

CABINET

MINUTES AND DECISION RECORD

9 October 2006

Present:

The Mayor (Stuart Drummond) - In the Chair

Councillors: Cath Hill, Deputy Mayor
Robbie Payne, Finance Portfolio Holder
Peter Jackson, Performance Management Portfolio Holder
Victor Tumilty, Culture, Leisure and Transportation Portfolio Holder
Ray Waller, Adult and Public Health Services Portfolio Holder

Officers: Paul Walker, Chief Executive
Andrew Atkin, Assistant Chief Executive
Peter Scott, Director of Regeneration and Planning
David Stubbs, Director of Neighbourhood Services
Ralph Harrison, Head of Public Protection and Housing
Graham Frankland, Head of Procurement and Property Services
Nicola Bailey, Director of Adult and Community Services
Alison Mawson, Head of Community Safety and Prevention
Geoff Thompson, Head of Regeneration
Sajda Banaras, Scrutiny Support Officer
Julian Heward, Assistant Public Relations Officer
David Cosgrove, Principal Democratic Services Officer
Denise Wimpenny, Principal Democratic Services Officer

80. Apologies for Absence

Councillor Pamela Hargreaves, Children's Services Portfolio Holder.

81. Declarations of interest by members

None.

82. Confirmation of the minutes of the meeting held on 25 September 2006

Confirmed.

83. Food Law Enforcement Service Plan 2006/07 (*Director of Neighbourhood Services*)

Type of decision

Budget and Policy Framework

Purpose of report

The report sought endorsement of the draft Food Law Enforcement Service Plan 2006/07, prior to Council approval.

Issue(s) for consideration by Cabinet

The report provided details of Hartlepool's Food Law Enforcement Service Plan 2006/07 which included the Council's aims in respect of its food law service. The report also identified the longer term objectives as well as a review of performance for the period 2005/06.

Decision

That the proposed Food Law Enforcement Service Plan 2006/07 be endorsed and referred to Council for approval.

84. Annual Library Plan 2006/07 (*Director of Adult and Community Services*)

Type of decision

Budget and Policy Framework

Purpose of report

To consider the Annual Library Plan prior to its submission to Council on 26 October 2006.

Issue(s) for consideration by Cabinet

The report outlined the key proposals within the plan. A number of additions had been made to the plan as a result of consultation which were outlined in Appendix 1 of the report.

Councillor Jackson expressed concern regarding the risks placed on the library staff as a result of the police using the library as a base for approximately 1 hour per week. He queried what measures were in place to reduce the risk. The Mayor agreed to discuss this with the District Commander.

Decision

That the Annual Library Plan be endorsed and referred to Council for approval.

85. Statement of Community Involvement (*Director of Regeneration and Planning Services*)

Type of decision

Budget and Policy Framework

Purpose of report

The report advised Cabinet of the receipt of the binding Inspector's report on the submitted Statement of Community Involvement (SCI) and to approve, prior to adoption by the Council, the SCI as amended by the Inspector's recommendations.

Issue(s) for consideration by Cabinet

The SCI sets out how the Council intended to involve the community and other interested parties in the new planning system. The draft document was prepared in consultation with interested parties and groups with experience of consulting with the community and was widely publicised over a three month period. Amendments were made to the draft document as a result of this consultation, and Council, at its meeting on 15 December 2005, approved the Statement of Community Involvement for submission to the Secretary of State.

The submitted SCI was subject to a formal six week participation period to enable formal representations (of support or objection) to be made. Representations were made by 15 bodies which were forwarded to the Planning Inspectorate for consideration. The written representations made were mainly in support of the document and there was therefore no requirement for a public examination. The inspector had recently submitted a binding report to Council which included ten recommendations for changes to the SCI. The changes were relatively minor and did not affect the substance of the document. The Inspector's report, a copy of which was attached as Appendix 1 was set out on the basis of recommendations relating to the nine tests.

Decision

That the Inspector's report be noted and the Statement of Community Involvement, as amended in accordance with the Inspector's recommendations, be referred to Council for formal adoption.

86. An Investment Plan for the Tees Valley City Region (*Director of Regeneration and Planning Services*)

Type of decision

Key Decision – test (i) applies.

