



Chief Executive's Department
Civic Centre
HARTLEPOOL

4th September, 2006

The Mayor (Stuart Drummond)

Councillors D. Allison, S Allison, Barker, Belcher, Brash, Clouth, R W Cook, S Cook, Coward, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Henery, Hill, Iseley, Jackson, James, Johnson, Kaiser, Laffey, Lauderdale, Lilley, London, A Marshall, J Marshall, Dr. Morris, Payne, Preece, Rayner, Richardson, Shaw, Sutheran, Tumilty, Turner, Wallace, D Waller, M P Waller, R Waller, Wistow, Worthy, Wright, and Young.

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY, 14th September, 2006 at 2.00 p.m. in the Town Hall, Hartlepool to consider the subjects set out in the attached agenda.

Members are requested to note the change in venue of the meeting.

Yours faithfully

P Walker
Chief Executive

Enc

COUNCIL AGENDA



14th September, 2006

at 2.00 pm

in the Town Hall

PLEASE NOTE CHANGE IN VENUE

1. To receive apologies from absent members.
2. To receive any declarations of interest from members.
3. To deal with any business required by statute to be done before any other business.
4. To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 10.
5. To approve the minutes of the last meeting of the Council held on 27th July, 2006 as a correct record (copy attached).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under Council Procedure Rule 11;
 - (a) Questions to members of the Executive about recent decisions of the Executive (without notice)
 - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.
 - (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given. Minutes of the meeting of the Cleveland Fire Authority held on 2nd June 2006 are attached.
8. To deal with any business required by statute to be done.
9. To receive any announcements from the Chair, the Mayor, members of the Cabinet or the head of the paid service.

10. To dispose of business (if any) remaining from the last meeting and to receive the report of any scrutiny forum or other committee to which such business was referred for consideration.
 - (a) Scrutiny Report – Committee on Radioactive Waste Management (copy attached).
 - (b) Scrutiny Report – Final Report into Closure Hartlepool College of Further Education Nursery (copy attached).
11. To receive reports from the Council's committees and working groups other than any overview and scrutiny committee and to receive questions and answers on any of those reports;
 - (a) Report of General Purposes Committee – Reviewing Parish Electoral Arrangements (copy attached).
12. To consider any other business specified in the summons to the meeting, including consideration of reports of the overview and scrutiny committees for debate and to receive questions and answers on any of those items;
13. To consider reports from the Executive:-
 - (a) Proposals in relation to the Council's budget and policy framework
Exempt item below.
 - (b) Proposals for departures from the budget and policy framework
None
14. To consider any motions in the order in which notice has been received.
15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

Exempt item

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely, information relating to the financial or business affairs of any particular person (including the authority holding that information).

13. To consider reports from the Executive
 - (a) Proposals in relation to the Council's budget and policy framework
 - (i) Additions to 2006/07 Capital Programme (copy attached).

COUNCIL

MINUTES OF PROCEEDINGS

27th July 2006

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

The Mayor, Stuart Drummond

COUNCILLORS:

D Allison	S Allison	Barker
Belcher	Brash	S Cook
Coward	Cranney	Fenwick
Fleet	Gibbon	Griffin
Hall	Hargreaves	Henery
Isley	Jackson	James
Johnson	Laffey	Lilley
London	A Marshall	Dr. Morris
Preece	Rogan	Shaw
Sutheran	Tumilty	Turner
S Wallace	M P Waller	R Waller
Wistow	Worthy	Wright
Young		

Officers:

Paul Walker, Chief Executive
Andrew Atkin, Assistant Chief Executive
Tony Brown, Chief Solicitor
Joanne Machers, Chief Personnel Services Officer
Ewen Weir, Assistant Director (Adult and Community Services)
Phil Warrilow, Interim Assistant Director (Children's Services)
Dave Stubbs, Head of Environmental Management
Charlotte Burnham, Scrutiny Manager
Julian Heward, Assistant Public Relations Officer
David Cosgrove, Principal Democratic Services Officer
Angela Hunter, Principal Democratic Services Officer

Prior to the commencement of the meeting, the Chairman of the Council referred in terms of regret to the death of retired Councillor B J Stonehouse. Members stood in silence as a mark of respect.

The Chairman welcomed Councillor P Laffey, newly elected Park Ward Councillor.

33. APOLOGIES FOR ABSENT MEMBERS

Councillors H Clouth, R W Cook, C Hill, J Lauderdale, J Marshall, R Payne, P Rayner and D Waller.

34. DECLARATIONS OF INTEREST FROM MEMBERS

Councillor R Waller advised that he had a prejudicial interest in minute 38.

Councillor P Hargreaves and M Waller advised that they had personal interests in minute 38.

Councillor D Allison advised that he had a personal interest in minute 39.

Councillor J Brash, C Barker and S Wallace advised that they had personal interests in minute 57.

35. FIRE SAFETY PROCEDURES

Due to the current refurbishment of the Civic Centre reception area, the Chief Executive advised everyone of the nearest fire exits to be used in the result of the alarm being activated. A Member indicated that as the emergency exits identified involved the use of stairs, an alternative venue should be considered for future meetings of Council during the refurbishment works.

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

None.

37. PUBLIC QUESTIONS

i) **Question from Hayley Yull, 10 Penarth Walk to the Portfolio Holder for Children's Services.**

"Councillor Hargreaves the Executive Member for Children's Services may be aware of the recent proposed closure of First Steps Nursery, and how closing will result in many parents having to leave work and unable to continue their studies. First Steps is situated within the college campus, providing an education combined with child care provisions. This is closely tailored to young parents needs, enabling teenage mother a chance to gain qualifications and realise that life has more to offer than a life spent on benefits. What views and provisions does Hartlepool Council propose to do?"

The Children's services Portfolio Holder, Councillor Pamela Hargreaves,

responded that she fully supported the provision of high quality services that removed any barriers to education.

Supplementary question submitted by Ms Yull:

“The nursery provision at the First Steps Nursery had not been advertised fully and why were Surestart groups not targetted, was this as a result of bad management of an attempt to fizzle out the service provided?”

The Portfolio Holder for Children’s Services indicated that these questions were exactly the reason that the Scrutiny Co-ordinating Committee should consider this issue.

Supplementary question submitted by Ms Yull:

“Can the nursery remain open until scrutiny have looked at it?”

The Portfolio Holder for Children’s Services responded that this decision would be made by the College of Further Education and not the Council.

The Chairman indicated that he considered the following business could conveniently be dealt with at this point and this was accepted by Council.

38. MOTIONS ON NOTICE

Motion moved and seconded:-

“Council resolves to scrutinise the decision to close the nursery at the College of Further Education in the context of gaining a fuller understanding of the College’s underlying financial position and any alternative sources of funding.”

Councillor Jonathan Brash
Councillor Mick Johnson
Councillor Marjorie James
Councillor Peter Jackson
Councillor Rob Cook

Amendment moved and seconded: -

“That a letter be sent to the Governing Body of Hartlepool College of Further Education requesting that the decision to close the nursery be put on hold pending the outcome of the Scrutiny Co-ordinating Committee’s investigation”.

Amendment put and agreed.

It was moved and seconded that a recorded vote be taken:

The taking of a recorded vote was agreed.

On the substantive motion being put and voted on:-

Those for the motion: The Mayor, Stuart Drummond, Councillors D Allison, S Allison, Barker, Belcher, Brash, S Cook, Coward, Cranney, Fenwick, Fleet, Gibbon, Griffin, Hall, Hargreaves, Henery, Iseley, Jackson, James, Johnson, Laffey, Liley, London, A Marshall, Dr Morris, Preece, Richardson, Rogan, Shaw, Sutheran, Tumilty, Turner, Wallace, M Waller, Wistow, Worthy, Wright and Young.

Those against the substantive motion – none.

Those who abstained – none.

Motion agreed.

RESOLVED – That the amended Motion was agreed unanimously and a press release be issued with a summary of this debate.

39. PUBLIC QUESTION

ii) **Question from Mrs J P A Holdcroft, 14 Beaconsfield Street to The Mayor, Stuart Drummond**

“What standards of confidentiality and quality of reply should we expect in any correspondence with our Councillors?”

The Mayor advised that there was no general requirement for correspondence with Councillors to be treated as confidential. Correspondence would only be required to be treated as confidential if it is stated to be so, or if, in some other way, it is apparent that it is expected to be treated as confidential. Whether or not to reply to correspondence and the form and extent of any reply is a matter for the individual Councillor. Where a Councillor decides to respond to correspondence, there is a rightful expectation that he or she will deal with it to the best of his/her ability.

Supplementary question submitted by Mrs J P A Holdcroft:

“A response was received from Councillor S Allison from a different address to that registered with UKIP, was this permitted?”

The Mayor indicated that it was up to individual Councillors how they chose to respond, but he would expect all councillors to respond in a truthful manner. However, if there were any allegations of fraudulent addresses being used, this would be a matter for the Returning Officer and the Standards Board for England.

Supplementary question submitted by Mrs J P A Holdcroft:

“A letter had been sent to the Council indicating that prior to the Local Election false information has been given by a prospective candidate.”

The Chief Solicitor advised that this letter had been received and was being processed accordingly.

Members discussed the matters raised and in the course of the discussion, Councillors D Allison and S Allison left the Council Chamber. Members' comments addressed the role of Members, the relationship of Members to political parties and political groups and a Member's views of a political party.

40. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 22nd June 2006, having been laid before the Council.

RESOLVED – That the minutes be confirmed with the exception of minute 32 in the closed section of the minutes. This was discussed within the closed section of the meeting (minute 58 refers).

The minutes were thereupon signed by the Chairman.

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

None.

42. QUESTIONS FROM MEMBERS OF THE COUNCIL

- (a) Questions to Members of the Executive about recent decisions of the Executive

None.

- (b) Questions to Members of the Executive and Chairs of Committees and Forums, for which Notice has been given

(i) Question from Councillor S Allison to the Portfolio Holder for Performance Management.

The recent notice for the Ward Surgery in St Hilda ward was printed in 11 different languages. Can the Portfolio Holder tell me how many native speakers of the 10 languages other than English, are resident in the town and in St Hilda Ward in particular?

Councillor Jackson responded that there were currently 26 different languages spoken by Hartlepool residents as their first language, including the seven on

the recent notice for the ward surgery in St Hilda's ward. Although it was not possible to break down the 26 languages into individual wards, using ethnicity as an approximation for language, the Census data indicates that St Hilda's ward has residents who were from Indian, black African, white and black Caribbean, white and Asian and other mixed backgrounds. Therefore, there was likely to be some Ward residents whose first language was not English. The Council aims to develop an inclusive society and one option may be to include a statement on all Council notices to indicate that they were available in other languages.

A discussion followed where Members felt the Council should be congratulated on their aim to develop an inclusive society and felt proud to represent such a mix of cultures across Hartlepool. It was acknowledged that the Diversity Group would be discussing this matter at its meeting on 14th August 2006 with a view to ensuring all Council notices were made available in any language of choice requested.

(ii) Question from Councillor S Allison to the Portfolio Holder for Performance Management.

The Portfolio Holder's meeting of 26th June 2006 refers to Hartlepool Council seeking accreditation through the Energy Trust. Will the Portfolio Holder explain the cost benefit calculation that lead him to agree to this accreditation being sought.

Councillor Jackson responded by pointing out that Energy Efficiency Accreditation was recognised as the national benchmark standard in energy efficiency and more than 200 organisations including around 50 local authorities were accredited. The Climate Change Levy has meant that businesses and the public sector were taxed on their energy use which was one of the many reasons for paying close attention to our energy bill. He added that if the Council were to show a commitment to saving money through improved energy efficiency, then achieving recognition can only be positive.

