



Civic Centre
HARTLEPOOL

23 SEPTEMBER, 2024

Councillors Allen, Bailey-Fleet, Boddy, 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, Riddle, 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 THURSDAY 3 OCTOBER 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

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COUNCIL AGENDA



Thursday 3 October 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 Annual Council meeting held on 21 May 2024 and reconvened on 28 August 2024 and Council meeting held on 10 July 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;
- (11) To consider reports from the Policy Committees:

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.

- (a) proposals in relation to the Council's approved budget and policy framework;
 - (i) Youth Justice Strategic Plan – *Report of Children's Services Committee*
 - (ii) Strategic Financial Management Report – as at 30 June 2024
Report of Finance and Policy Committee
 - (iii) Gambling Policy – *Report of Licensing Committee*
 - (b) proposals for departures from the approved budget and policy framework;
- (12) To consider motions in the order in which notice has been received;

1) Motion to Hartlepool Borough Council: Request for Blanket Reinstatement of Winter Fuel Payments for All Pensioners

Background and Rationale:

Winter Fuel Payments are a vital resource for all pensioners, particularly during the colder months when heating costs rise. Many pensioners rely on these payments to maintain a safe and warm living environment. These individuals have spent their working lives contributing to society and paying taxes, and it is only fair that they receive support without additional barriers or qualifications.

The introduction of means testing for Winter Fuel Payments has caused unnecessary hardship and anxiety among pensioners. This process excludes many who are in need and unfairly penalises those who have contributed to the public purse for decades. Moreover, it is deeply concerning that while pensioners are subject to means testing to receive basic support, Members of Parliament, such as Hartlepool MP Jonathan Brash, receive a salary of £91,346 plus expenses, including all office costs and wider accommodation. This disparity highlights a significant injustice in how resources are allocated and who is prioritised for financial support.

This motion calls for the complete reinstatement of Winter Fuel Payments for all pensioners, without any form of means testing. Pensioners deserve to live with dignity and should not have to worry about their ability to afford heating during the winter months, especially when public funds are more freely allocated to others in different positions.

Motion:

This Council requests the following actions be taken immediately:

1. Blanket Reinstatement of Winter Fuel Payments:

- Hartlepool Borough Council urges the relevant government departments and agencies to reinstate Winter Fuel Payments for all pensioners, without any means testing. All pensioners, regardless of income or other financial factors, should receive this payment automatically in recognition of their lifelong contributions to society through taxes.

2. Fair Treatment of Pensioners:

- We call upon the government to recognise that pensioners, having paid their taxes and contributed to society over many decades, deserve unconditional support. It is unjust that pensioners are subjected to means testing while MPs, such as Hartlepool's Jonathan Brash, receive substantial salaries and expenses. The government must prioritise the basic needs of all citizens, particularly the elderly.

3. Support for Universal Benefits for Pensioners:

- Hartlepool Borough Council advocates for a return to universal benefits for pensioners, ensuring that all receive the necessary support to cover essential living costs such as heating. This measure will prevent any pensioner from being left out or struggling to meet basic needs during the winter months.

4. Challenge to Policy Penalising Vulnerable Populations:

- This Council challenges the policy decision to introduce means testing for Winter Fuel Payments, which disproportionately affects vulnerable pensioners. We demand that the government explain why pensioners, among the most vulnerable in our society, are targeted first for cuts to essential benefits, while public funds are allocated for substantial salaries and expenses of MPs and their teams.

5. Advocacy and Continued Support:

- The Council commits to continued advocacy on behalf of our pensioners and to providing support for those in need. We stand with our elderly residents in demanding fair treatment and the immediate reinstatement of universal Winter Fuel Payments.

Conclusion:

Hartlepool Borough Council believes it is unjust for pensioners to face financial hardship or complex bureaucratic processes to receive the support they deserve, especially when others receive substantial financial support without similar scrutiny. The removal of means testing and the reinstatement of Winter Fuel Payments for all pensioners is a matter of

fairness and respect for those who have contributed to our community and country throughout their lives. We urge immediate action to address this issue and ensure all pensioners receive the support they need and deserve.

We request the Council to approve this motion and take the necessary steps to advocate for the blanket reinstatement of Winter Fuel Payments for all pensioners, ensuring no one is left behind.

Signed: Councillors Young, Martin-Wells, Cranney, Buchan, Darby, Smith and Little

2. Motion to Hartlepool Borough Council Inquiry into Financial Oversight and Treasury Responsibilities

Background and Introduction

The new Labour administration locally and nationally had access to the financial records of the Conservative government and Conservative Coalition led Hartlepool Borough Council for at least 12 months prior to them winning the 2024 local and general elections. During that period, neither the Labour Party nor the Treasury raised any concerns regarding the significant financial challenges on the horizon, most notably a looming £22 billion national deficit. The absence of any warning or action from these parties raises serious questions about the level of financial oversight being exercised by national authorities during a critical period for public finances.

In contrast, this local administration was transparent with the now Labour leadership throughout 2023, sharing the council's financial forecasts and making clear the significant pressures the council was facing. We highlighted that rising costs related to children in care were driving the council's finances towards a crisis point. Despite inheriting a £12 million deficit in 2019, we contended with multiple external pressures, including the impact of the COVID-19 pandemic, a cost-of-living crisis, high inflation, substantial energy costs, and the financial burden associated with the rising number of children in care.

In the face of these challenges, we successfully managed to deliver a restrained rise in Council Tax, with a 0.99% increase in the Core Council Tax rate and a 2% Social Care Precept increase, both well below the maximum allowable rates. The final outrun for the council 2023/24, even after over £2m savings shows a significant deficit and our view is that the renewed strategy we started, of building our own children's homes to care for those who need to be taken into care is key as well as finding as many foster care families as possible to support those with less complex needs. The current high costs that we are seeing across the country by private

providers in the children in care sector is causing these significant overspends.

We ask Council to consider:

The failure of the Treasury and Labour to address or highlight the impending national financial shortfall, while in possession of critical financial data, should be of serious concern. It suggests a broader issue within the Treasury with regard to financial transparency and oversight, and we believe this warrants an urgent investigation.

We also believe that there are potential links between the £22 billion shortfall and other significant financial pressures, such as the £9.4 billion required to meet public sector union pay demands, the £11.6 billion committed to international climate change initiatives, and an additional £1 billion that must be being allocated for other government spending - maybe buying new outfits for the PM, the cabinet and their partners?!. These links must be fully explored to ensure that public finances are being managed responsibly.

Hartlepool Borough Council SLT, by contrast, have demonstrated diligence and competence in maintaining clear and accurate financial forecasts, and their commitment to transparency stands as a model that should be followed and I imagine largely is, across the UK. The Treasury have almost made their negligence a marketing tool, which we feel needs to be fully tested.

We determine that Council should resolve to:

1. Write to the relevant government departments, including HM Treasury and the Department for Housing and Communities, to express our concern over the lack of transparency and communication regarding the national financial deficit and to request an explanation as to why these issues were not raised by Treasury officials during the relevant period.
2. Request a formal investigation into the causes of the £22 billion national shortfall, including whether it is directly linked to public sector pay increases, international climate change funding, or other significant national expenditures. This investigation should also assess whether adequate internal controls and oversight mechanisms were in place to manage these financial commitments.
3. Urge the government to hold accountable those responsible for any mismanagement or lack of transparency, regardless of their roles, and to consider appropriate reprimands for any failures in financial oversight.
4. Support measures that ensure that all levels of government are fully equipped to maintain transparency and accountability in fiscal forecasting

and that the interests of local authorities, such as Hartlepool Borough Council, are better considered in national financial planning.

Proposed by: Councillors M Young, G Cranney, B Buchan, L Smith, S Little, A Martin-Wells

- (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 22 March 2024 and the Police and Crime Panel held on 6 February 2024.

FOR INFORMATION

Date of next meeting – Thursday 12 December 2024 at 7.00pm in the Civic Centre, Hartlepool

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.

Upon reconvening the meeting on 28 August 2024, the following Elected Members were in attendance:-

The Ceremonial Mayor (Councillor Thompson) presiding:

COUNCILLORS:

Boddy	Cook	Creedy
Darby	Dunbar	Harrison
Holbrook	Jorgeson	Little
Male	Moore	Morley
Nelson	Oliver	Scarborough
C Wallace	Young	

Officers: Denise McGuckin, Managing Director
 Sally Robinson, Executive Director of Adult and Community Based Services
 Tony Hanson, Executive Director of Neighbourhoods and Regulatory Services
 Craig Blundred, Director of Public Health
 Kieran Bostock, Assistant Director, Neighbourhood Services
 Lorraine Bennison, Electoral and Members' Services Manager

Apologies for absence had been submitted from Councillors Allen, Bailey-Fleet Buchan, Clayton, Cranney, Dodds, Feeney, Hall, Hargreaves, Leedham, Lindridge, Martin-Wells, Reeve, Roy, Sharp, Smith and S Wallace

10. INVESTITURE OF THE CHAIR OF COUNCIL/ CEREMONIAL MAYOR

Further to the election of Councillor Thompson who had been appointed at the earlier part of the meeting on 21 May 2024 (minute 2 refers), the Managing Director invited Elected Members to speak in support. Speeches were made by Councillors Harrison and Morley.

The Ceremonial Mayor returned thanks for her appointment and in addressing the Council advised of her chosen charities Alice House Hospice and Belle Vue Community Centre and announced that Councillor Holbrook would be her consort during her term of office. The consort received the medal of office.

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

Further to the election of Councillor Morley as Deputy Ceremonial Mayor who had been appointed at the earlier part of the meeting held on 21 May 2024 (minute 3 refers), the Managing Director invited Elected Members to speak in support of the Deputy Ceremonial Mayor. Speeches were made by Councillors Boddy and Creedy. The Deputy Ceremonial Mayor returned thanks.

12. 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 Ceremonial Mayor, Councillor Shane Moore and the manner in which he had discharged the responsible duties devolved upon him”.

Tribute was paid to the work of the retiring Ceremonial Mayor, Councillor Moore, by Councillors Young and Harrison. The retiring Ceremonial Mayor gave thanks for his term of office and spoke of the highlights of his year. A medal was presented in recognition of his service.

Cheques were presented by the retiring Ceremonial Mayor to his chosen charities – Hartlepool Sea Cadets and Hartlepool Food Bank.

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

It was requested:-

“That this Council records with gratitude the services rendered to the Borough by the retiring Deputy Ceremonial Mayor, Brian Cowie and the manner in which he had discharged the responsible duties devolved upon him”.

A bouquet was presented to the retiring Mayoress.

A commemorative portrait of the former Ceremonial Mayor, Councillor Brenda Loynes was unveiled by Councillor Mike Young.

The meeting concluded at 7.45 pm.

