the following reasons GP's are uniquely placed to meet this universal offer. This includes:

- i) The use of their patient lists to appropriately identify those who are eligible and over a five year rolling programme people will enter and exit the eligibility list. Utilising the practice record enables an annual refresh of eligibility;
- ii) Unique position in terms of not only the call and recall invitation process;
- iii) Their universal capacity to deliver against new and inspirational targets whilst signposting to lifestyle / behavioural change providers;
- iv) GP's have oversight of the whole pathway of care in relation to CVD and it can be assumed therefore the patients benefit from this continuity; and
- v) Clinicians in GP practice are uniquely placed to capitalise on their knowledge of their patients, gained from repeated contacts over extended periods of time and robust patient information collection.

5.10 Notwithstanding the above, there are opportunities to improve the offer of NHS Health Checks in practices as there is potential for the quality of the delivery of the check to vary across practices. There is also variation across practices in the number of invitations an assessments completed. The TVSPHS is reviewing the specification and performance requirements and this should address the anomalies in practice variation.

5.11 On balance, it is recommended that the GP universal provision is a fundamental part of the options to be proposed in 7.2 to 7.5. The main focus of the next section is therefore to consider how the universal GP offer can be complimented by a preferred model of community provision.

6 POTENTIAL MODELS

With the role of GP practices reinforced as a fundamental component of any model for the provision of NHS Health Checks, potential options for future community provision are:

Model One - GP Only

Model Two - GP and Nurse Bank in community setting

Model Three - GP and a mobile health improvement service

Model Four - GP, Mobile Health Improvement Service and Nurse Bank in Community Setting

6.1 Model One – GP Only

- 6.2.1 A further summary of advantages and disadvantages of Option 1 are outlined below.

Advantages:	Disadvantages
<ul style="list-style-type: none"> - Reduced cost as there is no community provision 	<ul style="list-style-type: none"> - Unlikely to achieve the additional assessments required to meet the target without a form of community provision - Cannot provide services on an outreach basis targeted in local communities to meet their needs. - Least likely to reach those at greatest risk.

6.2 Model Two – GP and Nurse Bank in Community Setting

- 6.2.1 The provision of a Nurse Bank in a community setting, provided through the TVPHSS, has performed well with significant success in engaging workplaces and providing reach and choice through community based delivery. In identifying options for improved access to those hard to reach that are in need of a NHS Health Check, the TVPHSS has undertaken a pilot project in Redcar and Cleveland, looking at a model for community work that utilises GP records and demographic data to identify areas /populations and focus resources where Primary Care provision of health checks are not reaching.
- 6.2.2 Supported by a Nurse Facilitator from within TVPHSS in the identification of appropriate sites, and partnerships with organisations who engage with target groups, Checks have been delivered in a range of community settings, including libraries. The checks have been delivered by a Health Check Nurse Bank, who is now an integral part of the TVPHSS. This 'outreach' approach is currently being evaluated; however, it has so far demonstrated the ability to significantly increase activity levels amongst the most disadvantaged groups through effective partnership working and use of

available intelligence. Payment for the activity provided by the Nurse Bank is on a payment by activity basis.

- 6.2.3 This targeted programme of work has been developed to take NHS Health Checks into community settings, utilising in-house resources through the existing Nurse Bank. The development of a similar model for Hartlepool would not only enable the use of the in-house Nurse Bank, but also take advantage of an opportunity to work with in-house Health Trainers. This would ensure the provision of a pathway that not only identifies and screens those at greatest risk, but also offers timely appropriate lifestyle support and integrates with GPs to ensure appropriate management, call and recall of the eligible population.
- 6.2.4 A further summary of advantages and disadvantages of Option 2 are outlined below:

Advantages:	Disadvantages
<ul style="list-style-type: none"> - No need for clinical locations, for example can be conducted in community centres, churches, libraries, leisure centres etc. - Flexibility and capacity to offer checks in multiple locations concurrently during the day on intelligence led basis, utilising existing community buildings and locations whilst sharing overheads in terms of pay and infrastructure. - Supports the development of community hubs. - Can recruit to in-house nurse bank as needed to respond flexibly to demand. - Maximise the use and role of in-house Health Trainers. - Opportunity to refer and signpost to other lifestyle services. - Can provide a mixture of appointment and drop in services. - Opportunity to align and expand the breadth of in house health improvement services currently provided with other public health programmes and lifestyle support services (i.e. Health Trainers / Physical Activity Team / Mainstream Leisure 	

<p>Services).</p> <ul style="list-style-type: none"> - Opportunity to utilise the analytical expertise of the TVPHSS to ensure the service is truly intelligence led and targeted on those not presenting within GP Practices. - Opportunity to utilise expertise within the local authority to build stronger links with partners who can support reach into targeted communities. - Ability to ensure that the service is equitable and / or locally determined across localities. - Can signpost and provide access to information on other commissioned health interventions and campaigns. - Known clinical governance of the Bank Nurse provision. 	
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6.3 **Model Three – GP and Mobile Health Improvement Service**

6.3.1 Option three, proposes universal GP provision and a mobile health improvement service delivering NHS Health Checks on a payment by activity basis. It is noteworthy that this option does not include the wider health improvement offer that the current service provides.

6.3.2 A summary of the advantages and disadvantages of the Option 3 are outlined below.

<p>Advantages:</p> <ul style="list-style-type: none"> - No need for clinical locations as mobile health improvement service provides facility - Can move to multiple locations on an intelligence led basis. - Can provide a mixture of appointment and drop in services. - Opportunity to connect with health improvement services currently provided by other public health programmes and lifestyle support services. - Can signpost and provide access to information on other health interventions and campaigns. 	<p>Disadvantages</p> <ul style="list-style-type: none"> - This option is similar to current service provision minus the wider health improvement activity and to date this model does not appear to offer the capacity to deliver against the target. - Is unable to be in several locations at the same time across the town unlike option 2.
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<ul style="list-style-type: none"> - Provides access in situations where no suitable premise is available (e.g. Council Depot). 	
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6.4. **Model Four - GP, Mobile Health Improvement Service and Nurse Bank in Community Settings**

6.4.1 This option is a combination of options 1, 2 and 3 including GP, mobile health improvement service and nurse bank in community settings. Payment to each of these providers would be on a payment by activity basis.

6.4.2 A summary of the advantages and disadvantages of Option 4 are outlined over the page.

Advantages:	Disadvantages
<ul style="list-style-type: none"> - No need for clinical locations, for example can be conducted in community centres, churches, libraries, leisure centres etc. - Flexibility and capacity to offer checks in multiple locations concurrently during the day on intelligence led basis, utilising existing community buildings and locations whilst sharing overheads in terms of pay and infrastructure. - Supports the development of community hubs. - Can recruit to in-house nurse bank as needed to respond flexibly to demand. - Maximise the use and role of in-house Health Trainers. - Opportunity to refer and signpost to other lifestyle services. - Can provide a mixture of appointment and drop in services. - Opportunity to align and expand the breadth of in house health improvement services currently provided with other public health programmes and lifestyle support services (i.e. Health Trainers / Physical Activity Team / Mainstream Leisure 	<ul style="list-style-type: none"> - Most expensive option.

<p>Services).</p> <ul style="list-style-type: none"> - Opportunity to utilise the analytical expertise of the Tees Valley Shared Public Health Service to ensure the service is truly intelligence led and targeted on those not presenting within GP Practices. - Opportunity to utilise expertise within the local authority to build stronger links with partners who can support reach into targeted communities. - Ability to ensure that the service is equitable and / or locally determined across localities. - Known clinical governance of the Bank Nurse provision. - Can move to multiple locations on an intelligence led basis. - Can provide a mixture of appointment and drop in services. - Opportunity to connect with health improvement services currently provided by other public health programmes and lifestyle support services. - Can signpost and provide access to information on other health interventions and campaigns. - Provides access in situations where no suitable premise is available (e.g. Council Depot). 	
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7 HEALTH IMPROVEMENT SERVICES AND THE NHS HEALTH CHECK PROGRAMME

- 7.1 The NHS Health Check Programme is a mandated service, as described in 10.1. Individuals who have had an NHS Health Check may require support and intervention either in primary or secondary care, or ideally through making behavioural and lifestyle changes. To support individuals to make those necessary changes to maintain and improve their health there are already a range of health improvement services available across the town. These services include Health Trainers, smoking services, brief interventions for drug and alcohol, sexual health services. As described in Section 4.2, there is also a Mobile Health Improvement Service in Hartlepool.

- 7.2 Members have begun to develop a vision for community hubs. It is envisaged that health improvement services will be a key component of a community offer. The concept of community hubs has emerged over recent months and the initial scoping and planning of what a community hub might deliver is underway. Therefore, until the full specification of the community hub is determined it is recommended that current model of service provision is maintained until such a time as the community hub model is implemented.
- 7.3 This proposal is not without its challenges given the propose in year cut in Public Health funding, of circa 6.4%, of which will most likely be reflected in funding to service provided.

8 FINANCIAL IMPLICATIONS

- 8.1 The table at confidential **Appendix B** outlines the financial implications of each of the 4 models and contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

9 CONTRACT / COMMISSIONING IMPLICATIONS

- 9.1 If Members accept that the provision of a universal GP offer is essential, then this can be secured through the direct award of a contract to all 15 GPs in Hartlepool and this would be effectively managed through the support of the TVPHSS.
- 9.2 The existing contract for the Mobile Health Improvement Service is due to naturally expire on 30th Sep 2015, therefore if Members accept that health improvement services should be maintained pending the implementation of a new model for the provision of community hubs, then any new provision in that regard would require a new quick quote procurement exercise for open market competition. Details of the contract value are outlined in confidential Appendix B, with funding for healthy heart checks through the Mobile Health Improvement Service on a payment by activity basis, and a 6.4% reduction on the remaining mobile health improvement service budget.

10 LEGAL IMPLICATIONS

- 10.1 The NHS Health Check programme is a mandated responsibility of the Local Authorities under the Health and Social Care Act 2012 and as such there is a duty to establish robust call and recall processes to ensure those eligible are invited for an NHS Health Check every 5 years and in addition to seek continuous improvement in take-up.

11 EQUALITY IMPACT ASSESSMENT

- 11.1 An equality impact assessment has been undertaken in relation to the preferred option (Option 4) and a copy of the assessment is attached at **Appendix A**.

12 RECOMMENDATIONS

- 12.1 That Members approve a universal provision for NHS Health Checks to be provided by GP's and subsequent contract award by 1st April 2016;
- 12.2 That Members support Option 4 as the preferred option for the future provision of community based NHS Health Checks in Hartlepool, as this it offers the necessary ability to meet required capacity and demand / need;
- 12.3 That the mobile health improvement service is reviewed in light of the development of health improvement services as part of the community hub model; and
- 12.4 Subject to approval of 12.2 above, a competitive tendering process is undertaken in September 2015 to secure an appropriate provider to deliver against a specification for mobile health improvement services for 12 months.

13 REASONS FOR RECOMMENDATIONS

- 13.1 That the provision of the NHS Health Heart Check is a mandatory responsibility for the Local Authority under the Health and Social Care Act 2012.

14 BACKGROUND PAPERS

- i) Health and Social Care Act 2012.
- ii) Finance and Policy Committee – 23 February 2015 (Report and minutes - NHS Health Check Briefing – Contract Review and Strategy Development)

15 CONTACT OFFICER

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NHS HEALTH CHECK – OPTIONS FOR FUTURE DELIVERY EQUALITY IMPACT ASSESSMENT

Department	Division	Section	Owner/Officer
Public Health		Health Improvement	Louise Wallace, Director of Public Health
Function/Service	NHS Health Check Delivery		
Information Available	<p>Within Hartlepool there is real variation in the uptake of primary prevention within the local population and evidence to suggest that interventions are not meeting those at greatest risk. The evidence base suggests that to address existing health inequalities, there needs to be greater targeted activity in respect of prevention, early diagnosis and intervention via systematic engagement with communities, families and individuals currently not connecting appropriately with health services.</p> <p>Engaging people at high risk of, or with, early established cardio-vascular disease, to enable them to access effective preventive strategies can help prevent or at least defer major (costly) impacts – e.g. strokes, renal failure, blindness and amputations in people with diabetes.</p> <p>The NHS Health Check has a well established track record across the Tees Valley, however, continuous improvement is always a priority, and a formal review of the provision across Hartlepool, Stockton, Redcar and Cleveland, Middlesbrough and Darlington is being undertaken by the Tees Valley Public Health Shared Service (TVPHSS). The review is to be completed in August 2015 and the Finance and Policy Committee, on the 23 February 2015, approved the extension of the contract for the provision of NHS Healthy Heart Checks through GP's for a further 12 months to fit in with this timetable.</p> <p>In addition to this, in further considering the commissioning of NHS Healthy Heart Checks, the contract for the provision of mobile health improvement services in Hartlepool was extended for 6 months to enable the development of a potential specification. The specification, which is to include wherever feasible and appropriate, the use of Council premises within the community (in particular Community Centre's and Libraries), will need to take effect by October 2015, when the current contract expires.</p> <p>In exploring potential options for the delivery of NHS Healthy Heart Checks in Hartlepool, in line with the wishes of the Committee, a review of the provision of the checks through a Mobile Health Improvement Service (MHIS) was undertaken between February 2015 and July 2015.</p> <p>The MHIS is commissioned to address existing health inequalities through the delivery of services in community/outreach settings, targeting activities on prevention, early diagnosis and intervention for families / individuals currently not connecting with health services. The service is of a specialist nature, staffed by health professionals and was clinically assessed in 2014 as being compliant to meet existing community need in the provision of easy public access to health improvement interventions.</p> <p>The MHIS aims to extend the reach of health information and advice to targeted communities (over 18) across all Wards in Hartlepool but priority wards which the service must target are:</p> <ul style="list-style-type: none"> • Fens and Rossmere • Victoria • Manor House • Jesmond • De Bruce 		

	<p>Hard to reach groups which the service must target include individuals aged 40-55 years, with a specific focus on men and ethnic groups.</p> <p>The provider offers evidence-based brief interventions and NHS health checks in line with national guidance and local protocols; advises patients about health risks and signposts them to local lifestyle behaviour change services; makes referrals when appropriate and records and reports this activity.</p> <p>When Health Check data from all delivery services (GP, community nurse bank and MHIS) is analysed against the targets, it is clear that the existing NHS Health Check model in Hartlepool will not achieve the ideal take up rate of the National Programme (75% of those eligible to take up the offer over a rolling 5 year period).</p> <p>The Council also took part in a self assessment pilot developed by Public Health England, bench marking NHS Health Check performance, against national guidance, to identify opportunities for locally led improvement. The result of the assessment highlighted that Hartlepool is not performing well in terms of the uptake by those eligible to receive the check, with offers being made not generally being converted into a high ratio of assessments.</p> <p>In the light of the challenges in achieving the best possible take-up rate for NHS Health Checks, a report to F&P Committee in August 2015 will set out four options for future delivery of the NHS Health Check Programme. Each of these options has been assessed for their impact on the equality and diversity of the health check programme:</p> <p>Option One - GP Only Option Two - GP and Nurse Bank in community setting Option Three - GP and a mobile health improvement service Option Four - GP, mobile health improvement service and Nurse Bank in community setting</p>	
Relevance <i>Identify which strands are relevant to the area you are reviewing or changing</i>	Age	Y
	Disability	Y
	Gender Re-assignment	
	Race	Y
	Religion	Y
	Gender	Y
	Sexual Orientation	
	Marriage & Civil Partnership	
	Pregnancy & Maternity	
Information Gaps	<p>A survey was undertaken seeking views of those residents in Hartlepool who were eligible to receive the NHS Health Checks (Aged 40 – 74) to assist in the future development of the service. The survey received 247 responses from those eligible. In terms of the survey, optional questions were asked in relation to Equality and Diversity:</p> <ul style="list-style-type: none"> • From those that declared their postcode (n193) evidence was received for representation from all wards across Hartlepool. • From those that declared their GP practice (n229) evidence was 	

	<p>received of patients from all GP practices in Hartlepool.</p> <ul style="list-style-type: none">99.6% of those that responded to the question (n229) were of white ethnic origin.47.8% (n111) of those that answered (n232) were male and 52.2% (n121) female.17% (n40) of those that answered (n232) considered themselves to have a disability.39.5% (n90) of those that answered (228) were in full time employment, 29.8% (n68) retired, 16.7% (n38) part time employed, 5.7% (n13) self employed, 3.5% (n8) permanently sick or disabled, 2.6% (n6) Looking after the home, 2.2% (n5) unemployed. <p>The report recommends that the mobile health improvement service is reviewed in light of the development of health improvement services as part of the community hub model.</p> <p>No other information gaps have been identified during the review process.</p>		
What is the Impact	<p>Throughout the process, the impact of any decisions in relation to the three aims of the Equality Duty have been considered:</p> <ol style="list-style-type: none">1. Eliminate unlawful discrimination, harassment, and victimisation and any other conduct that is prohibited by the Act.2. Advance equality of opportunity between people who share a protected characteristic and those who do not.3. Foster good relations between people who share a protected characteristic and those who do not. <p>The report recommends that Members support Option 4 as the preferred model for the future provision of community based NHS Health Checks in Hartlepool, as this offers the necessary ability to meet required capacity, demand and need across the population. This ensures there is no/minimal impact on members of the community taking up the offer of a health check as this gives the widest range of opportunities and locations to access the service.</p>		
Addressing the impact	<p>1. No Impact- No Major Change - It is clear that there is no potential for discrimination or adverse impact on the above Protected Characteristics. All opportunities to promote Equality have been taken and no further analysis or action is required.</p>		
Actions			
<i>It will be useful to record and monitor any actions resulting from your assessment to ensure that they have had the intended effect and that the outcomes have been achieved.</i>			
Action identified	Responsible Officer	By When	How will this be evaluated?
Initial Assessment	06/08/15	Reviewed	00/00/00
Completed	06/08/15	Published	00/00/00

FINANCE AND POLICY COMMITTEE

28th August 2015



Report of: CHIEF EXECUTIVE

Subject: REFERRAL FROM COUNCIL (COUNCIL MOTION
FROM 25th June 2015)

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To consider the report and recommendations required by the Motion agreed by Council on 25th June 2015

3 BACKGROUND

- 3.1 The motion passed at council on 25th June 2015 was as follows

“The Policy Committee system, which this Council has developed, provides a role for all members. The public are encouraged to attend Policy Committee meetings and forums to voice their views. Our Policy Committee system has been recognised as a model of good practice and a number of other Councils are considering implementing this model of governance.

We propose that action is taken to ensure that Council business is conducted with dignity and in a way that supports open, transparent and effective democracy. We therefore resolve that the Chief Executive be instructed to compile a report, which incorporates proposals for the management and filming by the Council, of Full Council meetings and for the publication of the unedited video on the Council website. To this end, a report will be presented to an early meeting of the Finance and Policy Committee

The Report drafted by the Chief Executive should, where possible embrace, act upon and follow explicitly the recommendations, suggestions and guidelines of good practice as outlined verbatim in the document entitled “The openness of local government bodies regulations of 2014”.

- 3.2 There are a number of potential considerations arising from such a motion (both direct and indirect) in respect of this matter.
- 3.3 It is important as part of any considerations around such matters that we recognise the status and importance, in a democratic society, of the ability to express views in an environment of mutual respect, and in a manner that encourages debate. It is in the best interests of this Council that matters of importance can be constructively debated in the Council Chamber. It is to this end that we have the Code of Conduct for Councillors and Co-opted Members (Part 5 of the Constitution) and have identified people's responsibilities (Part 2, Article 3, 3.02 of the Constitution).
- 3.4 In this context the Council and our partners face unprecedented challenges. Over the past 5 years the council has had to manage a 39% (£30.4M) cut in Government funding and faces some of the most extreme challenges in relation to tackling the causes and consequences of social and economic disadvantage. Over the next five years the Council and our partners will face further budgetary challenges as austerity continues and important decisions will need to be considered as respond to these pressures and shape the future of the Borough. The Council will also have to manage the financial impact of a significant reduction in the rateable value of the Power Station.
- 3.5 Rising to these challenges will require the Council to enable local people to be engaged in understanding the choices we face and in helping to shape solutions. It will also require debate in the Council Chamber to be conducted in an atmosphere of respect and in a way that facilitates all members to participate in debate on the important issues and questions that matter and enables the public to observe the debate through attendance at meetings or by accessing good quality footage.
- 3.6 Over the past 12 months concerns have been expressed from both Elected Members and members of the public in respect of the conduct of Council meetings in the Chamber. This has been a matter of concern to myself and the Monitoring Officer. These concerns relate to the balance between the time spent on Council business as opposed to questions and Motions, the way in which debate is conducted, and on occasions the level of disruptive behaviour. In addition concern has been expressed about the quality and posting of footage on social media and to a lesser degree the quality of the audio system in the Chamber.

4 OPTIONS AND PROPOSALS

- 4.1 There are a number of elements to consider as part of this report. Any considerations or recommendations have been identified in the light of The Openness of Local Government Bodies Regulations 2014 which make provision for members of the public to 'report and commentate' on local authority meetings. This 'reporting' allows for the filming of proceedings and for the use of a 'wide range of methods including social media'.

4.2 **Filming of Council Meetings**

- 4.2.1 The motion makes specific reference to the filming of meetings of Full Council and in addition a petition has been received which calls for the Council to consider the web based broadcasting of all its public meetings.
- 4.2.2 In dealing with the two aspects above separately, and considering the motion agreed at Council first.
- 4.2.3 Filming of the business of Full Council meetings can be undertaken at limited addition cost (essentially staff time) and from a fixed point in the Council chamber using one camera before being uploaded to be viewable via the Council's website. Sound quality is important and various options have been considered to ensure a standard which ensures that proceedings can be clearly heard. The filming would commence with the entry of the Mace and cease as the Mace leaves the Chamber. Uploaded films would be unedited. Any options which consider more than a single point of filming have not been costed. This provision does not exclude members of the public from making their own recordings of proceedings. The cost for this is one off and whilst some additional work is required the required budget of £2500 has been identified for suitable equipment should this be agreed.
- 4.2.4 The second element, the web based broadcasting of all public meetings has also been investigated. In the last Municipal year there were almost 300 meetings held which would be covered by the terms of the petition received. All of the meetings which are encompassed by this are in the public domain (although they may have elements which are covered by confidential "Pink Papers" the provisions for which apply to all councils). Such a move would require significant investment in equipment and infrastructure across the Council Chamber and Committee rooms. Initial investigations into web broadcasting all public meetings have identified an upfront capital cost of approximately £50K (equipment and adaptations for all 5 rooms) and then annual costs of £30K per annum. At this stage these are estimates as detailed specifications and requirements have not been determined and the model above is based on minimal Council staff input due to current resource constraints.

4.3 **Quality of audio / Council microphone system**

- 4.3.1 There have been some concerns raised about the quality of the audio in the Council Chamber (though less so in committee rooms). Whilst these have been limited I have taken the opportunity to look into options and potential costs of change.
- 4.3.2 The current system is a wireless system which can be used very flexibly from one room to another as it requires no hard wiring in any of the rooms and this allows for various set up options.
- 4.3.3 A number of alternatives have been considered and advice sought from a number of potential suppliers. In simplistic terms the suppliers have all

commented that the current system is of high quality and whilst the Council may wish to consider a replacement system this would largely be on a like for like basis, the costs of this would be in the region of £30K. A suggestion has been made by one of the suppliers that some of the issues may relate to the speaker system and the low quality of the current speakers. This can be investigated further should members wish. (the cost, should this option be pursued, is approximately £1k per set equating to £5k in total)

4.4 Standards of Behaviour

4.4.1 Full Council is the only meeting attended by all Councillors. It makes decisions on a range of key and important strategies, and policy decisions of the Council (which aren't the subject of individual policy committees). Further, those matters which form part of the Budget and Policy Framework (not least the budget itself) and the place for the consideration of motions and questions.

4.4.2 The Constitution identifies the role and scope of Council and the various participants in such meetings (Councillors, the public and officers – primarily myself and the Monitoring Officer). The Constitution also identifies a Code of Corporate Governance, Code of Conduct for Councillors and an Officer / Member protocol. All of these aspects of the Constitution are designed to support a model of effective governance, undertaken in the context of mutual respect but with clearly defined roles and expectations around support, advice and appropriate challenge. Such codes and protocols between members (and between officers and members) have previously been underwritten with statutory frameworks for codes of conduct and actions. The former 'sanctions' that could be imposed for breach of the Code of Conduct are no longer in place and hence that degree of robustness has disappeared. Members may wish to give consideration to those matters and it has been suggested that a non statutory 'local sanctions' framework could be developed, provided all members were prepared to commit and regulate their behaviour through such a process. This is an initiative that together with training will be progressed with members through the Monitoring Officer and is identified further on in this report.

4.4.3 Rules of debate

4.4.4 Council Procedure Rule 15 provides an explanation as to the proper process to be followed in dealing with Council Motion's and the 'rules of debate'. It is also important to understand and recognise that it is the Chair of the meeting who regulates proceedings and preserves order at that meeting. A Motion or any amendment thereto, should not be discussed unless the matter has been formally proposed and seconded. It also assists the conduct and propriety of the meeting if a Motion, where notice has not been given, is written down so that an accurate record of the proceedings can be established and that all Councillors (and members of the public attending) are fully conversant with the content of that Motion.

- 4.4.5 It is permissible for a Member to reserve his/her speech until a later stage of the debate, but this needs to be openly declared, accepted by the Chair and not form the basis for the Member having the ability to essentially repeat what they have already stated earlier in the debate, to the detriment of the rules on debate and the general conduct of the meeting. The Procedure Rules also outline the permitted length of a speech, being ten minutes for the mover of a Motion and four minutes in all other cases and Members should endeavour to accord with this requirement, unless the Chair directs otherwise. If a Member reasonably believes that they need to address the meeting on a 'Point of Order' (an outline of the breach of a Procedure Rule or the law being required) or on a 'Personal Explanation' (to correct a misunderstanding) they should be guided by the Chair and any advice provided to the Chair from the statutory officers. Members should address such points through the Chair and recognise the authority vested in the Chair to conduct the meeting in a fair, impartial but also in a manner that effectively and efficiently transacts the business of that meeting.
- 4.4.6 Members should be conversant with the Council's Code of Conduct and the general principles that underpin the conduct expected of individuals exercising public functions. Equally, they should be aware that comments made in a Council meeting, accepting the political environment, can cause or have the potential of causing financial and reputational damage to the Council. Indeed, such behaviour can have immeasurable and lasting effect and damage on a local authority. Members need to be aware that they have only qualified privilege on statements made in formal Council meetings. If they make a remark which is defamatory and the same is seen to be malicious, then they will lose that 'privilege' and not be indemnified for any resulting action taken against them.
- 4.4.7 As indicated, in the Constitution at Part 2, Article 3, 3.02 (Peoples Responsibilities) there are expectations in respect of both responsibilities and the behaviour of members of the public. It is clear from this that participation is encouraged in its broadest sense in terms of registering and exercising their ability to vote. By the same token it identifies that
- People are expected to behave in a manner that contributes to the wellbeing of the Borough
 - People must not be violent, abusive or threatening to Councillors or Officers.
- 4.4.8 A proposal is made below in relation to the possible options in respect of inappropriate behaviour by Elected Members. Inappropriate behaviour by Officers is already the subject of a defined process.
- 4.4.9 The procedure for dealing with Disturbance by the Public requires further consideration to ensure that standards are maintained and the ability for full and unencumbered debate is enabled.
- 4.4.10 There are generally recognised standards of behaviour for a range of settings and for a Council meeting this should exclude heckling and any form

of intimidation. I should make it clear that my intention in this regard is not to stifle debate, but debate on the floor of the Council is for Elected Members and that debate, whilst it may be robust should not become either heated or rowdy.

- 4.4.11 On this basis and in line with my own expectations of how such meetings should operate the Monitoring Officer and myself will take appropriate action through appropriate advice to the Chair where standards of behaviour are not satisfactory. This will include but not be limited to the ejection of those behaving inappropriately, the temporary adjournment of the meeting and in extreme cases (and I would hope that this would never be necessary) the involvement of the Police.

4.5 **Sanctions for inappropriate behaviour**

- 4.5.1 Whilst the 'Standards for England' (formerly 'The Standards Board for England') and other associated elements of the frameworks for the sanction of members for inappropriate behaviour have been removed there is no reason why members cannot agree to the establishment of a locally determined framework for sanction consistent with the adopted Code of Conduct and its principles. Such an arrangement (with the explicit agreement of all members to be part of such a model) could be developed to be agreed by members through the Monitoring Officer. Such a framework would need to include the necessary procedural aspects in conjunction with agreed sanctions. If this is to proceed it is important that all members are committed and that there is universal and unqualified support to such a framework.

4.6 **Role of the Ceremonial Mayor**

- 4.6.1 The Ceremonial Mayor is the Chair of Council and has a number of roles as outlined in Part 2 Article 5 of the Constitution. Not least of these roles (and this is not exhaustive) are;
- To be first citizen of the Borough
 - Preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Members and the interests of the community
 - Ensure that the Council meeting is a forum for the debate of matters of concern to the local community and a place at which Members can ask questions of the Chairs of Committees and Sub – Committees
- 4.6.2 It is important that all participants in Council meetings recognise the position of the Ceremonial Mayor and behave with due and appropriate respect to enable the business of Council to be transacted in a positive manner which reflects well on the Council.

4.7 **Standing for the Mace**

- 4.7.1 The Mace is a symbol of the Council. Standing for the Mace is recognition of the role of Council. Whilst it may be perceived as purely ceremonial it is an important part of the democratic process and agreed convention is that Elected Members, the public and officers stand for the Mace when it enters and leaves the Council chamber. It is also recognised convention that this is done with appropriate deference. It is recommended that all concerned are reminded of this protocol.

4.8 **Timings of Council meetings**

- 4.8.1 Currently Council meetings are held at 7pm and this is incorporated in Part 4 of the Constitution. Previously Council meetings operated an alternate cycle of 2pm and 7pm. This cycle was changed a number of years ago. There are considerations in respect of both options for the timings of meetings in terms of accessibility and ability for individuals to attend which mean that there is no simple or correct answer. Members may wish to consider options in relation to the timing of Council meetings. In the absence of any strong argument either way it may be appropriate to leave meeting times as they are.

5 **FINANCIAL IMPLICATIONS**

- 5.1 The majority of the considerations in the report do not carry with them any direct financial implications.
- 5.2 Members will be well aware of the significant financial pressures facing the Council and these also relate to staffing resources to support new activity and it is for this reason that it is not intended to restate them but for members to consider these as part of their deliberations.
- 5.3 A summary of the potential implications is shown below

Item	Capital	Revenue (ongoing costs)
Single point of filming for Council Meetings	£2.5K	None
Web broadcasting of all council meetings	£50K	£30K
Placement audio system	£1K per set of speakers – total cost of £5K; or £30K for a replacement microphone system	None

- 5.4 As is stated in the report there is currently no budget provision for the options identified. The equipment for the single point of filming can be accommodated from within existing budgets as the equipment can be used for other Council based projects and activity.

- 5.5 In relation to the web broadcasting of all council meetings and the replacement audio system there are both capital and ongoing revenue costs to these over and above current budget provision. They are significant costs and it is not recommended to pursue these. Should members determine to agree to such changes then for any ongoing revenue costs the implications of these will need to be factored into a greater deficit than that already considered by members and for any capital costs consideration would need to be given in respect of the projected outturn. In respect of the projected outturn and the MTFS members have already considered reports recommending the utilisation of any such monies to support the increasing budget deficit and issues from the power station revaluation.

6 RECOMMENDATIONS

- 6.1 That the Committee recommends to Council the following;
- 6.1.1 Agree to officers of the Council filming and uploading the film of Council meetings
- 6.1.2 Not pursue the streaming of all meetings.
- 6.1.3 Not to consider the replacement microphone system at this stage but for officers to consider the options of replacement speakers in the first instance and should this be unsuccessful to revisit this issue.
- 6.1.4 Note and endorse the proposed approach for myself (as Head of Paid Service) and the Monitoring Officer in terms of Standards of Behaviour
- 6.1.5 Consider and agree the proposal for the development of locally agreed arrangements for sanctions for inappropriate behaviour by Elected Members
- 6.1.6 Note the considerations in respect of the role of the Ceremonial Mayor.
- 6.1.7 Agree to the reinforcement of the requirements in respect of the Mace.
- 6.1.8 Consider the options available for the timing of Council Meetings.
- 6.1.9 Agree to the Monitoring Officer making any required incidental changes to the Constitution following the resolutions of Council.

7 REASONS FOR RECOMMENDATIONS

- 7.1 The recommendations detailed in the report reflect the requirements of the Motion agreed at Council and other considerations I have identified for consideration.

8 BACKGROUND PAPERS

There are no background papers

9 CONTACT OFFICER

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FINANCE AND POLICY COMMITTEE

28th August 2015



Report of: ASSISTANT CHIEF EXECUTIVE

Subject: REFERRAL FROM COUNCIL (COUNCIL MOTION FROM 26th February 2015)

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

2.1 To follow up on the motion to council on 26th February 2015.

3 BACKGROUND

3.1 The motion passed at council on 25th June 2015 was as follows :

“That the principal of introducing a formal Appraisal Scheme for Elected Members be endorsed.”

