

AUDIT AND GOVERNANCE COMMITTEE AGENDA



Thursday 25 June 2015

at 10.00 am

**in Committee Room B
Civic Centre, Hartlepool**

MEMBERS: AUDIT AND GOVERNANCE COMMITTEE

Councillors Ainslie, S Akers-Belcher, Belcher, Cook, Lawton, Martin-Wells plus vacancy.

Standards Co-opted Members; Mr Norman Rollo and Ms Clare Wilson.

Parish Council Representatives: Parish Councillor J Cambridge (Headland) and Parish Councillor B Walker (Greatham).

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 30 April 2015.
- 4. AUDIT ITEMS**

No items.



5. STANDARDS ITEMS

- 5.1 Consideration of Investigation Reports – SC012/2014 and SC07/2015 – *Chief Solicitor and Monitoring Officer*

6. STATUTORY SCRUTINY ITEMS

No items

7. MINUTES FROM RECENT MEETINGS OF SAFER HARTLEPOOL PARTNERSHIP

- 7.1 To receive the minutes of the meetings held on 12 January 2015, 9 February 2015 and 20 March 2015

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

ITEMS FOR INFORMATION

Date and time of next meeting – Thursday 16 July, 2.00 pm at the Civic Centre, Hartlepool



AUDIT AND GOVERNANCE COMMITTEE MINUTES AND DECISION RECORD

30 APRIL 2015

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool.

Present:

Councillor Ray Martin-Wells (In the Chair)

Councillors: Jim Ainslie, Stephen Akers-Belcher, Rob Cook, Paul Thompson, and George Springer.

Also Present: Standards Co-opted Member; Parish Council Representatives, Parish Councillor J Cambridge (Headland).

Mark Kirkham, Mazars

Officers: Chris Little, Chief Finance Officer
Noel Adamson, Head of Audit and Governance
Laura Stones, Scrutiny Support Officer
David Cosgrove, Democratic Services Team

151. Apologies for Absence

Councillor Kaylee Sirs, Standards Co-opted Members Mr Norman Rollo and Clare Wilson, Parish Councillor B Walker (Greatham), and Superintendent G Lang.

152. Declarations of Interest

None.

153. Minutes of the meeting held on 19 March 2015

Confirmed.

154. Mazars Report – Audit Strategy Memorandum (*Chief Finance Officer*)

The representative from Mazars reported on the audit plan in respect of the audit of the financial statements of Hartlepool Borough Council for the year ending 31 March 2015. The plan set out the proposed audit approach and was prepared to assist the Committee in fulfilling its governance

responsibilities. The responsibilities of those charged with governance were defined as to oversee the strategic direction of the entity and obligations related to the accountability of the entity, including overseeing the financial reporting process.

The representative from Mazars commented that the Audit Commission had closed at the end of March but the responsibilities for audit continued under the Audit Act. Current audit contracts for local authorities were now monitored through a body established by the Local Government Association; Public Sector Audit Appointments.

The representative from Mazars highlighted that the ongoing pressure on the public finances presents significant challenges for the Council and the need to plan for further reductions in spending power, coupled with increased demand for services. The memorandum outlined the audit scope, approach and timeline together with the significant risks and key judgement areas. Details of the fees for the audit services were also detailed.

In relation to the significant risks, the Mazars representative highlighted the significant risks associated with Management Override of Controls, Revenue Recognition and Pension Estimates (IAS 19).

In relation to Materiality, the Mazars representative indicated that materiality was an expression of the relative significance or importance of a particular matter in the context of the financial statements as a whole. Misstatements in financial statements are considered to be material if they, individually or in aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. For the 2014/15 audit, this had been set at £4m, though this may be updated within the audit report at a later date.

Members questioned some of the figures quoted in the report in relation to the budget reductions the Council had faced over recent years. The Chief Finance Officer stated that the figures were correct and had been reported previously, though Members had received an number of reports recently in relation to future years budgets recently and the figures in the submitted report related to the 2014/15 accounts. These were also the figures utilised in the Council Tax information leaflet sent with households Council Tax bills this year.

Members questioned the potential for misstatements and how they would become aware of such errors. The Mazars representative indicated that through the regular reports to this Committee Members had knowledge of the approach taken within the authority and an understanding of its internal controls. When the statement of accounts was prepared it would be submitted with a briefing which would give Members the opportunity to compare and contrast with the previous year's statement and challenge management on any issues that may be reported or of concern. In the highly unlikely event that a misstatement was missed both internally and by

the external audit, there was appropriate indemnity insurance in place but this was highly unlikely to be required due to the professional manner in which the accounts were audited internally and externally.

A Member questioned the reference to another external audit company in the Memorandum. The Mazars representative stated that this was the external auditors for the Teesside Pension Fund. The audit of the pension fund provided some specific figures that Mazars had to rely upon in the undertaking of the audit of this council's accounts. A Member commented that as a recipient of a pension through the Teesside Pension Fund he was kept well informed of the performance of the fund and its audit and had no reason to question the veracity of the funds accounts.

Recommended

That the report be noted.

155. Role of the Head of Internal Audit in Local Government *(Chief Finance Officer)*

The Chief Finance Officer reported on the CIPFA (Chartered Institute of Public Finance and Accountancy) statement – “The Role of the Head of Internal Audit in Local Government,” and set out how the Council complied with the guidance. CIPFA recommended that authorities use the Statement as the framework to assess their existing arrangements and that they should report publically on compliance to demonstrate their commitment to good practice. CIPFA also proposed that authorities should report publicly where their arrangements do not conform to the compliance framework in this Statement, explaining the reasons for this, and how they achieve the same impact. CIPFA would consider how to take this forward in the context of the CIPFA/SOLACE (Society of Local Authority Chief Executives) guidance on good governance. The report set out in an appendix, how the local authority complied with the requirements of the CIPFA Statement.

Recommended

That the Committee notes that the Chief Finance Officer had reviewed the CIPFA statement – “The Role of the Head of Internal Audit in Local Government” and advised Members that the Council complied with these requirements.

156. Role of the Chief Finance Officer (CFO) in Public Service Organisations *(Chief Finance Officer)*

The Chief Finance Officer reported on the CIPFA statement – ‘The Role of the CFO in Public Service Organisations’, and how the Council complied with the guidance. The Statement sets out the five principles that define the core activities and behaviours that belong to the role of the CFO in public service organisations and the organisational arrangements needed to support them. For each principle the Statement sets out the governance arrangements required within an organisation to ensure that CFOs were

able to operate effectively and perform their core duties. The Statement also sets out the core responsibilities of the CFO role within the organisation. The appendix to the report detailed how the Council ensured that the requirements of the statement were met.

Recommended

That the Committee notes that the Chief Finance Officer had reviewed the CIPFA statement – ‘The Role of the CFO in Public Service Organisations’ and advised Members that the Council complied with these requirements.

157. Review of the Effectiveness of the System of Internal Audit *(Chief Finance Officer)*

The Chief Finance Officer reported on the outcome of the review of the effectiveness of the system of Internal Audit in compliance with the Accounts and Audit Regulations (England) 2011. In order to assess whether the system of internal audit has been effective, the definition of effective for the purpose of the review was the satisfactory operation of the framework of assurance that is available to the council in identifying and mitigating the risks it faces in pursuit of its objectives. The review would be an ongoing process that would address new and emerging risks to the authority as they arise and take into consideration different aspects of the system of internal audit on an annual basis.

As a major part of the system of assurance is the role played by the Internal Audit section and the independent opinion given by the Head of Audit and Governance, the Chief Finance Officer;

- Reviewed the planning and development work undertaken by Internal Audit in producing an annual audit plan,
- Reviewed the ongoing use and effectiveness of new audit software,
- Undertook monthly performance reviews with Head of Audit and Governance.

The Chief Finance Officer highlighted that the role played by the Audit and Governance Committee was pivotal to the assurance framework in place at the Council. As such the reports and information provided to the committee were reviewed to ensure they supported the committee in meeting its remit. The production of the Annual Governance Statement was also reviewed to ensure that it reflected the practices in place at the council.

From the tasks undertaken the Chief Finance Officer stated that he was satisfied that the system of internal audit, as defined by the CIPFA Audit Panel in respect of the requirements of the Accounts and Audit Regulations, 2011, was operating effectively in accordance with that described in the Annual Governance Statement.

Recommended

That the findings of the review of the effectiveness of the system of internal audit be noted and approved unanimously.

158. Internal Audit Outcome Report 2014/15 (*Head of Audit and Governance*)

The Head of Audit and Governance submitted a report informing the Committee of the outcomes of audit work covering the period April 2014 to March 2015. The Head of Audit and Governance commented that from the work undertaken during the year 2014/15, he had reached the opinion that reliance could be placed on the adequacy and effectiveness of the organisation's control environment. Key systems were operating soundly and that there was no fundamental breakdown in controls resulting in material discrepancy. Satisfactory arrangements were implemented to ensure the effective, efficient and economic operation of Hartlepool Borough Council's financial affairs.

Recommended

That the report be noted.

159. Annual Governance Statement 2014/15 (*Chief Finance Officer*)

The Head of Audit and Governance presented a report informing Members of the implications to the Council of the 'Accounts and Audit Regulations (England) 2011' requirement; that the Council publish an Annual Governance Statement (AGS) with the Financial Statements, and the action undertaken by the Council to meet its obligations within the scope of the Regulations. The detailed Annual Governance Statement was attached as an appendix to the report.

The Annual Governance Statement highlighted the significant governance issues updated from the 2013/14 statement specifically relating to the delivery of the medium term financial strategy, the delivery of the council plan and the Welfare Reform Act. Details of the governance framework and how its effectiveness had been reviewed were also included together with the significant issues identified during the year.

Members commented that very few weaknesses had been reported to the Committee. The Chief Finance Officer stated that the weaknesses referred to were those audits that had been reported through the year where limited or no assurance had been given to the controls or systems in place.

Members commended the work of the Audit and Finance teams and requested that their comments be forwarded to staff.

Recommended

That the Annual Governance Statement 2014/15 be approved unanimously.

160. Letter to those charged with Governance – Compliance with Laws and Regulations / Fraud *(Chief Finance Officer)*

The Head of Audit and Governance reported on the proposed reply to the letter received from the Director and Engagement Lead of the External Auditor, Mazars, to those charged with governance regarding compliance with laws and regulations and fraud.