CEREMONIAL MAYOR

COUNCIL

MINUTES OF PROCEEDINGS

10 July 2024

The meeting commenced at 7.00 pm in the Civic Centre

The Deputy Ceremonial Mayor (Councillor Morley) presiding:

COUNCILLORS:

Allen	Bailey-Fleet	Boddy
Buchan	Clayton	Cook
Cranney	Creevy	Dunbar
Feeney	Hall	Hargreaves
Harrison	Jorgeson	Little
Male	Martin-Wells	Nelson
Oliver	Reeve	Roy
Scarborough	Sharp	Smith
C Wallace	S Wallace	

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

10. APOLOGIES FOR ABSENT MEMBERS

Councillors Brash, Clayton, Dodds, Holbrook, Leedham, Moore, Thompson and Young

11. DECLARATIONS OF INTEREST FROM MEMBERS

None

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

None

13. MINUTES OF PROCEEDINGS

The minutes of the last meetings of the Council, held on 22 February 2024, the Special Meeting held on 18 March 2024, the Extraordinary Meeting held on 16 May 2024 and the Annual Council Meeting held on 21 May 2024 having been laid before the Council.

RESOLVED - That the minutes be confirmed.

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

With reference to minute 111 a Member referred to the decision taken on 22 February 2024 to approve the Statutory Council Tax calculations, the background of which was provided and commented on the potential financial implications in the event that a different decision had been taken.

15. BUSINESS REQUIRED BY STATUTE

None.

16. ANNOUNCEMENTS

The Deputy Ceremonial Mayor referred Members to a letter from Jonathan Brash, the recently elected MP for Hartlepool, to the Ceremonial Mayor, Councillor Thompson, a copy of which was tabled at the meeting and read out by the Deputy Ceremonial Mayor, Councillor Morley as follows:-

“I wanted to write to you ahead of your Full Council meeting this week and I would be grateful if you could share this correspondence with members at that meeting. As the town’s newly elected MP I wanted to set out clearly at the first opportunity my commitment to fundamentally changing the relationship between the MP’s office and the Council. We must be partners, with one focus. Improving Hartlepool. We will not always agree, indeed disagreement is important and healthy in getting to the correct answers, however it is my firm belief that my job is to be your champion in parliament and your advocate with Government ministers. Times are tough and I cannot promise immediate solutions to the challenges we face. It will take time to reverse the damage of 14 years of the Conservatives in office. However, we must begin and to that end I have corresponded with your Managing Director this week in preparation for raising this crisis in children’s social care with ministers. Finally, I want to make clear that my door is open to all elected members of all political persuasions. If your agenda is to improve Hartlepool then you will always have an ally in me.”

Full Council also noted the contents of two letters, copies of which were tabled at the meeting, to the Rt Hon Angela Rayner MP, Deputy Prime Minister and Secretary of State for DHLUC from Jonathan Brash, MP for Hartlepool and Councillor Brenda Harrison, Leader of the Council.

The Deputy Ceremonial Mayor took the opportunity to express thanks to the Council's former MP Jill Mortimer for her work in Hartlepool and proposed that a letter of thanks be conveyed to Jill on behalf of Full Council in acknowledgement of her work.

17. 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

18. 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

The Director of Legal, Governance and Human Resources presented the report considered by the Constitution Committee on 8 July 2024, which proposed changes to the Constitution with regard to the Local Joint Consultative Committee, Personnel Sub-Committee, Forward Plan and Grant Funding, details of which were set out in the report. Members were referred to the minutes of the Constitution Committee and approval was sought to changes to the wording to the recommendation in relation to the Local Joint Consultation Committee to include the addition of consultation with the Chair of Finance and Policy Committee and Chair of the Local Joint Consultative Committee as well as Trade Union representative.

Following presentation of the report, a Member advised that the recommendations of Constitution Committee in relation to the Local Joint Consultative Committee proposals had not been unanimously agreed with 5 Members in favour of the proposals and 2 against. The accuracy of the minutes were also questioned in terms of the omission of his proposal that meetings of the Local Joint Consultative Committee be regularised and diarised and issues around the delegation arrangements were also questioned, the background to which was outlined. Following the Leader's comments that there appeared to be some misunderstanding in terms of what had been agreed at the meeting and clarification of her understanding of the recommendations, to satisfy the concerns raised, the Managing Director reported that the proposal to regularise and diarise meetings and clarification around delegation arrangements would be included in the Constitution Committee's recommendations and further considered at an additional meeting of the Constitution Committee.

Whilst expressing support for the amended recommendations, elected members debated and highlighted issues arising from the report during which clarification was provided in response to queries raised. In response to a query raised as to whether there had been any discussions at the meeting in relation

to reinstatement of public questions, the Chair agreed that this issue be referred back to Constitution Committee for consideration.

1. The following recommendations of the Constitution Committee, as amended, were agreed by a show of hands:-

Local Joint Consultative Committee

- (i) **That the Local Joint Consultative Committee be regularised and diarised** and authority be granted to the Managing Director, in consultation with the **Chair of Finance and Policy Committee, Chair of LJCC** and Trade Union representative to determine the remit, frequency and membership of the Local Joint Consultative Committee.
- (ii) That this issue be deferred to the next meeting of Council pending further consideration by the Constitution Committee and the suggested additions to the minutes of the Constitution Committee held on 8 July 2024, as highlighted in bold, be referred to the next meeting of the Constitution Committee for consideration and amendment.

Personnel Sub-Committee

- (iii) That the following recommendations be deferred to the next meeting of Council pending further consideration by the Constitution 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.
- (iv) 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.
- (v) 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”

2. Public Questions - That consideration of the issues around the reinstatement of public questions be referred to the Constitution Committee for consideration.
 3. That authority be delegated to the Director of Legal, Governance and Human Resources to make the necessary changes to the constitution arising from the agreed changes.
19. TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

None

20. REPORTS FROM THE POLICY COMMITTEES

- (a) proposals in relation to the Council's approved budget and policy framework;

None

- (b) proposals for departures from the approved budget and policy framework;

None

21. TO CONSIDER MOTIONS IN THE ORDER IN WHICH NOTICE HAS BEEN RECEIVED

None

MANAGING DIRECTOR'S REPORT

23. ADULT SOCIAL CARE

The Managing Director referred to the recent success of the North Tees and Hartlepool NHS Foundation Trust as the best performing Trust in the country in urgent and emergency care, details of which were included in the report and was pleased to report their thanks to everyone within adult social care that had helped to make this happen.

RESOLVED – that the report be noted.

24. DEVELOPMENT OF CHILDREN'S HOME – UPATE

Members noted that the Star Centre Children's Home Phases 1 and 2 were complete and on budget. Phase 3 would create another two bedroom home and would commence once the existing temporary property had been vacated.

RESOLVED – that the report be noted.

25. CHILDREN'S SERVICES – OUTCOME OF OFSTED INSPECTIONS

The Managing Director was pleased to report that the Council's Children's Services Department had been rated 'outstanding' overall by Ofsted, the outcome and findings of which were included in the report.

Appreciation was expressed to Children's Services staff and everyone involved for their hard work and contributions in achieving an "outstanding" Ofsted outcome.

RESOLVED – that the report be noted.

26. OFSTED INSPECTION OF CHILDREN'S HOMES

It was reported that Stockton Road, Exmoor Grove, Wilton Avenue, Park Avenue and St David's Walk Children's Homes had achieved a judgment of good overall and across all sub judgements.

RESOLVED – that the report be noted.

27. BRITISH MUSEUM EXHIBITION

The Managing Director reported that Hartlepool Art Gallery in Church Square were hosting a new touring exhibition between 18 May and 24 August 2024, details of which were included in the report.

RESOLVED – that the report be noted.

28. CARLTON ADVENTURE

Council was advised that following a tragic incident that occurred during one of Carlton's adventure instructor-led outdoor education forest walks near to Carlton in Cleveland, thoughts remained with the family and friends. Whilst investigations were still ongoing, the Managing Director did not wish to comment further but took the opportunity to pay tribute to the professionalism

and courage that colleagues and agencies involved in this incident had shown during this tragic challenging time.

RESOLVED – that the update be noted.

29. OUTSIDE BODY APPPOINTMENTS

Following the appointments made to Outside Bodies at the Annual Council meeting on 16 May 2024, a number of vacancies remained. Nominations were therefore sought in relation to the following vacancies:-

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

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

Tees Valley Combined Authority - Notification had been received that Councillor Matthew Dodds cannot be a substitute on both Transport Committee and Overview & Scrutiny Committee and notification of the following changes had been received:-

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.

RESOLVED –

- (i) That Councillor Male be appointed to the Teesside International Airport Consultative Committee.
- (ii) That Councillor Jorgeson be appointed to the Henry Smith Education Charity.
- (iii) That Councillor Dodds be the appointed substitute to the Tees Valley Combined Authority Transport Committee.
- (iv) That Councillor Feeney replace Councillor Dodds as the appointed substitute on the Tees Valley Combined Authority Overview and Scrutiny Committee.

- (ii) That the following organisations be removed from the outside body list:-
- Furness Seaman's Pension Fund
 - Economic Regeneration and Tourism Forum

30. COMMITTEE APPOINTMENTS

It was noted that Councillor Moore was unable to take up his seat on Children's Services Committee and vacancies therefore remained on the following Committee's:-

Licensing Committee – 1 Independent vacancy
Constitution Committee – 1 Independent/conservative vacancy.
Appointments Panel – 1 Labour/Conservative/Independent vacancy
Civic Honours Committee – 1 Conservative vacancy
Children's Services Committee – 1 Independent vacancy

RESOLVED – Given that no nominations were received the Committee membership vacancies were noted.

31. 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 February 2024 – April 2024.

RESOLVED – That the report be noted.

32. CHILDREN'S HOMES – BORROWING APPROVAL

The Managing Director reported that the Council continued 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 had included increasing the provision of council run children's homes that had 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 continued 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 had been established to lead this project to ensure that any property purchased was the right one and that costs of conversion were 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 was proposed that borrowing approval of £1m be 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, Section 151 Officer and Monitoring Officer. Finance and Policy committee would continue to receive an update on any schemes progressed as part of quarterly monitoring.

Members were asked to approve the £1m borrowing and delegate authority to the Managing Director to progress individual schemes in consultation with the Leader, Chair of Children's Services Committee, Section 151 Officer and Monitoring Officer.

There was no dissent to the following resolution via a show of hands.

RESOLVED -

- (i) That £1m borrowing be approved for the purchase and renovation of properties into children's homes subject to a business case resulting in a lower cost than private placements and on the basis that value for money was achieved.
- (ii) That authority be delegated to the Managing Director, in consultation with the Leader, Chair of Children's Services Committee, Section 151 Officer and Monitoring Officer to progress individual schemes.

33. PUBLIC QUESTION

None.

34. 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 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) The minutes of the meeting held by the Cleveland Fire Authority on 9 February 2024 and Police and Crime Panel on 14 November 2023 were noted.

