



Chief Executive's Department
Civic Centre
HARTLEPOOL

15 February, 2016

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

Madam or Sir,

You are hereby summoned to attend the COUNCIL meeting to be held on THURSDAY, 25 FEBRUARY 2016 at 7.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

G Alexander
Chief Executive

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COUNCIL AGENDA



Thursday 25 February 2016

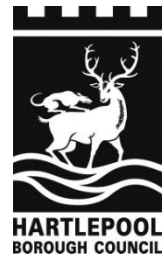
at 7.00 pm

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

- (1) To receive apologies from absent Members;
- (2) To receive any declarations of interest from Members;
- (3) To deal with any business required by statute to be done before any other business;
- (4) To approve the minutes of the last meeting of the Council held on 18th February 2016 (*to follow*) as the correct record;
- (5) To answer questions from Members of the Council on the minutes of the last meeting of Council;
- (6) To deal with any business required by statute to be done;
- (7) To receive any announcements from the Chair, or the Head of Paid Service;
- (8) To dispose of business (if any) remaining from the last meeting and to receive the report of any Committee to which such business was referred for consideration;
- (9) To consider reports from the Council's Committees and to receive questions and answers on any of those reports;
- (10) To consider any other business specified in the summons to the meeting, and to receive questions and answers on any of those items;
- (11) To consider reports from the Policy Committees:
 - (a) proposals in relation to the Council's approved budget and policy framework; and

- (b) proposals for departures from the approved budget and policy framework;
- (12) To consider motions in the order in which notice has been received; and
- (13) To receive the Chief Executive's report (*attached*) and to pass such resolutions thereon as may be deemed necessary;
- (14) To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 11;
- (15) To answer questions of Members of the Council under Rule 12;
 - a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 12.1
 - b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 12.2
 - c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority
 - d) Minutes of the meetings held by the Cleveland Fire Authority held on 11 December 2015 (*attached*)





Report of: Chief Executive

Subject: BUSINESS REPORT

**1. FORMAL COUNCIL TAX SETTING 2016/2017 –
INCORPORATION OF FIRE AUTHORITY, OFFICE OF THE
POLICE AND CRIME COMMISSIONER AND PARISH
COUNCIL PRECEPTS**

PURPOSE OF REPORT

- 1.1 To enable Council to set the overall level of Council Tax following the notification by precepting authorities i.e. the Fire Authority, the Office of the Police and Crime Commissioner and Parish Councils of their Council Tax levels for 2016/2017.

**BACKGROUND AND LEGAL FRAMEWORK FOR COUNCIL TAX
DECISION MAKING**

- 1.2 In accordance with current statutory provisions there are two types of 'authority' which have the legal power and responsibility to set an annual budget and Council Tax level, namely:
- **Precepting Authorities** - these are independent organisations with the legal power to set their annual budget and Council Tax precept (i.e. Council Tax level). Current Precepting Authorities include Cleveland Fire Authority, the Office of the Police and Crime Commissioner and Parish Councils. Fire Authorities and the Office of the Police and Crime Commissioners are subject to the Council Tax referendum thresholds determined by the Government. These arrangements do not currently apply to Parish Councils.

Where Members of a Billing Authority also service as Members of a Precepting Authority they are required to make budget and Council Tax decisions in respect of the Precepting Authority in the financial interests of the Precepting Authority and not the Billing Authority.

- **Billing Authorities** – have the legal powers to set their own annual budget and Council Tax level. As Members will recall the Medium

Term Financial Strategy and Council Tax for 2016/17 for this Authority was approved by full Council on 18th February 2016.

In addition, Billing Authorities are responsible for formally setting the overall Council Tax level for their area including the Council Tax set by Precepting Authorities. This additional responsibility is an administrative function of Billing Authorities. Therefore, whilst Members of a Billing Authority may not agree with the decision reached by a Precepting Authority regarding the level of Council Tax for the forthcoming financial year they have no power to veto the statutory decisions reached by Precepting Authorities.