3.2 The motion above was passed after the consideration of the question (and response) shown below.

“Can the Chair of Finance and Policy Committee briefly explain how HBC appraises its staff?”

“The Chair of Finance and Policy Committee responded that Council had an appraisal scheme that applied to all council employees, with the exception of teachers (who have their own separate scheme) and those employed for less than 12 months in any one period of continuous service. The scheme was based on a competency framework designed to develop individuals and improve performance, the framework was relevant to all areas of the Council and comprised of a number of core competencies which were applied to every employee, in addition there were further competencies that were selected based on their relevance to a particular role. The Chair added that in order to ensure that all employees were afforded the opportunity of participating in the appraisal process, a condensed version of the scheme had also been developed. The condensed version was based on the principles of the standard version however, it could only be applied to posts, identified by departments where assessment was required solely against the

core competencies, this tended, though not exclusively to operate in former blue collar areas. The Appraisal Scheme required appraisals to be undertaken on an annual basis and followed up by a 6 monthly review. Some areas of the Council do monitor completion rates for appraisal. This was not monitored corporately in terms of implementation but was a recognised part of management and staff development arrangements.

Following the response, Councillor Brash advised that he had no issue with the appraisal scheme. Reference was made to debate earlier in the meeting regarding the 'worth' of Elected Members and it was highlighted that those Elected Members did not have an appraisal."

3.3 It was agreed at the meeting that a report would be required based upon the principle of implementing a scheme.

3.4 There are a number of potential considerations arising from such a motion (both direct and indirect) in respect of this matter.

4 STAFF APPRAISAL

4.1 The staff appraisal system is undertaken as outlined in the response to the question above. Appraisals are undertaken by Line Managers as part of their professional roles and combine an assessment of performance, core competencies and achievement of planned objectives and outcomes (which are in a significant proportion of cases derived from the Council plan or other underpinning plans). As part of the process of appraisal an assessment and discussion are held, in a confidential setting, in respect of potential training needs based either on planned service developments, the competency assessment, performance or a potential need / desire for development from the individual as part of their professional development.

5 INVESTIGATION OF OPTIONS

5.1 This Council has, to the best of my knowledge, never operated an appraisal system for members. On this basis I have contacted a number of Councils and colleagues at the Local Government Association for their thoughts on such an arrangement. As it stands I have not been able to identify a Council that operates an appraisal system which I would describe as such.

5.2 Currently at the Council there are a range of options for Member Development which are managed through Member Services. Such arrangements are available for all members and are made available to new and returning members after elections.

5.3 A number of Councils have in place schemes for member development but these are not appraisal systems. Those arrangements which are in place operate in one of 4 ways (and these are essentially simplified examples);

- Structured Assessment (1) - Member Development Officers or equivalent resource undertake a structured assessment, hand-in-hand with

members on their training and development needs. From this a development plan is agreed. Take up and commitment to these arrangements varies significantly from Council to Council.

- Structured Assessment (2) – there are few examples of this that I could find but these are examples where the leader of each political group undertakes a similar assessment to that identified above with the members of their groups.
- Member Annual Reports – a small number of Councils require each elected member to produce an annual report of activity in the year. The production of such reports is aligned to the payment of increased allowances when recommended by the Independent Remuneration Committee. A review of these has identified that they are very generic and relate to meetings attended and very broad descriptions of activities undertaken.
- Informal political group based arrangements – such arrangements tend to have some structure around them but are based on each political groups internal management arrangements (obviously such arrangements do not take into account Independent members). It is unclear the extent to which these are appraisal systems and appear to be more internal group support arrangements. I have not attempted to investigate these further as they are politically based arrangements.

5.4 The arrangements for member development vary significantly between councils and in all of the arrangements I have managed to identify I cannot find an appraisal system for members which includes what I would define to be the key aspects of such a system. Namely that it offers a structured assessment of both actual performance and achievement of objectives, allied with an assessment against core role competencies and identified training needs to support current performance and ongoing development.

5.5 In addition to the nature of any potential system the operation of it would require significant consideration. I have outlined a range of points for consideration below.

- An appraisal system for Elected Members should not involve Officers. It would be inappropriate for officers to have any involvement in the appraisal arrangements other than in supporting the potential delivery of training requirements identified through the process.
- I can find no examples of what I would describe as an appraisal system for Elected Members.
- Whatever arrangement may be considered I cannot identify an appropriate way to make it work other than to utilise the arrangements within political groups. On this basis the assumption would be that group leaders would appraise group members but I do not believe it is appropriate for Council (or an officer such as myself) to determine group management arrangements. This is rightly an issue for groups to determine themselves.
- Not all Elected members are members of Political groups
- In the light of the significant pressures the Council faces financially and those which are currently placed on officers I would not recommend

further investigation of this matter to be a good use of staffing resource in the Council.

6 CONCLUSIONS

- 6.1 The basis for employee appraisal is a dialogue between a line manager and the member of staff based on a set of agreed competencies and objectives (or targets) which are linked to Council objectives. This results in an assessment of performance which is shared between these individuals and, where appropriate, the identification of suitable development or training.
- 6.2 Arrangements for member development vary between councils but I can find no working appraisal systems for Elected Members which offer a structured assessment of both actual performance and achievement of objectives, allied with an assessment against core role competencies and identified training needs to support current performance and ongoing development.
- 6.3 Any such system, where it agreed, would require significant development and there are no current resources available to do this. At this stage I have not attempted to quantify and resource implications as the nature and operation of any scheme (including any internal resources to support its development would significantly affect this and I have not been able to identify this from another authority as I cannot locate a comparable appraisal system.

7 RECOMMENDATIONS

- 7.1 It is recommended that Members of the Committee –
- a) Note the content of this report;
 - b) Consider the various arrangements identified in the report;
 - c) Determine whether there should be -
 - a corporately mandated approach to the appraisal of Elected Members,
 - an arrangement for political groups to determine such arrangements as they may see as being appropriate,
 - no additional arrangements made for a member appraisal system;
 - d) Should it be decided that there be a member appraisal system developed the costs for development and ongoing operation will need to be identified and provided for.

8 REASONS FOR RECOMMENDATIONS

- 8.1 The report considers options and other arrangements in place in other Councils, in so far as these have been identified. In doing so whilst there are member development arrangements in place in a number of councils , including this one, I can find no examples of appraisal systems which offer a structured assessment of both actual performance and achievement of objectives, allied with an assessment against core role competencies and identified training needs to support current performance and ongoing development

9 BACKGROUND PAPERS

There are no background papers

10 CONTACT OFFICER

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FINANCE AND POLICY COMMITTEE

28th AUGUST 2015



Report of: Chief Executive and Director of Regeneration and Neighbourhoods

Subject: **PROPOSED CLOSURE OF HARTLEPOOL MAGISTRATES' COURT AND COUNTY COURT**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non-key decision.

2. PURPOSE OF REPORT

- 2.1 To consider Ministry of Justice proposals to close Hartlepool Magistrates' Court and County Court.
- 2.2 To make recommendations to Council following the referral from their meeting on 6 August.

3. BACKGROUND

- 3.1 On July 16 the Ministry of Justice announced a proposal to close 91 Courts and Tribunals in England and Wales, including Hartlepool Magistrates' Court and County Court. The proposals also includes the integration of a further 31 Courts and Tribunals. The proposals for closure affects 57 Magistrates Courts, 19 County Courts and 2 Crown Courts, whilst the integration will involve 2 Magistrates Courts, 11 County Courts, 2 Crown Courts, 15 Tribunal hearing centres and one Combined Court. In all 257 Magistrates Courts rooms would close representing 23% of the current figure. A further 21 Crown Court rooms closing would represent 4% of the total figure.
- 3.2 These proposals are similar to the closure programme announced in December, 2010, which saw the closure of 141 Courts. The current proposals would see the work from Hartlepool Magistrates' Court and County Court transferred to the Teesside Magistrates Court and County Court in Middlesbrough. Further, the Durham Elevet House Tribunal would be integrated within other tribunal sites in County Durham. Whilst the Middlesbrough Tribunal Hearing Centre would be integrated within the Teesside Magistrates Court, and the Quayside House Newcastle Tribunal

would be integrated with the North Shields (King Court) Tribunal. Other proposed closures in our region include the Consett Magistrates Court and Morpeth County Court.

- 3.3 Although this programme of proposed closures is aimed at addressing Court buildings that are not fully utilised and the greater use of technology through video and telephone conferencing, it is also suggested that other public buildings could be used, particularly in rural locations, where security arrangements are considered to be low. The Ministry of Justice consultation on the proposals closes on 8 October.
- 3.4 At their meeting on 6 August, Council were informed that the through the Chief Executive, the Leader of the Council had written to a number of organisations involved in the criminal and civil justice system seeking their views on the proposed closure with the intention of providing a detailed report to the Finance and Policy Committee on 28 August, and a subsequent report to Council on 17 September, thus enabling a formal Council response to be provided to the Ministry of Justice within the requisite timescales. The Safer Hartlepool Partnership will also receive a report on this matter for their information.

4. MINISTRY OF JUSTICE CASE FOR CHANGE

- 4.1 As highlighted in the Ministry of Justice consultation documentation (Attached as Appendix A) the underlying rationale for the proposed closure /integration of a number of courts and tribunals nationally is that the current Courts and Tribunal Service estate does not meet the strategic requirements of the organisation, with the current size and associated cost of the estate being unsustainable in the current financial context.
- 4.2 There are currently 460 courts and tribunal hearing centres in England and Wales and the proposals relate to the closure of 115 buildings where work will be transferred/integrated with another court or tribunal. In considering which courts/tribunal centres should close and be integrated into other centres the Ministry of Justice has been guided by the following principles:
- **Value for money** – which it is anticipated will be achieved by reducing the current and future running costs of the estate and maximising capital receipts from disposals to allow for reinvestment in the estate.
 - **Access to justice** – which it is anticipated will be maintained by ensuring that any court to be considered for closure is within a reasonable distance of a retained court by public transport
 - **Enabling efficiency longer term** – which it is anticipated will be achieved by hearing the same amount of cases within a rationalised estate; maintaining capacity within estates; and keeping larger easily upgradable buildings.
- 4.3 At the heart of the programme for reform are the use of modern technology and the principle of proportionality. It is felt that straightforward transactional

matters (such as probate or pleading guilty and paying a fine) can be dealt with using digital technology. Equally it is felt that straightforward cases do not need face to face hearings and that judges will be able to reserve court hearings for more sensitive or complex cases.

- 4.4 It is also envisaged that modern technology could result in wider reductions in costs to the justice system as a whole by removing the need for the transportation of prisoners for bail hearings, or the police taking full days off their priority work to sit in a court room. Some existing examples highlighted in the consultation include Police Officers giving evidence over a live video link, and users in some jurisdictions having cases progressed or considered through telephone hearings or on papers, so that they do not need to attend a hearing in person. Where attendance at a hearing is needed other civic or public buildings could be used for hearings where security requirements are low.
- 4.5 The proposals for closure that would impact on the Hartlepool community include the local Magistrates' Court and County Court ; Middlesbrough Tribunal Hearing Centre (to be transferred to Teesside Magistrates); Quayside House Newcastle Tribunal (to be transferred to North Shields Kings Court).

5. PROPOSALS TO CLOSE HARTEPOOL MAGISTRATES COURT AND COUNTY COURT

- 5.1 Hartlepool Magistrates' Court and County Court is one of two Magistrates' Courts and one of two County Courts operating in Cleveland, the other Magistrates court being Teesside Magistrates Court and the other County court being Middlesbrough County Court which is part of Teesside Combined Court. Of historical note, the former Guisborough Magistrates' Court and Stockton County Court were subject to closure under earlier reforms, with work passing to the Teesside Courts.
- 5.2 Hartlepool Magistrates' Court and County Court were purpose built in 1979 as a Magistrates Court and was later adapted to accommodate Hartlepool County Court. It comprises 5 court rooms where criminal, civil and family hearings are held; and 2 county court district judges hearing rooms. There are also 10 cells in the building with secure access to 3 out of the 5 courtrooms. The court has a prison video link and facilities for vulnerable witnesses to give their evidence via video link to one courtroom. The court room has separate waiting facilities for prosecution and defence witnesses and there are interview rooms available for private consultation.
- 5.3 Teesside Magistrates' Court and Teesside Combined Court Centre are also said to offer good facilities for Courts and Tribunal Service users. However the courts at Teesside and Hartlepool are both under used with the consultation highlighting that during 2014/15 Hartlepool Magistrates' Court and County Court was utilised at approximately 47% of its capacity.

- 5.4 Given the underuse of Hartlepool Magistrates' Court and County Court it is proposed to close the 'Hartlepool Courts' and transfer relevant business to the courts at Teesside, with the Teesside Combined Court also absorbing tribunal work following the proposed closure of the County Court. The proposed closure of the Quayside Court at Newcastle will also see employment tribunal work transfer to North Shields Kings Court.
- 5.5 The Impact Assessment undertaken in relation to the proposals accepts that these proposals may give rise to users experiencing longer travelling times, and higher costs due to the need to travel further. The road and rail, and bus links between Hartlepool and Middlesbrough, and the approximate cost of a rail ticket (£4.50) and a bus ticket (£7.70) are not judged to impact adversely on access to justice.
- 5.6 To illustrate the impact of changes that would result should the court close, a travel model has been adopted which looks at the current catchment area of the court and the population within it, and the travel time from the centre of the catchment area to the existing and proposed court by both car and public transport based on the existing court workload. Travel time data pre and post closure is illustrated below:

Magistrates' workload:

Before	Time	%	After	Time	%
By Car	0-30min	100%	By Car	0-30min	97%
	30-60min	0%		30-60min	3%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	90%	By Public Transport	0-30min	0%
	30-60min	9%		30-60min	7%
	60-120min	0%		60-120min	91%
	>120min	0%		>120min	0%
	no data	1%		no data	2%

Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	100%	By Car	0-30min	97%
	30-60min	0%		30-60min	3%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
	0-30min	90%		0-30min	0%
	30-60min	9%		30-60min	7%

By Public Transport	60-120min	0%	By Public Transport	60-120min	91%
	>120min	0%		>120min	0%
	no data	1%		no data	2%

County workload:

Before	Time	%	After	Time	%
By Car	0-30min	100%	By Car	0-30min	79%
	30-60min	0%		30-60min	21%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	67%	By Public Transport	0-30min	0%
	30-60min	31%		30-60min	5%
	60-120min	1%		60-120min	92%
	>120min	0%		>120min	0%
	no data	1%		no data	3%

6. CONSULTATION

- 6.1 As outlined in the background to this report to enable a considered response to the Ministry of Justice proposals, correspondence was sent to relevant partners operating within the criminal and civil justice system seeking their views on the proposals to close Hartlepool Magistrates' Court and County Court. It is also acknowledged that organisations such as the Law Society are also concerned as to these proposals on the basis of 'promoting and protecting access to justice for all'.
- 6.2 Responses to the consultation were received from across Council departments; Cleveland Police; the Leader of Sunderland Council; Cleveland Police and Crime Commissioner; the Chairman of the Bench for the Local Justice Area of Hartlepool; a local solicitors practice, and voluntary sector organisations delivering victim services and benefits and debt advice (Harbour and West Advice and Resource Centre). The responses received are attached at **Appendix A** - informal responses to the consultation have not been included).
- 6.3 A summary of the responses received is outlined below in the same format being used by the Ministry of Justice in their consultation:

Q1) Do you agree with proposals / what overall comments would you like to make on the proposals?

There is a full understanding of the financial pressures and the need to streamline services along with the opportunities presented by the development of new technologies in the administration of justice to relieve these pressures. But the Council and partners remain extremely concerned that the proposal to close Hartlepool Magistrates' Court and County Court will limit access to justice, and undermine local confidence in the justice system. As one colleague commented 'It is integral that communities feel part of the justice system and that they can see the effects of that working in their areas. When services are moved away from the local areas that they serve communities can feel disengaged in the whole process.'

Q2) Will the proposals have a direct impact on you? If yes, please provide further details.

The Council remains concerned about the impact of the proposals on their own services and resources, and the services and resources of other agencies, and businesses serving the Hartlepool community. Time spent travelling to court, costs of fuel, and possible wasted journeys where hearings are adjourned were all raised as concerns by staff from across the Council who are currently using local courts. Continuing budget cuts has meant that staff are working in much smaller teams and the time spent travelling to court with several members of the team needing to be in attendance will result in fewer staff on the ground, and a reduced level of service to the community.

From a Police perspective the need to travel to Middlesbrough would also result in already low numbers on the streets being further depleted, and the limited availability of Police vehicles if used for court attendance would leave a shortage in Hartlepool. There would also be a knock on effect if defendants did not attend court when required due to distance and cost with any resultant warrants issued increasing workload for the Police.

Local Solicitors predict increased charges to clients as a result of the additional travelling required, and local Victims Services and Childrens Services Teams raise concerns about the additional pressures placed on their time in ensuring families and victims remain engaged with the court process.

Q3) Are there other particular impacts of the proposals that HM Courts and Tribunal Service should take into account when making a decision?

In general it is felt that the Impact Assessment used by the Ministry of Justice which is based on the monetised, and non monetised costs of greater travelling distances, is limited and fails to take account of the

following which would impact upon access to justice, the delivery of justice outcomes, and public confidence in the justice system.

- ***Lengthy delays in getting cases to court which could take longer as a result of transferring the workload from Hartlepool to Middlesbrough.*** Hartlepool Magistrates currently covers a population of 92,000, if the court was transferred to Middlesbrough this would increase the population covered by Teesside Magistrates to 376,663. This gives rise to questions over whether a centralised court will necessarily mean a more efficient court. There are already concerns in relation to delays at Teesside Magistrates which would be exacerbated by the proposals to close the Hartlepool Courts. Local experience tells us for example that the Specialist Domestic Violence Court at Middlesbrough is already extremely busy to the point that not all cases are being held in an appropriate specialist court.

Recent budget cuts have had a direct impact on levels of crime and anti-social behaviour as the number of Police Officers and other services reduce. This will in turn increase the workload of the courts.

- ***The quality/lack of facilities in relation to courts where business would be transferred has not been fully considered.*** Teesside Magistrates' Court has only limited seating capacity in the witness room, and there is no meeting room to meet with legal representatives which means that solicitors and clients cannot speak in confidence. Recent experiences of Council officers and Victims Services are of Solicitor and client struggling to hear each other over the noise – the impact on the quality of the court user experience and potential adverse impact on justice outcomes needs further consideration.
- ***The need to have access to a Magistrates Court for urgent matters such as issuing warrants for enforcement; RIPA applications; Closure Orders; Domestic Violence Protection Orders; and dealing with breaches of Court Orders has not been considered.*** Failure to have such a facility would impact on the ability of a number of local enforcement agencies to tackle crime and anti-social behaviour within the Hartlepool community and bring perpetrators to justice. Ultimately giving rise to increases in crime and anti-social behaviour, and therefore greater costs on local services.
- ***The financial impact on court users has not been fully considered.*** The cost of public transport should not be underestimated for those individuals and families living in poverty. Hartlepool has high levels of deprivation with a large proportion of the population on low wages and in receipt of benefits - with further cuts in benefits proposed. As such a large section of the Hartlepool population could be adversely affected by the proposals. Add to this childcare expenses and our most vulnerable families will struggle to access justice. As an example Childrens Services currently work with a number of families facing eviction that can currently access the court to challenge it, but if this transfers to

Middlesbrough it is unlikely families will travel with the consequence of more evictions.

- ***The impact assessment fails to take into account the social and health impacts of people using the service.*** Hartlepool has high levels of deprivation; a growing elderly population; and a large proportion of the population with health needs. Many clients are vulnerable and often incapable of travel outside of town. The proposals will deter vulnerable individuals from attending courts/tribunals.. The move to digitisation also fails to take into account the need for Courts to be accessible to individuals wishing to appeal against a decision who are not computer literate. Given the levels of deprivation in Hartlepool and health needs the Hartlepool community will be disproportionately affected by the Ministry of Justice proposals.
- ***There is no real consideration given to the impact of the proposals on victims, along with the potential withdrawal of criminal cases and potential increase and escalation of criminal behaviour.*** The following statement from the Councils Victim Services officer provides an insight into the victims experience should the proposal take place:

'Going to court as a victim is already a traumatic experience and one that will be made worse by adding a longer journey to what could be an unfamiliar place. Court expenses are paid retrospectively and some victims would not be able to pay the travel costs upfront. The added journey time can also impact on child care that may be needed - . Friends and family may not be able to afford to accompany victims and this will have a detrimental effect on them, this support is vital for witnesses to be able to have the strength to give their evidence.

Unless victims have access to a car they could be faced with the extremely distressing situation of being on the same bus or train as the accused. This would be bad for any victim but imagine the fear of a vulnerable witness or domestic violence victim? There are security guards that offer a level of protection at court against intimidation but this would not apply to public transport.

Trials are often adjourned now and victims have to go two, sometimes three times before the case goes ahead and I am concerned that this will be worse if we have one magistrates court covering the whole of Cleveland. People build themselves up into a frenzy with the worry of giving evidence, often not sleeping or eating and the impact of this can lead them to seeking medical help.

Victims can often not start to recover from the effects of crime till after the trial is over and added waiting times for a case to be heard will have a negative effect on people and the worry is that they will not bother reporting the incidents to the Police in the first place.

I have recently been to Middlesbrough Magistrates and there was not enough seats in the witness room and it was chaotic to say the least. Solicitors couldn't talk to their clients in confidence and struggled to be heard over the noise. This happened when other Magistrates were still operating.

- **The Impact on the concept and practice of local justice has not been considered.** The transfer of Hartlepool Magistrates court work to Middlesbrough would dilute the concept and practice of local justice – given the expanded jurisdiction of the Teesside Magistrates' Court and sheer volume of cases it is unlikely that Hartlepool Magistrates would sit on Hartlepool cases leading to a loss of local awareness of community issues and knowledge of the local area and geography in decision making.

The impact on local relationships and communications between Hartlepool Magistrates and victim support services which have been developed over the years will also be negatively impacted.

Q4) Do you have any comments on the evidence used or conclusions reached in the MOJ impact assessment

As in Q 3 above - the limitations of the Ministry of Justice Impact Assessment.

In relation to the evidence used in the Impact Assessment the actual data provided in the 'travel model' is based on the 'perfect journey'. In reality, even travelling by car, 97% of people will not get to Middlesbrough in 0-30 minutes. The assessment does not take into account constant roadworks, the sheer volume of traffic at peak times, and the road traffic accidents, or time finding a parking space.

Public transport is likely to take longer whether this is by train or bus (1-2 hours). For those not living in the centre of Hartlepool two buses would be required. Courts often list cases at 10am but all parties are required to attend at 9.30am. Some court users particularly those with children will struggle to drop children off at school and then travel out of town to court for 9.30.

The report states that Hartlepool County Court operates a counter system from 2pm to 5pm (a three hour slot). However current actual hours are from 10am to 2pm (a four hour slot).

Whilst the Ministry of Justice report highlights that Hartlepool courts were underused during 2014/15 by 47% there is no similar analysis by way of a comparison presented in the report in relation to the workloads of the Middlesbrough Courts.

Q5) Are there alternatives to travelling to physical buildings that would be of benefit to some users

It is acknowledged that the use of digital technology provides an opportunity in terms of the development of the courts and tribunal service.

The Ministry of Justice consultation document also highlights the good facilities offered at the Hartlepool Magistrates' Court and County Court building and their compliance with the Equality Act including 5 court rooms where criminal and family hearings are held; and 2 county court district judges hearing rooms. There are also 10 cells in the building with secure access to 3 out of the 5 courtrooms. The court has a prison video link and facilities for vulnerable witnesses to give their evidence via video link to one courtroom. The court room also has separate waiting facilities for prosecution and defence witnesses and there are interview rooms available for private consultation.

Should the Hartlepool Magistrates' Court close the Court Service must ensure that these facilities remain available in Hartlepool and are linked to the Middlesbrough Courts. This could assist in resolving many of the concerns highlighted in relation to for example non-attendance of victims and witnesses and retaining Police Officers to spend more time on the streets.

In addition to digital technology it would also be possible for some other functions to be retained locally in the interests of accessing justice swiftly. For example if Teesside and Hartlepool Local Justice Areas were merged this would lend itself to the modification of existing facilities which could provide a satellite court offering custody courts and breach hearings, and a digital court in a leased office. There are also proposals for the potential amalgamation of the Hartlepool and Teesside coronial areas, but which recommend the continuation of Inquests being held in Hartlepool (as per the Business Case) and which are currently held within the Hartlepool Court complex.

A recent Council Scrutiny investigation into Hate Crime received evidence from the Crown Prosecution Service in relation to the constrictions in the use of specialist courts rooms, with the nearest fully accessible court room for both disabled witnesses and defendants located in Preston. Members felt strongly that specialist facilities more locally based should be available for all victims and that this would encourage reporting of hate crime offences. Given the lack of appropriate courts locally and the existing facilities in Hartlepool could consideration be given to Hartlepool Courts acting as a specialist court of this nature.

Q6) Please provide any additional comments you may have

Hartlepool Borough Council would like to have further discussions with the Ministry of Justice in relation to the proposed closures, as soon as practicable prior to any final decision being made.

7. RISK IMPLICATIONS

- 7.1 Should the Ministry of Justice proposals go ahead as planned there is a real risk that access to justice for the Hartlepool Community would be seriously undermined, together with a loss of confidence in the ability of the justice system to deliver outcomes for the local community.
- 7.2 To mitigate this risk the Council should enter into a discussion with the Ministry of Justice about their proposals and explore potential alternatives.

8. ASSET MANAGEMENT CONSIDERATIONS

- 8.1 Hartlepool Magistrates Court and County (HMCTS) buildings are currently held on a 99 year lease until 3004 by Her Majesty's Courts and Tribunal Service.
- 8.2 The lease requires HMCTS to keep the property in repair and pay a service charge to Hartlepool Borough Council to cover the costs associated with maintaining the common parts and external fabric of the property.
- 8.3 As there is no provision within the lease for a break clause HMCTS are responsible under the terms of the lease for the continued payment of costs associated with its maintenance and upkeep until the expiry date of the lease.
- 8.4 Within the terms of the lease HMCTS have the option to assign the lease however the Council need to grant consent for any variation to the user covenant should this be required. Alternatively the Council may consider options to accept a surrender of the lease subject to negotiations to mitigate any financial losses to the Council.

9. FINANCIAL CONSIDERATIONS

- 9.1 The closure of Hartlepool Magistrates Court and County Court would not result in any financial losses to the Council as HMCTS are responsible for the payment of any ongoing costs associated with maintenance and repair. If requested the Council may consider the option to accept a surrender of the lease. However this would be the subject to negotiations to mitigate any loss or liability to the Council.
- 9.2 Hartlepool Magistrates and County Court have adequate facilities that are compliant with the Equality Act 2010. It may be possible that HMCTS consider that part of the building may be used as a satellite court with limited functions. One proposal highlighted in the consultation suggests that the building could house a mediation/citizens advice service.

10. LEGAL CONSIDERATIONS

- 10.1 The Court buildings in Hartlepool are currently held by HMCTS on a long term 999 year lease. Early indications are that the closure programme will be completed by April 2017. Discussions will need to take place with HMCTS/MOJ regarding the proposed timescales if the proposals are to go ahead, and options for the future use of the building.

11. STAFF CONSIDERATIONS

- 11.1 As highlighted under 2.1 of this report the proposals will have a significant impact on staff due to time spent traveling to court who are already experiencing difficulties due to reduced resources. Teams are smaller and several members of a team may need to attend the same court hearing leaving no staff in Hartlepool to deal with issues.

12. EQUALITY AND DIVERSITY CONSIDERATIONS

- 12.1 The Ministry of Justice proposals will adversely affect those that are already vulnerable within the locality who will struggle to get to court and fail to access justice and ensure that justice is delivered locally.
- 12.2 Hartlepool has high levels of deprivation; a growing elderly population; and a large proportion of the population with health needs. Many clients are vulnerable and often incapable of travel outside of town. The proposals will deter vulnerable individuals from attending courts/tribunals and without their attendance there is an increased risk of losing an appeal. The move to digitisation also fails to take into account the need for Courts to be accessible to individuals wishing to appeal against a decision who are not computer literate.
- 12.3 Given the levels of deprivation in Hartlepool and health needs the Hartlepool community will be disproportionately affected by the Ministry of Justice proposals.

13. SECTION 17 CONSIDERATIONS OF THE CRIME AND DISORDER ACT 1998

- 13.1 The Ministry of Justice proposals could result in fewer victims attending Court to give evidence leading to a reduction in successful convictions and a rise in crime and anti-social behaviour. The proposals would also undermine local confidence in the justice system.

14. RECOMMENDATIONS

- 14.1 That the Finance and Policy Committee note the Ministry of Justice proposals to close Hartlepool Magistrates' Court and County Court.
- 14.2 That the Finance and Policy Committee refers the contents of this report and its recommendations to Council for consideration and debate at the meeting to be held on 17 September to allow for a response to be made to the Ministry of Justice before the stated deadline.
- 14.3 That the Chief Executive Officer and Director of Regeneration & Neighbourhoods finalise that response to the Ministry of Justice in consultation with the Leader of the Council and that Members be made aware of that response.
- 14.4 That if the Ministry of Justice proposals to close Hartlepool Magistrates Court and County Court go ahead, that Officers commence negotiations regarding the termination of the lease in the interests of securing the best deal for the Council.

15. CONTACT OFFICERS

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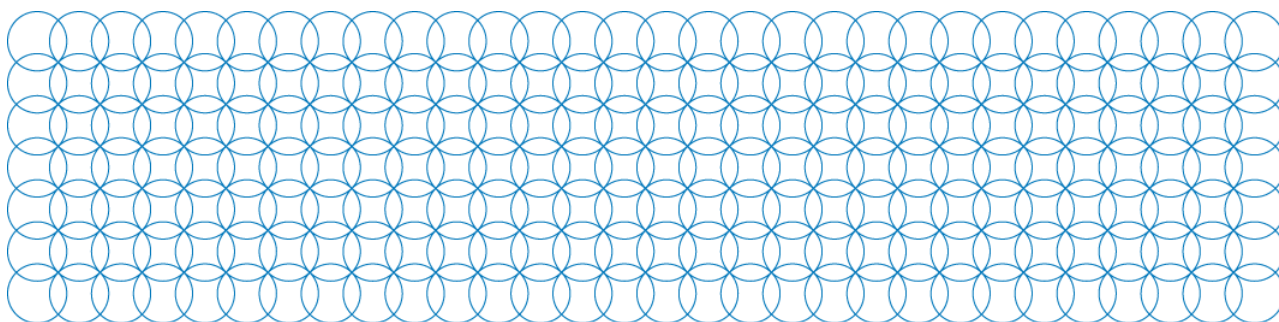
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Appendix A

Proposal on the provision of court and tribunal services in the North East region

This consultation begins on 16 July 2015 This
consultation ends on 8 October 2015



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Proposal on the provision of court and tribunal services in the North East region

A consultation produced by the Ministry of Justice. It is also available on the Ministry of Justice website at www.gov.uk/moj

About this consultation

To: The consultation is aimed at court users, magistracy, judiciary, and anyone else with an interest in the provision of local justice arrangements in the North East region.

Duration: From 16/07/2015 to 08/10/2015

Enquiries (including requests for the paper in an alternative format) to:

HMCTS Consultation
Ministry of Justice
Post point 1.13
102 Petty France
London
SW1H 9AJ

Tel: 0161 240 5021

Fax: 0870 761 7768

Email: estatesconsultation@hmcts.gsi.gov.uk

How to respond:

Please send your response by 08/10/2015 to:

HMCTS Consultation
Ministry of Justice
Post point 1.13
102 Petty France
London
SW1H 9AJ

Tel: 0161 240 5021

Fax: 0870 761 7768

Email: estatesconsultation@hmcts.gsi.gov.uk

Additional ways to feed in your views:

If you cannot respond to this paper by means of e-mail or letter, please contact the Ministry of Justice using the details provided above.

Response paper:

A response to this consultation exercise will be published in due course at: www.gov.uk/moj

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Foreword

HM Courts and Tribunals Service is committed to working with the judiciary to reform our services so they better meet the needs of the public in the modern age. Considerable investment will enable us to transform how justice is delivered, creating a modern, efficient service. Taking this opportunity, however, will require challenging decisions about the current system. One such decision relates to the courts and tribunals estate.

I am responsible for managing the operations of HM Courts & Tribunals Service in the North East region, and I have reviewed the court and tribunal estate against the estates principles set out in the national consultation. I have identified buildings where I believe our ability to deliver an efficient service has been compromised by poor facilities, where usage is low and where the building does not provide appropriate value for the public money spent on it.

I have carefully considered the impact of the proposed changes – both locally and across the North East. This consultation is an opportunity for the public to use their knowledge of their local areas to review and help us with our proposals.

Of course, staff would be affected by these proposed changes. Although the impact will be limited, I will make sure this is managed properly. Any transition to new arrangements will take place in a fair and transparent manner in consultation with the Departmental Trade Union.