Purpose of report

The report sought Cabinet endorsement of the draft Tees Valley City Region Investment Plan and requests delegated authority be given to the

Director of Regeneration and Planning Services to approve any minor amendments to the document resulting from ongoing consultations.

Issue(s) for consideration by Cabinet

The report set out the background information on the purpose and preparation of the Tees Valley City Region Investment Plan and the implications for Hartlepool. The Investment Plan is intended to accompany the City Region Development Programme Business Case. Details of that report, including its relevance to the Northern Way Growth Strategy and the Government's Comprehensive Spending Review were reported to Cabinet on the 11 September 2006. The Investment Plan covers the ten year period to 2016, and while not a bidding document in its own right, the purpose of the Investment Plan is to set out a coherent investment programme for the Tees Valley. It provided, therefore, details of the key programmes/projects to be delivered by the proposed city regional partnership over that period.

Members discussed the funding arrangements for the investment plan which the Director of Regeneration and Planning Services indicated would be through the Single Programme of the Regional Development Agency (RDA). There were no guarantees on funding and the Chief Executive commented that the principal reason behind this document was to secure the funding for the whole of the Tees Valley. Funding wouldn't be top sliced from other local authority funding, though there may be a need to put local authority funding into certain schemes; the H2O Centre for example.

Each project would need to have a series of approvals in order to achieve the RDA funding. Each scheme would be scrutinised together with any other funding streams such as European money. Local authorities would be seeking to maximise funding streams for these major schemes using the private sector and other government or European funding streams as leverage for other funding wherever possible.

The Mayor was very positive about the Investment Plan and indicated that this was a plan that all authorities and agencies in the Tees Valley had made a commitment to in order to further the ambitions not only of their own areas but the Tees Valley as a whole.

Decision

That the draft Investment Plan for the Tees Valley City Region be endorsed and the Director of Regeneration and Planning Services authorised to approve any subsequent amendments following consultation with the Portfolio Holder.

87. Gambling Act (*Director Of Neighbourhood Services*)

Type of decision

Key Decision – test (ii) applies.

Purpose of report

The report informed Cabinet of the proposed adoption of a Gambling Act Policy that details the principles the Council will apply when exercising its licensing functions under the Gambling Act 2005.

Issue(s) for consideration by Cabinet

Under the new Gambling Act, Hartlepool Borough Council will assume responsibility for the licensing of gambling premises with effect from September 2007. One requirement of the Act is that licensing authorities publish a Gambling Policy detailing the principles that it proposes to apply when exercising its functions under the Act. This Policy must be reviewed every three years although it can be reviewed more frequently if considered necessary. Licensing Committee has recommended the adoption of a Gambling Policy that contains a 'No Casino Resolution' whereby applications for casino premises licences will not be considered.

The Mayor questioned if the Council would be receiving any additional funding to undertake this additional duty. The Head of Public Protection and Housing commented that the implementation of the Act would be similar to the Licensing Act and the Council would receive additional income from license fees but no additional central funding was to be allocated. Cabinet Members only concern in relation to the Policy was the inclusion of a 'no casino' policy. Cabinet considered that this could dissuade potential future development in the town. The Head of Public Protection and Housing stated that the non-inclusion of such a statement didn't preclude the authority from considering any applications that may be made. Cabinet Members also commented that should any such potential development come forward it should be directed away from the town centre area.

Cabinet endorsed the draft Gambling Policy but was of the view that a 'no casino' policy should not be adopted at this time.

Decision

That Cabinet endorse the draft Gambling Policy as submitted and that it be forwarded to Council for approval.

88. Hartlepool Alcohol Harm Reduction Strategy (*Head of Community Safety and Prevention*)

Type of decision

Non-key Decision.

Purpose of report

The report provided information on the progress and development of the Hartlepool Alcohol Strategy 2006 – 2009 and sought approval for an 'Invest to Save Bid' to attract funding to address and expand the local response to alcohol issues and service developments.

