



Civic Centre
HARTLEPOOL

28 JUNE, 2024

Councillors Allen, Bailey-Fleet, Boddy, Brash, Buchan, Clayton, Cook, Cranney, Creevy, Darby, Dodds, Dunbar, Feeney, Hall, Hargreaves, Harrison, Holbrook, Jorgeson, Leedham, Lindridge, Little, Male, Martin-Wells, Moore, Morley, Nelson, Oliver, Reeve, Roy, Scarborough, Sharp, Smith, Thompson, C Wallace, S Wallace and Young.

Madam or Sir,

You are hereby summoned to attend the COUNCIL meeting to be held on WEDNESDAY, 10 JULY 2024 at 7.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

D McGuckin
Managing Director

Enc

COUNCIL AGENDA



10 July 2024

at 7.00 pm

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

- (1) To receive apologies from absent Members;
- (2) To receive any declarations of interest from Members;
- (3) To deal with any business required by statute to be done before any other business;
- (4) To approve the minutes of the last meetings of the Council held on 22 February 2024, the Special meeting of Council held on 18 March 2024, the Extraordinary meeting of Council on 16 May 2024 and the Annual Council meeting on 21 May 2024 as the correct record;
- (5) To answer questions from Members of the Council on the minutes of the last meeting of Council;
- (6) To deal with any business required by statute to be done;
- (7) To receive any announcements from the Chair, or the Head of Paid Service;
- (8) To dispose of business (if any) remaining from the last meeting and to receive the report of any Committee to which such business was referred for consideration;
- (9) To consider reports from the Council's Committees and to receive questions and answers on any of those reports;

(1) Periodic Review of the Council's Constitution - Report of Constitution Committee
- (10) To consider any other business specified in the summons to the meeting, and to receive questions and answers on any of those items;

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

- (11) To consider reports from the Policy Committees:
 - (a) proposals in relation to the Council's approved budget and policy framework; and
 - (b) proposals for departures from the approved budget and policy framework;
- (12) To consider motions in the order in which notice has been received;
- (13) To receive the Managing Director'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 9;
- (15) To answer questions of Members of the Council under Rule 10;
 - a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 10.1
 - b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 10.2
 - 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 9 February 2024 and the Police and Crime Panel on 14 November 2023.



COUNCIL

MINUTES OF PROCEEDINGS

22 February 2024

The meeting commenced at 7.00 pm in the Civic Centre

The Ceremonial Mayor (Councillor Moore) presiding:

COUNCILLORS:

Allen	Ashton	Boddy
Brash	Brown	Buchan
Clayton	Cowie	Cranney
Creevy	Darby	Dodds
Dunbar	Feeney	Groves
Hall	Hargreaves	Harrison
Holbrook	Howson	Martin-Wells
Morley	D Nicholson	V Nicholson
Oliver	Reeve	Sharp
Smith	Thompson	Young.

Officers: Denise McGuckin, Managing Director
Hayley Martin, Director of Legal, Governance and Human Resources
James Magog, Director of Finance, IT and Digital
Joan Stevens, Statutory Scrutiny Manager
Connor Kerr, Steve Hilton, Communications and Marketing Team
David Cosgrove, Denise Wimpenny, Democratic Services Team

105. APOLOGIES FOR ABSENT MEMBERS

Councillor Cassidy, Leedham, Lindridge and Little.

106. DECLARATIONS OF INTEREST FROM MEMBERS

Councillor Young declared a personal interest in Minute No. 109.

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

None.

108. MINUTES OF PROCEEDINGS

The minutes of the last meeting of the Council, held on 1 February 2024 having been laid before the Council.

RESOLVED - That the minutes be confirmed.

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

In relation to Minute No. 93 (2) Councillor Harrison asked if the WASPI flag would be flown on International Women's Day, 8 March. The Managing Director stated that a flag had been ordered.

The Mayor confirmed that in relation to Minute No. 93 (1) 'Supporting Our Shop Workers motion', a letter had been sent to the Home Secretary and a copy of the letter would be shared with Elected Members.

110. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES

- (a) Treasury Management Strategy 2024/25 – Report of Audit and Governance Committee

The Chair of the Audit and Governance Committee reported that the Local Government Act 2003 required Full Council to determine a Treasury Management Strategy for borrowing and to prepare an Annual Investment Strategy which sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments. The recommended strategy had been considered by the Audit and Governance Committee on 31 January 2024; a copy of the report submitted to the Committee was appended to the report.

RESOLVED – That the Treasury Management Strategy for 2024/25 be approved, including

- (i) The borrowing strategy for 2024/25;
- (ii) The investment strategy for 2024/25;
- (iii) The prudential indicators; and
- (iv) The minimum revenue provision statement.

111. REPORT FROM THE POLICY COMMITTEES

- (b) proposals in relation to the Council's approved budget and policy framework;
 - (i) Capital Programme 2024/25 to 2026/27 – Report of Finance and Policy Committee

The Chair of the Finance and Policy Committee presented the Capital Strategy for 2024/25 to 2026/27 and Capital Programme new starts 2024/25 to 2026/27. The report considered by Finance and Policy on 19th February 2024 drew together the Capital Programme and Capital Strategy, aligning them with the Medium Term Financial Strategy (MTFS) and Treasury Management Strategy as an integral part of the Councils Strategic and Financial Planning Framework. The report was appended to the report.

RESOLVED: - that the report from the Finance and Policy Committee be noted and that;

1. the Capital Strategy for 2024/25 to 2026/27, at Annex 1– Appendix 1 to the report be approved. The strategy was a requirement of the Prudential Capital Code; and
2. the Capital Programme new starts 2024/25 to 2026/27, as set out at Annex 1 - Appendix 2 to the report be approved.

(ii) Medium Term Financial Strategy (MTFS) 2024/2025 –
Statutory Budget and Council Tax Determination– Report of
Finance and Policy Committee

The Chair of the Finance and Policy Committee presented the detailed final 2024/25 Local Government Finance settlement; which enabled Elected Members to finalise the 2024/25 technical Council Tax calculations, which incorporated Council Tax levels independently set by precepting bodies.

The Finance and Policy Committee had recommended that Elected Members note that the detailed 2024/25 statutory council tax calculations incorporating the council tax levels set by individual precepting authorities i.e. the Police and Crime Commissioner, Cleveland Fire Authority and individual parish councils, would be referred to council for approval.

In relation to the Statutory Council Tax calculations, Council was recommended to:

1. Approve the statutory budget calculation for the Council budget as detailed in Appendix A and approve the detailed supporting departmental budgets detailed in Appendix B;
2. Approve the statutory Council Tax calculations detailed in Appendix A, which includes the Council Tax increases approved by the individual precepting bodies.

In accordance with Council Procedure Rule 15.6 a recorded vote was taken.

Those in favour: Councillors Ashton, Brown, Buchan, Cowie, Cranney, Darby, Groves, Martin-Wells, Moore, D Nicholson, V Nicholson, Reeve, Smith and Young.

Those against: None.

Those abstaining: Councillors Allen, Boddy, Brash, Clayton, Creevy, Dodds, Dunbar, Feeney, Hall, Hargreaves, Harrison, Holbrook, Howson, Morley, Oliver, Sharp and Thompson.

The Statutory Council Tax calculations were, thereby, approved.

112. BUSINESS REQUIRED BY STATUTE

(a) Report of Independent Remuneration Panel

The Director of Legal, Governance and Human Resources presented the report which requested the consideration of Full Council of the Panel's recommendations regarding proposed changes to the Basic and Special Responsibility Allowances payable from 1st April 2024

The Independent Remuneration Panel had recommended as follows:-

1. The basic allowance be frozen for one year, with effect from the 1st April 2024, and for the following three years the allowance be increased by inflation, or the percentage level of the LA staff pay award, whichever is the greater. This would, however, be open to review at year two should members wish to do so.
2. All SRA's be frozen for four years, with effect from the 1st April 2024, with the potential for a review at year two should members wish to do so.

Councillor Young proposed an amendment to the IRP recommendations, that in line with the debate at the previous meeting of Council, there be no increases in Elected Member Allowances and that SRA's be ceased from 1 April 2024. The motion was seconded by Councillor Brown.

