



Chief Executive's Department  
Civic Centre  
HARTLEPOOL

10 June, 2019

Councillors C Akers-Belcher, S Akers-Belcher, Black, Brewer, Brown, Buchan, Cartwright, Cassidy, Fleming, Hall, Hamilton, Harrison, Howson, Hunter, James, King, Lauderdale, Lindridge, Little, Loynes, Marshall, Mincher, Moore, Prince, A Richardson, C Richardson, Smith, Stokell, Tennant, Thomas, Ward, Young.

Madam or Sir,

You are hereby summoned to attend the COUNCIL meeting to be held on THURSDAY, 20 JUNE 2019 at 7.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

A handwritten signature in black ink, appearing to read "G Alexander". The signature is fluid and cursive, with a long horizontal stroke at the end.

G Alexander  
Chief Executive

Enc

# COUNCIL AGENDA



**Thursday 20 June 2019**

**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 meeting of the Council held on 21 March 2019 and the Annual Council meeting held on 21 May 2019 (reconvened on 23 May 2019) 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;
  1. Further Review Of The Council's Constitution - Report of Monitoring Officer
- (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;
    - 1. Urgent Works to Christ Church (Report of Finance and Policy Committee) – *to follow*
- (12) To consider motions in the order in which notice has been received;
- (13) To receive the Chief Executive's report 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 15 February 2019 and the Police and Crime Panel held on 5 February 2019 and 9 April 2019.



**COUNCIL**  
**MINUTES OF PROCEEDINGS**  
**21 March 2019**

The meeting commenced at 7.00 pm in the Civic Centre, Hartlepool

PRESENT:-

The Ceremonial Mayor (Councillor Barclay) presiding:

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Belcher
Black	Brewer	Brown
Buchan	Cassidy	Cook
Cranney	Fleming	Hall
Harrison	James	Lindridge
Little	Loynes	Marshall
McLaughlin	Moore	Dr Morris
A Richardson	Smith	Tennant
Thomas	Young	

Officers: Gill Alexander, Chief Executive  
Andrew Carter, Assistant Director Economic Growth & Regeneration  
Chris Little, Director of Finance and Policy  
Hayley Martin, Chief Solicitor  
Denise McGuckin, Director of Regeneration and Neighbourhoods  
Joan Stevens, Scrutiny Manager  
Amanda Whitaker and Denise Wimpenny, Democratic Services Team.

Prior to the commencement of the meeting, the Ceremonial Mayor referred in terms of regret to the recent death of former Councillor, Tom Burey. Members stood in silence as a mark of respect.

108. APOLOGIES FOR ABSENT MEMBERS

Councillors Hamilton, Hunter, Lauderdale, C Richardson and Trueman

109. DECLARATIONS OF INTEREST FROM MEMBERS

None

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

None

111. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 21 February 2019, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

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

None

113. BUSINESS REQUIRED BY STATUTE

None

114. ANNOUNCEMENTS

The Ceremonial Mayor announced that tickets were available for a Civic Dinner on 29 March and reminded Members also of a St George Day Fun Day on 20 April 2019.

115. 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.

None

116. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES

- (a) Review of the Council's Constitution – Report of Constitution Committee

The report sought the views of Council regarding proposed changes to the Constitution. Following the meeting of the Constitution Committee on 18 September, a review of Part 3 had commenced. It had become apparent that it was not possible to review Part 3 in isolation and therefore a wholesale review of the Constitution had taken place. It was highlighted that the benefit in

reporting to this meeting of Full Council rather than the September meeting as had been agreed by Council, would be that once agreed, the changes would come into effect for the new Municipal Year.

Council received a presentation by the Monitoring Officer which provided an overview of the proposed changes to each of the Parts of the Constitution and highlighted the salient issues arising from the review.

An appendix to the report summarised the main changes to Part 3 which included an additional delegation to the Director of Regeneration and Neighbourhoods to accept/dispose of museum items in consultation with the Chair of the Regeneration Services Committee. Concerns were expressed by a Member that the delegation should include an amount to which the delegation applied although the difficulties associated with setting a value for acceptance/disposal of museum items were recognised. It was moved that consideration of the additional delegation be deferred until further guidance is received. The Monitoring Officer advised that she was content for consideration of the delegation to be deferred.

Members were advised that it had been noted that the agenda for the Annual Meeting of Council, set out in the Council Procedure Rules, required amendment. This had been completed by the Monitoring Officer in accordance with the power in Article 15. It was explained that the agenda for the Annual Meeting of Council set out within the Procedure rules referred at points 11 and 12 that appointments to Committees and Outside Bodies will be 'noted.' However the legislation stated that Council will 'make' such appointments at the Annual Meeting. Therefore the word 'note' had been changed to 'make.' The implication of the change was that it was proposed that the meeting of Full Council scheduled for the 21 May 2019 be re-designated as the Annual Council Meeting. This meeting would appoint the Ceremonial Mayor (and Deputy Mayor) Leader (and Deputy Leader), Committees and outside bodies. Following these appointments the meeting would be adjourned to 23 May 2019 to allow arrangements to be put in place for the ceremonial part of the meeting with dignitaries to proceed. A Member referred to the review of civic expenditure and questioned why stopping the ceremonial part of the meeting had not been considered, as part of that review. The Chair of Finance and Policy Committee reminded Members that although a review of civic expenditure had commenced, which was the subject of a report to be considered later in the agenda, a commitment had been given previously to submit a further report to Full Council reviewing other Civic and Democratic costs. It was moved that the ceremonial mayor making event be ceased. Members defended the mayoral ceremony. Following advice from the Chief Executive, the proposal to cease the ceremonial mayor making event was referred to the Constitution Committee for consideration of legal opinion.

It was moved by Councillor Black and seconded by Councillor Smith:-

"That a recorded vote be taken on banning the purchase of alcohol by the Authority in its entirety".

The Ceremonial Mayor ruled that a vote not be taken as provision of alcohol was not included in the Constitution and therefore not relevant to the report being considered. The Chief Executive responded that Officers would be reviewing arrangements as part of the review of civic expenditure.

Members were reminded that the Guidance Note on Political Balance referred to allocations of seats on Committees and outside bodies. Traditionally the Council had 'grouped together those Elected Members who were not aligned to a political group'. The Constitution Committee had recommended that Independent Members, not aligned to a political group, should be considered as individuals for the purposes of allocation of seats to Committees and should not be grouped together for these purposes.

It was moved by Councillor Black and seconded by Councillor Little:-

“That those Elected Members who are not aligned to a political group continue to be grouped together for the purpose of allocation of seats on Committees and Outside Bodies”

In accordance with Council Procedure Rule 17.5 of the Constitution, a recorded vote was taken on the amendment relating to the allocation of seats on Committees:-

Those in favour:

Councillors Black, Brewer, Brown, Little, Moore, A Richardson and Smith

Those against:

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Belcher, Buchan, Cassidy Cook, Cranney, Fleming, Hall, Harrison, James, Lindridge, Loynes, Marshall, McLaughlin, Morris, Tennant, Thomas, and Young.

Those abstaining:

None.

The vote was lost.

One change had been proposed to Part 6 to provide clarity in relation to the limited circumstances when costs can be reimbursed.

It was moved by Councillor Black and seconded by Councillor Smith:-

“That the recommended change to Part 6 be approved subject to the addition of travel and subsistence rates to be in line with rates for Officers”

In accordance with Council Procedure Rule 17.5 of the Constitution, a recorded vote was taken on the recommendations set out in the report as follows:-

- The proposed changes to the Constitution with effect from the commencement of the new municipal year.
- The ordinary meeting of Full Council on 21 May 2019 be re-designated the Annual Council meeting and agree that the Annual meeting currently scheduled for 23 May will be the ceremonial event.
- That in accordance with Council Procedure Rule 24.2, changes to Council Procedure Rules on being proposed and seconded, stand adjourned without discussion to the next Ordinary meeting of Council
- That authority is delegated to the Monitoring Officer in consultation with the Leader and Chief Executive for further technical changes to be carried out to the Constitution.

Those in favour:

Councillors C Akers-Belcher, S Akers-Belcher, Barclay, Belcher, Black, Brewer, Brown, Buchan, Cassidy Cook, Cranney, Fleming, Hall, Harrison, James, Lindridge, Little, Loynes, Marshall, McLaughlin, Moore, Morris, A Richardson, Smith, Tennant, Thomas, and Young.

Those against:

None.

Those abstaining:

None.

The vote was carried unanimously.

(b) Review of Civic Expenditure – Report of Finance and Policy Committee

At its meeting on the 11 March 2019, the Committee had considered proposals to remove Ward Member Budgets from 2020/21. The report sought consideration also to the introduction of car parking charges for Elected Members from May 2019 producing an income of £2664.

Members were advised that the removal of Ward Member budgets would produce an annual revenue saving of £66K. Approval was sought for the potential allocation of this money to be used to support one off prudential borrowing and be considered alongside a review of both the Neighbourhood Investment Plan and the Child and Family Poverty Strategy.

Approval was sought from Council in relation to these proposals. The following recommendations of the Finance and Policy Committee were moved by Councillor Christopher Akers-Belcher and seconded by Councillor Cranney:-

- i) Remove Ward Member budgets from 2020/2021

- (ii) The potential allocation of the resultant £66K recurring revenue budget saving to support one off prudential borrowing and be considered alongside a review of both the Neighbourhood Investment Plan and the Child and Family Poverty Strategy; and
- (iii) The implementation of car parking charges for Elected Members from May 2019.

A vote was taken by show of hands and the recommendations of the Finance and Policy Committee were agreed unanimously.

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

None

#### 118. REPORT FROM THE POLICY COMMITTEES

(a) Proposal in relation to the Council's budget and policy framework

- (1) Adoption of the Port Local Development Order (LDO) – Report of Regeneration Services Committee

The Chair of the Regeneration Services Committee presented the report which advised Members that the updated Port LDO had been forwarded from Regeneration Services Committee following a public consultation and amendments being made to the document. This report sought the Council's approval to adopt the document.

Members were advised that in order to stimulate economic growth, the Government had pursued a programme of Enterprise Zones throughout the Country. Whilst some of the Enterprise Zones had ceased to exist from the end of March 2018, along with their individual LDO's, the financial incentives as part of the Enterprise Zone at the Port at Hartlepool would be in place until the end of March 2020. As well as the financial benefits, Enterprise Zones provided an added incentive of simplified planning processes which was one of the requirements of the agreement to establish the Enterprise Zone. This was achieved through the adoption of a Local Development Order. Given that the previous LDO expired in March 2018 (the date originally planned for the end of the Enterprise Zone) it was necessary to comply with the requirements of the Enterprise Zone to put the LDO in place again. For specific developments on the site, the LDO would allow development to be undertaken without the need for planning permission to be obtained, providing the development is carried out in accordance with established design guidance and conditions.

The Regeneration Services Report (which included the LDO) was appended to the report to Full Council.

The following recommendations of the Regeneration Services Committee was moved by Councillor Cranney and seconded by Councillor Christopher Akers-Belcher:-

“Council are asked to formally adopt the LDO for Hartlepool Port. The LDO is needed to meet the Enterprise Zone requirements. The Council are required to send the LDO to the Secretary of State within 28 days of adoption”  
A vote was taken by show of hands and the recommendation of the Regeneration Services Committee was agreed unanimously.

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

(1) 15 Church Street Renovation – Report of Finance and Policy Committee

The report enabled Council to consider the Committee’s recommendation for the use of prudential borrowing as part of the funding strategy for the renovation of 15 Church Street and to increase the Prudential Borrowing Limits accordingly.

At its meeting on the 11<sup>th</sup> March, 2019 the Committee had considered proposals to undertake renovation works to 15 Church Street located in the Innovation and Skills Quarter (ISQ). Total funding for the purchase and renovation scheme included £213,000 from external funding sources consisting of Section 106 contributions, Homes England and Heritage Lottery Fund (HLF) grants. This external funding covered 61% of the total scheme costs, with the balance being required to be met from prudential borrowing, self funded from future rent income. Approval was sought from Council in relation to the borrowing component of the funding strategy consisting of £78,000 General Fund borrowing in relation to the shop and £56,000 HRA borrowing in relation to the flats.

The Committee had recommended that Full Council approve:

- i) General Fund borrowing of £78,000 to be met from shop rent income as part of a ‘Full Repair and Insuring’ operating lease, with the tenant being responsible for all repairs and operating costs.
- ii) HRA borrowing of £56,000 to be met from the net rental income of the flats after deducting operating costs.

On the basis of Council approving the above recommendations to approve the inclusion of this scheme within the Capital Programme and Prudential Indicators.

A vote was taken by show of hands and the recommendations of the Committee were agreed by a majority of those Members present.

(2) Capital Investment Programme – Joint report of Finance and Policy Committee and Regeneration Services Committee

The report enabled Council to consider the recommendation to use the £42m of grant funding from the Tees Valley Combined Authority (TVCA) on the major projects set out in the report. At its meeting on the 11<sup>th</sup> March, 2019 the Joint Committee had been notified that the Council had secured £42m of grant funding from the TVCA. The report had set out an overview of recent capital investment in the Town by the Council and third parties totaling £159m. It was recommended that the new grant is used to continue the redevelopment of the town and a number of major projects are proposed.

The following major projects had been proposed:

- £20m to be allocated towards the Hartlepool Waterfront, including the conversion of the previous £1.563m loan in relation to Jacksons Landing into a grant, establishing this asset was secured by the Council through inward investment and not Council revenue or capital monies;
- £4m towards the delivery of the ISQ2 Film and Television Studios
- £8m towards the Western Growth Corridor;
- £10m for Indigenous growth, £2m a year over 5 years.

The recommendations of the Joint Committee were moved by Councillor Cranney and seconded by Councillor Christopher Akers-Belcher as follows:-

- Council note the investment previously secured by the Council of £160m.
- Council approve the use of TVCA £42m grant as set out in the report.
- On the basis of Council approving the above recommendations to approve the inclusion of this scheme within the Capital Programme and Prudential Indicators and delegate authority to the Regeneration Services Committee to approve the detailed business cases for using these resources.
- Approve that the first priority to be funded from the Indigenous Growth is the development of the events space at the Waterfront and to delegate authority to the Regeneration Services Committee to approve the detailed business case to drawdown this funding from the Combined Authority.

On moving and seconding the recommendations the Chairs highlighted the potential benefits for the town and took the opportunity to thank Officers for their hard work and contribution towards taking this scheme as well as a number of other schemes forward.

The recommendations of the Joint Committee were agreed unanimously.

## 119. MOTIONS ON NOTICE

None

## CHIEF EXECUTIVE'S REPORT

## 120. ARMED FORCES COMMUNITY COVENANT - UPDATE

The Chief Executive reported that a Community Covenant is a voluntary statement of mutual support between the civilian community and its local Armed Forces Community. It complements the national Armed Forces Covenant and encourages, on a local level, communities to:

- i) Support the Service community in their area;
- ii) Promote understanding and awareness amongst of the issues affecting the Armed Forces Community;
- iii) Recognise and remember the sacrifices faced by the Armed Forces Community;
- iv) Promote activities which help to integrate the Armed Forces Community into local life; and
- v) Encourage the Armed Forces Community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement.

Hartlepool Borough Council signed its original Armed Forces Community Covenant in 2012 and has since then worked to deliver the actions and measures contained within it. A review of the Covenant is now required.

## RESOLVED - Council

- i) Indicated its agreement to signing the Covenant appended to the report, with the amendment of point 4.1 (i) to read:-
  - 'Identify a senior officer to be the lead contact within the Authority for liaison with a senior officer from the Armed Forces (to be at least Lieutenant Colonel or equivalent), to facilitate the Council's active membership of the Tees Valley and North East Armed Forces Forums and liaise with the Regional Commander in agreeing an annual support plan for Armed Forces community engagement';
- ii) Approved appointments as required in the Covenant through the Annual Council process.

## 121. PAY POLICY 2019/2020

The Chief Executive reported that under Section 38 of the Localism Act (2011), Full Council had to approve a Pay Policy Statement (PPS) on an annual basis. The draft PPS for 2019/20 had been circulated for Council's consideration.

RESOLVED – That the Pay Policy Statement 2019/20 be approved.

## 122. NOTICE OF COMPOSITION OF POLITICAL GROUP

The Chief Executive reported receipt of notification, on 1 March 2019, of the composition of a new Political Group 'Independent Union' comprising the following Elected Members:-

Councillors Brewer, Buchan, Cassidy, Fleming, Moore, Tennant,

The Elected Members detailed above had been formerly Members of the Hartlepool Independent Group and that Group, therefore, had ceased to be constituted.

RESOLVED – That the report be noted.

## 123. REFERRAL FROM COUNCIL – AWARD OF MEDALS TO RETIRING CEREMONIAL MAYOR

Further to minute 65 of the meeting of Full Council held on 25 October 2019, the Chief Executive reminded Members that the Constitution Committee had been keen to continue the tradition of presenting the retiring Ceremonial Mayor with a medal or gift to express appreciation and recognition for their service to the town. Emphasis had been placed upon the need for future medals to be produced at a minimal cost and that sponsorship opportunities with key partners be examined. The recommendations of the Constitution Committee had been agreed by Council as follows:-

- (i) That the current tradition in relation to awarding of medals to a retiring Ceremonial Mayor should continue.
- (ii) That the option to produce a steel or gun metal medal to represent the history of Hartlepool be explored.
- (iii) That Officers from the Economic Development Team explore sponsorship opportunities with key partners in terms of the design and production of future medals and that medals be produced at a minimal cost.

The Chief Executive advised Council that, following the decision in October, Northgate had agreed to sponsorship of a medal this year at an estimated cost of £350.