In carrying out the annual accounts audit, Mazars had to demonstrate compliance with International Standards for Auditing (UK and Ireland). The Standard required Mazars to gain each year, an understanding of how the Committee exercised oversight of management's processes for identifying and responding to the risks of fraud and the internal controls established to mitigate them.

Mazars must also gain a general understanding of the legal and regulatory framework applicable to the audited body and how the audited body is complying with that framework. After gaining a general understanding auditors needed to undertake audit procedures to help identify instances of non-compliance with those laws and regulations where this impacted on preparing the financial statements. This included:

- Enquiring of management whether they have complied with all relevant laws and regulations;
- Written representation from management that they have disclosed to the auditor all known actual or possible areas of non-compliance; and
- Enquiring with "those charged with governance" whether they are aware of any possible instances of non-compliance.

Submitted as an appendix to the report was a letter to Mazars from the Chair of the Committee detailing how the committee has complied with the requirements of International Standards for Auditing.

Recommended

That the contents of the proposed letter to Mazars outlining how the activities of the Committee comply with the requirements of International Standards for Auditing be approved and the letter subsequently signed by the Chair of the Committee.

161. Standards Items

No items

162. Statutory Scrutiny Items

No items.

162. Any Other Business which the Chair Considers Urgent

As this was the last meeting of the Committee in the 2014/15 Municipal Year, the Chair thanked the Members of the Committee for their input into the work of the Committee during the year. The chair also thanked officers for their support and assistance.

The meeting concluded at 10.35 am

CHAIR

AUDIT AND GOVERNANCE COMMITTEE

25 June 2015



Report of: Chief Solicitor and Monitoring Officer

Subject: CONSIDERATION OF INVESTIGATION REPORTS –
SCO12/2014 and SCO7/2015

1. BACKGROUND

1.1 The attached investigation reports relate to the extraordinary meeting held on the 13 October, 2014 (report SCO12/2014) and a further extraordinary meeting on the 12 March, 2015 (bearing a case reference of SC07/2015). Of particular note, there is an addendum to the investigation report under case reference SCO12/2014. The first matter in time, concerns an incident wherein it is alleged that Councillor Kevin Cranney used words in a threatening manner towards a fellow Borough Councillor. Hence, it is alleged that such behaviour was in contravention of the Council's Code of Conduct. Similarly, complaint reference SC07/2015 relates to comments attributed to Councillor Cranney to a member of the public, which is also alleged to be contrary to the Council's Code of Conduct. In both cases, the complaints received (of which there were several) suggest breaches of two of the "general obligations" contained within the Code of Conduct, namely:

1.1 You must treat others with respect

1.2 You must not conduct yourself in a matter which is contrary to the Authority's duty to promote and maintain high standards of conduct amongst its Members.

1.2 Both of these complaints were assessed against the Council's adopted criteria by the Monitoring Officer in association with the Independent Persons. For the purpose of embarking upon a formal investigation, the following criteria need to be satisfied;

- the complaint was against a named member of the Authority
- the named member was in office at the time of the alleged misconduct and the Code of Conduct was in force at that time
- the complaint, if proven, would be a breach of the Code under which a member was operating at the time of the alleged misconduct.

All these criteria being satisfied and given the public interest generated by these complaints, the setting of those complaints against the background of extraordinary meetings of the Borough Council and the nature of the allegations received, a formal investigation was required.

2. OUTCOME OF INVESTIGATION

- 2.1 The investigation relating to case reference SC012/2014 (**Appendix 1** Report and **Appendix 2** Addendum) will highlight that a process of 'local resolution' was attempted between the subject member Councillor Kevin Cranney and his fellow Councillor (David Riddle), against whom the remarks of Councillor Cranney were directed. That process entailed separate meetings between both Councillors and the Independent Persons which is further chronicled in the 'addendum' to the initial investigation report. The wording in both the report and the addendum has necessarily been as precise, as it could possibly be, in a very difficult subject area. For the reasons explained within that report and its addendum there is a recommendation for the matter of complaint to be effectively left open at this time and for the situation between these two elected representatives to be closely monitored. In discussions with both Councillors, there is clearly an air of suspicion as to future conduct, which situation is far from ideal. Hence, the thread emanating through that report and the addendum that this is a relationship which needs 'urgent repair' as otherwise the effective business of the local authority and the relationship between its members, could be severely compromised.
- 2.2 It is also considered pertinent that the Councillor, who was the recipient of the remarks from Councillor Cranney, should have the benefit of some assurance that there will be no repetition of such behaviour now and in the future. Hence, the nature and background behind the recommendation made. The investigation report and the addendum is presented in an 'open format' given the public interest and setting of this particular matter of complaint. However, it is suggested that if the Committee decide to explore 'in depth' the issues surrounding this case, this might be better served with the Committee moving into closed session.
- 2.3 Case Report SC07/2015 is relatively 'straight forward'. Councillor Cranney concedes he made a remark to a member of the public albeit 'off the cuff', but which should never have been made by a public official. That is fully accepted by Councillor Cranney and he is amenable to provide an apology as indicated both in the local media in his discussions during the investigation process. This is reflected within the recommendations in the accompanying investigation report (**Appendix 3**).
- 2.4 Report SC012/2014 and that under Case Reference SC07/2015 are constructed as follows;
- Background
 - The subject members official details
 - The relevant legislation and applicable codes and protocols

- The investigation
- The subject members submissions
- Reasoning as to whether there has been a failure to comply with the Code of Conduct
- Findings
- Recommendations

2.5 Following on from an investigation, a report must generally be made with one of the following findings;

- that there has been a failure to comply with the Code of Conduct (a 'finding of failure'), or
- that there has not been a failure to comply with the Code (a 'finding of no failure').

In case report SC07/2015 there is a clear 'finding of failure' to comply with the Council's Code of Conduct, with accompanying recommendations. In relation to case report SC012/2014 as detailed within that report, there is an 'open' recommendation given the circumstances of that case and the attempt to resolve this matter between two elected representatives of the Borough Council. That, at this point in time, has not been achieved although there is possibly a better understanding of the individual position of these two Councillors in respect of this particular incident. However, there is the potential for reoccurrence of such an incident and hence the recommendation made. The position is less than satisfactory both for the subject member but also more so for the Councillor who was the recipient of such remarks. The same are ambiguous, but also far from ideal, particularly in the setting of a formal Council Meeting.

2.6 The Committee is requested to consider both investigation reports and the addendum to case reference SC012/2014. The views of the Independent Persons have been made known within the confines of the attached reports but as advisors and co-opted members to the Committee, their views should also be canvassed during the consideration of these particular items.

3. SUMMARY

3.1 Following investigation, it is the Monitoring Officer's view that there is a 'finding of failure' to abide by the Code of Conduct by the Subject Member in relation to case reference SC07/2015. Accordingly, the recommendations contained within that report are commended to the Audit and Governance Committee.

3.2 In relation to case reference SC012/2014 the situation is more complex and hence the somewhat unusual recommendation made within that report and the addendum. As indicated, that recommendation looks back over a process of investigation, attempted 'local resolution' but also seeks to look forward in the better interests of the two members concerned and the wider interests of the Council and its community.

4. RECOMMENDATIONS

- 4.1 The committee considers the appended reports.

5. CONTACT OFFICER

Peter Devlin
Chief Solicitor
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Report

CASE REFERENCE: SC012/2014

Report of an investigation under Section 28(6) of the Localism Act, 2011 by Peter Devlin, Monitoring Officer for Hartlepool Borough Council into an allegation concerning Councillor Kevin Cranney

Date: December, 2014

CONTENT

1. Background
2. Councillor Kevin Cranney's Official Details
3. Relevant Legislation and Applicable Codes and Protocols
4. The investigation
5. Councillor Cranney's submissions
6. Reasons as to whether there has been a failure to comply with the Code of Conduct
7. Findings
8. Recommendations

BACKGROUND

1. Following an extraordinary meeting of Council held on 13th October, 2014, I received several complaints from both Councillors and members of the public relating to the alleged misconduct of Councillor Kevin Cranney. That meeting had been called in response to a requisition for the holding of a meeting in accordance with Schedule 12 of the Local Government Act, 1972 and Council Procedure Rule 3. The terms of the requisition and what appeared on the summons of the meeting as to the item of business to be transacted, is as follows:

“This Council believes the dismissal for gross misconduct of the Mayor by Newcastle Council, in conjunction with his stated aim of legal action against that Council, has undermined confidence in him as the first citizen of the town that this ongoing and very public situation is causing significant reputational damage to the Council as well as and undermined our relationship with a key strategic, regional partner”.

2. The Council were therefore invited to resolve that the Ceremonial Mayor should presently “take a leave of absence” from his civic duties with the Deputy Ceremonial Mayor taking on responsibilities of the Mayoral Office. The motion before Council was proposed by Councillor Jonathan Brash and seconded by Councillor Paul Thompson. Both spoke upon this item in compliance within the time allocated under the Council’s Procedure Rules. It is also noteworthy to record, that the Ceremonial Mayor having indicated a disclosable pecuniary interest vacated the Chair in favour of the Deputy Ceremonial Mayor for the duration of the meeting. A Councillor had sought clarification through the Deputy Ceremonial Mayor from the Council’s Chief Executive on a point and there followed a proposal (which was seconded) to ‘move to the vote’. Whilst this is permissible under the Council’s Procedure Rules, it also places an onus upon the Chair being sufficiently satisfied that the item has been “sufficiently discussed” to so move to the vote. What

ensued was a series of points of order, but also a sense of discord was sown in the minds of some elected members and also those members of the public attending this particular meeting. The Deputy Ceremonial Mayor as Chair allowed a general debate to take place, to her credit. However, this procedural motion had a somewhat incendiary effect on the future conduct of this meeting and it is against this background that this complaint must be judged. The complaints received relate to an exchange between Councillors' David Riddle and Kevin Cranney, wherein Councillor Cranney had directed a comment to Councillor Riddle to the effect of "I'll see you later". The complaints received indicate that these words taken together with Councillor Cranney's alleged hostility towards Councillor Riddle (deemed to be "hostile" by some and "embarrassing" and "outrageous" by others) were sufficient for Councillor Cranney to be viewed by the complainants as having breached the Council's Code of Conduct. A complaint received from a member of the public also remarked collectively upon "the appalling job culture behaviour of Councillors". The complainants indicated they would like Councillor Cranney to issue a full public apology in consequence of his behaviour.