Councillor Jackson advised that the process of gaining accreditation invariably identified opportunities for energy savings to be made. The Carbon Trust based upon the wide range of organisations, both public and private, that were accredited estimates that, on average the benefits of accreditation normally enables fuel bills to be reduced by about 3% on average. The Council's Energy projections for the forthcoming year were reported to the Portfolio Holder's meeting on 26th June 2006 and using a figure of around £2,000,00 as a basis, it could be seen that becoming accredited should be highly cost effective investment. Indeed, a saving of only a quarter of a percent would recoup the £4,300 fee paid for the accreditation.

In recognition that these savings only accrue if the advice given was followed, at the Portfolio Holder's meeting of the 26th June 2006, a campaign was requested to be undertaken to promote energy efficiency and housekeeping across the Council to address the rising costs prior to April 2007. The Portfolio Holder indicated that he would be actively involved in the campaign.

In summary, the Energy Accreditation Scheme was an excellent way of demonstrating environmental commitment as well as achievement in energy efficiency. The main benefits to be gained would be an independent check on energy management systems and practices as well as having guidance provided by independent assessors on improving energy performance and reducing energy costs.

- (c) Questions to the appropriate Members on Police and Fire Authority issues, for which notice has been given.

None.

43. BUSINESS REQUIRED BY STATUTE

None.

43. ANNOUNCEMENTS

None.

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

None.

45. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES AND WORKING GROUPS

Minutes of the Independent Remuneration Panel Working Group held on 29th June 2006.

The Chair of the Independent Remuneration Panel, Councillor C Richardson presented the minutes from the above meeting which invited Council to approve the recommendations made.

The following amendment to recommendation (3) was carried:

“That the amended proposed increase in the Basic Allowance to £5,410 be recommended, effective from 1st August 2006.”

RESOLVED – That the recommendations of the Independent Remuneration Panel Working Group of 29th June 2006 be approved to include the above amendment.

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

The Chair of the Scrutiny Co-ordinating Committee presented a report to notify Council of a decision regarding “Parish Council Election Charges” – Scrutiny Referral. The Portfolio Holder for Performance Management advised Council of the decision made at his meeting of 24th July 2006.

RESOLVED – That Council notes the decision reached unanimously by the Scrutiny Co-ordinating Committee not to undertake the Scrutiny Referral, for the reasons outlined in para 2.4 of the report.

47. REPORT FROM THE EXECUTIVE

(a) Proposals in relation to the Council’s budget and policy framework

None.

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

None.

48. PROPOSED MERGER OF CLEVELAND, DURHAM AND NORTHUMBRIA POLICE AREAS

The Chief Executive advised Council that a letter from the Home Office to the Council dated 13th July 2006 confirmed that the Home Secretary had decided to withdraw the notice he issued under Section 33 of the Police Act 1996 in respect of Northumbria, Durham and Cleveland. The Home Secretary did not intend to proceed with the enforced police force mergers.

RESOLVED – That the decision reached by the Home Office be noted.

49. OUTSIDE BODY APPOINTMENT – TEESSIDE VALUATION TRIBUNAL

A request was made from the President of the Tribunal for the nomination of two non-elected individuals from the Hartlepool area. It was proposed to defer this decision until the next meeting of Council.

RESOLVED – That this item be deferred until the next meeting of Council.

50. OUTSIDE BODY APPOINTMENT – TOGETHER PROJECT STEERING GROUP

The Chief Executive reminded Members that two further labour nominations were requested at the meeting of Council on 22nd June 2006 and to date none had been received.

RESOLVED – That Councillors J Shaw and C Richardson be appointed to the two vacancies on the Together Project Steering Group.

51. APPOINTMENTS TO COMMITTEES, FORUMS AND OTHER BODIES

The Chief Executive advised Members that a labour group vacancy still existed on the Neighbourhood Services Scrutiny Forum.

RESOLVED – That Councillor K Cranney be appointed to the vacancy on the Neighbourhood Services Scrutiny Forum.

52. APPOINTMENTS PANEL

Members were reminded that there were still two outstanding Assistant Director vacancies in the Children's Services Department. In line with the Officer Employment Procedure Rules the Panel would consist of eight members as follows:

Mayor
Chairman of the Council
3 Labour Group nominations
2 Administrative Group nominations
1 Liberal Democratic Group nomination

Also, as identified in the Officer Employment Procedure Rules, Council was also requested to reflect the gender balance of the Council when nominating to the Panel. It was suggested therefore, that Council nominate three female Councillors to the Panel.

Council was requested to approve the establishment of the Appointments Panel and nominate Members accordingly.

RESOLVED –

- (i) That the establishment of the Appointments Panel be approved.
- (ii) That the following nominations be accepted:-
Councillors P Hargreaves, S Wallace and J Shaw (Labour Group nomination)
Councillor E Wright (Liberal Democratic nomination)
- (ii) That the Admin Group nomination be submitted, in writing, to the Chief Executive.

53. TURNING POINT'S "BOTTLING IT UP" CAMPAIGN

The Mayor presented a report which gave the background to Turning Point's "Bottling It Up" Campaign. The Safer Hartlepool Partnership was leading the development of the Hartlepool Alcohol Harm Reduction Strategy which focuses on alcohol consumption, violence, crime and the wider anti-social effects of alcohol communities. Although there was no specific Government funding available for alcohol treatment, there were two staff located at the Whitby Street Community Drugs Centre with alcohol expertise and GPs now have a contract clause to deliver brief treatment interventions to their patients.

RESOLVED – That the Campaign be supported.

54. BY-ELECTION

Members were reminded of the election of Councillor Pauline Laffey on 20th July 2006. As a result of this election, the Admin Group proposed to make the following changes to the following appointments:-

Licensing Committee – Councillor P Laffey to replace Councillor S Allison
Children's Services Scrutiny Forum – Councillor P Laffey to replace Councillor J Coward

Regeneration and Planning Services Scrutiny Forum – Councillor P Laffey to replace Councillor J Coward

Scrutiny Co-ordinating Committee – Councillor P Laffey to replace Councillor J Coward.

RESOLVED – That the proposed changes, as set out above, be approved.

55. CHANGE TO COMMITTEE MEMBERSHIP

The Labour Group proposed to make the following change to the membership of the Licensing Committee:-

Councillor C Richardson to replace Councillor S Cook

RESOLVED – That Councillor C Richardson be appointed to the Licensing Committee to replace Councillor S Cook.

56. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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 paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

Minute 57 – PCT Reconfiguration - *Chief Executive* (Para 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Minute 58 – The Phoenix Centre – *Chief Executive* (Para 3 – information relating to the financial or business affairs of any particular person (including the Authority holding that information).

57. PCT RECONFIGURATION

At the last Council meeting, a decision on Judicial Review of the Secretary of State's decision regarding the reconfiguration of PCTs was deferred so as to enable further consideration to be given to the issue. Further consideration was given under the confidential section of the minutes.

58. MINUTES OF PROCEEDINGS – PHOENIX CENTRE

A discussion took place details of which can be found within the confidential section of the minutes.

C RICHARDSON

CHAIRMAN



CLEVELAND FIRE AUTHORITY

MINUTES OF ANNUAL MEETING HELD ON FRIDAY, 2 JUNE 2006

PRESENT: **HARTLEPOOL BOROUGH COUNCIL:**
Councillors Payne, Tumilty, Waller
MIDDLESBROUGH COUNCIL:-
Councillors Biswas, Clark, Jones, Mawston, Porley
REDCAR AND CLEVELAND BOROUGH COUNCIL:-
Councillors Briggs, Cooney, Dunning, Forster, Smith, Walker
STOCKTON ON TEES BOROUGH COUNCIL:-
Councillors Brown, Kirton, O'Donnell, Roberts, Walmsley, Woodhead
PROPER OFFICERS:-
Clerk, Legal Adviser, Treasurer
FIRE BRIGADE OFFICERS:-
John Doyle, Ian Hayton,
AUDIT COMMISSION:-
Ross Woodley

APOLOGIES FOR ABSENCE Councillor Allison (Hartlepool)
Councillor Pearson OBE, (Middlesbrough)
Councillor Salt, (Stockton)

1. APPOINTMENT OF CHAIR

The Clerk sought nominations for the position of Chairman of Cleveland Fire Authority for the ensuing year. Councillor Mrs Brenda Forster was subsequently proposed and seconded whereupon nominations were closed.

RESOLVED - that Councillor Mrs Brenda Forster be appointed Chairman of Cleveland Fire Authority for the ensuing year.

Councillor Mrs Brenda Forster in the Chair.

The Chairman thanked Members for their nomination and that she looked forward to continuing working with Members and Officers on the challenges facing the Authority in the coming year. Councillor Forster wished to place on record the Authority's thanks to Councillor Payne for his outstanding Chairmanship over the last two years and presented him with a small memento on behalf of the Authority. Councillor Forster also placed on record the Authority's thanks to Councillors Blott, Smith, Flintoff, Cambridge, Leonard and Jackson for the support and contribution during their time on the Fire Authority. She gave special thanks to Councillor Jackson who had been a Member of the Fire Authority for over 10 years. Councillor Forster also welcomed Councillors Tumilty, Briggs, Smith and Brown to the Authority and welcomed Councillor Kirton on his return to the Fire Authority.

Councillors Cooney and Mawston also extended their thanks to Councillor Payne.

2. APPOINTMENT OF VICE CHAIR

The Chair sought nominations for the position of Vice Chair to Cleveland Fire Authority for the ensuing year. It was subsequently proposed and seconded that Councillor Jones be appointed Vice Chair of Cleveland Fire Authority.

RESOLVED – that Councillor Jones be appointed Vice Chair of Cleveland Fire Authority for the ensuing year.

3. MINUTES

RESOLVED – that the minutes of the Meeting held on 31 March 2006 be confirmed.

4. MINUTES OF COMMITTEES

RESOLVED – that the minutes of the Executive Committee held on 13 April 2006 be confirmed

5. COMMUNICATIONS SENT TO THE CLERK AND THE CHAIRMAN

The Clerk had received a card from Councillor Pearson thanking staff and Members for their best wishes during her recent illness. She also wished to thank Councillor Forster and Paul Joyce for their kindness during the recent Fire Improvement Group Visit. The Chairman wished Councillor Pearson a speedy recovery.

6. REPORT OF THE AUDIT COMMISSION

6.1 AUDIT PLAN 2006/2007

Ross Woodley advised Members of the Audit and Inspection work proposed to be undertaken by the Audit Commission in 2006/07. He also advised Members that the Audit Commission had recently appointed Steve Nicklin as Relationship Manager of Cleveland Fire Authority who is the Audit Commission's primary point of contact with the Authority and is also the interface at local level between the Commission and other Inspectorates.

RESOLVED – that the report be noted.

7. REPORTS OF THE CLERK TO THE AUTHORITY

7.1 BUSINESS REPORT

The Clerk submitted a report detailing the revised schedule of Authority meetings, role of CFA Members and Committee structure for 2006/07 and sought Member representatives on outside bodies.

In relation to resolution (iii) below a vote was taken on the recommendation that Policy and Executive Committee Members cannot be members on Scrutiny Committees. The recommendation was carried with fourteen votes for and six against.

RESOLVED -

- (i) that the revised schedule of Meetings and Committees of the Authority (Appendix A) and role of CFA Members (Appendix B) be approved.
- (ii) that a Member of a Non Controlling Group be nominated as Chair of the Service Delivery Scrutiny Committee.

7 (c)

- (iii) that the Policy and Executive Committee members cannot have membership on the Scrutiny Committees.
- (iv) that the Policy Committee membership be the same as the Executive Committee membership.
- (v) that the Cleveland Fire Authority Meeting and Committee structure, terms of reference and membership as defined in Appendices C – F be approved.
- (vi) that the Chair, Vice Chair and Head of Democratic and Member Services discuss the nominations for an independent member on the Policy and JCC Committees.
- (vii) that the quorum for Committees be reduced from 5 to 4 Members.
- (viii) that informal briefing meetings be held for all Authority Members prior to the bi monthly Cleveland Fire Authority meetings.
- (ix) that the Safer Partnership representatives meet quarterly and report to the full CFA on their achievements and future activities.
- (x) that the Chairman, Vice Chair and Chief Fire Officer hold regular briefings.