The meeting concluded at 7.40 pm.

CEREMONIAL MAYOR



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 considered by the Constitution Committee addresses suggestions for review which had arisen since the last meeting of the Committee.

3. PROPOSALS

- 3.1 The Constitution Committee, at its meeting on 17 September 2024, considered a report (**Appendix A**) which included proposed changes to the Constitution with regard to the following issues:-
- Local Joint Consultative Committee
 - Personnel Sub-Committee
 - Reinstatement of Public Questions at Council
 - Duty to Consult – Street Tree Felling
- 3.2 A copy of the minutes of the Constitution Committee held on 17 September are attached at **Appendix B**.

4. RECOMMENDATIONS

4.1 To consider the following recommendations of the Committee:-

(i) Local Joint Consultative Committee:-

- (a) That the revised terms of reference as outlined in the report be agreed and the quorum of the Committee should include one representative from each side.
- (b) That meetings be held quarterly with the option to schedule additional meetings as required.

(ii) Personnel Sub-Committee:-

- (a) That the Personnel Sub-Committee be renamed 'Appeals Committee' and membership of the meeting be increased to 6 (5 Elected Members plus a non-statutory co-opted independent member)
- (b) That the specification in relation to the appointment of a non-statutory co-opted independent member be agreed to include utilising the voluntary and community sector to advertise the position.
- (c) That the Monitoring Officer explore the eligibility criteria in relation to the requirements around undertaking criminal records checks for the appointment to the position of non-statutory co-opted independent members.

(iii) Re-instatement of Public Questions:-

That no changes be made to the current public question arrangements at Council meetings.

(iv) Felling of Trees:-

That the delegation scheme be updated to include the following:-

Executive Director of Development, Regeneration and Neighbourhoods:

In consultation with the Chair of Neighbourhood Services, the power to make decisions on the felling of street trees following the duty to consult under the provisions of section 96A of the Highways Act 1980 (as amended by 115 of the Environment Act 2021).

In cases where the removal of a street tree is outside the scope of the duty to consult or is subject to an exemption within the legislation or guidance, the decision on whether to fell a street tree will be made by the Council's arboriculturalist.

- (iv) 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

17 September 2024



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

Subject: PERIODIC REVIEW OF THE CONSTITUTION

1. PURPOSE OF REPORT

To consider changes to the Constitution in relation to the following matters:

- a) Local Joint Consultative Committee
- b) Personnel Sub-Committee
- c) Reinstatement of Public Questions at Council
- d) Duty to Consult – Street Tree Felling

2. BACKGROUND

As a result of the Periodic Review of the Constitution considered by the Constitution Committee on 8 July 2024, **see Appendix 1**, a report was submitted to Council on 10 July 2024, **Appendix 2**. During the consideration of the report, **see Appendix 3**, Council requested that the Constitution Committee consider the following issues further:

Local Joint Consultative Committee
Personnel Sub-Committee
Reinstatement of Public Questions at Council

In addition to this, there is a statutory duty to consult in relation to the felling of street trees and consideration needs to be given to where this responsibility should be included within the Council's Constitution along with any delegated powers that are deemed appropriate.

3.1 Local Joint Consultative Committee (LJCC)

At the meeting of the Constitution Committee on 8 July, Members gave consideration to a request for a review of the remit of the LJCC which is classed as an 'advisory' outside body within the Constitution.

On the 10 July Full Council the following recommendations of the Constitution Committee, as amended, were agreed:
Local Joint Consultative Committee

(i) **That the Local Joint Consultative Committee be regularised and diarised** and authority be granted to the Managing Director, in consultation with the **Chair of Finance and Policy Committee, Chair of LJCC** and Trade Union representative to determine the remit, frequency and membership of the Local Joint Consultative Committee.

(ii) That this issue be deferred to the next meeting of Council pending further consideration by the Constitution Committee and the suggested additions to the minutes of the Constitution Committee held on 8 July 2024, as highlighted in bold, be referred to the next meeting of the Constitution Committee for consideration and amendment.

To comply with this recommendation, the attached 'LJCC Terms of Reference' **Appendix 4**, have been drafted in consultation with the Chair of Finance and Policy Committee and Trade Union Representatives. It is proposed that meetings of the LJCC be scheduled to meet within each Full Council cycle.

Members views are sought.

3.2 Personnel Sub-Committee

The Constitution Committee considered the membership and responsibilities of Personnel Sub-Committee which is a Sub-Committee of the Audit and Governance Committee. The Sub-Committee is currently made up of 3 Elected Members who are appointed by the Audit and Governance Committee. The Constitution Committee gave consideration to increasing this membership to 5 consisting of 4 Elected Members politically balanced where possible along with 1 Independent Person. In addition, it was suggested that the Sub-Committee be renamed an 'Appeals Committee'.

The responsibilities of the Personnel Sub-Committee are:

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.

At Full Council on the 10 July, Members agreed to defer the recommendations so that further work could be undertaken in relation to the appointment of an 'independent' member to the Committee. It is suggested that a non-statutory co-opted member could be added to the committee's membership. This member would not have voting rights and it is therefore recommended that the membership be increased to 6 to include the independent co-opted member. A draft specification is attached at **Appendix 5** for Members consideration.

Members are asked to:

1. Agree and refer to Full Council that the Personnel Sub-committee be renamed 'Appeals Committee' and increase its membership to 6 (5 elected members plus a non- statutory co-opted independent member).
2. Approve and refer to Full Council the attached specification for the appointment of a non-statutory co-opted person to the Appeals Committee.
3. Request that full Council delegate authority to the Director of Legal, Governance and Human Resources to make the necessary arrangements to appoint a non-statutory co-opted independent member including advertising and interview. Interviews Panel to include the Leader and Deputy Leader and one other Member (not to be a member of the Labour Group.)

3.3 Reinstatement of Public Questions at Council

At the meeting of Council on 10 July, a Member referred to the proposal to reinstate public questions at Council meeting. Attached to the report at **Appendix 6** is an extract from the Council's Constitution which details the current provision for public questions to Council.

Members' views are sought.

3.4 Duty to Consult – Street Tree Felling

Section 115 of the Environment Act 2021 was enacted on the 30 November 2023 and inserts a new ‘duty to consult’ under s96A of the Highways Act 1980. This means that local authorities have a statutory duty to consult residents on the felling of street trees where no exemptions apply.

The Constitution is currently silent on this issue and it is proposed that the delegation scheme be updated to include the following:

Executive Director of Development, Regeneration and Neighbourhoods:

In consultation with the Chair of Neighbourhood Services, the power to make decisions on the felling of street trees following the duty to consult under the provisions of section 96A of the Highways Act 1980 (as amended by 115 of the Environment Act 2021).

In cases where the removal of a street tree is outside the scope of the duty to consult or is subject to an exemption within the legislation or guidance, the decision on whether to fell a street tree will be made by the Council’s arboriculturalist.

Members views are sought

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.

5. BACKGROUND PAPERS

Hartlepool Borough Council’s Constitution
Street Tree Felling Guidance - <https://www.charteredforesters.org/wp-content/uploads/2023/12/Duty-to-Consult-Guidance-for-Local-Authorities-FINAL.pdf>

6. CONTACT OFFICERS

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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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01429 523002

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.

EXTRACT

COUNCIL

MINUTES OF PROCEEDINGS

10 July 2024

The meeting commenced at 7.00 pm in the Civic Centre

The Deputy Ceremonial Mayor (Councillor Morley) presiding:

COUNCILLORS:

Allen	Bailey-Fleet	Boddy
Buchan	Clayton	Cook
Cranney	Creevy	Dunbar
Feeney	Hall	Hargreaves
Harrison	Jorgeson	Little
Male	Martin-Wells	Nelson
Oliver	Reeve	Roy
Scarborough	Sharp	Smith
C Wallace	S Wallace	

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

18. 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

The Director of Legal, Governance and Human Resources presented the report considered by the Constitution Committee on 8 July 2024, which proposed changes to the Constitution with regard to the Local Joint Consultative Committee, Personnel Sub-Committee, Forward Plan and Grant Funding, details of which were set out in the report. Members were referred to the minutes of the Constitution Committee and approval was sought to changes to the wording to the recommendation in relation to the Local Joint Consultation Committee to include the addition of consultation with the Chair of Finance and Policy Committee and Chair of the Local Joint Consultative Committee as well as Trade Union representative.

Following presentation of the report, a Member advised that the recommendations of Constitution Committee in relation to the Local Joint Consultative Committee proposals had not been unanimously agreed with 5 Members in favour of the proposals and 2 against. The accuracy of the minutes were also questioned in terms of the omission of his proposal that meetings of the Local Joint Consultative Committee be regularised and diarised and issues around the delegation arrangements were also questioned, the background to which was outlined. Following the Leader's comments that there appeared to be some misunderstanding in terms of what had been agreed at the meeting and clarification of her understanding of the recommendations, to satisfy the concerns raised, the Managing Director reported that the proposal to regularise and diarise meetings and clarification around delegation arrangements would be included in the Constitution Committee's recommendations and further considered at an additional meeting of the Constitution Committee.

Whilst expressing support for the amended recommendations, elected members debated and highlighted issues arising from the report during which clarification was provided in response to queries raised. In response to a query raised as to whether there had been any discussions at the meeting in relation to reinstatement of public questions, the Chair agreed that this issue be referred back to Constitution Committee for consideration.

1. The following recommendations of the Constitution Committee, as amended, were agreed by a show of hands:-

Local Joint Consultative Committee

- (i) **That the Local Joint Consultative Committee be regularised and diarised** and authority be granted to the Managing Director, in consultation with the **Chair of Finance and Policy Committee, Chair of LJCC** and Trade Union representative to determine the remit, frequency and membership of the Local Joint Consultative Committee.
- (ii) That this issue be deferred to the next meeting of Council pending further consideration by the Constitution Committee and the suggested additions to the minutes of the Constitution Committee held on 8 July 2024, as highlighted in bold, be referred to the next meeting of the Constitution Committee for consideration and amendment.

Personnel Sub-Committee

- (iii) That the following recommendations be deferred to the next meeting of Council pending further consideration by the Constitution 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.
 - (iv) 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.
 - (v) 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”
2. Public Questions - That consideration of the issues around the reinstatement of public questions be referred to the Constitution Committee for consideration.
3. That authority be delegated to the Director of Legal, Governance and Human Resources to make the necessary changes to the constitution arising from the agreed changes.

LOCAL JOINT CONSULTATIVE COMMITTEE

TERMS OF REFERENCE

APPROVAL – FULL COUNCIL OCTOBER 2024

1. **TITLE**

The Hartlepool Borough Council (HBC) and Staff Joint Committee will be called the “Local Joint Consultative Committee” (LJCC).