- 1.3 The Council first adopted a Code of Conduct in conformity with the Local Government Act, 2000 and thereafter revised its Code through legislative changes introduced under the Localism Act, 2011. Both Acts enshrine a duty for all elected and co-opted members of a Council "to promote and maintain high standards of conduct". Although this duty did apply to a member's private capacity in certain situations, the Localism Act, 2011, entails that the Code will only have application when a member acts in their "official capacity". It is clearly the case that Councillor Cranney was acting in his official capacity albeit some of his comments could be attributed to a time when the meeting had been formally closed by the Deputy Ceremonial Mayor. The present Code of Conduct was formally adopted on the 2nd August, 2012 and contains those mandatory requirements set out within the Localism Act, 2011 and also those other "principles of public life" which provides something of an extended definition to the Council's Code of Conduct. The Code also contains certain general obligations and the following resonate with the present complaint, as follows:

1. You must treat others with respect.
2. You must not conduct yourself in a manner which is contrary to the Authority's duty to promote and maintain high standards of conduct amongst its members.

1.4 Although I informed Councillor Cranney as to the receipt of several items of complaint on the 14th October, 2014, he had provided an email as transmitted on Monday 13th October at 22.22 hrs to indicate his concern at Councillor Riddle's insinuation upon his (Councillor Cranney's) character and that he would request a meeting to be convened "as soon as possible to ascertain what he (Councillor Riddle) implied what I had done?". As per the Council's procedures for dealing with complaints under the Localism Act, 2011, I initiated contact with the Council's Independent Persons' to discuss these matters of complaint and to assess the same against the adopted criteria to determine whether there should be a formal investigation or 'other action' taken. Whilst both Councillor Cranney and Riddle appeared to be accommodating to meet to seek a resolution of this incident, this dissipated following a chance meeting between the two, which served to indicate that feelings were still sufficiently raw between the pair, that it was not practicable to so meet. Hence, a formal investigation became somewhat evident, particularly given the number of complaints received. There was also intimation that a complaint had been made to the Police, which has occasioned a delay in the initiation of this investigation. It was subsequently confirmed that the Police would divest this matter to the Monitoring Officer for the purpose of investigation pursuant to the Council's Code of Conduct. This report therefore concentrates upon that investigation as outlined herein.

2. Councillor Cranney's Official Details

2.1 Councillor Kevin Cranney represented the former Rift House Ward on Hartlepool Borough Council over the period May 1995 – 1998 and the Foggy

Furze Ward from May, 2004 to the present.

Councillor Cranney is Chair of the Council's South and Central Neighbourhood Forum, Vice Chair to the Regeneration Services Committee and sits on the Children's Strategic Partnership. He also serves on the following "outside bodies" on behalf of the Borough Council namely:

Housing Partnership

Northern Consortium of Housing Authorities.

Durham Tees Valley Airport (DTVA) Board, DTVA Consultative Committee,
Tees Valley Community Foundation

3. The Relevant Legislation and Applicable Codes and Protocols

- 3.1 All elected members (and co-opted Members) are bound by the Council's Code of Conduct when they act in that role. The introduction to the Code repeats this requirement, as follows:

"You are a representative of this Authority and the public will view you as such, therefore your actions impact on how the Authority as a whole is viewed and your actions can have both positive and negative impacts on the Authority".

The Code reiterates the original "ten general principles" as to conduct expected in public life and also certain general obligations as mentioned above. The Council are also obligated to include a copy of the Code of Conduct within its Constitution and same can be found within Part 5 of that document and is referenced on the Council's website www.hartlepool.gov.uk.

4. The Investigation

- 4.1 This investigation predominantly relates to the events surrounding the

extraordinary meeting of Council as held on 13th October, 2014. The Council have for some time operated a protocol allowing the filming and recording of Council meetings. It is therefore an expectation that there will be recorded footage that will clearly record the exchanges between Councillors Riddle and Cranney. Despite such an expectation, no video or other recorded footage appears to assist. Video recordings I have observed end at the conclusion of this meeting and do not therefore transmit the events that followed. I therefore relied upon the testimony of officers, Elected Members and reports from members of the public as predominantly detailed within the complaints received and upon which the conclusions of this report are based. On the 6th November 2014 I interviewed an Elected Member who sat close to Councillor Riddle at the meeting which took place on 13th October 2014. That Councillor recalled that Councillor Riddle had said something to Councillor Cranney, but the exact comment was not committed to memory.

- 4.2 However from the start of these exchanges, the Councillor ‘sensed a vibe’ that all was not going to be well. Indeed, this Councillor’s recollection is that Councillor Cranney had said something of the nature of ‘just wait, I’ll get you for that’. Which remark (or words to that effect) were clearly directed to Councillor Riddle. A remark was then directed by a Councillor to Councillor Cranney of the nature “was that a threat?” In response, Councillor Cranney evidently looked over then sat back and shook his head in a ‘I can’t believe it sense’. This particular Councillor did not feel personally threatened either by Councillor Cranney or his attributed remarks but felt that Councillor Riddle had been threatened. This primarily related to alleged remarks by Councillor Cranney as either “I’ll see you” or “I’ll get you for that”. In association with these statements there was a possible reference to “outside” but nothing beyond this, in what was a relatively brief exchange. The Councillor felt that immediately following these remarks Councillor Riddle became ‘subdued’ and looked somewhat deflated. The Councillor could not recall any other incidents occurring that evening, nor in any subsequent formal meeting and that in the ordinary meeting of Council on 30th October, Councillor Cranney had moved to his usual seat in the Council Chamber (near the back of the Chamber) which appeared to be more conducive, as the proximity between

Councillor Riddle and Councillor Cranney did not assist on the evening of 13th October.

- 4.3 As part of the initial exchanges Councillor Cranney is alleged to have also said “you don’t know me”. However, there was no recollection from this Councillor that Councillor Riddle had specifically directed those comments to Councillor Cranney. Overall this Councillor found Councillor Cranney’s behaviour to be ‘unacceptable’ owing to the retributive nature of the language used by Councillor Cranney namely “I’ll get you for this” or words to that effect. Further, that Councillor Cranney should make a public apology in view of his remarks and overall demeanour. An Officer corroborates the remark from this Councillor insofar as “is that a threat” which was directed towards Councillor Cranney after his initial remark to Councillor Riddle. It seems to be generally accepted that Councillor Riddle made a comment and Councillor Cranney’s initial comment was to the effect of “you don’t know me”. It is also attributed to Councillor Riddle that he responded with words to the effect “I don’t know how you dare” to Councillor Cranney who responded with “I’ll talk to you outside” and thereafter, words to the effect “I’ll see you outside, we’ll have a chat in the corridor.”
- 4.4 A Council Officer went to talk to Councillor Cranney who was described as being ‘agitated’, at the conclusion of the meeting. This Officer stood directly in front of Councillor Cranney and indicated that he could see that he was upset and that a ‘short chat’ might assist. This Officer confirms that he had his hands raised slightly and indeed his hand may have rested on Councillor Cranney’s arm but this Officer was adamant that at no point was he trying or having to physically restrain Councillor Cranney.
- 4.5 On the 7th November 2014 I interviewed Councillor David Riddle as to his recollection of the events surrounding the extraordinary meeting. He indicated that he didn’t say anything directly to Councillor Cranney but had made reference to those esteemed forefathers of Hartlepool, such as Ralph Ward Jackson and others, in order to draw a comparison between those individuals held in high public esteem and those modern day politicians and

in particular the conduct of Members of the Borough Council. At no time did Councillor Riddle believe that he was suggesting any impropriety on the part of Councillor Cranney. However, possibly owing to the proximity of the two on this particular evening, it did produce a reaction from Councillor Cranney with words to the effect “you don’t know me”. At this point Councillor Riddle recollects he said something in the order of “your reputation proceeds you”. This comment Councillor Riddle indicates was a ‘throw away remark’ although he had made reference to a certain residents association that was not directed at Councillor Cranney but appeared to have occasioned some sort of chain reaction as to comments which followed. This reaction entailed something of the order of “I’ll see you” or “I’ll see you outside” and added to this comment was “for a little chat”. Those remarks were taken as being ‘threatening’, ‘aggressive’ and ‘confrontational’ in the eyes of Councillor Riddle. It was also Councillor Riddle’s view that had it not been for the involvement of an Officer, events may have taken a different course. Councillor Riddle had no doubt that the ‘conversation/chat’ reference point could conceivably lead to a physical altercation rather than some genteel social discourse.

- 4.6 Councillor Riddle also observed that there were members of the public who were sufficiently alarmed to offer their support mainly through ensuring that he could have a safe passage out of the Council Chamber. It was also Councillor Riddle’s opinion that although the debate within the Council Chamber often got ‘heated’ it never become threatening in the manner exhibited by Councillor Cranney. In essence, the conduct of Councillor Cranney had gone beyond the level of acceptability, even in a public debating Chamber, where the temperature of local politics might not be for the political novice or faint hearted. Immediately following this meeting Councillor Riddle wanted an acknowledgement and assurance that Councillor Cranney’s conduct would not evidence itself in any form of aggressive or physical behaviour. Thus, he was initially willing to engage with Councillor Cranney in seeking a resolution of what had transpired. Since

the meeting on the 13th October both Councillors have attended the Ordinary meeting as held on 30th October and no issues (particularly of any kind of personal animosity) were detected. However, the seating of Councillor Cranney at the back of the 'Labour benches' assisted in this regard.

Although, Councillor Riddle felt Councillor Cranney should either apologise publicly for his remarks and behaviour or alternatively he should offer some sort of explanation to Council, he also wanted some reassurance that Councillor Cranney would not be aggressive and/ or threatening towards him in the future.