I understand that these proposals could result in some people having longer journeys to the courts and tribunals. I am committed to working with rural communities to provide alternative ways for the public to access the justice system. These could include the use of civic or other public buildings for occasional hearings, video links or telephone or paper hearings to avoid travel altogether. It is vital we understand the demand for alternative provision as we plan services for the future.

I am keen to hear people's views on the different ways they would like to interact with their courts and tribunals, particularly from those in rural communities. It is important we understand the demand for these different methods as we plan provision for the future.

Thank you for considering this consultation.

Mark Swales

Delivery Director

HM Courts & Tribunals Service North East

Introduction

This consultation for the North East is part of a national consultation on the future of the court and tribunal estate in England and Wales. The national consultation document provides important information about the reform of courts and tribunals and how we have decided which buildings to consult on. It also includes a full list of the courts and tribunals we are consulting on and our other plans to integrate courts into existing buildings within a local area.

You should make sure you read the national consultation document alongside this.

The national consultation sets out:

- the requirement for changes to the estate;
- the utilisation levels across the estate;
- the accompanying Impact Assessment; and
- implications for local justice areas and listing changes.

Responses to questions in both the national consultation and this consultation are welcome but need not be duplicated.

HM Courts & Tribunals Service

HM Courts & Tribunals Service is an agency of the Ministry of Justice (MoJ). It is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales¹ and non-devolved tribunals in Scotland and Northern Ireland. It operates as a partnership between the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals.

In March 2014, the Lord Chancellor, the Lord Chief Justice of England and Wales and the Senior President of Tribunals announced details of a programme of reform for the courts and tribunals. This will improve the court and tribunal estate, deliver greater use of technology, modernise practices and processes, and improve services for our users.

At the heart of this programme are the use of technology and the principle of proportionality. Straightforward, transactional matters (such as the administration of probate or pleading guilty and paying a fine) can be dealt with using digital technology to

make the processes as straightforward as filing a tax return, or renewing car tax online. Straightforward cases do not necessarily need face to face hearings; judges will be able to reserve the full proceedings of a court hearing for the more sensitive or complex cases. Modern technology can be used not just to make the justice system more accessible but also to reduce the costs of the whole justice system by not requiring extensive

¹ Some tribunals which are part of HMCTS in England are devolved to the Welsh Government in Wales.

transportation of prisoners for bail hearings, or the police to take full days off their priority work to sit in a court room.

Ahead of full implementation of the reform programme, we are seeking views on the closure of courts and tribunals which we believe do not meet our ideas of how best to deliver justice in the future.

Access to justice

We recognise that the public should not have to make excessively long or difficult journeys to attend hearings at courts and tribunals. We also know, however, that in an increasingly digital age, the public expect to be able to engage with any service through a variety of channels, and many prefer to do that digitally. They do not always want or need to attend hearings in person. Delivering effective access to justice does not necessarily mean providing access to a building. This challenges the assumption that there needs to be a court or tribunal in every local area.

We already have well established alternative ways that users can access the justice system. There are examples of this: enabling police officers to give evidence over a live link, processes to enable victims, witnesses and defendants to attend hearings over video link, and users in some jurisdictions having cases progressed or considered through telephone hearings or on papers, meaning that they do not need to attend a hearing in person at all. Where attendance at a hearing is needed other civic or public buildings could be used for hearings where security requirements are low.

These types of alternative provision could be particularly useful in rural communities and/or areas with limited public transport, for example, Northumbria. We are very keen to hear views on alternative provision, for example video link in civic or other public buildings.

Deciding which courts to include in the proposals

In order to achieve a radical transformation of the justice system, any investment must be targeted and sequenced across all three key areas of ICT, estates and business processes to create the efficiencies that will allow HM Courts & Tribunals Service to modernise its current practices and to adopt more streamlined ways of working. We are therefore, as a first priority, addressing the current surplus capacity within the HM Courts & Tribunals Service estate. This will enable us to use the remaining estate more intelligently and flexibly, to reduce our running costs, to focus our investment on improving the estate we need for the future and to increase the multifunctional court space – allowing different court and tribunal jurisdictions to share locations. The intention is that capital receipts from the sale of any surplus assets would be reinvested as part of the funding for the reform programme.

To ensure we deliver business effectively and meet our future strategic requirements, HM Courts & Tribunals Service has applied a set of principles against which the proposals in this consultation were developed.

The principles are:

Ensuring Access to Justice

- To ensure continued access to justice when assessing the impact of possible closures on both professional and lay court and tribunal users, taking into account journey times for users, the challenges of rural access and any mitigating action, including having facilities at local civic centres and other buildings to ensure local access, modern ICT and more flexible listing, when journeys will be significantly increased.
- To take into account the needs of users and in particular, victims, witnesses and those who are vulnerable.
- To support the requirements of other agencies such as the Crown Prosecution Service, Social Services, Police Forces and the Children and Family Court Advisory and Support Service (CAFCASS).

Delivering Value for Money

- To reduce the current and future cost of running the estate.
- To maximise the capital receipts from surplus estate for reinvestment in HM Courts & Tribunal Service.

Enabling Efficiency in the longer term

- To reduce the reliance on buildings with poor facilities and to remove from the estate buildings that are difficult and expensive either to improve or to upgrade.
- To move towards an estate with buildings which are larger and facilitate the more efficient and flexible listing of court and tribunal business whilst also giving users more certainty when their cases will be heard.
- To increase the ability to use the estate flexibly across the criminal jurisdiction and separately across the Civil, Family and Tribunal (CFT) jurisdictions.
- To move towards an estate that provides dedicated hearing centres, seeking opportunities to concentrate back office function where they can be carried out most efficiently.
- To improve the efficient use of the estate by seeking to improve whole system efficiency, taking advantage of modernised communication methods (wi-fi and video links) and adopting business processes to increase efficiency and effectiveness.
- To increase the efficient use of the estate wherever possible irrespective of current administrative boundaries.

Responding to the consultation

We are keen to obtain views on the proposals to change the provision of court and tribunal estate and how we can make sure the public can still access the justice system. We have committed to consider each response. The responses will help us make sure that the courts and tribunals are based where the work is and that communities can access the justice system and that cases are heard in buildings with suitable facilities.

This consultation is being conducted in line with the Consultation Principles issued by the Cabinet Office. It will run for 12 weeks.

This consultation and the consultation stage Impact Assessment are also available at www.justice.gov.uk.

The proposals

This consultation proposes the closure of the following courts² and tribunals:

- Consett Magistrates' Court
- Halifax County Court and Family Court
- Halifax (Calderdale) Magistrates' Court and Family Court
- Hartlepool Magistrates' Court and County Court
- Morpeth County Court
- Rotherham Magistrates', County Court and Family Court
- Scunthorpe Magistrates', County Court and Family Court
- Wakefield Magistrates' Court

The consultation is aimed at court users, judiciary, court staff, and anyone else with an interest in the provision of justice in the North East Region.

Travel times

We have modelled potential travel times to court to illustrate the changes that would result should the court close. The model is based on the current catchment area of the court and the population within it, calculated to the smallest geographical area available with current national statistics (known as a Lower Super Output Area or LSOA). The model calculates the travel time from the centre of each LSOA to the current court separately by car and public transport and then calculates the proportion of the population could travel to court in set time bands. The model then calculates new journey times based on the location of the court where the work would be heard should the court close. These travel times are displayed in a table format within each site proposal.

Copies of this consultation paper will be sent to stakeholders in the affected locations, and is also available on the justice website at www.justice.gov.uk

² Reference in this document to magistrates' courts, county courts, crown courts and combined courts refers to buildings (a singular structure providing the physical hearing rooms for criminal, civil, family and tribunal cases) which house that activity in a particular location. Strictly, legislation provides that there is a single crown court, county court and family court.

Integrations

An integration is when HM Courts & Tribunals Service move work to allow jurisdictions to operate from less locations in a local area. This allows the closure of a building or buildings while retaining jurisdictions locally.

In addition to the proposed closures in this consultation the following integrations will be taking place or have already been recently completed in the North East region:

Doncaster County Court to be integrated within Doncaster Magistrates' Court

Work on this integration will commence in the summer of 2015 and will reduce the HM Courts & Tribunals Service estate in Doncaster from four buildings to two (the current Magistrates' Court and Crown Court buildings) which are located on the opposite side of the same road in the centre of Doncaster. The integration will see the relocation of all Doncaster County Court, Civil and Family work to the Magistrates' Court building. In addition the Justices Clerk for Humber and South Yorkshire, her clerkship Judicial Support Unit (JSU) and the office currently housing the Regional Delivery Director would relocate to the Crown Court building from the Magistrates' Court. This would enable county court staff including the centralised divorce team for Humber and South Yorkshire to be accommodated in the Magistrates' Court building. No enabling works are required to accommodate this move. The integration will enable more flexibility in the listing of cases and allow a more efficient use of staff and judicial time. The impact on customers will be minimal as all venues are situated in the centre of Doncaster.

Doncaster Tribunal (Portland Place) to be integrated within Doncaster Crown Court.

Work on this integration will commence in the summer of 2015 and will reduce the HM Courts & Tribunals Service estate in Doncaster from four buildings to two (the current Magistrates' Court and Crown Court buildings) which are located on the opposite side of the same road in the centre of Doncaster. The Crown Court building currently houses the Coroner and occasional crown court hearings (on the first floor) the very large jury assembly suite on the ground floor would be relocated to existing office space which will enable the creation of two tribunal hearing rooms and associated facilities in the current jury assembly area and other available space on the ground floor. Disabled access (platform lift) for the Social Service and Child Support (SSCS) judiciary would be provided from the judicial car park. This site also provides a permanent presence for the Coroners Court in Doncaster. The integration will enable more flexibility in the listing of cases and allow a more efficient use of staff and judicial time. The impact on customers will be minimal as all venues are situated in the centre of Doncaster.

**Durham Elvet House Tribunal to be integrated
within other locations within the County
Durham estate, including Durham County and
Family Court**

This integration will enable the workload to be moved to other larger centres within the same geographical area and this will allow staff to be more responsive and flexible with the listing of cases meeting customer and workflow demands more efficiently and effectively.

East Parade Sheffield Tribunal to be integrated within Sheffield Combined Court

This will enable the workload to be moved to a larger centre and will allow the staff to be more responsive and flexible with the listing of cases meeting customer and workflow demands more efficiently and effectively. This integration will not impact on the current sittings at Sheffield Combined Court.

Harrogate County Court to be integrated within Harrogate Magistrates' Court

This integration is already underway and is due to complete by the end of 2015. The integration will move all magistrates', civil, family and occasional tribunals work in to a single building in Harrogate. The integration will enable more flexible and improved utilisation of the modern fit for purpose magistrates' court building and allow more efficient use of staff and judicial time. The impact on customers will be minimal as the two current venues are situated next to each other in the centre of Harrogate.

Middlesbrough Tribunal Hearing Centre to be integrated within Teesside Magistrates' Court

This will enable the workload to be moved to a larger centre within five minutes walking distance of the existing hearing venue. It will allow the staff to be more responsive and flexible with the listing of cases meeting customer and workflow demands more efficiently and effectively.

Quayside House Newcastle Tribunal to be integrated within North Shields (Kings Court) Tribunal

In March 2015 HM Courts & Tribunals Service exercised a lease break on Quayside House in Newcastle, an expensive commercial leasehold property providing accommodation for the employment tribunal in Newcastle. With declining workload and poor utilisation of Quayside House an extension of the lease could not be justified as value for public money. We are currently working with judiciary, staff and employment tribunal users to ensure a smooth transition of work to the modern fit for purpose multi-jurisdictional centre in Kings Court, North Shields, approximately eight miles away, by

September 2015.

Wilberforce Court (Hull Employment Tribunal Centre) to be integrated within Hull and Holderness Magistrates' Court and Kingston Upon Hull Combined Court

This integration will provide a more flexible and efficient use of time and resources, enabling cases to be managed more effectively in order to meet customer and workflow demands.

Consett

Magistrates' Court

Proposal

Consett Magistrates' Court is one of five magistrates' courts operating in the County Durham local justice area, the others being Peterlee, Newton Aycliffe and Darlington Magistrates' Courts and the Durham Civil and Family Court. The magistrates' court is open every day but is under used. The court deals with criminal court business which is a mix of custody and non-custody work in the adult and youth courts. There are also county court sittings arranged at Consett on a regular basis; sitting three to four times a month every Wednesday.

It is proposed that the custody work from Consett Magistrates' Court is transferred to Peterlee Magistrates' Court. The non-custody work and family work will be transferred to Durham County and Family Court, although this venue does not have any cells so consideration would be given when listing criminal cases. In some instances, work may be moved to Newton Aycliffe Magistrates' Court if specific facilities are required.

No enabling works will be required to accommodate the transfer of work as there is sufficient capacity at the three receiving sites to meet the current and anticipated demand in the County Durham local justice area.

Should the court close it would enable the work to be moved within a single local justice area. It would also enable the other courts to be responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved more efficient service can be delivered with courts being utilised more efficiently and effectively.

Accommodation

Consett Magistrates' Court was built in 1973. The facilities are sub-standard and out of date for staff, judiciary and all court users. There are baby changing facilities, disabled access and toilet facilities, two interview rooms, hearing enhancement facilities and refreshments are available. There are a total of five cells which are all operational.

The building is compliant with the Equality Act 2010, however the property is old and in need of repair. There is significant work which is still outstanding including extensive work to the brickwork, roof and windows. At present patch repairs are carried out as and when required. The building is also within an area that has undergone significant redevelopment in recent years and it now looks out of place with local development plans in terms of both condition and location.

Peterlee Magistrates' Court offers good quality facilities for HM Courts & Tribunals Service users. The facilities include baby changing facilities, disabled access and toilet facilities, six interview rooms, hearing enhancement facilities and refreshments are available. There are a total of eight cells which are all operational. Two of the courtrooms have

secure docks which can be accessed from all of the cells.

Durham County and Family Court also offers good quality facilities for users. The facilities include baby changing facilities, disabled access and toilets and five interview rooms.

Newton Aycliffe Magistrates' Court has three courtrooms and court rooms one and two both have secure docks. There are 12 cells and these are all accessible from all three court rooms. There is also a prison to court video link set up in one of the court rooms. Other facilities include baby changing facilities, disabled access and toilet facilities, five interview rooms, hearing enhancement facilities and a cafeteria.

Workload

Consett Magistrates' Court is open every weekday and has a total of three courtrooms which are under used. During the 2014/15 financial year, the court was utilised for approximately 25% of its capacity. One of the court rooms does not have any sittings on a Monday or a Thursday. County Court work is heard on a Wednesday three to four times a month.

Peterlee Magistrates' Court, Newton Aycliffe and Durham County and Family Court all have sufficient capacity to accommodate the hearings from Consett Magistrates' Court.

Both Peterlee Magistrates' Court and Newton Aycliffe Magistrates' Court are under used. Peterlee Magistrates' Court has three courtrooms and only uses two of these on a weekly basis. Newton Aycliffe has three hearing rooms and only uses two of these on a weekly basis with the exception of a Wednesday when criminal work is listed.

Durham County and Family Court has two courtrooms and two district judges' hearing rooms. The district judges' hearing rooms are well used however the courtrooms are under used and only sit family work every Tuesday in one of the courtrooms and on a Thursday in both of the courtrooms.

Location

Consett Magistrates' Court is situated 26 miles from Peterlee. The nearest train service runs from Stocksfield approximately seven miles from Consett. The travel time by train from Stocksfield to Seaham which is five miles from Peterlee is approximately one hour. The approximate cost of a return ticket is £12.40. Travel time by car is approximately 50 minutes.

Consett Magistrates' Court is situated approximately 14 miles from Durham Civil and Family Court. The nearest train service is from Stocksfield which is approximately seven miles from Consett to Durham central station and the journey takes approximately 50 minutes. The approximate cost of a return fare is £12.10. The approximate journey time by car is 20 minutes.

There is a bus service that runs from Consett bus station to Durham bus station which takes approximately 40 minutes and is an hourly service. A return ticket is £4.00. There is also a bus service that runs from Durham bus station to Peterlee bus station every 20 minutes and this takes approximately 20 minutes and a return ticket is £3.00.

Travel time data for this court pre and post closure is shown below:

Magistrates' workload:

Before	Time	%	After	Time	%
By Car	0-30min	69%	By Car	0-30min	30%
	30-60min	28%		30-60min	60%

	60-120min	3%		60 - 120min	10%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	25%	By Public Transport	0-30min	0%
	30-60min	31%		30-60min	12%
	60-120min	18%		60-120min	69%
	>120min	23%		>120min	16%
	no data	3%		no data	3%

Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	67%	By Car	0-30min	29%
	30-60min	30%		30-60min	61%
	60-120min	3%		60 - 120min	10%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	25%	By Public Transport	0-30min	0%
	30-60min	30%		30-60min	12%
	60-120min	19%		60-120min	70%
	>120min	22%		>120min	16%
	no data	4%		no data	2%

Staff Implications

There are approximately three members of staff working at Consett Magistrates' Court.

Other information

Consett Magistrates' Court is a freehold property.

During the 2014/15 financial year, operating costs at Consett Magistrates' Court were

approximately £174,000.

The Crown Prosecution Service, National Probation Service and Citizens Advice Bureau for witnesses all have one room each within the building, and alternative arrangements would need to be made should the decision to close the court be taken.

Halifax County Court and Family Court Proposal

Halifax County Court and Family Court is one of five county courts operating in West Yorkshire, the others being at Leeds, Huddersfield, Wakefield and Bradford. The court deals with civil matters, bankruptcy, High Court, divorce and children matters.

It is proposed that the Halifax County and Family Court closes and its work is transferred to Bradford County Court at Bradford Combined Court Centre. The facilities at Halifax are sub-standard and out of date for staff, judiciary and all court users. Some enabling works would have to be carried out to accommodate the staff and judiciary including an additional multi-purpose hearing room.

Bradford Combined Court offers good quality facilities in a modern, purpose built building for users.

Should the court close it would enable the workload to be moved to a larger court centre and will enable the court to be responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved and more efficient service can be delivered with courts being used more efficiently and effectively.

The population of West Yorkshire would also be able to access justice at county courts in Leeds, Huddersfield and Wakefield.

Accommodation

Halifax County Court and Family Court was built in 1872 and is a Grade II listed building. The facilities are sub-standard and out of date for staff, judiciary and all court users. In addition to the one courtroom and district judges' hearing room there are also two waiting rooms and two interview rooms available for private consultations. There are no video link facilities at the county court. There are no private waiting facilities which can cause some difficulties with managing vulnerable witnesses where rooms are used for domestic violence or some family cases. The county court operates a counter system Monday to Friday 10am until 2pm.

Some members of the public may experience difficulties accessing the courtrooms on the first floor. The building is not fully compliant with the Equality Act 2010 due to its listed status. It is old and no longer fit for modern day court business. The structure, roof and windows are in need of repair and due to the listed status patch repairs are currently being carried out.

The facilities at Bradford Combined Court, constructed in 1992, include 18 interview

rooms for private consultations, disabled access and toilet facilities, a prayer and quiet room, baby changing facilities and a children's room, a hearing loop system, wireless internet access, a cafeteria for customers and video conferencing and prison video link facilities. The county court would require some enabling work involving the creation of a multi-purpose courtroom which would allow for more flexibility within one building with more up to date facilities. Bradford County Court has three district judges' hearing rooms and three civil and family courtrooms. These are all fully utilised. There are four district judges' that sit in the county court daily and the other two rooms are used by either a family judge or a circuit judge on a regular basis. There will be minor enabling works required to create an additional multi-purpose hearing room in the county court with an associated chambers to accommodate the work from Halifax County Court.

Workload

Halifax County Court and Family Court hosts one courtroom and two district judges' hearing rooms. One of the hearing rooms is only accessible via the courtroom from the public side of the building so it cannot be used if the court is sitting. The court can therefore only have two lists running on any given day, and during the 2014/15 financial year, utilisation was approximately 22% of its capacity.

Location

Halifax County Court is situated nine miles from Bradford. There is a frequent train and bus service between Halifax and Bradford. The travel time by train is approximately 15 minutes and by bus it is approximately 40 minutes. The approximate cost of a return train ticket is £3.90. A West Yorkshire return ticket by bus is approximately £4.70.

The journey time in a car is approximately 25 minutes.

Travel time data for this court pre and post closure is shown below:

Before	Time	%	After	Time	%
By Car	0-30min	92%	By Car	0-30min	73%
	30-60min	8%		30-60min	25%
	60-120min	0%		60 - 120min	2%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	58%	By Public Transport	0-30min	5%
	30-60min	39%		30-60min	78%
	60-120min	3%		60-120min	17%
	>120min	0%		>120min	0%
	no data	0%		no data	0%

Staff implications

There are approximately 14 members of staff working at Halifax County Court and Family Court.

Other information

Halifax County Court and Family Court is a freehold property.

During the 2014/15 financial year, operating costs at Halifax County Court and Family Court were approximately £115,000.

Halifax (Calderdale) Magistrates’ Court and Family Court Proposal

Halifax (Calderdale) Magistrates’ Court and Family Court is one of five magistrates’ courts operating in West Yorkshire; the others being at Leeds, Huddersfield, Wakefield and Bradford. The court deals with criminal court business in the adult and youth courts as well as private law family work.

It is proposed that Halifax (Calderdale) Magistrates’ Court and Family Court is closed and its work transferred to Bradford Magistrates’ Court. Some enabling works would be needed at Bradford Magistrates’ Court to accommodate the staff and judiciary.

The facilities at Halifax (Calderdale) Magistrates’ Court and Family Court are sub-standard and out of date for staff, judiciary and all court users. Some members of the public may experience access issues in part of the building as there are some building constraints due to its listed status. The property is old and no longer fit for modern day court business. Bradford Magistrates’ Court offers good quality facilities for users.

Should the court close it would enable the work to be moved to a larger court centre and will enable the court to be responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved more efficient service can be delivered with courts being utilised more efficiently and effectively.

Should this proposal go ahead the Judicial Business Group (JBG) would undertake local stakeholder engagement to consider the need for the merger of Local Justice Areas.

Accommodation

Halifax (Calderdale) Magistrates’ Court and Family Court was built in 1898 and is a Grade II listed building. The facilities are sub-standard and out of date for staff, judiciary and all court users.

The court has a total of seven court rooms, one courtroom without a dock which is used as a youth court for monitoring offences, one court room without a dock used for family hearings, and one court room is not used and has been converted into a youth café. The court has ten cells, nine of which are operational.

Some members of the public may experience access issues in parts of the building, including in the well of the court, the witness box and in the public seating areas in courts.

The court has separate waiting facilities for prosecution witnesses but no separate facilities for defence witnesses. There are prison video link facilities for intimidated and vulnerable witnesses to give their evidence via video link in one courtroom.

There are some building constraints as the court is not fully compliant with the Equality Act 2010. The property is old and no longer fit for modern day court business due to its listed status including access issues and non-compliant courtrooms.

Bradford Magistrates’ Court offers good quality facilities for HM Courts & Tribunals

Service users. These facilities include baby changing facilities, four interview rooms, hearing enhancement facilities; refreshments are available from the cafeteria on site, video conferencing and prison video link facilities. The cells have been recently updated in April providing a total of 25 cells which will be compliant with the Equality Act 2010.

Workload

The court has seven court rooms which were utilised for approximately 33% of its capacity during the 2014/15 financial year. In addition to one of the courtrooms being used as a youth café, two of the courtrooms are not in use on Mondays, one on Tuesdays, three on Thursdays and two on Fridays. Bradford Magistrates' Court has ten courtrooms. One of the courtrooms is not used and three of the other courtrooms are only used for half a day. There is sufficient capacity to accommodate the hearings at Bradford from Halifax Magistrates' Court

Location

Halifax Magistrates' Court is situated nine miles from Bradford. There are frequent train and bus services between Halifax and Bradford. The travel time by train is approximately 15 minutes and by bus approximately 40 minutes. The approximate cost of a return train ticket is £3.90 and by bus a West Yorkshire ticket return is approximately £4.70.

The journey time in a car is approximately 25 minutes.

Travel time data for this court pre and post closure is shown below:

Magistrates' and Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	89%	By Car	0-30min	73%
	30-60min	9%		30-60min	25%
	60-120min	2%		60 - 120min	2%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	57%	By Public Transport	0-30min	4%
	30-60min	38%		30-60min	75%
	60-120min	3%		60-120min	20%
	>120min	1%		>120min	0%
	no data	1%		no data	1%

Staff implications

There are approximately 19 members of staff working at Halifax Magistrates' Court.

Other information

Halifax (Calderdale) Magistrates' Court and Family Court is a freehold property.

During the 2014/15 financial year, operating costs at Halifax (Calderdale) Magistrates' Court and Family Court were approximately £380,000.

The Witness Service and the Crown Prosecution Service occupy part of the building, and alternative arrangements would need to be made should the decision to close the court be taken.

Hartlepool Magistrates' Court and County

Court Proposal

Hartlepool Magistrates' Court and County Court is one of two magistrates' courts and one of two county courts operating in Cleveland, the other magistrates' court being Teesside Magistrates' Court and the other county court being Middlesbrough County Court which is part of Teesside Combined Court.

It is proposed that Hartlepool Magistrates' Court and County Court closes and that its work is transferred to Teesside Magistrates' Court and Middlesbrough County Court. There are no enabling works required to accommodate the work from Hartlepool Magistrates' Court and County Court.

Should the court close it would enable the workload to be moved to larger court centres and would allow the court to be more responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved and a more efficient service could then be delivered with courts being used more efficiently and effectively.

Should this proposal go ahead the Judicial Business Group (JBG) would undertake local stakeholder engagement to consider the need for the merger of Local Justice Areas.

Accommodation

Hartlepool Magistrates' Court and County Court was purpose built in 1979 as a magistrates' court and was later adapted to accommodate Hartlepool County Court.

There are five courtrooms. In addition, there are two county court district judges' hearing rooms. There are ten cells in the building with secure access to three of the five courtrooms.

The court has a prison video link and facilities for vulnerable witnesses to give their evidence via video link to one courtroom. The court has separate waiting facilities for prosecution and defence witnesses. There are interview rooms available for private consultation. Hartlepool County Court operates a counter system from 2pm until 5pm Monday to Friday. The court is compliant with the Equality Act 2010 and there are no security issues.

Both Teesside Magistrates' Court and Teesside Combined Court Centre offer good facilities for HM Courts & Tribunals Service users. In order to accommodate the Social Security and Child Support Tribunal (SSCS) work from Hartlepool County Court and Middlesbrough Tribunals, reconfiguration of the hearing space at Teesside Magistrates' Court will be required to accommodate a further waiting room by removing the old fines counter and creating a disabled access door.

The facilities at Teesside Magistrates' Court include baby changing facilities, disabled access and toilet facilities and eight interview rooms. There is also hearing enhancement facilities, a cafeteria, video conference and prison video link equipment.

The facilities at Teesside Combined Court include baby changing facilities, disabled access and toilet facilities, five consultation rooms in the district judges' area and a further six on the first floor, hearing enhancement facilities, a cafeteria and video conferencing facilities. There is a counter system in the county court which operates Monday to Friday from 10am until 2pm.

Workload

Hartlepool Magistrates' Court is under used. There are five courtrooms and two of these are used for crime work. Family work is listed in one of the courtrooms every Tuesday. One of the courtrooms is used for tribunal hearings on an ad hoc basis and the remaining courtroom is not used as the facilities are out of date.

There are 16 courtrooms at Teesside Magistrates' Court and these are not fully used so there is sufficient capacity to accommodate the hearings from Hartlepool Magistrates' Court. One courtroom is currently used for training purposes and three of the courtrooms are used for tribunal hearings on an ad hoc basis.

In Hartlepool County Court there are two district judges' hearing rooms. Both district judges' hearing rooms are not used on a Monday or a Thursday. The court rooms allocated to the county court in Teesside Combined Court are not fully used so there is sufficient capacity to accommodate the hearings from Hartlepool County Court.

During the 2014/15 financial year, Hartlepool Magistrates' Court and County Court was utilised at approximately 47% of its capacity.

Location

Hartlepool Magistrates' Court and County Court is situated approximately 14 miles from Middlesbrough and there are excellent road, rail and bus links. There are frequent bus and train services to Middlesbrough with journey times by train of approximately 30 minutes and by bus approximately 45 minutes. The approximate cost of a return rail ticket is £4.50 and a return bus ticket costs £7.70 (bus north east all zone tickets).

The journey time by car is approximately 25 minutes.

Travel time data for this court pre and post closure is shown below:

Magistrates' workload:

Before	Time	%	After	Time	%
By Car	0-30min	100%	By Car	0-30min	97%
	30-60min	0%		30-60min	3%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	90%	By Public Transport	0-30min	0%
	30-60min	9%		30-60min	7%
	60-120min	0%		60-120min	91%
	>120min	0%		>120min	0%
	no data	1%		no data	2%

Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	100%	By Car	0-30min	97%
	30-60min	0%		30-60min	3%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	90%	By Public Transport	0-30min	0%
	30-60min	9%		30-60min	7%
	60-120min	0%		60-120min	91%
	>120min	0%		>120min	0%
	no data	1%		no data	2%

County workload:

Before	Time	%	After	Time	%
By Car	0-30min	100%	By Car	0-30min	79%
	30-60min	0%		30-60min	21%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	67%	By Public Transport	0-30min	0%
	30-60min	31%		30-60min	5%
	60-120min	1%		60-120min	92%
	>120min	0%		>120min	0%
	no data	1%		no data	3%

Staff implications

There are approximately eight members of staff working at Hartlepool Magistrates' Court and seven full-time members of staff working at Hartlepool County Court.

Other information

Hartlepool Magistrates' Court and County Court is a leasehold property and has a 99 year lease until 2075.

During the 2014/15 financial year, operating costs at Hartlepool Magistrates' Court and County Court were approximately £345,000.

Morpeth County Court Proposal

Morpeth County Court is one of six county courts operating in Northumbria, the others being at Gateshead, Newcastle, North Shields, South Shields, and Sunderland. The courthouse is situated in Morpeth and covers the North and South East parts of Northumberland. There are regular sittings at both Morpeth County Court and Berwick upon Tweed Courthouse. All administration is based in Morpeth County Court.

It is proposed that Morpeth County Court closes and its work is transferred to Newcastle County Court with the exception of regular hearings at Berwick upon Tweed Courthouse which will continue to be administered from Newcastle County Court. Morpeth County Court is reasonably fit for purpose however due to a break in the lease in 2017 the proposed move would enable the work to be moved to a larger court centre and would allow the court to be responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved and efficient service can be delivered with courts being utilised more efficiently and effectively.

Newcastle County Court is located within Newcastle Combined Court and offers good quality facilities in a modern, purpose built building for users. The change will have no impact on existing sittings at Newcastle County Court.

The population of Northumberland would also be able to access North Shields County Court, with local hearings continuing at Berwick upon Tweed courthouse and if required at South East Northumberland Magistrates' Court (Bedlington), which is situated five miles from Morpeth.

Accommodation

Morpeth County Court occupies the upper floors of a building owned by the Department for Work and Pensions, who occupy the ground floor. The building is adequate but under used.

The accommodation comprises of one civil courtroom and one district judges' hearing room. There are two interview rooms available for private consultations. There is a counter system which operates by prior appointment only. Although the car parking is not fully secure, there is a dedicated entrance for staff and the judiciary.

Newcastle Combined Court, which opened in 1990, is a much larger centre fit for modern day HM Courts & Tribunals business. Facilities include; interview rooms for private consultations, disabled access, parking, toilet and baby changing facilities, a hearing loop system, wireless internet access and a cafeteria for customers. There is sufficient appropriate accommodation for the judiciary, public and staff at Newcastle to accommodate the move from Morpeth County Court. There is a bailiff counter operating Monday to Friday 8.30am to 5pm. The court counter is open 10am until 4pm Monday to Friday by prior appointment only.

The county court also offers a service called the Personal Service Unit (PSU) which is an independent service offering support to people going through the court process without legal representation. They do not provide legal advice but they do provide practical guidance and/or emotional support. The service is free, independent and confidential and is offered to anyone who asks. The office is open between 9.30am and 4.30pm Monday to Friday.

Workload

There are two hearing rooms at Morpeth County Court, and these were used for approximately 44% of their capacity during the 2014/15 financial year. The court operates on a four weekly rota. The district judges' hearing rooms are only used three weeks out of four on a Friday. The civil courtroom is used every day during the four week period except Wednesday and Thursday afternoon during the first two weeks. Newcastle County Court is a larger court centre with more flexibility to accommodate the hearings from Morpeth County court.

Location

Morpeth County Court is situated approximately 17 miles from Newcastle. There is a frequent train and bus service between Morpeth and Newcastle. The travel time by train is approximately 20 minutes and by bus is approximately 35 minutes. The approximate cost of a return ticket is £6.60 by train and is £7.00 by bus. The journey time by car is approximately 30 minutes.

The main towns in Northumberland are all served by a frequent bus service to Newcastle. Journey times to South East Northumberland are between 30 minutes and one hour.

Travel time data for this court pre and post closure is shown below:

Before	Time	%	After	Time	%
By Car	0-30min	72%	By Car	0-30min	23%
	30-60min	18%		30-60min	60%
	60-120min	10%		60 - 120min	17%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	15%	By Public Transport	0-30min	0%
	30-60min	41%		30-60min	12%
	60-120min	25%		60-120min	70%
	>120min	17%		>120min	14%
	no data	2%		no data	4%

Staff implications

There are approximately seven members of staff working at Morpeth County Court.