DETERMINATION OF OVERALL COUNCIL TAX LEVELS

- 1.3 The determination of the overall Council Tax level is a statutory function, which brings together the individual Council Tax levels determined by this Council, Cleveland Fire Authority, the Office of the Police and Crime Commissioner and where applicable Parish Councils.
- 1.4 To ensure there is clear accountability for decisions made by Precepting Authorities I would advise Members that the Council Tax bills for Hartlepool residents will clearly show that Hartlepool Council increased its own tax by 3.9% (inclusive of the 2% Adult Social Care Precept) and will show the relevant percentage increases for the Fire Authority and the Office of the Police and Crime Commissioner approved by these organisations as follows:
 - i) The decision by the Fire Authority on 12th February 2016 to approve a 1.9% Council Tax increase for 2016/17;
 - ii) The decision of the Office of the Police and Crime Commissioner on 4th February 2016 to approve a 1.99% Council Tax increase for 2016/17.
- 1.5 The Council Tax bills will show the 2% Adult Social Care Precept as a separate item.
- 1.6 The Table below shows the statutory Council Tax calculations, incorporating the 2016/17 Council Tax levels approved by the Council, the Office of the Police and Crime Commissioner and Cleveland Fire Authority, which this Council is required to approve as a **Billing Authority**:

	Council Tax Bands							
	A £ p	B £ p	C £ p	D £ p	E £ p	F £ p	G £ p	H £ p
Hartlepool Borough Council Basic Amount without parishes or special items	963.78	1,124.40	1,285.03	1,445.66	1,766.92	2,088.17	2,409.44	2,891.32
Hartlepool Borough Council Adult Social Care Precept	18.91	22.07	25.22	28.37	34.67	40.98	47.28	56.74
Office of Police and Crime Commissioner	140.24	163.61	186.99	210.36	257.11	303.85	350.60	420.72
Fire Authority	47.80	55.77	63.73	71.70	87.63	103.57	119.50	143.40
Areas without a Parish Council	1,170.73	1,365.85	1,560.97	1,756.09	2,146.33	2,536.57	2,926.82	3,512.18

- 1.7 The statutory calculations incorporating the 2016/17 Council Tax levels approved by the Office of the Police and Crime Commissioner, Cleveland Fire Authority and the parish Precepts are shown in Appendix B, Table 3.

PROPOSAL

- 1.8 Council is requested to
- Note the respective responsibilities of Precepting Authorities and Billing Authorities detailed in paragraph 2.1; and
 - As the Billing Authority for the area to approve the statutory calculations detailed in Appendices A and B, which include the Council Tax and precepts set by the Office of the Police and Crime Commissioner, Cleveland Fire Authority and Parish Councils.

APPENDIX A**SUPPORTING STATUTORY RESOLUTIONS - COUNCIL TAX INCREASE**

- 1 Full Council needs to approve the following supporting statutory amounts which must be calculated by the Council for 2016/2017 in accordance with the Local Government Finance Act 1992 and relevant regulations:
- i) To note that on 11th January 2016 the Finance and Policy Committee approved the 2016/17 Council Tax Base for:
- The whole Council area as 23,265.7 Band D equivalents in accordance with Section 31B of the Local Government Finance Act 1992, as amended; and
 - For dwellings in those parts of its area to which a Parish precept relates as follows:

Parish Council Tax bases (Band D Equivalents)

Dalton Piercy	103.1	Greatham	573.3
Elwick	468.2	Hart	291.4
Headland	702.2	Newton Bewley	29.8