Issue(s) for consideration by Cabinet

The report provided information on progress in terms of the development and implementation of the Hartlepool Alcohol Harm Reduction Strategy. Hartlepool's Strategy was produced as a response to the Governments' requirement for local strategies and the growing local concern particularly in regard to alcohol related crime, anti social behaviour and the culture of binge drinking. The Strategy reflects a number of streams of work in progress addressing alcohol many of them cross cutting and the action plans within the Strategy illustrate activity linked to the four strategic objectives of:

- Children and Young People
- Healthier Communities
- Safer and Stronger Communities
- Economic Development and Enterprise

In addition the report sought approval for the submission of an Invest to Save bid to round 9 of the Inclusive Communities Budget which is currently being prepared with key partners prior to endorsement by the Hartlepool Partnership and submission by the 27 October 2006.

Decision

1. That Cabinet endorses the Hartlepool Alcohol Harm Reduction Strategy and note the associated action plans which illustrated the range of programmes, initiatives and aspirations to tackle alcohol issues.
2. That Cabinet approve the submission of an Invest to Save Bid and receive further detailed information at a future meeting.

89. Vehicular Access to the Foreshore (*Director of Neighbourhood Services*)

Type of decision

Non-key Decision.

Purpose of report

To consider the current and future arrangements relating to the restriction of vehicular access to the foreshore.

Issue(s) for consideration by Cabinet

While having regard to the terms upon which the foreshore is let to the Council by the Crown Estates and the safety of the public using the beach, the Council has sought to prevent unauthorised access and ensure any authorised access is properly regulated. Unauthorised vehicular access to the foreshore was a major issue in the Council's consideration of sea coal collection in 2002/03. Following considerable consultation and a report from the Environmental Stewardship and Regeneration Scrutiny Forum, Cabinet approved a detailed scheme for licensing of sea coal collection in 2003. The scheme proposed that licences should be granted to sea coal merchants who would then be responsible for ensuring that their collectors adhered to a code of conduct, which would include safe authorised access and use of the beach. At that time, there were three sea coal merchants operating in the town, but since that time two merchants have ceased trading.

As part of the considerations, the Council undertook an ecological study led by the University of Sunderland into the impact of sea coaling on the shore wildlife at Hartlepool. The study looked at both the impact of disturbance on birds and the impact of the removal of the sea coal on potential feeding sources and was completed in Spring 2004. The results of the study were forwarded to English Nature, which is the statutory consultee, for advice and comments. English Nature (EN) concluded that the levels of disturbance could not be classed as *de minimis*, and therefore a favourable outcome could not be guaranteed. If the Council, therefore, proceeds with a licence scheme, it is likely we will face an objection from EN for a scheme to operate in any Site of Special Scientific Interest (SSSI) or Special Protection Area (SPA), which covers the Headland beaches and those to the south of Seaton Carew. In light of this the Head of Public Protection and Housing was recommending to Cabinet that the licensing scheme be abandoned as being no longer relevant.

Following the Cabinet decision, actions have been undertaken to physically restrict vehicular access to the foreshore, whether by sea coalers or others. These actions included the closure of the Brus Tunnel and Newburn Bridge access points, despite acts of vandalism. A barrier at the Station Lane access point has also been erected, but is currently not secured. In 2004 the Royal Lifesaving Society was commissioned to undertake a beach safety assessment. As a result of this report, barriers were placed at all

three slipways at Seaton Carew to prevent illegal use of motorised vehicles. As persistent damage had occurred to the Newburn Bridge restriction, the Station Lane barrier was left unlocked as a prudent measure to avoid anticipated damage, pending resolution of any sea coal licensing scheme. The barrier and warning notice act as a deterrent to casual users, however, it does provide regular access for sea coalers who enter and turn north, making their way to the beach between the Cliff and Newburn outfall which is the prime location for remaining sea coal collection. No incidents are known to have occurred between sea coalers and other beach users in their route of travel.

Throughout the limited Lifeguard season, the lifeguards undertake a monitoring and advice role in challenging any unauthorised vehicles entering the patrolled beach zone. These mainly refer to personalised water craft users (“PWC”s, e.g., jet ski’s/surfboarders, etc), no incidents are recorded relating to sea coaler abuse of the patrolled beach except for the route of travel.