RESOLVED – That the report be noted.

On concluding presentation of her business report, the Chief Executive advised that she had received formal notification of one retiring Elected Member, Councillor George Morris. The Chief Executive paid tribute to Cllr Morris service to the Authority and expressed appreciation on behalf of Officers who held Councillor Morris in high regard also.

Elected Members joined the Chief Executive in paying tribute to Councillor Morris and to the other retiring Elected Members, Councillors Barclay, Belcher, McLaughlin and Trueman.

124. PUBLIC QUESTION

None

125. QUESTIONS FROM MEMBERS OF THE COUNCIL

- a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 12.1

None

- b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 12.2

The following questions had been submitted by Councillor Little to the Chair of the Finance and Policy Committee:-

1. "As it been highlighted on a recent television program. Does the council or other Housing agencies know how many of our residents are sofa surfing or are facing eviction from their home?"
2. "As a council are we aware of how many of our residents are in FOOD & FUEL poverty as food banks are becoming away that our families are feeding themselves due to sanctions that the benefits agency are implementing on residents and their families."
3. "With the combination of the 2 above question, this put more pressure on our teams in housing, children and adults services and mental health teams. With cuts that we received year in year out and with the outcome of the pilot scheme that the town is undergoing with universal credit benefits what can we do as a council to stop these residents and their families been in poverty."

The Chair of the Finance and Policy Committee commenced his response by thanking Councillor Little for asking the questions as they highlighted the impact of the unfair and unjust policies this Government had adopted, both in respect of welfare cuts and funding cuts for the Council. As the questions were interlinked, the Chair provided a composite response. The Chair reiterated the point made by Councillor Little in her questions that the Council and town had suffered unfair and disproportionate cuts in Government Funding. Members were aware the core Government funding to be received in 2019/20 was £20.9m (45%) less than 2013/14. It was a similar position in relation to welfare cuts as these changes had also impacted adversely on our residents.

It was appreciated that sofa surfing was a real issue, although this was not nationally recognised as homelessness. The Housing Advice Service had collated information on people that presented to them for help due to 'fear of homelessness' or are actually homeless. Since April 2018 to date 798 households had approached the team for assistance to either prevent or relieve homelessness. However many 'sofa surfers' do come and ask for help and depending on their individual circumstances they were either given a priority to be housed or advice on how to resolve their housing issues. These cases and residents facing eviction had been included in the 798 households that had presented for help.

The Chair of Finance and Policy Committee concluded his response by advising that he was content to share the information, the subject of his response, with Councillor Little. He added also that he was content to meet with Councillor Little and the town's MP to discuss the concerns which were expressed during the debate arising from the questions and response.

Tribute was paid to the work of Officers of this Authority who assist individuals effected by the issues highlighted by the questions. The Chair of the Children's Services Committee advised of the growing number of children in care and commended the Children's Services Department with particular reference to the recent prestigious Local Government Chronicle award recently won by the department. Tribute was paid also to Mark Patton, Assistant Director (Education), who was leaving the Authority and best wishes were conveyed for Mr Patton's future.

- c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority

None

- d) Minutes of the meetings held by the Cleveland Fire Authority and the Police and Crime Panel

Minutes of the meeting held by the Cleveland Fire Authority on 14 December 2018 were noted.

The meeting concluded at 9.00 p.m.

CEREMONIAL MAYOR

# **ANNUAL COUNCIL**

## **MINUTES OF PROCEEDINGS**

**21 May 2019**

The meeting commenced at 7.00 pm in the Civic Centre, Hartlepool

PRESENT:-

The Ceremonial Mayor (Allan Barclay) presiding:

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Black
Brewer	Brown	Buchan
Cartwright	Cassidy	Fleming
Hall	Hamilton	Harrison
Howson	Hunter	James
King	Lauderdale	Lindridge
Little	Loynes	Marshall
Mincher	Moore	Prince
A Richardson	C Richardson	Smith
Stokell	Tennant	Thomas
Ward	Young	

Officers: Gill Alexander, Chief Executive  
Hayley Martin, Chief Solicitor  
Claire McLaren, Assistant Director, Corporate Services  
Jill Harrison, Director, Adult and Community Based Services  
Denise Ogden, Director of Regeneration and Neighbourhoods  
Neil Wilson, Assistant Chief Solicitor  
Amanda Whitaker and Denise Wimpenny, Democratic Services Team

Following a request for clarification in relation to chairing this Annual Council meeting, the Chief Solicitor advised that section 3 of the Local Government Act 1972 states that the Chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as Chairman.

### 1. APOLOGIES FOR ABSENT MEMBERS

Councillor Robinson

## 2. ELECTION OF CHAIR OF COUNCIL/CEREMONIAL MAYOR

Nominations were sought for the office of Chair of Council/Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year.

Nomination moved by Councillor Brown and seconded by Councillor C Richardson:-

“That Councillor Hunter be elected as Chair of Council/Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year”.

A further nomination was moved by Councillor Moore and seconded by Councillor Young:-

“That Councillor Loynes be elected as Chair of Council/Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year”.

Prior to the vote, the Chief Executive reminded Elected Members that those entitled to vote should each vote for only one person and that votes would be dealt with in alphabetical order.

A recorded vote was taken in relation to the nomination of Councillor Hunter as Chair of Council/Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year.

Those in favour:

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, Lindridge, Prince, C Richardson, Smith and Thomas

Those against:

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Cartwright, Cassidy, Fleming, Hall, James, King, Lauderdale, Little, Loynes, Marshall, Mincher, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those abstaining:

None

The vote was lost. The Chief Executive announced that consequently Councillor Loynes was elected as Chair of Council/ Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year.

The Ceremonial Mayor signed the Declaration of Acceptance of Office.

Allan Barclay vacated the Chair

**Councillor Loynes (Ceremonial Mayor) presiding.**

**3. ELECTION OF VICE CHAIR OF COUNCIL/DEPUTY CEREMONIAL MAYOR**

Nominations were sought for the office of Vice Chair of Council/Deputy Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year.

Nomination moved by Councillor Hall and seconded by Councillor Buchan:-

“That Councillor Lauderdale be elected as Vice Chair of Council/Deputy Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year”.

There were no other nominations.

The Chief Executive announced that as the nomination had not been contested, Councillor Lauderdale was elected Vice Chair of Council/Deputy Ceremonial Mayor.

**4. ANNOUNCEMENTS**

None

**5. TO ELECT THE LEADER OF THE COUNCIL AND THE DEPUTY LEADER OF THE COUNCIL.**

Nominations were sought for the office of Leader of the Council for the ensuing municipal year.

Nomination moved by Councillor Harrison and seconded by Councillor Hamilton:-

“That Councillor Brown be elected as Leader of the Council for the coming municipal Year”

Nomination moved by Councillor Young and seconded by Councillor Buchan:-

“That Councillor Moore be elected as Leader of the Council for the coming municipal Year”

A recorded vote was taken on the nomination of Councillor Brown as Leader of the Council for the coming municipal year:-

Those in favour:

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, Lindridge, Prince, C Richardson and Thomas

Those against:

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Cartwright, Cassidy, Fleming, Hall, James, King, Lauderdale, Little, Loynes, Marshall, Mincher, Moore, A Richardson, Smith, Stokell, Tennant, Ward and Young.

Those abstaining:

None

The vote was lost.

The Chief Executive announced that, consequently, Councillor Moore had been elected as Leader of the Council.

It was highlighted, therefore, that Cllr Moore was appointed Chair of Finance and Policy Committee, Chair of Health and Wellbeing Board, Chair of Constitution Committee and appointed also to Appointments Panel and outside bodies set out in the tabled outside body schedule.

Nominations were sought for the office of Deputy Leader of the Council for the ensuing municipal year.

Nomination moved by Councillor Buchan and seconded by Councillor Loynes:-

“That Councillor Young be elected as Deputy Leader of the Council for the coming municipal Year”

There were no other nominations.

The Chief Executive announced that as the nomination had not been contested, Councillor Young was elected Deputy Leader of the Council and would consequently take a place on Finance and Policy Committee.

## 6. MEETINGS OF COUNCIL

A schedule of Council meetings for the municipal year 2019/20 had been circulated.

RESOLVED – That the schedule of Council meetings be approved.

## 7. TO MAKE APPOINTMENTS TO COMMITTEES, FORUMS AND OTHER BODIES AS REQUIRED BY THE CONSTITUTION

It was reported that the proposed membership of Committees, Forums and other bodies had been circulated prior to this meeting of full Council. An invitation had been extended to leaders of the political groups and independent members of the Council to make nominations for the position of Chairs and Vice Chairs which were indicated on the schedules circulated to Members.

Council's approval was requested to the Committees where there were no contested seats as set out in the schedule, tabled at the meeting.

A change to the membership of the Regeneration Services Committee, with Cllr Lindridge replacing Councillor Hunter, was noted.

Recorded Votes were taken on the following positions:-

#### Regeneration Services Committee

Candidates nominated for the position of Chair of the Regeneration Services Committee were Councillor C Akers-Belcher and Councillor Black.

The Chief Executive highlighted that the outcome of the vote would have an impact on the composition of the Finance and Policy Committee.

A recorded vote was taken on the nomination of Councillor C Akers-Belcher as Chair of Regeneration Services Committee:-

Those in favour:

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Cassidy, Hall, James, Lauderdale, Loynes, Marshall, Moore, Stokell, Tennant, Ward and Young.

Those against:

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, King, Lindridge, Little, Mincher, Prince, A Richardson, C Richardson, Smith and Thomas.

Those abstaining:

Councillors Cartwright and Fleming.

There were equal numbers of votes for and against. The Chair had, therefore, a second and casting vote which was cast in favour of Councillor C Akers-Belcher.

Councillor C Akers-Belcher was appointed Chair of Regeneration Services Committee and consequently was appointed to the Finance and Policy Committee.

The non-contested seats were voted on block and were agreed.

#### Vacancies

There were 2 nominations – Councillors C Richardson and Young – for the vacant seat on the Adult and Community Based Services Committee

There were 2 nominations – Councillors Brown and Fleming – for the vacant seat on the Licensing Committee.

A recorded vote was taken on the nomination of Councillor C Richardson to the vacancy on the Adults and Community Based Services Committee.

Those in favour:

Councillors Black, Brown, Hall, Hamilton, Harrison, Howson, Hunter, Lindridge, Prince, C Richardson, Smith and Thomas.

Those against:

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Cartwright, Cassidy, Fleming, James, King, Lauderdale, Loynes, Marshall, Mincher, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those abstaining:

Councillor Little.

The vote was lost.

Councillor Young was, consequently, appointed to the Adults and Community Based Services Committee.

A recorded vote was taken on the nomination of Councillor Brown to the vacancy on the Licensing Committee.

Those in favour:

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, Lauderdale, Lindridge, Little, Prince, C Richardson, Smith and Thomas.

Those against:

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Cartwright, Cassidy, Fleming, Hall, James, King, Loynes, Marshall, Mincher, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those abstaining:

None

The vote was lost.

Councillor Fleming was, consequently, appointed to the Licensing Committee.

#### Audit and Governance Committee

There were 2 nominations – Councillors Black and Hall – for the Chair of the Audit and Governance Committee.

A recorded vote was taken on the nomination of Councillor Black for Chair of the Audit and Governance Committee:-

Those in favour:

Councillors Black, Brown, Buchan, Hamilton, Harrison, Howson, Hunter, King, Lindridge, Little, Mincher, Prince, C Richardson, Smith and Thomas.

Those against:

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Cartwright, Cassidy, Fleming, Hall, James, Lauderdale, Loynes, Marshall, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those abstaining:

None

The vote was lost.

As a consequence, Councillor Hall was appointed Chair of the Audit and Governance Committee. Councillor Black took the remaining position on the Audit and Governance Committee.

RESOLVED –

- (i) That the following appointments are made:-
- Councillor Lindridge appointed to replace Councillor Hunter on Regeneration Services Committee
  - Regeneration Services Committee – Chair - Councillor C Akers-Belcher and consequently appointed to the Finance and Policy Committee also.
  - Councillor Young appointed to the vacancy on the Adults and Community Based Services Committee
  - Councillor Fleming appointed to the vacancy on the Licensing Committee
  - Councillor Hall appointed Chair of the Audit and Governance Committee and Councillor Black appointed to the remaining seat on the Audit and Governance Committee.
- (ii) That the Members indicated to the remaining positions of Chair and Vice-Chair, detailed in the circulated proposed membership documentation, in each case be appointed to those offices
- (iii) That the remaining positions on Committees, Forums and other bodies, details of which are included in the Council's Minute Book, be constituted with the membership as indicated.

8. TO MAKE APPOINTMENTS TO JOINT COMMITTEES AND OTHER OUTSIDE BODIES WHERE APPOINTMENT IS RESERVED TO COUNCIL

It was highlighted that a list setting out suggested representatives on joint committees and other outside bodies had been circulated prior to the Council meeting. Prior to the meeting the leaders of the political groups and independent Members had been invited to make nominations. Council was requested to agree the suggestions which were set out in the document, the format of which reflected the division of outside body list in Part 7 of the Constitution.

Council's approval was requested to the outside bodies where there were no contested seats, as set out in the report.

With regard to the contested outside body appointments, recorded votes were taken as follows:-

Cleveland Fire Authority

There are 5 nominations for 3 seats

The nominations were Councillors Fleming, James, Marshall, C Richardson and Thomas.

A recorded vote was taken with each Elected Member entitled to up to 3 votes:-

Those for Councillor Fleming:-

Councillors C Akers-Belcher, S Akers-Belcher, Black, Brewer, Buchan, Cartwright, Cassidy, Fleming, Hall, James, King, Lauderdale, Little, Loynes, Marshall, Mincher, Moore, A Richardson, Smith, Stokell, Tennant, Ward and Young.

Those for Councillor James

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Hall, James, Lauderdale, Loynes, Marshall, Moore, Smith, Stokell, Tennant and Young

Those for Councillor Marshall

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Hall, James, Lauderdale, Little, Loynes, Marshall, Moore, Stokell and Young

Those for Councillor C Richardson

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, Lindridge, Mincher, Prince, C Richardson and Thomas.

Those for Councillor Thomas

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, Lindridge, Little, Mincher, Prince, C Richardson, Smith, Tennant and Thomas.

Councillors Fleming, James and Thomas had the highest number of votes and were, therefore, appointed to the 3 places on the Cleveland Fire Authority.

A recorded vote was requested to determine which of the 3 Members of the Cleveland Fire Authority would be nominated by the Council to the Fire Authority's Executive Committee.

Councillor James withdrew her nomination to the Executive Committee.

A recorded vote was taken on the nomination of Councillor Fleming to the Executive Committee.

Those For:-

Councillors S Akers-Belcher, Brewer, Cartwright, Cassidy, Fleming, Hall, King, Lauderdale, Loynes, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those Against:-

Councillors Black, Brown, Buchan, Hamilton, Harrison, Howson, Hunter, Lindridge, Little, Mincher, Prince, C Richardson, Smith and Thomas.

Those abstaining:-

Councillors C Akers-Belcher, James and Marshall.

The vote for Councillor Fleming's appointment to the Executive Committee of the Cleveland Fire Authority was carried.

#### Local Government Association

There were 3 nominations for 2 seats. However, Councillor Moore was appointed to the 1<sup>st</sup> seat as a consequence of his appointment earlier in the meeting to Leader of the Council.

A vote was taken for the 2<sup>nd</sup> seat between the remaining two candidates; Councillors Brown and James

A recorded vote was taken on the nomination of Councillor Brown:-

Those for:-

Councillors Black, Brown, Hamilton, Harrison, Howson, Hunter, Lindridge, Little, Mincher, Prince, C Richardson, Smith and Thomas.

Those against:-

Councillors C Akers-Belcher, S Akers-Belcher, Buchan, Hall, James, Lauderdale, Loynes, Marshall, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those abstaining:-

Councillors Brewer, Cartwright, Cassidy, Fleming and King.

The vote was lost and consequently Councillor James was appointed to the 2<sup>nd</sup> seat on the Local Government Association.

#### Mental Health Champion

Two nominations had been received – Councillors Thomas and Ward.

A recorded vote was taken in relation to the nomination of Councillor Thomas:-

Those for:-

Councillors Black, Brown, Hall, Hamilton, Harrison, Howson, Hunter, Lauderdale, Lindridge, Little, Mincher, Prince, C Richardson, Smith and Thomas.

Those against:-

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Buchan, Cartwright, Cassidy, Fleming, James, Loynes, Marshall, Moore, A Richardson, Stokell, Tennant, Ward and Young.

Those abstaining:-

Councillor King.

The vote was lost. Consequently, Councillor Ward was appointed Mental Health Champion.

#### Refugee Champion

Two nominations had been received – Councillors C Akers-Belcher and Hamilton.

A recorded vote was taken in relation to the nomination of Councillor C Akers-Belcher:-

Those for:-

Councillors C Akers-Belcher, S Akers-Belcher, James, Loynes, Marshall, Stokell and Young.

Those against:-

Councillors Black, Brown, Buchan, Hall, Hamilton, Harrison, Howson, Hunter, King, Lindridge, Little, Mincher, Moore, Prince, A Richardson, C Richardson, Smith, Tennant, Thomas and Ward.

Those abstaining:-

Councillors Brewer, Cartwright, Cassidy, Fleming and Lauderdale.

The vote was lost. Consequently Councillor Hamilton was appointed Refugee Champion.

#### Veteran's Champion

Two nominations had been received – Allan Barclay and Ian Cawley.

Council agreed that consideration of nominations be referred to Hartlepool Armed Forces Liaison Group for nomination. The nominations of Allan Barclay and Ian Cawley were withdrawn pending the outcome of the considerations by the Liaison Group.