2. **OBJECTIVE**

The objective of the LJCC is to provide a means for tri-partite consultation between Elected Members, Officers and representatives of all employees of HBC to consider matters of common interest, generally further good relations, and, as the Committee is an advisory committee (rather than a decision-making body), make recommendations to the Finance and Policy Committee as the decision making body for employment related matters.

HBC has legal duties (inc. Information and Consultation of Employees Regulations 2004) to provide employees with information and the opportunity to consult on developments in its activities and economic situation with particular reference to employment prospects and any proposed changes in the employer / employee relationship.

Regular methods of information exchange, negotiation and consultation have been established through local agreements with the Hartlepool Joint Trade Union Committee (“HJTUC”). These collective agreements are incorporated into employment contracts and facilitate the following arrangements:

Internal

- **Single Table** Group – Meets Bi-monthly and is the sole body for negotiating and reaching agreement with the HJTUC
- **Departmental** – Quarterly informal consultation forums for HJTUC and department Directors;
- **HR / HJTUC** – Fortnightly informal meeting between HR and HJTUC to discuss workforce matters;
- **Managing Director / HJTUC Meeting** – Monthly informal meeting between Managing Director and Trade unions’

External

- Bi-annual Meeting of the North East Regional Employers' Organisation
- Bi-annual Meeting of the Employers' Side of the North East Provincial Council
- Bi-annual Meeting of the North East Provincial Council

The aim of the above is to ensure that employees are fully appraised of, and have an involvement in the development of relevant policies re HBC. Where and when necessary these matters to be considered by the Finance and Policy Committee.

The purpose of the LJCC is not to replicate or constrain the above forms of consultation but to provide considered proposals to Finance and Policy Committee with respect to the functions listed below at section 5 'Functions.'

3. REPRESENTATION

The LJCC shall comprise of:

Five Elected Member representatives to be appointed at the Annual Meeting of Council for the Municipal year. Such representatives must not be members of the Council's Finance and Policy or Appeals Committee. With the exception that either the Leader or Deputy Leader of the Council and the Leader of the largest opposition group may attend each meeting with full speaking (but not voting) rights.

Four HBC employee representatives appointed by the HJTUC

Four HBC officer representatives (from CMT/SMT) will attend the LJCC.

Both HBC and the HJTUC sides may also call upon the services of their full time professional/technical officers at any time, provided that both sides mutually agree.

If a member of the LJCC ceases to be an Elected Member or Officer of HBC, or a representative of HJTUC they shall thereupon cease to be a member of the LJCC; any vacancy shall be filled by either party providing a replacement nomination to the Councils Monitoring Officer at the earliest opportunity.

In the event of any representative of either side being unable to attend any meeting of the LJCC, that representative may nominate a substitute to attend.

4. CHAIR AND VICE-CHAIR

The Chair is to be an Elected Member and appointed at the Annual meeting of Council for the Municipal year. The Vice-Chair to be appointed from the HJTUC

side with a nomination to be provided in advance of the Annual Meeting of Council.

The Chair of the meeting shall not have a casting vote. Meetings will be chaired in rotation by each of the three represented constituents of Chair (Elected Members) Vice-Chair (HJTUC) and HBC Officer representative. In the absence of the Chair, Vice-Chair or Officer representative the LJCC shall appoint a Chair from those present.

5. FUNCTIONS

- a) The functions of the LJCC shall be to establish regular methods of consultation between Elected Members, Officers and the HJTUC.
- b) The consultation remit / agenda will include:
 - Business Transformation / Finance
 - i) Council and Departmental Transformation reports
 - ii) Quarterly finance updates
 - Health Safety and Risk Policies and Procedures
 - Human Resources, Policies and Procedures
 - Any new policy or procedure
 - Any current policy or procedure review that is likely to have significant financial or operational implications

6. ADMINISTRATION OF THE LJCC

The administrative arrangements for meetings of the LJCC shall be carried out by Democratic Services section of HBC.

7. AGENDA

The matters to be discussed at any meeting of the LJCC shall be stated on the agenda for the meeting. Standing items shall include consideration of the minutes from the previous meeting and the declaration of any interests from members of the Committee.

Pre-agenda meetings will take place between Chair, Vice Chair and Officer representative to determine agenda items for the formal meeting.

Agenda items initiated for inclusion on the agenda of the next meeting shall be submitted in writing to Democratic Services at least ten working days before the date of the meeting. The agenda for the meeting shall be forwarded to members of the LJCC at least five working days prior to the meeting

8. MEETINGS

The LJCC shall be scheduled to meet within each Council meeting cycle.

Given the composition of the LJCC meetings shall be held at dates/times to maximise attendance.

The Chair, Vice-Chair or Managing Director may direct Democratic Services to call an extraordinary meeting of the LJCC at any time. Such meetings will be called within fourteen days of the receipt of a requisition supported by not less than one-half of the members of either side.

The matters to be discussed at any meeting of the LJCC shall be stated upon the notice summoning the meeting, provided that any other business may be considered if admitted by a majority vote of those present at such meeting.

9. PROCEDURE

The quorum of the LJCC shall be three representatives of each side.

No resolution shall be regarded as carried unless it has been approved by a majority of the members present on each side of the LJCC, and in the event of (a) of the LJCC being unable to arrive at an agreement, or (b) of HBC disagreeing with the recommendations of the LJCC, the matters in dispute shall be noted and where appropriate highlighted to the Finance and Policy Committee who are the decision making body for employment matters.

10. MINUTES

The minutes of the proceedings of any meeting of the LJCC shall be submitted to the following meeting of the Committee for confirmation. The minutes shall be agreed by the Chair, Vice-Chair and Officer representative prior to their submission. Any recommendations shall be subject to approval by Finance and Policy Committee.

APPEALS COMMITTEE

Hartlepool Borough Council is looking for an individual to be appointed as a non-statutory co-opted member of the 'Appeals Committee.'

The co-opted member will be required to give specialist input and provide an outside/independent view to assist Members of the Appeal's Committee in their deliberations.

The functions of the Appeals Committee are as follows:

1. Power to consider and determine:
 - Appeals against dismissal
 - Appeals arising out of Departmental staffing reviews and/or restructures
 - Grievances at the final internal stage
 - Home to School Transport Appeals, and;
2. Functions relating to local government pensions, etc. relating to the determination of individual cases excluding those relating to individual early retirement

SKILLS AND COMPETENCIES

Non-statutory co-opted members are not legally subject to the code of conduct or requirements on declarations but they are expected to observe the principles governing councillors' behaviour in carrying out their duties.

The co-opted member will have:

- a keen interest in employment related matters
- a wish to serve the local community and uphold local democracy.
- the ability to be objective, independent and impartial.
- leadership qualities, particularly in respect of exercising sound judgement.

The co-opted member will:

- be a person in whose impartiality and integrity the public can have confidence.
- understand and comply with confidentiality requirements.
- have an awareness of employment law and the Council's employer/employee code of conduct and HR policy and procedures
- be a good communicator.

Desirable additional criteria are:

- working knowledge/experience of local government or other public service and/or of large complex organisations and awareness of and sensitivity to the political process.
- knowledge and understanding of Human Resources particularly in relation to the public sector.

You should demonstrate in your application how you meet the above criteria as this will assist any short-listing process.

Means of assessment will be by application form and by interview.

Eligibility for Appointment

A person cannot be appointed as an Independent Person if they are or were within a period of 5 years prior to the appointment:

- *a member, co-opted member or officer of the authority.*
- *A member, co-opted member or officer of a parish council in the Borough Council's area, or a relative or close friend of the above.*
- *Active member of a political party i.e. involved in campaigning*

ROLE OF INDEPENDENT PERSON –APPEALS COMMITTEE

ROLE DESCRIPTION

Responsible to: The Council

Liaison with: Monitoring Officer, Members of the Appeals Committee, Officers and Members of the Council.

- 1.To attend and participate in meetings of the Appeals committee to provide an independent view in relation to an investigated allegation
- 2.To attend training events organised and promoted by the Council.

EXTRACT HBC CONSTITUTION 2024

PUBLIC QUESTIONS TO FULL COUNCIL MEETINGS

1. INTRODUCTION

Members of the public are welcome to attend meetings of Full Council, and its Committees, except when the meetings are considering items classed as 'confidential' or 'exempt'. Those matters that may be considered as confidential or exempt are set out in the Access to Information Procedure Rules in the Council's Constitution. If you would like to attend a meeting, or would like further details of a meeting, you are advised to contact our Democratic Services Team (democratic.services@hartlepool.gov.uk or 01429 523568) to confirm details of the meeting.

2. FULL COUNCIL MEETINGS

The Council's Constitution states that during a period of 30 minutes, or a longer period at the discretion of the Chair, residents of Hartlepool may ask questions of Chairs of Committees at ordinary meetings of Full Council in accordance with the Council's Procedure Rules.

You can ask a question by completing a Public Question Time form attached to this guide (Appendix 1). The form must be delivered in writing or by electronic mail to the Managing Director 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). Alternatively, if you would prefer to send your question by e-mail, send it to democratic.services@hartlepool.gov.uk, you must include the name and address of the questioner.

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.

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

A question should fulfil the following criteria:-

- i) The question should be concise (both in length and number of parts), direct and should be about a matter that the Local Authority has a responsibility or which affects the Borough;
- ii) The question should not be the same as one asked at Full Council in the last six months (unless there has been a significant change in circumstances)

The Managing Director, in consultation with the Chair of the Council, may reject a question if it is considered to be

- defamatory, frivolous or offensive,
- seeks the disclosure of confidential or exempt information,
- 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,
- is unreasonably excessive because of its length or its number of parts,

Copies of all questions will be circulated to all Elected Members and will be made available at the meeting.

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 Chair to whom it was to be put, will be dealt with by way of a written answer.

Full Council meetings are usually held at 7.00 pm in the Council Chamber, Civic Centre, Victoria Road, Hartlepool. Dates of Council Meetings and any further information can be obtained from the Democratic Services Team, telephone 523568 or from the Council's website www.hartlepool.gov.uk.

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

17 SEPTEMBER 2024

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

Present:

Councillors: Boddy, Harrison, Little and Male

Officers: Hayley Martin, Director of Legal, Governance and Human Resources
Rachel Clark, Head of Human Resources
Denise Wimpenny, Principal Democratic Services Officer

19. Apologies for Absence

Councillors Bailey-Fleet, Buchan, Dodds, Thompson and Denise McGuckin.

20. Declarations of interest by Members

None.

21. Minutes

The minutes of the meeting of the Committee, held on 8 July 2024, were confirmed subject to the following additions as highlighted in bold and be amended to read as follows:-

- (i) **That the Local Joint Consultative Committee be regularised and diarised** and authority be granted to the Managing Director, in consultation with the **Chair of Finance and Policy Committee, Chair of LJCC** and Trade Union Representative to determine the remit, frequency and membership of the Local Joint Consultative Committee.