7.1.1 APPOINTMENT TO COMMITTEES

The following nominations were made to the following Committees:

POLICY COMMITTEE (4 -1 -1 -1)

HARTLEPOOL BOROUGH COUNCIL:-	Councillors Allison, Payne
MIDDLESBROUGH BOROUGH COUNCIL:-	Councillors Jones, Mawston, Pearson
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillor Forster
STOCKTON ON TEES BOROUGH COUNCIL:-	Councillor O'Donnell

STANDARDS COMMITTEE (2 – 1) plus 2 independent persons

Majority Member:-	Councillor Clark
Majority Member:-	Councillor Briggs
Minority Member:-	Councillor Salt

SERVICE DELIVERY SCRUTINY COMMITTEE (4 -1 – 1 – 1)

HARTLEPOOL BOROUGH COUNCIL:-	Councillor Waller
MIDDLESBROUGH BOROUGH COUNCIL:-	Councillor Porley
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillors Cooney, Dunning, Smith
STOCKTON ON TEES BOROUGH COUNCIL:-	Councillors Brown, Roberts

PERFORMANCE SCRUTINY COMMITTEE (4 – 1 – 1 - 1)

MIDDLESBROUGH BOROUGH COUNCIL:-	Councillors Biswas, Porley,
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillors Briggs, Walker
STOCKTON ON TEES BOROUGH COUNCIL:-	Councillors Brown, Walmsley, Woodhead

EXECUTIVE COMMITTEE (4 - 1 - 1 - 1)

HARTLEPOOL BOROUGH COUNCIL:-	Councillors Allison, Payne
MIDDLESBROUGH BOROUGH COUNCIL:-	Councillors Jones, Mawston, Pearson
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillors Forster
STOCKTON ON TEES BOROUGH COUNCIL:-	Councillors O'Donnell

TENDERS COMMITTEE (2 - 1)

Chairman	-	Councillor Forster
Vice Chair		Councillor Jones
Minority Member		Councillor Woodhead

APPEALS COMMITTEE (2 – 1)

Majority Member:-	Councillor Forster
Majority Member:-	Councillor Jones
Minority Member:-	Councillor Walker

JOINT CONSULTATIVE COMMITTEE (4 – 1 – 1 – 1)

HARTLEPOOL BOROUGH COUNCIL:- Councillors Allison, Payne, Tumilty
MIDDLESBROUGH BOROUGH COUNCIL:- Councillors Jones, Pearson
REDCAR & CLEVELAND BOROUGH COUNCIL:- Councillor Forster
STOCKTON ON TEES BOROUGH COUNCIL:- Councillor Kirton

RESOLVED - that the Committees as detailed in Appendix D to the report be constituted with the Membership as indicated above.

7.1.2 TERMS OF REFERENCE AND DELEGATED POWERS OF COMMITTEE

RESOLVED – that the Terms of Reference and Delegated Powers of Committees as set out at Appendix E to the report be approved and adopted.

7.1.3 APPOINTMENT TO OUTSIDE BODIES

Members nominations were sought for representatives and substitutes to the Local Government Association, Regional Management Board (RMB), CDRP/Safer Partnership Forums and Hartlepool Local Strategic Partnership Board as outlined at Appendix G.

RESOLVED -

- (i) that Councillor Forster or substitute be appointed as the LGA representative for the ensuing year.
- (ii) that the Chairman and Vice Chair and Councillors Pearson and Mawston be appointed as the RMB representatives for the ensuing year and that Councillors Payne, O'Donnell, Cooney and Roberts be the named substitutes for the RMB for the ensuing year.
- (iii) that Councillor Waller be appointed on the Safer Hartlepool Partnership, Councillor Jones be appointed on the Safer Middlesbrough Partnership, Councillor Forster be appointed to the Redcar Community Safety Partnership and Councillor Kirton be appointed to the Safer Stockton Partnership for the ensuing year.
- (iv) that Councillor Payne be appointed on the Local Strategic Partnership Board, Councillor Jones act as substitute to the Executive Director on the Middlesbrough Strategic Partnership Board, that Councillor Forster act as substitute for the Executive Director on the Redcar & Cleveland Strategic Partnership Board and Councillor Kirton act as substitute for the Stockton District Manager on the Stockton Strategic Partnership Board.
- (v) that the Chairman, Vice Chair, Councillors Payne, Mawston and Pearson OBE, Proper Officers and Brigade Managers make up an established Working Party to review the Delegated Powers of Officers as a result of the Fire and Rescue Services Act 2004. The current Delegated Powers are outlined at Appendix H.

7.1.4 FINANCIAL PROCEDURE RULES

RESOLVED – that the Financial Procedure Rules as set out in Appendix I to the report, be approved and adopted.

7.1.5 STANDING ORDERS AND CONTRACT PROCEDURE RULES

Attached at Appendix J are the revised Standing Orders which include Scrutiny Committees and the Contract Procedure Rules.

RESOLVED – that the Standing Orders for the Regulation of Proceedings and Business and the Contract Procedure Rules as set out in Appendix J be approved and adopted.

7.1.6 APPROVED POLICIES OF THE BRIGADE

Attached at Appendix K for Members endorsement were the approved policies of the Authority.

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RESOLVED – that the approved policies of the Authority as outlined at Appendix K be endorsed.

7.1.7 MEMBERS DEVELOPMENT

Councillor Waller reported that it would be helpful if Members only had to undergo training once in certain subject matters e.g. codes of conduct or equality and diversity, rather than have to repeat the training on each outside bodies Members were appointed to. Attached at Appendix L was the Members Development Programme for 2006/07.

RESOLVED – that the Members Development Programme for 2006/07 as outlined at Appendix L be approved.

7.1.8 MEMBER VISITS TO FIRE STATIONS

The Clerk sought Members views on how they wished a programme of Member visits to Fire Stations be established throughout the year. Councillor Payne reported that a Member should be able to visit a station after giving 24 hours notice and also felt it would be beneficial to arrange Member Awareness Days in each of the Districts. He also requested that Borough Council elected Members be invited to events within their own District.

RESOLVED –

- (i) that Members agreed that visits to fire stations could be undertaken following 24 hour notice.
- (ii) that Members agreed that a Member Awareness Day be held in each of the Districts.
- (iii) that Borough Council Members also be invited to events within their own District.

7.1.9 INDEPENDENT REMUNERATION PANEL

The Membership of the Independent Remuneration Panel be noted.

7.1.10 MEMBER CHAMPIONS

The Clerk sought Members nominations for an Equality and Diversity Champion and an E-Government Champion.

RESOLVED – that Councillor Biswas be the Equality and Diversity Champion and Councillor Dunning the E-Government Champion.

7.2 LOCAL STRATEGIC PARTNERSHIPS – 14 JULY 2006

The Clerk sought Members wishes in respect of Member attendance at the Local Strategic Partnerships Conference "After the White Paper" on 14 July 2006 which also coincided with the planned Member Development Day.

RESOLVED – that Councillor Kirton attend the Local Strategic Partnerships Conference on 14 July 2006 in London.

7.3 FIRE CONFERENCE & EXHIBITION – 8-9 NOVEMBER 2006

The Clerk sought Members wishes regarding Member attendance at the Fire 2006 Conference and Exhibition.

RESOLVED - that the Chairman, Vice Chair and a Member of a minority party attend the Fire 2006 Conference and Exhibition.

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**7.4 FIRE CONTROL AND FIRELINK NORTH EAST – SENIOR STAKEHOLDER SEMINAR –
7 JUNE 2006**

The Clerk sought Members wishes regarding Member attendance at the FireControl and Firelink North East Senior Stakeholder Seminar on 7 June 2006 in Tyne and Wear Fire and Rescue Service Headquarters, Washington and asked that they confirm their attendance to the Head of Democratic and Member Services. It was also agreed that Member attendance at any future free regional Seminars be approved by the Head of Democratic and Member Services in consultation with the Chairman of the Authority.

RESOLVED –

- (i) that Members confirm their attendance at the FireControl and Firelink North East Senior Stakeholder Seminar on 7 June 2006 in Tyne and Wear Fire and Rescue Service HQ, Washington to the Head of Democratic and Member Services
- (ii) that Member attendance at free regional Seminars be approved by the Head of Democratic and Member Services in consultation with the Chairman of the Authority.

7.5 CLERK TO THE AUTHORITY'S INFORMATION PACK

7.5.1 Member Attendances at Conferences

7.5.2 Contact Telephone Numbers

RESOLVED – that the report be noted.

**8. REPORT OF THE VICE CHAIRMAN
FIRE AUTHORITY IMPROVEMENT GROUP OVERSEAS VISIT**

Councillor Forster briefed Members on the learning outcomes from the member/officer performance improvement visit to a diverse array of USA Fire Departments that took place between 22 April and 1 May 2006. Councillor Forster stated that although the visit was hard work it had been worthwhile, 'good value for money' and extremely beneficial to be given the opportunity to share information with the American Fire Departments.

The Clerk advised Members that the Policy Committee would be considering the way forward in relation to national policy issues of residential sprinklers and emergency medical services and that further reports on the local policy development issues would also be considered by the Policy Committee to determine the way forward. He also acknowledged the importance of encouraging the development of a wider improvement network to generate good practice and innovative approaches in community safety.

The Chief Fire Officer congratulated Members on the Authority's resolution for the Improvement Group Overseas Visit. He referred that staff from the USA Fire Departments were staggered at the amount of community safety work being carried out within Cleveland and recognised that Cleveland are leading the country in certain areas. The Chief Fire officer advised Members that in America the Mayor appoints a Fire Chief and residential sprinklers are dealt with by City Auditors. He also reported that Cleveland Fire Brigade's Uniform Policy would be revisited. Councillor Forster added that the representative from the Fire Brigade's Union was an asset to the team and had enabled some great ideas to be brought back. Councillor Forster stated that she had asked for an executive summary to be produced for circulation.

Councillor Dunning referred to the large number of women firefighters in America and enquired as to the selection criteria used at recruitment of the firefighters. The Chief Fire officer replied that there had been changes recently to our firefighter selection test.

RESOLVED –

- (i) that the report be noted.

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- (ii) that National Policy issues of residential sprinklers and emergency medical services be referred to the Policy Committee to consider the way forward.
- (iii) that further reports on the local policy development issues should be considered by the Policy Committee to determine the way forward.
- (iv) that the development of a wider improvement network to generate good practice and innovative approaches in community safety be encouraged.
- (v) that the Executive Director provide an Executive summary of the report.
- (vi) that the Cleveland Fire Brigade Uniform Policy be revisited.

9. REPORTS OF THE CHIEF FIRE OFFICER

The Chief Fire Officer conveyed his thanks to Councillor Payne for his term as Chairman of Cleveland Fire Authority and stated that Cleveland would continue to work towards being the best Fire and Rescue Service in the UK. He passed his congratulations to the Chairman and Vice Chair on their appointments and welcomed Members to the meeting.

9.1 REGIONAL MANAGEMENT BOARD – 28 APRIL 2006

9.1.1 REGIONAL CONTROL CENTRE GOVERNANCE

The Chief Fire Officer requested Members to consider the Regional Management Board recommendations and resolutions of the Regional Control Centre Governance report considered at its meeting of 28 April 2006.

RESOLVED –

- (i) that Members considered the recommendations of the Regional Management Board.
- (ii) that Members noted the response to the consultation on the governance arrangements.
- (iii) that Members approved the creation of a local authority company to manage the North East RCC.
- (iv) that Members agreed to the recommendation of the RMB to establish a working group involving Chief Fire Officer R. Bull and the four Chairs to explore the options and report back to the Board for ratification.

9.1.2 REGIONAL MANAGEMENT BOARD - REPORTS FOR INFORMATION

The Chief Fire Officer outlined the following reports for Members information: Minutes of 17 March 2006, Dates, Times and Venues of future meetings, NEFRA: Gateway Review II: Procurement Approval.