#### National Association of Councillors

Four nominations had been received for 3 places on the National Association of Councillors, English Region Meeting and General Management Committee – The Leader and Councillors C Akers-Belcher, S Akers-Belcher and Brown.

Prior to a vote being taken, Councillor C Akers-Belcher advised Council that he withdrew his nomination to accommodate Councillor Brown's nomination.

Consequently, the Leader and Councillors S Akers-Belcher and Brown were appointed.

#### Local Government Association Coastal Special Interest Group

Two nominations were made – Councillors James and Hunter.

Following an explanation of the connection with the Northumbria Regional Flood and Coastal Committee, the nomination of Councillor Hunter was withdrawn and Councillor James was appointed to the Coastal Special Interest Group.

#### Local Joint Consultative Committee

There were 2 nominations for Chair of the Committee – Councillors James and C Richardson.

Whilst it was highlighted that it was usual for the appointment of the Chair to be made by the Committee, it was proposed that a decision be made at this meeting of Council.

A vote for referral to the Local Joint Consultative Committee to appoint the Chair of the Committee was carried.

RESOLVED –

- (i) That the nominations to the vacancies, moved at the meeting, are approved as follows:-

Cleveland Fire Authority – Councillors Fleming, James and Thomas.

Cleveland Fire Authority Executive – Cllr Fleming.

Local Government Association – Councillors James and Moore.

National Association of Councillors – Councillors Moore and Brown.

Refugee Champion – Councillor Hamilton.

Mental Health Champion – Councillor Ward.

Veteran's Champion – Referred to Armed Forces Liaison Group for nomination.

Local Joint Consultative Committee – Chair – referred to Consultative Committee

- (ii) The following vacancies were noted:-

Tees Valley Combined Authority Overview and Scrutiny Committee – 1 Labour vacancy.

Fairtrade Town Steering Group – 1 vacancy

Teesmouth Field Centre – 1 vacancy

Victoria and Jubilee Homes – 1 vacancy

Teesside Pension Fund – 1 vacancy

Teesside Pension Board – 1 vacancy

Teesside Environmental Trust – 1 vacancy

- (iii) That the remainder of the representations, as detailed in the Council's Minute Book, be appointed as the Council's representatives on joint committees and other outside bodies.

## 9. ADJOURNMENT OF MEETING

The meeting was adjourned to 23 May 2019 for the purpose of the ceremonial part of the meeting.

Upon reconvening the meeting on 23 May 2019, the following Elected Members were in attendance:-

The Ceremonial Mayor (Councillor Loynes) presiding:

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Black
Brewer	Brown	Buchan
Cartwright	Cassidy	Fleming
Hall	Hamilton	Harrison
Howson	Hunter	James
King	Lauderdale	Lindridge
Little	Marshall	Mincher
Moore	Prince	A Richardson
C Richardson	Smith	Stokell
Tennant	Thomas	Ward
Young		

The Chief Executive welcomed everybody to the Investiture Ceremony for the Ceremonial Mayor of Hartlepool.

10. INVESTITURE OF THE CHAIR OF COUNCIL/ CEREMONIAL MAYOR

Further to the election of Councillor Loynes who had been appointed at the meeting held earlier in the week (minute 2 refers), The Chief Executive invited Councillors to speak in support of the Ceremonial Mayor. Speeches were made by Councillor Moore and Councillor Young. The Chief Executive read out the “Declaration of the Ceremonial Mayor” and invited the Ceremonial Mayor to sign the document. The outgoing Ceremonial Mayor, Allan Barclay, invested the Ceremonial Mayor with the chain of office.

The Ceremonial Mayor returned thanks for her appointment and in addressing the Council advised that her chosen charities were Harbour, the Pansies Breast Cancer Support Group and the Great North Air Ambulance.

11. INVESTITURE OF THE VICE CHAIR OF COUNCIL/DEPUTY CEREMONIAL MAYOR

Further to the election of Councillor Lauderdale as Deputy Ceremonial Mayor who had been appointed at the meeting held earlier in the week (minute 3 refers), The Chief Executive invited Councillors to speak in support of the Deputy Ceremonial Mayor. Speeches were made by Councillor Hall and Councillor Tennant. The Chief Executive invited the Deputy Ceremonial Mayor to sign the “Declaration of the Deputy Ceremonial Mayor” and the Ceremonial Mayor invested the Deputy Ceremonial Mayor with the medals of office.

12. CONSORT

The Ceremonial Mayor announced that her husband Dennis Loynes would be her Consort during her term of office. A medal was received by the Consort.

*A musical interlude was provided by Sacred Heart Roman Catholic Primary School.*

### 13. TRIBUTE TO THE WORK OF THE RETIRING CEREMONIAL MAYOR

The Ceremonial Mayor paid tribute to the work of the retiring Ceremonial Mayor and requested:-

“That this Council records with gratitude the services rendered to the Borough by the retiring Mayor, Mr Allan Barclay and the manner in which he has discharged the responsible duties devolved upon him”

The Ceremonial Mayor invited Councillors to speak to offer thanks for the work of the retiring Mayor. Speeches were made by Councillor Christopher Akers-Belcher and Councillor Stephen Akers-Belcher.

The Ceremonial Mayor presented the retiring Mayor with a medal in recognition of his service. The retiring Ceremonial Mayor returned thanks and spoke about the highlights of his year.

### 14. TRIBUTE TO THE WORK OF THE RETIRING DEPUTY CEREMONIAL MAYOR

The Ceremonial Mayor paid tribute to the work of the retiring Deputy Ceremonial Mayor and requested:-

“That this Council records with gratitude the services rendered to the Borough by the retiring Deputy Mayor, Mr Rob Cook and the manner in which he has discharged the responsible duties devolved upon him”.

The retiring Deputy Ceremonial Mayor gave thanks for his terms of office. Bouquets were presented to the Lord Lieutenant and the retiring Deputy Mayoress.

*A musical interlude was provided by Ward Jackson Church of England Primary School, prior to Elected Members and civic guests being invited to partake in refreshments.*

### CEREMONIAL MAYOR

The meeting concluded at 8.15 p.m.



**Report of:** Monitoring Officer

**Subject:** FURTHER REVIEW OF THE COUNCIL'S CONSTITUTION

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**1. INTRODUCTION**

1.1 A comprehensive report relating to a review of the Council's Constitution was submitted to Council on the 21 March, 2019. A number of those changes, owing to their amendments to Council Procedure Rules, stood adjourned to take effect at the next ordinary meeting of Council under Procedure Rule 24.2. This report refers to those changes to Council Procedure Rules, which take effect from this meeting.

**2. CHANGES TO COUNCIL PROCEDURE RULES**

2.1 The proposed changes to the Council Procedure Rules were recommended, by the Constitution Committee, to Full Council on 21 March 2019. The amendments to the Procedure Rules ensure they are compliant with the relevant legislation and reflect current practice. A copy of the updated Procedure Rules, with changes highlighted, are appended to this report.

**3. RECOMMENDATION**

3.1 That Council note that the above changes to its Procedure Rules become effective from this meeting and that the Council's Constitution be amended accordingly.

**4. REASONS FOR RECOMMENDATIONS**

4.1 It is the responsibility of the Monitoring Officer to monitor the Constitution to ensure that the aims and principles of the Constitution are given full effect and comply with the law.

**5. BACKGROUND PAPERS**

Hartlepool Borough Council's Constitution  
Council Report and Minutes – 25 October 2018

Local Government Act 1972  
Local Authorities (Committee System) (England) Regulations 2012  
Local Government and Housing Act 1989  
Constitution Committee Report – 4 March 2019  
Council Report – 21 March 2019

**6. CONTACT OFFICER**

Hayley Martin  
Chief Solicitor and Monitoring Officer  
[Hayley.martin@hartlepool.gov.uk](mailto:Hayley.martin@hartlepool.gov.uk)  
01429 523002

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# COUNCIL PROCEDURE RULES

## 1. ANNUAL MEETING OF THE FULL COUNCIL

### Timing of Annual Meetings

In a year when there is an ordinary election of Councillors, the Annual Meeting of Council will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in March, April or May on a date to be determined by Council.

~~An Ordinary meeting of Council will be held to make appointments outside of those matters specifically reserved to the Annual meeting, on a date to be agreed by Council and held prior to the Annual meeting. Those appointments will cover Committees, Sub-Committees, Forums, Outside Bodies and Organisations including appointments to Joint Committees.~~

**Commented [AW2]:** Paragraph deleted – Appointments to Committees and Outside Bodies to be considered at Annual Council meeting

### Order of Business of Annual Meetings

The Annual meeting of Council is a formal procedural meeting and the order of business at any Annual meeting will be:

- i) To elect a person to preside at the meeting if the Chair (Ceremonial Mayor) and Vice Chair (Deputy Ceremonial Mayor) is not present;
- ii) To receive apologies from absent Elected Members;
- iii) To elect the Chair of Council (Ceremonial Mayor) for the coming municipal year;
- iv) To elect the Vice Chair of Council (Deputy Ceremonial Mayor) of Council for the coming municipal year;
- ~~v) To receive suitable presentations from the newly elected Chair of Council (Ceremonial Mayor);~~
- ~~vi) To receive any declarations of interest from Elected Members;~~
- ~~vii) To approve the minutes of the last meeting;~~
- v) To receive any announcements from the Chair of Council (Ceremonial Mayor) and/or Head of Paid Service;

- vi) To elect the Leader of the Council ~~if required~~ and a Deputy Leader of the Council for the coming municipal year: ~~(see Rule 4)~~;
- vii) To approve a programme of meetings of the Council for the year; and
- viii) To ~~note~~ **make** appointments to committees, forums and other bodies as required by the Constitution;
- ix) To ~~note~~ **make** appointments to joint committees and other outside bodies where appointment is reserved to **Council**;
- x) **To resolve to adjourn the Annual Meeting to (insert date) to receive suitable presentations from the newly elected Chair of Council (Ceremonial Mayor)**

**Commented [AW3]:** XI AND XII – CHANGES BY THE MO

**Commented [AW4]:** INSERT – ABOVE ONLY ITEMS TO BE CONSIDERED WITH EXCEPTION STATED.

~~The business items set out above are the only matters which may be brought before the Annual meeting. The only exception to this would be where business required by law to be done has been inadvertently omitted from the agenda.~~

### Variation of Order of Business

Business falling under items (i) to (iv) of rule 1.2 shall not be displaced, but subject thereto the order of business of the Annual Meeting may be varied by the Ceremonial Mayor acting as Chair (hereinafter referred to as 'Chair' for the purposes of these procedure rules).

## 2. ORDINARY MEETINGS OF THE **FULL COUNCIL**

### Order of Business at Ordinary Meetings

Unless otherwise provided under rule 2.2 the order of business at every ordinary meeting will be:

- i) To elect a person to preside if the Chair and Vice-chair are not present;
- ii) To receive apologies from absent Elected Members;
- iii) To receive any declarations of interest from Elected Members;
- iv) To deal with any business required by statute to be done before any other business;
- v) To approve the minutes of the last meeting of **Full Council** as the correct record;

- vi) To answer questions from Elected Members of Full Council on the minutes of the last meeting of Full Council;
- vii) To deal with any business required by statute to be done;
- viii) To receive any announcements from the Chair, or the Head of Paid Service;
- ix) 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;
- x) To consider reports from the Council's Authority's Committees and to receive questions and answers on any of those reports;
- xi) To consider any other business specified in the summons to the meeting, and to receive questions and answers on any of those items;
- xii) To consider reports from the Policy Committees:
  - (a) proposals in relation to the Council's Authority's approved Budget and Policy framework; and
  - (b) proposals for departures from the approved budget and policy framework;
- xiii) To consider motions in the order in which notice has been received;
- xiv) To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.
- xv) To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 11;
- xvi) To answer questions of Elected Members of the Council under Rule 12;
  - a) Questions to the Chairs about recent decisions of Council the Authority's 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 Authority's representatives on the Police and Crime Panel and Cleveland Fire Authority

- d) Minutes of the meetings held by the Cleveland Fire Authority and the Police and Crime Panel

**Commented [AW5]:** INSERT the items are the only matters which may be brought before an Ordinary Council meeting.

The business items set out above are the only matters which may be brought before an Ordinary meeting of Full Council ~~meeting~~.

#### **Variation of Order of Business**

Business falling under items (i) to (vi) of rule 2.1 shall not be displaced, but subject thereto the order of business of an Ordinary Meeting may be varied:-

- i) by the Chair, or
- ii) by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

### 3. EXTRAORDINARY MEETINGS

#### Calling extraordinary meetings

The persons listed below may request the ~~Proper Officer~~ **Chief Executive** to call Council meetings in addition to ordinary meetings:

- i) the Council by resolution;
- ii) the Chair, or, in his/her absence, the Vice-Chair;
- iii) the Council's ~~Chief Executive~~ or Monitoring Officer; and
- iv) any five Elected Members of the Council if they have signed a requisition (in the form as that reproduced in Appendix 1) presented to the Chair of the Council and she/he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

**At other times the Chief Executive may call a meeting of Full Council whenever they consider it necessary and/or appropriate to do so.**

#### Business

**No item of business may be conducted at an extraordinary meeting of Full Council other than that specified in the resolution, request or requisition which led to the meeting being called.** ~~shall conduct no business other than that for the purpose of which it was called.~~

### 4. APPOINTMENT OF A LEADER

~~The Council may at the Annual Meeting from amongst its Elected Members appoint a Leader of the Council. If the Council does not appoint a Leader of the Council, the Leader of the majority political group on the Council will be the Leader of the Council. Council may also appoint a Deputy Leader of the Council, if the Council does not appoint a Deputy Leader, then the majority political group will so appoint.~~

~~“Political Group” is defined in the Local Government (Committees and Political Groups) Regulations 1990.~~

### 5. APPOINTMENT OF SUBSTITUTE ELECTED MEMBERS OF COMMITTEES AND SUB-COMMITTEES

#### Allocation

**Commented [AW6]:** CPR4 DELETED – DEALT WITH IN ANNUAL COUNCIL LIST

**Commented [AW7]:** MOVE AWAY FROM COUNCIL RELATED PROCEDURE RULES – TO WHERE?

As well as allocating seats on Committees and Sub-Committees, the Council at the Annual Meeting ~~will~~ **may** allocate seats in the same manner for substitute Elected Members.

## Designation of Substitutes

A substitute may be designated for each Elected Member appointed to a Committee or Sub-Committee:

- i) by the Full Council, if so requested by the Elected Member, or
- ii) by the Elected Member, by notification to the Chief Executive (which designation as a substitute shall take effect immediately after notification to the Chief Executive for the specific meeting or until such later time as shall be specified by the Elected Member).

and, in respect of an Elected Member appointed to more than one Committee or Sub-Committee, a different substitute may be designated for each appointment.

An Elected Member designated as a substitute shall undergo such training as required, or as otherwise deemed necessary, in accordance with any direction or instruction through the Chair of the relevant Committee, any procedural or best practice guidance in the better governance of the Council Authority.

An Elected Member may, by written notification to the Chief Executive, terminate the appointment of a substitute with immediate effect.

## Powers and duties

Substitute Elected Members will have all the powers and duties of any ordinary Elected Member of the Committee but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.

## Substitution

At the commencement of a meeting at which a substitute is to attend as substitute s/he shall identify the Elected Member for whom s/he substitutes who shall be excluded from participating in that meeting and for whom there shall be no further substitution at that meeting.

## 6. TIME AND PLACE OF MEETINGS

### Annual and extraordinary meetings

The Annual Meeting and extraordinary meetings of Full Council shall unless otherwise directed or determined by the Council be held at the Civic Centre, Hartlepool, commencing at 7.00 p.m.

## Ordinary meetings

The Ordinary meetings of **Full Council** shall, unless otherwise directed or determined by **Full Council**, be held at the Civic Centre, Hartlepool commencing at 7.00 pm in the evening.

### 7. NOTICE OF AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting (otherwise than in cases of unavoidable urgency), the Chief Executive will send a summons signed by him/her by post to every Elected Member of the Council or leave it at their usual place of residence or other duly notified address. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

### 8. CHAIR OF MEETING

~~The person presiding at the meeting may exercise any power or duty of the Chair. Where these rules apply to Committee and Sub-Committee meetings, references to the Chair also include the Chair of Committees and Sub-Committees.~~

Commented [AW8]: DELETE – NO NEED TO BE STATED AS CPR AS APPLIES ANYWAY

### 9. QUORUM

The quorum of a meeting of **Full Council** will be nine. ~~one quarter of the whole number of Elected Members (rounded up)~~ 9. During any meeting if the Chair or Chief Executive at the request of any Elected Member counts the number of Elected Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting.

### 10. DURATION OF MEETING

Unless the majority of Elected Members present vote for the meeting to continue, any meeting that has lasted until 9.00 pm shall adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting.

## **11. QUESTIONS FROM THE PUBLIC**

### **General**

During a period of 30 minutes, or a longer period at the discretion of the Chair, residents of Hartlepool may raise questions of, Chairs of Committees and Sub-Committees at ordinary meetings of Full Council in accordance with these procedure rules.

### **Notice of questions**

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than noon on the Thursday of the week before the meeting (or in the case of a meeting held otherwise than on a Thursday, on the expiry of the fifth clear working day before the meeting). Each question must give the name and address of the questioner and must name the Chair of Committee or Sub-Committee to whom it is to be put (if the questioner is under 16 years of age, the notice must include the name, address and signature of the parent or guardian of the questioner).

Questions may be submitted at a later time than the deadline stated above if, in the opinion of the Chair of the Council, the question relates to an urgent issue that has arisen after the deadline.