- 2 That the Council Tax requirement for the Council's own purposes (excluding Parish precepts) is £34,294,340.
- 3 That the following amounts be calculated by the Council in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and relevant regulations:-
- (a) £56,370,929 Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Local Government Finance Act 1992 and relevant regulations.
- (b) £22,050,667 Being the aggregate of the sums which the Council estimate will be payable to it in respect of Revenue Support Grant £18,206,184, Business Rates Baseline Funding of £15,873,092, Top up Funding of £7,509,654 and the estimate to be paid to the Collection Fund of (£19,538,263) as at 31st March 2016, in accordance with Section 97 (3) of the Local Government Finance Act 1988 and the Local Government Charges for England (Collection Fund Surpluses and Deficits) Regulations 1995 amended.
- (c) £34,320,262 Being the amount by which the aggregate at 3 (a) above exceeds the aggregate at 3 (b) above, calculated by the Council in accordance with Section 31A (4) of the Act as

- its Council Tax requirement for the year (including Parish precepts).
- (d) £1,475.14 Being the amount calculated by the Council in accordance with Section 31B of the Local Government Finance Act 1992, as the basic amount of Council Tax for the year (including Parish precepts).
- (e) £25,922 Parish Precepts Being the aggregate amount of all special items referred to in Section 34 (1) of the Local Government Finance Act 1992.
- £14,452 Concurrent Services - as detailed in Appendix B Table 1.
Concurrent Services
- (f) £1,474.03 Being the amount calculated by the Council in accordance with Section 34 (2) of the Local Government Finance Act 1992, as the basic amount of Council Tax for the year 2015/16 (excluding Parish precepts), which has the effect of increasing the Council's element of Council Tax by 3.9%.
- 4** The Basic Council Tax for 2016/17 calculated in accordance with Section 34 (3) for dwellings in those areas that have a Parish precept as set out in Appendix B Table 2.
- 5** Approve in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, the aggregate amounts shown in Appendix B Table 3 the amounts of Council Tax for 2016/17 for each part of the Council's area and each of the categories of dwellings.
- 6** Approve that the Council's basic amount of Council Tax for 2016/17 of £1,474.03, detailed in 3 (f) above is not excessive in accordance with the principles approved under section 52ZB of the Local Government Finance Act 1992 and that no local referendum will be carried out in relation to Chapter 4ZA of the Local Government Finance Act 1992.
- 7** Approve the amount of Council Tax including the Cleveland Fire Authority and the Office of the Police and Crime Commissioner precepts, in accordance with Section 40 of the Local Government Finance Act 1992 and the relevant inclusion of amounts of Council Tax for each category of dwelling in accordance with Sections 43 to 47 of the Act as set out in Appendix B Table 3.

APPENDIX B

TABLE 1 - Council Tax For Parish Councils 2016/2017

	Precept (1)	Parish Tax Base (2)	Parish Council Tax (3) [=(1)/(2)]	Basic Council Tax (4)	Billing Authority's Council Tax (5) [=(3)+(4)]	Precept met from Council Tax Support Scheme	Concurrent Services	Total Payment to Parish
Parishes	£ p		£ p	£ p	£ p	£ p	£ p	£ p
Dalton Piercy	5,488	103.1	53.23	1,474.03	1,527.26	325	2,839	8,652
Elwick	7,931	468.2	16.94	1,474.03	1,490.97	357	6,818	15,106
Greatham	2,711	573.3	4.73	1,474.03	1,478.76	489	1,385	4,585
Hart	4,154	291.4	14.26	1,474.03	1,488.29	248	3,410	7,812
Headland	5,466	702.2	7.78	1,474.03	1,481.81	2,534	0	8,000
Newton Bewley	172	29.8	5.77	1,474.03	1,479.80	18	0	190
	25,922					3,971	14,452	44,345

TABLE 2 - Council Taxes For Each Property Band 2016/2017**(Including Parish Precepts but excluding Office of Police and Crime Commissioner & Fire Authority)**