RESOLVED – that the minutes and reports as outlined be noted.

9.2 AUTHORITY IMPROVEMENT GROUP

The Chief Fire Officer sought Members approval for visits to Merseyside and Staffordshire Fire Authorities and their views regarding Member representation on the Fire Authority Improvement Group. At the Cleveland Fire Authority meeting on 25 November 2005, Members resolved the formation of an improvement partnership with Merseyside and Staffordshire Fire Authorities. The improvement partnership would work to the mutual benefit of all three Authorities involved and a report would be produced detailing a programme of work designed to deliver mutual advantage.

RESOLVED –

- (i) that Chairman, Vice Chair, two Labour Members and two Members of a minority group be the representatives on the Fire Authority Improvement Group.
- (ii) that Members approved visits to Merseyside and Staffordshire Fire Authorities as part of the Authority Improvement Group Programme.
- (iii) that Members agreed Cleveland host a visit from Merseyside and Staffordshire Fire Authorities as part of the Authority Improvement Group Programme.

10. REPORT OF THE SCRUTINY (SERVICE DELIVERY) CHAIRMAN

10.1 SAFETY IMPROVEMENT PLAN 2006/07 IMPLEMENTATION PROGRAMME

The Chair of the Scrutiny Committee sought Members approval on the recommendations of the Scrutiny (Service Delivery) Committee in relation to the scrutiny review of the Safety Improvement Plan 2006/07 Implementation Programme. A Special Meeting had taken place prior to the annual meeting and the following recommendations were proposed.

RESOLVED –

- (i) that the report be noted.
- (ii) that each Phase of the Safety Improvement Plan 2006/07 Implementation Programme be implemented.
- (iii) that the Scrutiny (Service Delivery) Committee scrutinise each of the three phases of the programme, 6 months after implementation, to ensure that the outcomes identified have been achieved and that there has been no detrimental effect on any other area of the services provided by Cleveland Fire Brigade.
- (iv) that during the Implementation of each Phase of the Safety Improvement Plan, a proposal be submitted to the Scrutiny (Service Delivery) Committee for consideration detailing the potential information sources which could be utilised for reviewing/monitoring purposes.
- (v) that Phase 2 of the Safety Improvement Plan Implementation Programme (crew size adjustments requirement at Thornaby and Redcar) is not undertaken until the evaluation of the minimum staffing requirements at Billingham is considered by the Service Delivery Scrutiny Committee on 1 December 2006 and a Special CFA called in December to discuss the recommendations of the Scrutiny Committee.

11. REPORT OF THE PERFORMANCE SCRUTINY CHAIR & EXECUTIVE DIRECTOR PERFORMANCE SUMMARY REPORT 2005/06

The Executive Director provided Members with a provisional summary of the Brigade's annual performance against Best Value and Home Office Indicators for 2005/06. He advised Members that it was pleasing to note that overall the organisation have worked toward a 25% total reduction in fires.

RESOLVED – that Members noted the report.

12. REPORTS OF THE EXECUTIVE DIRECTOR

12.1 FIRE AND RESCUE PERFORMANCE FRAMEWORK 2006/07

The Executive Director gave Members an overview of the Fire and Rescue Performance Framework 2006/07. He detailed the three areas for assessment: Service assessment, Direction of Travel and Use of resources. In April of this year the Audit Commission published its plans to build upon the Fire CPA process to monitor how well Fire Authorities are improving in delivering services to local people. The Audit Commission's proposals are set out in the "Fire and Rescue – Performance Framework 2006/07" which had been published, initially as a consultation document to invite feedback from Fire Authorities. The Executive Director highlighted the high levels of deprivation currently affecting the performance indicators. Councillor Dunning commented that it was positive that the Audit are now taking notice of the high levels of deprivation in the area.

The Executive Director highlighted for Members that the Performance Framework would determine signs of significantly improving or deteriorating performance and would be measured through a corporate assessment that could result in re-categorisation. Re-Categorisation would be subject to further consultation in the autumn of 2006 and a report would be brought back to the Fire Authority. The deadline for feedback submissions to the Fire and Rescue Performance Framework 2006/07 was 30th May 2006 following which the Audit Commission would publish their confirmed framework in July 2006. The Executive Director asked Members to note the letter from Councillor Payne (as Chairman) to Andrew Hughes, Fire and Rescue Service Policy Lead at the

7 (c)

Audit Commission and asked them to note the contents of the formal consultation response to the Audit Commission attached to the letter.

RESOLVED –

- (i) that Members noted the content and proposals of the draft FRS Performance Framework.
- (ii) that Members noted the implications and issues arising from the Framework and considered the role of Scrutiny in supporting the achievement of the best outcome for the Authority.
- (iii) that Members noted the contents of the formal consultation response to the Audit Commission.
- (iv) that Members engage proactively to raise political and local awareness of the potential negative impacts of the proposed framework as it is applied to the Cleveland Fire Authority.
- (v) that Members of the Cleveland Fire Authority receive further reports on Re-Categorisation.

12.2 TRANSFER OF OWNERSHIP OF LAND

The Executive Director advised Members of the proposed transfer of land from One NorthEast to Cleveland Fire Authority and sought Members approval for the Authority's Legal Adviser to prepare and execute the relevant land transfer documentation.

RESOLVED – that Members approved that the Legal Adviser prepare and execute the relevant land transfer documentation.

12.3 INFORMATION PACK NO. CFA 56 – MAY 2006

- 12.3.1 Fire Brigades National Employers Circulars
- 12.3.2 Fire and Rescue Service Circulars
- 12.3.3 Corus Teesside Works & CFB Fire Safety Competition for Local Secondary Schools
- 12.3.4 Equality Impact Assessments

RESOLVED – that the report be noted.

13. REPORT OF THE TREASURER TO THE AUTHORITY

13.1 MEMBERS ALLOWANCES

The Treasurer informed Members that the Independent Remuneration Panel had carried out a review of the Members Allowances Scheme and asked Members to consider their recommendations (Appendix 2). Members were also asked to note the report and approve the amended Members Allowances Scheme as attached at Appendix 1.

RESOLVED –

- (i) that Members considered the recommendations of the Independent Remuneration Panel and agreed to the proposed recommendations as follows:-
 - a) that members' Basic Allowance be increased to £2,000
 - b) the SRA of Performance Scrutiny Chair be increased (x 0.5 basic) to £1,000
 - c) the SRA of Service Delivery Scrutiny Chair be increased (x 1.75) to £3,500
 - d) the SRA of the Vice Chairman be increased (x 2 basic) to £4,000
 - e) the SRA of the Chairman be increased (x 4 basic) to £8,000
 - f) that the Independent Remuneration Panel review the Members Allowance Scheme in 6 months' time.
- (ii) that Members approved the amended Members Allowances Scheme as attached at Appendix 1 of the report.

13.2 ARRANGEMENTS FOR APPROVING THE STATEMENT OF ACCOUNTS

The Treasurer asked Members to consider the arrangements for approving the Statement of Accounts and that the authority be delegated to the Executive Committee.

RESOLVED –

- (i) that the authority to approve the Statement of Accounts be delegated to the Executive Committee on a permanent basis, subject to the usual annual review of delegated power.
- (ii) that the Statement of Accounts be presented to the Executive Committee Meeting on 30 June 2006.

13.3 TREASURY MANAGEMENT STRATEGY 2006/07

The Treasurer provided a review of the Treasury Management for the financial year 2005/2006 and outlined the Treasury Management Strategy for 2006/2007. He advised Members that the Authority had undertaken strategic borrowing which would meet its requirements for the next three financial years. This has enabled it to lock into historically low interest rates and ensure stability for the revenue budget. Further borrowing would not be required in the current year.

RESOLVED –

- (i) that the contents of the report be noted.
- (ii) that Members approved the Treasury Management Strategy 2006/07.

14. ANY OTHER BUSINESS

Councillor Biswas referred to the incident at the Terra plant in Billingham on 31 May 2006 and expressed his disappointment that the firefighters had not been commended in the press for their outstanding work carried out at the plant which resulted in the fire being brought under control quite quickly. He felt the Fire Brigade could work in conjunction with the local press office in briefing the public at the time of such an incident.

Members requested that a letter be sent to the firefighters involved congratulating them on their remarkable work and also that a press statement be released.

RESOLVED –

- (i) that Members agreed that a press statement be sent to the local press on the remarkable efforts of firefighters in controlling the fire at Billingham Terra plant on 31 May 2006.
- (ii) that Members agreed that letters be sent to the firefighters commending them for their efforts on 31 May 2006.

15. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED - "That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 3 and 7 of Schedule 12A to the Act namely information:- relating to any individual; relating to the financial or business affairs of any particular person (including the Authority holding that information); relating to the financial or business affairs of a particular person (other than the Authority)"

16. MINUTES

RESOLVED – that the Confidential Minutes of Proceedings of the Cleveland Fire Authority Meeting held on 31 March 2006 be confirmed.

17. MINUTES

RESOLVED – that the Confidential Minutes of Executive Committee – 13 April 2006 be confirmed.

18. REPORT OF THE CHIEF FIRE OFFICER

18.1 REGIONAL MANAGEMENT BOARD – 28 March 2006

RESOLVED – that the minutes of 17 March 2006 Part II be noted.

**COUNCILLOR MRS BRENDA FORSTER JP
CHAIRMAN**

COUNCIL

14 September 2006



Report of: Scrutiny Co-ordinating Committee

Subject: FORMAL RESPONSE TO THE 'COMMITTEE ON
RADIOACTIVE WASTE MANAGEMENT (CORWM)
SCRUTINY REFERRAL

1. PURPOSE OF THE REPORT

- 1.1 To report the Scrutiny Co-ordinating Committee's recommended course of action in relation to the Council's involvement in any future consultation arrangements of the work undertaken by the CORWM, referred by Full Council on 13 April 2006 to the Overview and Scrutiny Function.

2. BACKGROUND INFORMATION

- 2.1 At a meeting of the Council held on 13 April 2006, Members views were sought on the CORWM's recommended option(s) for the long term management of solid radioactive waste. Given the severity of the long term implications, it was agreed that it was premature to discuss the issue at the Council meeting, in advance of all relevant information being available to Members.
- 2.2 It was subsequently resolved by those Members present at the Council meeting that an officer of the Authority was to attend a further meeting in May 2006 and report back to Council with a report on all the options to allow full discussion and consultation, involving the Neighbourhood Forums and the Scrutiny Co-ordinating Committee (Minute 151 refers).
- 2.3 To assist Members in responding to the mandatory Scrutiny Referral, at the meeting of the Scrutiny Co-ordinating Committee held on 4 August 2006, an overview of the work undertaken to date by the CORWM was provided jointly by the Assistant Director (Planning and Economic Development) and the Scrutiny Manager. Additional information was also provided verbally throughout the debate by the Principal Environmental Health Officer, the nominated officer who attended the event in May 2006.

3. FINDINGS

- 3.1 CORWM was appointed jointly by Ministers of the UK Government and the administrations of Northern Ireland, Scotland and Wales, to oversee a review of options for managing solid radioactive waste in the UK and recommend the option(s) that can provide a long-term solution, providing protection for people and the environment.
- 3.2 Members understood the importance to note that CORWM was considering different types of long term storage or disposal but was not assessing specific locations.
- 3.3 It was evident that the Committee had taken a phased approach to its work:
- (a) producing an inventory of wastes requiring management;
 - (b) identifying a long-list and then a short-list of options for managing the wastes in the long term;
 - (c) producing detailed criteria for assessing options;
 - (d) assessing the short-listed options against the criteria; and
 - (e) producing recommendations on how to manage the wastes and advice on how these could be implemented
- 3.4 Members were informed that CORWM had recently published its finalised report and recommendations on the long-term waste management option(s) to Government. It was understood that CORWM may continue in existence through to November 2006 to undertake some further work on the ways by which recommended management option(s) should be implemented.
- 3.5 In these circumstances, it was envisaged that there may, in due course be opportunities for the Council to respond to:-
- (a) the Government's response to the CORWM recommendations; and/or
 - (b) any further consultation which CORWM undertake in connection with their ongoing work on implementation.