### **Order of questions**

- i) Not later than the day before the commencement of any meeting in respect of which more than one notification has been received under rule 11.2 and not rejected under rule 11.5, the order in which the questions shall be asked shall be determined in a manner of random selection to be stipulated by the Chief Executive. The determination of the order shall take place at the Civic Centre and shall be open to the public.
- ii) There shall be excluded from the process described in rule 11.3(i) the question of any person whose question was dealt with at the immediately preceding ordinary meeting of the Council which shall be placed at the end of the order of questions. If there is more than one question to which this paragraph applies, they shall be asked in the order in which they were asked at the preceding meeting.

### **Number of questions**

At any one meeting no person may submit more than 2 questions but a question may consist of a number of parts.

## Scope of questions

The Chief Executive in consultation with the Chair of the Council, may reject a question if:-

- i) it is not about a matter for which the Local Authority has a responsibility or which affects the Borough; or
- ii) it is out of order, illegal, irregular or improper; or
- iii) it is defamatory, frivolous or offensive; or
- iv) it is substantially the same as a question which has been put at a meeting of the Council in the past six months and since when there has been no change of circumstances justifying the resubmission of the question ; or
- v) it requires the disclosure of confidential or exempt information; or
- vi) it is unreasonably excessive because of its length or its number of parts; or
- vii) the name of the person wishing to ask the question is not on the Register of Electors

**Commented [AW9]:** Additional reason for rejecting questions – consistent with suggested criteria for rejecting Motions.

## Record of questions

- i) The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the Elected Member to whom it is to be put. Rejected questions will include reasons for rejection.
- ii) The Chief Executive shall notify the questioner in writing addressed to the questioner at the address at which s/he is registered that his/her question has been accepted or rejected under rule 11.5 (the letter will be copied to the parent or guardian identified in the notice if the questioner is under 16 years of age)
- iii) Copies of all questions will be circulated to all Elected Members and will be made available to the public attending the meeting.

## Asking the question at the meeting

- (i) The Chair will invite the Chief Executive to read the submitted question to the Elected Member named in the notice.
- (ii) Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Elected Member to whom it was to be put who

was to respond to the question, will be dealt with by way of a written answer.

- (iii) Once the question has been put asked, the Chair of the relevant Committee to whom the question has been put will answer respond to the question.
- (iv) Once the Chair of the Committee has answered responded to the question, Elected Members of the Council may, at the discretion of the Chair of the Council, make comment upon and discuss the issue raised by the question under rule 11.1 or move that the issue raised by the question be referred to a Council Committee.
- (v) A Chair of the Committee answering responding to a question will have a maximum of five minutes to put his or her answer to the question for their response.

## 12. QUESTIONS BY ELECTED MEMBERS

### Questions about recent decisions of Council Committees

- (i) An Elected Member of the Council may ask a Chair of a Committee about a decision published and approved for implementation in the period since the last ordinary meeting of Full Council. Questions under this rule may be asked without notice. However, the questioner must identify the Committee making the decision and the title of the decision taken by the Committee.
- (ii) Once the question has been answered responded to by the Chair of the Committee, at the Chair of Council's discretion, discuss Full Council may debate the issue matter or move that the issue be referred to a Council Committee if so moved, seconded and agreed by Council.
- (iii) An Elected Member asking a question will have a maximum of one minute to put ask his/her question at the meeting. A Chair of a Committee answering a responding to a question will have a maximum of five minutes to put his or her answer to respond to the question.

### Questions on notice at full Council

- i) An Elected Member of the Council may ask the Chair of any Committee or Forum a question on
  - any matter in relation to which the Council Authority has powers or duties or

Commented [AW10]: REFORMAT

- which affects the Borough of Hartlepool

provided s/he has given notice by delivering it in writing or by electronic mail to the Chief Executive no later than noon on the Thursday of the week before the meeting. In the case of a meeting held otherwise than on a Thursday, on the expiry of the fifth clear working day before the meeting. If the question relates to urgent matters, and the consent of the Elected Member to whom the question is to be addressed has been given, notice may be given to the Chief Executive not later than 1 hour before the time of commencement of the meeting.

An Elected Member who submits more than one question shall place the questions in a numbered order of priority and shall indicate whether, in the event that the question is not asked at the meeting of Full Council for which it is submitted, s/he wishes that the question be asked at the next ordinary meeting of Full Council or be answered in writing.

- ii) An Elected Member may, if a notice in writing has been given to the Chief Executive no later than noon on the Thursday of the week before the meeting (or in the case of a meeting held otherwise than on a Thursday, on the expiry of the fifth clear working day before the meeting) and such notice is signed by an Elected Member before the commencement of the meeting ask:-
- a Member of the Police and Crime Panel any question on any matter in relation to the discharge by the Panel of its functions; or
  - a Member of the Cleveland Fire Authority any question on any matter in relation to the discharge by the Fire Authority of its functions.

An Elected Member who submits more than one question shall place the questions in a numbered order of priority

- (iii) Questions of which notice has been given under (i) or (ii) above shall be asked in the order in which notice of the questions was given save that all questions of one priority shall be dealt with before questions of the next priority.
- (iv) Elected Members ~~of the Council~~ may, at the discretion of the Chair of Council, make comment upon and discuss the issue raised by the questioner under (i) or (ii) above and/or move that that the issue is referred to a ~~Council~~ Committee **if so moved, seconded and agreed by Council.**
- (v) (a) An Elected Member asking a question will have a maximum of one minute to put his/her question at the meeting. The

relevant Elected Member ~~answering~~ **responding to** a question will have a maximum of five minutes **to provide their response to** ~~put his or her answer to the question~~

(b) Not more than 30 minutes shall be ~~devoted by~~ **allocated at a meeting of Full Council** to the answering of questions under this rule provided that the Chair of Council may at his/her discretion extend the time. Any questions remaining unanswered shall (unless the Elected Member who gave notice of the question has indicated that the question should be answered in writing) be dealt with at the next ordinary meeting of Full Council. The first unanswered question of each Elected Member being accorded priority no 1 and subsequent questions accorded priority in the sequence allocated by the Elected Member.

## Scope of Questions

The Chief Executive in consultation with the Chair of the Council, may reject a question if:-

- i) it is not about a matter for which the Local Authority has a responsibility or which affects the Borough; or
- ii) it is defamatory, frivolous or offensive; or
- iii) it is substantially the same as a question which has been put at a meeting of Full Council in the past six months and since when there has been no change of circumstances justifying the resubmission of the question; or
- iv) it requires the disclosure of confidential or exempt information; or
- v) it is unreasonably excessive because of its length or its number of parts;

## Reports of the Committees

~~— An Elected Member of the Council may ask the Chair of a Committee any question without notice upon an item within the report of the Committee when that item is under consideration by the Council.~~

**Commented [AW11]:** DELETE – NOT REQUIRED – ON COUNCIL AGENDA

## Response in Writing

An answer under Rules 12.2 and 12.3 may take the form of:

- i) a direct oral answer which will be open to further debate in Council;
- ii) where the reply cannot conveniently be given orally, a written answer will be circulated to all Elected Members ~~of the Council~~. At the discretion of the Chair of Council, the questioner may ask an additional question in accordance with Rule 12.2 at the next ordinary meeting of Full Council about issues raised in the written answer.

## 13. MOTIONS ON NOTICE

### Notice

**A Motion must be about a matter for which the Authority has a responsibility or which affects the Borough of Hartlepool.**

**Commented [AJW12]:** Addition of definition of a motion

Move 13.5 – scope –

Insert reasons for refusal

Insert electronic submission Motions

- i) Except for motions which can be moved without notice under Rule 14, written notice of every motion, signed by at least five Elected Members, must be ~~delivered to~~ **submitted to and received by** the Chief Executive, **or by electronic mail to the Chief Executive** during normal office hours at least 7 clear working days before the date of the meeting. These will be entered in a book open to public inspection.
- ii) The number of motions before an Ordinary Meeting of Council shall not exceed 3 subject to consultation with the Chair of Council and in accordance with Council Procedure Rule 13.1 (i)

### Scope

~~Motions must be about matters for which the Council has a responsibility or which affect the Borough of Hartlepool.~~

**The Chief Executive in consultation with the Chair of the Council, may reject a Motion if:-**

- i) **it is not about a matter for which the Authority has a responsibility or which affects the Borough; or**
- ii) **it is out of order, illegal, irregular or improper; or**
- iii) **it is defamatory, frivolous or offensive; or**
- iv) **it is substantially the same as a Motion which has been put at a meeting of the Full Council in the past six months and since when there has been no change of circumstances justifying the resubmission of the question ; or**
- v) **it requires the disclosure of confidential or exempt information; or**
- vi) **it is unreasonably excessive because of its length or its number of parts;**

**Commented [AW13]:** ??? MOVE TO BEGINNING???

### Motion set out in agenda

Motions for which due notice has been given will be listed on the agenda in the order in which notice was received, unless the Elected Member giving notice states, in writing, that they propose to move it at a later meeting or withdraw it.

### Withdrawal of motion not moved

If a motion set out in the agenda is not moved either by an Elected Member who gave notice of it or some other Elected Member on

his/her behalf shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

#### **Remission to committee**

If in the view of the Chair of Council, in consultation with the Monitoring Officer, the subject matter of any Motion ~~comes within the province~~ is the responsibility of any Committee or Committees it shall, upon being moved and seconded, stand referred without discussion to such Committee or Committees or to such other Committee or Committees as Full Council may determine, for consideration and report. Provided that the Chair may, if s/he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting of Full Council, following consultation with the Monitoring Officer.

#### **14. MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- i) to appoint a Chair of the meeting at which the motion is moved;
- ii) in relation to the accuracy of the minutes;
- iii) subject to rules 1.3 and 2.2 ? ??, to change the order of business in the agenda;
- iv) to refer a matter to an appropriate body or individual;
- v) to appoint a Committee or Elected Member arising from an item on the summons for the meeting;
- vi) To consider reports from Committees and Officers, and any resolutions flowing from them.
- vii) to withdraw a motion;
- viii) to amend a motion;
- ix) to extend the time limit for speeches
- x) to proceed to the next business;
- xi) that the question be now put;
- xii) to adjourn the debate;
- xiii) to adjourn the meeting;

- xiv) that the meeting continue beyond the time specified by rule 10 for termination of the meeting;
- xv) to suspend a particular procedure rule;
- xvi) to exclude the public and press in accordance with the Access to Information Rules;
- xvii) that an Elected Member named under Rule 21.3 be not further heard or be excluded from the meeting under Rule 21.4;
- xviii) requesting an Elected Member to leave under rule 23; or
- xix) to give the consent or decision of the Council where its consent or decision is required by these procedure rules.

## **15. RULES OF DEBATE**

### **Moving and seconding the motion**

- i) Except as provided by this rule, no speeches may be made on a motion until it has been moved and seconded.
- ii) An Elected Member proposing to move a motion shall, on rising, move the motion by stating the terms of the motion without further comment.
- iii) The motion may then be seconded without further comment.
- iv) The Chair shall state the terms of the motion.
- v) The mover of the motion shall open the debate on the motion and subject to rule 15.4 the seconder may reserve their right to speak to later in the debate.

### **Right to require a proposed amendment to a motion in writing**

Unless notice of the motion has already been given, the Chair may require a **proposed amendment to a Motion** to be written down and handed to him/her before it is discussed.

### **Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech by the mover of a motion or an amendment may exceed 5 minutes, and no other speech may exceed 3 minutes without the consent of the meeting.

### **When an Elected Member may speak again**

Except under rule 15.1(v) an Elected Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- i) to speak once on an amendment moved by another Elected Member;
- ii) to move a further amendment if the motion has been amended since s/he last spoke;
- iii) if his/her first speech was on an amendment moved by another Elected Member, to speak on the main issue (whether or not the amendment on which s/he spoke was carried);
- iv) in exercise of a right of reply;
- v) on a point of order; and
- vi) by way of personal explanation.

#### **Amendments to motions**

- i) An amendment to a motion must be relevant to the motion, will be moved in accordance with the procedure set out in rule 15.1 and will either be:
  - (a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (b) to leave out words;
  - (c) to leave out words and insert or add others; or
  - (d) to insert or add words.as long as the effect of an amendment is not to negate the motion.
- ii) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- iii) If an amendment is not carried, other amendments to the original motion may be moved.
- iv) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

- v) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote as the substantive motion.

#### **Alteration of motion**

- i) An Elected Member may alter a motion of which s/he has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- ii) An Elected Member may alter a motion which s/he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- iii) Only alterations which could be made as an amendment may be made.

#### **Withdrawal of motion**

An Elected Member may withdraw a motion which s/he has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Elected Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

#### **Right of reply**

- i) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- ii) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- iii) The mover of the amendment has no right of reply to the debate on his or her amendment but if that amendment becomes the substantive motion s/he has the right of reply at the close of the debate on that motion.

#### **Motions which may be moved during debate**

When a motion is under debate, no other motion may be moved except the following procedural motions:

- i) to withdraw a motion;
- ii) to amend a motion;
- iii) to proceed to the next business;

- iv) that the question be now put;
- v) to adjourn the debate;
- vi) to adjourn the meeting;
- vii) that the meeting continue beyond the time specified by rule 10 for termination of the meeting;
- viii) to exclude the public and press in accordance with the Access to Information Rules; and
- ix) to not hear further an Elected Member named under Rule 21.3 or to exclude them from the meeting under Rule 21.4.

#### **Closure motions**

- i) An Elected Member may move, without comment, the following motions at the end of a speech of another Elected Member:
  - (a) to proceed to the next business;
  - (b) that the question be now put;
  - (c) to adjourn the debate; or
  - (d) to adjourn the meeting.
- ii) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, s/he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- iii) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If it is passed s/he will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- iv) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, s/he will put the procedural motion to the vote without giving the mover of the original motion the right of reply on that occasion.

#### **Point of order**

An Elected Member may raise a point of order at any time and shall be heard immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Elected Member must indicate the rule or law and the way in which s/he considers it has been broken. The ruling of the Chair on the matter will be final.

#### **Personal explanation**

An Elected Member may make a personal explanation at any time and shall be heard immediately. A personal explanation may only relate to some material part of an earlier speech by the Elected Member in the present debate which may appear to have been misunderstood. The ruling of the Chair on the admissibility of a personal explanation will be final.

### **16. PREVIOUS DECISIONS AND MOTIONS**

#### **Motion to rescind a previous decision**

A motion or amendment to rescind, or having the effect of rescinding, a decision made at a meeting of Council within the past six months cannot be moved.

#### **Motion similar to one previously rejected**

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

## Motions recommended by to Council by a Committee or Sub-Committee

Rules 16.1 and 16.2 shall not apply to motions moved in pursuance of a recommendation of a Council Committee or Sub-Committee (see rule 24.3).

Commented [AJW14]: Check numbers?????

## 17 VOTING

### Majority

Unless the Council's Constitution law provides otherwise, any matter will be decided by a simple majority of those Elected Members present and voting in the room at the time the question was put.

### Chair's casting vote

If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

### Show of hands

Unless 17.5 applies, the Chair will take a vote by a show of hands, or if there is no dissent, by the affirmation of the meeting. The Chair shall confirm, in the absence of dissent, that this is the unanimous decision of Council.

### Ballot

A ballot shall be taken, if the Council meeting decides, before the vote is taken on any question. The Chair will announce the numerical result of the ballot immediately the result is known.

### Recorded Vote

For decisions of Full Council decisions, other than where the Chair proceeds with the agreement of the meeting through a show of hands under rule 17.3, the Chair shall ensure that recorded votes are taken. The Proper Officer shall take the vote by calling the names of Elected Members and recording whether they voted for or against the motion or amendment thereto, or did not vote. The minutes will show whether an Elected Member voted for or against the motion or any amendment or abstained from voting.

### Voting on Budget Decisions

Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings

of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

A “budget decision” means a meeting of the authority at which it;

- (i) makes a calculation (whether originally or by way of substitute) in accordance with the applicable provisions of the Local Government Finance Act 1982, as amended; or
- (ii) issues a precept under chapter 4 of Part 1 of that Act.

And includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting.

### **Voting on appointments where there is more than one person nominated**

If more than two people are nominated for any position to be filled and there is not a clear majority in favour of one person, ~~those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person,~~ then the name of the person having the least number of votes shall be ~~struck off~~ removed from the list and a fresh new vote shall be taken. The process will continue and so on until there is a majority of votes is given in favour of for one person.

## **18. MINUTES**

### **Signing the minutes**

The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will sign the minutes of the previous meeting following agreement by the Full Council that they are a correct record. The only part of the minutes that can be discussed is their accuracy which shall be raised only by motion.

### **No requirement to sign minutes of previous meeting at extraordinary meeting**

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

### **Form of minutes**

Minutes will contain all motions and amendments in the exact form and order the Chair put them.

## 19. RECORD OF ATTENDANCE

All Elected Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

## 20. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 22?? (Disturbance by Public).

## 21. ELECTED MEMBERS' CONDUCT

### Standing to speak

- (a) When an Elected Member speaks at Full Council they must stand and address the meeting through the Chair. If more than one Elected Member stands, the Chair will ask one to speak and the others must sit. Other Elected Members must remain seated whilst an Elected Member is speaking unless they wish to make a point of order or a point of personal explanation.
- (b) An Elected Member shall ~~answer~~ **respond to** any questions under Rules 11?? and 12?? ~~from the lectern and shall then return to his/her seat.~~

### Chair standing

When the Chair stands during a debate, any Elected Member speaking at the time must stop and sit down. The meeting must be silent.