Parishes	Council Tax Bands							
	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Dalton Piercy	1,018.18	1,187.87	1,357.57	1,527.26	1,866.65	2,206.04	2,545.44	3,054.52
Elwick	993.98	1,159.65	1,325.31	1,490.97	1,822.29	2,153.62	2,484.95	2,981.94
Greatham	985.84	1,150.15	1,314.45	1,478.76	1,807.37	2,135.98	2,464.60	2,957.52
Hart	992.19	1,157.56	1,322.92	1,488.29	1,819.01	2,149.74	2,480.48	2,976.58
Headland	987.88	1,152.52	1,317.17	1,481.81	1,811.10	2,140.39	2,469.69	2,963.62
Newton Bewley	986.54	1,150.96	1,315.38	1,479.80	1,808.64	2,137.49	2,466.34	2,959.60
Areas without a Parish Council	982.69	1,146.47	1,310.25	1,474.03	1,801.59	2,129.15	2,456.72	2,948.06

TABLE 3 - Council Taxes For Each Property Band 2016/2017**(Including Parish Precepts, Office of Police and Crime Commissioner & Fire Authority)**

Parishes	Council Tax Bands							
	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Dalton Piercy	1,206.22	1,407.25	1,608.29	1,809.32	2,211.39	2,613.46	3,015.54	3,618.64
Elwick	1,182.02	1,379.03	1,576.03	1,773.03	2,167.03	2,561.04	2,955.05	3,546.06
Greatham	1,173.88	1,369.53	1,565.17	1,760.82	2,152.11	2,543.40	2,934.70	3,521.64
Hart	1,180.23	1,376.94	1,573.64	1,770.35	2,163.75	2,557.16	2,950.58	3,540.70
Headland	1,175.92	1,371.90	1,567.89	1,763.87	2,155.84	2,547.81	2,939.79	3,527.74
Newton Bewley	1,174.58	1,370.34	1,566.10	1,761.86	2,153.38	2,544.91	2,936.44	3,523.72
Areas without a Parish Council	1,170.73	1,365.85	1,560.97	1,756.09	2,146.33	2,536.57	2,926.82	3,512.18

CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

11 DECEMBER 2015



-
- PRESENT:**
- CHAIR:-** Councillor Jan Brunton – Middlesbrough Council
HARTLEPOOL BOROUGH COUNCIL
 Cllr Rob Cook
MIDDLESBROUGH COUNCIL
 Cllrs Ronald Arundale, Teresa Higgins
REDCAR & CLEVELAND BOROUGH COUNCIL
 Cllrs Norah Cooney, Ray Goddard, Billy Ayre, Brian Dennis
STOCKTON ON TEES BOROUGH COUNCIL
 Cllrs Gillian Corr, Paul Kirton, Jean O'Donnell, Stephen Parry, Mick Stoker, William Woodhead
AUTHORISED OFFICERS
 Chief Fire Officer, Director of Corporate Services, Legal Adviser and Monitoring Officer
MAZARS LLP
 Audit Manager (Ross Woodley)
- APOLOGIES FOR ABSENCE:**
- Cllrs Akers-Belcher, Martin-Wells, James – Hartlepool Borough Council
 Cllrs Ovens, Lanigan – Redcar & Cleveland Borough
 Cllrs Biswas, Mawston, Hussain – Middlesbrough Council
 Cllr Gardner – Stockton Borough Council

The Chair welcomed Councillor Brian Dennis to the Authority and wished to place on record the Authorities thanks to Councillor Bob Norton.

55. DECLARATIONS OF MEMBERS INTEREST

It was noted no Declarations of Interests were submitted to the meeting

56. MINUTES

RESOLVED – that the Minutes of the Cleveland Fire Authority Ordinary Meeting on 16 October 2015 be confirmed.

57. MINUTES OF COMMITTEES

RESOLVED – that the Minutes of the Executive Committee on 20th November 2015, be confirmed.

58. COMMUNICATIONS RECEIVED BY THE CHAIR

- Gill Gittins, LGA - Pension Scheme Transitional Protection Employment Tribunal Cases
- Clair Alcock, LGA - Pension Scheme Contributions

RESOLVED – that the communications be noted.