Councillor Brash moved a further amendment that the basic allowance be frozen for one year, with effect from the 1st April 2024 and that the payment of SRA's be suspended from the same date. The proposed future increases in allowances be rejected and, should the Labour Group be in control of the Council following the May 2024 elections, the IRP would be informed of a further review of the allowances scheme with the aim of reducing the costs of the scheme even further. The motion was seconded by Councillor Harrison.

A vote on the amendment was agreed.

A vote on the substantive Motion was agreed, with no dissent.

113. ANNOUNCEMENTS

The Managing Director announced that 2024 was the 50th Anniversary of the Hartlepool – Hucklehoven Town Twinning. It was proposed that the Mayor send a gift to the Bürgermeister of Hucklehoven in acknowledgement of the anniversary. This was supported by Council.

114. 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.

- (a) Council Referral – Standards Investigation Reports – Reports of Audit and Governance Committee

The outcome of the standards hearings held on 21 February 2024 by Audit and Governance Committee were reported to Council. The Chair of the Audit and Governance Committee, Councillor Brash, stated that the Committee had accepted the conclusions of the two investigation into Councillors Cassidy and Young. As the two Councillors were considered to have breached the Councillors Code of Conduct, specifically in relation to Section 5.1 of the Hartlepool Borough Council Code of Conduct; by virtue of having brought the office of Councillor into disrepute, the Audit and Governance Committee concluded that Council be recommended to:

1. Seek that Councillor Young to give a public apology at the next meeting of Full Council. In the event that this not be forthcoming Full Council be recommended to formally censure Councillor Young for his breach of the code of conduct.
2. The Committee will publish its findings in respect of the member's (Councillor Young) conduct.
3. Councillor Young be removed from all outside appointments body to which he has been appointed or nominated by the authority [or by the Parish Council]
4. Seek that Councillor Cassidy to give a public apology at the next meeting of Full Council. In the event that this not be forthcoming Full Council be recommended to formally censure Councillor Cassidy for his breach of the code of conduct.
5. The Committee will publish its findings in respect of the member's (Councillor Cassidy) conduct.
6. Councillor Cassidy be removed from all outside body appointments to which he has been appointed or nominated by the authority

Councillor Brash added that should the apologies requested be forthcoming, there was no censure recommended to Council in either case.

Councillor Young addressed Council apologised to the Council, the public and the residents of the Hart Ward. Councillor Young stated that it had not been his intention to mislead anyone.

In his absence, the Managing Director read an apology to Council submitted by Councillor Cassidy.

In light of both apologies, it was recommended that no further censure be required.

There was no dissent to the following resolutions.

RESOLVED –

1. That Full Council notes the report of the Audit and Governance Committee following its meeting on the 21st February 2024.
2. That Council noted the sanctions of the Audit and Governance Committee, as set out in the report, including the requirement to publish its findings of the investigations and that Councillors Young and Cassidy be removed from all outside body appointments to which they had been appointed or nominated by the authority.
3. That given the apologies received from Councillors Young and Cassidy, no formal censure in relation to the breach of the code of conduct be required.

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

None.

116. MOTIONS ON NOTICE

None.

MANAGING DIRECTOR'S REPORT

117. PAY POLICY 2024/2025

The Managing Director reported that under Section 38 of the Localism Act (2011), Full Council has to approve a Pay Policy Statement on an annual basis. The updated document for 2024/25 was appended to the report for Council's consideration.

RESOLVED - That the Pay Policy Statement 2024/25 be approved.

118. INDEPENDENT REVIEW OF THE DISCLOSURE AND BARRING SCHEME

It was reported that the Authority had recently received a letter from Simon Hoare MP, a copy of which was appended to the report, which referred to the recommendation in Simon Bailey's Independent Review of the Disclosure and Barring scheme concerning the eligibility of councillors for criminal record checks.

Members' views were sought on whether to implement the recommendation and carry out criminal record checks on councillors sitting on Children's and Adult and Community Based Services Committees.

It was proposed that as the work of a Councillor could regularly bring them into contact with young people, all Members should undertake such criminal record checks. It was further proposed that Councillors themselves should pay for the checks and the annual review of the checks. This was supported by Members without dissent. The Managing Director stated that the approach would be introduced for the new Municipal Year.

RESOLVED – That all Elected Members undertake a Disclosure and Barring scheme check with an annual review commencing in the 2024/25 Municipal Year.

119. SPECIAL URGENCY DECISIONS

In accordance with the requirements of the Access to Information Procedure Rules included in the Council's Constitution, Full Council was informed that no special urgency decisions had been taken in the period November 2023 – January 2024.

RESOLVED – That the report be noted.

120 ELECTIONS: 2 MAY 2024 – POLLING STATIONS

Council was informed that due to unavailability and to ensure compliance with the Elections Act 2022, a number of changes have been implemented to the locations of Polling Stations. Details were set out in the appendix to the report. Members noted that voters would become used to their usual voting station and requested that notices be placed in the previous locations, where possible, to direct voters to the new station.

RESOLVED – that the new Polling Stations, as reported, be noted.

121. PUBLIC QUESTION

One public question had been received as follows: -

From Mr B Lloyd to Chair of Neighbourhood Services Committee

“Explain in detail HBC’s recycling strategy

Explain in detail how current arrangements at Burn Valley tip meet that strategy

Also please advise of HBC’s current star rating in recycling”

As the Chair of the Committee had submitted apologies for the meeting, the Vice-Chair of the Committee responded in the following terms:-

Our approach focuses on the Joint Tees Valley Waste Management Strategy which has a target of an overall recycling rate of 45%-50% by 2027. The total amount of waste recycled in Hartlepool is 30.1%, while the average figure across the Tees Valley local authorities is currently 30.58%.

As part of our strategy we continue to promote the Council’s recycling services via our Hartbeat magazine, the Council’s own website and social media, encouraging as many residents to recycle more of their waste, with messages focused on what can and cannot be recycled.

The Household Waste Recycling Centre referred to locally as ‘the tip’ allows for the disposal of waste materials, many of which are recycled where possible, however the Council do not operate a star rating system for recycling.

The Council has a planned campaign for 2024/25 to increase recycling and reduce the cost of waste disposal not only financially but also environmentally. The amount of landfill waste increased remarkably last year due to the closure of the waste incinerator for maintenance which meant more waste was taken to landfill as we had no alternative sites to dispose of our waste.

The booking system that we have in place at the Household Waste Recycling Centre allows us to control what waste is deposited at the site, where it comes from and ensures only Hartlepool residents dispose of waste at this site.

After discussions with DEFRA it is expected that HBC will need to collect food waste by 1st April 2026 although it is possible that trials of such collections will need to commence as early as spring 2025.

There are major financial pressures which local authorities will need to deal with over the coming years, along with the expected increase of gate fees arising from the new waste disposal contract on 1st April 2026.

In a supplementary question, Mr Lloyd asked why the Covid restrictions in using the Household Waste Recycling Centre, through the use of the appointments system was being maintained. The Managing Director stated that the introduction of the appointments system had been agreed prior to the Covid pandemic and was in response to a Health and Safety Executive Notice relating to concerns around the public’s use of the site and Police concerns around queuing traffic on Burn Road.

Further clarification was sought by Members as to the percentage of waste that was sent to the 'Energy From Waste' site and it this was included in the recycling figures. The Managing Director undertook to confirm this and the issues around the appointments system with Councillors following the meeting.

122. QUESTIONS FROM MEMBERS OF THE COUNCIL

To answer questions of Members of the Council under Rule 10;

- (a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 10.1

None.

- (b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 10.2

None.

- (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

None.

RETIRING MEMBERS

The Mayor thanked Members and Officers for their support during his year as Mayor. The Mayor also wished those Members standing in the forthcoming elections good luck and those that were standing down, he thanked them for their service to the Council and the town.

Councillor Harrison addressed the Council thanking Councillor Howson for her service to the Council, the residents of the Victoria ward and the Labour Group. Councillor Howson thanked Councillor Harrison and other Members for their kind words.

The meeting concluded at 7.50 pm.

CEREMONIAL MAYOR

SPECIAL COUNCIL

MINUTES OF PROCEEDINGS

18 March 2024

The meeting commenced at 7.00 pm in the Civic Centre.