### Elected Member not to be heard further

If, in the opinion of the Chair, an Elected Member ~~misconducts him/herself~~ **misconducts** by persistently disregards the ruling of the Chair, or by behaving improperly or offensively or by deliberately obstructing business, the Chair may move that the Elected Member be not heard further. If seconded, the motion will be voted on without discussion.

### Elected Member to leave the meeting

If the Elected Member continues to behave improperly after such a motion is carried, the Chair may move that either the Elected Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

## General disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as s/he ~~thinks~~ considers necessary.

## 22. DISTURBANCE BY PUBLIC

### Removal of member of the public

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If that person continues to interrupt, the Chair will order his/her removal from the meeting room.

### Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

## 23. ~~REGISTERABLE OR NON-REGISTERABLE INTERESTS OF ELECTED MEMBERS IN CONTRACTS AND OTHER MATTERS~~ **ELECTED MEMBER INTERESTS**

If any Elected Member has any ~~registerable or non-registerable personal interest~~, within the meaning of the Council's Code of Conduct for Elected Members, in any contract, proposed contract, or other matter under consideration, that Elected Member shall withdraw from the meeting while that item of business is dealt with unless:-

- ~~i) the Elected Member has been granted a dispensation under Section 33 of the Localism Act 2011 (in which case the Elected Member shall declare the interest and indicate the benefit of the dispensation granted); or~~
- ~~iii) the contract, proposed contract or matter is under consideration as part of the report of a body or committee and is not itself the subject of debate and where that interest is not pecuniary or otherwise a prejudicial interest ~~registerable/non-registerable personal interest~~.~~

~~Each agenda for a meeting of the full Council, the Council's Committees or Sub-Committees contains a specific item requiring declaration of Elected Members' interests in items contained within the agenda at the outset of the meeting before the principal business is conducted.~~

Where an Elected Member has a Registerable (disclosable pecuniary interest) or Non-Registerable personal (prejudicial) interest as defined in the Code of Conduct for Elected Members, it must be declared either

**Commented [AJW15]:** Pecuniary or other prejudicial interest replaced by registerable or non-registerable interest

at the start of the meeting or as soon as it becomes apparent. The Elected Member must then leave the meeting room during the whole of the consideration of that item, except where the Member is permitted to remain in the meeting room as a result of the prior grant of a dispensation under section 33 of the Localism Act 2011 or an exemption applies (see paragraph 6.4 of the Code of Conduct for Elected Members).

## **24. SUSPENSION, AMENDMENT AND INTERPRETATION OF COUNCIL PROCEDURE RULES**

### **Suspension**

All of these Council Rules of Procedure except Rule 17.6 and 18.2 may be suspended by motion on notice or without notice if

- i) at least one half of the whole number of Elected Members of the Council are present, and
- ii) the Chair agrees, and
- iii) the Monitoring Officer has provided his/her advice on whether or not the rules should be suspended.

Suspension shall only be for the duration of the meeting.

### **Amendment**

Any motion to add to, vary or revoke these Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council unless the proposed addition, variation or revocation is for the purpose of compliance with any statutory provision.

### **24.3 Interpretation of Procedure Rules**

- i) The Interpretation Acts shall apply to these Procedure Rules.
- ii) The ruling of the Chair as to the construction or application of any of these Procedure Rules, or as to any proceedings of the Council, shall be final, after advice from the Monitoring Officer.
- iii) In these Procedure Rules, unless the context otherwise indicates:-

any reference to a statutory provision, regulations or code of conduct shall be construed as a reference to it as amended, substituted or extended from time to time;

“committee” includes any panel or forum appointed by the Council pursuant to s.101(1) Local Government Act 1972.

## **25. COMMITTEES AND SUB-COMMITTEES OF THE COUNCIL**

### **25.1 Appointment of sub-committees**

Every Committee of the Council Authority may appoint Sub-Committees for purposes to be specified by the Committee and may appoint substitutes for Elected Members of any Sub-Committees in the manner provided by the Council Procedure Rules.

## 25.2 Special Meetings of Council Committees and Sub-Committees

- i) The Chair of the Council or the Chair of a Committee or Sub-Committee of the Council may call a special meeting of that Committee or Sub-Committee at any time.
- ii) The summons to the special meeting shall set out the business to be considered at the meeting and no business other than that set out in the summons shall be considered at the meeting.

## 25.3 Mover of motion may attend Council Committee or Sub-Committee

An Elected Member who has moved a motion which has been referred to any Committee or Sub-Committee of the Council shall have notice of the meeting of the body at which it is proposed to consider the motion. S/he shall have the right to attend the meeting and speak on the motion (unless to do so would be in breach of the Code of Conduct for Elected Members) but not, by operation of this rule, be entitled to vote.

## 25.4 Attendance of Elected Members at Council Committee meeting

Unless to do so would be in breach of the Code of Conduct for Elected Members, any Elected Member may attend meetings of any Committee (or Sub-Committee) of the Council of which s/he is not a member, but s/he may not

- i) speak at the meeting without the permission of the Committee meeting or vote on any decision.
- ii) continue to attend the meeting when:-

a resolution to exclude the press and public from the meeting has been passed, and

the Committee or Sub-Committee is dealing with an item of business for the purposes of which information of a description for the time being falling within categories 1, 2 and 3 (with the exception of information relating to terms of a council contract under negotiation) 4, 5 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972 will be disclosed and the explanation for initiating non-attendance is presented to the Committee.

## 25.5 Quorum of Committees and Sub-Committees

In all cases where it is not otherwise specifically provided, 3 Elected Members shall form a quorum in all Committees and 3 Elected Members shall form a quorum in all Sub-Committees

## 26. APPLICATION OF PROCEDURE RULES

Commented [AW16]: CHECK NUMBERS

26.1 All of the Council Procedure Rules apply to meetings of full Council.

~~26.2 Only Rules 6-10, 13-15, 16-25 (but not Rule 21.1??) apply to meetings of Committees and Sub-Committees, subject to any variation approved by a Committee for regulating its own proceedings.~~

Commented [AW17]: DELETE

26.3 These Procedure Rules apply to those meetings as stated in rule 26.1??. Where there is any inconsistency between these Rules and the Budget and Policy Framework Procedure Rules, the Council Procedure Rules will prevail.

## 27. REFERENCE TO COUNCIL

27.1 A Key Decision (as defined in Article 13.03???) taken by a Policy Committee will be referred to Full Council (a Referral) following receipt of a requisition on notice (in the form as reproduced at Appendix 2, (the Requisition) by to the Chief Executive, as Proper Officer, in accordance with the provisions set out below.

27.2 ~~This reference to Council~~ A referral shall not apply to day to day management and operational decisions taken by Officers nor to any decision which may otherwise be the subject of a Referral where it is considered by ~~which in the opinion of the Chair of the relevant Policy Committee, the subject of the referral considers~~ in consultation with the Proper Officer to be urgent. A decision will be urgent if any delay caused by a Referral would seriously prejudice the interests of the Authority Council's or the public interest. The decision of the relevant Chair of the Policy Committee and notice of publication of the decision shall state whether the decision is an urgent one and therefore not subject to the Referral process.

27.3 Any ~~reference to Council~~ Referral may only be used in exceptional circumstances where the ~~requisitioning~~ Elected Members seeking the Referral have evidence to suggest that a key decision taken by a Policy Committee was not in accordance with the Principles of Decision Making set out in Article 13?? (Decision Making) or the decision ~~falls outside the~~ is not in accordance with the approved Budget and/or the Plans and Strategies contained within the Policy Framework. ~~In the consideration as to whether a matter falls outside the Budget and Policy Framework.~~ The advice of the ~~Section 151 Officer~~ Director of Finance and Policy and the Monitoring Officer should ~~must~~ be sought.

~~As an alternative to a Referral the need for a referral to Council by way of a formal requisition, there is the expectation that the Chair of the relevant Policy Committee should consider representations being made (between the period of the decision and its publication) referring~~

the matter to Full Council with the consent of the Chair of Council as an item of business at the next Ordinary meeting of Council or in accordance with Council Procedure Rule 3.1?? (Calling Extraordinary Meetings). Such requests and the receipt of any ~~formal notice of requisition for a reference to Council~~ Referral shall collectively be limited to 6 during any Municipal year.

### (i) Mechanism for Referral

Not less than half of the whole number of Elected Members (17 18 Elected Members or more) of the Council may submit a Requisition to requisition by notice to the Proper Officer the Chief Executive for the calling of a meeting of Full Council to reconsider a decision taken but not yet implemented by a Policy Committee, that is a Referral. The notification Requisition shall contain and identify the reasons why it is believed the decision was not taken in accordance with the principles of Decision Making or otherwise is not in accordance with the approved Budget and/or the Plans and Strategies contained within the Policy Framework. outside the Budget and Policy Framework as set out in the Council's Constitution. The notice Requisition shall contain the advice provided by the Director of Finance and Policy of the Section 151 Officer and the Monitoring Officer as to whether in his/her opinion the matter is outside the Budget and Policy Framework.

Notification of the referral The Requisition must be given received by the Proper Officer Chief Executive not later than 3 working days after the publication of the decision (the 'Specified Period'). For the avoidance of doubt, the publication of the decision should not take place on a Saturday, Sunday or a Bank Holiday.

If a valid notice for the requisitioning of a meeting Requisition is received within the Specified Period all action to implement the decision will be suspended until the meeting of Full Council to consider the Referral is held.

### (ii) Meeting to discuss the Referral

The Council will meet to consider the Referral no later than 14 working days after receipt of the Requisition by the Chief Executive, the notice of requisition has been received by the Proper Officer, or such later date falling within the period of 28 days from receipt of the Requisition that the Proper Officer Chief Executive shall determine in consultation with the Chair of Council.

### (iii) Outcomes of the Referral

At the meeting of Full Council to consider the Referral, the meeting will proceed to debate and determine the Referral in accordance with these Council Procedure Rules as contained in Part 4 of the Constitution and shall decide either:-

- Reaffirm or modify the decision of the Policy Committee following which the decision may be implemented and the decision will then become implementable; or
- Decide not to reaffirm or modify the decision, but to refer the matter in which case the matter the subject to the referral will be

~~referred in turn~~ back to the relevant Policy Committee for further consideration at its next meeting.

A matter that has been subject to ~~a previous notice of requisition~~ a **Referral** shall not be so subject to any ~~future notice~~ **further Referral** in the absence of the expressed consent of the relevant Policy Committee Chair and the approval of the Chair of Council.



## HARTLEPOOL BOROUGH COUNCIL

### *REQUISITION TO CALL AN EXTRAORDINARY COUNCIL*

**1. The Elected Members named below present to the Chair this request to call a Council meeting in addition to the Ordinary Council Meetings in accordance with Council Procedure Rule 3.1.**

Commented [AW18]: CHECK NUMBER

NOTE: This requisition calling for an extraordinary meeting must be signed by any five Elected Members of the Council and be presented to the Chair of the Council. In the event that the Chair refuses to call a meeting or has failed to call a meeting within seven days from the date of the presentation of this requisition, as the case may be, those Elected Members may forthwith call an extraordinary meeting of the Council.

The Chief Executive shall have responsibility to provide at least five clear days notice of the time and place of the intended meeting, which shall be published at the Council's offices; and where the meeting is called by elected members of the Council the notice shall be signed by those elected members and shall specify the business proposed to be transacted thereat and the summons to attend shall be signed by the Chief Executive as the Proper Officer of the Council.

Councillor	Position and Party Group	Signature
1.		
2.		
3.		
4.		
5.		

**2. What is/are the reason(s) for requesting an Extraordinary Council?**

Lead Councillor:

Signed:

Date:

**For office use only**



# HARTLEPOOL BOROUGH COUNCIL

## COUNCIL REFERRAL



### 1. Which key decision would you like to refer to Council?

(Please include details of the decision, when it was taken and by which Policy Committee)

### 2. What are the reasons for referring this decision? Referrals must only be used in exceptional circumstances

Please indicate which of the following applies and provide supporting information.

- where Elected Members have evidence to suggest that the key decision taken was not in accordance with the Principles of Decision Making as set out in Article 13 of the Council's Constitution; or
- the decision falls outside the Budget and Policy Framework.

**Commented [AW19]:** CHECK ARTICLE NUMBER FOLLOWING REFORMATTED ARTICLES.

This Notice must be signed by not less than half of the whole number of Elected Members (17 Elected Members or more) of the Council must sign the Referral.

Councillor	Position and Party Group	Signature
1.		
2.		
3.		
4.		
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25.		

**3. Advice of the Section 151 Officer and/or the Monitoring Officer whether the matter is outside the Budget and Policy Framework**

NB. Any Elected Member may initiate Referrals providing they have the support of at least 17 other Elected Members of the Council.

Lead Councillor:

Signed:

Date:

**For office use only**

Date received:

Initials:

Council Agenda:

# COUNCIL

20<sup>th</sup> June, 2019

**Report of:** Finance and Policy Committee

**Subject:** URGENT WORKS TO CHRIST CHURCH

---

## 1. PURPOSE OF REPORT

- 1.1 To enable Council to consider the reallocation the Council's property-related budget to cover the unexpected and urgent works required to Christ Church.

## 2. BACKGROUND

- 2.1 In accordance with the Constitution the Finance and Policy Committee is responsible for proposing changes to the approved Budget and Policy Framework, which are then referred to Council for consideration. Owing to the timing of meetings and the urgency of the works required it has not been possible for Finance and Policy Committee to make recommendations prior to this report being submitted to Council and a verbal update will be given at the Council meeting.
- 2.2 At its meeting on the 18<sup>th</sup> June, 2019 the Finance and Policy Committee will consider the report attached at Appendix A.
- 2.3 The report to members sets out an overview of actions taken to assess the structural condition of Christ Church and identified that urgent works are required to protect Christ Church from further erosion and remove the risk of further potential incidents of masonry falling from the building and thereby protect the public. The estimated cost of the works are £245,000.

## 3. PROPOSALS

- 3.1 There is currently no funding identified to cover the costs of these works as they were very much unexpected, which means it has not been included in any allocation of funding from the Council's property budgets. The proposals to fund these works are set out in the recommendations in section 4.

#### 4. RECOMMENDATIONS

4.1 The Finance and Policy Committee will consider the following recommendations and determine if these proposals will be referred to Council. A verbal update on the recommendations approved by Finance and Policy Committee will be provided at Council.

- Approves the reallocation of capital funding of £190,000 for the Bowls Club previously allocated to this building to help fund the urgent works required to Christ Church;
- Note that the recent surveys have identified that the proposed works to the Bowls Club are not urgent, and therefore they can be considered as part of a future funding allocation. In the unlikely event that the condition of the Bowls Club building deteriorates any necessary work will need to be prioritised within the available corporate planned maintenance budget.
- Note that £55,000 will also be allocated to the Christ Church Scheme from the corporate planned maintenance programme.
- Approve an overall budget of £245,000 associated with carrying out the urgent repairs to Christ Church.

#### 5. BACKGROUND PAPERS

5.1 Urgent Works to Christ Church – Finance and Policy Committee 18<sup>th</sup> June, 2019 (attached at Appendix A).

#### 6. CONTACT OFFICER

Denise Ogden  
Director of Regeneration and Neighbourhoods  
Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY  
Email [denise.ogden@hartlepool.gov.uk](mailto:denise.ogden@hartlepool.gov.uk)  
Tel: 01429 523301

# FINANCE AND POLICY COMMITTEE

18<sup>TH</sup> June 2019



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** URGENT WORKS TO CHRIST CHURCH

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

- 1.1 This is a Key Decision test (i) as it is a decision which is financially significant because it will result in income, expenditure or savings with a gross full year effect of £100,000 or greater.
- 1.2 General Exception applies because the necessary works required for Christ Church can only be undertaken during a certain period in the year, while there is a lead in time for the stones to be ordered and carved into the required shapes, so the funding needs to be reallocated to this project to allow the works to be undertaken this year.

## 2. PURPOSE OF REPORT

- 2.1 To seek Finance and Policy's Committee approval to the proposed reallocation of the Council's property-related budget to cover the unexpected and urgent works required to Christ Church, and to refer this proposal to Council for approval.

## 3. BACKGROUND

- 3.1 In November 2018 a piece masonry fell from Christ Church as a result of weathering and poor stone quality, which led to the area being fenced off for the safety of passing pedestrians.
- 3.2 A survey was subsequently commissioned to assess the structural condition of Christ Church, using a qualified Stonemason, to help the Council understand the nature of the works required and estimated costs for these.
- 3.3 The survey identified that urgent works are required to protect Christ Church from further erosion and remove the risk of further potential incidents and thereby protect the public.

- 3.4 Christ Church is a Listed Building, therefore it must be restored using traditional methods and materials, meaning that the repair works include using lime mortars which cannot cure below 5 degrees Celsius without protecting the structure. Therefore this provides only a short window of opportunity to enable the repairs to be completed in 2019, without expensive protection, if the works run into the winter months.
- 3.5 The stone has to be sourced, cut and shaped off site, and then has final cutting and shaping on site to fit, so is very labour intensive and slow, which means the work needs to be commissioned as soon as possible to ensure we are able to complete the urgent work in 2019. Furthermore the scaffolding needs to be specifically designed to allow for the works to be undertaken and protect the external structure of the building.