Other information

The building is occupied under a Memorandum of Term of Occupation (MOTO) with the Department of Work and Pensions.

During the 2014/15 financial year, operating costs at Morpeth County Court were approximately £255,000.

Rotherham Magistrates', County Court and Family Court Proposal

Rotherham Magistrates', County Court and Family Court is one of four magistrates' courts and one of four county courts operating in South Yorkshire; the others being at Doncaster, Sheffield and Barnsley. The court deals with criminal work in the adult and youth courts as well as civil and family work.

It is proposed that Rotherham Magistrates', County Court and Family Court is closed, its criminal work transferred to Sheffield Magistrates' Court and the county court work transferred to Sheffield County Court. This would enable the workload to be moved to larger court centres and will allow the court to be responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved and more efficient service can be delivered with courts being used more efficiently and effectively.

Although there is sufficient capacity to meet the current and anticipated workload demand from Rotherham, some enabling works are required at Sheffield Combined Court to accommodate an additional district judges' hearing room.

Both Sheffield Magistrates' Court and Sheffield Combined Court Centre offer good quality facilities for HM Courts & Tribunals Service users.

Should this proposal go ahead the Judicial Business Group (JBG) would undertake local stakeholder engagement to consider the need for the merger of Local Justice Areas.

Accommodation

Rotherham Magistrates' Court was built in 1994. The court has ten courtrooms. In addition, there are two county court district judges' chambers. There are 11 cells in the building with secure access to eight of the ten courtrooms.

The court has no prison video link but has facilities for vulnerable witnesses to give their evidence via video link to two courtrooms. The court has separate waiting facilities for prosecution witnesses but no separate waiting facilities for defence witnesses. There are interview rooms available for private consultation. Rotherham County Court and Family Court operates a counter system from 10am until 2pm.

The court is compliant with the Equality Act 2010 and there are no security issues. Both Sheffield Magistrates' Court and Sheffield Combined Court Centre offer good quality facilities for HM Courts & Tribunals Service users.

The facilities at Sheffield Combined Court include interview rooms for private consultations, disabled access, toilet facilities, baby changing facilities, a hearing loop system, wireless internet access and a cafeteria. The county court also accommodates a Personal Service Unit (PSU) which is an independent charity where assistance is provided to court users to complete court forms. The service is free and available to everyone who asks.

Sheffield County Court offers a counter system which operates from Monday to Friday 10am until 2pm by prior appointment only. Sheffield Magistrates' Court has 15 cells which are all operational. There are a total of 16 courtrooms. The facilities include baby changing facilities, disabled access and toilets, private interview rooms, portable induction hearing loops, video conferencing, video link facilities and a cafeteria located on the ground floor.

Sheffield Magistrates' Court also accommodates a support group - Addiction Team - who are located on the lower ground floor.

Workload

There are ten courtrooms and two district judges' hearing rooms at Rotherham Magistrates', County Court and Family Court. The two district judges' hearing rooms are not fit for purpose due to their size and are not currently used for hearings. The court rooms that adjoin the district judges' hearing rooms are used for county court hearings. However, one of these courtrooms is only used on Tuesdays for trials and possession lists, and on Wednesdays it is used for the coroner's court. Two of the courtrooms are not used unless there is a requirement to list a tribunal hearing once or twice during the month.

During the 2014/15 financial year, utilisation at the court was approximately 32% of its capacity.

Sheffield Magistrates' Court has 16 court rooms and five of the courtrooms are currently under used. All court rooms are fit for purpose and there is sufficient capacity to move criminal work into Sheffield Magistrates' Court from Rotherham.

Sheffield County Court at Sheffield Combined Court Centre will require some enabling works to accommodate an additional hearing room; this will provide flexibility within the court building with more up to date facilities.

Location

Rotherham Magistrates', County Court and Family Court is situated nine miles from Sheffield and there are excellent road, rail and bus links.

There are frequent bus and train services to Sheffield with journey times by train of approximately 20 minutes and by bus of approximately 30 minutes. The approximate cost of a return rail ticket £3.80. A return First Day Ticket by bus costs approximately £3.90. The journey time by car is approximately 20 minutes.

Travel time data for this court pre and post closure is shown below:

Magistrates' workload:

Before	Time	%	After	Time	%
By Car	0-30min	99%	By Car	0-30min	78%
	30-60min	1%		30-60min	22%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public	0-30min	41%	By Public	0-30min	5%

Before	Time	%	After	Time	%
Transport	30-60min	54%	Transport	30-60min	59%
	60-120min	5%		60-120min	36%
	>120min	0%		>120min	0%
	no data	0%		no data	0%

Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	99%	By Car	0-30min	78%
	30-60min	1%		30-60min	22%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	41%	By Public Transport	0-30min	5%
	30-60min	54%		30-60min	59%
	60-120min	5%		60-120min	36%
	>120min	0%		>120min	0%
	no data	0%		no data	0%

County workload:

Before	Time	%	After	Time	%
By Car	0-30min	99%	By Car	0-30min	79%
	30-60min	1%		30-60min	21%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	40%	By Public Transport	0-30min	6%
	30-60min	52%		30-60min	59%
	60-120min	8%		60-120min	35%
	>120min	0%		>120min	0%
	no data	0%		no data	0%

Staff implications

There are approximately 18 members of staff working at Rotherham Magistrates', County Court and Family Court.

Other information

Rotherham Magistrates', County Court and Family Court is freehold and forms part of a civic complex.

During the 2014/15 financial year, operating costs at Rotherham Magistrates', County Court and Family Court were approximately £640,000.

The Crown Prosecution Service, National Probation Service, Citizens Advice Bureau and the Children and Family Court Advisory and Support Service (CAFCASS) have rooms allocated within the building. Alternative arrangements would need to be made should the decision to close the court be taken.

Scunthorpe Magistrates', County Court and Family Court Proposal

Scunthorpe Magistrates', County Court and Family Court is one of four magistrates' and three county courts operating in Humberside, the other magistrates' courts being at Beverley, Grimsby and Hull and the other county courts being at Hull and Grimsby. The court deals with criminal business in the adult and youth courts as well as civil business, district registry, bankruptcy, adoptions, and family work.

It is proposed that Scunthorpe Magistrates', County Court and Family Court closes and its work is transferred to Grimsby Magistrates' and Grimsby Combined Court. Overall utilisation is low, specifically in relation to courtrooms used by the magistrates' business. Should the court close it would enable the workload to be moved to larger court centres and would allow the court to be more responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved and more efficient service can then be delivered with courts being used more efficiently and effectively.

There will be some enabling works required at the combined court to create additional family hearing capacity.

The main courthouse at Scunthorpe Magistrates', County Court and Family Court is compliant with the Equality Act 2010. However, the administrative centre which forms part of the accommodation is not.

Grimsby Magistrates' Court and Grimsby Combined Court Centre offer good quality facilities for HM Courts & Tribunals service users.

Should this proposal go ahead the Judicial Business Group (JBG) would undertake local stakeholder engagement to consider the need for the merger of Local Justice Areas.

Accommodation

Scunthorpe Magistrates', County Court and Family Court was purpose built as a magistrates' court and later adapted to accommodate Scunthorpe County Court. Two properties now make up Scunthorpe Magistrates', County Court and Family Court. One of these buildings is the administration centre known as Scunthorpe Charter Hall.

The court comprises three courtrooms and one hearing room. There is also one county court district judge's chambers. There are 14 cells in the building with secure access to three of the four courtrooms. The cells belong to Scunthorpe Police Station.

The court has prison to court video link and has facilities for vulnerable witnesses to give their evidence via video link to two courtrooms. Scunthorpe County Court and Family Court operates a counter system open from 10am until 2pm Monday to Friday.

The court does not have separate waiting facilities for prosecution and defence witnesses. There are interview rooms available for private consultation.

The main courthouse is compliant with the Equality Act 2010 and there are no security issues. However Scunthorpe Charter Hall is not compliant with the Equality Act 2010

The facilities at both Grimsby Combined Court and Grimsby Magistrates' Court are good and include interview rooms for private consultations, five at the combined court and two at the magistrates' court, disabled access, parking and toilet facilities, baby changing facilities, a hearing loop system and wireless internet access. Grimsby Combined Court operates a counter system Monday to Friday open from 10am until 2pm. There is also free public parking at/or nearby Grimsby Magistrates' Court. A further hearing room will be created to consolidate all family and civil work within Grimsby Combined Court in the old disused cafeteria area. This area already has public toilet facilities.

Workload

There are four courtrooms at Scunthorpe Magistrates', County Court and Family Court, which were utilised at approximately 30% of their capacity during the 2014/15 financial year.

One of the courtrooms deals with some criminal lists and video link cases on Wednesday afternoons only. Therefore the court room is not used for the remainder of the week. Another court room is used for family work on Monday mornings and Friday mornings only and is not used for the remainder of the week.

The district judges' hearing room is used more effectively with the exception of Thursdays every third week.

Grimsby Magistrates' Court currently has the capacity to accommodate hearings from Scunthorpe Magistrates' Court. Grimsby Combined Court will have the capacity to accommodate hearings from Scunthorpe County Court and Family Court once the enabling works to create an additional courtroom have been undertaken.

Location

Scunthorpe Magistrates', County Court and Family Court is situated 28 miles from Grimsby and there are excellent road and rail links.

There is a frequent train service to Grimsby with journey times by train of approximately 35 minutes. The approximate cost of a return rail ticket is £15.60 and the cost of a bus day ticket is £8.50. The approximate time of a bus journey is 50 minutes

The journey time by car is approximately 40 minutes.

Travel time data for this court pre and post closure is shown below:

Magistrates' and Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	76%	By Car	0-30min	2%
	30-60min	24%		30-60min	74%
	60-120min	0%		60 - 120min	1%
	>120min	0%		>120min	0%
	no data	0%		no data	23%
By Public	0-30min	45%	By Public	0-30min	0%

Before	Time	%	After	Time	%
Transport	30-60min	20%	Transport	30-60min	0%
	60-120min	25%		60-120min	55%
	>120min	6%		>120min	13%
	no data	4%		no data	32%

County workload:

Before	Time	%	After	Time	%
By Car	0-30min	74%	By Car	0-30min	2%
	30-60min	26%		30-60min	75%
	60-120min	0%		60 - 120min	1%
	>120min	0%		>120min	0%
	no data	0%		no data	22%
By Public Transport	0-30min	44%	By Public Transport	0-30min	0%
	30-60min	20%		30-60min	0%
	60-120min	26%		60-120min	54%
	>120min	7%		>120min	16%
	no data	3%		no data	30%

Staff implications

There are approximately 16 members of staff working at Scunthorpe Magistrates', County Court and Family Court.

Other information

The main Scunthorpe Magistrates', County Court and Family Court building is leasehold and the landlords are the Humberside Police with a 999 year old lease. Scunthorpe

Charter Hall Administration Centre is Freehold.

During the 2014/15 financial year, operating costs at Scunthorpe Magistrates', County Court and Family Court were approximately £268,000.

The National Probation Service and Citizens Advice Bureau occupy the building on a daily basis, and the Youth Offending Team once a week. Alternative arrangements would need to be made should the decision to close the court be taken.

Wakefield Magistrates' Court Proposal

Wakefield Magistrates' Court is one of five magistrates' courts operating in West Yorkshire the others being in Leeds, Huddersfield, Bradford and Halifax. The court deals with criminal court business in the adult and youth courts. From mid-January 2013, public law and private law work in the Family Court moved to the new Wakefield Civil Justice Centre.

It is proposed that Wakefield Magistrates' Court closes and the criminal work moves to Leeds Magistrates' Court where there is ample accommodation for staff and hearings. There are 21 courtrooms at Leeds Magistrates' Court, with only ten to 12 being used on a daily basis at present. There will be no enabling works required to accommodate the workload from Wakefield.

The facilities at Wakefield Magistrates' Court are sub-standard and out of date for staff, judiciary and all court users. The building is not compliant with the Equality Act 2010 due to its listed status and the courtroom accommodation, in particular, is in need of modernisation. The building has five courtrooms and is currently well used, however there is sufficient capacity at Leeds and Wakefield Magistrates' Court offers poor standards of accommodation.

Leeds Magistrates' Court offers excellent quality facilities in a modern purpose built building for HM Courts & Tribunals Service users.

In the 2010 Court Estate Reform Programme proposals, it was agreed that Pontefract Magistrates' Court would close and the work would move to Wakefield Magistrates' Court. This took place in March 2013 and Wakefield Magistrates' Court now houses some of the staff and work from Pontefract. A small number of the staff were accommodated at Leeds Magistrates' Court. As part of this arrangement, the family work from both Pontefract and Wakefield Magistrates' Courts was to be dealt with within the new Wakefield Civil Justice Centre which opened in January 2013. More recently with the introduction of the single Family Court in April 2014, all issue of family proceedings are now dealt with at Leeds County Court. Wakefield Civil Justice Centre is still used as a hearing centre for the Family Court.

The closure of Wakefield Magistrates' Court was not considered as part of the estate reform proposals in 2010 as at that time the workload from both Wakefield and Pontefract could not be accommodated in Leeds Magistrates' Court. Since 2010 reductions in magistrates' court criminal work at both Pontefract and Wakefield and the relocation of the family court work, now allows for Wakefield Magistrates' Court to be considered as part of these proposals.

Should this proposal go ahead the Judicial Business Group (JBG) would undertake local stakeholder engagement to consider the need for the merger of Local Justice Areas.

Accommodation

Wakefield Magistrates' Court was built in 1777 and is a listed building. The accommodation comprises of five courtrooms, four formal courtrooms and one informal courtroom. The facilities are sub-standard and out of date for staff, judiciary and all court users. The building is not compliant with the Equality Act 2010 due to its listed status and the courtroom accommodation in particular, is in need of modernisation. The property is

old and is no longer fit for use. There are constant maintenance issues with equipment in particular relating to the fire alarm system and courtroom security. The system is old and in need of repair. The structure, roof and windows are also in need of repair and due to the listed status patch repairs are currently being carried out.

Access to the building is difficult for some people with a disability and there is no access to the four courtrooms on the first floor for people with some disabilities. The only courtroom on the ground floor is usually used for family and youth courts. The cell facilities are in poor condition and have limited capacity.

The court has separate waiting facilities for prosecution witnesses but no separate facilities for defence witnesses. Wakefield Magistrates' Court has prison video link facilities and facilities for vulnerable witnesses to give their evidence via video link in one courtroom. The court has interview rooms available for private consultation.

Leeds Magistrates' Court offers excellent quality facilities in a modern purpose built building for users. The facilities at Leeds Magistrates' Court include interview rooms for private consultations, video link facilities, disabled access and toilet facilities, baby changing facilities, hearing enhancement facilities, parking for disabled customers and refreshment facilities for all court users.

Workload

Wakefield Magistrates' Court has five courtrooms and was utilised at approximately 56% of its capacity during the 2014/15 financial year.

Leeds Magistrates' Court has 21 courtrooms however only half of these are fully used with three of the courtrooms used currently as meeting venues. There is capacity to accommodate hearings from Wakefield Magistrates' Court to ensure flexibility in a larger centre with better facilities.

Location

Wakefield Magistrates' Court is situated 12.5 miles from Leeds. There is a frequent train and bus service between Wakefield and Leeds. The travel time by train is approximately 20 minutes and by bus approximately 35 minutes.

Pontefract is situated 17 miles from Leeds. There is a frequent train via Wakefield between Pontefract and Leeds via Wakefield with a journey time of approximately 50 minutes. There is a frequent direct bus service to Leeds from Pontefract with a journey time of approximately 50 minutes.

The cost of a return train ticket from Pontefract to Leeds is £3.90. A West Yorkshire ticket can be purchased for return travel by bus and costs £4.70. The cost of a return train ticket from Wakefield to Leeds is £5.90. A West Yorkshire ticket can be purchased for return travel by bus and costs £4.70.

The journey time by car is approximately 25 minutes from Wakefield and 35 minutes from Pontefract.

Travel time data for this court pre and post closure is shown below:

Magistrates' and Family workload:

Before	Time	%	After	Time	%
By Car	0-30min	99%	By Car	0-30min	86%
	30-60min	1%		30-60min	14%
	60-120min	0%		60 - 120min	0%
	>120min	0%		>120min	0%
	no data	0%		no data	0%
By Public Transport	0-30min	35%	By Public Transport	0-30min	0%
	30-60min	51%		30-60min	53%
	60-120min	14%		60-120min	47%
	>120min	0%		>120min	0%
	no data	0%		no data	0%

Staff implications

There are approximately 28 members of staff working at Wakefield Magistrates' Court.

Other information

Wakefield Magistrates' Court is a freehold property.

During the 2014/15 financial year, operating costs at Wakefield Magistrates' Court were approximately £268,000.

Witness Service, National Probation Service and the Youth Offending Team occupy part of the building, and alternative arrangements would need to be made should the decision to close the court be taken.

Questionnaire

We would welcome responses to the following questions.

Question 1: Do you agree with the proposals? What overall comments would you like to make on the proposals?

Question 2: Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Question 3: Are there other particular impacts of the proposals that HM Courts & Tribunals Service should take into account when making a decision? Please provide details.

Question 4: Our assessment of the likely impacts and supporting analysis is set out in the Impact Assessment accompanying this consultation. Do you have any comments on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

Question 5: Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

Question 6: Please provide any additional comments that you have.

Thank you for participating in this consultation exercise.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	(please tick box) <input type="checkbox"/>
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

Please send your response by 8 October 2015 to:

HMCTS Consultation
Ministry of Justice
Post point 1.13
102 Petty France
London
SW1H 9AJ

Tel: 0161 240 5021

Fax: 0870 761 7768

Email: estatesconsultation@hmcts.gsi.gov.uk

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available on-line at www.gov.uk/moj.

Alternative format versions of this publication can be requested [please see details above].

Publication of response

The response to this consultation exercise will be available on-line at www.gov.uk/moj.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

The Ministry will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Impact Assessment

Impact Assessment for proposals likely to affect businesses, charities, voluntary sector or the public sector – see guidance on: (<https://www.gov.uk/government/publications/impact-assessment-template-for-government-policies>)

Consultation principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>

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Alternative format versions of this report are available on request from the Ministry of Justice [please see above for contact details].



Police & Crime Commissioner for Cleveland
Cleveland Police Headquarters
Ladgate Lane
Middlesbrough
TS8 9EH

Email: pcc@cleveland.pnn.police.uk
 Website: <http://www.cleveland.pcc.police.uk>

Police and Crime Commissioner:
 Chief of Staff (Chief Executive &
 Monitoring Officer):
 Chief Constable:

Barry Coppinger

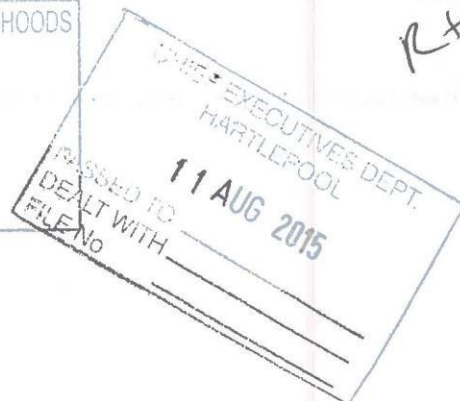
Tel: 01642 301653

Simon Dennis BA, Solicitor
 Jacqui Cheer QPM

Tel: 01642 301653
 Tel: 01642 301217

7 August 2015

Gill Alexander
 Chief Executive
 Hartlepool Borough Council
 Civic Centre
 Hartlepool
 TS24 8AY



Dear Gill

Closure of Hartlepool Magistrates Court and County Court

Thank you for your letter of 24 July 2015 to Police & Crime Commissioner Barry Coppinger. In his absence on leave, the Commissioner has asked me to respond on his behalf.

In short, the PCC shares the analysis set out in your letter.

Both the Commissioner and Cleveland Police recognise the need to achieve efficiencies in the management of the Ministry of Justice estate and also the advantages presented by the increasing use of technology in the context of both civil and criminal justice.

The Commissioner's overarching concerns are those of

- access to justice by court users; and
- justice being seen to be done in the locality

He therefore shares Hartlepool Borough Council's perspective in that the closure of the local court facilities will impact negatively on access to local justice.

In particular, the MoJ analysis appears to underestimate the impact for court users of limited means, for whom the costs of travel (which the MoJ appear to suggest are low) may be a significant barrier to accessing court facilities outside of Hartlepool.



The Police & Crime Commissioner for Cleveland is an accredited Living Wage Employer with the Living Wage Foundation.

The Commissioner will offer the following answers to the specific questions set out in the consultation; the formal consultation closes in October and the OPCC may amplify the responses in time for submission to the MoJ.

1. Do you agree with the proposals? What overall comments would you like to make on the proposals.

Both the Commissioner and Cleveland Police recognise the need to achieve efficiencies in the management of the MoJ estate and also the advantages presented by the increasing use of technology in the context of both civil and criminal justice.

The Commissioner's overarching concerns are those of

- access to justice by court users; and*
- justice being seen to be done in the locality.*

He therefore shares Hartlepool Borough Council's serious concerns in that the closure of the local court facilities will impact negatively on access to local justice.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

The proposals will impact directly upon

- Cleveland Police;*
- Victims of crime;*
- Other court users involved in the criminal justice process;*

for whom the PCC shares an overarching remit. Save for the incidental points made in the MoJ consultation document about the facilities offered at the Teesside Magistrates and Combined Court centres, there appear to be no positive advantages to the proposals in respect of the above stakeholders.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

The MoJ analysis appears to underestimate the impact for court users of limited means, for whom the costs of travel (which the MoJ appear to suggest are low) may be a significant barrier to accessing court facilities outside of Hartlepool.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

The PCC would wish to make the same point as at (3) above – the impact assessment, in common with the substantive consultation document, does not

R. BELL & SON

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PARTNERS:

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32A VICTORIA ROAD,
HARTLEPOOL,
TS26 8DD

OUR REF. TC/CW/JW/
YOUR REF. KS

06 August 2015

Please reply to/ask for:-
Mrs C Waller

FOR THE ATTENTION OF GILL ALEXANDER



Dear Sirs

Re: CLOSURE OF HARTLEPOOL MAGISTRATES COURT AND COUNTY COURT

We refer to your letter of 24th July 2015 and note its contents. With regard to the Questionnaire you provided, we would reply as follows:

1. Do you agree with the proposals? What overall comments would you like to make on the proposals?

We do not agree with the proposals for closure for the reasons set out below.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

The proposals for closure will have direct impact upon ourselves. By travelling out of town to attend Court, will result in our costs to our clients being increased due to additional travelling. We also anticipate that a larger centralised Court does not necessarily mean a more efficient Court as it becomes difficult to speak to the same person for continuity or to track correspondence which has been forwarded to a Court, due to its size and the volume of work it is dealing with. Consolidating Courts in one larger building seems to be seen as more efficient but in practice, they are too big, correspondence/documentation cannot always be retrieved and dealt with for urgent hearings and the sheer bulk of the work can cause delay in it being dealt with or even lost in the system.

3. Are there other particular impacts of the proposals that HM Court and Tribunals Service should take into account when making a decision? Please provide details.

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There would be a particular impact upon our clients who generally have to privately fund their cases and it will involve not only additional travelling costs for them by having to attend a Court out of town but additional legal costs incurred by their legal representatives having to do so. Clients already struggle in providing childcare during school holidays but a journey to a Court out of town also lengthens the period of time when childcare will be necessary. Courts often list cases at 10am but all parties are required to attend at 9.30am and clients struggle to drop children off at school at approximately 8.45am and then travel out of town to a Court for 9.30am. It is stated in the proposal that a bus journey is likely to take 45 minutes and at the moment, 90% of clients are likely to take under 30 minutes to arrive at Court but following implementation of the proposals, such a journey would ensure 91% would take between 60 and 120 minutes to attend Court. Consequently, it would not be considered more efficient for clients and it appears to restrict their access to Justice particularly following the significant limitation/ almost non-existence of Legal Aid for the majority of them.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

See travel time details above at Question 3. The Report also states the Hartlepool County Court operates a counter system from 2pm to 5pm (a 3 hour slot) but, in fact, it is actually 10am to 2pm (being a 4 hour slot).

5. Are these alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

If it is proposed that the building which houses the Magistrates and County Court is not being fully used, then could it not be used to accommodate Mediation, Citizens Advice Bureau or a Contact Centre, the latter of which has always been in such demand but not readily available in this town. The use of technology appears on the surface to be a suitable alternative to travelling to Court but it is highly unlikely that lay persons would have access to such facility.

6. Please provide any additional comments you may have.

As above.

Yours faithfully
R BELL & SON

Chief Executive's Department
Hartlepool Borough Council
Civic Centre
HARTLEPOOL TS24 8AY

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals
No
2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.
No
3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.
4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.
5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

6. Please provide any additional comments you may have.

I AGREE THAT LAW COURTS SHOULD STAY IN
HARTLEPOOL. GREAT YOU ARE TRYING, BUT THIS GOVERNMENT
WILL NOT RECOGNISE NORTH EAST BEING LABOUR STRONGHOLD
AFRAID WE ARE THE NEW "EAST END OF LONDON FROM
VICTORIAN TIMES AND THAT IS WHERE THEY WANT US
SEE THEM LAUGHING NOW AT YOUR BRAVE EFFORTS

[Signature]

HARTLEPOOL
Y472
18 AUG 2015
COUNTY COURT/
MAGISTRATES COURT

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals **NO**
2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details. **NO**
3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details. **HARTLEPOOL RESIDENTS ARE UPSET AT ALL THE SERVICES MOVED FROM THE TOWN**
4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful. **N/A**
5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.
6. Please provide any additional comments you may have.

HARTLEPOOL
Y472

10 AUG 2015

COUNTY COURT/
MAGISTRATES COURT

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

I do not agree with the proposals. Justice should be easily accessible to all and to say that in a modern age we should be making more use of digital technology to enable people to access Courts and Tribunals, pay fines etc, does not take into account the impact this will have on the more vulnerable individual in society.

It is a fundamental right of our legal system for the accused to be able to face their accusers in open Court. Up until now there are very few cases where this right is denied. By using video links the accused are denied their right. In my opinion the Ministry of Justice has already undermined our legal system by the breaking up of the Probation Service and this proposal breaks it up even further.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Not unless I need to access Justice Services however I work for an organisation that provides Independent Domestic Violence Advocates to Hartlepool Specialist Domestic Violence Court.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

The main concern I have is the impact on Courts in surrounding areas. How does the proposal address this issue? Our organisation provides an IDVA to Teesside Magistrates Court and I believe that the Specialist Domestic Violence Court there is already extremely busy to the point that not all cases are being held in the appropriate Court. I have great concerns that with the extra cases coming from Hartlepool more cases will be heard in Courts that have no specialisation.

There is also the impact on accused and witnesses having to travel further afield to access Court. Not only is it time consuming but there is the additional travel costs. The statement outlines these costs as between £4.50 and £7.70 which is a large sum of money to people on benefits. I am aware

that witness can reclaim the money spent on travel but they need to have the money in the first place to get to Court.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

The impact assessment states the following "Should the court close it would enable the workload to be moved to larger court centres and would allow the court to be more responsive and flexible with the throughput and listing of cases meeting customer and workflow demands more effectively. An improved and a more efficient service could then be delivered with courts being used more efficiently and effectively." Where is the evidence that closing Hartlepool Courts would enable these efficiencies? How would they become more efficient? Making a statement without evidence should not be included in an impact assessment.

5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

As I have already stated in the opening question your proposal undermines the rights of the accused by allowing witnesses not to be present in Court. I accept that when witnesses may be put at risk video links should be used but this should be the only time.

6. Please provide any additional comments you may have.

None

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals
harbour feels that this is the wrong decision for the town as once again it feels like Hartlepool is turning into a suburb of a larger area,
2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details. Yes these proposals will have a direct effect on harbour and the clients we support. Financial as clients will need to fund travel to other courts, childcare as most of our clients are women and where as a visit to Hartlepool court may still take up a few hours the additional time of attending a court in another area could prove difficult if people have to relies on public transport. We as a charity will face additional costs and resourcing issues due to the impact of using the IDVA service outside of Hartlepool. We had built up a positive working relationship with the courts that commented on as good practise as working well and not facing the issues that the Middlesbrough court had about making the same process followed in Hartlepool work in Middlesbrough.
3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details. Clients may withdraw criminal proceeding's which in its self as cost implications for the work done previously on the case and the possible escalation in repeat visits to the property
4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful. We think that there has been enough consideration to the practical aspects of this on the actual clients who may be affected. I note that they have said the cost of travel but if people are on low wages or benefits and the proposed further cuts in these than it feels that this would end people feeling we have a justice system in this country.
5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand

requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible. If this was going to be a suggestion as a possible solution I would question why the pilot for use of technology has been funded in Middlesbrough when for me the best place to have tried this out should have been Hartlepool to gauge peoples acceptance and use of this facility from outside the area where the court would be.

6. Please provide any additional comments you may have.

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

No, Harbour believe this decision will have a detrimental effect on the victims in Hartlepool. We believe that withdrawals will increase as a result of the court being closed. Transport, finances and childcare could all be impacted when looking at victims personal circumstances.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

We believe that the Hartlepool IDVA has excellent links with Hartlepool court and communications are extremely positive. There is a possibility that the close working links could be affected by the closure. Harbour also feel that the use of our local resources would be stretched by the time taken and expense of travelling to another court. As we have IDVA'S covering Middlesbrough and Durham courts, the increase of cases could impact on their roles also.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

Will the closure impact on lengths of time waiting for hearings and trials?

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

Video links or alternative buildings could be a possibility for hearings.

6. Please provide any additional comments you may have.

We have been raising our concerns for some time within the SDVC meeting with regards to the impact on Hartlepool clients if the court closes.

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

Whilst I appreciate the requirement for financial savings to be made, I am naturally concerned about the provision of services being removed from Hartlepool as this will impact upon victims and witnesses as well as Cleveland Police.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Moving Magistrates court to Middlesbrough will impact hugely on policing in Hartlepool. Staff are required, almost daily to attend court and the current court building is next to the police station. Officers having to travel to Middlesbrough to attend court would result in the already low numbers available being further depleted. Provision of vehicles is extremely limited and this proposal would require vehicles being utilised for court attendance, leaving a shortage within Hartlepool. Fuel costs for the force would also increase with a 30 mile round trip for every attendance.

I can foresee a likelihood of more defendants not attending court when required due to distance and cost involved. This would in turn result in increased workload for police when warrants are issued, when resources are at their lowest level and still decreasing.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

Whilst the document indicates that there is capacity at Teesside Magistrates courts for the workload from Hartlepool, I am concerned that cases would take longer to actually get to court. There is no information in the document regarding current timescales and what they would be following any closure.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

In relation to Hartlepool there will be an increase in travel time and cost and this will not be offset by any benefits as suggested may be the case in the impact assessment.

I think the effect of the extra cost for victims/witnesses cannot be underestimated (minimum of around £5 per day) and may result in non attendance and subsequent loss of cases.

- 5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.**

Use of video conferencing for police witnesses working in Hartlepool would be hugely beneficial. This technology is utilised on a daily basis for internal force wide meetings and would reduce the extra cost implications for the force and result in police officers spending less time off the streets.

If a similar system could be implemented for victims and witnesses, this would be much more acceptable and reduce the risk of non attendance due to finance/distance.

- 6. Please provide any additional comments you may have.**

Closure of the magistrates court in Hartlepool is likely to result in subsequent closure of the custody facility also, as the rationale for its existence has been to service the courts. This would also remove police officers from the streets of Hartlepool as every arrest would need to be transported to Middlesbrough.

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals – NO, would mean excessive travel for not only myself, travelling regularly from Durham but to tenants having to make way to Middlesbrough
2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details. – as above
3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details. – location & accessibility means it will become very unrealistic that defendants will be able to make this journey, parking costs also will be an issue, not ideal at all
4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.
5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.
6. Please provide any additional comments you may have. – as stated above moving the Court to a central location may be ideal financially but for a town like Hartlepool, Peterlee etc it makes it difficult for the regular users of Court services to access and in my case a round trip of almost 60 miles simply to attend a court hearing

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals
Do not agree. Significant impact upon police resources.
2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.
Police resources reduced considerably , this will place greater burdon around fewer people.
3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.
Impact of less police officers
4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

No Comment
5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.
Is there a technical solution that would be accepted by the CJ system ?
6. Please provide any additional comments you may have.

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

Do not agree because of resource implications and concerns regarding accessibility for officers & residents

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Yes

Resource implications will include:

Increased time and travel costs: We estimate that a return journey would take at least 90 minutes possibly longer if there are traffic issues or problems finding suitable parking in a busy town centre. We are concerned about wasted journeys where hearings are adjourned etc e.g. if parties do not attend and officers may have to sit through other cases before their case is heard. Parking is expensive. On occasion several staff need to attend. The impact on other staff will be significant as we are a small division within the Council

Accessibility to Magistrates for urgent matters eg issuing warrants for enforcement matters, RIPA authorisations, Hygiene Emergency Prohibition action, Closure Orders etc.