5. Councillor Cranney's Submissions

- 5.1 On the 13th November 2014 I interviewed Councillor Cranney, the subject member to this matter of complaint. Councillor Cranney confirmed that he sat on the front bench of the Labour Group at the extraordinary meeting on 13th October 2014 more through convenience than anything else. In the meeting of Council held on 30th October he had reverted to his usual seat namely to the rear of the Labour Group benches. Councillor Cranney recalled the extraordinary meeting on 13th October vividly with the initial reference by Councillor Riddle to a certain 'Residents Association' which had no reference to the item of business before Council. Councillor Cranney felt that such a mention was deliberate to take matters outside the context of the notice of motion. Further, he felt that the intimation from Councillor Riddle was that he (Councillor Cranney) was representative of the alleged wrong doing at this residents association and hence the initial exchange with Councillor Riddle saying something akin to "I know what you're like" with Councillor Cranney responding "you don't even know me".
- 5.2 Materially thereafter, Councillor Cranney recalls that he did say something of the nature of "I'll see you later" or "I'll see you after". He also recalls another Councillor then saying "is that a threat?". Councillor Cranney accepts he was annoyed through the intimation and intent behind Councillor Riddle's opening remarks which he felt was designed to put him (Councillor Cranney) in an unfavourable light which he in turn felt to be without justification and far

removed from the item of business which Council were discussing. Councillor Cranney also accepts his remark on face value alone, that he would see Councillor Riddle “later” could be construed unfavourably. However, this was “most certainly” not a threat merely the opportunity for Councillor Riddle to state exactly what he meant or at least, what he was inferring.

- 5.3 This exchange did take place at the very end of the meeting and its immediate aftermath and whilst Councillor Cranney duly awaited for the meeting to finish (the Deputy Ceremonial Mayor accompanied by the Chief Executive formally leaving the meeting), he did attempt to speak to Councillor Riddle directly in the Council Chamber following the meeting. It was at this point that an Officer in response to Councillor Cranney’s assertion that he was going to speak with Councillor Riddle in the Chamber, that he should “leave it”.
- 5.4 Councillor Cranney contended that although he was intent on speaking to Councillor Riddle and he was perplexed, even angry over their exchanges it was certainly not the case that he would be in any way physical with Councillor Riddle. Councillor Cranney also felt that these exchanges initiated by Councillor Riddle were “personal” in nature and not about the politics of the situation, just deeply personal towards himself. Further, Councillor Cranney, indicates that he was not physically restrained by any Officer, simply cautioned to “leave it”. It was conceded by Councillor Cranney that he most probably did use language to the effect that he would like to see Councillor Riddle outside “for a chat” but this should only be interpreted as asking him (Councillor Riddle) about his criticisms and insinuation upon his (Councillor Cranney’s) character.
- 5.5 In consequence, on arriving home, he sent the email to the Monitoring Officer requesting arrangements be made at the very earliest opportunity to meet with Councillor Riddle in unison with the Monitoring Officer, in order to

discuss Councillor Riddle's assertions. It was Councillor Cranney's opinion that it was a matter of regret that he came over as being annoyed in a public place and that his comments to Councillor Riddle, although capable of being seen in a blunt and direct manner, were not to be taken or even interpreted as being threatening. It was indicated by Councillor Cranney that he would wish to engage with Councillor Riddle but only if he (Councillor Riddle) was similarly willing to meet in good faith to seek a resolution of their differences.

6. Reasons as to whether there has been a failure to comply with the Code of Conduct

6.1 At face value it would appear that Councillor Cranney is in breach of the Council's Code of Conduct in that he conducted himself outside of the duty to "promote and maintain high standards of conduct". Although, not the subject of a complaint, I am sure Councillor Cranney would contend that if evidence tended to suggest that he was in breach of the Code of Conduct, then similarly Councillor Riddle through his initial provocative remark, should be subject to a comparable finding. However, Councillor Riddle is not so subject to a formal complaint and the focus is clearly upon Councillor Cranney. That said, it is open for remarks which some might take as being threatening, to be considered in a contrary way by others, owing to the ambiguity of the words spoken.

6.2 I am also conscious of the somewhat febrile atmosphere of Council on this particular evening, which became immediately apparent from the events following the announcement of the closure motion and the general uproar and unpleasantness that transpired. For that, all members must share a collective responsibility and in the opening of this report, one complainant referenced the "yobbish" behaviour of Councillors, associated with this meeting. Councillor Cranney's position is whilst there is a sense of regret that he was agitated and frustrated by Councillor Riddle's remarks, an unnecessary wide connotation and interpretation has been taken with his own utterances. The underlying premise that his remarks suggested a form of violence towards Councillor Riddle, is a distortion of those remarks and more so his intentions. His contention is that he wished to speak to

Councillor Riddle and that alone.

6.3 Following the conclusion of this meeting, I was privy to a conversation with a local resident who approached me immediately following the events of that meeting and also by Councillor Cranney himself. That local resident took exception to Councillor Cranney's choice of words and the connotation that she herself would place upon those words. Councillor Cranney attempted to clarify his remarks, but his sense of frustration and agitation was evident. Nevertheless he was sufficiently concerned by events to volunteer the subsequent e-mail to the Monitoring Officer sent immediately following that meeting. Councillor Riddle certainly received those remarks as being hostile and in his opinion, capable of being carried through. It is therefore understandable, Councillor Riddle's request that he receives some assurance from Councillor Cranney that there would be no repetition of such behaviour in the future but that leaves outstanding the issue of the exact meaning as well as the intention behind Councillor Cranney's remarks.

6.4 Councillor Cranney contends that his words have been taken out of context. The pivotal point is that he did not intend those remarks to be received or even interpreted as being threatening. This is supported, to a degree, in the remark by a Councillor of "Is that a threat?". In turn, there is also a degree of corroboration, in Councillor Cranney immediately approaching me, in the presence of a member of the public, immediately following this meeting, to explain that he only wanted to speak with Councillor Riddle, and no more. There is ambiguity in the meaning of Councillor Cranney's remark of "I'll see you, later". The added reference to "for a chat" can be given a sinister connotation, but this may not necessarily be what was intended. Nevertheless, such remarks do not reflect well upon a Councillor. Equally, a 'throw away remark' also does not readily assist, as being a pre-cursor to the remarks then made by Councillor Cranney. Whilst Councillor Cranney can be criticised, either upon an interpretation behind those remarks, and/or through his agitated manner that particular evening, I am drawn to the conclusion that these events may not have transpired, had it not been for the

way this meeting descended, after the initial introduction of this Council Motion. This conclusion is reinforced in that there was no repetition or evidence of this behaviour at the meeting held on the 30th of October, 2014. Yet, the relationship between these two Councillors, urgently needs repair.

- 6.5 In essence, there is a Councillor who requires an assurance that there is no intent and/or malice behind those remarks and a Councillor who is required the opportunity to explain exactly the meaning of those remarks and for a similar reassurance that there will be no denigration of his character.

7. Findings

- 7.1 Whilst there is evidence to suggest that Councillor Cranney has breached the Council's Code of Conduct, this is not necessarily conclusive. However, the remarks that he volunteered, are unhelpful, open to a wide interpretation and will continue to detract from his work with fellow Councillors, and in particular Councillor Riddle. Under the Council's adopted procedures, it is indicated that certain matters are more disposed to be dealt with under "local resolution". Therefore there is a strong recommendation within this report that the issues between these two Councillors need to be resolved through conciliation, attended by the Council's Independent Persons. In accordance with Section 28 (7) of the Localism Act, 2011, I have an obligation to take account of the view so the Independent Persons before any decision is taken on an allegation received that a Member may have breached the Code of Conduct and which matter has led to an investigation. The views of the Council's independent persons are therefore recorded below.

This is a balanced and measured report, and reinforces the clear expectation that high standards of behaviour should be demonstrated by those elected to represent the public.

In our view, conciliation is an appropriate way forward in this case, together

with assurances being sought as to future conduct.

8. Recommendations

- 8.1 In accordance with Section 28 (6) of the Localism Act, 2011, on complaints being received and duly investigated it is determined without any finding of fault being attributed against Councillor Cranney at this time, that he together with Councillor David Riddle engage in a meeting with an accent on conciliation with necessary assurances to be provided. Following the outcome of such a meeting(s), that a decision is then taken that this report and any subsequent conclusions be forwarded to the Audit and Governance Committee.

Date:

Signed: _____

Peter Devlin
Monitoring Officer
Hartlepool Borough Council

ADDENDUM TO REPORT

Case Reference: SCO12/2014.

Date June, 2015

1.1 It was a recommendation of the draft report submitted for the consideration of Councillors Cranney and Riddle that a process of 'local resolution' should be attempted to address the matters of complaint, highlighted in that report. The Council's 'Arrangements for dealing with standards allegations under the Localism Act, 2011' allows such a procedure (following consultation with the Independent Persons), for conciliatory type discussions between the Subject Member and a complainant. It is indicated within this procedural document that;

'Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Authority. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Audit and Governance Committee for information, but will take no further action.'

1.2 Correspondence was therefore sent to both Councillors in order to proceed with local resolution with the participation of the Council's Independent Persons. A preliminary meeting took place with Cllr Riddle and members of this political group and Cllr Riddle was subsequently seen both by the Monitoring Officer and the Independent Persons at a meeting held on 5th May, 2015. Those discussions were necessarily confidential but Cllr Riddle did reaffirm that he wished to seek from Cllr Cranney an assurance that there would be no repetition of the behaviour giving rise to this particular complaint. Further, he reiterated that such incidents do not reflect well on the Council and of concern was that the matter had also embroiled certain officers and others. He did reflect that at Council, there was some degree of 'toleration' exhibited between Cllr Cranney and himself and he recalled a meeting with a then councillor within the Civic Centre where by chance Cllr Cranney was also present. Although there was no direct conversation between the two there was no evidence of any unpleasantness and the situation overall could be termed as being cordial. Nevertheless, Cllr Riddle felt that Cllr Cranney was liable to make comments in the future, comparable to those giving rise to this complaint and that the same would be directed either to him or others. He did not wish to meet

with Cllr Cranney but did feel there could be a place for some form of disciplinary process influenced through the political groups and more so through the group leaders and with reference to the call for 'local sanctions' as mentioned at Council.