#### **4. PROPOSALS**

- 4.1 There is currently no funding identified to cover the costs of these works as they were very much unexpected, which means it has not been included in any allocation of funding from the Council's property budgets.
- 4.2 The estimated costs of the works are £245,000 and it is proposed to fund these by re-allocating the £190,000 of capital funding currently allocated to the Bowls Club, with the remaining £55,000 being funded from the corporate planned maintenance programme.
- 4.3 Capital funding previously allocated for the Bowling Club has not progressed due to the ongoing Mill House replacement ambition which includes the future of the Bowls Club. Furthermore, recent surveys have identified that the proposed works to this building are not urgent, and therefore they can be considered as part of a future funding allocation. In the unlikely event that the condition of the Bowls Club building deteriorates any necessary work will need to be prioritised within the available corporate planned maintenance budget.
- 4.4 The issues in relation to Christ Church have highlighted an issue in relation to how the Council responds to such incidents. Therefore it is proposed to bring a further report to Finance and Policy Committee to review how the capital maintenance allocation will be managed.

#### **5. RISK IMPLICATIONS**

- 5.1 There are health and safety risks associated with the stones falling from the building, although these have been mitigated by the implementation of Herras fencing around the site. However the fencing is restricting the opportunity to showcase the recent works undertaken to Church Square and encourage the use of this area for events.

- 5.2 Furthermore the disrepair to Christ Church will only get worse, resulting in further costs, if the matters that have caused the falling stones to happen are not addressed urgently.

## 6. FINANCIAL CONSIDERATIONS

- 6.1 The Council currently has no funding identified to carry out the urgent works required to Christ Church, which are estimated to cost £245,000, therefore a funding strategy is necessary to allow the works to be undertaken.
- 6.2 In order to identify the essential funding, it is proposed to reallocate the capital funding of £190,000 for the Bowls Club previously allocated to this building to help fund the urgent works required to Christ Church. The remaining £55,000 will be funded from the corporate planned maintenance budget, which the Director of Regeneration and Neighbourhoods has delegated authority to approve.

## 7. LEGAL CONSIDERATIONS

- 7.1 The Council has a duty to maintain its building in a good condition and protect the public and users of these, and these works are necessary to reduce the health and safety risk currently associated with Christ Church due to the risk of falling stones.

## 8. OTHER CONSIDERATIONS

Consultation	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Equality and Diversity Considerations	No relevant issues
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	Covered in previous paragraphs

## 9. RECOMMENDATIONS

- 9.1 It is recommended that Finance and Policy Committee:
- Seeks Council approval to reallocate the capital funding of £190,000 for the Bowls Club previously allocated to this building to help fund the urgent works required to Christ Church;
  - Asks Council to note that the recent surveys have identified that the proposed works to the Bowls Club are not urgent, and therefore they

can be considered as part of a future funding allocation. In the unlikely event that the condition of the Bowls Club building deteriorates any necessary work will need to be prioritised within the available corporate planned maintenance budget.

- Note that £55,000 will also be allocated to the Christ Church Scheme from the corporate planned maintenance programme.
- Approve an overall budget of £245,000 associated with carrying out the urgent repairs to Christ Church.

## 10. REASONS FOR RECOMMENDATIONS

- 10.1 These are urgent works that are necessary to repair Christ Church from further erosion and disrepair, while protecting the passing public from falling debris.

## 11. BACKGROUND PAPERS

- 11.1 There are no background papers to this report.

## 12. CONTACT OFFICERS

- 12.1 Denise McGuckin  
Director of Regeneration and Neighbourhoods  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY

Tel: (01429) 523300

E-mail: [denise.mcguckin@hartlepool.gov.uk](mailto:denise.mcguckin@hartlepool.gov.uk)

Sign Off:-

- Director of Finance and Policy
- Chief Solicitor/Monitoring Officer
- Chief Executive  Finance & Policy Committee only

**COUNCIL**  
20 June 2019



**Report of:** Chief Executive

**Subject:** BUSINESS REPORT

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## 1. PLASTIC FREE HARTLEPOOL

The world's consumption of plastic has doubled since the 1950's, annually in the UK it is estimated that we have 5 million tonnes of plastic waste. Plastic is affecting beaches and oceans significantly which in turn is having a huge effective on shipping, fishing and tourism. There are believed to be 46,000 pieces of plastic in every square mile of ocean and over 40 species of fish are known to consume plastic. The issue with Plastic is increasing significantly and will continue to do so unless action is taken on a global scale. Plastic is starting to demonstrate significant impact on human health as well as the impact it is already having on the environment and its habitat.

As a coastal town the consideration of Hartlepool's coastal environment is important, some action has already being taken towards reducing the use of single use plastics, increasing recycling and increasing awareness through education about plastic and that it is everyone's business.

I have been approached by Plastic Free Hartlepool, which is a Surfers against Sewage movement, aiming to raise awareness, educate and encourage communities to reduce their use of single use plastics. The group is trying to achieve plastic free community status; there are currently 49 such communities in the UK and the Group would love Hartlepool to be the 50th. They have made great progress and already have 30 businesses on board who are making changes to their single use plastic usage but they cannot do this alone, we all have a role to play. There is a real opportunity to work cohesively and together we can to help Hartlepool become a Plastic Free Community, which would totally support the ethos of the LOVE Hartlepool campaign.

To date Hartlepool Borough Council has removed single use plastic items from the Civic Centre, the cups you are drinking water from in this meeting are made from alternative resources; We have no single use plastic in primary schools, and in secondary schools where possible all schools are moving towards alternative sources and moving away from single use plastic/disposables.

The only thing we have not been able to alter yet is bottled drinks in secondary schools. As they are made from 50% free juice to meet government standards they need to be airtight or it ferments. We are working with NEPO and our suppliers on this issue across all our contracts to look at alternative packaging not just for drinks but also any plastic used in deliveries.

I therefore seek Council approval to pass a resolution:-

*“supporting the journey to Plastic Free community status, committing to plastic-free alternatives and plastic-free initiatives within the Borough”.*

This will commit the Council to lead by example to

- (i) remove single-use plastic items from our premises,
- (ii) encourage plastic-free initiatives, promoting the campaign and supporting events, and
- (iii) allocate a representative of the Council to be on the Plastic Free community steering group.

## **2. OUTSIDE BODY APPOINTMENTS – UPDATE REPORT**

Following the appointments made to Outside Bodies at the Council meeting on 21 May 2019, the following vacancies remain:-

Tees Valley Combined Authority Overview and Scrutiny Committee – 1 Labour vacancy.

Fairtrade Town Steering Group – 1 vacancy

Teesmouth Field Centre – 1 vacancy

Victoria and Jubilee Homes – 1 vacancy

Teesside Pension Fund – 1 vacancy

Teesside Pension Board – 1 vacancy

Teesside Environmental Trust – 1 vacancy

Members will recall that Council agreed that Councillor Young, Deputy Leader of the Council, be appointed to the Tees Valley Combined Authority Overview and Scrutiny Committee. I have been informed that members of Overview and Scrutiny Committee may not be a Member or substitute member of the Combined Authority's Cabinet or its Sub-Committees. Therefore, following discussion with Group members, Councillor Loynes has been nominated to replace Councillor Young's nomination on the Committee.

I have been advised also of a change to the Cleveland Police and Crime Panel with Councillor Cartwright replacing Councillor Tony Richardson.

Members will recall that a number of appointments were referred to Committees. Any subsequent appointments made by those Committees will be reported to Council.

### **3. RESIGNATION OF COUNCILLOR**

Council is aware of the resignation of Jean Robinson as a Borough Councillor for the Hart Ward. A letter of resignation was received on 5 June 2019.

A notice of a casual vacancy arising through this resignation was published on 5 June 2019 and a by-election will be convened within thirty five working days from a request through two local government electors.

Council is requested to note the resignation.

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# CLEVELAND FIRE AUTHORITY

## MINUTES OF ORDINARY MEETING

15 FEBRUARY 2019

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**PRESENT:**

**CHAIR**

Cllr Jan Brunton Dobson - Middlesbrough Council

**HARTLEPOOL BOROUGH COUNCIL**

Cllrs Marjorie James, Rob Cook, Mike Young

**MIDDLESBROUGH COUNCIL**

Cllr Naweed Hussain, Tom Mawston

**REDCAR & CLEVELAND BOROUGH COUNCIL**

Cllrs Neil Bendelow, Norah Cooney, Ray Goddard

**STOCKTON ON TEES BOROUGH COUNCIL**

Cllrs Jean O'Donnell, Mick Stoker, William Woodhead MBE

**AUTHORISED OFFICERS**

Chief Fire Officer, Director of Corporate Services, Legal Adviser and Monitoring Officer, Treasurer

**IN ATTENDANCE**

Martin Miley – Station Manager (observing)

Stuart Simpson – Station Manager

Michael Ireland – Watch Manager – Stockton Blue Watch

**APOLOGIES FOR ABSENCE:** Councillor Mary Ovens – Redcar & Cleveland Borough Council

**91. DECLARATIONS OF MEMBERS INTEREST**

It was noted no Declarations of Interest were submitted to the meeting.

**92. MINUTES**

**RESOLVED – that the minutes of the Ordinary Meeting of 14 December 2018 be confirmed.**

**93. MINUTES OF MEETINGS**

**RESOLVED - that the Minutes of the Executive Committees on 25 January 2019.**

**94. COMMUNICATIONS RECEIVED BY THE CHAIR**

Zoe Billingham Fire & Rescue Inspection Updates

Publication of First Tranche of FRS Reports

LGA

Circular NJC/1/19 – Tap Hereford & Worcester FRS

Home Office

Jonny Bugg – Head of Fire Strategy & Reform

Shehla Husain – Fire Revenue Firelink Grant

Luke Edwards, Director of Fire & Resilience

**RESOLVED – that the communications be noted.**

**95. REPORTS OF THE CHIEF FIRE OFFICER**

**95.1 HMICFRS – Public Perception of Fire and Rescue Services in England 2018**

The Chief Fire Officer (CFO) provided Members with the summary of key findings to emerge from the HMICFRS Public Perceptions Survey commissioned by the HMICFRS, as attached at Appendix 1.

He referred Members to section 4 of the report which covered:

- Survey Details and response rates
- Findings within Cleveland
- Comparisons with the national Picture
- Perceptions, image and reputation of the FRS
- Representativeness of the FRS
- Interest and Engagement with the FRS
- Top three areas of interest within the FRS
- Top three methods for gaining information
- Accessing the FRS
- Contact with the FRS
- Responsibilities and Priorities of the FRS

The CFO reported that Cleveland had a pleasing 77% return, 7% higher than the national average, and overall it was a very positive picture for the Authority and the FRS. Councillor James referred to paragraph 4.4 and noted the response rate across all four constituent areas was reflective per capita.

**RESOLVED - That the outcomes reported from the HMICFRS Public Perceptions of Fire and Rescue Services in England 2018 Survey, as detailed within the Executive Summary at Appendix 1, be noted.**

**95.1 HMICFRS – Update**

The CFO provided Members with the outcomes from the first tranche of inspections undertaken in 14 fire and rescue authorities (FRAs), as detailed at Appendix 1.

He referred Members to the table at section 3.4 of the report giving an overview of how the 14 FRAs had been rated from Outstanding, Good, Requires Improvement or Inadequate on the three pillars of judgement: Effective; Efficiency; People. He noted no service had received an 'outstanding' rating with only Lancashire and Cambridgeshire being rated as 'Good'. He informed Members that Cleveland would be inspected in the third tranche taking place in Spring/Summer 2019.

Councillor Young asked if work would be undertaken to learn from the experiences of Tranche 1 inspections. The Director of Corporate Services (DoCS) advised that she would be taking cognisance of those outcomes.

**RESOLVED - that the HMICFRS summary report and appendices be noted.**

## 95.2 Prior Court – Presentation

Station Manager Stuart Simpson provided Members with a presentation on the 11<sup>th</sup> floor flat fire at Prior Court, Billingham which occurred on 25 November 2018. This covered:

- Timeline
- Resources used
- Factors to Deal with
- Damage
- Fire Investigation
- Post incident response

The Chair passed on thanks to the crews involved on behalf of the Authority and praised the fast response.

Councillor James noted that building regulations were being reviewed by the government following the Grenfell Fire. The CFO reported that Cleveland had responded to the Independent Review of Building Regulations and Fire Safety consultation by Dame Judith Hackitt and the ongoing public enquiry was being monitored closely by the Brigade's fire engineering department.

### **RESOLVED:-**

- That the presentation be noted.**
- That a copy of the presentation be circulated to Members as requested.**

## 95.3 Information Pack

- 96.4.1 Employers Circulars
- 96.4.2 National Joint Council Circulars
- 96.4.3 Campaigns

**RESOLVED – that the information pack be noted.**

## 96. REPORT OF THE TREASURER

### 96.1 Treasury Management Strategy

The Treasurer reported that owing to the timing of the meeting the Treasury Management Strategy 2019/20 would be scrutinised by the Audit & Governance Committee on 22 February 2019 and any issues raised reported back to the Authority. He briefly outlined the contents of the report which covered:

- Economic Background and Outlook for Interest Rates
- Interest Rate Forecasts
- Treasury Management Outturn Position 2017/18 and 2018/19 Mid-Year Review
- Treasury Management Strategy 2019/20
- Borrowing Strategy 2019/20
- Investment Strategy 2019/20
- Minimum Revenue Provision and Interest Costs / Regulatory Information 2019/20

### **RESOLVED:-**

- That the 2019/20 prudential indicators outlined in Appendix B be approved.**
- That the 2017/18 Treasury Management outturn detailed in section 5 and Appendix A be noted.**
- That the 2018/19 Treasury Management mid-year position detailed in section 6 be noted.**

**96.1 Treasury Management Strategy continued**

**(iv) Borrowing Strategy 2019/20**

Members noted that in the event of a change in economic circumstances the Treasurer may take out additional borrowing in advance of need to fund the Asset Management Plan if this secures the lowest long term interest cost.

**(v) Investment Strategy 2019/20**

a. That the Counterparty limits as set out in paragraph 9.7 be approved.

**(vi) Minimum Revenue Provision (MRP) Statement**

- That the following MRP statement be approved:  
For capital expenditure incurred before 1<sup>st</sup> April, 2008 the Authority's MRP policy is to calculate MRP in accordance with former CLG Regulations. This is 4% of the Capital Financing Requirement except where the Authority makes Voluntary Revenue Payments which is in excess of the amount required by these regulations, based on asset life;
- From 1<sup>st</sup> April, 2008 the Authority calculates MRP based on asset life for all assets or where prudential borrowing is financed by a specific annuity loan, MRP will be calculated according to the actual annuity loan repayments.

(vii) Members noted that owing to the timing of the meeting it was not possible to submit the report to the Audit and Governance Committee prior to this meeting, therefore the report will be submitted to the Audit and Governance Committee on 22<sup>nd</sup> February and should they make any recommendations these will be reported to the next Authority meeting.

**97. JOINT REPORT OF THE CHIEF FIRE OFFICER AND TREASURER**

**97.1 Medium Term Financial Strategy 2018/19 to 2022/23 and Reserves Strategy**

The Treasurer presented Members with an update of the Medium Term Financial Strategy (MTFS) to reflect the 2019/20 Local Government Finance Settlement announcement and to enable Members to consider the 2019/20 budget and Council Tax recommendations referred from the Executive Committee meeting on 25 January 2019. The report covered:

The Treasurer took Members through a presentation on CFA Funding and Budget 2019-2023 covering:

- Core Spending Power
- Funding Pressures
- Financial Assumptions
- MTFS 2019/20
- MTFS 2020-2023 (forecasted)
- Potential Sustainable Savings
- Reserves – Benchmarking
- Earmarked Reserves
- Conclusions and Recommendations

He confirmed that 2019/20 will be the 9<sup>th</sup> consecutive year of grant cuts representing £7.3m less grant than 2010/11 and gave MTFS 2020-2023 forecasted scenarios outlining the impact of both 2% and 3% pay awards with funded and unfunded pension costs giving a cumulative total deficit ranging from - £2.968m to -£4.852m.

**97.1 Medium Term Financial Strategy 2018/19 to 2022/23 and Reserves Strategy cont.**

The Treasure outlined potential sustainable savings to be made from transferring two wholetime duty pumps to day duty and three wholetime pumps to retained duty system. The presentation also covered the impact of council tax increases of £7 per annum or a referendum.

Councillor Young asked if there was anything that caused great concern. The CFO reported that it would be extremely difficult to plan and budget on a year-on-year basis. Councillor Bendelow asked why pension costs had increased. The Treasurer reported that there was a technical change in discount factor used to calculate pension rates forecast over a 30-40 year period and at this stage this amount cannot be quantified.

Members agreed to continue lobbying government for fair funding. Councillor Young stated that every pound taken away could have an impact on a life and he would support any petition to the government to say 'enough is enough'.

The Legal Adviser and Monitoring Officer (LAMO) asked Members to vote on the recommendations of the Executive Committee. Members voted unanimously in favour of the recommendations.