The Ceremonial Mayor (Councillor Moore) presiding:

COUNCILLORS:

Allen	Brash	Buchan
Cowie	Cranney	Creevy
Darby	Dodds	Feeney
Groves	Hall	Harrison
Howson	Little	Martin-Wells
D Nicholson	Oliver	Sharp
Young		

Officers: Denise McGuckin, Managing Director
Hayley Martin, Director of Legal, Governance and Human Resources
David Cosgrove and Amanda Whitaker, Democratic Services Team.

Prior to the commencement of the meeting, a minutes silence was observed as a mark of respect for former Councillor, Kaylee Sirs.

123. APOLOGIES FOR ABSENT MEMBERS

Councillors Boddy, Cassidy, Hargreaves, Holbrook, Lindridge, Morley, V Nicholson, Reeve, Smith, Thompson and Wallace.

124. DECLARATIONS OF INTEREST FROM MEMBERS

None.

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

None.

126. CIVIC HONOURS

The Managing Director reported that Full Council on 30 November 2023 had agreed to bestow the honour of Honorary Freeman/Honorary Freewoman of the Borough of Hartlepool on the following whose nominations had been recommended to Full Council by the Civic Honours Committee: -

- Savannah Marshall
- Hartlepool Coastguard Rescue Team
- Peter Bowes JP DL
- George Colley.

Based on the agreed criteria, the Alderman/Alderwoman nominees set out below had been also approved by Full Council: -

- Lord Rob Cook
- Carl Richardson
- Sheila Griffin.

The meeting had been called to confer the civic honours in pursuance of Section 249 of the Local Government Act 1972.

Councillor Mike Young addressed the Council in proposing Lord Rob Cook.

Councillor Brian Cowie address the Council in seconding Lord Rob Cook.

The Ceremonial Mayor announced that Lord Rob Cook was not in attendance and a separate event would be scheduled for him to accept the title of Honorary Alderman and to sign the Alderman Roll.

Councillor Rachel Creevy addressed the Council in proposing Sheila Griffin.

Councillor Brenda Harrison addressed the Council in seconding Sheila Griffin.

The Ceremonial Mayor, Councillor Shane Moore addressed the Council in proposing Carl Richardson.

Councillor Brenda Harrison addressed the Council in seconding Carl Richardson.

Councillor Brenda Harrison addressed the Council in proposing Peter Lawrence Henry Bowes.

Councillor Mike Young addressed the Council in seconding Peter Lawrence Henry Bowes.

Councillor Bob Buchan addressed the Council in proposing George Colley.

Councillor Brash addressed the Council in seconding George Colley.

Councillor Mike Young addressed the Council in proposing Savannah Marshall.

Councillor Jonathan Brash addressed the Council in seconding Savannah Marshall.

The Ceremonial Mayor Councillor Shane Moore addressed the Council in proposing Hartlepool Coastguard Rescue Team.

Councillor Jonathan Brash addressed the Council in seconding Hartlepool Coastguard Rescue Team.

Sheila Griffin accepted the title of Honorary Alderwoman, signed the Roll and addressed Council.

Carl Richardson accepted the title of Honorary Alderman, signed the Alderman Roll and addressed Council.

Peter Lawrence Henry Bowes accepted the title of Honorary Freeman, signed the Freedom Roll and addressed Council.

George Colley accepted the title of Honorary Freeman, signed the Freedom Roll and addressed Council.

The Ceremonial Mayor advised that Savannah Marshall was training abroad and was, therefore, unable to attend the meeting.

Hartlepool Coastguard Rescue Team accepted the Title of Honorary Freeman and a representative of the Team signed the Freedom Roll and addressed Council.

The Lord Lieutenant addressed Council and conveyed congratulations to recipients of the civic honours.

The meeting concluded at 8.15 p.m.

CEREMONIAL MAYOR

COUNCIL

MINUTES OF PROCEEDINGS

16 May 2024

The meeting commenced at 7.00 pm in the Civic Centre

The Ceremonial Mayor (Councillor Moore) presiding:

COUNCILLORS:

Allen	Bailey-Fleet	Boddy
Brash	Buchan	Clayton
Cook	Cranney	Creevy
Darby	Dodds	Dunbar
Feeney	Hall	Hargreaves
Harrison	Holbrook	Jorgeson
Little	Male	Morley
Nelson	Reeve	Roy
Scarborough	Sharp	Thompson
C Wallace	Young	

Officers: Denise McGuckin, Managing Director
Hayley Martin, Director of Legal, Governance and Human Resources
Amanda Whitaker, Democratic Services Team

127. APOLOGIES FOR ABSENT MEMBERS

Councillor Leedham, Lindridge, Martin-Wells and Oliver

128. DECLARATIONS OF INTEREST FROM MEMBERS

None

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

None

130. TO CONSIDER THE BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

The meeting had been convened to consider the following requisition:-

“The Hartlepool Labour Group call for an extraordinary meeting of Full Council to discuss the proposals of the Constitution Committee held on the 14 May”

Signed: Councillors Harrison, Brash, Creevy, Thompson and Feeney.

A copy of the report considered by the Constitution Committee, and the minutes of the meeting, had been circulated.

The Committee had recommended that Full Council agree the following:-

- (i) Update Part 3 of the Constitution to reflect the proposed changes to the functions of the Economic Growth and Regeneration Committee as set out above.
- (ii) Amend Article 6 to delete reference to the Leader of the Council chairing the Safer Hartlepool Partnership
- (iii) Amend Part 3 to co-opt a parish representative, from each of the Parish Councils, as a non-voting member on each of the Policy Committees.

An amendment to recommendation (iii) was moved by Councillor Harrison and seconded by Councillor Brash as follows:-

- (i) *Pending consultation with Parish Councils*, amend Part 3 to co-opt a parish representative, from each of the Parish Councils, as a non-voting member on each of the Policy Committees.

There was no dissent to the amendment

The Chair confirmed, in the absence of dissent, that this is the unanimous decision of Council.

The meeting concluded at 7.05 p.m.

CEREMONIAL MAYOR

ANNUAL COUNCIL

MINUTES OF PROCEEDINGS

21 May 2024

The meeting commenced at 7.00 pm in the Civic Centre

The Ceremonial Mayor (Councillor Moore) presiding:

COUNCILLORS:

Allen	Bailey-Fleet	Boddy
Brash	Clayton	Cook
Cranney	Creevy	Darby
Dodds	Dunbar	Feeney
Hall	Hargreaves	Harrison
Holbrook	Jorgeson	Leedham
Little	Male	Martin-Wells
Morley	Nelson	Oliver
Reeve	Roy	Scarborough
Sharp	Thompson	C Wallace
S Wallace	Young.	

Officers: Denise McGuckin, Managing Director
Hayley Martin, Director of Legal, Governance and Human Resources
Amanda Whitaker, David Cosgrove, Democratic Services Team.

1. APOLOGIES FOR ABSENT MEMBERS

Councillors Buchan, Lindridge and Smith.

2. ELECTION OF THE 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 Harrison and seconded by Councillor Creevy:-

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

There were no other nominations.

The Managing Director announced that Councillor Thompson was duly elected as Chair of Council/Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year. Councillor Thompson would, therefore, take the

allocated seat on Constitution Committee, Appointments Panel and Civic Honours Committee.

The Ceremonial Mayor signed the Declaration of Acceptance of Office.

It was agreed to adjourn the meeting for 10 minutes for the chaining up of the new Ceremonial Mayor.

Councillor Moore vacated Chair

Upon the meeting being reconvened, the Ceremonial Mayor, Councillor Thompson, presiding.

3. ELECTION THE 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 Feeney and seconded by Councillor Oliver:-

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

There were no other nominations.

The Managing Director announced that Councillor Morley was duly elected Vice Chair of Council/Deputy Ceremonial Mayor of the Borough of Hartlepool for the ensuing municipal year.

The Deputy Ceremonial Mayor signed the Declaration of Acceptance of Office.

4. ANNOUNCEMENTS FROM THE CHAIR OF COUNCIL (CEREMONIAL MAYOR) AND/OR HEAD OF PAID SERVICE

None.

5. ELECTION THE LEADER OF THE COUNCIL AND A DEPUTY LEADER OF THE COUNCIL

Nominations were sought for the Leader of the Council.