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

Further to consideration at the last meeting of this Committee and consideration by Full Council on 10 July 2024, the Committee's approval was sought in relation to the updated terms of reference of the Local Joint Consultative Committee (LJCC), attached at Appendix 4, which had been agreed with the Trade Unions. Members were referred to the changes, as set out in a tracked change document, a copy of which was tabled at the meeting.

The Chair highlighted that the terms of reference included the LJCC's purpose to improve employee relations across the Council.

In relation to representation, the Monitoring Officer highlighted the Managing Director's preference that the Council's three statutory officers form part of the membership. Members were of the view that whilst they felt statutory officers did not need to be named as part of the membership in the terms of reference, it was a matter for the Managing Director to determine which officers should attend meetings.

In response to queries raised in relation to the proposed quorum and frequency of meetings, clarification was provided that the proposed quorum was 3 and that meetings would be scheduled quarterly. Members supported these proposals and suggested that the quorum of the Committee should include one representative from each side and indicated that additional meetings could be scheduled as required.

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

Personnel Sub Committee

Further to discussions at Full Council on 10 July that the Personnel Sub-Committee be renamed Appeals Committee and that further work be undertaken in relation to the appointment of an 'independent' member to the Committee. It was proposed that the Personnel Sub Committee be renamed Appeals Committee and the membership be increased to 6 (5 Elected Members plus a non-statutory co-opted independent member). A draft specification in relation to the appointment of a non-statutory co-opted independent member was attached at Appendix 5 for Members' consideration.

Members supported the proposals and commented on the importance of the specification including the need to attend relevant training events. Clarification was provided in response to issues raised in relation to voting arrangements, eligibility criteria as well as the advertising arrangements. Emphasis was placed upon the importance

of undertaking criminal records checks to which the Monitoring Officer agreed to explore the eligibility criteria. Views were expressed in relation to the benefits of utilising the voluntary and community sector as well as the proposed social media platforms to advertise the position.

Re-instatement of Public Questions

It had been proposed at the last meeting of Council on 10 July that public questions at Council meetings be reinstated. An extract from the Council's constitution which detailed the current provision for public questions at Council was appended to the report and further information in relation to Rule 9 (Questions from the Public extract) was tabled at the meeting. The Monitoring Officer clarified the current arrangements and sought Members' views in terms of what changes were required given that there was already provision for public questions as well as supplementary questions at Council meetings as detailed in Rule 9 of the constitution.

In response to concerns raised by a member of the public in attendance in relation to the lack of provision for the public to speak at Council meetings, the Monitoring Officer outlined the options to speak which included Council meetings and Policy Committees, details of which were provided. Further concerns were raised by a member of the public that the removal of Neighbourhood Forums and questions being at the discretion of the Chair had removed the public's right to engagement and provided examples of instances when speaking had not been permitted. Members reiterated the provision for public speaking and emphasised the need to highlight their wish to speak with the relevant Chair prior to commencement of the meeting.

Members agreed that no changes were required to the current public questions arrangements given there was already provision in the current constitution.

Duty to Consult – Street Tree Felling

Members were referred to a new duty to consult under section 96A of the Highways Act 1980 on the felling of street trees where no exemptions apply. The constitution was currently silent on this issue and it was proposed that the delegation scheme be updated to include the following:-

Executive Director of Development, Regeneration and Neighbourhoods:

In consultation with the Chair of Neighbourhood Services, the power to make decisions on the felling of street trees following the duty to consult under the provisions of section 96A of the Highways Act 1980 (as amended by 115 of the Environment Act 2021).

In cases where the removal of a street tree is outside the scope of the duty to consult or is subject to an exemption within the legislation or guidance, the decision on whether to fell a street tree will be made by the Council's arboriculturalist.

In the lengthy discussion that followed the Committee debated issues arising from the report. The Monitoring Officer provided clarification in response to queries raised in relation to the legislative requirements. In response to a query raised regarding the arrangements to deter individuals from felling trees without permission, the Monitoring Officer agreed to explore this issue and provide clarification following the meeting.

Decision

The Committee recommended the following:-

- (i) Local Joint Consultative Committee –
 - (a) That the revised terms of reference as outlined in the report be agreed and the quorum of the Committee should include one representative from each side.
 - (b) That meetings be held quarterly with the option to schedule additional meetings as required.
- (ii) Personnel Sub-Committee:-
 - (a) That the Personnel Sub-Committee be renamed 'Appeals Committee' and membership of the meeting be increased to 6 (5 Elected Members plus a non-statutory co-opted independent member)
 - (b) That the specification in relation to the appointment of a non-statutory co-opted independent member be agreed to include utilising the voluntary and community sector to advertise the position.
 - (c) That the Monitoring Officer explore the eligibility criteria in relation to the requirements around undertaking criminal records checks for the appointment to the position of non-statutory co-opted independent members.
- (iii) Re-instatement of Public Questions

That no changes be made to the current public question arrangements at Council meetings.
- (iv) Felling of Trees:-

That the delegation scheme be updated to include the following:-

Executive Director of Development, Regeneration and Neighbourhoods:

In consultation with the Chair of Neighbourhood Services, the power to make decisions on the felling of street trees following the duty to consult under the provisions of section 96A of the Highways Act 1980 (as amended by 115 of the Environment Act 2021).

In cases where the removal of a street tree is outside the scope of the duty to consult or is subject to an exemption within the legislation or guidance, the decision on whether to fell a street tree will be made by the Council's arboriculturalist.

23. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following items of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

24. Format of Constitution

A Member commented on the difficulties navigating the constitution and finding relevant information particularly for members of the public, examples of which were provided. The benefits of a cross referencing system were suggested and it was agreed that this be explored.

25. Request for Background Information

On a matter unrelated to the agenda, a member of the public requested outstanding background information from 18 June 2024 which the Monitoring Officer agreed to follow up following the meeting.

The meeting concluded at 2.40 pm.

CHAIR

COUNCIL**3 October 2024**

Report of: Children's Services Committee

Subject: YOUTH JUSTICE STRATEGIC PLAN

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- Where people are enabled to live healthy, independent and prosperous lives.
- Where people will be safe and protected from harm.
- Of resilient and resourceful communities with opportunities for all.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to present the Council with the final Youth Justice Strategic Plan for 2024 - 2025 (**Appendix 1**). Consultation has been undertaken with Children's Services Committee on 9 July 2024, Safer Hartlepool Partnership on 15 July 2024 and Audit and Governance Committee on 16 July 2024. Any recommendations made by the Children's Services Committee, Safer Hartlepool Partnership and Audit and Governance Committee have been incorporated into the final plan.
- 2.2 The report seeks approval from Council on 3 October 2024 for the adoption of the Youth Justice Plan 2024 – 2025.
- 2.3 The final Plan will be sent to the National Youth Justice Board.

3. BACKGROUND

- 3.1 The Council is required annually to produce a Youth Justice Plan that governs the work of the Youth Offending Service the primary functions of which are to prevent offending and re-offending by children, reduce the use of custody and ensure a "Child First" ethos is embedded across the service.

4. PROPOSALS

- 4.1 Children's Service Committee approved the consultation process for the Youth Justice Strategic Plan on 9 July 2024 following which, the draft Youth Justice Plan has been presented to Safer Hartlepool Partnership and Audit and Governance Committee where it has been accepted and no additional comments or amendments have been suggested.
- 4.2 Children's Service Committee considered the final draft of Youth Justice Strategy on the 10 September 2024 for ratification and recommendation to Council for adoption.

5. RISK IMPLICATIONS

- 5.1 Should the plan not be adopted, the Council would not be compliant with the requirements necessary to receive the Youth Justice Board Grant funding for delivery of services to support young people in the youth justice system.

6. FINANCIAL CONSIDERATIONS

- 6.1 There are no specific financial implication arising from this report. The Hartlepool Youth Offending Services is delivered through partnership funding and grants received from the Youth Justice Board as detailed within the Youth Justice Strategic Plan.

7. LEGAL CONSIDERATIONS

- 7.1 Under the Crime and Disorder Act 1998 a local authority must submit a youth justice plan annually to the Youth Justice Board setting out (a) how youth justice services are to be provided and funded in their area and (b) how the YOTs established by them are to be composed and funded, how they are to operate and what functions they are to carry out. The plan must be published in such manner and by such date as the Secretary of State may direct.

8. CHILD AND FAMILY POVERTY CONSIDERATIONS (IMPACT ASSESSMENT FORM TO BE COMPLETED AS APPROPRIATE.)

- 8.1 There are no specific child and family poverty considerations arising from the report, the cohort of young people receiving support from the youth offending service are across a wide spectrum of socio- economic backgrounds, all children supported by the service receive an assessment of need which includes consideration of poverty issues and their impact.

9. EQUALITY AND DIVERSITY CONSIDERATIONS (IMPACT ASSESSMENT FORM TO BE COMPLETED AS APPROPRIATE.)

- 9.1 There are no specific equality and diversity considerations arising from the report, all children receiving support from the youth offending team receive an assessment of need which includes consideration of equality and diversity issues and their impact.

10. STAFF CONSIDERATIONS

- 10.1 There are no specific staff consideration arising from this report

11. ASSET MANAGEMENT CONSIDERATIONS

- 11.1 There are no asset management considerations in this report.

12. ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS

- 12.1 There are no considerations in this report

13. RECOMMENDATIONS

- 13.1 Council is requested to approve the Youth Justice Plan 2024/25.

14. REASONS FOR RECOMMENDATIONS

- 14.1 The Youth Justice Plan for 2024-2025 will provide the Youth Justice Service with a clear steer to bring about further reductions in youth offending and contribute to improving outcomes for children, young people and their families alongside the broader community.
- 14.2 The local Youth Justice Strategic Plan for 2024–2025 will establish responsibility across the Youth Justice Service and the Youth Justice Strategic Board for taking each improvement activity forward within agreed timescales.

15. BACKGROUND PAPERS

- 15.1 The following background papers were used in the preparation of this report:
- Crime and Disorder Act 1998
 - Children’s Services Committee Report – 9 July 2024
 - Audit and Governance Report – 15 July 2024
 - Strategic Hartlepool Partnership Report – 16 July 2024

16. CONTACT OFFICERS

Laura Gough, Assistant Director, Children and Families, Hartlepool Borough Council, Level 4, Civic Centre, Hartlepool, TS24 8AY.

Tel: 01429 525380



Hartlepool Youth Justice Service Strategic Plan 2024-25



Service	Hartlepool Youth Justice Service
Service Manager/ Lead	Roni Checksfield, Youth Justice Service Manager
Chair of YJS Board	Jo Heaney, Head of Commissioning, Strategy and Delivery (Children, Young People and Maternity - Tees Valley) North East & North Cumbria Integrated Care Board. (Chair Hartlepool YJS Management Board)

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7. Sign off, Submission & Approval

Appendix 1 – Staffing Structure

Appendix 2 – Budget costs & contributions 2024/25

Foreword

Welcome to the 2024-2025 Hartlepool Youth Justice Strategic Plan. This plan sets out our ambitions and priorities for Hartlepool Youth Justice Service and the broader local Youth Justice Partnership for the next year.