**RESOLVED - That the following recommendations made by the Executive Committee at its meeting on 25 January 2019 be approved:-**

(i) **That details of the 2019/20 Provisional Local Government Finance Settlement which had been has issued in December be noted. Members are advised that the final settlement was issued on 29<sup>th</sup> January and this confirms:**

- **a Council Tax Referendum Limit for Fire and Rescue Authorities of 3%;**
- **a reduction in core Government funding for the Authority of £310,000, compared to indicative December 2017 reduction of £320,000;**
- **the allocation of one off funding of £141,000 for 2019/20, which is the Authority's share of the national Business Rates retention levy account surplus;**

(ii) **Members noted that the Chief Fire Officer will implement the approved 2019/20 CIRMP savings as follows:**

	<b>£'000</b>
<b>Incident Command unit alternative staffing model</b>	<b>43</b>
<b>Review of Control Room</b>	<b>145</b>
<b>Extend implementation of 4 riders to all appliances</b>	<b>483</b>
<b>Total 2019/20 savings</b>	<b>671</b>

(iii) **That the proposal to delay implementation of the CIRMP alternative crewing model saving of £253,000 from 2019/20 to 2020/21 to provide a longer lead time to make this saving be approved;**

**97.1 Medium Term Financial Strategy 2018/19 to 2022/23 and Reserves Strategy cont.**

- (iv) That the proposal that in 2019/20 the delay in implementation of the CIRMP alternative crewing model saving is funded from a combination of the one off allocation from the Business Rates retention levy account surplus of £141,000, lower reduction in Core Government Grant £10,000 and use of reserves of £102,000 be approved.
- (v) Members noted that the proposed use of reserves may need to change to address any variation in the final Collection Fund figures for 2019/20, and details will be verbally reported at the meeting on 15 February 2019.
- (vi) That the 2019/20 Council Tax increases of 2.9% and supporting statutory calculations detailed in Appendix G be approved. The recommended Council Tax increase is below the 3% Government Council Tax referendum limit, and provides recurring addition funding of £330,000 and will result in the following Council Tax levels;

2018/19		2019/20		Annual increase £
Weekly Council Tax £	Property Band	Annual Council Tax £	Weekly Council Tax £	
0.96	A	51.57	0.99	1.45
1.12	B	60.17	1.16	1.70
1.29	C	68.76	1.32	1.93
1.45	D	77.36	1.49	2.18
1.77	E	94.55	1.82	2.66
2.09	F	111.74	2.15	3.15
2.41	G	128.93	2.48	3.63
2.90	H	154.72	2.98	4.36

**Approximately 65% of households are in Band A or B**

- (vii) That the 2019/20 revenue budget detailed in Appendix E be approved;
- (viii) Members noted the significant financial risks and uncertainties facing the Authority over the period 2020/21 to 2022/23 detailed in the report;
- (ix) Members instructed the Chief Fire Officer to develop a contingency savings plan based on scenarios 1a and 1b (i.e. forecast deficits of £2.297m and £3.497m respectively) and to report details to a future meeting as part of the process for setting the 2020/21 budget;
- (x) That the Reserves Strategy detailed in section 7 and Appendix C be approved;

**97.1 Medium Term Financial Strategy 2018/19 to 2022/23 and Reserves Strategy cont.**

- (xi) That the proposals to fund increased Asset Management Plan costs of £0.983m from the uncommitted Capital Receipts of £0.580m and Capital Investment Reserve of £0.403m be approved.
- (xii) That the proposal to earmarked the net uncommitted Capital Investment Reserve of £0.334m to meet potential inflation and exchange rate risks of replacing fire appliances over the period 2020/21 to 2024/25 be approved.
- (xiii) That the revised Asset Management Plan proposals for 2018/19 to 2025/26 as detailed in Appendix D be approved.
- (xiv) Members noted the robustness advice detailed in section 9.

**98. ANY OTHER BUSINESS**

**98.1 Cleveland Fire Support Network (CFSN) Vehicle Donation**

CFSN Board Member Councillor Higgins passed on thanks on behalf of the CFSN to the Authority for donating two de-commissioned Brigade vehicles to enable the charity to carry out valuable safety work. Councillor James asked why volunteers were delivering Home Fire Safety Visits (HFSVs). The CFO clarified that Cleveland operated a unique model whereby it established a Community Interest Company (CIC) back in 2011 to generate profits for community good and some of these profits were provided to the voluntary sector.

**99. 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 mended by the Local Government (Access to Information) (Variation) Order 2006", namely information relating to any 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."**

**100. CONFIDENTIAL MINUTES**

**RESOLVED – that the Confidential Minutes of the Ordinary Meeting of 14 December 2018 be confirmed.**

**101. CONFIDENTIAL MINUTES OF MEETINGS**

**RESOLVED - that the Confidential Minutes of the Executive Committee on 25 January 2019 be confirmed.**

**COUNCILLOR JAN BRUNTON DOBSON  
CHAIR**

# Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Tuesday, 5th February, 2019.

**Present:** Cllr Norma Stephenson O.B.E (Chair), Cllr Charles Rooney (Vice-Chairman), Cllr David Coupe, Cllr Ian Jeffrey, Cllr Matthew Vickers, Chris Walker and Cllr Lewis Young.

**Officers:** Julie Butcher, Judy Trainer and Peter Bell (Stockton-on-Tees Borough Council).

**Also in attendance:** Barry Coppinger (Commissioner), Simon Dennis, Michael Porter, Joanne Hodgkinson (Commissioner's Office), Chief Constable Lee Freeman, Temporary Deputy Chief Constable Helen McMillan, Assistant Chief Officer Brian Thomas (Cleveland Police), Cllr Andrew Stephenson (Stockton-on-Tees Borough Council).

**Apologies:** Cllr Alec Brown, Cllr David Harrington, Cllr Chris Jones, Cllr Lesley Hamilton, Mr Paul McGrath, Cllr Katie Trueman and Cllr David Wilburn.

## 1 Welcome and Evacuation Procedure

The Chair welcomed everyone to the meeting and the evacuation procedure was noted.

## 2 Declarations of Interest

There were no interests declared.

## 3 Minutes of the meetings held on 13 November 2018 and Attendance Matrix

Consideration was given to the minutes of the meeting held on 13 November 2018.

The Chair updated the Panel with regard to minute PCP 32/18 - Police and Fire Panel Conference. The Chair had approached the Police and Crime Commissioner regarding the issue of the Home Office not allowing the Panel to use any of their budget to affiliate to the Association of Police and Crime Panels. The Commissioner had raised it through the Labour Group of Police and Crime Commissioners so the Chair felt it would be worthwhile Councillor David Coupe and Councillor Matthew Vickers contacting the Conservative Panel Group of Police and Crime Commissioner Members to try and raise support for the issue.

RESOLVED that the minutes of the meeting held on 13 November 2019 be agreed.

## 4 Cleveland Police - Chief Constable Arrangements

Consideration was given to a report that informed the Panel of the arrangements in respect of the office of Chief Constable of Cleveland Police, pursuant to the resignation of Chief Constable Mike Veale.

Chief Constable Mike Veale resigned with immediate effect on 18 January 2019.

The Commissioner was constrained by the law from giving full details of the

circumstances which led up to Mr Veale relinquishing the role he informed Members of the following:-

Allegations of inappropriate behaviour on the part of Mr Veale were brought to the attention of the Chief Executive & Monitoring Officer. This took place on 17 December 2019. Mr Dennis took appropriate action in response, including all timely and necessary steps to ensure that information was gathered; that the legal rights and welfare needs of those who had come forward were catered for; and that the Commissioner received appropriate and timely briefings about the matters alleged and advice about them.

It was appropriate once those steps were complete, for a decision to be taken about how the allegations should be handled. It became clear, following the completion of Mr Dennis' work, that the allegations fitted the mandatory criteria for referral to the Independent Office for Police Conduct (IOPC). They were so referred on 17 January 2019.

Mr Veale had the benefit of advice and welfare support from the Chief Police Officers Staff Association (CPOSA) and from legal advisers retained by CPOSA. He offered his resignation which was accepted and took effect on 18 January 2019.

At the point of resignation Mr Veale requested solely that he receive payment in lieu of notice to an agreed date of 5 March 2019, along with any outstanding expenses. This was an acceptable arrangement. Details of the precise sum to be paid to Mr Veale were being finalised by officers and would be notified to the Panel when available.

The IOPC would announce its decision as to whether and if so in what way the matters referred to them should be investigated. In relation to this aspect of matters, the Commissioner would update the Panel at the meeting as appropriate.

The Commissioner was proud to oversee an organisation where individuals felt able to come forward and he was also keen that Members had the opportunity to acknowledge the proper and diligent way in which his Office had handled the matter, drawing Members' attention also to the fact that individuals had confidence to report such issues to the Office of the Police & Crime Commissioner in the knowledge that matters would be handled fairly and lawfully.

The Commissioner supported the Force and his Office in taking all necessary steps to ensure that such matters were handled with sensitivity, professionalism and in full accordance with the law. Some of the steps taken to ensure that the law was respected had been the subject of public comment and it is important that the Commissioner re-stated his commitment to fair process for all concerned, including those who raised the allegations and Mr Veale this included exercising restraint in public comment.

With regard to the Interim Chief Constable Arrangements, Chief Constable Lee Freeman had been appointed to lead Cleveland Police until a permanent Chief Constable was recruited.

Chief Constable Freeman joined Cleveland from Humberside Police where he had lead with distinction since 2017. Chief Constable Freeman had served with the City Of London Police, Lincolnshire Police and had spent time on secondment to Lincolnshire County Council as an Assistant Director. Members welcome Chief Constable Freeman to Cleveland. Chief Constable Freeman was committed to continue the positive programme of culture change within Force and to ensure that it continued to keep the communities safe in circumstances of challenging financial and operational demand. As a police area, Humberside shared many features in common with Cleveland and Chief Constable Freeman's track record in Humberside had positioned him to hit the ground running as Cleveland's Interim Chief Constable.

The Commissioner formally placed on record his thanks to the Police & Crime Commissioner for Humberside, Keith Hunter, who agreed to Chief Constable Freeman's placement with Cleveland Police for the necessary period.

A joint Decision Notice / Decision Record Form (DRF) had been published by the Police & Crime Commissioners, which set out the legal and financial arrangements underpinning the Interim Chief Constable appointment and the consequential adjustments within Humberside Police in particular.

A formal collaboration agreement was being entered into to formalise the arrangements. Copies of the DRF and the Collaboration Agreement were attached to the report. The internal messages by the PCC and the Force in relation to this matter were also attached to the report.

The OPCC team were making preparations to launch the recruitment process for a substantive Chief Constable.

Chief Constable Freeman was given the opportunity to address the Panel and outlined that it was a privilege to be at Cleveland Police and he wanted to help and support Cleveland Police in any way that he could. He felt that Cleveland Police had a real pride in the area and people should be optimistic about the future of the Force. The quality of the staff that he had met had been exceptional and Cleveland Police could be a top force in the future.

Members shared the Commissioner's disappointment that Mr Veale's tenure as Chief Constable should have come to an end in this manner and that his Chief Constablenesship had been short. Nonetheless, it was a clear sign of a positive standards culture that allegations of inappropriate behaviour, even in respect of the most senior officer, should be challenged and reported.

A Member raised issues around the selection process and that references weren't taken up for Mike Veale until after the selection process had finished. Also Mike Veale was under investigation while the selection process was taking place and that this wasn't reported to the Panel. In response it was reported that the taking up of references doesn't form part of the College of Policing's recommended Chief Constable Recruitment Process. Mike Veale did offer as part of his application references which he had recently received and references were taken as part of Cleveland Police's Police Officer Appointment Procedure after conclusion of the selection process. In terms of the issue of the investigation which was notified to Mr Veale shortly before his appointment at Cleveland, questions had already been answered in the Panel's previous

examinations of this issue but the Chief Executive was happy to re-iterate what he had said previously and was content to reinforce his assurance to Members that the appropriate legal duties had been followed by the Commissioner in respect of the appointment of Mike Veale.

RESOLVED that the report be noted.

## **5 Commissioner's Police and Crime Plan**

Consideration was given to the Police and Crime Commissioner's Cleveland Police and Crime Plan.

The Police and Crime Commissioner (PCC) for Cleveland's Police and Crime Plan was a statutory document. Requirements for the plan were set out in the Police Reform and Social Responsibility Act 2011 and the Policing Protocol Order 2011. This plan must have regard to the Strategic Policing Requirement (SPR) issued by the Home Secretary.

The PCC had a duty to keep his plan under review and in particular to review the plan in the light of any changes in the SPR and any report or recommendations made to the PCC by the Police and Crime Panel.

Barry Coppinger was re-elected Police and Crime Commissioner for Cleveland on Friday 6th May 2016. The Commissioner's manifesto included a 5 point community safety plan that had been used as a basis upon which to develop the current 2019-2020 Police and Crime Plan.

The Commissioner was keen to ensure that Cleveland Police constantly evolved and improved the services to the communities. The Commissioner would maintain his commitment to the five objectives set out in the existing plan:

- Investing in our police
- A better deal for victims and witnesses
- Tackling re-offending (henceforth to encompass 'Tackling Offending and Reoffending')
- Working together to make Cleveland safer
- Securing the future of our communities

The Plan built upon the first Police and Crime Plan the Commissioner published when elected in 2012, updated to reflect the emerging needs of the public and was responsive to the new and emerging threats that were faced. The Commissioner had placed a fresh emphasis on preventing violence and abuse, cyber-crime and fraud, improving criminal justice processes, early intervention and prevention.

RESOLVED that the Commissioner's Police and Crime Plan be agreed and that the Commissioner be at liberty to issue the Plan.

## **6 Members' Questions to the Police and Crime Commissioner**

A question was raised about cyber-crime and if Cleveland Police was working with Teesside University as it was a leading university delivering courses in fighting cyber-crime. In response it was noted that Cleveland Police were

collaborating with Teesside University and there was a lot of on-going training and development work.

A question was raised about Cleveland Police's policy on tackling shoplifting. In response it was noted that there had been a change in the way Officers responded to shoplifting. There was an evolving process on-going that was looking at the issue of shoplifting while recognising the vulnerabilities of the smaller retailers together with the fact that major retailers need to do more to help tackle the issue.

A question was raised about the recent Speed Watch campaign. Congratulations were given to the Commissioner as over 1500 people had either been warned or prosecuted by Cleveland Police. In one Middlesbrough area there was a maximum speed limit of 20 mph but drivers had been recorded at over 50 mph. In response it was noted that Cleveland Police were doing a lot with motorists and ward councillors to help tackle the issue. There was also an offer from Cleveland Police to local residents to get involved with Speed Watch campaigns.

RESOLVED that the session be noted.

## **7 Commissioner's Update**

Consideration was given to a report that provided an update in relation to key matters since the previous meeting in September including;

- A whole system approach to domestic abuse
- White Ribbon Campaign
- Restorative Cleveland Launch – 23rd November
- Cleveland Divert Launch – 2nd January
- Anti-extremism Event - 23rd January

With regard to the Whole System Approach to Domestic Abuse programme, it was noted that a full evaluation of the programme was being conducted and would be reported on in July 2019. The evaluation would inform future decision making about embedding the model long term.

The White Ribbon Campaign followed 16 days of action which ended on Monday 10th December 2018 (Human Rights Day) with an event to highlight the coercive controlling behaviour training being delivered to our officers and partner agency staff. The event also formally launched the Teeswide Violence Against Women and Girls Communication Strategy and showcased local perspectives on the issues of violence against women and girls, its impact on communities across Cleveland and the ongoing work by Cleveland Police and partners to tackle its issue on a long term basis, making our communities safer and stronger.

It was noted that the award-winning Restorative Cleveland service would officially launch on Friday 23 November at a conference at the Community Safety Hub in Hemlington.

The Cleveland Divert project went live as a pilot on 2nd January 2019 with an initial focus on perpetrators of shoplifting and drunk and disorderly offences.

Full implementation of the project which would include other offence types would start on 1st April 2019.

Following the appointment of Sara Khan, independent Anti-extremism commissioner. Sara was drawing up a programme on tackling extremism for publication and would be consulting across the country in the autumn to feed into the programme.

The Commissioner invited stakeholders to attend an event on 23rd January focusing on the response to counter extremism across the Cleveland area.

RESOLVED that the report be noted.

## **8 PCC's Scrutiny Programme and Performance Report**

Consideration was given to a report that provided the Panel with an update on the PCC's scrutiny programme and presented the performance report of the Police and Crime Commissioner and the Police and Crime Plan.

The Commissioner's Police and Crime Plan objectives were as follows:

- Investing in our Police;
- A Better Deal for Victims and Witnesses;
- Tackling Re-offending;
- Working Together to Make Cleveland Safer; and
- Securing the Future of our Communities.

The report updated the Panel on the performance associated with the delivery of the Commissioner's objectives, the wider aspects of the Police and Crime Plan and his statutory responsibilities.

Holding the Chief Constable to account was the key duty of the Police & Crime Commissioner and must encompass all of the functions of the Chief Constable and functions of those who were under the Chief Constable's direction and control: this means, particularly:-

- How the Chief Constable discharges his duty to have regard to the Police and Crime Plan;
- How the Chief Constable has regard to national and regional Strategic Policing Requirement (SPR);
- How the Chief Constable complies with the law generally and police codes of practice in particular;
- How the Chief Constable deals with his functions in relation to the handling of complaints against the police;
- The effectiveness and efficiency of Cleveland Police's work in relation to collaboration and partnership;
- How effective and efficient the police arrangements are for engagement with local people;
- How well Cleveland Police achieves value for money in all that it does;
- How Cleveland Police addresses its equality and diversity duties; and
- How Cleveland Police deals with its responsibilities, working in partners, in respect of safeguarding and promoting the welfare of children.

The scrutiny of the Force was one of the main responsibilities of the Commissioner as set out in the Police and Social Responsibility Act 2011. Delivered through the Commissioner's standards and scrutiny programme effective checks and balances were undertaken through a schedule of regular meetings.

Since the last Police and Crime Panel the PCC had held the following meetings:-

Scrutiny, Performance and Delivery meetings

- 29 October 2018
- 30 November 2018
- 11 December 2018

The minutes of the above meetings were attached to the report.

Since the last update to the Panel there had been a Working Together meetings on the:-

- 13 December 2018

The minutes of the above meeting were attached to the report.

In addition to the meetings above, the Commissioner continued to attend the following meetings to complement his scrutiny programme:

- Daily review of the Control Room and Serious Incident Logs;
- Weekly accountability meetings with the Chief Constable;
- Monthly crime performance monitoring;
- Attendance at the Force's monthly Force Performance Group; and
- Attend at least one local area meeting in each of Cleveland's neighbourhood police team areas.