A nomination was moved by Councillor Feeney and seconded by Councillor Brash:-

“That Councillor Harrison be elected as Leader of the Council for the ensuing municipal year”

There were no further nominations.

The Managing Director announced that Councillor Harrison was duly appointed Leader of the Council.

It was highlighted, therefore, that Councillor Harrison was appointed Chair of the Finance and Policy Committee, Chair of the Health and Wellbeing Board, and appointed to Constitution Committee and Appointments Panel.

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

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

“That Councillor Feeney be elected as Deputy Leader of the Council for the ensuing municipal year”

There were no further nominations.

The Managing Director announced that Councillor Feeney was duly appointed Deputy Leader of the Council.

It was highlighted, therefore, that Councillor Feeney would take a place on the Finance and Policy Committee as vice-chair.

6. PROGRAMME OF MEETINGS OF THE COUNCIL

Council approval was sought to a schedule of meetings of Full Council for the municipal year 2024/25 which had been circulated.

It was proposed that the following dates be changed:-

18 July 2024 changed to 10 July 2024.

27 February 2025 changed to 20 February 2025.

RESOLVED, with no dissent – That the proposed change of dates of dates be approved and the remaining dates included on the schedule of dates of Council meetings be approved.

7. APPOINTMENTS TO COMMITTEES AND OTHER BODIES

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 to make nominations which were indicated on the schedule tabled at the meeting

Since the schedule was drafted there had been some further nominations received, some changes to nominations and some remaining vacancies as follows: -

Neighbourhood Services Committee – Conservative vacancy – Councillor Young.
Health and Wellbeing Board – 1 Vacancy (Labour/Conservative/Independent) – Councillor Darby.
Licensing Committee – 1 Conservative Vacancy – Councillor Darby and 1 Independent Vacancy.
Planning Committee – Independent vacancy – Councillor Darby.
Audit and Governance Committee – Conservative/Independent Vacancy – Councillor Darby.
Constitution Committee – 1 Independent/Conservative Vacancy.
Appointments Panel – Vacancy (Labour/Conservative/Independent).
Civic Honours Committee – 1 Independent Vacancy – Councillor Little and 1 Conservative Vacancy.

Economic Growth and Regeneration Committee – Councillor Young to replace Councillor Martin-Wells.
Appointments Panel – to include appropriate Policy Committee Chair.

The above nominations were agreed.

The nominations of Chairs and vice-chairs, as set out in schedule, were approved.

The membership of the Committees, as set out in the schedule, were approved.

8. APPOINTMENTS TO JOINT COMMITTEES AND OTHER OUTSIDE BODIES

It was highlighted that a list setting out suggested representation on joint committees and other outside bodies had been circulated. Leaders of the political groups, and independent elected members, had been invited to make nominations.

The following updates were approved:-

Cleveland Police and Crime Panel – 1 Conservative Vacancy – Councillor Darby, designated sub – Councillor Young

Safer Hartlepool Partnership – following changes agreed at EO Council meeting on 16th May, the nominations are Councillor Brash (chair) and Councillor Oliver, chair of Neighbourhood Services Committee.

North East Regional Employers Organisation – should read Councillor Hargreaves (not Councillor Harrison), Chair of Economic Growth and Regeneration Committee).

Tees Esk and Wear Valley NHS Trust – should be Councillor Boddy, not Councillor Cook.

Councillor Little had withdrawn her nominations to Northumbria Regional Flood and Coastal Committee and Hartlepool and District Sports Council.

Northumbria Regional Flood and Coastal Committee – Councillor Dodds.

Hartlepool and District Sports Council – Councillor Holbrook.

Hartlepool War Memorial and Crosby Homes – Councillor C Wallace.

North East Migration Partnership – 1 vacancy.

Standing Advisory Council for Religious Education – 1 vacancy.

Tees Valley Combined Authority Board – Audit and Governance Committee – 1 Labour Cllr Morley (substitute Cllr Roy).

Overview and Scrutiny Committee – 1 Conservative vacancy (and substitute) – Cllr Young.

Local Joint Consultative Committee – 1 Conservative – Cllr Young and 1 Independent Cllr Moore.

Age UK Teesside – 1 vacancy.

Teesside International Airport Consultative Committee – 1 vacancy.

Henry Smith Educational Charity – 1 vacancy.

Teesside Pension Fund - It was reported at the meeting that Councillor Scarborough would replace Councillor Creevy.

Full Council approved the remaining outside body nominations, including Member Champions, as set out in the schedule.

The Managing Director advised Elected Members that this was the last Ordinary Council meeting which the Legal and Democratic Services Team Manager, Amanda Whitaker, and the Principal Democratic Services Officer, David Cosgrove, would attend prior to their retirement. Members expressed their thanks and spoke in tribute to their service to the Authority. Best wishes were conveyed to both Officers for a very happy retirement.

9. ADJOURNMENT OF MEETING

RESOLVED – To adjourn the meeting to 23 May 2024 at 7.00 pm to receive suitable presentations from the newly elected Chair of Council (Ceremonial Mayor)

AS A MARK OF RESPECT FOLLOWING A TRAGIC INCIDENT, THE RECONVENED MEETING WAS POSTPONED BY THE MANAGING DIRECTOR IN ACCORDANCE WITH DELEGATION, MD9, AS SET OUT IN THE CONSTITUTION.

CEREMONIAL MAYOR

COUNCIL

10 July 2024



Report of: Constitution Committee

Subject: REVIEW OF THE COUNCIL'S CONSTITUTION

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to enable Full Council to consider changes to the Constitution which have been recommended by the Committee.

2. BACKGROUND

- 2.1 The Council's Constitution at Article 14 ("Review and Revision of the Constitution") requires that the Monitoring Officer "will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect."
- 2.2 The report to be considered by the Constitution Committee addresses suggestions for review which have arisen since the last meeting of the Committee.

3. PROPOSALS

- 3.1 The Constitution Committee, at its meeting on 8 July 2024, will consider a report (**Appendix 1**) which includes proposed changes to the Constitution with regard to the following issues:-

- Local Joint Consultative Committee
- Personnel Sub-Committee
- Forward Plan
- Grant Funding

- 3.2 A copy of the minutes of the Constitution Committee will be circulated following the Committee meeting

4. RECOMMENDATIONS

- 4.1 To consider the recommendations of the Committee and to delegate authority to the Director of Legal, Governance and Human Resources to make the necessary changes to the Constitution arising from the agreed changes.

CONSTITUTION COMMITTEE

8 July 2024



Report of: Monitoring Officer/Director of Legal, Governance and Human Resources

Subject: PERIODIC REVIEW OF THE COUNCIL'S CONSTITUTION

1. PURPOSE OF REPORT

To review and consider changes to the Constitution prior to consideration of the changes by Council on 10 July 2024.

2. BACKGROUND

The Council's Constitution at Article 14 ("Review and Revision of the Constitution") requires that the Monitoring Officer "will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect."

This report sets out details of issues which have been referred to the Committee for consideration since the last meeting of the Committee.

3. PROPOSALS

3.1 Local Joint Consultative Committee (LJCC)

A Member has requested a review of the remit of the LJCC.

The Constitution currently states that:

The Local Joint Consultative Committee comprising 7 Members of the Council and to include only those Members who are not Members of the Finance and Policy Committee. The function is to resolve disputes where there is a formal failure to agree between the Authority and the Trade Unions. This will enable the views of members to be considered and make recommendations to be referred to Finance and Policy Committee for decision.

Members are asked to consider any changes to the LJCC.

3.2 Personnel Sub-Committee

The Personnel Sub-Committee is a Sub-Committee of the Audit and Governance Committee. The Sub-Committee is made up of 3 Elected Members who are appointed by the Audit and Governance Committee. The responsibilities of the Sub-Committee is set out in the Constitution as follows:-

Power to consider and determine:

- Appeals against dismissal
- Appeals arising out of Departmental staffing reviews and/or re-structures
- Grievances at the final internal stage
- Home to School Transport Appeals.

Functions relating to local government pensions, etc. relating to the determination of individual cases excluding those relating to individual early retirement.