The Safer Hartlepool Partnership, Community Safety Plan 2021-24 establishes a vision for the town:

“To make Hartlepool a safe, prosperous and enjoyable place to live, work and visit”

The Youth Justice Service and broader partnership has a key role in contributing to this vision, by continuing to deliver a high quality, effective and safe youth justice service that prevents crime and the fear of crime, whilst ensuring that children who do offend are identified, managed and supported appropriately, without delay.

In recent years Hartlepool has witnessed a significant reduction in youth crime. The local youth justice partnership has been particularly effective in reducing the numbers of children entering the youth justice system for the first time, but there still remains a need to drive down incidents of re-offending by children who have previously offended.

This will be achieved through a combination of robust interventions designed to manage and reduce risk of harm, support safety & wellbeing, restore interpersonal relationships, promote whole family engagement and achieve positive outcomes all wrapped around a “Child First” ethos. Encouragingly, Hartlepool Youth Justice Service alongside partners continues to maintain a strong health offer for all children and is constantly striving to build upon its restorative offer whilst ensuring that victims of youth crime also have a voice.

2023-2024 saw a continued increase in work placed upon the service, Turnaround continued to grow, the learning also continued around the new KPIs and the service continued to work alongside the OPCC and Community Safety partners with the Immediate Justice programme. Despite the added workload Hartlepool Youth Justice Service and the broader Youth Justice Partnership continue to help make Hartlepool a safe, prosperous and enjoyable place to live, work and visit.

In 2024-25 we will strive to continuously improve by:

- Maintaining and building upon the current Health offer with trauma informed practice at its core.
- Continuing to work with partners to develop a clear and consistent approach to all forms of child exploitation.
- Building on the improving YJS offer of a ‘whole family approach’
- Ensuring the Service maintains a ‘child first’ ethos.
- Continuing to maintain a creative Early/Targeted Intervention, Prevention and Diversion offer.

None of the above will be possible without the continued support and close working relationships of our partners and Children’s Services. In addition, these relationships allow us to mitigate the risks of reducing partnership budgets whilst maintaining the quality and effectiveness of the Service.

As always, the local authority and Strategic Management Board is extremely grateful for the skill, commitment and dedication shown by managers, staff, employees and volunteers of the YJS in continuing to support children who offend, or are at risk of becoming involved in offending.

On behalf of the Youth Justice Service Strategic Management Board I am pleased to pledge my support to and endorse the Youth Justice Strategic Plan 2024-25

TO BE SIGNED OFF

1. Introduction, vision, strategy & local context

Introduction

The National Youth Justice System primarily exists to ensure that children between the age of 10 and 17 (who are arrested and charged with a criminal offence) are dealt with differently to adult offenders, to reflect their particular welfare needs.

In summary, children who offend are:

- Dealt with by youth courts;
- Given different sentences in comparison to adults and
- When necessary, detained in special secure centres for children.

It is the responsibility of the Local Authority and statutory partners to secure and coordinate local youth justice services for children in our area who come into contact with the Youth Justice System as a result of their offending behaviour. This is achieved through the established Youth Justice Services.

The primary functions of Youth Justice Services are to prevent offending and re-offending by children, reduce the use of custody and ensure all of the above are delivered with a “Child First” ethos embedded across the service.

Hartlepool Youth Justice Service was established in April 2000 and is a Multi-Agency service made up of representatives from Children’s Services, Police, Probation, Public Health, Health and Education. Hartlepool Youth Justice Service seeks to ensure that:

- All children entering the youth justice system benefit from a structured needs assessment to identify risk and protective factors associated with their offending behaviour in order to inform effective interventions.
- Courts and Referral Order panels are provided with high quality reports that enable them to make informed decisions.
- Orders of the Court are managed in such a way that they support the primary aim of the youth justice system, alongside managing risk of harm and ensuring there is due regard to the welfare of the child.
- Services provided to courts are of a high quality and ensure that magistrates and the judiciary have confidence in the supervision of children.
- Comprehensive bail and remand management services are in place locally for children remanded or committed to custody, or on bail while awaiting trial or sentence.
- The needs and risks of children sentenced to custodial sentences (including long-term custodial sentences) are assessed to ensure effective resettlement and management of risk.
- Those receiving youth justice services are treated fairly regardless of race, language, gender, religion, sexual orientation, disability or any other factor, and actions are put in place to address discrimination if identified

In addition to the above, the remit of the service has widened significantly in recent years due to both national and local developments relating to prevention, diversion and restorative justice and there is now a requirement to ensure that:

- Creative strategies and services are in place locally to prevent children from becoming involved in crime or anti-social behaviour;

- Out-of-court disposals deliver targeted and bespoke interventions for those at risk of entering the Youth Justice System
- Assistance is provided to the Police when determining whether Youth Cautions should be issued and
- Restorative approaches are used, where appropriate, with victims of crime and ensures that restorative justice is central to work undertaken with children who offend.
- The Turnaround Programme continues to meet targets in line with Government criteria

The Hartlepool Youth Justice Plan for 2024-2025 sets out how youth justice services will be delivered, funded and governed in response to both local need, national policy changes and in line with the Standards for children in the youth justice system 2019, our most recent HMIP inspection findings, ongoing HMIP Thematic reports and the YJB Strategic Plan 2024 - 2027. It also highlights how Hartlepool Youth Justice Service will work in partnership to prevent offending and re-offending by children and reduce the use of remands and custody ensuring we put the "Child First" throughout all processes.

Vision & Strategy

Hartlepool's Children's Strategic Partnership has set out its vision for children within the town as follows:

Vision:

Our ambition as a children's partnership is to enable all children and families in Hartlepool to have opportunities to make the most of their life chances and be supported to be safe in their homes and communities.

Priorities:

- Children have opportunities to make the most of their life chances and are safe
- Improving family relationships, strengths, skills and ability to cope
- Reducing the impact of domestic violence, mental health, drugs and alcohol misuse on children and families
- Helping parents, carers and children to gain skills and get jobs

The Youth Justice Service, as part of the wider services for children, seeks to deliver on the vision and ambitions through a number of identified Youth Justice Service Strategic Priorities for 2024 - 2025.

In addition, these priorities align and overlap with the strategic priorities set by the Safer Hartlepool Partnership for 2021-24:

- Reduce Anti-Social Behaviour
- Reduce the harm caused by drug and alcohol misuse
- Reduce Domestic Violence

Youth Justice Service Strategic Objectives and Priorities – 2024-2025

We will use our grant, partner contributions and available resources to deliver our services that enable us to work towards achieving the following objectives and priorities annually:

Re-offending - reduce further offending by children who have committed crime with a particular emphasis on continuing the development of Service interventions that are structured, responsive, tailored to meet identified individual need and evaluated. (Both within Youth Justice Services and provided by external agencies).

Early/Targeted Intervention, Prevention & Diversion – sustain the reduction of first time entrants to the youth justice system by ensuring that creative strategies and services remain in place locally to prevent children from becoming involved in crime and anti-social behaviour.

Remand, Custody & Constructive Resettlement – demonstrate that there are robust and comprehensive alternatives in place to support reductions in the need for remands and custody. Ensure bespoke constructive resettlement packages are implemented at the earliest opportunity.

Risk and Safety & Wellbeing (Asset Plus) – ensure all children entering or at risk of entering the youth justice system benefit from a high quality structured needs assessment to identify risk of harm, safety and wellbeing concerns and desistance factors, to inform effective intervention and risk management.

Restorative Justice – ensure all victims of youth crime have the opportunity to participate in restorative justice approaches and restorative justice is incorporated in to the work undertaken with children who offend.

Effective Governance – ensure that the Youth Justice Strategic Management Board is a well constituted, committed and knowledgeable Board which scrutinises Youth Justice Service performance and drives continuous improvement.

Voice of the Children – ensure that all children are actively involved in developing their own plans and are encouraged and supported to inform current and future service delivery.

‘Child First’ – ensure that the Child First principles are regularly reviewed and embedded within the Youth Justice Service and that every child has the opportunity to live a safe and crime free life, and make a positive contribution to society.

Education, Training, Employment – Working in collaboration with partners i.e. Schools, Virtual School and One Stop Shop to ensure all children open to the YJS are actively engaging in some form of suitable ETE, thus reducing NEET numbers, increasing attendance and improving outcomes.

Substance Misuse – Working in collaboration with partners i.e. Horizons/START to improve and sustain the engagement of children open to the YJS within substance misuse services

Serious Violence & Exploitation – Working with and alongside all partners including the Police, MACE and Violence Reduction Unit to address and reduce serious violence and all forms of child exploitation

Over Represented Children - Identify and address any areas of over representation within the YJS cohort alongside the management board and partners.

Local Context

Hartlepool Youth Justice Service (YJS) covers the local authority area of Hartlepool which is impacted upon by a range of social, economic and environmental factors.

Using the 2019 average score of the Indices of Deprivation, Hartlepool is the 10th most deprived area based on % of LSOA's in 10% of most deprived areas nationally. High levels of unemployment, crime and anti-social behaviour, domestic violence and substance misuse are all factors which provide significant challenges to the children we work with impacting on their behaviours and influencing outcomes.

According to the mid 2022 population estimates – ONS, the population of Hartlepool is in the region of **93,861** with approx.**9564** being between the ages of 10-17.

The BAME population in Hartlepool has seen an increase, however, continues to remain somewhat low in comparison to other areas locally, **4574** or **4.9%** of Hartlepool Population (Non-White ethnic groups, Census – ONS)
10-17 BAME population – **662**

Current number of Children in our Care (CIOC), all ages – **331** (as at 31 March 2023, Hartlepool Performance Team)

Current CIOC figures 10–17 – **213** (as at 04 05 2023, Hartlepool Performance Team)

****At the time of writing this Strategic Plan there are 7 children open to the YJS who are CIOC.**

Hartlepool is served by 5 Secondary Schools, 1 Pupil Referral Unit (Horizon School) and Catcote Academy which caters for secondary and post-16 students with special educational needs. There are 4 Sixth Form providers two of which are located within Secondary Schools.

Hartlepool YJS has had to evolve over the years in response to changing local circumstances and economic factors. The current service is a traditional YOS model with two small operational teams delivering case management across Prevention/Diversion/Out of Court Disposals and Post Court Orders/DTO. The operational teams are supported by a Leadership Team which carry out day to day operational oversight, performance management, service planning and policies & procedures. There is also support from a small business admin team as well as sessional staff and Panel Volunteers who provide a very valuable service.