The overview of the performance information from the Police and Crime Plan was also attached to the report.

It was noted that the Commissioner was lobbying Government for funds for the national contract for victim support services that was run by the Ministry of Justice to be devolved so that he could improve the services to victims and also to witnesses through the court process.

RESOLVED that the report be noted.

## **9 Programme of Engagement for the Police and Crime Commissioner**

Consideration was given to a report that provided Members with a brief update in relation to consultation and engagement activity of the PCC between November 2018 and February 2019. Future engagement work of the PCC was also be summarised.

The PCC's consultation and engagement activities focused on increasing understanding of the policing and community safety needs of the communities

of Cleveland, ensuring that strategic planning effectively delivers the policing service that communities require.

The PCC attended a number of meetings on a regular basis with key partners, stakeholders and residents from across the Cleveland area.

In addition to this the PCC attended many regional and national meetings representing Cleveland.

The 'Your Force Your Voice' engagement initiative continued to take place with community meetings in all of Cleveland's 79 ward areas being visited on an annual basis. Since coming into office in November 2012 the PCC had attended over 615 community meetings allowing him to better understand the needs of local communities across Cleveland.

Since coming into office the PCC had been very aware of the particular issues faced by communities in the rural fringes of Cleveland. In order to tackle this the PCC established the Tees Rural Crime Forum, which he chaired, and was attended by the Police, partner agencies and rural community members and landowners. OPCC funding also provided a dedicated Rural Crime Prevention Officer. In addition to this there was a task force of Rural Volunteers and Special Constables. On 7th January a meeting was held with rural landowners and farmers to discuss ongoing concerns regarding rural crime and the police response to rural issues.

All of the issues raised at community meetings were raised with Cleveland Police for action where necessary.

Included within the report was a summary of key other meetings attended by the PCC. The full diary was published on the PCC website.

The future meetings of note were detailed within the report.

RESOLVED that the report be noted.

## **10 Decision of the Police and Crime Commissioner**

Consideration was given to a report that provided the Panel with an update on decisions made by the Police and Crime Commissioner and the Forward Plan.

The Commissioner makes all decisions unless specifically delegated within the Scheme of Consent / Delegation. All decisions demonstrated that they were soundly based on relevant information and that the decision making process was open and transparent.

In addition a forward plan was included and published on the PCC website which included items requiring a decision in the future. This was attached to the report.

Each decision made by the Commissioner was recorded on a decision record form with supporting background information appended. Once approved it was published on the PCC website.

Decisions relating to private / confidential matters were recorded although it may be appropriate that full details were not published.

Decisions made since the last meeting of the Police and Crime Panel were attached to the report.

A member raised a question about Appendix 2 of the report and the funding that had been given to various community organisations. It was agreed that the Member would receive a detailed response to the question from the Commissioner.

RESOLVED that the report be noted.

## **11 Review of the Overall Budget Strategy - Task and Finish Group**

Consideration was given to a report on the Review of the Overall Budget Strategy - Task and Finish Group.

The Task and Finish Group was established to understand the key issues and financial pressures as part of the budget setting process in order to inform the work of the Panel and PCC.

The Task and Finish Group met on 17 January 2019 to receive information about the Police and Crime Commissioner's overall budget strategy for 2019/20. Discussion took place about funding and planning assumptions, total funding projections and funding pressures.

The Group met again on 28 January 2019, following confirmation of the settlement from the Government, to discuss the proposed precept increase with the Police and Crime Commissioner.

The key findings and conclusions were:-

- The increase in Total Funding for Cleveland is 5.77%, which will be the lowest in the Country
- In overall cash terms, before Precept is considered, the organisation has less Cash than it had last year from the Government, taking into account the additional Pensions Costs that have been passed from the Government to Local Forces. In real terms therefore, the settlement equates to a further cut in Government funding of approximately £2.1m
- Precept increases up to £24 would be permitted
- Any precept increase for Cleveland of less than £14.50 would result in further cuts
- A £24 precept increase at Band D would provide approximately £1.8m additional funding for Cleveland and would provide the opportunity to reinstate some of the services that had been lost as well as providing additional funding and investment
- Reserves were at a relatively low level and were necessary for serious incident response and to manage other potential risks
- The impact of the proposal to increase the precept by £24 will increase a household council tax bill by 46 pence per week for a Band D property. However, as only a small minority of properties in Cleveland fall into Band D or above, in the vast majority of cases, the increase will equate to 31-41p per week

in a household council tax bill

- In the public consultation results, over two thirds (68%) of respondents said they would be prepared to pay an extra £16.00 - £24.00 per year, for Band A to D properties, to help maintain current Policing Services in Cleveland and to provide an additional £1.8m for investment in Community Policing

The Task and Finish Group concluded that, given future uncertainties, there was a strong argument for taking advantage of the opportunity afforded by the current flexibilities. The Group felt that a £24 precept increase would allow much needed investment in the Force. The Group were also mindful that if the Force did not take advantage of the current flexibilities, it would be difficult to argue for additional funding in the future.

RESOLVED that the proposal of the Police and Crime Commissioner to set the Band D Police Element of the Council Tax within Cleveland for 2019/20 at £250.54 (an increase of £24, or 10.59% over the 2018/19 level) be endorsed.

## **12 Precept Proposals for 2019/20**

Consideration was given to a report on the Commissioner's Precept Proposals for 2019/20.

Legislation required that the Commissioner agree his budget and associated precept and basic council tax for the forthcoming year before 1st March each year. However before doing so he must notify the Panel of the precept which he proposed to issue for the following year.

The balance of the cost of the police service not paid for by central government was met by local taxpayers through a precept on their council tax. In Cleveland this would equate to about 27.5% of the overall income that the Commissioner would receive in 2019/20. It was the responsibility of the four local billing authorities to collect this.

Legislation required the precept for 2019/20 to be set before 1st March 2019 and that the first step in enabling this to happen was that the Commissioner was required to inform the Panel of his proposed precept by the 1st February 2019.

In making his proposal on the Police precept the Commissioner had taken into account the following:

- The views of the public of Cleveland
- The financial impact on the people of Cleveland.
- The financial needs of the organisation as currently projected both for 2019/20 and in the future.
- The limits imposed by the Government on a precept increase before a referendum would be triggered in Cleveland.
- The Commissioner had discussed my proposals with both the Chief Constable and engaged and consulted with the public on the options available to me.

The Final 2019-20 Police Settlement was announced in a written ministerial statement by the Minister for Policing and the Fire Service Nick Hurd MP on Thursday 24 January 2019 and no changes were made to the Provisional

Settlement which was announced on the 13th December . Full details of the settlement can be found on the Home Office website.

The main points within the settlement were a headline of £970m additional funding for the service which included:-

- £161m additional formula funding,
- £153m of pension grant,
- £59m additional funding for Counter Terrorism,
- £90m additional funding to tackle Serious and Organised Crime and
- £509m as a result of additional council tax flexibilities.

Of the £970m approximately £813m is for local policing

- £509m precept
- £143m pension grant
- £161m additional Funding.

Precept flexibility of up to £24 for all PCCs (or equivalents) in 2019-20. – this was only confirmed on the 29th January.

£161m additional grant funding – made up of primarily £146m increase in core grant.

The settlement, including and assuming that each Police Force area increases the Police element of council tax by £24, and pension grant, represents an average cash increase (total funding) of 7.2% between 2018-19 and 2019-20.

£160m additional Counter Terrorism funding (announced at the 2018 Autumn Budget) equivalent to an annual increase of £59m an 8% increase on total CT funding.

New Requirements - The minister's letter referred to the requirement to "drive efficiency, productivity and effectiveness".

It was important to reflect that this increase in funding did not reflect the significant increased Pension costs that had been passed to Forces to pay from 2019/20 onwards.

The 2019-20 settlement provided more funding than had been previously expected. A letter to the Home Affairs Select Committee (HASC) outlined the Policing Minister's 4 priority areas to "drive efficiency, productivity and effectiveness next year":

- Continued efficiency savings in 2019-20 through collective procurement and shared services. There would be an expectation that every force contributed substantially to procurement savings and the Home Office would be working with the police to agree the "right force level objectives for 2019-20 and 2020-21".
- Major progress expected to resolve challenges in investigative resource identified by HMICFRS, including recruitment of more detectives to tackle the shortfall.

- Continue to improve productivity, including smarter use of data to deliver £50m of productivity gains in 2019-20.
- Maintain a Serious and Organised Crime response that spanned identification and management of local threats as well as support for national priorities.

This meant for Cleveland in 2019/20 in terms of Funding and Costs:-

- An increase in Police Grant of £1,753k or 2.1%
- A Pension's Grant of £1,324k

However the impact of Police Pension changes to Cleveland was £3.3m.

Therefore in overall cash terms, before Precept was considered, the organisation had less cash than it had last year, from the Government, taking into account the additional Pensions Costs that had been passed from the Government to Local Forces.

In real terms therefore this was a further cut to Government Funding of circa £2.1m.

Based on the increase in precept being proposed then the overall impact on the Core funding for the organisation, taking into account the additional Pensions costs was detailed within the report.

Based on these revised assumptions, and the information received and forecast around other areas of funding, then the entire funding expected to be available to the Commissioner for the next 4 years, in comparison to 2017/18 and 2018/19 was detailed within a table within the report.

The Commissioner had considered various options and various factors in deliberating on his proposal for precept in 2019/20. He had taken into account the needs for the continued delivery of Policing and Crime services within Cleveland. The Commissioner had spoken with the Chief Constable and had consulted with the public. Based on these views and the financial needs of the organisation over the medium term the Commissioner formally proposed a precept increase of £24 on a Band D property for 2019/20.

To aid the Panel in considering his proposal on Precept the Commissioner had attached to the report:-

- Draft Budget based on a £24 Precept Increase
- Draft Capital Budget
- Full details of the Precept Consultation

Members also received a detailed presentation that covered the following key areas:-

- Communities Served
- Why are the communities so vulnerable
- Growing demand for services

- Reduced resources
- The benefits that will be delivered
- Investing in local policing to make a difference

A question raised about the use PCSOs in communities and in response it was noted that the Commissioner would still like to have named PCSOs in every ward in the Cleveland area.

It was noted that Commissioners proposals did not include the removal of two ranks within Cleveland Police and that this initiative was now under review.

A question was raised about the increase in the amount of the budget that would be spent on the Commissioners staff and if it would not be better to spend the extra money on frontline staff. In response it was noted that some of the Commissioners staff were frontline staff including investigators. The Commissioners office was under review and they were looking at ways that the office could deliver services more efficiently. A detailed response would be circulated to Members giving the breakdown of the Commissioner's office staff.

Members felt that given future uncertainties, there was a strong argument for taking advantage of the opportunity afforded by the current flexibilities. Members felt that a £24 precept increase would allow much needed investment in the Force. Members were also mindful that if the Commissioner did not take advantage of the current flexibilities, it would be difficult to argue for additional funding in the future.

A vote took place and the recommendation was agreed.

RESOLVED that to set the Band D Police Element of the Council Tax within Cleveland for 2019/20 at £250.54. This is an increase of £24, or 10.59% over the 2018/19 level.

### **13 Annual Report of the Panel**

Consideration was given to a report that sought approval for the production of an Annual Report for the Police and Crime Panel for 2018/19 and its contents.

The production of a Police and Crime Panel Annual Report would provide a useful reference document for the public setting out the role and responsibilities of the Panel in plain English and also highlight key activities and achievements over the past year. It was proposed that the Report be set out as follows:

- Chair's Foreword
- What is the Cleveland Police and Crime Panel
- Panel Membership
- Panel Role and Responsibilities
- The Panel's Core Programme
- Key Activities and Achievements (including the work of Task and Finish Groups)
- Membership 2018/19
- The Police and Crime Panel and the Public Contacts and Further Information

The Panel authorised the Panel Chair, to agree an initial draft for circulation to Panel Members and finalise the Annual Report following comments from Members.

RESOLVED that Panel Members comment on the content of the Annual Report and Panel Chair be authorised to agree an initial draft for circulation to Panel Members.

**14 Public Questions**

Members were informed that there were no public questions.

**15 Forward Plan**

Members were presented with the Forward Plan for the Panel.

RESOLVED that the Forward Plan for the Panel be noted.

**16 Joanne Hodgkinson**

It was noted that the Commissioner's Assistant Chief Executive Joanne Hodgkinson would be leaving the Office of the Police & Crime Commissioner to take up a Chief Executive position in the local charitable sector. Members thanked Joanne for all of her hard work over her service to the OPCC and its statutory predecessor, the Police Authority.

# Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Tuesday, 9th April, 2019.

**Present:** Cllr Norma Stephenson (Chair); Cllr David Coupe, Cllr Ian Jeffrey, Cllr Chris Jones, Cllr Charlie Rooney, Cllr Matthew Vickers and Cllr David Wilburn.

**Officers:** Julie Butcher, Fiona Attewill, Peter Bell (Stockton-on-Tees Borough Council).

**Also in attendance:** Barry Coppinger (Cleveland Police and Crime Commissioner), Simon Dennis and Liz Byrne (Office for the Cleveland Police and Crime Commissioner).  
Richard Lewis (Candidate).

**Apologies:** Cllr Alec Brown, Cllr Lesley Hamilton, Cllr David Harrington, Paul McGrath, Cllr Katie Trueman and Cllr Lewis Young.

## 1 Welcome and Evacuation Procedure

The Chair welcomed everyone to the meeting and the evacuation procedure was noted.

## 2 Declarations of Interest

There were no interests declared.

## 3 Confirmation Hearing Purpose and Procedure

The purpose of the meeting was explained, which was to hold a confirmation hearing before making a report and recommendation to the Police and Crime Commissioner in relation to his proposed appointment of a Chief Constable.

The hearing was a meeting of the Panel, held in public, at which the Candidate, Richard Lewis, was in attendance for the purpose of answering questions relating to the proposed appointment.

The procedure to be followed was explained, and it was indicated that when the questions asked of the Candidate by Panel members were concluded, the Panel would go into closed session, in order to agree a report and recommendations to the Commissioner.

The Panel's decision would be communicated to the Commissioner in writing by the next working day following the hearing, and a copy of the communication would be provided to the Candidate if the Panel recommend that the Candidate be appointed.

The Panel's report would normally be embargoed until a period of five days had elapsed following the hearing.

RESOLVED that the Confirmation Hearing Purpose and Procedure be noted.

## 4 Key Documents/Information associated with the appointment

Details of a report of the Police and Crime Commissioner for Cleveland relating to the Chief Constable appointment including a link to the advert for the position,

a summary of the key terms and conditions, role profile and Cleveland Police Chief Constable Candidate Information Pack were considered by the Panel.

It was noted that the Chief Constable for Cleveland would be appointed and hold office in accordance with the relevant legal provisions principally s38 and Schedule 8 Police Reform and Social Responsibility Act 2011 and the Police Regulations in force which deal with terms and conditions of appointment.

During the recent period of vacancy including the recruitment for a permanent successor, Mr Lee Freeman had led Cleveland Police on a temporary basis under the terms of a collaborative arrangement between Humberside and Cleveland. The Commissioner gave his thanks to the Police & Crime Commissioner for Humberside for facilitating this arrangement and acknowledged in the most positive terms Mr Freeman's service as Interim Chief Constable for Cleveland.

The progress and conclusions of the recent Chief Constable appointment process to fill the substantive vacancy was noted. The Commissioner had selected a preferred candidate and proposed a candidate for appointment.

The recruitment process had been supported throughout by the College of Policing. The Commissioner recorded his thanks to the College of Policing for their support throughout.

The Commissioner determined that he wished to appoint a Chief Constable who shared his belief that (amongst the range of priorities for policing, community safety and public protection) neighbourhood policing and protection of the vulnerable must be priorities for the police and furthermore, an individual committed to working alongside the Commissioner in continuing to address the areas for improvement highlighted by HMICFRS.

The Commissioner had set strategic directions for Cleveland Police to deliver and embed transformation in both Standards and Ethics and driving forward further changes in the organisation's approach to valuing diversity and inclusivity, through Everyone Matters. Cleveland Police needed a Chief Constable with the requisite leadership skills and values to carry this into effect.

The Panel were also presented with a report of Independent Member of the Selection Panel. These papers provided details of the appointment process leading to the Commissioner's proposal to appoint Richard Lewis as Chief Constable.

RESOLVED that the Key Documents and Information be noted

## **5 Questioning of the Candidate**

Panel members were given the opportunity to ask questions of the Candidate and these centred around the following, the difference in the Dyfed-Powys force area and the Cleveland force area and what experience he has of tackling the issues facing Cleveland Police including the rural areas of Cleveland, what are the biggest challenges facing Cleveland Police in the next 5 years and how does he intend to respond to these challenges including the rise of the so called far right and the threats they can bring to a diverse community, his vision for

Neighbourhood Policing for Cleveland Police and issues around speeding drivers, his response to the recent negative press and public coverage of Cleveland Police, why he wants to come to Cleveland and what commitment can he give to stay in the position long term, what is his management philosophy, how he manages on a day to day basis and how will he obtain the trust and motivate his staff, what are his key messages he wanted the Panel to consider in deciding whether to approve his appointment.

When responses had been provided to all of the Panel Members' questions, the Candidate was given an opportunity to clarify any answers given. The hearing then concluded and the Panel went into closed session to consider its report and recommendations.

## **6 Closed Session for the Panel to Consider its Recommendations**

The Panel unanimously agreed that Mr Lewis appeared competent to carry out the role of Chief Constable in Cleveland and would support his appointment.

RESOLVED that the Panel recommends to the Police and Crime Commissioner that Richard Lewis be appointed as Chief Constable for the Cleveland Police Force.