4. CONCLUSION

- 4.1 Based on the information presented to the Scrutiny Co-ordinating Committee, Members concluded that there was clearly no immediate need or opportunity for the Council to comment in response to a consultation process, although it would be advantageous to make CORWM's report and recommendations the subject of a Members' Seminar.

- 4.2 In this way, Members would be suitably informed to assist any discussions and response to future consultation opportunities.
- 4.3 With regard to the arrangements for the proposed Members Seminar, Members were of the view :-
- (a) That the Seminar be repeated on an evening to accommodate those Elected Members with work commitments;
 - (b) That representation from CORWM be invited, subject to their capacity to attend such events; and
 - (c) That the Seminar be held at the earliest opportunity.

5. RECOMMENDATION

- 5.1 That in response to the Scrutiny Referral, Council endorses the recommendation of the Scrutiny Co-ordinating Committee to hold a Members Seminar on this issue in accordance with the organisational arrangements outlined earlier in this report (paragraph 4.3 refers).

COUNCILLOR MARJORIE JAMES CHAIR OF SCRUTINY CO-ORDINATING COMMITTEE

August 2006

Contact:- Charlotte Burnham – Scrutiny Manager
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council
Tel: 01429 523 087
Email: charlotte.burnham@hartlepool.gov.uk

BACKGROUND PAPERS

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

- (i) Decision Record of Council held on 13 April 2006.
- (ii) Joint Report of the Assistant Director (Planning and Economic Development) and the Scrutiny Manager entitled 'Committee on Radioactive Waste Management (CORWM) Scrutiny Referral – Progress Report' presented to the Scrutiny Co-ordinating Committee held on 4 August 2006.
- (iii) Draft Report of the Chair of the Scrutiny Co-ordinating Committee entitled 'Formal Response to the 'Committee on Radioactive Waste Management

(CORWM)' Scrutiny Referral' presented to the Scrutiny Co-ordinating Committee on 1 September 2006.

- (iv) Minutes of the Scrutiny Co-ordinating Committee held on 4 August 2006 and 1 September 2006.

COUNCIL

14 September 2006



Report of: Scrutiny Co-ordinating Committee

Subject: FINAL REPORT – ‘CLOSURE OF HARTLEPOOL COLLEGE OF FURTHER EDUCATION’S ON-SITE NURSERY FACILITY’ SCRUTINY REFERRAL

1. PURPOSE OF REPORT

- 1.1 To present the findings of the Scrutiny Co-ordinating Committee following its consideration of the decision of the Hartlepool College of Further Education (HCFE) to close its on-site nursery facility, known as First Steps, as referred by Council on 27 July 2006 to this Committee.

2. BACKGROUND INFORMATION

- 2.1 At a meeting of Full Council on 27 July 2006, Council unanimously approved the following motion (Minute 38 refers):-

‘That the Council resolves to scrutinise the decision to close of the nursery of the HCFE in the context of gaining a fuller understanding of the College’s underlying financial position and any alternative sources of funding; and

That a letter be sent to the governing body of the HCFE informing them of the Council’s resolution and concerns expressed during the meeting and requesting that the College puts on hold its action to close the nursery until the Scrutiny process has concluded.’

- 2.2 During the meeting there was considerable debate on this issue and after much discussion Members stressed the importance of the matter being referred to the Scrutiny Co-ordinating Committee, to enable a full and extensive investigation to be undertaken, emphasising the importance of listening to the views and obtaining evidence from the HCFE and students who currently use the on-site nursery facility.
- 2.3 Subsequently, at a meeting of Scrutiny Co-ordinating Committee held on 4 August 2006, the proposed Terms of Reference and Timetable for the undertaking of the Scrutiny Referral were agreed, as outlined in paragraphs 4 and 5 of this report.

3. SETTING THE SCENE

- 3.1 Until the recent closure of the HCFE's on-site nursery, the College offered on-site child minding facilities for children aged 6 weeks to 5 years old through their First Steps Nursery both to HCFE students and to members of the public during term-time.
- 3.2 The on-site nursery was able to accommodate 48 child places, however, the nursery had ran at an increasing deficit despite the many efforts over the last five years to turn it around.
- 3.3 In light of the considerable financial pressures currently being faced by the HCFE in relation to the substantial deficit forecast during the 2005/06 financial year and the project shortfall of future funding. The HCFE's Board of Governors took the decision to not re-open the nursery on 29 August 2006 on the basis of its overall financial position that had resulted in approximately 40 redundancies, 13 of which are nursery staff during their 2005/06 financial year.

4. OVERALL AIM OF THE SCRUTINY REFERRAL

- 4.1 The overall aim of the Scrutiny Referral was to gain an understanding of the circumstances and process leading to the decision of the HCFE to close their on-site nursery facility known as 'First Steps' and to explore any possible options which the HCFE had available for the retention of such facility.

5. TERMS OF REFERENCE FOR THE SCRUTINY REFERRAL

- 5.1 The Terms of Reference for the Scrutiny Referral were as outlined below :-
 - (a) To gain an understanding of the circumstances and process leading to the decision of the HCFE to close their on-site nursery facility with particular reference to marketing, usage and demand;
 - (b) To explore what options the HCFE considered to enable the continuation of the on-site nursery facility with particular reference to funding issues and further marketing; and
 - (c) To examine the impact of the loss of such facility in relation to those parents or carers using the facility.

6. MEMBERSHIP OF THE SCRUTINY CO-ORDINATING COMMITTEE

- 6.1 The membership of the Committee were as detailed overleaf:-

Councillors S Allison, Barker, Clouth, R Cook, Fleet, Gibbon, Hall, James, Laffey, A Marshall, J Marshall, Preece, Shaw, Wallace, Wistow and Wright.

Resident Representatives: E Leck, L Shields and J Smith.

7. METHODS OF INVESTIGATION

7.1 Members of the Committee met formally between 4 August 2006 and 1 September 2006 to discuss and receive evidence relating to this Scrutiny Referral and a detailed record of the issues raised during these meetings are available from the Council's Democratic Services.

7.2 A brief summary of the methods of investigation are outlined below :-

- (a) Verbal evidence from the Town's Member of Parliament;
- (b) Verbal evidence (supported by a presentation and background papers) from the Principal/Chief Executive of the HCFE;
- (c) Verbal evidence from the Authority's Children's Centre and Childcare Co-ordinator;
- (d) Verbal evidence from Ward Councillors;
- (e) Verbal evidence from two nominated spoke persons on behalf of the Students and Parents whose children attended the First Steps Nursery;
- (f) Written evidence from the Partnership Director of the Learning and Skills Council Tees Valley; and
- (g) Briefing reports of the Scrutiny Manager that provided the relevant background information and key documentation.

8. FINDINGS

8.1 THE CIRCUMSTANCES AND PROCESS LEADING TO THE DECISION OF THE HCFE TO CLOSE THE ON-SITE NURSERY FACILITY

8.2 Members were informed of the sequence of events (**Appendix A refers**) that led to the decision being made by the HCFE's to not re-open their on-site nursery facility at the start of their new 2006/07 financial year that commenced on 1 August 2006.

8.3 It was evident that as a result of the national withdrawal of the Job Centre Plus New Deal Contracts, changes in Government Policy, along with the increasing financial pressures being faced by the HCFE resulted in approximately a £900k deficit forecast during the 2005/06 financial year.

Action was therefore required to ensure a stable and sustainable financial base was to be achieved at the start of the 2006/07 new financial year.

- 8.4 It was against this background that the HCFE began to consider all of the 'growth potential' options available and of the actions that needed to be taken in September 2005.
- 8.5 Members acknowledged the challenge placed upon the HCFE given there were clearly areas of growth which were subject to 'capping' arrangements and that there were some areas forecasted that would be 'cut' in the years ahead.
- 8.6 In October and November 2005, it became evident to the HCFE that significant action was required to make up the shortfall in income for the 2005/06 financial year and in December 2005, six members of staff delivering the New Deal Contract were made redundant.
- 8.7 Over a period of time thorough reviews of the operation of all of areas of the College's work were undertaken by Senior Managers with a view to identifying areas where savings could be made. Such interim reviews informed the joint discussion on the way forward between the HCFE's Board and the Sub-Committees during an off-site event held in May 2006.
- 8.8 Significant efforts had also been made throughout this difficult process to ensure that the HCFE's staff were briefed on a regular basis in relation to the financial pressures being faced by the HCFE.
- 8.9 With regard to the position of the First Steps Nursery, documentation submitted to the Committee evidenced that during the last 2005/06 financial year the occupancy of the nursery had been averaging at approximately 47% of its total capacity and of that 47%, 10% (ie 5 students) of the total capacity was taken up by students of the HCFE. Furthermore the HCFE had underwritten the substantial losses since at least 1998, equating to approximately £300k during the last 5 years alone in order to maintain what was predominately a commercial service for professional clients and was now no longer in the position to further underwrite losses due to the financial pressures being faced across their organisation.
- 8.10 It was with regret that on 23 June 2006 the Principal/Chief Executive and the Assistant Principal met with the Nursery Manager and nursery staff (as part of the formal consultation process) to explain the agreed proposals which involved the closure of the on-site nursery facility, as part of the 40 redundancies being faced across a wide range of the HCFE services (13 of which were nursery staff).
- 8.11 Arrangements were further made during July 2006 to meet with parent representatives of the nursery, the Council's Elected Mayor and senior officers to discuss any options eg funding, 'take over' by private provider available to enable the continuation of the on-site nursery facility (as outlined in further detail in paragraph 8.13).

- 8.12 The Committee heard that the HCFE had explored various options to retain the facility and that it was with regret that the Board were faced with no alternative option to close their on-site nursery provision as part of one of the proposals to assist in the establishment of a stable and sustainable financial base for the HCFE during the 2006/07 financial year.

8.13 THE OPTIONS EXPLORED BY THE HCFE TO ENABLE THE CONTINUATION OF THE ON-SITE NURSERY FACILITY

- 8.14 The Committee was informed that in early July 2006, various options had been explored by the HCFE to enable the continuation of the on-site nursery facility. Approaches had been made directly to the Headteacher of Ward Jackson Primary School, located in Hartlepool and the First Steps Nursery Parents Group, to take over the day to day running of the facility on a rent free basis for a two year period, regrettably with neither of the offers being taken up.

- 8.15 Contact was also made with the Council's Children's Services Department to consider how the nursery's funding shortfall could be bridged together with the possibility of the nursery being taken over by a private provider, again such efforts proved unsuccessful.

- 8.16 In light of the evidence presented to the Committee, Members expressed concern that limited or in fact no marketing of the facility had been undertaken to increase the nursery's usage. In response to such concerns the Principal/Chief Executive of the HCFE confirmed that the on-site nursery provision was not seen as the core business of the College even though the HCFE had over the last 5 years undergone substantial losses (in excess of £300k) on the nursery in order to maintain what was predominately a commercial service for 'external' clients.

8.17 THE IMPACT OF THE LOSS OF THE HCFE'S ON-SITE NURSERY FACILITY

- 8.18 The Committee were presented with various documentation that outlined the over supply of day care nursery provision in Hartlepool as of August 2006, attached as **Appendix B**.

- 8.19 Members reached the view that the loss of such facility would not cause undue hardship given the level of high quality day care nurseries (of the same OFSTED Inspection rating) exceeded demand. Although it was acknowledged that there would be a level of inconvenience with individuals not being able to have their child on-site whilst attending the HCFE. However, in the context of research, it had been also been established that preference of day care nursery facilities had a tendency to be nearer to the family home for practical purposes.