We anticipate that there will be an increased delay in getting Court dates. In our experience we already have to wait a considerable time to get a Court date

We may experience difficulties getting witnesses to attend Court & may incur costs e.g. we may use members of the public as witnesses in Licensing Appeals and may not be able to recover the costs incurred

Court needs to be accessible to people who wish to Appeal against Enforcement Notices etc

In our experience it is currently difficult to get a meeting room at Middlesbrough Magistrates Court to speak with legal representatives. The position is likely to be worse with increased use of the Court

Access to photocopiers etc is limited and expensive. We are currently able to get material copied at Civic Centre in adjoining building to Hartlepool Magistrates Court & this would no longer be possible.

When we need to exhibit physical evidence the use of videos etc is not possible / practical. The evidence needs to be presented to the Court for inspection. In complex cases officers are required to transport significant volumes of material eg case files, physical evidence etc and this has implications for the number of officers required to attend, parking access etc.

Some people may not have access to a computer or may not be computer literate in order to use on line services to appeal against notices etc so will need to attend court in person. (Hartlepool has a high level of deprivation)

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

No comment

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

No Comment

5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

Is there a technical solution that would be accepted by the CJ system ?

For us technical solutions are not going to work. Officers will need to attend Court to get warrant signed, exhibit physical evidence etc.

Availability of suitable alternative public buildings/accommodation is very limited. There may be security issues.

6. Please provide any additional comments you may have.

Access to photocopiers etc is limited and expensive. We are currently able to get material copied at Civic Centre in adjoining building to Hartlepool Magistrates Court & this would no longer be possible.

When we need to exhibit physical evidence the use of videos etc is not possible / practical. The evidence needs to be presented to the Court for inspection. In complex cases officers are required to transport significant volumes of material eg case files, physical evidence etc and this has implications for the number of officers required to attend, parking access etc.

Some people may not have access to a computer or may not be computer literate in order to use on line services to appeal against notices etc so will need to attend court in person. (Hartlepool has a high level of deprivation)

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

No comment

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

No Comment

5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

Is there a technical solution that would be accepted by the CJ system ?

For us technical solutions are not going to work. Officers will need to attend Court to get warrant signed, exhibit physical evidence etc.

Availability of suitable alternative public buildings/accommodation is very limited. There may be security issues.

6. Please provide any additional comments you may have.

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

I do not agree with the proposals, it would be yet another service taken away from Hartlepool. The time data provided is obviously based on the perfect journey. In reality even travelling by car 97% of people will not get to Middlesbrough in 0-30 mins. I don't think this has taken account of the constant roadworks, sheer volume of traffic at peak times and the road traffic accidents. The A19 and all other routes to Middlesbrough are the maximum of 2 lanes.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Whilst the proposals will not have a direct impact on us as an organisation, it will impact directly on our clients, many of whom are vulnerable and often incapable of travel outside of their own town. It will deter people from attending tribunals. Without their attendance there is an increased risk of losing the appeal.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

In the consultation the facilities at Hartlepool are well described. There doesn't seem to be any major refurbishment needed, it is fully compliant with the Equality Act 2010 and no security issues. It is ideally located, so the tribunal need to take into account the economic impact on the residents using the court and tribunal services.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

Several years ago Tribunals for Hartlepool were moved to Middlesbrough. It had a negative impact on the residents of Hartlepool, as they faced increased financial costs in both travel and time. For organisations attending to accompany clients, listings were not made in a logical manner, thus increasing costs to the organisations.

Has this consultation used the evidence that must have been gathered during this period, as the decision was made to re-list tribunals in Hartlepool.

Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

Using local public buildings often comes with its own difficulties, i.e. availability, security, cost etc. I understand these were some of the reasons initially removing the tribunal service from Hartlepool. Which is why the law court was used to re-instate the tribunal service in Hartlepool.

5. Please provide any additional comments you may have.

The costs of re-commissioning as well as decommissioning should be taken into consideration. Whilst we understand the intention is to centralise services, mainly for cost benefit, having lived through several centralisations and then re-localisations, as it is realised that the centralisation only works for those living close to the centralised services, there will be a need and indeed a cost involved in re-commissioning/re-establishing services locally.

Therefore whilst this may appear to make savings initially, in the long run it will end up costing double.

Going to court as a victim is already a scary experience and it is going to be made considerably worse adding a longer journey to what could be an unfamiliar place. Currently, court expenses are paid retrospectively and some victims would not be able to pay the travel costs upfront. The added journey time can also impact on child care that may be needed.

Friends and family may not be able to afford to accompany victims and this will have a detrimental effect on them, support is vital for witnesses to be able to have the strength to give their evidence.

Unless victims have access to a car they could be faced with the extremely distressing situation of being on the same bus or train as the accused. This would be bad for any victim but imagine the fear of a vulnerable witness or DV victim ? There are security guards that offer a level of protection at court against intimidation but this would not apply to public transport.

Trials are often adjourned now and victims have to go two, sometimes three times before the case goes ahead and I am concerned that this will be worse if we have one magistrates covering the whole of Cleveland. People build themselves up to a frenzy with the worry of giving evidence, often not sleeping or eating and the impact of this can lead to them having to seek medical help.

Victims can often not even start to recover from the effects of the crime till after the trial is over and added waiting times for a case to be heard will have a negative effect on people and the worry is that they will not bother reporting the incidents to the Police in the first place.

I have recently been to Middlesbrough magistrates and there was not enough seats in the witness room and it was chaotic to say the least. Solicitors couldn't talk to their clients in confidence and struggled to be heard over the noise. This happened when other magistrates were still operating.

Response from Children's Services Division

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

We understand savings need to be made across services and think that there may be better ways to use technology and remote access. A proportion of our work regarding family court takes place at Teesside currently and we already have some difficulties ensuring families are present and engaged. The moving of the Hartlepool court will continue to reinforce this pattern of difficulties engaging our most vulnerable families. It will therefore lead to our most vulnerable families being at a disadvantage when accessing the justice system.

The Youth Court recently transferred to Teesside. This has added pressure on our teams due to staff needing to support young people to be transported and supported outside of Hartlepool which takes significantly more time.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

We work with families and a number of these will have dealings with the Hartlepool court therefore as stated above it will impact on our most vulnerable families – most struggle to access services and many will struggle to access outside. In particular the FCSH work with a number of families facing eviction. They can currently access the Hartlepool Court to challenge the eviction. However if the court transfers to Teesside it is unlikely that families will travel and we may see more evictions for our most vulnerable families.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

Increased staff resource needed to support families to access court if transferred.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

Nothing else to add

5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

The courts are an intimidating place for families and often workers. There is a lot of wasted time and money in the current system in relation to all parties involved and other alternatives may provide a more efficient system. Engaging remotely or using other venues maybe preferable to users as well as saving time and money (as long as these plans are developed and technology and alternative venues are fit for purpose.) This may also engage our most vulnerable families.

6. Please provide any additional comments you may have.

Teesside may not seem too much of a distance for those of us who are regular travellers. However for our most vulnerable families who may have mental health problems, health problems or other needs Teesside feels like a world away and significant support will be needed to support our most vulnerable families to access the justice system.

From: Cllr Paul Watson [mailto:Cllr.Paul.Watson@sunderland.gov.uk]

Sent: 07 August 2015 08:50

To: Gill Alexander

Subject: RE: Closure of Hartlepool Magistrates Court and County Court - Consultation Document - Deadline Friday 7 August

Importance: High

SENT ON BEHALF OF CLLR PAUL WATSON, LEADER

Dear Gill

Please find below Cllr Watson's reply.

Kind Regards

Sue

Questionnaire
Proposed Closure Hartlepool Magistrates Court and County Court

1. Do you agree with the proposals? What overall comments would you like to make on the proposals

We understand that in this time of austerity that there is a need to cut costs and streamline services to make them as effective as possible but this should not be at the detriment of outcomes for our local communities.

2. Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

The changes will not have a direct impact on Sunderland, however we can sympathise with colleagues and the communities from Hartlepool as the impacts of the travelling to Middlesbrough Court for every hearing could be onerous.

3. Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

It is integral that our communities feel a part of the justice system and that they can see the effects of that working in their areas. When services are moved away from the local areas that they serve communities can feel disengaged from the process.

4. The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

Page 2 of 3

As with all decisions of this nature we would support the use of an integrated impact assessment to understand not only the financial impact but the social and health impacts of the clients using the service.

5. Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

The use of technology is integral for service development in the future, however safeguards around its use must be in place to help maintain its integrity and assurance in its use.

6. Please provide any additional comments you may have.

Susan Clark
Executive Assistant to the Leader of the Council
Sunderland City Council

Tel. 0191 561 1322
www.sunderland.gov.uk

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

This questionnaire is being completed by Nicholas Stone – Neighbourhood Safety Team Leader on behalf of Hartlepool's Anti-social Behaviour Unit. This Unit consists of Anti-social Behaviour Officers employed by Hartlepool Borough Council who investigate complaints regarding anti-social behaviour and a Victim Services Officer employed by Victim Support who works with and supports victims of crime and anti-social behaviour.

- Do you agree with the proposals? What overall comments would you like to make on the proposals?

No. The closure of Hartlepool Magistrates' and County Courts will both decrease, and make it more difficult for victims of crime and anti-social behaviour residing in Hartlepool to access justice.

- Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Yes. By requiring all victims of crime and anti-social behaviour to attend court hearings in Middlesbrough rather than in Hartlepool it is very likely that this will decrease the number of victims who attend court.

It is often very difficult to persuade victims to report crime or anti-social behaviour, to give evidence and then to attend court and testify about their experiences.

This often requires extensive support work with victims to explain the criminal justice system and court processes, and to support them to enable them to be able to attend court and testify.

The vast majority of victims almost always have no experience of attending and testifying at court. Victims often find the prospect very daunting with them often being fearful of going to court.

By requiring victims to travel outside of their local town, away from their home, community and support networks this is likely to increase victims fear of attending court, and so decrease the number being willing to attend court.

In addition the changes could also result in confrontational situations where victims travelling to attend court on public transport may end up travelling on the same transport as defendants or their families. i.e. as they are each going to the same court at the same time, from the same location. The mere thought of this possibly occurring could in itself also deter victims who are unable to attend court without using public transport from attending court.

In addition the changes mean that victims are also less likely to be accompanied and supported at court by their friends and family due to the increased time and costs that this would incur.

In addition, it should be understood that Hartlepool Borough is an area with historically high levels of deprivation, unemployment, under employment and a low wage economy.

While the report acknowledges the good public transport links between Middlesbrough and Hartlepool and the cost of these, it fails to recognise that many Hartlepool households would be simply unable to afford these transport costs and so would be simply unable to afford to attend court outside of Hartlepool.

In addition where victims work hourly rates the extra loss of income through further increased travel times places a further charge on low wage victims which again decreases their ability to attend court. (This all also assumes that victims will be able to obtain this additional travel time off from work in the first place from their employers.)

Finally there will be an impact upon Hartlepool Borough Council Officers having to attend court in Middlesbrough.

Hartlepool Borough Council has experienced mainstream budget cuts of 39% with a further 30-40% predicted over the next 3 years. This has, and will continue to result in significant changes to council services and staffing levels.

This has required both Council Services and Officers to increasingly prioritise workloads and time spent on providing services.

By requiring Council Officers to spend increased time and resources travelling to, and from court by having to attend court outside Hartlepool in Middlesbrough away from the Civic Centre (rather than at Hartlepool Magistrates' and County Court located right next to the Civic Centre) this will result in decreased time and resources that Officers will be able to spend on other work for the public.

- Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

None.

- The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

No comment.

- Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible. Is there a technical solution that would be accepted by the CJ system ?

Hartlepool Magistrates' Court has video link and video conferencing facilities to enable for defendants to be seen at Holme House Prison and to allow for testimony under special measures for vulnerable and intimidated witnesses.

Should the Hartlepool Magistrates' Court close the Court Service must ensure that these facilities remain available in Hartlepool and are linked to the Middlesbrough Courts. This could assist in resolving many of the concerns previously discussed above.

- Please provide any additional comments you may have.

There is a risk that the changes result in decreased confidence in the criminal justice system, public services and democracy as residents see yet another local service being taken away from Hartlepool and centralised outside of the town for financial reasons against the wishes of the general public and their elected representatives.

Questionnaire

Proposed Closure Hartlepool Magistrates Court and County Court

Do you agree with the proposals? What overall comments would you like to make on the proposals

Do not agree. Significant impact upon police resources.

Will the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.

Police resources reduced considerably , this will place greater burdon around fewer people.

Are there other particular impacts of the proposals that HM Courts and Tribunals Service should take into account when making a decision? Please provide details.

Impact of less police officers

The Ministry of Justice assessment of the likely impacts of the proposals is set out in the Impact Assessment accompanying the consultation. Do you have any comment on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.

No Comment

Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.

Is there a technical solution that would be accepted by the CJ system?

Please provide any additional comments you may have.

FINANCE AND POLICY COMMITTEE

28th August 2015



Report of: Director of Regeneration and Neighbourhoods

Subject: BUSINESS CONTINUITY

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non-key decision.

2. PURPOSE OF REPORT

2.1 To advise Finance and Policy Committee of the proposed policy in relation to Business Continuity arrangements within the Council and seek approval for the adoption of the Policy.

3. BACKGROUND

3.1 The Civil Contingencies Act (2004) confers on Hartlepool Borough Council a statutory duty as a 'Category 1 Responder' to:

- maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs the person or body is able to continue to perform his or its functions,
- maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur the person or body is able to perform his or its functions so far as necessary or desirable for the purpose of -
 - (i) preventing the emergency,
 - (ii) reducing, controlling or mitigating its effects, or
 - (iii) taking other action in connection with it,

3.2 The Council currently has in place a Business Continuity plan to assist in meeting our statutory duty. These arrangements have been in place for some time and have been subject to periodic review.

- 3.3 A review of the current arrangements has identified areas where improvements could be made, aligning the Council's approach to business continuity with the latest standards.
- 3.4 Recent events in South Oxfordshire, whereby the Council offices were largely destroyed by fire, highlight the need for organisations, such as Hartlepool Borough Council to have in place effective plans, to enable it to recover from a disruptive event.

4. BUSINESS CONTINUITY MANAGEMENT

- 4.1 The revised approach to business continuity will be based on ISO 22301:2012 – Business Continuity Management Systems, with the Council aligning itself to the good practice guidance and recommendations. This indicates what practices an organisation should, or may, undertake to implement effective Business Continuity Management (BCM).
- 4.2 The Council has, developed a Business Continuity Policy (**Appendix 1**) which sets out, in broad terms, the approach the Council will take in developing, maintaining and implementing plans.
- 4.3 The proposed approach to Business Continuity is intended to create and maintain a strategic and tactical capability, based on a common approach, to plan for and respond to incidents and disruptions in order to continue and recover council activities in an agreed timescale and to an acceptable pre-defined level.
- 4.4 The approach will help to ensure that Hartlepool Borough Council can continue to operate, at pre-defined levels following disruptive events and have in place the information needed to recover from a disruptive event as soon as possible thereafter.

5. RISK

- 5.1 Should the Council fail to have in place effective business continuity arrangements, it could find itself, following a disruption to services, unable to fulfil its statutory duties.

6. STAFF CONSIDERATIONS

- 6.1 In the event of a disruption to Council services it may be necessary to adjust staffing levels to deal with the situation. Staffing implications cannot be fully planned for in advance and would only become known when an emergency situation occurs, requiring the business continuity plan to be invoked.
- 6.2 Every attempt will be made to avoid disruption to staff, however where it is unavoidable, changes will be made under existing arrangements.

7. RECOMMENDATIONS

7.1 The Finance and Policy Committee are asked to:

- Approve the approach the Council is taking toward Business Continuity as set out in the business continuity policy.

8. REASONS FOR RECOMMENDATIONS

8.1 There is a requirement for the Council to have in place robust business continuity arrangements, to ensure that we are adequately prepared to respond in the event of an emergency situation.

8.2 The Business Continuity Policy will ensure the Council has in place mechanisms that will allow us to fulfill the requirements of the Civil Contingences Act 2004.

9. BACKGROUND PAPERS

9.1 Business Continuity Policy

10 CONTACT OFFICER

10.1 Denise Ogden
Director of Regeneration and Neighbourhoods
Civic Centre
Victoria Road
Hartlepool
TS24 8AY
Email denise.ogden@hartlepool.gov.uk
Tel: 01429 523301



Business Continuity Management Policy

Version 3 - June 2015

Policy Statement

- 1.1 This advice is relevant to all Members, managers and employees of Hartlepool Borough Council.
- 1.2 In the constantly evolving environment in which we work and in meeting the day-to-day challenges of our business, staff are already working at or near to capacity. It may seem excessive to prepare and maintain a plan for the unexpected, but consider what would happen if we lost our electricity supply or access to premises for an extended period.
- 1.3 This policy will provide the framework to develop and maintain a Business Continuity Management Plan that will be invaluable if we were to suffer from an unexpected emergency directly imposed upon the Council, or within our geographic area.

Purpose

- 2.1 The information set out in the plan outlines how the Council will prepare for and maintain effective Business Continuity arrangements that can be drawn on, in the event of an incident effecting the operations of the Council. The plan will assist in:
 - Understanding the relation between Emergency Planning and Business Continuity
 - Understanding the key functions and services of the Council
 - Identifying the level of disruption a service can tolerate
 - Roles and responsibilities of officers
 - Testing the plans
 - Minimising the risk of disruption to council services through careful planning.
- 2.2 The plans will establish a framework within which officers can determine how to proceed as a result of an interruption to service.

The main objectives are to:

- Respond effectively to an emergency.
- Outline the co-ordination/command and control arrangements for responding to a corporate incident/emergency.
- Maintain the Council priority 1 services in an emergency while also responding to the emergency.
- Restore all of the Council services disrupted during an emergency in a structured way within reasonable timescales.

- Communicate with staff, suppliers/partners and the public during an emergency and, where appropriate, advise the public of risks.
- Comply with the duties under the Civil Contingencies Act 2004 and with current best practice.

Scope

- 3.1 This Policy covers all aspects of Council service, its facilities and infrastructure for the purpose of maintaining and restoring business activity, as a result of an interruption to service.
- 3.2 This Policy is intended for all Hartlepool Borough Council Councillors, committees, departments, partners, employees of the Council, contractual third parties and agents of the Council who are involved in the day-to-day delivery of Council services / functions.

Risks

- 4.1 Hartlepool Borough Council recognises that there are risks associated with interruption to its day-to-day business activities.
- 4.2 Non-compliance with the business continuity policy and plan could have a significant effect on the efficient operation of the Council and may result in financial loss and an inability to provide necessary services to our customers.

Business Continuity Management

- 5.1 It is the Council's intention to align its approach to Business Continuity broadly within the International Standards Organisations ISO22301- Business Continuity Management System standard.

Civil Contingencies Act 2004

- 6.1 Business Continuity is a statutory requirement under the Civil Contingencies Act 2004 (The Act). The Act requires Category 1 responders including Hartlepool Borough Council, to maintain plans to ensure that they can continue to perform their functions in the event of an emergency, so far as is reasonably practicable.

Roles & Responsibilities

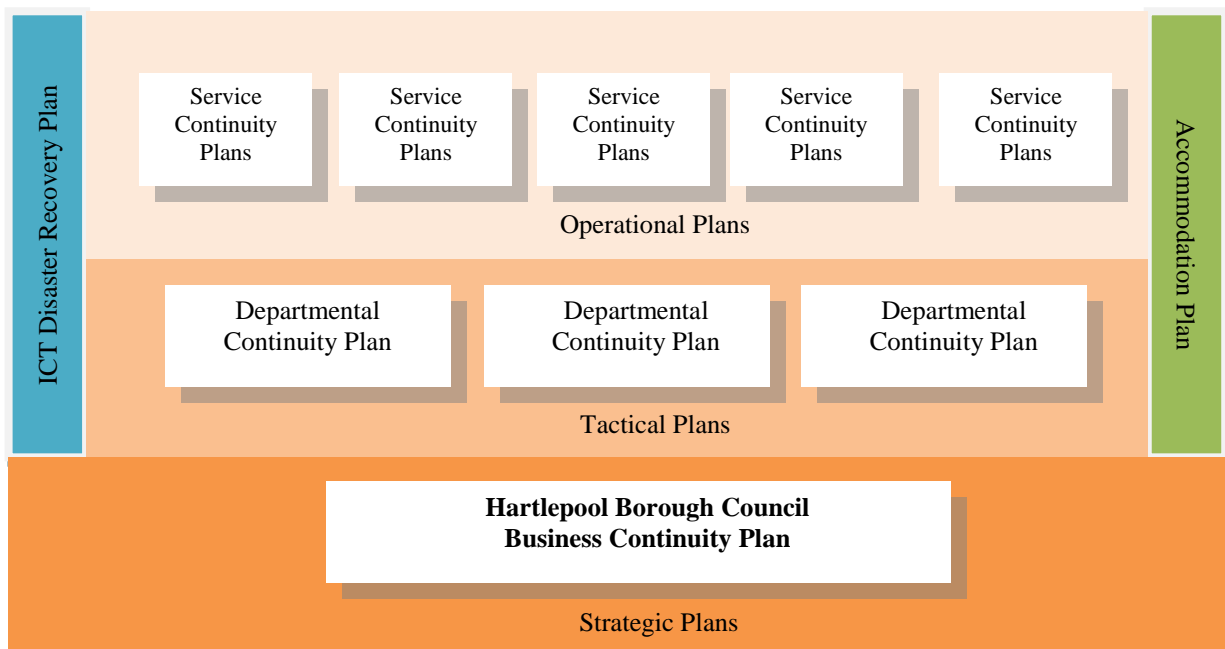
- 7.1 Implementation of this Policy will be delivered through the Business Continuity working group, chaired by the Assistant Director (Neighbourhoods) as having responsibility for emergency planning and business continuity issues within the Council. This group will be overseen by the Emergency Management Response Team (EMRT)
- 7.2 The Business Continuity working group will work closely with service Managers supporting them in ensuring that robust arrangements are in

place for each individual area. Individual Service Continuity plans will ultimately form the Council's overall Business Continuity Plan (fig 1).

7.3 Each service Manager, with the support of the working group, will:

- Ensure that a service specific continuity plan is produced.
- Undertake regular training and exercising of the continuity plan.
- Regularly review the plans to ensure they remain fit for purpose.
- Promote a business continuity management culture within their team
- Ensure that roles and responsibilities within their teams are known and understood.
- Respond to incidents or emergencies relating to their service areas.

fig 1: Business Continuity plan framework



Policy Awareness

8.1 This policy will be communicated through multiple channels

- The documents will be made available on the Council's internal intranet and external internet sites.
- Awareness raising through internal communications channels.
- The provision of training

Policy Review

9.1 This policy and associated plan will be reviewed annually, taking into account new legal requirements, guidance from central Government and relevant industry standards.

FINANCE AND POLICY COMMITTEE

28 August 2015



Report of: Assistant Chief Executive

Subject: EQUALITY IN EMPLOYMENT POLICY

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key

2. PURPOSE OF REPORT

- 2.1 To request that Finance and Policy Committee consider and agree the revised Equality in Employment Policy 2015.

3. BACKGROUND

- 3.1 As part of its commitment to equal opportunities, the Council has an Equality and Diversity in Employment Policy in place, the policy sets out the Council's approach to promoting equality and diversity in areas such as recruitment, retention and promotion, learning and development, terms and conditions.
- 3.2 The current policy has been in place since October 2004 and during this time legislative changes have taken place, including the introduction of The Equality Act 2010 and the resulting Public Sector Equality Duty. In the light of these changes and a number of other policies which have been agreed by members over the last year (as part of an overarching and ongoing review of all of the Councils Human Resources policies) a review has been timely.

4. POLICY REVIEW

- 4.1 To ensure the Equality and Diversity in Employment Policy remains up to date and enables the Council to continue to meet its legislative obligations, the policy has been reviewed and revamped, resulting in a newly titled Equality in Employment Policy 2015 (Appendix 1).
- 4.2 The Equality in Employment Policy takes on a revised format and clearly sets out what the Council aims to achieve at each stage of the employee life cycle, ensuring employees are treated equally, fairly and with dignity and respect from recruitment through to leaving their employment.

4.3 Consultation on the revised Equality in Employment Policy has been undertaken with the Trade Unions and the Policy was formally agreed with them at a recent Single Table Meeting. The Policy was also reported to LJCC on 29 July 2015. All suggestions made through these forums have been incorporated into the attached policy.

4.4 It is now proposed that the Finance and Policy Committee considers the revised Equality in Employment Policy and agree to its implementation.

5. RECOMMENDATIONS

5.1 Finance and Policy Committee considers and agrees the revised Equality in Employment Policy 2015.

6. REASONS FOR RECOMMENDATIONS

6.1 To ensure the Council continues to meet its legislative obligations in relation to equality in employment matters.

7. CONTACT OFFICER

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Equality in Employment Policy & Procedure 2015

HR Division

1. Introduction

This Equality in Employment Policy applies to all employees and potential employees of Hartlepool Borough Council together with anyone else working on council premises including, agency workers, contractors, consultants and suppliers.

The policies and practices of the Council aim to promote an environment that is free from all forms of unlawful discrimination (see Appendix 1 for a definition of some of the terms used in this policy) and values the diversity of all people. At the heart of our policy, we seek to treat people equally, fairly and with dignity and respect.

2. Policy Statement

The Council will take every reasonable and practical step to ensure that no person working for the Council, all job applicants, former employees or any member of the public using the council's premises or services will receive less favourable treatment (direct discrimination) or will be disadvantaged by requirements or conditions that cannot be shown to be justifiable (indirect discrimination) because of, or are perceived to be or are associated to any of any of the following protected characteristics (see Appendix 2):

- Age
- Disability
- Gender reassignment
- Pregnancy and Maternity
- Marriage and Civil Partnership
- Race (including colour, nationality, ethnic or national origin)
- Religion/belief or non belief
- Sex
- Sexual orientation

or because of trade union membership/activities or non membership [see Trade Union and Labour Relations (Consolidation) Act 1992], part time working [see Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000] or fixed term working [see Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002].

We recognise that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense. Affording staff full dignity at work promotes good employee relations and satisfaction, and results in a motivated, productive and creative workforce, that leads to service improvements.

Our Equality in Employment Policy will help all those who work for the Council to develop their full potential so that the talents and resources of the workforce are utilised fully to create a borough of opportunity for all.

We will take proactive steps to ensure that the policy is known to all employees, potential employees and organisations that we work with. We will also ensure

that equal opportunity is embedded in all our policies, procedures, day to day practices and external relationships.

3. Implementing Equal Opportunities

3.1 Recruitment, Selection and Promotion

Aim: Encourage the highest quality candidates from all backgrounds to apply and ensure equal and fair treatment throughout the recruitment process.

The Council will strive to ensure that:

- Through recruitment and promotion, our workforce better represents the community we serve.
- All posts including secondment and promotion opportunities are advertised widely in accordance with Council policy to provide an equal opportunity for all people interested to apply unless a restructuring, reorganisation or redeployment situation exists where advertising may be restricted (see Procedure for Managing Reorganisation, Redeployment and Redundancy)
- All advertisements reflect the job description and person specification and do not use words or phrases which indicate bias (unless there is an occupational requirement to do so).
- The statement “Hartlepool Borough Council is committed to equal opportunities” is included on the Council’s recruitment portal together with an Equal Opportunities Policy Statement (Appendix 3) summarising the Council’s commitment to implementing equal opportunities and in particular its arrangements in relation to recruitment and selection
- All applicants complete an equal opportunities monitoring form which will not be made available to the selection panel and will be used to ensure the policy is being implemented.
- All job applicants who report a disability and who meet the minimum requirements of the person specification will be guaranteed an interview in accordance with the Two Tick Symbol accreditation. All such candidates will then be considered on their merit and abilities.
- We will ask candidates whether reasonable adjustments are required prior to the interview.
- All employees are recruited and promoted on the basis of ability, objective and measurable job related criteria that is consistently applied to all candidates.
- All employees involved in shortlisting and interviewing shall have due regard to shortlisting and interview guidance, including ensuring that at least one member of the interview panel has passed the Council’s Safer Recruitment Corporate training course.
- Selection criteria and reasons for the selection or rejection of individual candidates are recorded.
- We always ask questions relating to reasonable adjustments that would be needed for an assessment such as an interview or other process designed to assess a person’s suitability for a job.
- We only ask questions about reasonable adjustments needed for the job itself after the offer of a job has been made (unless these questions relate to a function that is intrinsic to the job)
- We ask questions about an employees health or disability where they relate to a person’s ability to carry out a function that is intrinsic to the job

prior to an offer of a job being made.

3.2. Learning and Development

Aim: All employees are encouraged to reach their full potential through appropriate fair access to learning, development and career progression opportunities.

The Council will strive to ensure:

- New employees are made aware of the Council's Equal Opportunities Policy during the induction process.
- Relevant equal opportunities elements are included in learning opportunities, where appropriate, and form an integral part of recruitment and selection training.
- Equalities awareness learning is available as part of the Council's corporate learning and development programme to all staff.
- All employees are encouraged to invest in their development and consider opportunities to develop their competencies and skills, taking into account a broad range of learning and development options in the council.
- Learning opportunities for employees are appropriate and accessible, in line with organisation and job related needs.
- Learning and development opportunities for relevant employees are advertised widely.
- Learning and development programmes, where possible, are planned with the needs of part time employees considered as well as those of full time employees.
- Learning and development programmes are designed to support this policy and take into account the different preferred learning styles of different groups of employees.

3.3. Terms and Conditions

Aim: All policies covering pay, benefits, grades and terms and conditions are formulated and implemented with regard to equal opportunity.

The Council will strive to ensure:

- Terms and conditions, including pay arrangements, are non-discriminatory and are applied fairly and consistently to all staff.
- The use of flexible working arrangements are promoted wherever possible, to try to balance individual staff circumstances with organisation or operational requirements.
- Access to work requirements (reasonable adjustments) for those with a disability are considered in a fair and open manner.
- The appropriate use and application of the council's arrangements for 'Special Leave' are promoted to assist staff who may require time off work for personal or domestic reasons; to ensure the council meets its statutory obligations.

3.4. Discipline and Grievance

Aim: A working environment that is inclusive and where no form of discrimination is tolerated.

The Council will strive to ensure:

- Discrimination, bullying, harassment or victimisation of employees or workers will be addressed under the Bullying and Harassment Policy and Procedure. This will also apply to employees who attempt to induce other employees to discriminate, harass or victimise.
- All employees have the right to raise any complaint not covered by the Bullying and Harassment Policy and Procedure through the council's grievance procedure. This will not affect their right to take a case subsequently to an Employment Tribunal or affect future career prospects.
- Complaints of discrimination, bullying, victimisation or harassment are dealt with in a fair and transparent manner.
- Prompt action is taken to investigate any employee grievance concerning discrimination, bullying, harassment or victimisation.
- Support is provided to any employee who is the victim of discrimination, bullying, harassment or victimisation in the course of their employment.
- Disciplinary rules and standards are applied consistently to all employees within the council's employment.

3.5. Performance

Aim: Performance issues are addressed in a fair and open manner.

The Council will strive to ensure that:

- Poor attendance will be addressed in a fair and consistent manner, and will take account of any disabilities declared by employees.
- Appropriate support will be provided to employees to ensure they can demonstrate their capabilities and effectively fulfill their job role.

3.6. Changes to the structure of the workforce

Aim: Employees affected by changes to the composition of the workforce are treated fairly and consistently.

The Council will strive to ensure that:

- Employees potentially affected are consulted, together with Trade Union Representatives on all proposals to change the composition of the workforce in line with the relevant Reorganisation/Redundancy Policies
- Employees who are affected by changes to the structure of the workforce are treated fairly and with dignity.
- Every effort will be made to retain skills and abilities within the workforce by redeploying employees who are affected by changes to the structure of the workforce.
- An appropriate balance will be reached to comply with legislative requirements, protect employees and provide equality of opportunity when implementing new staffing structures.

3.7. Leaving the Council

Aim: That employees leaving the council do so with dignity.

The Council will strive to ensure that:

- Fair selection criteria are applied in redundancy situations.
- Employees who leave the council on health grounds are dealt with sensitively by Managers.
- References provided to future employers will be fair.

3.8. Monitoring and Evaluation

Aim: Regular monitoring and review so that the effectiveness of this policy can be measured and information used to support informed decision making.

The Council will strive to ensure:

- All policies and procedures which impact on employees are regularly analysed for equality to ensure they are free from discrimination.
- Confidential records of employees and applicants are maintained in order to monitor the progress of equality of opportunity within the council, and are made available to designated authorised personnel only.
- Data collected for the purpose of equal opportunities monitoring is examined as a minimum on an annual basis so that information on the effectiveness of this policy can be considered. Reports will be published on council web pages annually in line with legislation.
- Continuous review of our Equality in Employment Policy to comply with changes in legislation.
- Regular Equal Pay Audits are undertaken.

Further information on the equality monitoring reporting categories is available in Appendix 4.