It has been suggested that the membership of the meeting be increased to 5 members and that the meeting be renamed an 'Appeals Committee' – Members views are sought

3.3 Forward Plan

The Committee will be aware that the Forward Plan is a document that sets out information about 'key decisions' that Council, a Policy Committee, Sub-Committee, Officers or joint arrangements will make. Forward Plans are prepared to cover a rolling period of four months, beginning with the first day of any month. They are prepared on a bi-monthly basis and subsequent plans will cover a period beginning with the first working day of the second month covered in the preceding plan.

It has been proposed that the requirement to publish a Forward Plan is removed from the Constitution and be replaced by an internal document that will be circulated to all Members and Directors. Members views are sought

3.4 – Grant Funding

Section 11.3 of the Articles of Constitution sets out key decisions of the council, but also covers the circumstances when a decision is not defined as key. In relation to government grants, the following paragraph is in place as an exclusion for key decisions:

“Expenditure which is inevitable as a result of the Government providing a Section 31 grant ('New Burden' Funding) to help fund the impact of specific legislative

commitments where there is no in year cost, or future commitment for the General Fund. Details of any Section 31 grants and the commitments which need to be funded will be reported to the Finance and Policy Committee and the relevant Policy Committee as soon as is reasonably practicable thereafter.”

The council receives numerous Section 31 grants throughout the course of each financial year. These grants have varying purposes and indeed values. It is not considered practical to explicitly report each award to Finance and Policy and the relevant policy committee, and as such it is proposed to remove the final sentence:

“Expenditure which is inevitable as a result of the Government providing a Section 31 grant (‘New Burden’ Funding) to help fund the impact of specific legislative commitments where there is no in year cost, or future commitment for the General Fund.”

Furthermore there are occasions whereby grant is awarded to the council with flexibility as to spend, within a broader purpose. Such grants can require member sign off to ensure compliance with grant conditions or ministerial requirements. In order to delegate appropriate responsibility to policy committees it is proposed that each policy committee will be given authority to determine use of specific grant funds, relating to that committee, when the conditions of grant explicitly require such a member decision. The following wording is proposed to be added against each policy committee;

“Determination of usage, and oversight of grant funding in relation to grants that fall within the policy committees remit, where required under the conditions of grant”

14. RECOMMENDATIONS

- 14.1 That the Committee consider the report and formulates its recommendations for submission to Full Council

15. REASONS FOR RECOMMENDATIONS

- 15.1 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.

16. BACKGROUND PAPERS

Hartlepool Borough Council's Constitution

17. CONTACT OFFICERS

Hayley Martin
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CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

8 JULY 2024

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillors: Bailey-Fleet, Boddy, Buchan, Harrison, Little and Male

Also Present:

In accordance with Council Procedure Rule 4.2 Councillor Dunbar was in attendance as substitute for Councillor Dodds

Steve Williams, Joint Trade Unions

Officers: Denise McGuckin, Managing Director
Neil Wilson, Assistant Chief Solicitor
Denise Wimpenny, Principal Democratic Services Officer

14. Appointment of Chair

It was agreed that Councillor Harrison be appointed Chair for the ensuing year.

15. Apologies for Absence

Councillors Dodds and Thompson.

16. Declarations of interest by Members

Councillor Dunbar declared a personal interest as Chair of Local Joint Consultative Committee.

17. Minutes

The minutes of the meeting of the Committee, held on 14 May 2024 were confirmed.

18. Periodic Review of the Council's Constitution – Update *(Monitoring Officer/Director of Legal, Governance and Human Resources)*

The Committee was asked to consider any changes to the remit of the Local Joint Consultative Committee following a Member request for a review. The Chair outlined the background to the request and outlined the benefits of holding regular diared meetings between unions, Members and officers.

In the discussion that followed the purpose of the Local Joint Consultative Committee was debated and clarification was provided in response to concerns raised in terms of the implications of the proposals. Following further discussion in terms of the feasibility of holding open meetings, it was suggested that authority be granted to the Managing Director, in consultation with the Leader and Trade Union representative to determine the remit, frequency and membership of the Local Joint Consultative Committee.

Members views were also sought in relation to the following, details of which were set out in the report:-

Personnel Sub Committee

It had been suggested that the membership of the meeting be increased to 5 members and that the meeting be renamed an 'Appeals Committee.'

Members supported the proposal and commented on the benefits as a result. Views were expressed that the membership should comprise 4 Elected Members plus 1 Independent Person and be politically balanced where possible.

Forward Plan

It had been proposed that the requirement to publish a Forward Plan be removed from the constitution as this was not a statutory requirement and be replaced by an internal document that would be circulated to all Members and Directors.

Members supported this proposal.

Grant Funding

Members were referred to 11.3 of the Articles of the Constitution which included the circumstances when a decision is not defined as key as well as the current reporting process to Finance and Policy and the Policy Committee as soon as practicable thereafter, details of which were included in the report.

In order to delegate appropriate responsibility to policy committees, it is proposed that each policy committee be given authority to determine use of specific grant funds relating to that Committee when the conditions of grant explicitly require such a member decision. The following wording was proposed to be added to each policy committee:-

“Determination of usage, and oversight of grant funding in relation to grants that fall within the policy committees remit, where required under the conditions of grant”.

Members supported this proposal.

Decision

The Committee recommended the following:-

- (i) Local Joint Consultative Committee - that authority be granted to the Managing Director, in consultation with the Chair and Trade Union representative to determine the remit, frequency and membership of the Local Joint Consultative Committee.
- (ii) Personnel Sub-Committee:-
 - (a) That the membership of the meeting be increased to 5 members and that the meeting be renamed an ‘Appeals Committee.’
 - (b) That the membership should comprise 4 Elected Members plus 1 Independent Person and be politically balanced where possible.
- (iii) Forward Plan – that the requirement to publish a forward plan be removed from the constitution and be replaced by an internal document that would be circulated to all members and directors.
- (iv) Grant Funding - That the following wording be added to each Policy Committee:-

“Determination of usage, and oversight of grant funding in relation to grants that fall within the policy committees remit, where required under the conditions of grant”.

The meeting concluded at 2.35 pm.

CHAIR

COUNCIL

10 July 2024



Report of: Managing Director

Subject: BUSINESS REPORT

1. ADULT SOCIAL CARE

Our partnership working with North Tees & Hartlepool NHS Foundation Trust has supported them to drive improvements in urgent and emergency care that mean they finished 2023/24 as the best performing Trust in the country. This is a fantastic achievement that should be celebrated and, more importantly than delivering against performance indicators, means we're delivering really good outcomes for local people.

The Trust have thanked the Council for their contribution saying 'we really do value the partnership developed over a number of years and firmly believe that this is helping to deliver positive outcomes for our community. We couldn't speak more highly of your teams, the approach they take and how supportive / responsive they are'. I'd like to add my sincere thanks to everyone within adult social care that has helped to make this happen.

2. DEVELOPMENT OF CHILDREN'S HOME – UPDATE

Members are asked to note the following update regarding the Star Centre Children's Home Phases 1 and 2 are complete and to budget. This means that the child whom was moved across to temporary accommodation can move into their permanent resident as planned imminently. Phase 3 will create another two bedroom home will commence once the existing temporary property has been vacated.

3. CHILDREN SERVICES – OUTCOME OF OFSTED INSPECTIONS

16th May proved to be a very proud day for Hartlepool Borough Council with the official announcement that our Children's Services have been rated 'Outstanding' overall by Ofsted. The inspectors carried out a rigorous inspection in March and were absolutely full of praise for the service.

They said that since the last inspection in 2018 – when the services were rated 'Good' – "senior leaders have not only sustained the good practice and leadership

seen at the last inspection, they have been relentless in driving further progress and improvements. This is in the context of continuing to provide an effective service to children and families throughout the Covid-19 pandemic and a significant increase in complexity of need and demand on services.”

The inspectors noted many examples of positive practice with families, with key strengths including consistent responses about the most vulnerable children in the borough and compassionate work with children and families throughout all service areas.

Among their findings were:

- There is a very strong and effective focus on providing help early to children and their families.
- Child protection enquiries are thorough, with effective actions taken to help reduce harm to children.
- Social work assessments of children’s needs are exceptionally thorough and child-centred.
- The voice of children is valued and threaded through the service.
- Young people leaving care are very well supported by committed staff ... There is a palpable culture across children’s social care and among council leaders and members that care leavers are ‘their’ children.