The YJS is constantly striving to ensure that the service is able to meet the current and future demands of service users, based on a 'fit for purpose' structure which supports high quality service delivery. Central to this is the recognition that all staff will need to be well equipped to deal with a wide variety of service user needs, and keep abreast of emerging areas of practice not least trauma informed practice, the developing body of knowledge and evidence surrounding County Lines, Modern Day Slavery and Serious Youth Violence as well as findings from HMIP and other relevant inspection bodies.

As with the majority of YJSs the service is dealing with smaller caseloads, however these are much more complex individuals with multiple risks and vulnerabilities, the main cohort are predominantly young males aged between 14 and 17, many of whom reside within Hartlepool's most deprived neighbourhoods. Although not mutually exclusive, the common criminogenic and welfare issues prevalent amongst this cohort are identified as:

- higher than average mental health needs
- higher levels of drug and alcohol use than for the general population
- low educational attachment, attendance and attainment
- having family members or friends who offend

- higher than average levels of loss, bereavement, abuse and violence experienced within the family – historical trauma
- a history of family disruption
- chaotic and unstructured lifestyles
- Vulnerable to all elements of exploitation

Alongside this cohort of young males, there is another cohort of young females of similar age 14-17, whom although perhaps not as prolific in terms of reoffending, are of significant concern due to multiple complex issues which are more welfare-orientated. These include: Substance misuse, chaotic lifestyles, and sexual exploitation, missing from home and family breakdown.

Again, as with the male cohort, young females who are offending are noted to have a higher prevalence of poor emotional well-being.

As can be seen from the figures above Hartlepool does have a relatively low BAME percentage compared to locally and regionally, however the service does have the necessary training and skills to respond to work with children from a BAME or other diverse background. More notably the number of Children in our care (CIOC) does fluctuate within the YJS cohort, the data is regularly analysed and there is ongoing work with partners and carers in order to ensure appropriate actions are in place to support this vulnerable group of children. This is a strategic priority and actions and progress is reported to the Strategic Management Board on a quarterly basis.

Working in partnership is key to supporting a greater understanding of these underlying issues and addressing them in a holistic and co-ordinated way to provide “pathways out of offending”, reduce crime and break the cycle of offending behaviour across generations.

2. Governance, leadership and partnership arrangements

Governance:

The Youth Justice Service is part of Hartlepool Borough Councils Children & Joint Commissioning Services Department which also includes Children’s Social Care and Early Help services. The Management Board is chaired by Jo Heaney, Head of Commissioning, Strategy and Delivery (Children, Young People and Maternity - Tees Valley) North East & North Cumbria Integrated Care Board.

The board is made up of representatives from Children’s Social Care, Police, Probation, Public Health, Courts, Education, Youth Support Services, and Office of the Police & Crime Commissioner, Community Safety, VCS and elected members.

Effective integrated strategic partnership working and clear oversight by the Management Board are critical to the success and effective delivery of youth justice services in Hartlepool. The board is directly responsible for:

- Determining how appropriate youth justice services are to be provided and funded;
- Overseeing the formulation each year of the youth justice plan;
- Agreeing measurable objectives linked to key performance indicators as part of the youth justice plan;
- Ensuring delivery of the statutory aim to prevent offending by children and children;
- Giving strategic direction to Youth Justice Service Manager and Youth Justice Service Team;
- Providing performance management of the prevention of youth crime and periodically report this to the Safer Hartlepool Partnership;

- Ensuring that Standards for children in the youth justice system 2019 and the Child First ethos are embedded across the whole service and audits are completed within required timescales;
- Promoting the key role played by the Youth Justice Service within local integrated offender management arrangements;
- Advocate on behalf of the YJS within their own service areas and beyond, specifically supporting the YJS to overcome barriers to effective Multi-Agency working;
- Oversight of all data submissions to the YJB ensuring timeliness, especially conditions set out in the YJB grant;
- Ensuring the recommendations outlined in YJB papers and HMIP inspection reports/thematic reviews are addressed and monitored at board meetings

The Management Board is clear about the priority areas for improvement, and monitors the delivery of the Youth Justice Strategic Plan, performance and prevention/diversion work. It is well attended and receives comprehensive reports relating to performance, finance and specific areas of service delivery.

Members of the Board are knowledgeable, participate well in discussions and are members of other related boards, such as the Local Safeguarding Children's Board, Safer Hartlepool Partnership and Health and Wellbeing partnerships as well as the Cleveland Criminal Justice Board, all of which contribute to effective partnership working at a strategic level. Board meetings are well structured and members are held accountable.

During 2023/24 board members attended an updated YJS Board Induction and interactive bite size sessions on the recently published Management Board guidance and Child First/Voice of the Child. These sessions will be reviewed and updated for delivery again this year alongside any further updates.

Leadership/Structure

Hartlepool Youth Justice Service has a total staff team of **29**, which includes 3 seconded staff, and 2 sessional workers (**Staffing structure attached at Appendix 1**). Within this figure the service benefits from a team of 5 active volunteers who are Referral Order Panel members. All staff and volunteers are subject to Disclosure and Barring Service (DBS) checks which are renewed every three years.

There are also 3 external staff commissioned into the service 1 x PT (0.3) Speech and Language Therapist (SALT) (funded by the YJS), 1 x PT Clinical Psychologist (funded by the ICB) and 1 x PT (0.1) Educational Psychologist (funded by the YJS).

Via the Violence Reduction Unit (CURV) 4 x Custody Navigators have been employed, they are located in the central Custody Suite (Middlesbrough) and engage all children entering the Custody Suite, with a view to support, guide and direct them to further support and the relevant YJS. (These are not included in the total staff team numbers)

At the time of writing this report all statutory partners have seconded staff within the YJS or have provided direct pathways i.e. Health, Education, Police, Social Care and Probation.

The YJS delivery model has been reconfigured and restructured during the last year to ensure the service remains sufficiently flexible to address future challenges. This will continue to be achieved through a generic case management and intervention delivery model, across pre and post court functions. This will ensure maximum resilience, capacity and flexibility to meet the needs of children and the service as a whole.

The current YJS structure aims to consolidate areas of strong performance and effective practice, whilst also providing a dynamic framework to respond to emerging priorities, recognised both by the Local Authority and key partners.

This model (alongside the YJS strategic plan) allows the organisation and the wider YJS partnership to action the priorities for service delivery and to achieve best outcomes for children across the range of statutory and preventative services.

The Assistant Director (AD), Children & Families is also the designated Head of Service for the Youth Justice Service with a service manager having responsibility and oversight for all elements of service delivery. The AD reports directly to the Director of Children's Services (DCS).

Partnership Arrangements

Hartlepool Youth Justice Service is a statutory partnership which includes, but also extends beyond, the direct delivery of youth justice services. In order to deliver youth justice outcomes it must be able to function effectively in both of the two key sectors within which it operates, namely:

- Criminal justice services.
- Services for children and their families.

The Youth Justice Service contributes both to improving community safety and to safeguarding and promoting the welfare of children and in particular protecting them from significant harm.

Many of the children involved with the Youth Justice Service are amongst the most vulnerable children in the Borough and are at greatest risk of social exclusion. The Youth Justice Service's Multi-Agency approach ensures that it plays a significant role in meeting the safeguarding needs of these children. This is achieved through the effective assessment and management of safety & wellbeing and risk, through working in partnership with other services, for example, Children's Services, Health, Education, Secure Estate and Police to ensure children's wellbeing is promoted and they are protected from harm. Regular ongoing communication, meetings, joint training opportunities and speedy information/intelligence sharing ensure ongoing strong links and relationships.

All high-risk cases can be escalated to either one or both of the Multi Agency Child Exploitation team (MACE) or the Strategic Risk Management Group, the Youth Justice Service has representation on both groups which meet monthly.

Discussions around serious youth violence, criminal exploitation and county lines are conducted within these forums ensuring tight plans are implemented and strategic management oversight is afforded

The YJS also has good links into the Voluntary and Community Sector (VCS), the VCS are represented on the Management Board.

The YJS has both operational and strategic representation on the following forums that all contribute to the support of children in the justice system.



3. Update on the previous Year 2023-2024

Progress on previous strategic priorities

Youth Justice Strategic Priorities 2023/24

Re-offending - reduce further offending by children who have committed crime with a particular emphasis continuing on the development of Service interventions that are structured, responsive and tailored to meet identified individual need and evaluated. (Both within Youth Justice Services and provided by external agencies).

Key Actions

- Undertake quality assessments of children at risk of re-offending, ensuring risks, desistance factors and needs are identified which inform effective intervention planning
- Continue to improve interventions delivered, through innovation and collaboration where appropriate

- Improve intelligence and timely information sharing relating to those children who are at risk of offending, to inform service-wide improvement activity or targeted work
- Continue to improve the 'Child First' approach and Health offer within the service and with partners
- Continue to undertake scoping activities in relation to retaining both the Speech & Language Therapist, Trauma Informed Care Pathway and Emotional Wellbeing pathways within the YJS beyond March 2023

Update

- All of the above actions have been achieved.
- Hartlepool YJS now run a Reoffending report from Child View and are utilising the tracker available. The information being provided is more timely and allows us to update Leadership meetings and Management boards much quicker with data and analysis
- Senior representation at the regional Reoffending Group chaired by the OPCC
- Since the inception of the Multi Agency Child Exploitation team (MACE) there are now far greater sources of intelligence alongside the Police and partners which aids service wide improvements and targeted work.
- Reoffending figures do however continue to fluctuate and there has been some considerable increase in time between charge and outcome for those children open under the National Referral Mechanism (NRM).

Concerns

- As indicated above the length of time children and courts are waiting for NRM outcomes, this can have a considerable effect on the number of adjournments with minimal oversight of these children during this period – There are ongoing discussions with the SCA, judiciary and within the local authority.

Early & Targeted Intervention/Diversion – Continue to prioritise a reduction in first time entrants to the youth justice system by ensuring that creative strategies and services remain in place locally to prevent children and children from becoming involved in crime and anti-social behaviour.

Key Actions

- Maintain and enhance the YJS Early & Targeted Intervention programme "CHOICES" across Children's Services and the partnership
- Operate a targeted approach to supporting individuals and groups of children at risk of offending - based on intelligence and collaborative working with key partners (Police, ASB, Early Help, Voluntary Community Sector, Schools, etc.)
- Work with the Multi Agency Child Exploitation team (MACE) and partners to reduce and respond to Child exploitation
- Ongoing trend analysis of past and current FTE's to identify key themes and responses
- Ongoing briefings to key partners (such as Police and Social Care) to emphasise and promote the Prevention and Diversion agenda
- Continue to review and deliver our point of arrest diversion as a distinct and substantially different response to formal out of court disposals
- Continue to review the Diversion & Prevention strategy in place ensuring it includes how children are identified for diversion/prevention, how the services are delivered, by whom and how success is evaluated.

Update:

- All of the above actions were achieved
- Early & Targeted Intervention programme, CHOICES is continuing to receive referrals from within Children's Services.
- The service continues to work directly with children through our diversionary offer of Restorative Intervention and both Triage 1 and 2, all referrals are via the Police and Courts.