9. CONCLUSIONS

9.1 The Scrutiny Co-ordinating Committee concluded:-

- (a) That the HCFE had fully co-operated with this Committee in the undertaking of the Scrutiny Referral in an open and transparent manner whilst acknowledging that they had no mandatory obligation to do so;
- (b) That the HCFE had over the last 5 years underwritten substantial losses (in excess of £300k) on the nursery in order to maintain what was predominately a commercial service for 'external' clients as evidence also clearly demonstrated that of those using the nursery provision, only one in ten were students;
- (c) That the HCFE was currently facing significant financial pressures due to the withdrawal of the New Deal Contract/future funding arrangements and that it was a fair business judgement to close the on-site nursery in light of its under occupancy levels, its significant running losses over the last five years and the over supply of day care nursery places within Hartlepool;
- (d) That the HCFE had explored various options to continue the running of on-site nursery facility with various partners such as a two year rent free proposal to the Ward Jackson Primary School and also the First Steps Nursery Parents Group together with the possibility of leasing/selling to a private provider if approached although marketing of the on-site facility over the recent years was not seen as their core business;
- (e) That 56% (449 out of total of 802) of the registered day care nursery full time equivalent placements in Hartlepool were vacant at the time of the undertaking of this enquiry and that this shortfall of demand needed to be understood and addressed;
- (f) That of the 14 day care nursery providers in Hartlepool:-
 - (i) Eight offered term time only places with a small retainer charge to retain a place in addition to their all year round care;
 - (ii) Six out of eight nurseries that provided term-time provision had obtained the 'Good' OFSTED Inspection Grade when last subject to Inspection;
 - (iii) All had HCFE students using their provision as part of their customer base that included individuals who had childcare subsidised through the Learner Support Fund of the HCFE; and
 - (iv) The number of places in the 14 day nurseries met the Government target for the town. Thus, the Committee questioned whether the take-up rate of 56% (within the town) represented a deficiency in demand rather than an excess in supply.

- (g) That the impact of the loss of such facility would be primarily one of inconvenience as opposed to having a detrimental effect on accessing further education given so few students were using the College Nursery;
- (h) That it was acknowledged that there was a need to encourage the 'take up' of day care nursery provision in Hartlepool and by doing so would minimise the number of surplus places;
- (i) That the Government's Policy on Priorities for Success in fact widens the gap to access to learning and further education, particularly in town like Hartlepool with its socio-economic issues;
- (j) That the HCFE had given inadequate notice to parents of its intention to close the nursery and that the Authority had also been informed very late in the day, and after the HCFE had made its decision;
- (k) While it was accepted that the College had cross-subsidised the Nursery from education funds it was unclear why they had chosen to subsidise 'external' clients use of nursery care for so many years;
- (l) That whilst three Elected Members currently served on the HCFE's Board as Hartlepool Borough Council representatives, the absence of formal feedback mechanisms from the Board to the Council was a weakness given the Council's role and responsibility as a 'Community Leader';
- (m) That whilst the provision of nursery facilities was not core business for the HCFE, understanding and addressing the barriers to access experienced by parents with young children was one of its core responsibilities to be exercised in partnership with the Council and the Hartlepool Local Strategic Partnership. This consideration was particularly important given the levels of social exclusion in the town and the apparently low level of take-up of nursery places; and
- (n) That overall it was a difficult decision of the HCFE to make with regard to the closure of its on-site nursery facility given the sensitivities around the issue.

10. RECOMMENDATIONS

- 10.1 Based on the evidence considered during the undertaking of the Scrutiny Referral, the Scrutiny Co-ordinating Committee recommends to Council:-
 - (a) That a formal feedback mechanism be established with regard to the dissemination of information throughout the Authority for Elected Members serving on internal and external bodies (as also recommended by the Regeneration and Planning Services Scrutiny Forum during the undertaking of the Partnerships Enquiry, accepted by the Cabinet in May 2006); and

- (b) That the Council seeks to engage all partners to establish a comprehensive picture of childcare provision in Hartlepool that focuses particularly on demand and supply in relation to nursery care provision together with an understanding of the extent to which parents with young children experience barriers to access to further education.

11. ACKNOWLEDGEMENTS

- 11.1 The Committee is grateful to all those who have presented evidence during the course of this Scrutiny Referral. We would like to place on record our appreciation, in particular of the willingness and co-operation we have received from the below named:-

Hartlepool's Member of Parliament;

Principal/Chief Executive and colleagues of the HCFE;

Hartlepool Borough Council's Chief Solicitor;

Hartlepool Borough Council's Children's Centre and Childcare Co-ordinator;

Nominated representatives of those students and parents whose children attended the First Steps Nursery;

Ward Councillors (who submitted evidence during the undertaking of the Scrutiny Referral); and the

Partnership Director of the Learning and Skills Council Tees Valley.

**COUNCILLOR MARJORIE JAMES
CHAIR OF SCRUTINY CO-ORDINATING COMMITTEE**

September 2006

Contact:-

Charlotte Burnham – Scrutiny Manager
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council
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BACKGROUND PAPERS

The following background papers were consulted or referred to in the preparation of this report:-

- (i) Minutes of the Council meeting held on 26 July 2006;
- (ii) Report of the Scrutiny Manager entitled 'Scrutiny Topic Referral from Council – Closure of Hartlepool College of Further Education's On-site Nursery Facility' presented to the Scrutiny Co-ordinating Committee on 4 August 2006;
- (iii) Report of the Scrutiny Manager entitled 'Scoping Report – Closure of Hartlepool College of Further Education's On-site Nursery Facility (Council Referral)' presented to the Scrutiny Co-ordinating Committee held on 4 August 2006;
- (iv) Report of the Scrutiny Manager entitled 'Closure of Hartlepool College of Further Education's On-site Nursery Facility Scrutiny Referral – Evidence from Key Witnesses' presented to the Scrutiny Co-ordinating Committee held on 1 September 2006;
- (v) Report of the Scrutiny Manager entitled 'Provision of Additional Information / Key Documentation to Support the Undertaking of the Scrutiny Referral into the Closure of Hartlepool College of Further Education's (HCFE) On-site Nursery Facility' presented to the Scrutiny Co-ordinating Committee held on 1 September 2006;
- (vi) Presentation and background papers of the HCFE presented/submitted to the Scrutiny Co-ordinating Committee held on 1 September 2006.
- (vii) Written correspondence dated 23 August 2006 of the Partnership Director of the Learning and Skills Council Tees Valley entitled 'LSC Funding Methodology.'
- (viii) Minutes of the meetings of the Scrutiny Co-ordinating Committee held on 4 August 2006 and 1 September 2006.

APPENDIX A

SEQUENCE OF EVENTS HARTLEPOOL COLLEGE OF FURTHER EDUCATION RESTRUCTURE

14. 07. 2005	HCFE Board approves Development Plan and 3 year Financial Forecast Target Income £14.981 million – Target Surplus £110k
29. 07. 2005	Notification of withdrawal of the New Deal Contracts £500k New Deal income forecast in each of 3 years of Financial Plan
01. 08. 2005	New principal commences duties
09. 09. 2005	Principal's briefing to all staff outlining the challenges to be faced in 05-06 First challenge – could we make up the shortfall in the Forecast for 05-06?
19. 09. 2005	Meeting with Board members Chair of Finance (Frank Rogers) and Deputy Chair (Mike Ward) to discuss implications Joint Consultative Committee (JCC) meetings fortnightly
24. 11. 2005	Board approves revised 05-06 Financial Forecast – Target £14.551 million
08. 12. 2005	Six members of staff delivering New Deal made redundant
12-15. 01. 2006	Provider Financial Assurance (PFA) – Inspection of College
16-20. 01. 2006	Full Ofsted, ALI - Inspection of College
March 2006	Inspection Reports Published Reviews commence in all areas of the College to identify potential savings: <ul style="list-style-type: none"> • Business Support Staff - Divisions • Curriculum Delivery Staff - Divisions • Executive Functions
End of April 2006	Interim reviews completed
05. 05. 2006	Special Governor, Executive Conference to determine the way forward, Hall Garth Hotel, Darlington
17. 05. 2006	Special Board Meeting to present, discuss and agree the proposals
26. 05. 2006	Principal's briefing to all staff on the proposals agreed by the Board
June 2006	Reviews completed and detailed proposals drawn up Consultation with legal advisers Consultation with Learning and Skills Council
22. 06. 2006	Advance notification of redundancies (HR1) to Department of Trade and Industry. <u>Date of first and last proposed redundancy 31st August 2006</u>
23. 06. 2006	Principal and Assistant Principal (Carol Gibson) met with Nursery Manager to explain the proposals Principal and Assistant Principal met with staff in the nursery to explain the proposals
27. 06. 2006	Section 188 notices issued to recognised trade unions: <ul style="list-style-type: none"> • University and College Union (UCU formerly NATFHE) and • UNISON commencing the formal consultation process Individual letters sent out to 125 members of staff 'at risk' of redundancy and 260 members of staff not at risk but who may be affected
29. 06. 2006	Letter from Iain Wright, MP The College's Joint Consultative Committee (JCC) met on a weekly basis throughout the consultation process

30. 06. 2006	First formal consultation meeting with recognised trade unions Unions agree to the College consulting with parent representatives Formal consultation with non-recognised trade union staff representatives commences
03. 07. 2006	Consultation meeting parent representatives, Peter King, Jo Hill and Alison Martin
10. 07. 2006	Formal consultation meeting with recognised trade unions Formal consultation with non-recognised trade union staff representatives Consultation meeting with Stuart Drummond, Mayor HBC
12. 07. 2006	Consultation meeting with Sue Johnson, Assistant Director Children's Services and Joe Dickinson, Business Support Officer, HBC
21. 07. 2006	Formal consultation meeting with recognised trade unions Formal consultation with non-recognised trade union staff representatives
28. 07. 2006	Formal consultation meeting with recognised trade unions Formal consultation with non-recognised trade union staff representatives Letter from Paul Waker, Chief Executive HBC
09. 08. 2006	Final formal consultation meeting with recognised trade unions Final formal consultation meeting with non-recognised trade union staff representatives
21. 08. 2006	Last date identified for receipt of voluntary severance applications from staff
31. 08. 2006	Date of proposed redundancies as originally stated in the 'Advanced notification of redundancies' sent to the DTI on the 22 nd June 2006

APPENDIX B

DAYCARE PROVISION IN HARTLEPOOL

SNAPSHOT OF STATUS OF DAY NURSERIES AUGUST 2006

Ward	Provider Name	Reg Places	Places Available	Student Parents	Term Time Provision	Retainer per week	Date of last Inspection	OFSTED Grade
Grange	Lonsdale Nursery Limited	55	16	Y	considering	X	01/05	Good
Rift Hse	Masefield Road Nursery	110	95	Y	Y	£10	12/04	Good
Dyke Hse	Chat ham House	40	30	Y	considering	X	02/05	Good
Stranton	Play mates Day Nursery	80	37	Y	Y	£24	03/05	Good
St Hilda	Kiddikins Nursery	53	39	Y	Y	foc	01/04	Satisfactory
Park	Aldersyde Day Nursery	75	26	Y	N	X	01/05	Good
Owton	Manor Residents Ass'n	15	5	Y	Y	varies	12/04	Good
Seaton	Sallywags Day Nursery	62	50	Y	Y	£10	Not yet been inspected	
Throston	Kiddicare Day Nursery	52	47	Y	N	X	05/06	Inadequate
Brus	Rainbow Day Nursery	58	18	Y	N	X	11/05	Good
Stranton	Foot prints Day Nursery	43	11	Y	Y	50 % fees	12/05	Good
Rossmere	Bush Babies	32	9	Y	Y	50 % fees	07/05	Good
Brus	Starfish @ SJV	66	61	Y	Y	£10	10/05	Good
Stranton	Little People Nursery	61	5	Y	N	X	01/06	Good
Total	14	802	449	14/14	8/14			

Registered Places/Places Available

Registered Places refer to full time equivalent Ofsted places available in the setting

The number of places available reflect the full time equivalent places currently available

The total number of registered places in the town is 802

The total number of available registered places are 449 (56%)

Term Time Provision

Of the 14 daycare providers, 8 (57%) offer term time only places in addition to their all year round care

Taking available places into account (307) this equates to 68% of places available across the town

All nurseries with the exception of one offering term time only provision, charge a small retainer to 'retain' that place

Of the 8 nurseries offering term time only provision, 3 (38%) are classed as an 'excellent' nursery (see below for explanation)

Student Parents

All of the 14 daycare providers either have, or will have students using their provision as part of their customer base. This includes those who have childcare subsidised through Care2Learn, Learner Support Funds from HCFE, WDF etc.