The inspectors added: “Children come into care when they need to, and they are thriving. This means that the overwhelming majority of children who need help, protection or care in Hartlepool receive an outstanding service that helps to improve their lives.”

4. OFSTED INSPECTION OF CHILDREN’S HOMES

Ofsted inspections are carried out under the social care common inspection framework (SCCIF); this applies to inspections of residential settings for children amongst other settings such as adoption support agencies.

The Social Care Common Inspection Framework means that:

- There is the same judgement structure across the range of settings inspected;
- The experiences and progress of children and other service users, wherever they live or receive help, are central to inspections;
- There are key areas of evidence that are usually reported on at each inspection.

Members will note that although unique to each individual home, all of the below homes have achieved a judgement of good overall and across all sub judgements:

Stockton Road, Exmoor Grove, Wilton Avenue, Park Road and St. David's Walk.

5. BRITISH MUSEUM EXHIBITION

Saturday 18th May saw the opening of an exciting new touring exhibition we are hosting for the British Museum called 'Drawing attention: emerging artists in dialogue' which runs until Saturday 24th August at Hartlepool Art Gallery in Church Square.

Hartlepool is one of only three locations chosen by the British Museum to host this exhibition and it shows the great work the Art Gallery team are doing. The exhibition gives visitors the chance to discover some of the most compelling up-and-coming names in the field of contemporary drawing, displayed alongside highlights from the British Museum collection.

To highlight emerging talent in our own region, the British Museum works are complemented by newly-created artistic responses from students at the Northern School of Art.

Visitors also have the opportunity to see a compelling selection of works from Hartlepool's own fine art collection. The Art Gallery is open Tuesdays to Saturdays 10am – 5pm and entry is free.

6. CARLTON ADVENTURE

On the 22nd May a tragic incident occurred during one of Carlton's adventure instructor-led outdoor education forest walks near to Carlton in Cleveland. The child was a school pupil who was staying at Carlton on a residential trip with her school. Our thoughts remain with Leah's family and friends at this sad time. Whilst investigations are still ongoing into the tragic incident I don't want to comment further but what I do want to pay tribute to the professionalism and courage that our colleagues and agencies involved in this incident have shown during this tragic challenging time.

7. OUTSIDE BODY APPOINTMENTS

Following the appointments made to Outside Bodies at the Annual Council meeting on 16 May 2023, the following vacancies remain:-

Standing Advisory Council for Religious Education – 1 vacancy

Age UK Teesside – 1 vacancy

Teesside International Airport Consultative Committee – 1 vacancy

Henry Smith Educational Charity – 1 vacancy

Furness Seaman's Pension Fund - 2 vacancies – notification has been received that at their last meeting in February the trustees discussed the Hartlepool Borough Council vacancies and agreed to amend the Trust Deed to remove this clause. This

has now been done and there is no longer a requirement for this Council to provide trustees.

Nominations are sought in relation to the vacancies.

Further updates, since the Annual Council meeting, are set out below:-

Tees Valley Combined Authority - Notification has been received that Councillor Matthew Dodds cannot be a substitute on both Transport Committee and Overview & Scrutiny Committee. I have been, therefore, informed of the following changes:-

Councillor Dodds will substitute on the Transport Committee and

Councillor Feeney will substitute on Overview and Scrutiny Committee

Economic Regeneration and Tourism Forum - Following the changes last year the Economic Regeneration & Tourism Forum no longer exists, it was replaced with the Hartlepool Business and Economic Forum and Council Members and Officers don't have formal roles to be appointed to. A Steering Group of independent business representatives was established to oversee the strategic direction and agenda setting for the new forum. A report (and changes) was agreed at Committee last year.

8. COMMITTEE APPOINTMENTS

Vacancies remain on the following Committees:-

Licensing Committee – 1 Independent Vacancy
Constitution Committee – 1 Independent/Conservative Vacancy
Appointments Panel – Vacancy (Labour/Conservative/Independent)
Civic Honours Committee – 1 Conservative Vacancy
Children's Services Committee – 1 Independent Vacancy

9. SPECIAL URGENCY DECISIONS

In accordance with the requirements of the Access to Information Procedure Rules included in the Council's Constitution, Full Council is informed that no special urgency decisions were taken in the period February 2024 – April 2024.

10. CHILDREN'S HOMES – BORROWING APPROVAL

The council continues to consider all options to mitigate the significant increase in Children's Social Care costs, particularly in respect of private sector residential placements. In recent years this has included increasing the provision of council run children's homes that have proved to be less costly to run in comparison to private placements in the independent sector. Given the continued pressures, both current

and forecast, the council continues to look for properties to convert into council run homes.

Finding the right location and premise for a children's homes can be challenging. A multi-disciplined officer group has been established to lead this project to ensure that any property purchased is the right one and that costs of conversion are clear and transparent at the outset and form part of the overall business case.

In order to provide officers with the ability to act quickly, it is proposed a borrowing approval of £1m is agreed by council to be set aside for the purchase and renovation of properties into children's homes. Individual schemes would only progress subject to a business case i.e. that the proposal results in a lower cost than private placements in the independent sector and that value for money was achieved. Go-ahead to progress an individual scheme would be via a delegated decision by the Managing Director in consultation with the Leader of the Council, Chair of Children's Services Committee, s151 Officer and Monitoring Officer. Finance and Policy committee would continue to receive an update on any schemes progressed as part of quarterly monitoring.

Members are asked to approve the £1m borrowing and delegate authority to the Managing Director to progress individual schemes in consultation with the Leader and Chair of Children's Services Committee.

CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

9 FEBRUARY 2024



PRESENT:

CHAIR

Cllr David Coupe – Middlesbrough Council

HARTLEPOOL BOROUGH COUNCIL

Cllr Ben Clayton

MIDDLESBROUGH COUNCIL

Cllr John Kabuye

REDCAR & CLEVELAND BOROUGH COUNCIL

Cllrs Peter Chaney, Steve Kay, Mary Ovens

STOCKTON ON TEES BOROUGH COUNCIL

Councillors Jim Beall, John Gardner, Mick Stoker

AUTHORISED OFFICERS

Chief Fire Officer, Legal Adviser & Monitoring Officer, Treasurer

Assistant Chief Fire Officer - Strategic Planning & Resources

Acting Assistant Chief Fire Officer - Community Protection

APOLOGIES:

Cllr Tom Cassidy - Hartlepool Borough Council

Cllrs Naweed Hussain, Dennis McCabe - Middlesbrough Council

Cllrs Stefan Houghton, Sufi Mubeen - Stockton Borough Council

74. DECLARATIONS OF MEMBERS INTEREST

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

75. MINUTES

RESOLVED – that the Minutes of proceedings of the Ordinary Meeting of 8 December 2023 be confirmed.

76. MINUTES OF MEETINGS

RESOLVED - that the Minutes of the Executive Committee meeting on 19 January 2024 be confirmed.

77. COMMUNICATIONS RECEIVED BY THE CHAIR

Communications were received from LGA:

- Appointment of Independent Chair of RAP/TAP Panel
- Gold Book Pay Award 2024

78. REPORTS OF THE CHIEF FIRE OFFICER

78.1 Government White Paper: 'Reforming our Fire and Rescue Service'

Members received a summary of the Government's consultation response to the fire reform White Paper which covered the case for reform, integrity matters and keeping communities safe during strikes.

78.1 Government White Paper: 'Reforming our Fire and Rescue Service' cont.

The Government's vision for reform centred around three key themes:

- People – improving systems, flexibility and culture
- Professionalism – helping fire professionals to best serve their communities
- Governance – strengthening oversight and leadership

The CFO outlined the Home Office Actions against each of the key elements of the proposed reform package and agreed that any internal actions will be included in the prioritised corporate internal operating plan.

Councillor Kay referred to the proposal to provide cover during strike periods and asked what impact that would have. The CFO acknowledged that whilst this was an anti-union stance, from his perspective it would ensure the Brigade had adequate resources to fulfil its statutory duty of keeping the public safe at all times.

Members discussed the governance of fire authorities being transferred to police and crime commissioners and acknowledged that while there may be some benefits they did not consider it would provide the same level of scrutiny that the current arrangement has. In addition, they felt increased efficiencies could be achieved through the continuation of the Brigade's existing collaborative working with Cleveland Police.