1.3 The Monitoring Officer and the Independent Persons met with Cllr Cranney on 14th April.

He indicated his willingness to meet with Cllr Riddle to 'explain his position' but did feel that Cllr Riddle's own behaviour at the Council meeting in question had been 'confrontational'. Nevertheless, he also ventured that their recent meeting within the Civic Centre had been civil and while there were no direct exchanges between the two individuals there was no evident hostility.

1.4 Whilst both Councillors engaged in meetings with the Monitoring Officer and the Independent Persons, for the reasons specified above it did not prove practical to meet with both Councillors together. This should not in any way be taken as a criticism of either Councillor but confirms the position of their relationship. That appears to be based on tolerance and no more. Hence this investigation process has gone as far as it possibly can. There clearly exists between these two individuals a certain rancour and ill feeling which does not auger well either for the present or in the future. The earlier investigation report as provided to both Councillors suggested at that time, that no finding be made. Similarly, I am minded that such a position commends itself to the present but needs to be judged against any future events. Accordingly, the following recommendation is ventured;

Recommendation

1. This complaint be further monitored during the current municipal year, focussing on the relationship between Councillors Kevin Cranney and David Riddle and that a further report be brought before the Audit and Governance Committee by the Monitoring Officer (after consultation with the Independent Persons) at his discretion.

Report

Case Reference SCO7/2015

Report of an investigation under Section 28 (6) of the Localism Act, 2011 by Peter Devlin, Monitoring Officer for Hartlepool Borough Council into an allegation concerning Councillor Kevin Cranney.

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1. Background
2. Councillor Kevin Cranney's official details
3. The relevant legislation and applicable codes and protocols
4. The investigation
5. Councillor Cranney's submissions
6. Reasoning as to whether there has been failure to comply with the Code of Conduct
7. Findings
8. Recommendations

1. BACKGROUND

- 1.1 On the 12th March 2015 an Extraordinary Council meeting was held in the Town Hall, Raby Road, Hartlepool to deal with the following item of business;

‘To discuss the outcome of the meeting with the Secretary of State for Health in relation to hospital services and dependent on that outcome to consider a proposal for a referendum to allow the public the opportunity to express their view as to whether they believe they are being adequately served by the North Tees and Hartlepool NHS Foundation Trust’.

- 1.2 A press report of this meeting outlines that ‘people in the audience at the meeting at Hartlepool Town Hall.....were upset that Councillors had decided against holding a referendum on the issue of the hospital and the crowd became rowdy, with *‘Labour out’ being chanted*’. At the conclusion of this meeting it is alleged that Councillor Kevin Cranney directed a comment in the direction of a woman in the audience to the effect *‘have I slept with you?’* Although, this was also subsequently reported as being ‘I haven’t slept with you, have I?’

- 1.3 As indicated there was extensive media coverage of this matter which is further addressed in this report and which led to five separate complaints being received by the Monitoring Officer in relation to the alleged misconduct of Councillor Cranney. Those complaints were uniform in their ‘disgust’ at hearing such remarks from an elected representative of the Borough Council.

- 1.4 Members of the Borough Council are obligated *‘to promote and maintain high standards of conduct’* when they are acting in an official capacity by virtue of Section 27 of the Localism Act, 2011. This is reinforced by the

Council Code of Conduct which must contain as a minimum requirement, the seven principles of conduct in public life (otherwise known as the ‘Nolan Principles’) of; selflessness, honesty, integrity, objectivity, accountability, openness and leadership. Within the Council’s Code of Conduct as adopted on the 2nd August, 2012, there are certain ‘general obligations’ which has relevance to this present matter namely, when acting in the role as a member of the Authority;

1.1 *‘you must treat others with respect.*

1.2 *you must not conduct yourself in a manner that is contrary to the Authority’s duty to promote and maintain high standards of conduct amongst its members’.*

- 1.3 Regrettably, this matter received significant press coverage including headlines of the nature ‘Council inquiry into rowdy meeting’ and ‘Sanctions call after sex jibe’. Subsequently, Councillor Cranney intimated an apology which obviously influences the conduct of this investigation and the recommendations to be made. Nevertheless, these complaints were, as required, assessed by the Monitoring Officer in unison with the Independent Persons. Given the nature of these alleged remarks it was somewhat self evident that these complaints had to be investigated. Councillor Cranney was informed of the nature of the complaints received and that this matter would proceed by way of a formal investigation. The individual, the subject of Councillor Cranney’s comments was formally interviewed on the 14th April, 2015 (accompanied by a colleague) and later, namely on the 12th May, 2015, Councillor Cranney was formally interviewed in relation to his remarks, their overall connotation and effect.

2. **Councillor Kevin Cranney’s official details**

- 2.1 Councillor Cranney represents the Foggy Furze Ward for Hartlepool Borough Council and was re elected at the Local Government Elections

held on the 7th May, 2015. At the time of these complaints, Councillor Cranney was Chair of the Council's Neighbourhood Forum and served on a number of 'outside bodies' on behalf of the Borough Council.

3. The relevant legislation and applicable codes and protocols

- 3.1 Councillor Cranney along with all other Elected Members and Co-opted Members of the Borough Council are bound by the provisions and obligations contained within the Council's Code of Conduct. The Code will be engaged when a Member acts in an 'official capacity' and this has recently been further clarified through additional guidance, as follows;

'.... a member acts in their official capacity, namely where they are conducting the business of the Authority, or otherwise acting, claiming to act, or giving the impression that they are acting as a representative of Hartlepool Borough Council. Further, that at the time of the alleged misconduct, they were an Elected or Co-opted Member of Hartlepool Borough Council.'

- 3.2 Councillor Cranney was an elected representative at the time of these allegations as to member misconduct. He was in attendance at a properly convened Council meeting and therefore was clearly acting in his official capacity. The Code and its various provisions are to be found within Part 5 of the Council's Constitution and can be referenced upon the Council's website www.hartlepool.gov.uk.

4. The Investigation

- 4.1 There has been widespread media coverage surrounding this particular Council meeting with obvious concentration upon the remark attributed to Councillor Cranney at the end of that meeting. Video footage has also appeared but the sound quality does not particularly assist to the extent

that the remarks attributed to Councillor Cranney have ranged from 'have I slept with you?' to 'I haven't slept with you, have I?' That said, it is not in contention such a remark was made by Councillor Cranney and directed towards a female member of the audience. In truth, this investigation did not need to be detailed, beyond a formal meeting with the recipient of these remarks by Councillor Kevin Cranney and a further meeting with said Councillor for such explanation that he was able to provide. Comments made by Councillor Cranney in the press indicate his culpability in that it has been reported 'I shouldn't have said it and once the complaint has been investigated I will issue a public apology'. Further, a comment in one periodical indicates this was a 'crude comment' even if said against the background of a 'heated public council meeting'. Press reports also indicate that Councillor Cranney was being 'heckled by the crowd' and certainly there may well have been elements of abuse directed towards Councillor Cranney. It is therefore a question as to whether such a remark could have any justification, most notably against the background of such a public setting.

- 4.2 On the 14th April 2015 I was able to meet the individual the subject of the remarks made by Councillor Cranney. It was explained that the lady attended this meeting at the Town Hall given her concern over the provision of health services within the Borough. Like most people attending that meeting they were there out of interest in seeing what could be done by local politicians in ensuring certain services such as accident and emergency and critical care were brought back to the University Hospital of Hartlepool. It was remarked that comments had indeed been directed towards local Councillors but for her part, the complainant had not said anything directly to Councillor Cranney to invite the comments which Councillor Cranney then directed towards her. Such comments the complainant found '*humiliating, degrading and insulting*'. It was also the complainant's view that an apology should have been immediate rather than being hidden by a protracted series of excuses, but which culminated

in an acceptance that an apology would be issued. In my meeting with the complainant she also produced a 'personal statement' which indicated her '*considerable embarrassment*' in being subjected to such remarks which made her feel '*sexually violated and humiliated in front of a large crowd which has caused me a lot of stress*'. For her part, the complainant believes that Councillor Cranney should issue an apology, publicly and that it should also be sincere in its content rather than being delivered as a matter of simple expediency.

5. Councillor Cranney's Submissions

- 5.1 I was able to meet with Councillor Cranney on the 12th May, 2015. He was both open and candid about the events surrounding this Council meeting. As reported locally his remarks were '*off the cuff*' and an acceptance that such a remark should not have been made. Indeed, it was '*wrong*' and that he should never have made such remarks. He indicated that there had been some volatility from the public and when he heard a comment from a member of the audience to the effect that she knew Councillor Cranney from many years ago it prompted the response, which has attracted a certain amount of notoriety. He was accepting that an apology was required.

6. Reasoning as to whether there has been failure to comply with the Code of Conduct

- 6.1 Councillor Cranney fully understands that it is not particularly pleasing either for himself, the Borough Council and indeed the town of Hartlepool to be associated with headlines such as 'Labour Councillor investigated after allegedly shouting 'have I slept with you?' at a woman during 'Extraordinary' Council meeting' (The Independent, Thursday 19th March 2015) or 'Apology after sex-slur jibe' (Hartlepool Mail 20th March 2015).' When I met the recipient of Councillor Cranney's remarks in the company

of her 'next-friend' it could be sensed her acute embarrassment in being the subject of such remarks in such a public setting and the resulting press coverage. She also felt aggrieved that an open and frank admission had not been made immediately by Councillor Cranney, which would have mitigated her distress rather than as she saw it, perpetuating a matter contrary to her interests through local and then national media. Those same headlines were raised in a Council debate at a meeting held on the 26th March wherein a report was requested into the operation of a 'local sanctions' regime, to ensure more considered action is taken upon instances of Councillor misconduct. It was noted at that meeting that the previous 'sanctions' regime had been abolished and less punitive 'actions' were now the only available resort in a case whereby a Councillor had breached the Code of Conduct. Such 'actions' could amount to censure, the issuing of an apology, training, withdrawal of facilities but not, sanctions of suspension and disqualification from office. There was also an invitation for Councillor Cranney to apologise at that meeting, but no apology at that point was forthcoming. Although, there can be some justification for delaying an apology pending the outcome of a formal investigation, I am conscious that the nature of an apology was intimated in the local press and therefore it may well have been opportune for a more timely apology to have been made. However, that is now a matter of past consideration.