The Mayor considered that the licensing scheme had had its day and supported abandoning it. Cabinet Members were concerned that the access to the beach at Station Lane should be left open to provide access to the beach in an emergency. The Life Guards had been able to monitor the situation during the summer months and there had been no serious incidents. Cabinet therefore supported the status quo with regard to the access at Station Lane but asked that the situation be monitored.

Decision

1. That the barrier at the entrance to the foreshore, situated at Station Lane, remain open but that the situation be monitored.
2. The sea coal licensing scheme proposed in 2003 is no longer relevant and should, therefore, be abandoned.

90. Thoroughfare Policy (*Director of Neighbourhood Services*)

Type of decision

Non-key Decision

Purpose of report

The report proposed the establishment of a policy relating to requests for the restriction of pedestrian access on public thoroughfares. The report provided details of various methods of restricting/preventing pedestrian access to public highways/thoroughfares and recommendations as to how requests for such should be addressed.

Issue(s) for consideration by Cabinet

On a regular basis requests are received, from various sources, for the closure of thoroughfares across the town. These can range from minor footpath links on former housing estates to strategic footpaths that provide access from significant housing conurbations to leisure, retail and health

facilities. There are currently five options available for the closure, or restriction of access to a public highway, these being:

- Section 116 Highways Act 1980
- Countryside and Rights of Way Act 2000
- Road Traffic Regulations Act 1984 Sections 1 and Schedule 9 Part IV
- Town and Country Planning Act 1990
- Section 129A to 129G Highways Act 1980 (Gating Orders)

Over the past several months there has been an increase in the number of requests received from members of the public, often supported by petitions, for the restriction of access along public footpaths due to anti-social behaviour activities that are allegedly taking place on, or are due to, a particular path. Each request has been investigated and consultation exercises have been undertaken with residents in the immediate area, the results of which have been reported to the Portfolio Holder for decision.

At present there is no policy relating to how Officers should respond to such requests and each has been referred to the Portfolio holder for decision as to what course of action should be taken. A policy would enable Officers to respond to requests without recourse to the Portfolio Holder on every occasion, thus saving resources and enabling definitive responses to be given to those making the request much more quickly.

The following guidelines relating to how the Council should address these requests was therefore proposed;

- Any applications received should initially be directed to the relevant Neighbourhood Manager for investigation.
- The Neighbourhood Manager will investigate the situation, in liaison with the Police and Anti-Social Behaviour Unit to establish the extent of the problem, through available criminal and disorder evidence and appropriate actions, (other than gating or closure at this time), will be identified and initiated by the Neighbourhood Manager in conjunction with the Police, the Anti-Social Behaviour Unit and the Community Safety Problem Solving section. At this stage the applicants for the closure will be advised that closure will not be considered until all alternative options have been thoroughly investigated and recommendations have been received from all agencies that this is the only possible solution to the problem.
- If there is strong evidence and the problem persists, and it is recommended by the Police that a closure is the only remaining option, the NMT will undertake a full consultation with all stakeholders, including residents in the immediate vicinity and those residents who will be affected by the closure appropriate, resident associations, access groups and Council Officers (including those in the Transportation and Planning sections) to determine the extent of support for any proposed closure.

- A report will then be submitted to Portfolio Holder by the Head of Technical Services detailing the results of the consultation and a decision will be sought as to whether the proposed gating or closure should proceed.

The Mayor indicated that he had recently requested that officers bring forward this report following the significant public concern created around two particular paths in the town. Cabinet supported the proposed policy and considered that a clear indication of how such matters would be dealt with in the future would provide clarity for the public, Members and officers. The Culture, Leisure and Transportation Portfolio Holder, Councillor Victor Tumilty, was concerned that past decisions taken by him would be undermined. The Mayor was clear that the policy would not undermine any previous decisions of the Portfolio Holder but would bring into place clear guidance on how such requests should be dealt with before being submitted to the Portfolio Holder for decision. This would enable the Portfolio Holder to make a final decision on footpath closure requests in the knowledge that all the appropriate action to resolve the problems being experienced by residents had been dealt with in advance of the final decision.