RESOLVED - that Members approved that views and comments provided be used to inform internal actions for inclusion in the Authority's Corporate Internal Operating Plan to be included in the Authority's Service Plan 2024/25 and circulated for approval on 22 March 2024.

78.2 Scale of Charges 2024/25

The CFO presented the Scale of Charges which had been fully reviewed for 2024/25 for implementation from 1 April 2024. The review was undertaken in agreement with the Treasurer and entailed a 3% uplift to all pay-related elements (not the 5% as stated in the report) to reflect the medium term financial strategy forecast pay award and a 4% uplift to all non-pay items based on the November 2023 CPI figure.

The CFO confirmed that the Scale of Charges had been approved in line with the delegation scheme and will be published on the Brigade website by 31 March 2024.

RESOLVED – That Members noted the Scale of Charges for 2024/25 to be implemented with effect of 1 April 2024.

78.3 Information Pack

- 78.3.1 National Joint Circulars
- 78.3.2 Campaigns

RESOLVED – that the information pack be noted.

79. REPORT OF THE TREASURER

79.1 Medium Term Financial Strategy 2024/25 – 2026/27

The Treasurer provided Members with a detailed presentation outlining the changes to the Authority's Medium Term Financial Strategy (MTFS) 2024/25 – 2026/27 which had occurred since the meeting on 8 December 2023. This included:

- 2024/25 Final Settlement & Impact on the Authority
 - MTFS planning assumption 5% increase
 - Actual increase 7% (£1.062m) includes Funding Guarantee grant but before Services Grant cut
 - Net increase 4.79% (£0.747m) after Services Grant cut
 - £0.299m more than provisional settlement reported to Executive Committee
 - Business Rates/section 31 grants £0.118m less than forecast
 - Net impact £0.181m increase in resources
- Updated Planning Assumptions 2024/25
 - Proposal to reduce Grey Book (Firefighters) pay provision to 3% - reduction £0.439m
 - Rational - falling inflation and falling private sector wages
 - Risk – actual increase is higher = increase in budget deficit
 - 'Housekeeping' efficiency saving identified £0.175m
 - Council Tax base higher than forecast £0.189m
 - Reduces gross 24/25 deficit from £2.324m to £1.521m
- Proposal to manage 2024/25 revised deficit of £1.521m
 - Proposed funding strategy
 - Revenue Support / Top- up Grant increase = £0.453m – 30% of deficit
 - Funding Guarantee grant = £0.294m – 19% of deficit
 - Local Resource = £0.774m – 51% of deficit
 - Includes £0.418m from 3% Council Tax increase (which is 27% of the deficit)
 - Council Tax requires annual decision – many other taxes do not
 - Impact on households
 - 91% (241,000) increase is less than 5p per week
- 2025/26 and 2026/27 updated deficits
- 2023/24 to 2028/29 Asset Management Plan (AMP)
- Reserves
- Robustness Advice and Conclusions

The Treasurer informed Members that the recommendations allowed the Authority to set a balance budget for 2024/25 which manages the financial uncertainties relating to national pay awards and inflation. This also protects existing services and provides financial resilience into 2025/26 and 2026/27 when inflation is expected to be reduced to the Bank of England's target of 2% and multi-year settlements reinstated by 2026/27.

Councillor Kay asked if there was any flexibility around the 3% council tax proposal. The Treasurer informed Members that the funding formula did not work with Cleveland's low council tax base and it was his professional advice to stay with the 3% rise.

He confirmed that representations had been made to Government by the Authority on the unfairness of this formula many times in the past and suggested it may be time to re-double efforts.

79.1 Medium Term Financial Strategy 2024/25 – 2026/27 cont.

Councillor Kaye asked whether risk was taken into consideration. The CFO confirmed that in the past risk was a factor but the funding formula now is based on population count.

The Legal Adviser and Monitoring Officer (LAMO) informed Members that in line with best practice a vote would be recorded on the budget decision. Votes were cast and Members unanimously supported the recommendations from the Executive Committee, which had been updated to reflect the latest information tabled at Appendices G and H.

RESOLVED:-

(i) that as recommended by the Executive Committee on 19 January 2024:

- 1. Members approved the proposal to transfer the forecast 2023/24 revenue underspend of £0.160m to the Unearmarked General Fund Reserve to increase this reserve to £1.712m, which will maintain this reserve at 5% of the 2024/25 budget requirement.**
- 2. Members noted that the 2024/25 Local Government Finance Settlement is for one year (the 6th annual settlement) and provides an increase national Core Spending Power of £3.903 billion (6.5%), which assumes 53% (£2.078 billion) of this increase will be funded by all authorities using the available Council Tax and Adult Social Care precept flexibility.**
- 3. Members noted that for standalone Fire and Rescue Authorities the average Core Spending Power increase is 4.6% (range 4.2% to 5%) and Cleveland has the joint lowest increase with West Midlands of 4.2%.**
- 4. Members noted that in line with the approach adopted by other Fire and Rescue Authorities in response to lower inflation and affordability the provision for the national Grey Book (Fire fighters) pay award for 2024 has been reduced to 3% and reflected in the revised 2024/25 budget deficit. Members also noted that each 1% additional pay award would result in an unbudgeted cost of £223,000, which would need to be funded by making additional permanent budget reductions.**
- 5. Members approved a 3% Council Tax increase in line with the Government's Referendum Limit, which will provide additional recurring resources of £0.418m to help sustain services.**
- 6. Members noted that approving recommendation (5) will result in approximately 241,000 households (91.4%) having to pay a weekly increase of 5p or less, as highlighted in the following table.**

2023/24		2024/25					
Annual Council Tax	Property Band	Annual Council Tax	Weekly Council Tax	Annual increase	Weekly increase (pence)	Number of households	% households
£57.91	A	£59.64	£1.15	£1.73	3p	119,016	45.1%
£67.56	B	£69.58	£1.34	£2.02	4p	49,328	18.7%
£77.21	C	£79.52	£1.53	£2.31	4p	48,132	18.3%
£86.86	D	£89.46	£1.72	£2.60	5p	24,563	9.3%
£106.16	E	£109.34	£2.10	£3.18	6p	13,999	5.3%
£125.46	F	£129.22	£2.49	£3.76	7p	5,419	2.1%
£144.77	G	£149.10	£2.87	£4.33	8p	2,949	1.1%
£173.72	H	£178.92	£3.44	£5.20	10p	296	0.1%
						263,702	100.0%

79.1 Medium Term Financial Strategy 2024/25 – 2026/27 cont.

- 7. Members noted that based on recommendation (5) being approved the 2024/25 budget will be balanced through a combination of the following measures:**

	£'m	Percentage of total deficit
Grant Funding Increase (net of Service Grant reduction)	0.453	30%
3% Council Tax increase	0.418	28%
Investment income	0.250	16%
Business Rates/Section 31 grants increase.	0.097	6%
Use of Budget Support Fund Reserves	0.009	1%
Funding Guarantee Grant	0.294	19%
Total Gross Deficit (paragraph 7.13)	1.521	100%

- 8. Members noted that to ensure the Authority's budget position does not become unmanageable the Chief Fire Officer brings forward savings proposals in two stages:**
- **Stage 1 savings proposals to address any additional deficit if the national 2024 Grey book pay award is higher than provided for in the 2024/25 budget, as soon as practical after the 2024 Grey book pay award is settled for consideration by the Authority. This will enable Members to consider these proposals and if approved provide an appropriate lead time to implement these measures from 1st April 2025.**
 - **Stage 2 savings proposals to address the range of forecast deficits for 2025/26 and 2026/27 (detailed in paragraph 8.5) for consideration by the Authority during 2024.**
- 9. Members approved the establishment of an Investment Income phasing reserves to ensure the £0.250m of support provided to the 2024/25 budget can be sustained in 2025/26, 2026/27 and potentially 2027/28, which will continue to protect services.**
- 10. Members noted the updated forecast deficits for 2025/26 and 2026/27 detailed in section 8.5.**
- 11. Members approved the updated Asset Management Plan detailed in Appendix D and the earmarking on one-off resources as detailed in paragraphs 9.4 and 9.5 to manage AMP inflation risks over the period 2024/25 to 2028/29. Members noted that as the final one-off Collection Fund figures were higher than forecast these resources reduced the forecast AMP inflation risk short-fall from £0.284m to £0.166m. Members noted that if these resources are not needed to cover inflation risks a future MTFS report will detail alternative proposals for using these resources, including reducing the level of borrowing used to fund the Asset Management Plan.**
- 12. Members noted the Reserves review detailed in section 10 and Robustness Advice detailed in section 11 which underpin the above decisions and the financial resilience of the MTFS pending the reintroduction of multi-year Local Government Financial Settlements.**

79.1 Medium Term Financial Strategy 2024/25 – 2026/27 cont.

- (ii) Members approved the supporting statutory calculations detailed in Appendix G and the 2023/24 Revenue Budget detailed in Appendix H which were tabled at the meeting.