OFSTED Inspection Dates/ Grades

First Steps Nursery has been described by parents as an 'excellent' nursery. There are no excellent nurseries in Hartlepool. Based on the last inspection reports, 6 (43%) of the 14 daycare providers obtained the highest possible grade for childcare. One provider has not yet been inspected as they have recently opened up.

Childminders

Childminders offer flexible care and can take up to 6 full time equivalent places (up to 8 yrs of age). There are currently 90 registered childminders operating in Hartlepool. Figures collated on a monthly basis have identified 25 (28%) as having no vacancies (July 2006). The remainder (72%) have available places, all of which offer flexible care.

Out of School Clubs (breakfast, afterschool, wraparound, holiday)

Out of School Clubs generally offer term time care for nursery and school age children. There are 45 providers offering a variety of out of school childcare (25 registered, 20 non-registered).

OFSTED Inspection Grading

Before April 2005

Quality judgements for childcare:

Good
Satisfactory
Unsatisfactory.

From April 2005

Quality judgements for childcare:

Outstanding
Good
Satisfactory
Inadequate

COUNCIL
14th September 2006



Report of: GENERAL PURPOSES COMMITTEE

Subject: REVIEW OF PARISH ELECTORAL
ARRANGEMENTS

1. **PURPOSE OF REPORT**

The purpose of this report is to invite the Council to conclude the review of electoral arrangements in the parishes in the Council's area.

2. **BACKGROUND**

The report attached at Appendix 1 to this report was presented to the Council at their meeting on 13th April 2006 who were invited to agree the Parish Electoral Arrangements recommended in that report. On that occasion, reference was made by members to issues relating to the General Purposes Committee's decision upon another matter within the Committee's remit, namely recharge of parish election expenses, which they considered needed to be resolved before the electoral arrangements were finalised. Council had resolved that the recommendations of the Committee on the Parish Electoral Arrangements be referred back to the Committee.

The issue of recharge of parish election expenses had been referred to the Portfolio Holder for Performance Management, who, on 24th July 2006, determined that parish election costs should be recovered by the Council. Following resolution of that matter, therefore, at their meeting on 18th August 2006, the General Purposes Committee gave further consideration to their earlier recommendations, but resolved to restate their earlier recommendations. If agreed by the Council, the changes recommended will be implemented for the purpose of the next ordinary elections in Headland Parish which will take place on 3rd May 2007

3. **RECOMMENDATION**

That the Council accept the Committee's recommendations to the following effect -

1. the current arrangement of division of the Headland Parish into wards shall be terminated, with the current number of 13 councillors being elected to the parish council; and
2. there shall be no change to the electoral arrangements in the other parished areas.

COUNCIL
13th April 2006



Report of: GENERAL PURPOSES COMMITTEE

Subject: REVIEW OF PARISH ELECTORAL
ARRANGEMENTS

1. **PURPOSE OF REPORT**

The purpose of this report is to invite the Council to conclude the review of electoral arrangements in the parishes in the Council's area.

2. **BACKGROUND**

2.1 At the meeting of the Council on 23rd September 2004 –

- i) The General Purposes Committee was directed to consider the Headland Parish Council's request, to reduce the number of wards in the parish from 2 to 1 and.
- ii) The Committee was authorised to direct that a review of electoral arrangements in the Parishes take place as, as it considers appropriate, and to take all such action in this regard as the law permits.

2.2 At their meeting on 3rd November 2004, the General Purposes Committee approved the review of the electoral arrangements for Headland, Hart, Elwick and Dalton Percy Parish Council, together with consideration of arrangements with regard also to the Parish meetings of Brierton, Claxton and Newton Bewley, and other action relevant to the review.

2.3 The first stage consultation commenced in January 2005; there was circulated a consultation paper which described:-

- the purpose and nature of the review;
 - the statutory background;
 - the review process;
 - the current electoral arrangements in the parishes;
 - the options open to the borough council, and
 - the issues relevant to the review
- and invited views on the issues raised.

- 2.4 The consultation paper was circulated direct to:-
- the parish councils themselves;
 - local councillors – both borough and parish councillors;
 - schools, Housing Hartlepool housing offices and libraries located in the parishes;
 - relevant Single Regeneration Boards and
 - the Member of Parliament for the constituency of Hartlepool
 - chairs of borough council neighbourhood forums.
- 2.5 A small number of responses (approx 40) was received. The main body of responses was received from residents of Headland Parish where clearly the parish council had been active in encouraging response by local people. All but one of those responses were for the parish not to be awarded with only one response in support of retention of the 2 wards. Apart from the responses addressing the Headland Parish arrangements, responses were received from other parishes and parish meetings to the effect that there should be no changes made.
- 2.6 The results of the consultation were considered by the General Purposes Committee at their meeting on 15th June 2005, following which a document setting out the Council's proposals was circulated for consultation at stage 2 (Appendix 1). The proposals were that there was to be no change to the electoral arrangements in any parish.
- 2.7 The results of the second stage of consultation were considered by the General Purposes Committee at their meeting on 14th November 2006. At that meeting, the committee heard from the Chairman of the Headland Parish Council, who spoke in support of the earlier resolution of the Headland Parish Council to seek the de-warding of the parish. The Parish Chairman considered that the two ward system had never seemed to work. The issue had been raised at a number of public meetings arranged by the parish council in the past. The full parish area was smaller than the Borough Council Ward and it was considered that there was no reason for the divisiveness of two parish wards. The Parish Chairman requested that the views of the Parish Council and the people of the parish be acknowledged by the borough council and the two parish wards be amalgamated into one.
- 2.8 Members of the Committee acknowledged the high level of public involvement in the Headland Parish Council. In light of the comments put forward on behalf of the Parish Council by their Chairman and the reported public responses to the consultation, the Committee supported the proposal that the Headland Parish Council be a one-ward Parish Council. The committee resolved - That the 'Review of the Electoral Arrangements for Parish Councils – Draft Proposals – August 2005' be approved for submission to Council subject to an amendment to the proposals for Headland Parish Council to reflect that Council's wish that the parish be one ward as opposed to the present situation of two wards. Appendix 1 sets out the proposals, duly

amended (see para 5.1 deletions and italicised inserts) in accordance with the Committee's wishes.

- 2.9 At their meeting on 14th March 2006, the General Purposes Committee accepted the Headland Parish Council submission that the number of members on the parish council should remain at the current number of 13. It was resolved – That Members approve a recommendation to Council that the Parish Council consist of 13 members.

3. RECOMMENDATION

That the Council accept the Committee's recommendations to the following effect-

1. the current arrangement of division of the Headland Parish into wards shall be terminated, with the current number of 13 councillors being elected to the parish council; and
2. there shall be no change to the electoral arrangements in the other parished areas.

Appendix – Proposals document (amended)

COUNCIL
14th September 2006



Report of: Chief Executive

Subject: BUSINESS REPORT

1. MEMBER APPOINTMENTS

(a) TEESSIDE VALUATION TRIBUNAL

Council on 15th September 2005 deferred consideration of a request from the President of the Tribunal for the nomination of two non-elected individuals from the Hartlepool area. A copy of the minute is attached at Appendix A.

A further request was then received from the Tribunal for the extension of the term of office for the following members from the 31st March 2006 to the 31st March 2009:-

Mr B Smith
Mr E Priest
Mr E Jeffries
Councillor J Coward
Councillor G Lilley
Mrs A Lilley

On 15th December 2005, Council considered the extension of the terms of office and resolved that the term of office, of the members detailed above, be extended for a further 3 months and that nominations to the Tribunal be considered further at the next Annual meeting of the Council.

The issue was not considered at the Annual Council meeting and was referred to the Council meeting on 27th July when the item was deferred to this meeting of the Council. Council is, therefore, requested to give consideration to the following outstanding issues:-

- (i) The request, from the Tribunal, for the extension of the term of office on the Tribunal.
- (ii) The request for the appointment of two non-elected individuals from the Hartlepool area to replace Councillors Cook and Morris, consideration of which was deferred at Council on the 15 September.

(b) TEES PORT HEALTH AUTHORITY

I have been informed that Councillor D. Allison has resigned from his appointment as the Council's representative on the Tees Port Health Authority due to other commitments. Council is requested to nominate a replacement member.

(c) TEES VALLEY JOINT SCRUTINY FORUM

The Labour Group has informed me of the following change to their representation on the Tees Valley Joint Scrutiny Forum.

Councillor Brash to replace Councillor Belcher.

(d) VACANCY MONITORING PANEL

The Labour Group has informed me of the following change to their representation on the Vacancy Monitoring Panel.

Councillor D. Waller to replace Councillor Hargreaves.

2. APPOINTMENTS PANEL

Council will be aware that Dave Stubbs was appointed as Director of Neighbourhood Services on Thursday, 3 August 2006. Council, therefore, is being requested to approve membership for an Appointments Panel for the post of Head of Neighbourhood Management. In line with the Officer Employment Procedure Rules the Panel will consist of eight members, as follows:-

Mayor
Chairman of the Council
3 Labour Group nominations
2 Administrative Group nominations
1 Liberal Democrat Group nomination

Also, as identified in the Officer Employment Procedure Rules, Council is also requested to reflect the gender balance of the Council when nominating to the Panel. It is, therefore, suggested that Council nominate three female Councillors to the Panel.

Council is requested to approve the establishment of the Appointments Panel and nominate members accordingly.

3. TREASURY MANAGEMENT OUTTURN REPORT 2005/2006

In accordance with the requirement of CIPFA's (Chartered Institute of Public Finance and Accountancy) Treasury Management and Prudential Borrowing codes an annual report must be submitted to Council outlining actual performance against the approved Treasury Management Strategy. The

Treasury Management Strategy and associated Prudential Indicators were approved by Council on 19th February, 2005. Details of the actual outturn against the approved strategy are detailed in the following paragraphs.

Treasury Management Strategy

At the start of 2005/2006 70% of the Council's debt was held as short-term loans. This position reflected the action taken to secure interest savings from the stock transfer process and the lower cost of short-term loans compared to the long term loans at the time.

The 2005/2006 Treasury Management Strategy approved by Council on 19th February, 2005 and reported to the Finance Portfolio Holder on 22nd March, 2005, advised Members that long term interest rates were anticipated to reduce during 2005/2006. Therefore, the Chief Financial Officer was authorised to undertake long term borrowing when interest rates reduce. The aim of this strategy was to lock into low long term interest rates and thereby secure a sustainable interest saving of £1m. A proportion of the Council's short-term loans £30m were replaced in May, 2005, by long-term fixed interest loans from the PWLB (Public Works Loans Board) at 4.6% for between twenty five and thirty years.

A further Treasury Management Review Report, approved by the Finance and Performance Management Portfolio Holder on the 28th November, 2006, updated the strategy to reflect the more uncertain outlook for interest rates. In particular, the revised strategy authorised the Chief Financial Officer to undertake strategic long term borrowing to finance capital expenditure requirements for the period 2006/2007 to 2008/2009 and to replace existing short-term loans if long term rates fell.

In the early part of 2006 there was a temporary reduction in long term interest rates. The PWLB also re-introduced loans with maturity periods of up to fifty years, compared to a previous maximum of thirty years. Information available at the time indicated that these rates were unlikely to be sustained and for the 50 years loans has not been achieved since.