4. Roles and Responsibilities

4.1 Elected Members

- Will promote, support and uphold this policy

4.2 Staff

Corporate Management Team

The Corporate Management Team (CMT) has overall responsibility for the Council's Equality in Employment Policy and will ensure that it is properly implemented, promoted, monitored and reviewed where necessary. In particular, they will be accountable for:

- Delivering the policy through business planning and performance management arrangements.

- Ensuring that everyone in the organisation understands what the policy means for them and provide practical learning and positive support to help managers meet their obligations in turning policy into practice.
- Ensuring the policy is implemented and adequately monitored.
- Ensuring the policy is well publicised and communicated to all staff and organisations that have dealings with the council.

Assistant Chief Executive

- Review this policy on a 3 yearly basis or as required by legislative changes.
- Promote this policy and equality best practice in all employment matters

Managers

It is the responsibility of all managers and supervisors to:

- Ensure that strategies, policies and projects within their area of responsibility are designed giving due regard to this policy and the Council's equality objectives.
- Be proactive in promoting diversity and equal opportunities and in preventing and eliminating all forms of discrimination by encouraging an atmosphere of tolerance, dignity and respect and addressing inappropriate behaviours at the earliest opportunity.
- Familiarise themselves with the procedures in all equal opportunities documentation.
- Ensure that they are not instructing or putting pressure on employees to act in a discriminatory manner.
- Bring the details of the policy and procedure documents to the attention of all staff.
- Treat complaints of discrimination, bullying, victimisation or harassment sensitively and seriously and in line with Council policy.
- Ensure that information on equal opportunities is incorporated in all local induction processes for new or temporary staff and is supported by ongoing training.

All Employees

All employees have a responsibility to ensure that there is no discrimination and accept personal responsibility for the practical application of the Equal Opportunities Policy. In particular every employee is required to:

- Promote equal opportunities and treat everyone with fairness, equity, dignity and respect.
- Recognise and value the diversity of staff and residents, taking into account diverse needs when providing services.
- Co-operate with any measures introduced to ensure equality of opportunity.
- Ensure their behaviour and/or actions do not amount to discrimination or harassment in any way.
- Report any discriminatory, bullying or harassment acts or practices.
- Not induce or attempt to induce others to practice unlawful discrimination or harassment.
- Not victimise anyone as a result of them having reported or provided evidence of discrimination or harassment.

5. Breaches

The Council is opposed to all forms of discrimination, bullying, harassment or victimisation and will treat any breaches of this seriously. Breaches of the Equal Opportunities Policy may be investigated in accordance with the Bullying and Harrassment Procedure/Grievance Procedure and may be regarded as gross misconduct under the Council's Disciplinary Policy.

Employees who believe that they have suffered any form of discrimination, bullying, harassment or victimisation are entitled to raise the matter through the Bullying and Harrassment procedure.

Significant breaches of the Equality in Employment Policy can also be raised through the Whistle Blowing Policy.

All complaints of discrimination, bullying, harassment or victimisation will be dealt with seriously, promptly and confidentially and the Council will aim to ensure that no employee is subsequently victimised as a result of exercising their right to raise a complaint or for supporting someone who has raised a complaint under the Equal Opportunities Policy.

6. Review

This policy will be reviewed in line with future changes in legislation.

7. Appendices

Appendix 1 – Definitions of Terms

Appendix 2 – Protected Characteristics (as defined in the Equality Act 2010)

Appendix 3 – Equal Opportunities Policy Statement

Appendix 4 –Reporting Categories

Appendix 1 to the Equal Opportunities Policy

Definition of Terms

Because of

'Because of' has the same meaning as the phrase 'on the grounds of'. It means that the protected characteristic is an effective cause of the less favourable treatment – but it need not be the only or even the main cause.

Discrimination

Discrimination includes direct discrimination, indirect discrimination, victimisation and harassment. Discrimination because of a person's perceived characteristic (other than marital or civil partnership status) or association with a person with another person who has a protected characteristic is also protected.

Direct Discrimination

Direct discrimination occurs when a person treats or would treat another less favourably than others and the treatment is because of a protected characteristic.

Example

Rejecting an application from a woman applying for a traditional male job, where the assumption is the woman would not fit into the exclusively male team because she is not a man.

Indirect Discrimination

This is where a provision, criterion or practice is applied to all individuals or groups equally, but which is such that it;

- Puts or would put a person of a certain protected characteristic at a particular disadvantage when compared with people who do not have that characteristic;
- Puts or would put people who share a protected characteristic at a particular disadvantage when compared with people who do not have that characteristic and
- Cannot be shown to be a proportionate means of achieving legitimate aim.

Example

During a review of its recruitment procedures a consultancy firm discovers that men score less well in their psychometric test than women. The test could be indirectly discriminatory regardless of the reason why they scored less well.

Discrimination by Perception

This occurs when A treats B less favourably because A thinks that B has a protected characteristic even though in fact they do not.

Example

An employer treats an employee less favourably because it **perceives** that the employee is disabled; for example the employer wrongly thinks that the employee is suffering from depression and dismisses them as a result.

Discrimination by Association

This occurs when a person (A) treats another person (B) less favourably because of B's association with another person who has a protected characteristic.

Example

Refusing a request for flexibility in working hours to a parent of a disabled child whereas an employee with a disability would be granted the request.

Bullying

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Harassment

Unwanted conduct related to a protected characteristic which has the purpose or the effect of violating the dignity of another person or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual

Legitimate Aim

This means the aim should be legal, should not be discriminatory in itself and must be capable of objective justification. The health welfare and safety of individuals may qualify as a legitimate aim.

Less Favourable

A person is treated "less favourably" if he or she is put at a disadvantage compared with others.

Occupational Requirement

An occupational requirement (OR) provides a general exception to what would otherwise be unlawful direct discrimination in relation to work. In certain limited circumstances A is permitted to discriminate against B in relation to work if A can show that being of a specific protected characteristic is an occupational requirement. However, jobs may change over time and this requirement should be reviewed periodically.

An employer will be able to apply an OR if they can show that having regard to the nature or content of the work:

- The requirement of being a particular protected characteristic is an OR.
- The application of the requirement is a proportionate means of achieving a legitimate aim.
- An applicant does not meet the requirements and the employer has reasonable grounds of believing that the applicant does not meet the requirement.

Only in exceptional circumstances will an Occupational Requirement apply to a post with the council, and this should always be checked with Workforce Services.

Proportionate

Treatment is proportionate if it is an appropriate and necessary means of achieving a legitimate aim.

Victimisation

Victimisation arises when a person (A) subjects another (B) to a detriment because B has done a protected act or because A believed that B has done or may do a protected act in the future. An individual need not have a particular protected characteristic in order to be protected against victimisation under the Act. But victimisation is only unlawful if it is linked to a protected act. Each of the following is a protected act;

- Bringing proceedings under the Equality Act 2010;
- Giving evidence or information in connection with proceedings under the Equality Act 2010;
- Doing any other thing for the purposes of or in connection with the Equality Act 2010; and
- making an allegation (whether or not express) that A or another person has contravened the Equality Act 2010

Appendix 2 to the Equal Opportunities Policy

Protected Characteristics (as defined in the Equality Act 2010)

Protected Characteristic	Definition
Age	Age is defined by the Equality Act by reference to a person's age group. An age group can mean people of the same age or people of a range of ages.
Disability	A person has a disability if they have a physical or mental impairment which has a long term and substantial adverse effect on their ability to carry out day to day activities. Long term means that it has lasted or is likely to last for at least a year or for the rest of the affected person's life. Carers of disabled people are also protected from less favourable treatment that they receive because of that disability.
Gender Reassignment	People who are proposing to undergo, are undergoing or have undergone a process to reassign their sex by changing physiological or other attributes of sex. Under the Equality Act, Gender Reassignment is a personal process rather than a medicalised process thus it may be proposed but never gone through; the person may be in the process; or the process may have happened previously. It may include undergoing the medical procedures involved, or may simply include choosing to dress in a different way as part of a person's desire to live in the opposite gender.
Marriage and Civil Partnership	A formal union of a man and woman which is legally recognised in the UK as a marriage. A civil partnership is a registered union under the Civil Partnership Act 2004, including those registered outside the UK.
Pregnancy and Maternity	A woman who is pregnant or is on maternity leave including one who is breastfeeding.
Race	Race includes colour, nationality (including citizenship) and ethnic or national origin.
Religion or belief	Religion means any religion and includes a lack of religion. Belief means any religious or philosophical belief and includes a lack of belief.
Sex	Refers to a man or woman.
Sexual Orientation	A person's sexual orientation towards; <ul style="list-style-type: none"> • persons of the same sex; • persons of the opposite sex and • persons of either sex.

Appendix 3 Equal Opportunities Policy Statement

Our Equal Opportunities Policy Statement

Hartlepool Borough Council is committed to equal opportunities in employment and service delivery. The policies and practices of the Council aim to promote an environment that is free from all forms of unlawful or unfair discrimination and values the diversity of all people. At the heart of our policy, we seek to treat people fairly and with dignity and respect.

We will take every possible step to ensure that no person working with the Council, seeking employment with us, or any member of the public using the Council's premises or services will receive less favourable treatment (direct discrimination) or will be disadvantaged by requirements or conditions that cannot be shown to be justifiable (indirect discrimination) on the grounds of their:

1. Age
2. Disability
3. Gender reassignment
4. Marital, partnership and family status
5. Race (including colour, nationality, ethnic or national origin)
6. Religion/belief or non belief
7. Sex (Gender)
8. Sexual orientation
9. Socio-economic status
10. Trade Union membership or non membership

We recognise that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense. Affording staff full dignity at work promotes good employee relations and satisfaction, and results in a motivated, productive and creative workforce which leads to service improvements.

We will ensure that equal opportunity is embedded in all our policies, procedures, day to day practices and external relationships.

Equal Opportunities in Employment

Hartlepool Borough Council is committed to having a workforce that is representative of the community it serves at all levels of the organisation. We therefore welcome applications from all backgrounds and all sections of the community.

As an applicant, you can be assured that the council will take positive steps to ensure:

1. Job descriptions and associated conditions relate to the particular job, define the qualifications, experience and other skills required in the post, and only include those factors which are necessary and justifiable on objective criteria for the satisfactory performance of the job.
2. All applicants are treated equally and fairly throughout the recruitment and selection process.
3. All recruitment and selection decisions are made on merit – in line with the job and skills requirements set for the vacancy.

And when you become employed, we aim to ensure:

1. A fair, transparent and equal chance in learning and development and terms and conditions of service.
2. A working environment that is free from discrimination, bullying, harassment and victimisation and where all complaints are promptly investigated and dealt with,
3. A working environment where a person's identity and culture is valued and respected.

Positive about Disability

Hartlepool Borough Council has been awarded the Two Ticks Disability Symbol. Our commitment is that we will interview all job applicants who report a disability and meet the minimum requirements of the person specification. All such candidates will then be considered on their merit and abilities. If we know you have a disability we will make any reasonable adjustments required for you to attend the interview, complete required testing and for your subsequent employment.

If you are interested in job opportunities, you can visit our [website](#) for all our current vacancies.

Employment Monitoring

We would like to encourage all applicants to complete the Equality Monitoring form with their application so that we can measure how well we are working towards achieving a workforce that reflects our community

If you are concerned about how your data will be stored, accessed or shared, be reassured that it will be kept confidential at all times and in accordance with the Data Protection Act 1998. It will not be accessible to anyone outside of the designated authorised personnel and will be used to monitor the effectiveness of our employment policies so that we can improve where appropriate. This information will be used for statistical purposes only and you will not be identified in any way.

[Why fill in a monitoring form](#) (pdf)

Workforce report

- [Workforce Equality Report 2013](#)

Workforce Monitoring FAQs

Why do we monitor?

We are committed to being representative of the community we serve and becoming an employer of choice. To help us achieve this, we need to have a clear picture of who we employ.

Equalities monitoring therefore enables us to examine the make-up of the workforce and compare this with local data used as a benchmark to ensure that the workforce reflects the community. It also enables us to analyse how human resources practices and procedures affect different groups, address any inequalities and ensure compliance with legislative requirements.

Will my data remain anonymous?

Yes. The monitoring information will be kept separately from any identifying personal information. Any findings published will only ever be anonymised and aggregated. So we may publish statistics about our employees as a whole but will never publish individual information.

Who will access my data?

Only you and designated employees will be able to access the data for updating or analysis. We can track who has accessed the data to ensure it is only used for the correct purpose. The monitoring information you supply will be processed in compliance with the Data Protection Act 1998.

How will the data be used?

Data will be analysed to spot trends and remove barriers or target areas where our policies and practices can be improved to boost equal opportunity.

Do I have to complete the monitoring form?

Completing equality monitoring data is not compulsory. However, the Council is statutorily obliged to collect this information to ensure that our recruitment and employment processes are equitable and in some instances the council has to provide this information in statutory and other returns. Therefore, we would encourage you to complete it.

Although you are not obliged to answer every question, by doing so, it helps to ensure that best practice and equal opportunities are upheld and allows for any barriers to workforce diversity to be highlighted. If we get a low response rate then the findings may be inaccurate.

Appendix 4 to the Equal Opportunities Policy

Reporting Categories

Our reporting categories are defined as follows:

Age

- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+
- Prefer not to say
- Not declared

Disability

Staff members are asked whether they consider themselves to be disabled under the definitions of the Equality Act 2010. The question read as follows:

Section 6(1) of the Equality Act 2010 states that a person has a disability if:

- a. That person has a physical or mental impairment, and*
- b. The impairment has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.*

Using this definition do you consider yourself to be disabled?

Staff members were asked to select one of the following:

- Yes
- No
- Prefer not to say.

Gender Reassignment

Staff members are asked whether they defined themselves as transgender.

Race

Staff members are asked to classify themselves on the basis of the Census 2011 categories of ethnicity:

White	<ul style="list-style-type: none"> English / Welsh / Scottish / Northern Irish / British Irish Gypsy or Irish Traveller Any other white background
Mixed / multiple ethnic groups	<ul style="list-style-type: none"> White and Black Caribbean White and Black African White and Asian Any other mixed / multiple ethnic background
Asian / Asian British	<ul style="list-style-type: none"> Indian Pakistani Bangladeshi Chinese Any other Asian background
Black / African / Caribbean / Black British	<ul style="list-style-type: none"> African Caribbean Any other Black / African / Caribbean background
Other ethnic group	<ul style="list-style-type: none"> Arab Any other ethnic group Prefer not to say Not declared

Religion or belief

Staff members are asked to classify themselves on the basis of the Census 2011 categories of religion or belief:

- No religion
- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Any other religion
- Prefer not to say
- Not Declared

Gender

This is recorded as male or female

Sexual orientation

Staff members are given the options of:

- Heterosexual
- Gay woman
- Gay man
- Bisexual
- Other
- Prefer not to say
- Not declared

Marital status

Staff members are asked to classify themselves on the basis of the Census 2011 categories of marital status:

- Civil Partnership
- Divorced
- Married
- Partner
- Separated
- Single
- Prefer not say
- Not declared

FINANCE AND POLICY COMMITTEE

28 AUGUST 2015



Report of: Corporate Management Team

Subject: STRATEGIC FINANCIAL MANAGEMENT REPORT -
AS AT 30th JUNE 2015

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

2. PURPOSE OF REPORT

2.1 The purposes of the report are to inform Members of:

- i) 2015/16 Forecast General Fund Outturn;
- ii) Corporate Income Collection Performance; and
- iii) 2015/16 Capital Programme Monitoring.

3. BACKGROUND AND FINANCIAL OUTLOOK

3.1 As detailed in the Medium Term Financial Strategy Report submitted to the Committee on 29th June 2015 the Government will implement further cuts in funding for Councils in 2016/17 and future years. It is anticipated that these additional Government funding cuts will continue to have a disproportionate impact on Hartlepool, and other Councils, which are still more reliant on this funding and have higher levels of deprivation/demand for services. This position was reinforced in the Spending Review document published by the Government on 21st July 2015. Whilst this document did not provide any specific detail of the impact of the Spending Review on individual Government Departments, it did state that HM Treasury

- “is inviting government departments to set out plans for reductions to their Resources budgets. In line with the approach taken in 2010, the HM Treasury is asking departments to model two scenarios, of 25% and 40% savings in real terms, by 2019/20”.

3.2 The Spending Review document did not provide any detail of the phasing of the potential funding cuts over the next 4 years. On the basis of a 40% reduction

being applied evenly across the next 4 years this equates to annual reductions of 10%, which is the current MTFS planning assumption, albeit that the MTFS only covers 3 financial years. However, if the Government cuts are front loaded and/or have a greater disproportionate impact than in previous years the forecast 2016/17 budget deficit may increase.

- 3.3 The Spending Review also included Government proposals for a 1% Public Sector Pay cap for 4 years from 2016/17 and the phased implementation of a National Living Wage. Further information is needed to assess the financial impact on the MTFS forecasts, although an initial analysis suggests these changes will result in an additional budget pressure in 2017/18 and beyond.
- 3.4 The Government has stated that the Spending Review outcome will be published on 25th November 2015. This means that the Local Government Funding announcement is unlikely to be made until late December 2015, which makes financial planning for 2016/17 extremely challenging.
- 3.5 In view of the ongoing financial challenges and risks detailed in the previous paragraphs the Corporate Management Team will continue to adopt robust budget management arrangements during 2015/16 and as detailed in section 4 a underspend is forecast. This position will need to be managed carefully over the remainder of the financial year, particularly over the winter period where some services face their highest demand and therefore cost of providing services.
- 3.6 A review of reserves will also be completed and reported to this Committee in October. This review is unlikely to provide the same benefits as in previous years as existing reserves are aligned to specific risks or supporting the MTFS and Local Council Tax Support scheme. However, it is good financial practice to review reserves on an annual basis, as this demonstrates the purposes each reserve is held for and when it is planned the resources will be used.
- 3.7 The Committee has also received a report on the outcome of the Power Station Rateable Value appeal and the significant reduction in retained Business Income for the Council. This issue is still being progressed with the Department for Communities and Local Government and a further report will be presented to a future meeting of this Committee when more information is available.
- 3.8 It is recommended that one-off resources achieved from the 2015/16 forecast outturn (which for planning purposes it is assumed will be achieved) and the reserves review are earmarked to manage the risks referred to earlier in the report. This will enable a strategy for using these uncommitted one-off resources to be developed as part of the MTFS, which will ensure these resources are used to underpin the Council's financial position.

4. REPORTING ARRANGEMENTS 2015/16

- 4.1 The availability and reporting of accurate and up to date financial information is increasingly important as future budget cuts are implemented and one-off resources are used up.
- 4.2 This Committee will continue to receive regular reports which will provide a comprehensive analysis of departmental and corporate forecast outturns, including an explanation of the significant budget variances. This will enable the Committee to approve a strategy for addressing the financial issues and challenges facing the Council.
- 4.3 To enable a wider number of Members to understand the financial position of the Council and their service specific areas each Policy Committee will receive a separate report providing:
- a brief summary of the overall financial position of the Council as reported to the Finance and Policy Committee;
 - the specific budget areas for their Committee; and
 - the total departmental budget where this is split across more than one Committee. This information will ensure Members can see the whole position for the departmental budget.

5. 2015/16 FORECAST GENERAL FUND OUTTURN

- 5.1 As detailed earlier in the report an early assessment of the forecast 2015/16 outturn has been completed and this reflects action taken by the Corporate Management Team to achieve under spends to help address the significant financial challenges facing the Council over the next few years. Budget under spends are being achieved through a combination of robust management actions, including;
- holding posts vacant, which will help reduce the number of compulsory redundancies required to balance the 2016/17 budget;
 - achieving planned 2016/17 savings early; and
 - careful management of budgets to avoid expenditure where this does not have an adverse impact on services.
- 5.2 It is anticipated that there will be a forecast net under spend of between £669,000 and £889,000 as detailed in Appendix A. The range reflects a small number of potential seasonal factors. As detailed earlier in the report it is recommended that the forecast net under spend is earmarked to help manage the financial risks referred to in section 3 and a strategy for using these one-off resources developed as part of the 2016/17 MTFS.
- 5.3 There are a number of potential commitments which Members may wish to consider funding from the 2016/17 forecast outturn, which will need to be considered when the actual Government grant cut for 2016/17 and future years are known, as follows:

- **Funding for Holiday Hunger Initiatives**
Members have indicated concerns regarding holiday hunger during school holidays arising from the increasing impact of the Government's Welfare Reforms. Details proposed will need to be developed and costed if Members wish to explore potential holiday hunger initiatives.
- **2016/17 Ward Member Budgets £132,000**
It has been anticipated that alternative funding to continue Ward Member budgets in 2016/17 and future years could be secured from a proposed Wind Turbine development. The 2016/17 saving report to the Regeneration Committee will advise Members that this initiative is taking longer to implement than anticipated and is affected by Government policy changes. Therefore, the forecast 2016/17 income stream will not be achieved. The Director of Regeneration and Neighbourhoods has identified alternative proposals to address the 2016/17 departmental savings proposal.

If Members wish to continue Ward Member budgets in 2016/17 pending the receipt of Wind Turbine income in 2017/18, temporary funding will need to be identified for 2016/17.

- **Jacksons Landing Interest Free loan**
As part of the approved 2014/15 Outturn Strategy Members noted that the interest free period has been extended to October 2017, which provides a longer lead time to develop this site. Members determined to allocate part of the uncommitted 2014/15 outturn to increase the value of resources allocated to cash back the interest free loan to 80%, which minimises the unfunded financial risk in 2017/18 from repaying the interest free loan. Members may wish to allocate part of the 2015/16 forecast outturn to increase cash backing of the interest free loan to 100% to completely remove this financial risk.

5.4 As part of the Council's ongoing budget management arrangements and the process for preparing the 2016/17 budget, a review of existing service delivery arrangements where overtime is currently used is being completed. Details will be reported to a future meeting of this Committee, within the overall 2016/17 budget timeframe.

5.5 **House Sales income**

5.6 In addition to the Revenue Budget outturn detailed in the previous paragraphs the Council also benefits from the receipt of income from Housing Hartlepool from the sale of former Council houses. This income will be dependent on individual house sales and is therefore difficult to forecast as the amount varies from month to month. The total received in the first three months is £61,000.

5.7 Updates will be provided in future reports and a strategy for using these one-off monies will need to be developed as part of the MTFS. Potential options for using these monies may include supplementing the General Fund Budget outturn, or using these resources for further housing investment – which will be subject to a separate future report.

6. Corporate Income Collection Performance

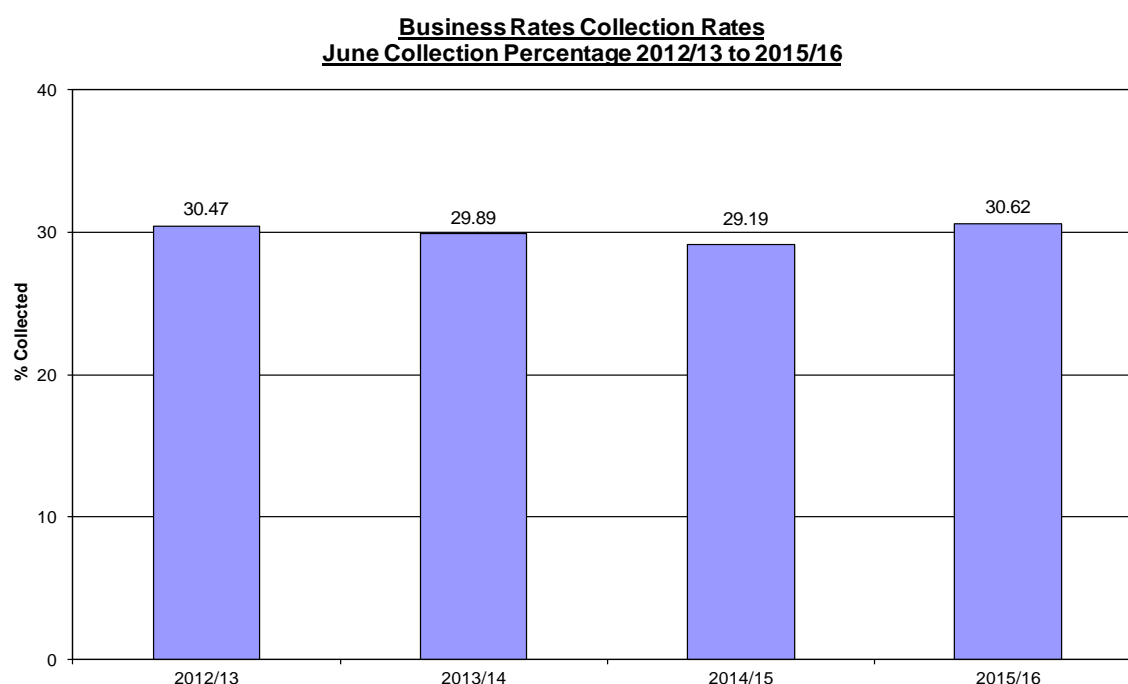
6.1 Previous reports advised Members that significant changes were implemented with effect from 1st April 2013 to re-localise Business Rates and implement Local Council Tax Support schemes. As a result of these changes approximately 58% (i.e. £50.8 million) of the net General Fund budget is funded from a combination of Business Rates and Council Tax collected locally. The following paragraphs provide more information on the impact of these changes and also progress in collecting Sundry debts.

6.2 Business Rates Income

6.3 The re-localisation of Business Rates is a significant additional financial risk for Local Authorities to manage - 50% of any shortfall arising from either non payment by businesses, or reductions arising from the Valuation Office re-assessing rateable values, falls on individual authorities. A 'safety net' system is in operation, although this only compensates authorities for any shortfalls above 7.5% of the safety net figure. Prior to 2013/14 any shortfall in Business Rates collected was funded at a national level from the overall Business Rates pool.

6.4 Collecting Business Rates has always been an important responsibility, and the Council collected 98.0% in 2015/16 (national average 97.6% for unitary and metropolitan councils). The changes associated with localisation of business rates make this an even more important issue for the Council.

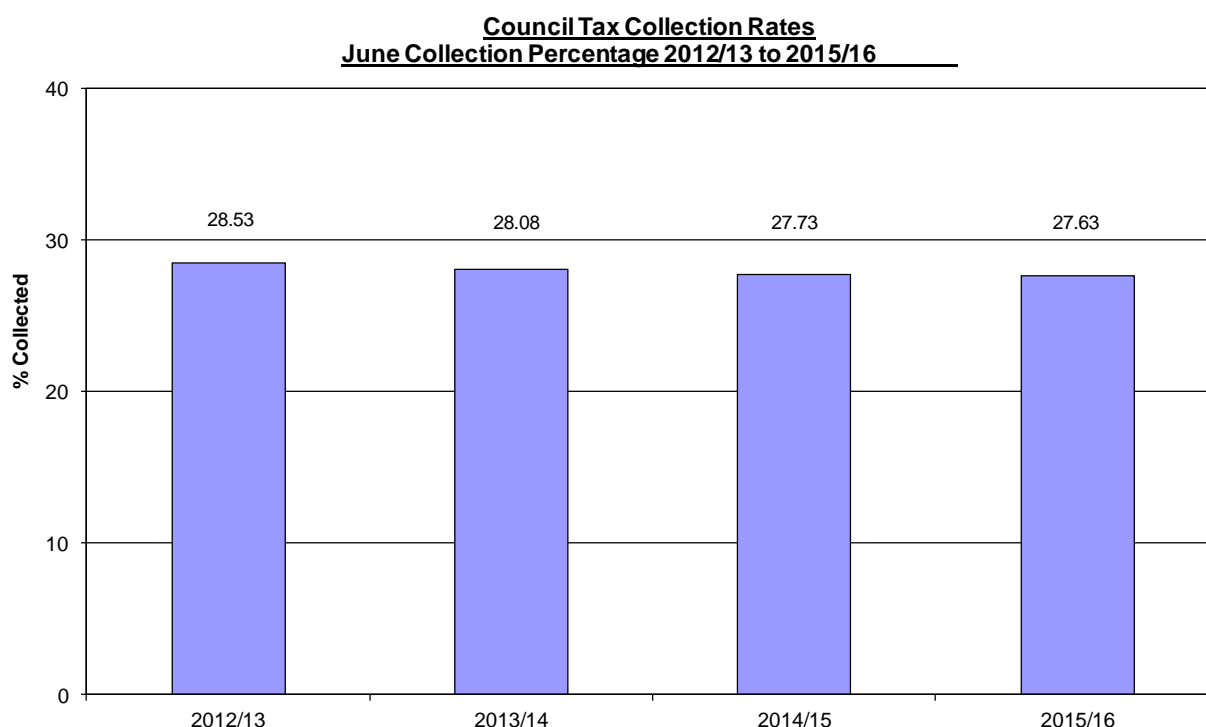
6.5 At the 30th June 2015 the Council had collected 30.62% of the 2015/16 liability, up by 1.43% compared to the same period last year, as summarised in the graph below.



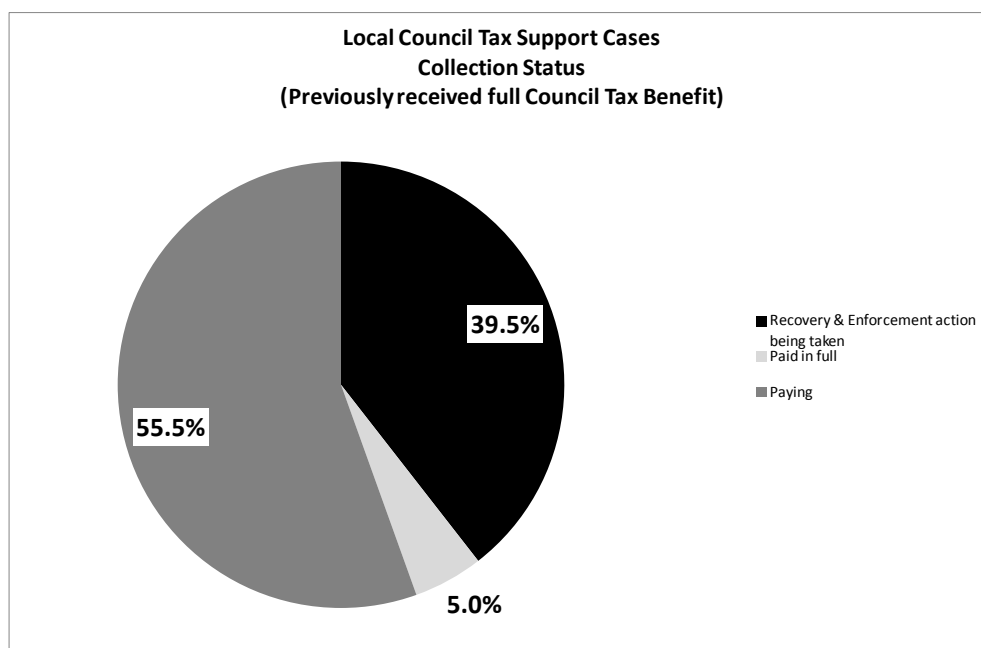
6.6 Council Tax

- 6.7 The overall Council Tax collection rate at 30th June 2015 was 27.63% compared to 27.73% for the same period last year, down slightly by 0.10%, as summarised in the graph overleaf. This position largely reflects the ongoing impact of the Local Council Tax Support (LCTS) Scheme.

Collection performance is also being impacted by the time lag in recovering Council Tax by Attachment of Benefit, where the rate of deduction is capped at £3.70 per week and only one deduction can be active at any one time.

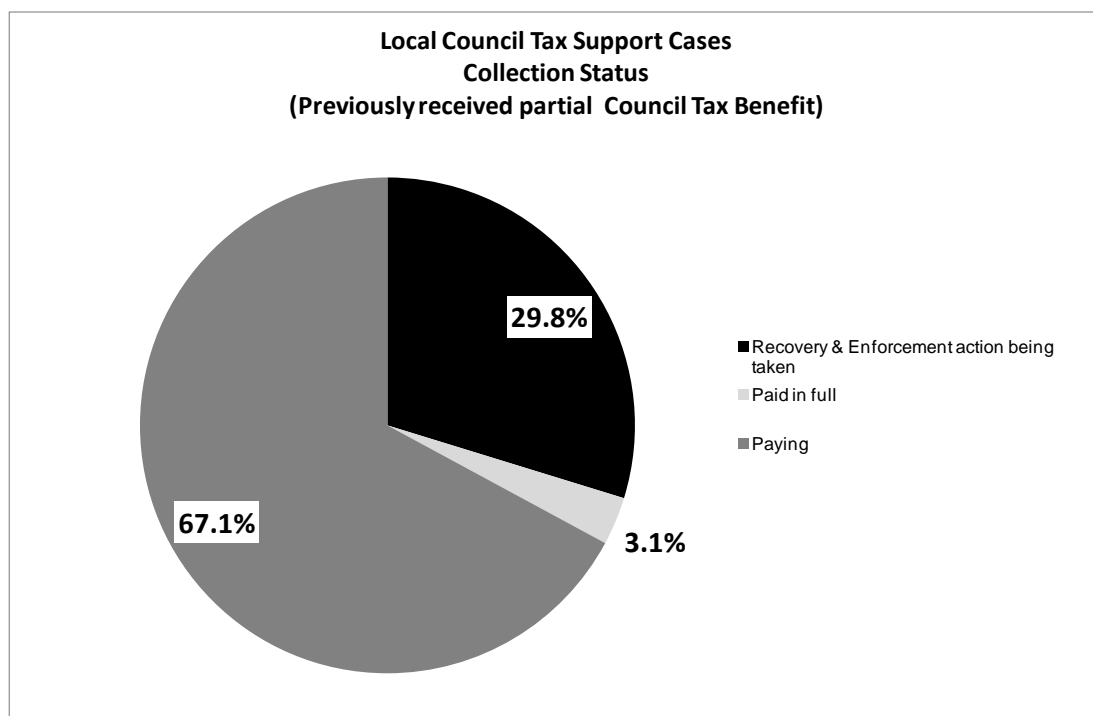


- 6.8 Of the 5,800 working age households affected by the Council's LCTS Scheme (that would have previously received full Council Tax Benefit), the chart below shows that 5.0% have paid their 2015/16 Council Tax in full and a further 55.5% of households are paying regularly. This position reflects the Council's arrangements for making payment as convenient and flexible as possible.
- 6.9 Recovery action is progressing against the remaining households who have not made arrangements to pay.