The Mayor proposed that the policy be referred to Scrutiny so that full consultation could be carried out prior to its implementation. This would ensure that the Council had in place a policy that the public and Members had had the opportunity to comment on. The Mayor, however, requested that Scrutiny consider this policy as a matter of some urgency as he saw its implementation at the earliest date very important in light of the issues being raised by residents in relation to a number of footpaths in the town.

Decision

That the proposed policy relating to the closure of thoroughfares detailed above, be forwarded to Scrutiny with the request that its views and/or any amendments to the policy be reported back to Cabinet at the earliest opportunity to allow the policy to be implemented.

91. Construction Property Management and Highway Partnering (*Director of Neighbourhood Services*)

Type of decision

Non-key Decision.

Purpose of report

The report updated Cabinet on the progress of the partnering framework agreements for supplementing the future service delivery of construction, property management and highways services provision and sought Cabinet's approval to the proposed procurement strategy.

Issue(s) for consideration by Cabinet

At the meeting of 29th March 2006, Cabinet agreed that framework

agreements be pursued as the solution to provide service support for construction, property management and highways services. This would involve rationalisation of existing framework agreements. Further, each framework should be set-up such that it allows it to be built upon to develop a partnering arrangement. It was recognised that there would still be a role for small-scale specific collaboration to be continued with other local authorities where appropriate. Previous reports recorded the options that had been assessed for a partnering approach to service provision for construction, property management and highways services. The Strategic Alliance option was the potential option for the proposed framework agreements to develop towards. The benefits to the Council would be maximised where the private-sector service provider operates in a partnering fashion. No staff transfers would be involved, and the core workforce would be retained as shown in the existing organisation structure.

Appendices to the reports set out the scale of past external consultancy's and the number of Council staff that currently use external contractors to supplement their service delivery.

The procurement strategy option appraisal details were set out at Appendix C to the report. The length of contract affects all of the framework options; the longer the contract the greater the benefits that can accrue, though EU Regulations state a maximum of 4 years. The key contract issues to be considered were: -

- Call-off contract – the Council would not need to guarantee a level of income to the partner(s).
- Sharing of staff / savings / partnering ethos to be included.
- Training / development / secondment will be encouraged.
- Continuous benchmarking will be used to ensure competitiveness through contract.
- Contract / performance management requirements will be included.

The Council currently utilised a variety of small/medium contractors and consultants to supplement the in-house teams. There have been two main methods of utilising these external resources. Work had been issued as discrete parcels for the provider to manage and complete or the provider had provided personnel to work within the in-house team on secondment. Both methods would need to be catered for by any new framework arrangements. Some areas of work were specialised, and the required skills may not be available from all potential suppliers. However, it was proposed to group work into categories that will allow a minimum number of frameworks to be required.

The proposed timescales for the development of the framework was set out in the report with the target of commencing contracts in April 2007. Cabinet Members questioned if the Trade unions had been involved in the process. The Head of Procurement and Property Services stated that the trade unions had been involved from the very early stages of the discussions and had seen the proposals set out in the submitted report. The Mayor supported the proposals and asked that as part of the development of the

Local Area Agreement, other partner organisations should be referred to the Council's consultancy services for their own schemes.

Decision

That Cabinet approves the following procurement strategy: -

1. That a series of framework agreements be pursued as the short-term solution to provide service support for construction, property management and highways services. This would involve rationalisation of existing framework agreements.
2. That the frameworks be set-up such that they allow the contract to be built upon to develop a partnering arrangement and support community strategy objectives.
3. That small-scale specific collaboration to be continued with other local authorities where appropriate.
4. That all Council departments be directed to route all relevant engineering and construction consultancy work through the internal consultancy teams. This will allow best use of in-house resources and clarify the interfaces with the framework agreement partners.

92. Comprehensive Performance Assessment – Corporate Self-Assessment Submission (*Assistant Chief Executive*)

Type of decision

Non-key Decision.

Purpose of report

The report set out the Comprehensive Performance corporate self-assessment for Cabinet's approval and sought agreement to the process for finalising the submission to the Audit Commission on 16 October 2006.