59. REPORT OF MAZARS

59.1 Annual Audit Letter 2014/15

The Audit Manager (AM) Ross Woodley presented the Annual Audit Letter 2014/2015 which covered:

- Key Messages
- Financial Statements
- Value for Money
- Future Challenges
- Fees

He informed Members that Mazars had issued an unqualified opinion on the Financial Statements and the Value For Money conclusion that the Authority has proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources. A detailed risk assessment of the challenges facing the Authority was carried out and presented to the Audit and Governance Committee on 21 August 2015.

The AM reported that with the financial outlook looking increasingly challenging, to deliver the Authority's objectives and to manage the risk within the resources available the Authority will need to continue to:

- carefully forecast and effectively monitor budgets
- identify and address financial pressures as they emerge
- deliver a long term financial strategy that addresses immediate pressure while allowing scope for strategic service change
- maintain effective arrangements for public engagement
- use constructive relationships with partners to deliver further improvements

RESOLVED: that the report be noted.

60. REPORT OF THE CHIEF FIRE OFFICER

60.1 Fire/Police Collaboration Update

The Chief Fire Officer (CFO) updated Members on the progress of the collaborative arrangements between Cleveland Police, the Office of the Police and Crime Commissioner (PCC) and the Fire Authority. He reported that collaborative opportunities are being considered and/or implemented in the following areas:

- Assets
- Fleet Management and Equipment
- Estates
- Services Delivery
- Corporate Services

Councillor Paul Kirton asked if this would include the North East Ambulance Service (NEAS). The CFO stated that he had given presentations on 'Fire as a Health Asset' to Clinical Commissioning Groups, Health and Wellbeing Boards, Local Hospitals and that NEAS are part of these discussions moving forward.

60.1 Fire/Police Collaboration Update

Councillor Rob Cook sought further information regarding the proposed shared occupancy at Thornaby Fire Station and who would benefit from the sale of the Police Station. The CFO reported that the agreement we have with the Police is that they will cover all Capital costs but will keep control of their receipts but the Authority are continually seeking additional partners to share buildings to reduce costs.

RESOLVED – that the progress on the Memorandum of Understanding as detailed in Section 4 of the report be noted.

60.2 Information Pack

60.2.1. Fire & Rescue Service Monthly Bulletins

RESOLVED – that the information pack be noted.

61. REPORT OF THE CHAIR OF THE AUDIT & GOVERNANCE COMMITTEE

61.1 Information Pack

Councillor Stoker advised Members of the following reports which were presented to the Audit & Governance Committee meeting on 13 November 2015:

- Audit Progress Report
- Organisational Performance & Efficiency Report April – Sept 2015
- Annual Statement of Assurance 2014/15
- Performance Management Policy & Strategy
- Treasury Management Strategy
- Progress Against Revenue & Capital Budgets 2015/16

RESOLVED – that the Information Pack be noted.

62. ANY OTHER BUSINESS

Following the recent change in Authority membership, the Director of Corporate Services (DCS) sought nominations to fill the vacancy on the Joint Consultative Committee. Councillor Brian Dennis was proposed and seconded and appointed to the Joint Consultative Committee for the ensuing year.

RESOLVED – that Councillor Dennis be appointed to the Joint Consultative Committee for the ensuing year.

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

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 3 & 4 below of Part 1 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 and namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

64. CONFIDENTIAL MINUTES OF COMMITTEES

RESOLVED – that the Confidential Minutes of the Executive Appeal Committee on 2 November 2015 and Executive Committee on 20 November 2015 be confirmed.

65. CONFIDENTIAL REPORT OF THE CHIEF FIRE OFFICER AND TREASURER

65.1 Medium Term Financial Strategy 2016/17 – 2018/19

The Treasurer and CFO provided an update to Members on the Medium Term Financial Strategy.

66. CONFIDENTIAL REPORT OF THE CHIEF FIRE OFFICER

66.1 Community Integrated Risk Management Plan 2015/16

The CFO informed Members of the progress on the implementation of the Community Integrated Risk Management Plan 2015/16.

**COUNCILLOR JAN BRUNTON
CHAIR**