6.10 Of the 2,500 working age households that receive partial Council Tax Support, the chart below shows that approximately 70% of these households have either paid or are paying regularly.

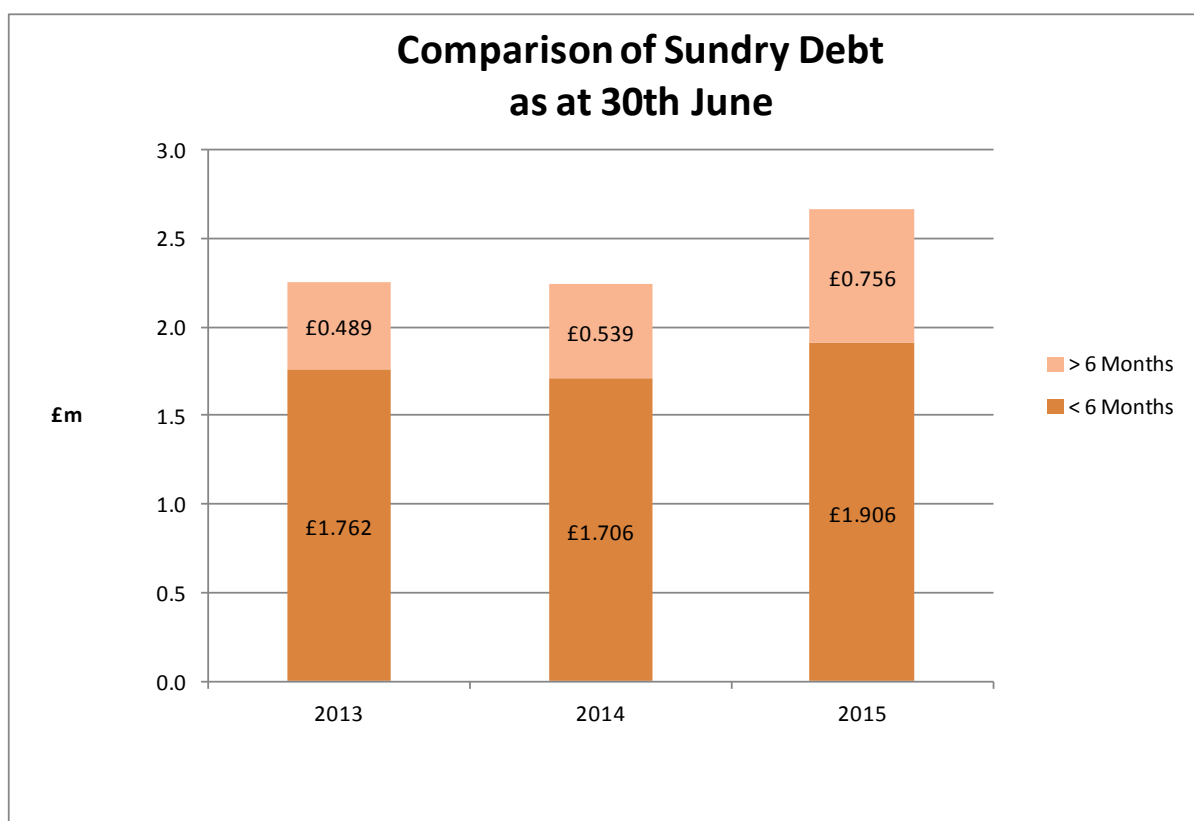
6.11 The chart shows 29.8% (740) of these households are currently the subject of standard recovery procedures, including court action.



6.12 At the end of June collection of Council Tax from Local Council Tax Support (LCTS) households is within the financial planning parameters that underpin the 2015/16 LCTS scheme.

6.13 Sundry Debts

- 6.14 The Council also collects significant Sundry Debts income for the payment of services provided by the Council. In total £5.896m of sundry debts were raised in the first three months of 2015/16. As at 30th June 2015, £4.212m (71.43%) of this amount had been collected.
- 6.15 Robust procedures for collecting the remaining outstanding debt are in place. The following graph shows the comparable positions at 30th June for the last three years for long term debt and current debt which has been outstanding for less than six months.



- 6.16 Debtors totalled £2.662m as at 30th June 2015, of which £1.906m (71.60%) relates to current debts (less than 6 months old).
- 6.17 Included within current debts (less than 6 months old) is debt where the customer has been invoiced for the whole of 2015/16 but payment is to be received in installments throughout the year.
- 6.18 Debts greater than 6 months old total £0.756m. 95.50% of this amount is under recovery action and 4.50% (£0.034m) is now considered unrecoverable and will be reported to Members for write off in October 2015.

7. Progress in achieving the Capital Receipts Target of £6.5m (including £2m for Brierton Developments)

- 7.1 As at 31st March 2015 capital receipts of £3.955m had been achieved leaving £2.545m to be achieved to meet forecast expenditure commitments.
- 7.2 Officers are currently progressing the planned sale of land to achieve the remaining target of £2.545m. However the timing of capital receipts is uncertain and it is anticipated that some capital receipts will be delayed until 2016/17. Therefore the prudent expectation is that a further £1.3m will be achieved in 2015/16 with the balance achieved in 2016/17.
- 7.3 Whilst the timing of the remaining capital receipts remains uncertain the risk of achieving these remaining receipts has significantly reduced. Therefore it is anticipated that there will be sufficient capital receipts available to find existing capital expenditure commitments. There is a small risk that if all remaining capital expenditure commitments are incurred in the current year that temporary prudential borrowing may need to be used pending the achievement of capital receipts early in 2016/17. However this is low risk as a review of the options for the demolition/development of the former Carr Hopps Housing Market Renewal site is currently underway which will mean that it is unlikely that the remaining expenditure of £1.7m will all be incurred in the current year.
- 7.4 Further updates will be provided in future financial management reports as the position becomes clearer

8. 2015/16 Capital Programme Monitoring

- 8.1 Capital Expenditure for all departments to the 30th June, 2015 is summarised in the table below.

Department	BUDGET		EXPENDITURE IN CURRENT YEAR				
	A	B	C	D	E	F	G
	2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephased £'000	C+D+E 2015/16 Total Expenditure £'000	F-B 2015/16 Variance from Budget £'000
Chief Executive	1,029	1,029	0	1,029	0	1,029	0
Child & Adult	10,054	7,137	310	6,827	0	7,137	0
Corporate	1,770	1,770	14	1,756	0	1,770	0
Public Health	611	521	130	391	0	521	0
Regeneration & Neighbourhoods	37,130	22,047	4,518	17,303	215	22,036	(11)
Total Capital Expenditure	50,594	32,504	4,972	27,306	215	32,493	(11)

- 8.2 The table above shows the overall capital budget for 2015/16 and future years, and the capital budget specific to 2015/16.
- 8.3 Actual expenditure to 30th June 2015 was £4.972m, compared to a 2015/16 budget of £32.504m, leaving £27.306m to be spent in 2015/16. At this stage anticipated expenditure and resources of 0.215m will be re-phased into 2015/16.

- 8.4 There is a longer lead in time for capital schemes and therefore it is not unusual for expenditure to be low at this stage of the year.
- 8.5 Detailed financial information on the capital programme for individual Departments by Committee is provided in Appendices F to J. Items to bring to members attention are discussed below.
- 8.6 A recent Ofsted report highlighted issues surrounding the outdoor space at St Cuthbert's School. Schools' Forum Capital Sub-Group supports a new capital scheme to improve the outdoor space at the school. The scheme is forecast to cost £95,000 and will be funded from the unallocated DSG funding earmarked for such schemes and a 10% contribution from the school. Approval would normally be sought from Children's Services Committee. However, owing to the timing of the Children's Services Committee meeting it is recommended that Finance and Policy Committee approve this capital scheme to enable the work to be completed as soon as possible.
- 8.7 Fens Primary School has had ongoing issues with the cold water pipe work which has caused the school to close on a number of occasions. It is now considered that the pipe work should be replaced. The cost is estimated at £10,700 which can be funded from the Schools Capital Contingency (which is funded from the specific Education Capital Maintenance Grant) with 10% to be contributed by the school. Approval would normally be sought from Children's Services Committee. However, owing to the timing of the Children's Services Committee meeting it is recommended that Finance and Policy Committee approve this capital scheme to enable the work to be completed as soon as possible.
- 8.8 Appendix J shows a favourable variance of £11,000 in relation to works on the Hartlepool Enterprise centre as a result of final account costs being less than estimated. It is proposed that this amount is transferred back to the Councils Capital Fund (CCF).
- 8.9 **Council Capital Fund (CCF) Unallocated £85,000**
- 8.10 The CCF exists to fund local capital priorities which cannot be funded from external capital funding. An annual programme of work is approved as part of the overall MTFS by Council, which reflects the prioritisation of schemes.
- 8.11 The Throston Library Toilet Disability Adaptations budget of £12,000 is no longer required. It is therefore recommended that this budgets is transferred into the unallocated CCF, resulting in a balance of £85,000 (this excludes the £11,000 in paragraph 8.8).
- 8.12 **Section 106 Developers Contributions**

The level of uncommitted funds as at 30th June 2015, was £179,000. A table is attached at Appendix K showing that the amount brought forward from the previous financial year was £240,000, with a further amount of £264,000 being received in year. The Council has approved the use of £320,000 for Affordable

Housing and £5,000 has been used on playgrounds in line with the related Development Agreements.

9. CONCLUSIONS

- 9.1 The Council will need to make significant additional budget cuts over the next 3 years (i.e. 2016/17 to 2018/19) and will continue to face significant financial risks, particularly in relation to Business Rates. The Government has indicated that funding cuts of between 25% and 40% will be made over the next few years and a Spending Review is being completed to determine where these cuts will be made. The Spending Review will be published in 25th November 2015, which means details of 2016/17 grant cuts for individual Councils will not be announced until late December 2015. This makes financial planning for 2016/17 extremely challenging.
- 9.2 The Council is developing plans to address the forecast 2016/17 grant cuts and detailed proposals will be considered by individual Policy Committees in August/September 2015. To enable the Council to manage a higher actual 2016/17 grant cut than forecast it is recommended that the forecast 2015/16 uncommitted outturn is earmarked manage this position. Increasing the use of one-off resources to support the 2016/17 budget will not provide a permanent solution, although it will provide a longer lead time to develop a permanent solution.
- 9.3 In relation to collection of Business Rates and Council Tax these issues are impacted by the significant changes implemented in April 2013 and the ongoing difficult economic climate. At the 30th June 2015, collection rates for Business Rates are higher than the previous year whilst Council Tax collection levels are being maintained being only 0.1% down on the same period in 2014/15 as summarised below. Robust recovery action will continue to be pursued over the remainder of the financial year to maximise in-year collection rates.

	30.06.2012	30.6.2013	30.6.2014	30.6.2015
Council Tax	28.53	28.08	27.73	27.63
Business Rates	30.47	29.89	29.19	30.62

10. RECOMMENDATIONS

- 10.1 It is recommended that Members:
- i) Note the report;
 - ii) Note that a strategy for using the forecast uncommitted General Fund outturn of between £0.669m and £0.889m will be developed as part of the 2016/17 MTFS to reflect the actual 2016/17 grant cut. This approach may include allocating this amount to offset a higher actual 2016/17 grant cut than forecast to provide a longer lead time to manage Government funding cuts.
 - iii) Approve the St Cuthbert's School - Outside Area Modifications capital scheme as detailed in paragraph 8.6.

- iv) Approve the Fen's School - Mains Water Supply replacement scheme as detailed in paragraph 8.7
- v) Approve the transfer of £12,000 into the unallocated Council Capital Fund, as detailed in paragraph 8.
- vi) Approve returning the £11,000 favourable variance on the Hartlepool Enterprise Centre back to the Councils Capital Fund as per paragraph 8.8.

11. REASONS FOR RECOMMENDATIONS

To update the Finance and Policy Committee on the Council's financial position and to enable Members to make decisions as part of the overall budget process for 2016/17.

12. BACKGROUND PAPERS

Medium Term Financial Strategy Report - Council 18th December 2014.
Medium Term Financial Strategy Report Update Report – Finance and Policy Committee 29th June 2015

13. CONTACT OFFICER

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Chris.little@hartlepool.gov.uk
01429 523003

APPENDIX A**Table 1 - Summary of Forecast Outturn 2015/16**
(details provided in table 2)

	Latest Forecast	
	Worst Case £'000	Best Case £'000
Departmental Budgets	(574)	(769)
Corporate Budgets	(1,072)	(1,292)
Sub Total to be shown in Statement of Accounts	(1,646)	(2,061)
Recommended Reserves (details at Table 4)	977	1,172
	(669)	(889)

Planning Income

Reserve created from additional income generated in 2015/16 from potential large scale developments and carried forward to support the 2016/17 budget.

Table 2 - Forecast Outturn 2015/16 Details

	Latest Forecast	
	Worst Case £'000	Best Case £'000
Departmental Budgets		
Chief Executive's Dept	(324)	(324)
Child and Adult Services	0	(195)
Public Health General Fund	50	50
Regeneration and Neighbourhoods	(300)	(300)
Sub Total - Departmental Budgets	(574)	(769)
Non Departmental issues		
Planning		
Income	(151)	(151)
Reserve created from additional income generated in 2015/16 from potential large scale developments and carried forward to support the 2016/17 budget.		
2. Property Running Costs - This forecast under spend will arise if there is a mild winter.	0	(150)
3. Centralised Estimates - In line with the approved Treasury Management Strategy a budget saving was included in the 2015/16 budget. This saving was taken earlier than the actual Treasury Management saving will be achieved. On a temporary basis the budget shortfall will be funded from the Treasury Management Risk Reserve in line with the strategy previously approved by Members. The reserve contribution is detailed below at line 5.	205	205
4. Business Rates Risk Provision - The MTFS approved in February 2015 indicated that billed Business Rates income exceeded the amount included in the MTFS. Owing to the uncertainty regarding Business Rates Appeals it was agreed that this amount should be allocated to partly offset successful appeals. This will be added to the Business Rates Risk Reserve and will help the Council manage the impact of the significant reduction in the Power Station rateable value.	(586)	(586)
5. Release Treasury Management Reserve - see 3 Above	(205)	(205)
6. Lower Core Grant reduction - Previous MTFS reports provided an assessment of the impact of changes in the Council's core Revenue Support Grant and the linkages to the impact of schools converting to academies. These changes retain funding which it was anticipated would be top sliced from the Core Revenue Grant allocation and do not impact on the funding available for schools from the Dedicated Schools Grant. Previous MTFS reports advised Members that the impact of this funding change would reflect the timing of decisions by individual schools to convert to academy status. As the position on conversion of individual schools was uncertain when the 2015/16 budget was set a prudent impact on the core revenue grant was forecast. As the actual numbers of schools converting to academy status is less than forecast the core grant reduction is less than forecast.	(475)	(475)
7. Secure Accommodation Costs - To fund the costs of secure accommodation in 2015/16, not covered within the base budget or existing risk reserve.	140	70
Sub Total - Corporate Budgets	(1,072)	(1,292)
Sub Total to be shown in Statement of Accounts	(1,646)	(2,061)
Recommended Departmental reserves as detailed in Table 3	977	1,172
Forecast Uncommitted Outturn	(669)	(889)

APPENDIX A

Table 3 - Contribution to Reserves
(details provided in table 4)

	Latest Forecast	
	Worst Case	Best Case
	£'000	£'000
Ring-fenced Grant Reserves	67	67
Business Case Reserves	140	140
General Fund Budget Reserves	770	965
TOTAL	977	1,172

Planning Income

Reserve created from additional income generated in 2015/16 from potential large scale developments and carried forward to support the 2016/17 budget.

APPENDIX A

Table 4 - Detail of Contributions to Reserves

	Latest Forecast	
	Worst Case	Best Case
	£'000	£'000
Ring-fenced Grant Reserves		
FERIS Grant Project Earmarked to address 2016/17 DWP Housing administration grant cuts to mitigate impact on benefit service standards.	22	22
Housing Benefits Subsidy Additional 2015/16 one-off grant from DWP, which will be earmarked to help mitigate the forecast 2016/17 DWP Housing administration grant cuts.	45	45
Sub Total	67	67
Business Case Reserves		
Social Housing - Creation of Reserve Contribution to the Major Repairs Fund in line with the approved business model for the Empty Homes Project.	140	140
General Fund Budget Reserves		
Planning Income Reserve created from additional income generated in 2015/16 from potential large scale developments and carried forward to support the 2016/17 budget.	160	160
Fraud Use of vacancy saving to help mitigate impact of forecast 2016/17 DWP Housing administration grant cuts.	24	24
Care Act Risk Reserve Worst case assumes that funding is not available from a departmental under spend to create the reserve, which would increase financial risk in future years. Best case assumes funding is available to create a reserve to manage the potential funding risks arising from delays in implementing elements of the Care Act.	0	130
Early Intervention Reserve Worst case assumes that funding is not available from a departmental under spend to create the reserve, which would increase financial risk in future years. Best case assumes funding is available to create a reserve to manage the potential funding risks of remodelling early help and social care services.	0	65
Business Rates Risk Reserve The MTFS approved in February 2015 indicated that billed Business Rates income exceeded the amount included in the MTFS. Owing to the uncertainty regarding Business Rates Appeals it was agreed that this amount should be allocated to partly offset successful appeals. This will be added to the Business Rates Risk Reserve and will help the Council manage the impact of the significant reduction in the Power Station rateable value.	586	586
Sub Total	770	965
TOTAL	977	1,172

REVENUE FINANCIAL MONITORING REPORT FOR FINANCIAL YEAR 2015/16 as at 30th June, 2015

Approved 2015/2016 Budget £'000	Description of Service Area	June		Director's Explanation of Variance
		Projected Outturn Variance - Adverse/ (Favourable) Worst Case £'000	Projected Outturn Variance - Adverse/ (Favourable) Best Case £'000	
Adult Committee				
0	Carers & Assistive Technology	0	0	
3,527	Commissioning & Adults General	(345)	(365)	The underspend mainly relates to receipt of grants in respect of Care Act implementation, winter pressures and reducing delayed hospital discharges (Helping People Home).
1,196	Commissioning-Mental Health	5	5	
10,177	Commissioning-Older People	300	250	Ongoing budget pressures within services for older people due to demographic pressures and increased demand for services.
7,866	Commissioning-Working Age Adult	400	200	Ongoing budget pressures within Learning Disability services arising from an increase in the number of young adults with complex needs.
187	Complaints & Public Information	0	0	
1,406	Departmental Running Costs	(40)	(50)	Incremental drift on salaries and underspends against various supplies and services budgets which will contribute towards 16/17 budget savings.
696	Direct Care & Support Team	45	20	
383	LD & Transition Social Work	0	0	
2,572	Locality & Safeguarding Teams	(250)	(300)	Underspend relates to vacant posts, vacant hours and incremental drift for Social Workers and Social Care Officers who are on career grades which results in a range of bandings depending on qualifications and experience. Budgets are set prudently to reflect payment at the top of scale and the underspend reflects the fact there have been a number of new workers appointed at the lower end of the scale resulting in a short term saving of up to £10k per worker.
649	Mental Health Services	(65)	(65)	Underspend relates to a vacant post which will be filled in August, incremental drift and some non-pay budgets which will contribute towards 16/17 budget savings.
210	OT & Disability Equipment	55	0	The range reflects uncertainty around the level of demand for equipment for the remainder of the year.
180	Workforce Planning & Dev	0	0	
1,135	Working Age Adult Day Services	(85)	(95)	This reflects planned budget savings to contribute towards the Prudential Borrowing costs for the new CIL.
30,184	Sub Total	20	(400)	
0	Deprivation of Liberty Standards (DoLS) - Pressure	330	270	Pressure relates to increased staffing requirements due to a 1600% increase in activity following a Supreme Court Judgement. Range reflects uncertainty over legal, medical and Best Interest Assessor costs given this is first full financial year of operation. Pressure is partly offset by one-off allocation of £50k DoLS grant.
0	Release of Departmental Reserve for DoLS	(330)	0	In the best case scenario, it is proposed to fund the cost of DoLS from within the overall departmental outturn position with the reserve being rephased to enable the DoLS pressure to be funded from reserves for a longer time period.
0	Release of Supporting Social Care Reserve	(20)	0	Contingency reserve to fund potential overspend within worst case scenario.
30,184	Adult Committee Sub Total	0	(130)	

Approved 2015/2016 Budget	Description of Service Area	Projected Outturn Variance - Adverse/ (Favourable) Worst Case	Projected Outturn Variance - Adverse/ (Favourable) Best Case	Director's Explanation of Variance
£'000		£'000	£'000	
Children's Committee				
11,305	Children & Families	334	219	Overspends against Residence Order, Special Guardianship Allowances and Direct Payments partly offset by incremental drift, vacant posts (now filled) and Care Proceedings. Range reflects uncertainty at this stage of the year given the volatile nature of these budget areas. Best Case scenario reflects non-release of Early Intervention reserve as expenditure can be funded from within overall outturn.
4,608	Early Intervention Services	(175)	(195)	Underspend relates to vacant posts (now filled), incremental drift and some non-pay budgets which will contribute towards 16/17 budget savings.
4	Play & Care	40	40	Historic shortfall in income as against budget.
372	Youth Offending Service	0	0	The YJB have recently announced the potential for an in-year grant reduction of up to 14% (c£64k); As the YOS budget is fully committed (including a contribution towards the Remand Placement costs) it is likely any reduction will need to be funded from the YOS reserve.
150	Access to Education	37	(35)	Possible overspend relating to Academies not buying-back de-delegated services.
108	Central Support Services	5	5	
537	Other School Related Expenditure	(10)	(19)	Pension savings identified as savings in the 2016/17 budget.
325	Raising Educational Achievement	(55)	(73)	Permanent and one-off salary vacancy savings identified as part of the 2016/17 budget savings.
225	Special Educational Needs	17	(16)	Possible grant funding available to mitigate the overspend in year; to be confirmed in August 2015.
56	Strategic Management	7	9	
17,690	Sub Total	200	(65)	
0	Release of Looked After Children Reserve for Looked After Children pressure	(200)	0	
17,690	Children's Committee Sub Total	0	(65)	
47,874	Child and Adult Total - (before Creation of Reserves)	0	(195)	
Creation of Reserves				
0	Care Act Risk Reserve	0	130	Following the recent announcement to delay the care cap element of the Care Act until April 2020 there remains uncertainty around the additional Care Act funding received in 2015/16 and whether this will continue in future years. It is proposed to create a risk reserve to provide a contingency against any future reduction in funding.
0	Early Intervention Reserve	0	65	It is proposed to transfer this to the existing reserve to assist with early intervention initiatives to reduce demand for services.
47,874	Child & Adult Total - Net of Reserves	0	0	

PLANNED USE OF RESERVES

The above figures include the 2015/2016 approved budget along with the planned use of Departmental Reserves created in previous years.
The details below provide a breakdown of these reserves

Approved 2015/2016 Budget £'000	Description of Service Area	Planned Usage 2015/2016 £'000	Variance Over/ (Under) £'000	Director's Explanation of Variance
Adult Committee				
33	Carers Funding	33	0	
0	Social Inclusion & Lifestyle pathways contract extension	25	25	Delays in tendering this contract have required use of the specific reserve to fund the interim costs; Contract now awarded and commences end of August 2015
270	Deprivation of Liberty Safeguards (DoLS)	0	(270)	In the best case scenario, it is proposed to fund the cost of DoLS from within the overall departmental outturn position with the reserve being rephased to enable the DoLS pressure to be funded from reserves for a longer time period.
30	Care Bill Implementation Reserve	0	(30)	The post to be funded from this reserve will now be funded from the Care Act grant allocation.
333	Adult Committee Sub Total	58	(275)	
Children's Committee				
0	Youth Offending	92	92	Reserve to be used to fund 2 temporary posts, contribution to youth activities contract and youth provision and creation of immunisation room.
299	Troubled Families	0	(299)	It is now anticipated that the Troubled Families grant will fund all of the costs of this years programme.
32	Adoption Reform Grant	32	0	
169	Early Intervention Reserve	0	(169)	In the best case scenario, it is proposed to fund this expenditure from within the overall outturn enabling the reserve to be carried forward to support future years budgets.
500	Children's Committee Sub Total	124	(376)	

MEMO:-	Dedicated Schools Grant			
4,384	Early Years	0	0	Awaiting final notification of funding for 2 year olds following the June 2015 census
8,219	High Needs	0	0	Review of the service areas are currently underway to assess emerging pressures within this demand-led block. Further information will be reported in the next Monitoring report.
37,498	Schools	0	0	

REVENUE FINANCIAL MONITORING REPORT FOR FINANCIAL YEAR 2015/16 as at 30th June, 2015

		JUNE		
Approved 2015/2016 Budget	Description of Service Area	Projected Outturn Variance - Adverse/ (Favourable) Worst Case	Projected Outturn Variance - Adverse/ (Favourable) Best Case	Director's Explanation of Variance
£'000		£'000	£'000	
Finance & Policy Committee				
0	Adult Education	0	0	
1,095	Community Safety & Engagement	0	0	
607	Strategic Management, Admin & Service Development	0	0	
(98)	Logistics	0	0	
46	Procurement and Reprographics	0	0	
0	Property Management	0	0	
419	Estates & Asset Management	0	0	
(813)	Building Consultancy	0	0	
866	Facilities Management	0	0	This includes many trading operations which at this stage are expected to on budget at year end.
2,122	Finance & Policy Committee Sub Total	0	0	
Regeneration Committee - Core Services				
20	Archaeology Services	0	0	
48	Community Centres	0	0	
398	Cultural Services	85	85	The variance relates to a shortfall on admissions income at the Hartlepool Maritime Experience and a possible shortfall on income associated with functions.
1,052	Libraries	0	0	
0	Renaissance in Regions	0	0	
(25)	Building Control	100	80	Projections reflect the volatile nature of external income in this area. Any variance is expected to be covered by the Income Shortfall Reserve in 2015/16 (see Reserves below).
0	Building Control - release of Corporate Income Shortfall Reserve as per the MTFS	(100)	(80)	Release of Reserve (see above).
217	Planning Services	(160)	(160)	Projections are always difficult owing to the volatile nature of external income in this area and a large proportion of the income is dependant on fees from large schemes. Projections at this stage assume some large scale developments in 2015/16. The creation of a reserve is proposed below to help meet the departmental savings target in 2016/17. This is reflected within the separate savings report to Regeneration Services Committee.
586	Housing Services	0	0	
0	CADCAM	0	0	
869	Economic Regeneration	0	0	
(20)	Economic Regeneration - External Funding	0	0	A number of grant funded schemes are ending in 2015/16 and we are awaiting confirmation of the final position . This may result in a favourable variance on this service area by year end.
213	Heritage & Countryside	(10)	(10)	
3,358	Regeneration Committee - Core Services Sub Total	(85)	(85)	
Regeneration Committee - Social Housing				
0	Social Housing	(140)	(140)	This variance will be transferred into the Major Repairs Reserve in line with the approved Business model for this scheme to fund the cost of future Repairs and Maintenance on the housing stock.
0	Regeneration Committee - Social Housing Sub Total	(140)	(140)	

Approved 2015/2016 Budget	Description of Service Area	Projected Outturn Variance - Adverse/ (Favourable) Worst Case	Projected Outturn Variance - Adverse/ (Favourable) Best Case	Director's Explanation of Variance
£'000		£'000	£'000	
Neighbourhood Committee				
(105)	Cemetery and Crematoria	0	0	
203	Parks & Countryside	0	0	
29	Allotments	0	0	
(603)	Car Parking	0	0	
405	Engineering Services	0	0	
1,759	Grounds Maintenance	(35)	(35)	The favourable variance relates to vacant posts and and lower fuel costs.
1,974	Highway Maintenance and Insurance	0	0	
(238)	Highways Trading	0	0	
487	Highways Traffic & Transport Management	0	0	
1,417	ITU Passenger Transport	(60)	(60)	The favourable variance relates to an underspend on the demand led service of Home to School Transport.
126	ITU Road Safety	0	0	
(51)	ITU Strategic Management	0	0	
(132)	ITU Vehicle Fleet	0	0	
(2)	NDORS (National Driver Offender Rehabilitation Scheme)	0	0	
1,245	Network Infrastructure	0	0	Underspends associated with Street Lighting e.g. Reduced energy costs will be transferred to capital to fund the LED replacement programme in accordance with the agreed business case for this scheme.
0	Section 38's	0	0	
0	Traffic Management	0	0	
2,393	Sustainable Transport	0	0	
1,669	Street Cleansing	0	0	
4,509	Waste & Environmental Services	20	20	The adverse variance relates to a additional costs associated with waste disposal which are expected to be incurred this year and the potential reduction in income from recycling. This is a volatile area which will continue to be closely monitored each month.
15,085	Neighbourhood Committee Sub Total	(75)	(75)	
20,565	R & N Total before reserves	(300)	(300)	
Creation of Reserves				
0	Social Housing	140	140	Contribution to the Major Repairs Fund in line with the approved business model for the Empty Homes Project.
0	Planning Reserve	160	160	Reserve created from additional income generated in 15/16 to help meet the departmental savings target in 2016/17.
20,565	Regeneration and Neighbourhoods Total - Net of Reserves	0	0	

PLANNED USE OF RESERVES

The above figures include the 2015/2016 approved budget along with the planned use of Departmental Reserves created in previous years.
The details below provide a breakdown of these reserves

Approved 2015/2016 Budget £'000	Description of Service Area	Planned Usage 2014/2015 £'000	Variance Over/ (Under) £'000	Director's Explanation of Variance
Finance & Policy Committee				
0	Fleet	20	20	This variance relates to the profile of expenditure over years.
0	Passenger Transport	45	45	This variance relates to the profile of expenditure over years.
110	Community Pool	110	0	
17	Civic Lottery	17	0	
Regeneration Committee				
0	Baden Street	6	6	This variance relates to the profile of expenditure over years.
25	Selective Licensing	25	0	
65	Business Grants	65	0	
100	Economic Regeneration Schemes	33	(67)	This variance relates to the profile of expenditure over years.
125	Local Plan	125	0	
0	Building Control	100	100	This variance relates to the profile of expenditure over years.
25	NEPO	25	0	
Neighbourhood Committee				
190	CCTV	190	0	
42	Environmental Apprentices	42	0	
99	Ward Member Budgets	132	33	This variance relates to the profile of expenditure over years.
0	Community Safety	20	20	This variance relates to the profile of expenditure over years.
798	Total	955	157	

REVENUE FINANCIAL MONITORING REPORT FOR FINANCIAL YEAR 2015/16 as at 30th June, 2015

Approved 2015/2016 Budget	Description of Service Area	JUNE		Director's Explanation of Variance
		Projected Outturn Variance - Adverse/ (Favourable) Worst Case	Projected Outturn Variance - Adverse/ (Favourable) Best Case	
£'000		£'000	£'000	
Finance and Policy Committee				
(513)	Benefits	(30)	(30)	Favourable variance of £8k is partly owing to one post being vacant for part of the year. A further £22k favourable variance is projected on Fraud and Error Reduction Incentive Scheme (FERIS), which Finance and Policy Committee 30th January, 2015 approved should be earmarked to address 2016-17 DWP Housing administration grant cuts to mitigate impacts on benefit service standards.
(859)	Central Administration Recharges	0	0	
952	Corporate Finance	(85)	(85)	The favourable variance is owing to abnormally high level of vacancies which are being held vacant for 2016-17 savings and several posts not being at the top of the grade.
658	Corporate Strategy & Public Consultation	(26)	(26)	The favourable variance is owing to reduced working hours, along with some supplies and services savings.
182	Housing Benefits Subsidy	(45)	(45)	Favourable variance of £45k is owing to additional grant from DWP for Universal Credit , which is required to address 2016-17 DWP Housing administration grant cuts.
185	Democratic	0	0	
98	Fraud	(24)	(24)	Favourable variance of £24k is owing to one post being vacant for the full year, which is required to address 2016-17 DWP Housing administration grant cuts.
882	Customer and Support Services	(2)	(2)	The favourable variance is owing to savings on pension costs.
453	Human Resources & Health and Safety	(53)	(53)	The favourable variance is owing to income received from Health and Safety training, contracts and funding, which is due to cease during this financial year.
230	Internal Audit	(20)	(20)	The favourable variance is owing to reduced working hours, overtime, mileage and some supplies and services savings.
424	Legal Services	30	30	The adverse variance is owing to a reduction in Land and Property Income within the Legal Section.
193	Municipal Elections and Registration of Electors	(40)	(40)	There is currently a favourable projection of £40k as long as there are no by-elections during this financial year.
(79)	Other Office Services	70	70	An adverse variance of £70k is owing to a continued slow down in Local Land Searches, this is owing to the number of companies using Environmental Information Regulations, which is an ongoing trend.
81	Public Relations	0	0	
(104)	Registration Services	0	0	