Issue(s) for consideration by Cabinet

The report set out the background to the Comprehensive Performance corporate self-assessment. The self-assessment was attached as Appendix 1 to the report. Audit Commission guidance required the self-assessment to "‘tell the story’ of your council and its locality" and "show how your understanding of your locality, as demonstrated in the context section, is translated into ambitions and priorities for the community; and how the capacity and performance management of the council is being applied to deliver improved outcomes for local people and places."

The draft self-assessment had been prepared to address the Audit Commission's questions and key lines of enquiry (KLOEs). The self-assessment is written to answer three main questions:

Question 1: What is the council, together with its partners, trying to achieve? This measures: ambition for the community, prioritisation.

Question 2: What is the capacity of the council, including its work with partners, to deliver what it is trying to achieve? This measures; capacity, performance management.

Question 3: What has been achieved? This measures: achievement in terms of the shared priorities: sustainable communities and transport, safer and stronger communities, healthier communities, older people, children and young people.

The Performance Management Portfolio Holder commended the draft self assessment to Cabinet and thanked the Assistant Chief Executive and his team for the magnificent job they had undertaken to produce the self assessment and the story-boards for submission by the required deadline.

Decision

1. That Cabinet approves the draft self assessment submission.
2. That the Chief Executive be authorised, in discussion with Mayor and/or Performance Management Portfolio Holder, to finalise the draft for submission on 16 October 2006.

94. Future of Locality Based Health Care Services in Hartlepool - Proposal for Community Engagement via Local Poll *(Chief Executive)*

Type of decision

Non-key Decision.

Purpose of report

To seek agreement from the Cabinet in principle to undertake exploratory arrangements in relation to the holding of a Local Poll in Hartlepool to determine the strength of feeling of the town with regard to the future of locality based health care services in Hartlepool.

Issue(s) for consideration by Cabinet

In light of the recent consultation arrangements undertaken by the Hartlepool Primary Care Trust with regard to its future shared management arrangements together with the Secretary of State for Health's recent decision to refer the provision of maternity and paediatric services in the Tees area to an Independent Reconfiguration Panel (an independent, advisory non-departmental public body that advises Ministers on contested proposals for NHS service change), as part of the Acute Service Review on Teesside, the locality focus of the future delivery and viability of health care services within the town is likely to be threatened.

Furthermore the Secretary of State for Health in her speech to the Institute of Public Policy and Research on 19 September 2006, discussed the likelihood of the future closure of 60 hospitals across the country in light of major changes to the health service with particular reference to accident and emergency services and paediatric and maternity services in smaller

district hospitals. In acknowledging that the acute hospital services proposals should not be looked at in isolation from the primary, community and social care domains, the Authority has fully supported all of Darzi's proposals from the outset, which in summary present a vision for both Hartlepool and Teesside of how clinical services may be organised to ensure that they have a sustainable and vibrant future, contribute to improving access to treatment, increase the choices open to the patients and the delivery of high quality care.

It is as a result of the significant campaigning efforts generated by this Authority, the town's Member of Parliament, the people of the town and key partners that we should continue to further engage the town's support on this community issue, more so since the Secretary of State for Health has since called in her Government's expert advice undertaken by Professor Darzi, which could ultimately result in some of the recommendations not being implemented thus threatening the long-term sustainability of the University Hospital of Hartlepool. In order to gauge the strength of feeling amongst the residents of the town in support of the full implementation of the Acute Service Review with emphasis being placed upon retaining the University Hospital of Hartlepool, it is proposed that exploratory arrangements be undertaken to hold a Local Poll across the town, given the very nature of this community issue that would also result in considerable media interest on a national scale.

Whilst Local Authorities do not have the statutory powers to hold referendums except in one or two issues where specific legislation applies. Chapter 22, Part 1 (2) of the Local Government Act 2000 does provide a Local Authority with the power under the promotion of well being in conjunction with Chapter 116 (2) of the Local Government Act 2003 to conduct a local poll to ascertain the views of those polled of a significant community issue.

The cost of conducting a local poll by a traditional election format would involve the use of approximately 60 polling stations, operating standard polling hours of 7.00 am to 10.00 pm with provisions to include postal voting arrangements, would cost in the region of £70,000. Other options could incur much lower costs such as using a reduced number of polling stations with different opening hours or using a full postal vote.