- 6.2 It is axiomatic that the remarks made by Councillor Cranney are in breach of the Council's Code of Conduct. That Code contains the original seven principles of *'conduct in public life'* and has been expanded through the inclusion of the principle of *'respect for others'*. In the Council's Code this particular principle has the following elaboration;

'Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect

the impartiality and integrity of the Authority's statutory officers and other employees.'

This is reiterated in the 'general obligations' contained within the code namely;

1.1 You must treat others with respect.

1.2 You must not conduct yourself in a manner which is contrary to the Authority's duty to promote and maintain high standards of conduct amongst its members.

- 6.3 The remarks made by Councillor Cranney are offensive and have caused particular upset to the individual on the receiving end of such remarks. I am prepared to accept that such remarks may well have been made 'off the cuff' as clearly there is a lack of thought from an experienced local politician and such comments can be suitably labelled as being both crass and insensitive. Councillor Cranney for his part knows that such a remark should not have been made. He needs to be careful with his choice of language with an appreciation as to the potential upset and indeed hurt that such remarks can occasion.

7. Findings

- 7.1 For reasons explained, it is clear the Councillor Cranney has breached the Council's Code of Conduct. In his interview with the Monitoring Officer he did not seek to evade his responsibility and fully accepts that his remarks were not only ill chosen but 'wrong'. He understands that a frank and public apology should be forthcoming and that through the Monitoring Officer an expanded letter of apology should find its way to the recipient of these most unfortunate remarks. I also believe that in conjunction with the Council's Chief Executive Officer there should be discussion as to whether Councillor

Cranney and indeed all elected members should participate in some form of equality and diversity awareness training.

7.2 There were some abusive remarks directed towards local Councillors and some of which was confined solely to Councillor Cranney. Such behaviour is often isolated and even then is often a sign of frustration and anger surrounding the subject under consideration, in that, little or nothing is being achieved. Having viewed video footage of this meeting I can detect members of the public who have a natural and common concern as to the provision and also the dissipation of services away from their local hospital, which has caused much consternation and can act as something of a precursor as to how such public meetings could develop. This does not excuse Councillor Cranney's conduct but puts matters in context and highlights how local politicians should not behave in such circumstances.

7.2 I therefore make a finding that Councillor Kevin Cranney has failed to comply with the Council's Code of Conduct following an investigation under Section 28 (7) of the Localism Act 2011 and under sub paragraph (11) thereof, recommendations by way of 'actions' are recorded below.

7.3 Also in accordance with Section 28 (7) the views of an Independent Person must be made known and taken into account by the Authority before it takes a decision on an allegation it has decided to investigate and the views of the Council's Independent Person are stated below;

'Hartlepool Borough Council currently suffers in its public image, and is adversely commented on in the media and by its own electorate all too frequently. This is regrettable and the spectacle of any elected Councillor adding to this perception is clearly unacceptable. Some form of party sanctions should be considered by the various groups to counter such unseemly and indeed disgraceful events, and I am aware that the Council

have agreed to look in detail at such proposals. Further training on all aspects of dealing correctly within the Code of Conduct is clearly needed’.

8. Recommendations

8.1 In accordance with Section 28 (6) of the Localism Act, 2011, on a complaint being received and duly investigated it is determined that a finding of fact is made against Councillor Kevin Cranney following a number of complaints received in relation to the Council meeting held on 16th March, 2015. Further, that the following recommendations are made, in view of that finding which are reasonable and proportionate upon the outcome of that investigation, namely:

- i. That Councillor Kevin Cranney as soon as practicable issues a public apology for remarks made at the Council meeting on the 16th March, 2015.
- ii. That Councillor Kevin Cranney through the Monitoring Officer provides a formal apology to the recipient of his remarks.
- iii. The Monitoring Officer in conjunction with the Chief Executive Officer considers the participation of Councillor Cranney and all other Borough Councillors in appropriate equality and diversity awareness training with emphasis on their role as an elected representative of Hartlepool Borough Council.

Date:

Signed: _____

Peter Devlin

Monitoring Officer

Hartlepool Borough Council

SAFER HARTLEPOOL PARTNERSHIP DECISION RECORD

12 January 2015

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

Present:

Councillor: Christopher Akers-Belcher (In the Chair)
Councillor Chris Simmons, Hartlepool Borough Council
Dave Stubbs, Chief Executive
Denise Ogden, Director of Regeneration and Neighbourhoods
Clare Clark, Head of Community Safety and Engagement
Barry Coppinger, Police and Crime Commissioner
Chief Inspector Lynn Beeston, Chair of Youth Offending Board
Barbara Gill, Durham Tees Valley Community Rehabilitation Company
Louise Wallace, Director of Public Health
John Bentley, Safe in Tees Valley
Karen Hawkins, Hartlepool and Stockton on Tees Clinical Commissioning Group
Sally Robinson, Assistant Director, Children's Services

In accordance with Council procedure rule 5.2 (ii) Karen Blackburn was in attendance as substitute for Julie Allan, National Probation Service and Dave Turton was in attendance as substitute for Steve McCarten, Cleveland Fire Authority

Also present: Mike Batty, Independent Consultant of the Review Panel,
Steven Hume, Independent Chair of the Review Panel,
Stockton on Tees Borough Council

Officers: Denise Wimpenny, Principal Democratic Services Officer
Joan Stevens, Scrutiny Manager

31. Apologies for Absence

Apologies for absence were submitted on behalf of Chief Superintendent Gordon Lang, Cleveland Police, Julie Allan, National Probation Service, Steve McCarten, Cleveland Fire Authority and Stewart Tagg, Housing Hartlepool.

32. Declarations of Interest

None.

33. 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 34 – Domestic Homicide Review – Covering Report/Overview Report – 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 individual (para1).

34. Domestic Homicide Review – Covering Report/Overview Report *(Director of Regeneration and Neighbourhoods/Independent Chair of the Review Panel)*

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 2)

Purpose of report

To consider the report into the death of a former resident of Hartlepool, as part of the Safer Hartlepool Partnership's Statutory duty to conduct Domestic Homicide Reviews under Section 9 of the Domestic Violence, Crime and Victims Act (2004)

Issue(s) for consideration

The Partnership considered a detailed and comprehensive overview report that had been compiled by the Panel as a consequence of a Review undertaken to examine agency responses and support given to a former resident of Hartlepool, prior to the point of the victim's death in 2014. The review considered agencies' contact and involvement with the victim and perpetrator. The review report included an executive summary of the review process, an anthology of information of facts, conclusion/lessons learnt together with a number of recommendations.

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

Decision

- (i) That the Domestic Homicide Review Report be approved subject to the inclusion of minor additions/amendments to reflect the comments of Partnership Members as outlined in the closed section of the minutes.
- (ii) That authority be granted to the Independent Chair to finalise the report, in consultation with the Partnership Chair, for submission to the Home Office for quality assurance.

The meeting concluded at 3.00 pm.

CHAIR

SAFER HARTLEPOOL PARTNERSHIP MINUTES AND DECISION RECORD

9 February 2015

The meeting commenced at 9.00 am 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
Steve McCarten, Cleveland Fire and Rescue Authority
Rosana Roy, National Probation Service
Stewart Tagg, Housing Hartlepool
Karen Hawkins, Hartlepool and Stockton on Tees Clinical
Commissioning Group

In accordance with Council procedure rule 5.2 (ii) Sharon Robson, Health Improvement Practitioner was in attendance as substitute for Louise Wallace

Also present:

Gilly Marshall, Housing Hartlepool

Officers: Rachel Parker, Community Safety and Research Officer
Denise Wimpenny, Principal Democratic Services Officer

35. Apologies for Absence

Apologies for absence were submitted on behalf of Louise Wallace, Director of Public Health, Chief Inspector Lynn Beeston, Cleveland Police, John Bentley, Safe in Tees Valley, Neville Cameron, Police and Crime Commissioner

36. Declarations of Interest

None.

37. Minutes of the meetings held on 12 September and 21 November 2014

Confirmed.

38. Community Alcohol Partnership Progress Report *(Director of Public Health)*

Purpose of report

To update the Safer Hartlepool Partnership on the work of the Community Alcohol Partnership and the recommendations for the future.

Issue(s) for consideration

The report updated Members on the background and progress made to date on work of the Community Alcohol Partnership (CAP) in relation to delivery of the following aims:

- to co-ordinate activities aimed at reducing alcohol consumption by young people in Hartlepool; and
- to challenge the widespread acceptance by parents of underage alcohol consumption in public places.

The report included details of the impact on levels of youth alcohol related anti-social behaviour during the operation of the Community Alcohol Partnership from April 2012 to June 2014. The analysis highlighted a reduction of alcohol related anti-social behaviour in the Fens/Rossmere, Manor and Foggy Furze wards. It was noted that there were some areas of the CAP action plan that had not been progressed at the level initially intended, the reasons for which were included in the report.

The Partnership was advised that funding for the CAP was originally allocated from the Early Intervention Grant which had come to an end. At this stage no further funding would be available past this date and therefore it would appear timely to consider an exit strategy for Hartlepool CAP.

Whilst the reduction in the level of alcohol related anti-social behaviour was welcomed, concerns were expressed regarding the rate of under 18s admitted to hospital with alcohol specific conditions with Hartlepool's rate being significantly higher than the regional average as detailed in the Strategic Assessment document for consideration under a separate agenda item. Emphasis was placed upon the need to focus upon alternative methods of tackling this issue.

The Chair made reference to the five areas identified as part of the CAP

and emphasised the importance of these areas continuing to be monitored as part of the Substance Misuse Action Plan. In the event that the statistics did not improve the issue would need to be revisited with a view to allocating resources accordingly. Concerns were raised regarding the impact of CAP funding coming to an end as well as the continuing reduction in finances and the impact on resources to address issues of this type.

A Member commented on the need to liaise with partner authorities to explore any successful methods of tackling alcohol related issues in young people.

The Head of Community Safety and Engagement and Health Improvement Practitioner responded to queries raised by the Partnership in relation to the statistics. The Director of Regeneration and Neighbourhoods highlighted the need to work with the Health and Wellbeing Board with a view to targeting resources appropriately. The Partnership debated the potential reasons for the increasing level of alcohol consumption in young people recognising that this was a national problem. Various suggestions were made in terms of addressing this issue which included the importance of educating parents as well as young people on the dangers and health related risks associated with under age alcohol consumption, the need for a hard hitting campaign similar to tobacco and the need to address low prices in supermarkets.