Approved 2015/2016 Budget	Description of Service Area	Projected Outturn Variance - Adverse/ (Favourable) Worst Case	Projected Outturn Variance - Adverse/ (Favourable) Best Case	Director's Explanation of Variance
£'000		£'000	£'000	
858	Revenues	0	0	
(413)	Revenue & Benefits Central	(100)	(100)	The favourable variance is owing to the full year impact of changes to the Court Costs fee structure.
67	Scrutiny	0	0	
629	Shared Services	10	10	The adverse variance is owing to the need to cover current staff shortages, together with an increase in workload, specifically pensions. payroll and recovery related work,
119	Support to Members	0	0	
18	Training & Equality	0	0	
369	Corporate Management Running Expenses	(9)	(9)	The favourable variance is owing to some staffing savings and maternity leave, which is partly offset by a shortfall on the Trade Union budget.
4,430	Finance and Policy Total (Before Creation of Reserves)	(324)	(324)	
Creation of Reserves				
0	FERIS Grant Project	22	22	£22k favourable variance is projected on Fraud and Error Reduction Incentive Scheme (FERIS), which Finance and Policy Committee 30th January, 2015 approved should be earmarked to address 2016-17 DWP Housing administration grant cuts to mitigate impacts on benefit service standards.
0	Housing Benefits Subsidy	45	45	Favourable variance of £45k is owing to additional grant from DWP for Universal Credit , which is required to address 2016-17 DWP Housing administration grant cuts.
0	Fraud	24	24	Favourable variance of £24k is owing to one post being vacant for the full year, which is required to address 2016-17 DWP Housing administration grant cuts.
4,430	Chief Executives Total - Net of Reserves	(233)	(233)	

PLANNED USE OF RESERVES

The above figures include the 2015/2016 approved budget along with the planned use of Departmental Reserves created in previous years.
The details below provide a breakdown of these reserves

Approved 2015/2016 Budget £'000	Description of Service Area	Planned Usage 2014/2015 £'000	Variance Over/ (Under) £'000	Director's Explanation of Variance
Finance and Policy Committee				
37	Corporate Strategy - ICT System Development	37	0	Corporate ICT projects
6	Corporate Strategy - Performance Management	5	(1)	Covalent subscription
10	Public Relations - Staffing	10	0	Public Relations staffing budget
0	Registrars	5	5	Software maintenance over three years.
0	Registrars - Marriage Room	6	6	Marriage Room maintenance.
0	Resource Investment - HR	18	18	People Framework development.
25	Health and Safety - Staffing	25	0	Health and Safety staffing budget
0	Registration and Members	2	2	Civic Head expenses - civic items.
19	Finance - IT Investment Shared Services	20	1	Corporate ICT projects
0	Finance R & B	5	5	Direct Debit Charity Campaign
0	Finance R & B - FSM System	1	1	FMS System maintenance
85	Chief Executive's Department Ring Fenced Grants	118	33	
182	Total	252	70	

REVENUE FINANCIAL MONITORING REPORT FOR FINANCIAL YEAR 2015/16 as at 30th June, 2015

Approved 2015/2016 Budget £'000	Description of Service Area	JUNE		Director's Explanation of Variance
		Projected Outturn Variance - Adverse/ (Favourable) Worst Case £'000	Projected Outturn Variance - Adverse/ (Favourable) Best Case £'000	
Finance and Policy Committee				
Public Health Grant				
1,021	Children's Public Health	0	0	
50	Health Protection	0	0	
1,210	Miscellaneous Public Health Services	0	0	
20	NHS Health Check Programme	0	0	
180	Obesity	0	0	
290	Physical Activity	0	0	
816	Prescribing	0	0	
852	Public Health Advice	0	0	
800	Sexual Health	0	0	
459	Smoking & Tobacco	0	0	
2,789	Substance Misuse	0	0	
(8,486)	Public Health Main Grant	0	0	The latest projections are based on a potential in year grant cut and a managed underspend in year will be used to offset the grant reduction in 15/16.
1	Public Health Grant Subtotal	0	0	
Public Health General Fund				
669	Consumer Services	0	0	
669	Public Health General Fund Subtotal	0	0	
670	Finance and Policy Sub Total	0	0	
Regeneration Committee				
Public Health General Fund				
2	Environmental Protection	0	0	
(89)	Environmental Standards	64	50	Adverse variance relates to a potential shortfall in income from Markets.
500	Sports & Recreation Facilities	0	0	Quarter 1 is very early to predict an outturn however there are significant income pressures on this service area. Actual performance against income targets will be closely monitored each month and an update will be provided by the end of quarter 2.
413	Public Health General Fund Subtotal	50	50	
413	Regeneration Sub Total	50	50	
1,083	Public Health Total - before Reserves	50	50	
Creation of Reserves				
Finance and Policy Committee				
0	Public Health Ringfenced Grant	0	0	
1,083	Public Health Total - Net of Reserves	50	50	

CHILD AND ADULT SERVICES

APPENDIX F

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A	B	C	D	E	F	G		
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephased into 2016/17 £'000	(C+D+E) 2015/16 Total Expenditure £'000	(F-B) 2015/16 Variance from Budget £'000		
Adult Committee										
7234	Chronically Sick and Disabled Persons Adaptations	598	598	11	587	0	598	0	MIX	
8075	Short Break Capital Grants Pool	21	21	0	21	0	21	0	RCCO	
8108	Centre for Independent Living - New Build	4,525	2,635	5	2,630	0	2,635	0	MIX	
	Adult Committee Sub Total	5,144	3,254	16	3,238	0	3,254	0		
Children's Committee										
7469	Children's Centre's Capital	32	32	0	32	0	32	0	RCCO	
8072	Integrated Children's Services Case Management Improvement	37	37	0	37	0	37	0	MIX	
8218	Youth Service Portable Multi-Use Games Area (Youth Capital Fund)	7	7	0	7	0	7	0	GRANT	
8836	YOS Health Suite	24	24	0	24	0	24	0	RCCO	
8783	Barnard Grove Primary School - Section 278 Works	12	12	0	12	0	12	0	GRANT	
8781	Brougham Primary School - 2 year old Free Nursery Entitlement Capacity Building	11	11	0	11	0	11	0	GRANT	
8808	Brougham Primary School - Lighting/Emergency Lighting	25	25	0	25	0	25	0	GRANT	
8825	Chatham Road Children's Centre - Lighting/Emergency Lighting	4	4	0	4	0	4	0	GRANT	
8809	Clavering Primary School - Roofing Block A (Phase 2 of 2)	84	84	0	84	0	84	0	GRANT	
8732	Clavering Primary School - Roofing - Block A	8	8	0	8	0	8	0	GRANT	
7384	Devolved Schools Capital	342	342	200	142	0	342	0	GRANT	
8833	English Martyrs School - Science Labs	325	325	0	325	0	325	0	RCCO	On hold pending Priority School Building Programme Phase 2 (PSBP Phase 2). This scheme will remain on hold until the Autumn when EFA provide information as to where within the 5 yr programme the new build will be timetabled.
8810	Fens Primary School - Heating Distribution (Phase 1 of 3)	60	60	0	60	0	60	0	GRANT	
8811	Golden Flatts Primary School - Electrical Rewire (Phase 1 of 3)	90	90	0	90	0	90	0	GRANT	
8734	Golden Flatts Primary School - Condensation mitigation works	15	15	0	15	0	15	0	MIX	
8730	Greatham Primary School - Roofing (Phase 1 of 2)	8	8	0	8	0	8	0	GRANT	
8812	Greatham Primary School - Roofing (Phase 2 of 2)	65	65	0	65	0	65	0	MIX	
8813	Hart Primary School - Lighting/Emergency Lighting	8	8	0	8	0	8	0	MIX	
8729	Hart Primary School - Roofing - Block A	2	2	0	2	0	2	0	MIX	
8717	High Tunstall School - Electrical Distribution Boards	26	26	0	0	0	0	(26)	GRANT	Scheme complete - underspend to be transferred to unallocated.
8598	High Tunstall School - Heating Distribution - Block G	47	47	0	47	0	47	0	GRANT	
8523	High Tunstall School - Heating Distribution - Block A	48	48	0	48	0	48	0	GRANT	
8801	High Tunstall School - Hot Water Plant Replacement	3	3	0	3	0	3	0	GRANT	

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A	B	C	D	E	F	G		
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephased into 2016/17 £'000	(C+D+E) 2015/16 Total Expenditure £'000	(F-B) 2015/16 Variance from Budget £'000		
8718	High Tunstall School - Roofing - Area of Block A Phased	60	60	0	60	0	60	0	MIX	On hold pending Priority School Building Programme Phase 2 but minor works were necessary and have been undertaken. The remainder of the scheme will remain on hold until the Autumn when EFA provide information as to where within the 5 yr programme the new build will be timetabled.
8718	High Tunstall School - Roofing - Block A	11	11	0	11	0	11	0	MIX	Scheme reduced pending outcome of Priority School Building Programme Phase 2. The remainder of the scheme will remain on hold until the Autumn when EFA provide information as to where within the 5 yr programme the new build will be timetabled.
8719	High Tunstall School - Roofing - Block L	102	102	0	102	0	102	0	MIX	On hold pending Priority School Building Programme Phase 2. The remainder of the scheme will remain on hold until the Autumn when EFA provide information as to where within the 5 yr programme the new build will be timetabled.
8716	High Tunstall School - Window Replacement - Block A	154	154	0	154	0	154	0	RCCO	On hold pending Priority School Building Programme Phase 2. This scheme will remain on hold until the Autumn when EFA provide information as to where within the 5 yr programme the new build will be timetabled.
8785	Holy Trinity Primary School - Section 278 Works	2	2	0	2	0	2	0	GRANT	
8814	Kingsley Primary School - Hall Window Replacement	50	50	0	50	0	50	0	MIX	
8727	Kingsley Primary School - Electrical Rewire	60	60	37	23	0	60	0	MIX	
8817	Lynnfield Primary School - Lighting/Emergency Lighting (final phase)	9	9	0	9	0	9	0	GRANT	
8816	Lynnfield Primary School - Roofing (Phase 1)	90	90	0	90	0	90	0	MIX	
8815	Lynnfield Primary School - Window Replacement Block A (Phase 2 of 2)	54	54	0	54	0	54	0	MIX	
8728	Lynnfield Primary School - Window Replacement - Block A	5	5	0	5	0	5	0	MIX	
8782	Lynnfield Primary School 2 - year old Free Nursery Entitlement Capacity Building	15	15	0	15	0	15	0	GRANT	
8789	Pupil Referral Unit - Refurbishment	67	67	0	67	0	67	0	RCCO	
8832	Pupil Referral Unit - Access Works	20	20	0	20	0	20	0	MIX	
7586	Purchase of Computer Equipment - City Learning Centre	4	4	0	4	0	4	0	RCCO	
8720	Rift House Children's Centre - Roofing Replacement	4	4	0	4	0	4	0	GRANT	
8818	Rift House Primary School - Lighting/Emergency Lighting	13	13	0	13	0	13	0	GRANT	
8821	Rossmere Primary School - Heating Distribution	60	60	0	60	0	60	0	GRANT	

CHILD AND ADULT SERVICES
APPENDIX F
CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A 2015/16 and Future Years Budget £'000	B 2015/16 Budget £'000	C 2015/16 Actual as at 30/06/15 £'000	D 2015/16 Expenditure Remaining £'000	E Expenditure Rephased into 2016/17 £'000	F (C+D+E) 2015/16 Total Expenditure £'000	G (F-B) 2015/16 Variance from Budget £'000		
8819	Rossmere Primary School - Lighting/Emergency Lighting	31	31	0	31	0	31	0	MIX	
8820	Rossmere Primary School - Window Replacement	50	50	0	50	0	50	0	MIX	
8692	Rossmere Primary School - Forest School	155	155	54	101	0	155	0	RCCO	
7421	School Travel Plans	14	14	0	14	0	14	0	GRANT	
8138	Schools General - BSF - ICT	532	532	1	531	0	532	0	GRANT	
8139	Schools General - BSF - ICT Infrastructure Costs	112	112	0	112	0	112	0	GRANT	
9004	Schools General - Contingency	150	150	0	150	0	150	0	GRANT	
9004	Schools General - Funding Currently Unallocated	273	273	0	299	0	299	26	MIX	This reflects the net underspend that will be transferred to the unallocated budget.
9004	Schools General - RCCO Earmarked for Asbestos Surveys	60	60	0	60	0	60	0	RCCO	
9004	Schools General - RCCO Unallocated	1,027	0	0	0	0	0	0	RCCO	
8788	Schools General - Universal Free School Meals	60	60	0	60	0	60	0	GRANT	
8822	Springwell Primary School - Refurbish WC's	50	50	0	50	0	50	0	MIX	
8823	St Helen's Primary School - Roofing KS1 Building	90	90	1	89	0	90	0	MIX	
8824	Throston Primary School - SEN Adaptations	19	19	0	19	0	19	0	GRANT	
8455	West Park Primary School - Fire Detection System	53	53	0	53	0	53	0	GRANT	
8526	West Park Primary School - Heating / Hot & Cold Water Distribution	16	16	0	16	0	16	0	MIX	
8653	West View Primary School - Early Years Foundation Stage Improvements	155	155	1	154	0	155	0	RCCO	This scheme was put on hold in 2014/15 pending the PSBP 2 announcement and only works to canopy and external store were completed. The school was not successful for PSBP2 therefore the scheme is now progressing.
Children's Committee Sub Total		4,910	3,883	294	3,589	0	3,883	0		
Child & Adult Services Total		10,054	7,137	310	6,827	0	7,137	0		

Key

RCCO Revenue Contribution towards Capital
 MIX Combination of Funding Types
 UCPB Unsupported Corporate Prudential Borrowing
 SCE Supported Capital Expenditure (Revenue)

GRANT Grant Funded
 CAP REC Capital Receipt
 UDPB Unsupported Departmental Prudential Borrowing
 SPB Supported Prudential Borrowing

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	A	BUDGET		EXPENDITURE IN CURRENT YEAR						2015/16 COMMENTS
	Scheme Title	A	B	C	D	E	F	G	H	
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephased 2016/17 £'000	C+D+E 2015/16 Total Expenditure £'000	F-B 2015/16 Variance from budget £'000	Type of financing	
Finance & Policy Committee										
8710	Drug & Alcohol Recovery Centre	200	200	0	200	0	200	0	GRANT	Purchase of the Willows building was complted in July and renovation is work underway.
	Finance & Policy Committee Sub Total	200	200	0	200	0	200	0		
Regeneration Committee										
8103	Swimming Scheme	60	60	6	54	0	60	0	MIX	Scheme being drawn up to improve interior of pool hall at Mill House Leisure Centre.
8452	Carlton Disabled WC	2	2	0	2	0	2	0	MIX	To be used as match funding in future grant bid for additional work required
7992	Junior Football Pitches	26	26	0	26	0	26	0	MIX	To be used as part of a necessity to replace the carpet for the 3G pitch at Grayfields
8408	Mill House - Equipment Purchase	12	12	3	9	0	12	0	MIX	Residual expenditure in relation to pipe work. Any balance will be used to fund future major repairs.
8689	Brierton Sports Fields	220	130	79	51	0	130	0	MIX	Part funded by Sport England. Approx 60% of the overall budget expected to be completed in the current year.
8635	Brierton 3G Pitch	50	50	42	8	0	50	0	GRANT	Funding is 97% from Football Foundation. Work on 3G pitch is complete. Works on CCTV to be completed this year.
8409	Sport & Youth Improvements	41	41		41	0	41	0	MIX	To be used as match funding in future grant bid for additional work required at Brierton
	Regeneration Committee Sub Total	411	321	130	191	0	321	0		
	Public Health Services Total	611	521	130	391	0	521	0		

Key

RCCO Revenue Contribution towards Capital
MIX Combination of Funding Types
UCPB Unsupported Corporate Prudential Borrowing
SCE ® Supported Capital Expenditure (Revenue)

GRANT
CAP REC
UDPB
SPB

Grant Funded
Capital Receipt
Unsupported Departmental Prudential Borrowing
Supported Prudential Borrowing

CHIEF EXECUTIVES

APPENDIX H

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A	B	C	D	E	F	G		
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephased into 2016/17 £'000	(C+D+E) 2015/16 Total Expenditure £'000	(F-B) 2015/16 Variance from Budget £'000		
Finance & Policy Committee										
	City challenge Clawback	213	213	0	213	0	213	0	UCPB	
	City Challenge Clawback - Burbank / Murray Street	83	83	0	83	0	83	0	RCCO	
	IT Strategy	500	500	0	500	0	500	0	MIX	
7623	Corporate IT Projects	20	20	0	20	0	20	0	MIX	
8143	New Burdens - Council Tax	10	10	0	10	0	10	0	MIX	
8157	Northgate - New Server	4	4	0	4	0	4	0	MIX	
8701	Registration Services Accommodation	30	30	0	30	0	30	0	RCCO	
	Civic Centre Remodel Reception Area	100	100	0	100	0	100	0	MIX	
	Corporate Projects	69	69	0	69	0	69	0	MIX	
Chief Executives Total		1,029	1,029	0	1,029	0	1,029	0		

Key

RCCO Revenue Contribution towards Capital
MIX Combination of Funding Types
UCPB Unsupported Corporate Prudential Borrowing
SCE Supported Capital Expenditure (Revenue)

GRANT Grant Funded
CAP REC Capital Receipt
UDPB Unsupported Departmental Prudential Borrowing
SPB Supported Prudential Borrowing

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A	B	C	D	E	F	G		
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephased into 2016/17 £'000	(C+D+E) 2015/16 Total Expenditure £'000	(F-B) 2015/16 Variance from Budget £'000		
Finance & Policy Committee										
7200	Civic Centre Refurbishment	220	220	0	220	0	220	0	MIX	
8142	School Kitchen Upgrades	103	103	0	103	0	103	0	RCCO	
8171	Corporate Planned Maintenance - Footpath Repair - Grayfields	16	16	0	16	0	16	0		
									MIX	
8442	Seaton DDA Toilets	37	37	0	37	0	37	0	UCPB	
7036	Unallocated Council Capital Fund	85	85	0	85	0	85	0	UCPB	This amount is being held to manage unforeseen property issues .
new	Indoor Bowls Centre Refurbishment	190	190	0	190	0	190	0	RCCO	
7041	Corporate Planned Maintenance Unallocated	66	66	0	66	0	66	0	MIX	
new	Asbestos Re-Surveys	50	50	0	50	0	50	0	RCCO	
8687	Jacksons Landing	0	0	0	0	0	0	0	CAP REC	
8711	Carlton Centre Re-roof Main Building	9	9	0	9	0	9	0	RCCO	
8776	Town Hall Theatre Replace Stage Lighting Controls	50	50	0	50	0	50	0	RCCO	
8777	Christ Church Boiler Replacement	16	16	0	16	0	16	0	UCPB	
8779	Newburn Bridge Roofing and Door Replacement	27	27	5	22	0	27	0	RCCO	
new	Borough Hall - Wet Rot	5	5	0	5	0	5	0	RCCO	
new	Central Library - Roofing and Guttering	222	222	0	222	0	222	0		Includes an amount of £191,000 transferred from the Corporate Planned Maintenance Unallocated budget as a result of essential roof replacement work to ensure the safety of the building.
									RCCO	
new	Central Library - External Redecoration	3	3	0	3	0	3	0	RCCO	
new	Borough Hall - External Redecoration	17	17	0	17	0	17	0	RCCO	
new	Town Hall - External Redecoration	20	20	0	20	0	20	0	RCCO	
new	Energy Invest to Save	20	20	0	20	0	20	0	RCCO	
new	Asbestos Re-Surveys - Year 2	50	50	0	50	0	50	0	RCCO	
8797	Seaton Carew Library Roof Replacement	10	10	9	1	0	10	0	RCCO	
new	Mill House Replace Chemical Dosing System	5	5	0	5	0	5	0	RCCO	
new	Aueurin Bevan House Roof Replacement	110	110	0	110	0	110	0	CORP	
new	Aueurin Bevan House Accessibility Works	32	32	0	32	0	32	0	CORP	
new	Borough Hall Lighting and Wiring	40	40	0	40	0	40	0	CORP	
new	Borough Hall Structural Works	27	27	0	27	0	27	0	CORP	
new	Carlton Outdoor Centre Replace Hot Water System	13	13	0	13	0	13	0	CORP	
	Centre for Excellence Training and Learning Replace Heating Controls	45	45	0	45	0	45	0		
									CORP	
new	Hartlepool Art Gallery Accessibility Works	40	40	0	40	0	40	0	CORP	
new	Mill House Electrical Distribution Board Replacement	25	25	0	25	0	25	0	CORP	
new	Mill House Replacement Pool Covers	20	20	0	20	0	20	0	CORP	
new	Rossmere Youth Centre Roof Replacement	117	117	0	117	0	117	0	CORP	
new	Rossmere Youth Centre Window Replacement	33	33	0	33	0	33	0	CORP	
		25	25	0	25	0	25	0		
new	Town Hall Lighting and Distribution Board Replacement								CORP	
new	Contingency	22	22	0	22	0	22	0	CORP	
Corporate Total		1,770	1,770	14	1,756	0	1,770	0		

Key

RCCO

MIX

Revenue Contribution towards Capital

Combination of Funding Types

CAP REC

UCPB

Capital Receipt

Unsupported Departmental Prudential Borrowing

CORP

Corporate Resources

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A	B	C	D	E	F	G		
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephasd into 2016/17 £'000	(C+D+E) 2015/16 Total Expenditure £'000	(F-B) 2015/16 Variance from Budget £'000		
Finance & Policy Committee										
8306	School Catering Equipment	302	52	0	52	0	52	0	RCCO	The Profile reflects the expected use of this 'sinking fund' in the current year as part of an ongoing programme of replacement.
8425	PV Cells Installation (various buildings)	193	0	0	0	0	0	0	UDPB	As a result of government changes to Feed-in-Tariff (FIT) arrangements and subsidies, the remaining sites in the scheme have been put on hold in order to evaluate the future business case.
8796	Depot Relocation/Church Street Regeneration	3,504	3,504	1,925	1,579	0	3,504	0	MIX	
8830	Reed Street Depot Remodelling	130	130	0	130	0	130	0	RCCO	
BRI	Brierton Site Development	217	217	18	199	0	217	0	MIX	Work is ongoing in relation to landscaping and fencing.
Finance & Policy Committee Sub Total		4,346	3,903	1,943	1,960	0	3,903	0		
Regeneration Committee										
7218	Housing - Disabled Facility Grants	653	653	102	551	0	653	0	MIX	
7220	Housing - Private Sector Grants	37	37	0	37	0	37	0	MIX	Although the recurring funding for this budget ended 2010/11, the remaining balance has been used for 'home plus' grants for essential repairs/works to enable vulnerable owner occupiers to remain in their homes. Any refunds arising from charges on property have been recycled back into this budget, which has resulted in a £8k increase this year.
8155	Housing - Preventing Repossession	20	20	0	20	0	20	0	GRANT	
8326	Housing - Baden Street Project	23	23	4	19	0	23	0	MIX	The use of the remaining budget is dependent on whether the remaining landlord opts for this scheme or the Empty Property Leasing scheme operated by Housing Hartlepool.
8446	Housing - Empty Homes Phase 1	407	407	49	358	0	407	0	MIX	Early indications are that the scheme will be delivered without using the contingency budget as a result of careful project management and delivery by in-house teams to keep total costs below the target average of £55k per unit. A full evaluation is underway which also look at the impact of voids, additional major repairs required and the Governments rent reductions.
8786	Housing - Tanfield New Homes Purchase	128	128	0	128	0	128	0	MIX	
8795	Housing - Empty Home Phase 2	4,020	978	269	709	0	978	0	MIX	Continuation of this scheme will be dependent on whether the DCLG either grants exemption from reopening the HRA or approves a borrowing limit in line with the planned funding of this scheme. An additional amount of £123,500 from for the renovation of the former Andersons Bakery funding by Section 106 was approved by the Council on 6th August, 2015.
8799	Housing - Major Repairs	30	30	30	0	0	30	0	RCCO	Expenditure to date relates to refurbishment costs of void properties. In future this budget will increased to reflect the annual Major Repairs programme for all housing stock. Prior to this a full condition survey is to be undertaken in order to establish and develop this programme.

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A 2015/16 and Future Years Budget £'000	B 2015/16 Budget £'000	C 2015/16 Actual as at 30/06/15 £'000	D 2015/16 Expenditure Remaining £'000	E Expenditure Rephased into 2016/17 £'000	F (C+D+E) 2015/16 Total Expenditure £'000	G (F-B) 2015/16 Variance from Budget £'000		
8805	Housing - Raby Road Site Bungalow New Build	1,586	1,586	0	1,586	0	1,586	0	MIX	Relates to final payment for the 7 units on the Raby Road former HMR site and additional 14 units approved by Council on 6th August, 2015.
HMR	Housing - North Central Hartlepool Housing Regeneration	1,677	1,677	260	1,417	0	1,677	0	MIX	The Council has successfully acquired 'by agreement' all but 14 properties on the site. The results in a saving on property purchase costs, but increases the cost of demolition. As reported to the Regeneration Committee on 31st July, 2015, Developers have been invited to tender for the development inclusive of undertaking the demolition. An appraisal of the options, including the Council demolishing the site itself will be presented to members for consideration when tenders have been received.
8308	Morrison Hall Loan to NDC Trust	370	370	312	58	0	370	0	UDPB	
7530	Developers Contributions (Section 106)	179	179	0	179	0	179	0	GRANT	There are currently proposals to use £320k on housing related schemes such as the Raby Road Bungalows and Andersons Bakery empty properties, which have been reported to members for approval. This will also depend on whether the Council is able to proceed with the borrowing required by these schemes, which could be limited if the Government requires the HRA to be reopened. A detailed breakdown of the movements on this fund are shown at Appendix K.
8591	Coast Protection - Headland Town & Block Sands	9,489	2,000	9	1,991	0	2,000	0	MIX	
8444	Coast Protection - Town Wall Strengthening	899	899	396	503	0	899	0	GRANT	
8445	Coast Protection - Seaton Carew	12	12	0	12	0	12	0	GRANT	
8578	Coast Protection - South Management Unit Study	34	34	0	34	0	34	0	GRANT	
8394	Library Improvements	21	21	0	21	0	21	0	RCCO	Proposals for the future use of the budget are included in the 'Review of the Library Service' report to the Regeneration Services Committee on 28th August 2015.
8536	Theatre Booking System	1	1	0	1	0	1	0	GRANT	Remaining grant to be used on new ticket printing machine.
8580	Hartlepool Enterprise Centre (HEC) Building Improvements	14	14	0	3	0	3	(11)	UCPB	The actual overall cost of the scheme, which was composed of various components, was less than the estimate used at time of setting the budget for this scheme. The underspend will be returned to the CCFT pot.
8831	Manor House Purchase	25	25	0	25	0	25	0	RCCO	As approved by F&P on 23rd March, 2015.
9008	Church Street - Hartlepool Vision	402	112	30	82	0	112	0	MIX	
GRT	Grants to Businesses	5	5	5	0	0	5	0	UCPB	
8429	Adult Education - Replace IT	11	11	0	11	0	11	0	GRANT	Budget to be used to fund work as part of conditions of lease.
8429	Adult Education - Accommodation	17	17	0	17	0	17	0	GRANT	Budget to be used to fund work as part of conditions of lease.
Regeneration Committee Sub Total		20,060	9,239	1,466	7,762	0	9,228	(11)		

CAPITAL MONITORING REPORT PERIOD ENDING 30th JUNE 2015

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2015/16 COMMENTS
		A	B	C	D	E	F	G		
		2015/16 and Future Years Budget £'000	2015/16 Budget £'000	2015/16 Actual as at 30/06/15 £'000	2015/16 Expenditure Remaining £'000	Expenditure Rephasd into 2016/17 £'000	(C+D+E) 2015/16 Total Expenditure £'000	(F-B) 2015/16 Variance from Budget £'000		
Neighbourhoods Committee										
7272	Wheelie Bin Replacement Purchases	60	60	5	55	0	60	0	UDPB	
7375	Countryside Development Work	14	14	0	14	0	14	0	RCCO	
7466	DSO Vehicle Purchases	4,738	1,179	48	1,131	0	1,179	0	UDPB	The current year budget shows vehicles profiled to be acquired in year. The Future Years budget includes rephased borrowing approvals for purchases which have been deferred in order to achieve savings. A review of vehicle usage is underway which may opportunities to further vehicle procurement savings.
7508	Anhydrite Mine	107	0	0	0	0	0	0	MIX	Funding is carried forward for future monitoring of the mine.
7878	Community Safety CCTV Upgrade/Relocation	409	309	0	309	0	309	0	MIX	This relocation of the CCTV Monitoring Centre was approved at F&P on1st June, 2015. The budget has been profiled on the expectation that the works complete at the end of April 2016..
8827	S278 Persimmon Homes Link Road	600	600	211	389	0	600	0	GRANT	Costs are fully met by the Developer.
8828	Crematorium refurbishment	126	126	0	126	0	126	0	RCCO	The latest estimate of essential works required is £205,000, which requires further funding to be identified. A business case will be presented to members for consideration .
8829	Children's Cemetery Resurfacing	30	30	0	30	0	30	0	RCCO	This budget has been funded from the cemeteries maintenance budget to cover capital works which will help mitigate rising annual maintenance costs.
Allot	Allotments Improvements	342	342	0	342	0	342	0	UDPB	A revised plan will be proposed for this budget following a process of site investigations which could result in a revised profile with some of this budget being rephased into future years.
LTP	Local Transport Plan (LTP)- Schemes	2,924	2,924	152	2,572	200	2,924	0	GRANT	Consist of various highways schemes. The rephased element reflect the need to carry forward funding as a result of unforeseen delays.
PLAY	Parks & Playgrounds	106	53	0	53	0	53	0	GRANT	This is a sinking fund for major works to ensure the safety of parks and playgrounds. Includes £5,000 transferred from Section 106 Funds as detailed in Appendix J.
7890	Middle Warren Play Area - Section 106	30	30	15	0	15	30	0	GRANT	This relates to Section 106 which was committed to this scheme in 2014/15 and therefore excluded from the main Section 106 Developers Contributions code (7530)
S278	TESCO Sectar106 Funding	209	209	0	209	0	209	0	GRANT	Use of Developers funds for modifications to Burn Road (Tesco) Roundabout from the Stockton road approach this current financial year
SL	Street Lighting Replacement	2,358	2,358	233	2,125	0	2,358	0	UDPB	
ST	Stranton & Tanfield Development	62	62	0	62	0	62	0	MIX	
TVBNI	Tees Valley Bus Network Improvement Schemes	583	583	443	140	0	583	0	GRANT	This is the final year of the TVBNI programme and all remaining funds must be spent.
Waste	Waste Performance Efficiency	26	26	2	24	0	26	0	MIX	
Neighbourhoods Committee Sub Total		12,724	8,905	1,109	7,581	215	8,905	0		
Regeneration & Neighbourhoods Total		37.130	22.047	4.518	17.303	215	22.036	(11)		

Key

RCCO Revenue Contribution towards Capital
MIX Combination of Funding Types
UCPB Unsupported Corporate Prudential Borrowing
SCE Supported Capital Expenditure (Revenue)

GRANT Grant Funded
CAP REC Capital Receipt
UDPB Unsupported Departmental Prudential Borrowing
SPB Supported Prudential Borrowing

Section 106 - Developers Contributions as at 30th June, 2015

	Cycleway £000	Green Infrastructure £000	Housing £000	Maintenance £000	Play £000	Public Art £000	Security Monitoring £000	Sport £000	Total £000
Balance as at 1 April (a)	9	47	80	4	58	15	10	17	240
<u>Received in Year (b)</u>									
Eskdale Road Development		4			4			4	12
Middle Warren Development			240						240
Havelock Development		4			4			4	12
	0	8	240	0	8	0	0	8	264
<u>Committed (c)</u>									
Empty Homes (Andersons Bakery)			124						124
New Build - Raby Road Bungalows			196						196
Springwell Flats - Grayfield Skate Park					1				1
Grayfields Play sites					3				3
King Oswy Play Equipment					1				1
	0	0	320	0	5	0	0	0	325
Balance Remaining (a+b-c)	9	55	0	4	61	15	10	25	179

Notes

(a) This is the cumulative balance of amounts received in previous financial years. Detailed information is available on request.

(b) This is actual income received in the current year, as at 30th June, 2015. It does not include amounts included in Planning Agreements which have not been yet being received in the Council's bank account.

(c) This relates to amounts which have been committed as funding for other projects. The actual spend will be reported as part of the budget for those schemes.