The Mayor indicated that he would be meeting representatives of Your Say with the Chief Executive next week to informally discuss a potential local poll. While not having any legal status, the poll would give an indication of the strength of feeling of local people. The undertaking of a local poll would, however, require the backing of Council to approve the additional funds required.

Councillors R Waller and Jackson supported the undertaking of the poll and Councillor Jackson commented that he would wish to see a full postal poll taken. Councillor Payne questioned if this was the best way to spend £70,000 in support of the retention of hospital services in the town.

Councillor Hill also indicated that while supporting the poll, she questioned the influence it may have on the Health Minister.

The Mayor believed that it was worthwhile to explore the options of a local poll further and commented that anything that would clearly display the strength of opinion in the town should be used to push Hartlepool's case forward to those who had the power to make the final decision on the future of the Hospital and the services provided there.

Decision

1. That Cabinet agrees, in principle, to the undertaking of exploratory arrangements in relation to the holding of a Local Poll in Hartlepool to determine the strength of feeling of the town with regard to the future of locality based health care services in Hartlepool.
2. That the approval of Full Council be sought with regard to the allocation of additional resources to cover any related expenditure incurred to conduct the Local Poll.

95. Final Report – Hartlepool PCT: Consultation on Proposed Management Arrangements *(Adults and Community Services and Health Scrutiny Forum)*

Type of decision

Non-key Decision.

Purpose of report

The report set out the response of the Adult and Community Services and Health Scrutiny Forum following its consideration of the proposed management arrangements for Hartlepool PCT.

Issue(s) for consideration by Cabinet

Hartlepool PCT was recently confirmed as a statutory body following the Department of Health exercise, "Commissioning a Patient-Led NHS". In determining its future management arrangements Hartlepool PCT consulted key stakeholders including this Overview and Scrutiny Committee to seek views in relation to its proposed management structure. The Adult and Community Services and Health Scrutiny Forum met on September 19 2006 to receive from the PCT a presentation of its proposals. This meeting followed the Forum's previous submission to the Strategic Health Authority (SHA) in March 2006, recommending the continuance of 'true' (i.e. one to one) coterminosity between the PCT and the Borough Council which is also a view unanimously supported by the Borough Council at its meeting on 16 February 2006. The report set out the background to the investigation and the Scrutiny Forum's detailed conclusions and recommendations.

Cabinet members were concerned that the Stockton and Hartlepool PCT's would be managed by one Chief Executive and wondered if this was the first step towards a single hospital. The Director of Adult and Community Service indicated that while the two bodies were separate statutory bodies

there would be some shared posts, the Chief Executive being one of them. Decisions on resources would be made by the two separate bodies utilising their own funds.

Decision

That the following recommendations of the Adult and Community Services and Health Scrutiny Forum be noted: -

- (a) That the Forum seek further clarification from HPCT on the extent to which statements by Ministers have been taken into account and are reflected in the proposals for management changes;
- (b) That clarification be sought from HPCT as to the grounds on which a proposal previously considered as 'unworkable' by the PCT chief executive community was subsequently considered as workable and consulted upon by HPCT;
- (c) That HPCT engage in a meaningful consultation exercise with HBC and the Community and Voluntary Sector around Joint Commissioning and other Locality arrangements and bring its proposals back to this Forum;
- (d) That the role and terms of reference of all bodies within the Tees-wide sub committee arrangement are shared with key partners including HBC and Hartlepool Partnership;
- (e) That a review of the role and decision making processes of all Tees-wide bodies is undertaken after 6 months of operation and a complete assessment be presented to this Forum no later than 1 April 2007;
- (f) That any future proposal to outsource commissioning be referred to this Scrutiny Forum at the earliest opportunity, and that the Forum is immediately informed about any implications for Hartlepool and Teesside arising from the OJEU advert of commissioning services; and,
- (g) That the Scrutiny Forum will make available its final report in relation to this issue once the PCT have responded to the issues raised in this report within 28 days of receipt as outlined in the Health Scrutiny Guidance.

J A BROWN

CHIEF SOLICITOR

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