Decision

- (i) That the contents of the report and progress made to date by the Community Alcohol Partnership be noted.
- (ii) That the work highlighted within the Community Alcohol Partnership be incorporated within the overarching Substance Misuse Plan and overseen by the Safer Hartlepool Partnership Substance Misuse Strategy Group.
- (iii) That the five areas identified as part of the CAP action plan continue to be monitored as part of the Substance Misuse Action Plan.
- (iv) That the Partnership work with the Health and Wellbeing Board in relation to targeting resources appropriately.

39. Strategic Assessment 2014 (*Director of Regeneration and Neighbourhoods*)

Purpose of report

To consider and discuss the Safer Hartlepool Partnership Strategic Assessment 2014

Issue(s) for consideration

It was reported that the Partnership had a statutory responsibility to undertake an annual strategic assessment to identify and address the community safety issues that really mattered to the community.

The strategic assessment contained information to aid understanding of the priority community safety issues identified for the communities of Hartlepool including what had changed over the last year, what work the Partnership were doing as well as how the Partnership measured effectiveness and future challenges. An executive summary was attached to the report which provided a description of the current local and national delivery landscape and a reminder of the objectives and priorities that had been set the previous year. The assessment would assist the Partnership in setting strategic objectives for 2014-17.

The Community Safety and Research Officer, who was in attendance at the meeting, provided a detailed and comprehensive presentation which focussed on the following:-

- Strategic Objectives 2014 - 2017
- Annual Priorities 2014-15
- The Delivery Landscape
- Performance figures as a comparator with neighbouring authorities
- Crime figures
- Acquisitive Crime
- Organised Crime
- Violent Crime
- Hate Crime and Incidents
- Anti-social behaviour incidents
- Community Perceptions & Neighbourhoods
- Victims
- Substance Misuse
- Re-offending

Proposed Strategic Objectives 2014-17

- Reduce crime and repeat victimisation
- Reduce the harm caused by drug and alcohol misuse
- Create confident, cohesive and safe communities
- Reduce offending and re-offending

Proposed Annual Priorities 2015-16

- Reduce acquisitive crime
- Safeguard individuals and families from domestic violence and abuse
- Substance Misuse
- Reduce anti-social behaviour
- Support vulnerable victims experiencing crime and anti-social behaviour
- Reduce re-offending

- Proposed SHP Delivery Groups

Following conclusion of the presentation, a lengthy discussion ensued which included the following issues:-

- (i) Reference was made to the potential reasons for the increase in acquisitive crime, particularly shop lifting. With regard to feedback from Residents' Groups in relation to crime, a Member advised that concerns appeared to be more around the fear of reprisal as opposed to crime itself. Disappointment was expressed in relation to the reduction of Neighbourhood Policing and the impact on communities as a result. It was reported that whilst Ward Members continued to encourage residents to report crime to the police, there was a need to support individuals in this regard. The benefits of exploring the feasibility of introducing anonymous reporting measures to alleviate concerns of reprisal was emphasised.
- (ii) In response to clarification sought as to the potential reasons for the significant increase in other sexual offences, the Partnership was advised that the increase appeared to relate to the Yew Tree effect. It was highlighted that this issue could be monitored to determine if a trend was apparent. The Chief Superintendent added that the police were dealing with a disproportionate amount of historic cases and this appeared to be a national issue.
- (iii) With regard to the statistics relating to hate crime, discussion ensued as to why this figure had reduced and some concerns were raised that the reduction may be as a result of a reduction in confidence by the public in the local authority or the police. In response to a query raised in relation to the impact of the removal of hate crime from the proposed priorities and how to educate the public that "hate crime" was not acceptable, the Partnership was advised that this issue would be addressed as part of the vulnerable victims priority and dealt with by the Communications Group. Reference was made to the costs of crime and the importance of prevention. The need to monitor health costs by crime type in future to feed into the Health and Wellbeing Board was suggested with a view to targeting resources accordingly.
- (iv) A lengthy debate followed on the potential cause of crime as well as the impact of welfare reform on crime figures generally. Whilst it was acknowledged that there may be a link between welfare reform and an increase in crime, a Member highlighted that there were a number of reasons why individuals engaged in criminal activity which were not linked to welfare reform that should be explored.
- (iv) The Partnership raised concerns regarding human trafficking issues and abuse and requested the need to consider how this was addressed in terms of inclusion within the Partnership's priorities or whether this was covered by the Organised Crime Group. Data of

this type was requested for consideration at a future meeting of the Partnership. The various methods of intelligence gathering were discussed as well as the importance of effective communication between partner agencies. Given the benefits of agencies sharing information to address any areas of concern, it was suggested that a referral system for sharing information be introduced locally. The importance of exploring appropriate training for front line staff who may be accessing at risk premises was highlighted.

- (v) Clarification was provided in response to a number of further issues/queries raised in relation to the strategic assessment.

The Partnership took the opportunity to thank the Community Safety and Research Officer as well as all members of the team involved in production of the strategic assessment.

Decision

- (i) That the strategic assessment and proposed annual priorities 2015-16 be agreed.
- (ii) That discussions, as outlined above, be utilised to assist in setting the strategic priorities for the Community Safety Plan 2014-17.
- (ii) That a referral system for sharing information in relation to human trafficking and abuse be explored as well human trafficking data and considered at a future meeting of the Partnership.

40. Community Safety Plan 2014-17 (*Director of Regeneration and Neighbourhoods*)

Purpose of report

To consider for approval the annual refresh (Year 2) of the 2014-17 Safer Hartlepool Partnership Community Safety Plan.

Issue(s) for consideration

It was reported that the Safer Hartlepool Partnership was required to produce an annual refresh of the 2014-17 Community Safety Plan following completion of the annual strategic assessment. A draft version of the revised Community Safety Plan for 2014-17 was attached at Appendix 1 which had been developed based on the findings of the Strategic Assessment and public consultation.

Members were referred to the four strategic objectives and six annual priorities, details of which were set out in the report. Progress against the Plan would be managed and monitored by the Partnership through quarterly performance reports and review of Task Groups/Sub Group Action

Plans. The Partnership's approval to the proposed reporting timetable, as set out in the report was sought and as identification of an appropriate Partnership member to Chair these groups.

Decision

- (i) That the draft Community Safety Plan 2014-17 be approved subject to the inclusion of recommendations, as set out in Minute 36 above, in relation to human trafficking.
- (ii) That the Task Group reporting timetable, as set out in the report, be agreed.
- (iii) That the following Partnership Members Chair the following Groups:-

Anti-Social Behaviour – Head of Community Safety and Engagement

Substance Misuse – Director of Public Health

Domestic Violence – Director of Regeneration and Neighbourhoods

Communication – Head of Community Safety and Engagement

Offending/Re-offending – Head of Offender Services, Durham Tees

Valley Community Rehabilitation Company

41. Police and Crime Commissioner – Community Safety Partnership Funding Request *(Director of Regeneration and Neighbourhoods)*

Purpose of report

To inform the Safer Hartlepool Partnership (SHP) of an application to the Police and Crime Commissioner (PCC) for funding to progress SHP priorities.

Issue(s) for consideration

The Partnership was advised on the background to a joint bid that was submitted and agreed by the PCC in April 2014 to fund the following initiatives:-

- Integrated Offender Management - reduce re-offending
- Positive Youth Diversionary Activities – reduce anti-social behaviour
- Independent Domestic Violence Advisor – to support victims of domestic violence and abuse.

Progress against these initiatives was detailed in Appendix 1. As these funding initiatives would come to an end during 2015, the four CSP leads

had since met and developed a further funding request which had been sent to the Police and Crime Commissioner for consideration, a copy of which was attached as an appendix to the report. The applications involved a request to fund the following initiatives:-

- A Cleveland Single Integrated Offender Management Scheme
- Independent Domestic Violence Advisor
- Positive Youth Diversionary Activities
- Vulnerable Victims Service (Hate Crime and ASB)

In the discussion that followed Members expressed disappointment that the Vulnerable Victims Service had not been supported and the impact of this decision was debated. Concerns were raised regarding the increasing workload of the Victim Support Worker and the implications as a result. It was reported that the PCC had taken a decision to work with the Victim Support Service. Given this decision and to ensure the needs in Hartlepool were being met, the Chair requested that information from the PCC be reported back to the Partnership in terms of how the service was operating.

Decision

- (i) That the contents of the report and the application to the Police and Crime Commissioner for funding to support the delivery of the SHP priorities be noted.
- (ii) That information from the PCC in relation to how the Victim Service was operating be reported back to the Partnership to ensure the needs in Hartlepool were being met.

The meeting concluded at 10.40 am.

CHAIR

SAFER HARTLEPOOL PARTNERSHIP MINUTES AND DECISION RECORD

20 March 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
Louise Wallace, Director of Public Health
Chief Inspector Lynn Beeston, Cleveland Police
Barbara Gill, Head of Offender Services, Tees Valley
Community Rehabilitation Company
Stewart Tagg, Housing Hartlepool
Karen Hawkins, Hartlepool and Stockton on Tees Clinical
Commissioning Group
Sally Robinson, Assistant Director, Children's Services

In accordance with Council procedure rule 5.2 (ii) Neville
Cameron was in attendance as substitute for Barry Coppinger,
Police and Crime Commissioner's Office, Rachel Parker was in
attendance as substitute for Clare Clark and Andy Witham was
in attendance as substitute for Steve McCarten

Also present:

Sue Hine, Achieving Real Change for Communities (ARCC)
Gilly Marshall, Housing Hartlepool

Officers:

Mark Smith, Head of Integrated Youth Support Services
Laura Stones, Scrutiny Support Officer
Denise Wimpenny, Principal Democratic Services Officer

42. Apologies for Absence

Apologies for absence were submitted on behalf of Clare Clark, Head of
Community Safety and Engagement, Gordon Lang, Chief Superintendent,
Cleveland Police, Barry Coppinger, Police and Crime Commissioner, Steve
McCarten, Cleveland Fire and Rescue Authority and Dave Stubbs, Chief
Executive.

43. Declarations of Interest

None.

44. Minutes of the meetings held on 12 January and 9 February 2015

Confirmed.