80. **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 item of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely information relating to any individual; information relating to the financial or business affairs of any particular person (including the authority) holding that information and namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.”
81. **CONFIDENTIAL MINUTES**
RESOLVED – that the Confidential Minutes of proceedings of the Ordinary Meeting of 8 December 2023 be confirmed.
82. **CONFIDENTIAL MINUTES OF MEETINGS**
RESOLVED – that the Confidential Minutes of the Executive Committee meeting on 19 January 2024 be confirmed.

COUNCILLOR DAVID COUPE
CHAIR

Cleveland Police and Crime Panel

A meeting of the Cleveland Police and Crime Panel was held on Tuesday, 14 November 2023.

Present: Councillor Tony Riordan (Chair), Councillor Norma Stephenson OBE (Deputy Chair), Councillor Pauline Beall, Councillor John Coulson, Councillor Chris Jones, Mr Paul McGrath, Councillor Ceri Cawley (substituting for Councillor Jonny Neal), Councillor Jim Platt, Councillor Debbie Powlay, Mr Luigi Salvati and Councillor Janet Thompson

Officers: Steven Newton (Governance Director (Monitoring Officer)) and Alison Pearson (Governance Manager)

Also In attendance: Steve Turner (Police and Crime Commissioner) and Lisa Oldroyd (Office of the Police and Crime Commissioner)

Apologies: Mayor Chris Cooke, Councillor Jonny Neal, Councillor Carole Thompson and Councillor Mike Young

PCP 28/23 **Declarations of Interest**

Councillor Debbie Powlay declared an interest as Chair of Ladies of Steel.

PCP 29/23 **Minutes of the meetings held on 12 September 2023 and attendance matrix**

Consideration was given to the minutes of the meeting held on 9 September 2023 and the attendance matrix for 2023/24.

RESOLVED that the minutes of the meeting held on 9 September 2023 be agreed as a correct record and the attendance matrix be noted.

PCP 30/23 **Quarter 2 - Delivery and Performance Report**

The Commissioner presented his Police and Crime Plan Performance and Delivery report which covered the Quarter 2 period of 2023/24 (July to September 2023). In presenting his report he highlighted that it had recently been confirmed the force had now been removed from 'engage' status as a result of improvements made and that the police complaints handling team from the Office of the Police and Crime Commissioner (The Resolution Team) had been recognised for its customer service excellence. In addition, he noted that data showed that anti-social behaviour had flatlined over the summer months, a period which usually shows an increase in this type of activity.

The Chair and Vice Chair praised the force and the office for the positive progress being made. As part of the ensuing discussions Panel Members raised a number of questions and comments, including the following:

- Where drug testing took place on arrest, was there any follow up action?
- In relation to the data on GRIP hotspot patrols, was it possible to provide

- data on the number of prosecutions following crime related incidents?
- The COPA app was to be showcased to the Home Office and data showed that there had been a 3% reduction in 101 calls since its introduction.
- Councillors could play a useful role in promoting the use of the COPA app within their communities.
- There had been an increase in the number of 999 calls, however this was consistent with a national trend and not a result of abandoned 101 calls.

RESOLVED that the information be noted.

PCP 31/23 Community Engagement and Communications Update

The Commissioner presented his report detailing the communication activity of the PCC's office between 1 July 2023 and 30 September 2023.

RESOLVED that the information be noted.

PCP 32/23 Members' Questions to the Commissioner

Question 1 – the following question had been submitted by Councillor John Coulson for response by the Commissioner:

“One of the reasons when the Force was inspected and the decision to put it into special measures was the requirement to improve crime investigation. The following is an extract from the report,

‘The force should make sure investigation plans are created where applicable, with supervisory oversight making sure that all investigation opportunities are taken and appropriate investigation are carried out’.

The good news, and something that we should all be proud of, is that the force is now out of these measures.

The Prime Minister has recently announced in Parliament that ‘all crimes will be investigated’.

Can you reassure the panel, following this announcement, that all crimes are investigated?”

The Commissioner responded that all crimes were recorded correctly and were investigated following appropriate lines of enquiry and with a proportionate approach, however, he acknowledged that better feedback to victims of crime was an area identified for improvement and a variety of methods, including more feedback though video calls were being used.

Question 2 – the following question had been submitted by Luigi Salvati for response by the Commissioner:

“Can the Commissioner reassure victims of crime that all offenders are pursued, and where appropriate, evidence is presented to the Crown Prosecution Service with a view to securing a conviction.”

The Commissioner stated that there was a victim of crime process to follow and that the Crown Prosecution Service made decisions on charging. Individuals were able to contact the Resolution Team where they felt their case had not been dealt with appropriately.

Question 3 – the following question had been submitted by Paul McGrath for response by the Commissioner:

“Can the Commissioner provide an update on whether Cleveland Police are participating in operation Pegasus, which is a national operation to combat the explosion in shoplifting which is being funded by ten of the biggest retailers in the UK.”

The Commissioner advised that the operation had been launched by Surrey PCC and there had been no offers of funding had received in Cleveland. Some retailers were trialling the use of body worn cameras and others had facial recognition through CCTV which enabled evidence to be shared with the police. The problem required a combination of action through both retailers and police.

PCP 33/23 Commissioner's Scrutiny Programme

Consideration was given to a report that provided an update on the Police and Crime Commissioner's scrutiny programme.

Holding the Chief Constable to account was the key duty of the Police and Crime Commissioner and must encompass all the functions of the Chief Constable and functions of those who were under the Chief Constable's direction and control.

The Commissioner had a range of scrutiny approaches in place to engage with the Chief Constable and hold Cleveland Police to account. These took place on a daily, weekly and monthly schedule and included a range of meetings, data and feedback from partners and the public.

Since the last Police and Crime Panel, the Commissioner had held two formal scrutiny meeting: one on 5 October focusing on citizens in policing and one on 2 November focusing on retail crime. In addition, and following national issues relating to the misuse of body work video, the Commissioner had requested information from the force about local practices.

RESOLVED that the report be noted.

PCP 34/23 Decisions of the Commissioner

The Police and Crime Commissioner made 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 OPCC's 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 OPCC's website.

Decisions relating to private/confidential matters would be 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.

RESOLVED that the report be noted.

**PCP
35/23 Public Questions**

There were no questions from members of the public.

**PCP
36/23 Forward Plan**

Members considered and agreed the content of the Forward Plan.

RESOLVED that the forward plan be noted.

**PCP
37/23 Exclusion of the Press and Public.**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.

**PCP
38/23 * Complaint Update**

The Panel considered a report of the Monitoring Officer detailing a number of complaint matters.

RESOLVED

With regard to complaint reference 2023-01

1. The complaint decision be not published.
2. The Chair of the Panel write to the Commissioner setting out concerns of the Panel with regard to social media use.

With regard to complaints reference 2023-03 and 2023-04

3. The parties be invited to attend a meeting of the Complaints Sub-Committee, to which this matter be delegated.

4. Membership of the Complaint Sub-Committee be confirmed as follows:

Councillor Debbie Powlay
Councillor Norma Stephenson
Councillor Janet Thompson
Councillor Mike Young
Paul McGrath

With regard to complaint reference 2023-06

5. The complaints process be brought to an end and no further action taken.

With regard to complaint reference 2023-07 and 2023-08

6. The Panel be confirmed as the relevant panel for the complaint matters.

7. The matters be recorded and notified to the Police and Crime Commissioner.

8. The matters be dealt with by way of informal resolution and both parties be invited to comment.