It was therefore determined to borrow an additional £35m of loans maturing between 30 to 50 years, at rates ranging from 4.25% to 3.7%. This action has secured the £1m saving built into the base budget from 2005/2006. The Council has also funded the capital programme to 2008/2009.

The Council now has a very low average rate of borrowing for PWLB debt of 4.53% as at 31st March, 2006 and 100% of borrowing is now long term fixed interest rate loans. This compares to the national average rate of 6.21%.

Borrowing and Investment Outturn Position

In summary the Council's debt and investment position at the beginning and end of the year was as follows: -

31st March 2005	Average Interest Rate		31st March 2006	Average Interest Rate
£5.5m	8.25%	Market Loans	£5m	7.57%
£46m	4.78%	PWLB	£78.9m	4.53%
£2.5m	4.79%	Temporary Loans	0	0
£54m	5.18%	Total Debt	£83.9m	4.71%
£20.5m	4.98%	Investments	£45m	4.78%

Prudential Indicators

In accordance with the requirements of the Prudential Code, the Council is required to report the outturn position for the Prudential Indicators approved by Council. These are shown at Appendix B.

As indicated in previous reports, the key Prudential Indicator is the value of 'Capital Expenditure to be Financed from Borrowing', as this directly affects the loan repayment costs chargeable to the revenue account. For 2006/2007 the outturn for this indicator was £3.9m lower than the expected, reflecting the re-phasing of expenditure into 2006/2007. This requires an increase to this indicator and the Capital Financing Requirement (CFR) for 2006/2007, as shown in Appendix C. It should be noted that this does not increase the aggregate value of capital investment funded from borrowing, although actual expenditure has been incurred later than expected.

Proposal

Council is requested to note the report and to approve the revised prudential indicators for 2006/2007.

4. Mildred Street Compulsory Purchase Order 2005 Mayfair Street Compulsory Purchase Order 2005

I have received (Appendix D) the decision letter of the Secretary of State for Communities and Local Government confirming the above compulsory purchase orders, in respect of which the public inquiry was held on 27th & 28th June 2006. The orders relate to lands in –

- Mildred, Ernest, Slater, Angus, Preston, Lancelot, and Duke Streets and Hart Lane, and
- Mayfair, Gordon, Alma and Sheriff Streets.

The letter also deals with the stopping up of highways within the Mayfair Street Order lands for the purpose of future development. Following advertisement of the Secretary of State's decision, a statutory objection period of 6 weeks will need to elapse before the orders can be implemented.

The Secretary of State's decision in relation to the Chester Road etc Compulsory Purchase Order, in respect of which the public inquiry commenced on 18th July 2006, is still awaited.

5. COUNCIL TAX

Council on 27th July, 2006, requested comparative information on the level of Council Tax. This information is set out in the following paragraphs:

(i) Band D and Average Council Tax Paid

National Council Tax comparisons are based on Band D Council Tax levels, as this is the average property value for all authorities. On this basis Hartlepool has the 13th highest Band D Council Tax out of 354 authorities. Band D Council Tax in Hartlepool is £1,426 but this is not the average amount paid by local people as Band D comparisons do not take account of lower property values in areas such as Hartlepool, as illustrated in the following table.

	<u>Percentage of Properties in each Band</u>	
	<u>Hartlepool</u>	<u>National Average</u>
Bands A to C	88%	52%
Band D	7%	25%
Bands E to H	<u>5%</u>	<u>23%</u>
	<u>100%</u>	<u>100%</u>

Source: ODPM survey of English Housing 2004/2005.

For areas with a higher proportion of property in Bands A to C, such as Hartlepool, it is more appropriate to compare Council Tax using the average level of Council Tax per property. On this basis 258 councils out of 354 have a higher average Council Tax than Hartlepool. Key figures are summarised below :-

National Average Council Tax per property	£1,094
Hartlepool Average Council Tax	£ 972
Hartlepool Band A Council Tax	£ 951

Source: ODPM 2006/2007 Council Tax survey.

(ii) Analysis of Who Pays Council Tax

There are 40,700 properties in Hartlepool liable to pay Council Tax, and all pay the full amount, although 32% of our council taxpayers have been assessed as being entitled to means-tested benefit and have some, or all of their Council Tax paid through Council Tax Benefit. 95% of this benefit is paid through national taxation.

(iii) Council Tax and Business Rate Collection

The Government assess collection performance on the basis of the amount of tax collected during the year it is raised. On this basis our performance has improved over the last four years, as follows:

	<u>Collection Rate</u>	
	<u>Council Tax</u>	<u>Business Rates</u>
2002/2003	93.5%	98.1%
2003/2004	94.6%	98.4%
2004/2005	95.7%	99.4%
2005/2006	96.4%	99.8%

Source: Best Value Performance Indicators.

Collection levels for Business Rates are within the top quartile nationally. The in-year collection levels for Council Tax reflect the high levels of deprivation within Hartlepool, which means that Council Tax is harder to collect than in more affluent areas. However, over time we collect 99% of Council Tax.

(iv) Floor Damping

Prior to this year the Government changed the methodology for grant calculation, but put in place a “floor damping” mechanism to even out the gaining and losing authorities. This financial year 2006/2007, the Council has received £1.453m less grant than the Government assessed as being appropriate as a consequence of floor damping. This is equivalent to a 4.5% Council Tax increase.

Council – 15th September 2005 – Extract of Council Minutes

68. OUTSIDE BODY APPOINTMENT – TEESSIDE VALUATION TRIBUNAL

Council had previously approved the appointments of Councillor's Cook and Morris to take up vacant positions on the Tribunal. Notification had since been received from the Tribunal that it could not accept the nominations for the following reasons:

- i) Although the Council has 8 places on the Tribunal the number of elected members is restricted to two, with the remaining places to be taken by non-elected individuals from the Hartlepool area. The Valuation Community Charge Regulations 1989-SI 1989/439 - REG 5 Regulations dictate that the appointment of elected Members is subject to a maximum of one third of the total membership.

Appointments are made jointly by the appointing Authority and the President of the Tribunal. The Council already has two appointed elected Members (Councillor's Lilley and Coward) and as such the President of the Tribunal is unable to accept the nomination of Cllr's Morris and Cook.

- ii) Regarding Councillor Morris' nomination the Tribunal also has a clear rule regarding its 72-year age limit and has indicated that it must adhere to it. The rule stems from The Valuation Community Charge Regulations 1989-SI 1989/439- REG 6

Based on the reasons outlined above the President of the Tribunal was now seeking the nomination of two non-elected individuals from the Hartlepool area.

RESOLVED – That consideration of the report be deferred.

1 Incremental impact of capital decisions on Council Tax

This indicator is expressed in terms of the additional Council tax at Band D tax, of the proposed capital program.

	2005/06 Revised Estimate £	2005/2006 Actual £
Incremental Impact of capital financing decisions on Council Tax	12.95	-12.97

The actual has changed from the estimate as a result of further realisation of savings on debt charges following stock transfer and debt restructuring, higher than expected investment income and rephased capital expenditure.

2 Ratio of financing costs to net revenue stream

This indicator shows the proportion of the total annual revenue budget that is funded by the local tax payer and Central Government, which is spent on servicing debt.

	2005/06 Revised Estimate	2005/2006 Actual
Ratio of Financing costs to net revenue stream	4.63%	3.76%

3 Estimates of Capital expenditure

This indicator shows total capital expenditure.

	2005/06 Revised Estimate £'000	2005/2006 Actual £'000
Capital Expenditure	33,646	36,175

The increase compared to the estimate budget is owing to increased capital grant and SCE(R) allocations.

4 Capital Expenditure Financed from Borrowing

This shows the borrowing required to finance the capital expenditure program.

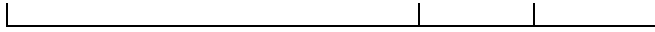
	2005/2006 Revised Estimate £'000	2005/2006 Actual £'000
Capital Expenditure Financed from Borrowing	12,371	8,462

The actual is lower than the estimate as a result of rephased capital expenditure.

5 Capital Financing Requirement

CFR is used to determine the minimum annual revenue charge for capital expenditure repayments (net of interest). It is calculated from the Authority's Balance sheet, and is shown below. Forecasts for future years are directly influenced by the capital expenditure decisions taken, and the actual amount of revenue that is set aside to repay debt.

	2005/2006 Revised Estimate £'000	2005/2006 Actual £'000
Capital Financing Requirement	74,840	72,677



6 Authorised Limit for External Debt

The authorised limit determines the maximum amount the authority may borrow at any one time, and the levels for each forthcoming year are detailed below. The authorised limit covers both long term borrowing for capital purposes and borrowing for short term cashflow requirements. The authorised limit is set above the operational boundary to provide sufficient headroom for operational management and unusual cash movements.

	2005/2006 £'000
Authorised limit for external debt	95,000

The above Authorised Limit was not exceeded during the Year. The level of debt as per the Balance Sheet at the year end was £83,902,000.

7 Operational Boundary for External Debt

The operational boundary is the most likely prudent, but not worst case scenario, level of borrowing without the additional headroom included within the authorised limit. The level is set so that any sustained breaches serve as an early warning that the Authority is in danger of overspending or failing to achieve income targets, and gives sufficient time to take any appropriate corrective action.

	2005/2006 £'000
Operational limit for external debt	85,000

The Operational Boundary was temporarily exceeded for a period of 132 days with Gross debt reaching a peak of £89,800,000. This is allowed within the Prudential code for the reasons given above. There was no cause for concern as the level debt (£83,902,000) was below the limit at the year end. The level was exceeded as the result of the Council securing borrowing to replace loans maturing in the at very attractive interest rates to minimise borrowing costs in the long term.

8 Interest Rate Exposures

This indicator is designed to reflect the risk associated with both fixed and variable rates of interest, but must be flexible enough to allow the Authority to make best use of any borrowing opportunities. The upper limits for exposure to both fixed and variable interest rates are expressed in percentage terms. None of these limits were exceeded in the year. The 100% Fixed Rate Actual reflects the change to long term borrowing, in accordance with the Treasury Management Strategy.

	2005/2006 Limit £'000	2005/2006 Actual £'000
Upper limits on fixed and variable interest rate exposure		
Fixed Rates	100%	100%
Variable Rates	100%	0%

9 Maturity Structure of Borrowing

This indicator is designed to reflect and minimise the situation whereby the authority has a large repayment of debt needing to be replaced at a time of uncertainty over interest rates, but as with the indicator above, it must also be flexible enough to allow the authority to take advantage of any borrowing opportunities. As shown below the limits were not exceeded and reflects the replacement of short term loans with long term borrowing.

	Upper Limit	Lower Limit	Actual
under 12 months	20%	0%	0%
12 months and within 24 months	20%	0%	0%
24 months and within 5 years	20%	0%	2%
5 years and within 10 years	30%	0%	0%
10 years and above	100%	20%	98%

10 Net Borrowing

This shows the net of long and short term borrowing and investments.

	2005/2006 Revised Estimate £'000	2005/2006 Actual £'000
Net Borrowing	32,749	39,049

The net borrowing position at year end was greater than expected because of the timing of cashflows.

1 Estimates of Capital expenditure Financed from Borrowing

These estimates show the borrowing required to finance the capital expenditure program for the current year in addition to slippage from the previous year. The slippage was not known at the time of setting the original estimate for 2006/07.

2005/06 Actual £'000		2006/2007 Estimate £'000	2006/2007 Revised £'000
8,462	Capital Expenditure Financed from Borrowing	10,010	17,566

2 Estimates of Capital Financing Requirement

CFR is used to determine the minimum annual revenue charge for capital expenditure repayments (net of interest). It is calculated from the Authority's Balance sheet, and is shown below. Forecasts for future years are directly influenced by the capital expenditure decisions taken, and the actual amount of revenue that is set aside to repay debt.

2005/06 Actual £'000		2006/2007 Estimate £'000	2006/2007 Revised £'000
73,080	Capital Financing Requirement	81,123	86,586

The increase is a result of the factors given for Table 1.

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