45. Future of Community Rehabilitation Company
*(Representative from ARCC)***Issue(s) for consideration**

A representative from Achieving Real Change in Communities (ARCC), who was in attendance at the meeting, provided the Partnership with a detailed and comprehensive presentation in relation to the future of the Community Rehabilitation Company following recent changes to service delivery and the development of the ARCC Consortium. The presentation included an overview of future arrangements in terms of reducing re-offending and focussed on the following:-

- Overview of various partners of ARCC Consortium
- Aims of ARCC
- Requirements of ARCC delivery model
 - new work through Offender Rehabilitation Act
 - working in commercial environment
 - new organisational structure
 - challenging performance criteria
 - working towards new record keeping system and new estate structure
- ARCC designed its model on best DTV practice and current research to reduce re-offending
- ARCC not for profit and will reinvest in the best
- Delivery model continues to address needs led interventions, IOM principles and restorative justice but is different ie
 - focus is more on the individual
 - more holistic and community based
 - principle is short focused mandated delivery with long term post order support
- Durham Tees Valley Community Rehabilitation Company are responsible for delivery of the contract
- ARCC through DTV (CRC) seek to provide confidence to sentencers and communities
- ARCC contract means tough targets
- Key target is that the binary measure of re-offending takes precedence over the frequency measure

- Payment by Results – focus is on reducing re-offending but no money is available for reductions in frequency if the binary measure is not met
- 15% of core funding is at risk from challenging volume and throughput targets
- Important that partners understand targets and risk of unintended consequences as these are not all within the control of Durham Tees Valley Community Rehabilitation Company. If not the contract and service could easily be lost
- To achieve safer communities partners need to work together

Following conclusion of the presentation the Partnership discussed the issues highlighted in the presentation. The representative and Head of Offender Services responded to issues raised by Members. Clarification was provided in relation to the payment by results process following some concerns expressed that the revised arrangements may reduce focus on prolific re-offenders. Emphasis was placed upon the importance of partners working together to ensure efficient service delivery. The Director of Regeneration and Neighbourhoods provided assurances that reducing re-offending was a high priority for the Partnership and remained a key strategic priority for the Council. Reference was made to the Re-offending Task Group of which the Head of Offender Services had been identified as Lead to Chair that Group. The need for representation from ARCC on the Task Group was highlighted.

The Head of Offender Services provided assurances that the intention was to maintain the same high professional standards in compliance with the financial requirements and was pleased to report that the targets were on track to be achieved, details of which were outlined.

The Chair thanked the representatives for their attendance and helpful presentation.

Decision

The contents of the presentation and comments of Members were noted.

46. Youth Justice Strategic Plan 2015-16 (*Director of Child and Adult Services*)

Purpose of report

To provide the Partnership with an update on the progress made against the local Youth Justice Plan (2014-15) and provide the Partnership with an opportunity to support the development of the Youth Justice Plan for 2015-2016.

Issue(s) for consideration

The report provided background information regarding the purpose of the Youth Justice system together with role and functions of the Youth Offending Services. With regard to performance, a review of progress made against last year's plan highlighted that the service had made progress across the majority of the year's priorities. However, there remained key areas for improvement, details of which were set out in the report.

Members were advised of the key challenges for the future which included re-offending and resource issues as outlined in the report. Funding levels from the national Youth Justice Board for Performance had not yet been confirmed although reductions in funding were anticipated due to broader national austerity measures.

The Partnership was pleased to note a decrease in the number of remand episodes in comparison to 2013/14.

With regard to the significant progress that had been made in relation to the Think Family priority and in response to clarification sought on how successful this approach would be once embedded, the Partnership was advised that when analysing circumstances of a number of prolific young offenders the roots of the difficulties often lay within the family environment and there was a need to ensure that the service remained fully involved in local 'Troubled Families' developments which would hopefully improve future outcomes.

The Chair welcomed progress and improvements in performance to date and asked that the Partnership's thanks be conveyed to all members of the team.

Decision

- (i) That progress made against the local Youth Justice Plan (2014-2015) be noted.
- (ii) That the comments of Members be noted and utilised to support the development of the Youth Justice Plan for 2015-16.

47. Community Safety Plan 2014-17 (Year 2) *(Director of Regeneration and Neighbourhoods)***Purpose of report**

To consider for approval the annual refresh (Year 2) of the 2014-17 Safer Hartlepool Partnership Community Safety Plan.

Issue(s) for consideration

The Director of Regeneration and Neighbourhoods reported that the Partnership had considered and approved the draft Community Safety Plan 2014-17 and the Plan had also been considered by the Council's Audit and Governance Committee and Finance and Policy Committee with the proposed annual priorities receiving full support of both Committees. The final version of the Plan was attached at Appendix A and included reference to human trafficking and youth unemployment figures as requested by the Partnership and Finance and Policy Committee respectively.

Members were referred to the four strategic objectives and six annual priorities, details of which were set out in the report. Following approval by the Partnership, the Community Safety Plan would be presented to full Council for endorsement in March 2015.

Decision

That the Community Safety Plan 2014-17 (Year 2) be approved.

48. Counter Terrorism and Security Act 2015 (*Director of Regeneration and Neighbourhoods*)**Purpose of report**

To update the Safer Hartlepool Partnership (SHP) on the Counter-Terrorism and Security Act 2015 which places the PREVENT strategy on a statutory footing by introducing a Prevent Duty for specified public bodies listed in schedule 6 of the Act.

To recommend that the local Prevent Group be re-established to develop an action plan to secure compliance with the Prevent Duty that will be monitored by the Safer Hartlepool Partnership and the Cleveland Silver Prevent Group.

Issue(s) for consideration

The report provided background information to the PREVENT Strategy published by the Government in 2011 which aimed to stop people becoming terrorists or supporting terrorism. The report provided an overview of the draft guidance, current local arrangements in relation to Prevent Activity and a recommendation to reconvene a local Prevent Silver Group. Organisations would be expected to monitor their Prevent activity to demonstrate compliance with the Prevent duty.

Details of the current local multi-agency prevent arrangements as well as details of the requirement to convene a Channel Panel was provided, as outlined in the report.

Members were advised that it was proposed that an action plan for Hartlepool be developed by a local Prevent Group monitored through the Safer Hartlepool Partnership in conjunction with the Cleveland Silver Prevent Group.

Decision

- (i) That the new Prevent duty and implications for the Partnership as the local co-ordinating body for Prevent work be noted.
- (ii) That an action plan be developed by a local Prevent Group that dovetails the Cleveland Silver Group action plan and be overseen by the Safer Hartlepool Partnership and Cleveland Prevent Silver Group.

49. Safer Hartlepool Partnership Performance *(Director of Regeneration and Neighbourhoods)*

Purpose of report

To provide an overview of Safer Hartlepool Partnership performance for Quarter 3 – October 2014 to December 2014 (inclusive).

Issue(s) for consideration

The Community Safety and Research Officer provided the Partnership with an overview of the Safer Hartlepool Partnership performance during Quarter 3, as set out in an appendix to the report. Information as a comparator with performance in the previous year was also provided.

In the discussion that followed presentation of the report, the Community Safety and Research Officer responded to a number of queries raised in relation to crime figures by type. A number of concerns were expressed regarding the significant increase in recorded crime in Hartlepool and the potential reasons for such an increase were debated at length. It was noted that whilst crime figures had increased between August and December, the probation service caseload had declined during the same period.

The Chair of the Youth Offending Board added that a 19.4% increase in crime figures was projected with a 7.4% increase in the force overall. Whilst it was difficult to predict one particular reason for such an increase, it

appeared to be as a result of a combination of factors including capacity issues, reduction in resources, government cuts, with some forces suffering higher cuts than others, outsourcing support staff, a requirement to back record crimes that had not been previously recorded, an increase in demands on the police service, an increase in responsibilities of the police in terms of dealing with non crime related activities, examples of which were provided. Most areas in the country as well as Hartlepool had experienced an increase in house burglary and shop theft. Despite a number of successes in sentencing prolific burglary offenders, crimes of this type were also being committed by offenders from outside the area.

With regard to the objective to reduce the harm caused by drugs and alcohol, it was highlighted that the latest figures available in relation to the rate of alcohol related harm hospital admissions were out of date. The representative from Hartlepool and Stockton CCG advised that national information of NHS outcome ambitions were awaited. However, arrangements would be made for the teams to examine local indicators in terms of hospital admissions with a primary diagnosis of alcohol.

The Chair expressed concerns regarding the disproportionate increase in crime and was keen that this issue be examined in detail to determine why crime in Hartlepool had increased so significantly in comparison to other areas. The impact of the disproportionate number of PCSO's in Hartlepool also needed to be explored. It was suggested that a referral to the Council's Audit and Governance Committee, was an appropriate way forward and the Partnership's views were sought in this regard. The Partnership welcomed a referral to the Audit and Governance Committee.

The need to redirect and share resources from other force areas based on demand was emphasised. Members went on to discuss the success of neighbourhood policing and the impact of Government cuts in the NHS and ambulance services on the workload of the police. The representative from the CCG indicated that the Mental Health team and Ambulance Service would be happy to work with the police to gain a better understanding as to whether there was a contract compliance issue or a gap in service provision.

Decision

- (i) That the Quarter 3 Performance figures and comments of Members be noted and actioned as appropriate.
- (ii) That the disproportionate increase in crime figures in Hartlepool be referred to the Audit and Governance Committee for investigation.
- (ii) That the CCG work with the police in relation to the impact of Government cuts in the NHS and Ambulance Service on the workload of the police.

50. Letter from the Police and Crime Commissioner for Cleveland – National Police Air Services Update

Issue(s) for consideration

The Chair referred the Partnership to a letter from the Police and Crime Commissioner for Cleveland, a copy of which was attached to the agenda documentation, which provided an update on the National Police Air Services.

Decision

The contents of the update were noted.

51. Date and Time of Next Meeting

The Chair advised that the next meeting scheduled for 15 May may not proceed. Confirmation would be provided in due course. The representative from the Police and Crime Commissioner's Office reported that a report in relation to victim support services would be submitted to the next meeting of the Partnership.

Decision

That the information given be noted.

The meeting concluded at 2.30 pm

CHAIR