- The Turnaround programme continues to add a further offer alongside Preventions & Diversion
- Immediate Justice (Making Good) went live on the 25 Sept 23 and referrals are ongoing

Concerns

- There had been a significant amount of changes and increased workload placed on YJSs nationally with the introduction of Turnaround, Immediate Justice and the added KPIs. These changes took time to implement, however are now embedded within service delivery. The next challenge and concern is Turnaround ending in March 2025 and how as a service we will be in a position to look at alternatives with the resources to hand.

Remand and Custody & Resettlement – demonstrate that there are robust and comprehensive alternatives in place to support reductions in the use of remands and custody and the YJS Resettlement Policy is reviewed and evaluated.

Key Actions

- Monitor and maintain the use of Compliance Panels to ensure continued effectiveness
- Ensure the Service provides intensive packages of supervision and support to high intensity orders and bail arrangements
- Ensure that the needs of children in custody and the factors relating to their offending behaviour are addressed in the secure estate to prevent further offending upon release
- Continue to review and evaluate the Resettlement Policy in place for children upon release from the secure estate (HMIP Youth Justice inspection framework, standard 4.1 Resettlement, May 2021)
- Regularly review capacity to deliver ISS, and resource appropriately, through a multi-agency approach

Update

- All of the above was achieved
- We continue to utilise and review our current Resettlement Policy.
- We continue to work closely with the courts and partners to ensure all children receive the best support available.
- The Teesside Court User Group is due to be re implemented in June 2024
- Hartlepool YJS are part of the YRO (ISS) pilot which commenced on the 3rd July 23.

Concerns

- There continues to be a national shortage of suitable regulated local placements for children remanded to local authority accommodation which places huge challenges both financially and operationally on the authority, service and most importantly the children and their families. There are ongoing strategic discussions nationally.

Risk and Safety & Wellbeing (Asset Plus) – ensure all children and children entering or at risk of entering the youth justice system benefit from a structured needs assessment to identify risk of harm, safety and wellbeing concerns and desistance factors, to inform effective intervention and risk management.

Key Actions

- Continued Asset Plus refresher training, ensuring robust assessment of a child's needs
- Work in partnership with other agencies to ensure there is a co-ordinated assessment and plan relating to a child's risk and safety & wellbeing
- Implement an audit cycle/performance clinic to ensure assessment and plans are meeting the appropriate quality standards through robust and transparent quality assurance and feedback.
- Ensure that desistance factors are identified and analysed in all assessments of every child subject to YJS supervision through quality assurance and staff supervision.
- Attendance and contribution to YJB Regional Effective Practice groups and peer collaboration with Tees Valley and North East YJS colleagues
- Ongoing internal staff training and workshops to benchmark quality standards in the management of risk and safety & wellbeing
- Continue to work alongside the partnership to identify suitable interventions and pathways for children and children criminally exploited and potentially being drawn into County Lines activity

Updates

- All above achieved with NO CONCERNS

Restorative Justice & Victims – ensure all victims of youth crime have the opportunity to participate in restorative justice approaches and restorative justice is incorporated in to the work undertaken with children who offend.

Key Actions

- Ensure that victims of youth crime have the opportunity to participate in restorative justice approaches leading to improved outcomes for victims
- Continue to use restorative practice across all aspects of the Youth Justice Service
- Regularly re-visit, review and develop practice and process around Referral Order panels to ensure increased involvement from victims, panel members, children and their families
- Continue to develop the in-house RJ 'offer' to consolidate and embed current and better integrated working practices – including the victim's evaluation

Updates

- RJ continues to be a priority area across all service delivery
- We are seeing an increase in Victim participation
- Victim evaluation & feedback is improving
- We continue to provide a suite of suitable reparation projects and will aim to source projects in line with the child's voice.
- The current YJS Victim Policy is being updated and re written in line with the new Victims Code

Effective Governance – ensure that the Youth Justice Strategic Management Board is a well constituted, committed and knowledgeable Board which scrutinises Youth Justice Service performance.

Key Actions

- The Youth Justice Management Board will provide oversight and scrutiny of the service action plan and performance
- Ensure Management Board members attend regular development and shadowing opportunities as provided by the YJS Manager.
- Continue to review the Terms of Reference for the YJS board to ensure it is fit for purpose and includes appropriate representation and contribution of all statutory partners.
- Attendance and representation at YJB Regional executive meetings with colleague YJS Managers from the North East – to share learning and Governance issues to improve wider regional service delivery

Update

- All of the above was achieved
- There is a continued programme in place for all board members
- Board members will be offered a number of bite size sessions to upskill and aid their knowledge of the service, service delivery and requirements etc.
- Board members are regularly reminded to prioritise their attendance at the quarterly board meetings

Voice of the Children – ensure that all children are actively involved in developing their own plans having the opportunity to develop and inform current and future service delivery

Key Actions

- Ensure children's involvement in relation to their assessment and plans is clearly evidenced within the records.
- Children to be actively involved in developing their own plans and their comments are captured at implementation, review and closure of all plans
- The service will ensure children are provided with opportunities to influence and shape service delivery – through access to, and completion of, Survey Monkey feedback, session evaluations, closure summaries and SAQ
- YJS leadership team to hold regular evaluation/feedback meetings to ensure all comments are seen and actioned where required and findings shared at quarterly management board meetings

Update

- Considerable work has been undertaken across the service with all staff, the implementation of a Child First operational guidance includes how we capture the voice of the child and more importantly what we do with the findings. The Voice of the Child continues to be captured via SAQ, sessional feedback sheets, Survey Monkey and Closure Summaries, all findings are analysed at Leadership meetings and produced at board meetings for further scrutiny and action.

'Child First' – ensure that the Child First principles are regularly reviewed and embedded within the Youth Justice Service and that every child has the opportunity to live a safe and crime free life, and make a positive contribution to society.

Key Actions

- Prioritise the best interests of children, recognising their needs, capacities, rights and potential.
- Encourage children's active participation, engagement and wider social inclusion.
- Ensure that all work carried out by the service is a meaningful collaboration with children and their parents/carers.
- The YJS will promote a childhood that is removed from the Justice System, using prevention, diversion and minimal intervention and that all work minimises stigma.

Update

- We continue to advocate strongly on the "Child First" ethos embedded with the YJS

- Guidance clearly highlights what is expected throughout Assessment, planning, interventions, reviews and closures for all children within the YJS.
- The above is monitored by way of children feedback and evaluation as well as via supervision, QA, case audits and direct 1:1 with the child.

Education, Training, Employment – Working in collaboration with partners i.e. Schools, Virtual School, One Stop Shop etc. to ensure all Children open to the YJS are actively engaging in some form of suitable ETE, thus reducing NEET numbers and increasing attendance and attainment.

Key Actions

- Ensure Education is suitably represented on the Strategic Management Board
- Education reports are submitted by partners for each Strategic Management Board meeting and contain as a minimum, how many children are not receiving their education entitlement, how many are excluded, on part time timetables or electively home educated. This data should be analysed to identify any disproportionality and care status of the child. The number of children who have Education and Health Care plans (EHCP) who are open to the service should be provided.
- Encourage children's active engagement with their respective education provider
- Continue to build upon the monthly Education meetings with all education partners
- Continue working in collaboration regarding children with EHCP/SEN

Update

- Education reports are now presented at every quarterly management board meeting, data is provided on how many children are not receiving their education entitlement, how many are excluded, on part time timetables or electively home educated. This data is analysed to identify any disproportionality and care status of the child. The number of children who have Education and Health Care plans (EHCP) who are open to the service is also provided, analysed and discussed.
- Our education support is growing and our communication and challenge with education providers is vastly improving. We have recently secured the time of an Education Psychologist (1 day weekly) which is proving very beneficial for both children and staff.

Concerns

- There are still far too many children receiving exclusions/suspensions. There is a need for Schools, Academies and education providers to engage and where needed reach out to wider services in a more timely manner.

Serious Youth Violence & Exploitation – Working in collaboration with the MACE, Police and all other partners to ensure that all forms of serious youth violence and exploitation are identified and suitable plans implemented to reduce the risks.

Key Actions

- Continue to have representation at all MACE meetings
- Ensure any identification of potential exploitation via assessment and ongoing work is referred into the MACE straight away
- Alongside partners ensure NRM referrals are completed for all relevant children and followed up
- Build upon the risk management meetings (RMM) convened by the YJS ensuring all actions are completed, safety plans are in place and suitable contingency plans are identified
- Continue to ensure senior YJS representation at all relevant strategies/complex case discussions and mapping meetings
- Continue to have senior representation at all PREVENT meetings
- Continue to work alongside the OPCC/Police and all partners in improving and sustaining the Violence Reduction Unit - CURV

Update

- The YJS have senior representation at all MACE meetings
- All ongoing NRM and potential NRM are discussed and scrutinised at the MACE meetings
- The YJS attend monthly Police Tactical Control Group and Multi Agency Risk of Serious and Organised Crime meetings to discuss in depth Organised Crime Groups, Criminal Peer Groups and any children potentially linked to these
- Regular staff training is made available by the LA re exploitation, County Lines and all forms of Modern Day Slavery
- RUI continue to be analysed in monthly leadership meetings and scrutinised alongside serious youth violence offences with the Police and CPS, daily data spreadsheets are produced by the seconded Police Officer giving live updates on all cases.
- The 3 Cleveland YOTs have strategic representation across all tiers of the VRU (CURV)
- Via CURV and with management oversight by the Cleveland YJSs we have 4 x Custody Navigators in post, this ensures earlier engagement with all children entering the Custody Suite.

Concerns

- We still don't appear successful as a partnership in disrupting and prosecuting potential perpetrators of CCE

Substance Misuse – Working in collaboration with partners i.e. Horizons/START to improve and sustain the engagement of children open to the YJS within substance misuse services.

Key Actions

- Ensure Substance Misuse providers are suitably represented on the Strategic Management Board
- Regular reports/updates submitted to the Strategic Management Board by Substance Misuse providers
- Ensure the continued working arrangements/pathways are embedded between the YJS and Substance Misuse partners
- All children and children identified as needing support are actively encouraged to engage with appropriate Substance Misuse services

Updates

- All of the above has been achieved
- Pathways into SM services are maintained with regular communication and their representation at board meetings
- 3 way introductory meetings are now held, where required with children, YJS and START to discuss and encourage engagement with the service.
- There will always be work to do in encouraging and maintaining a child's engagement with SM services, however we are seeing more creative methods being implemented.

Over represented children – Identify and address any areas of over representation within the YJS cohort alongside the management board and partners

Key Actions

- Ensure a quarterly Needs Analysis of the YJS cohort continues to be presented at each Management Board for analysis of over representation and ongoing needs/gaps within service delivery
- Continue to scrutinise all HMIP Thematic report findings i.e. the over representation of Black and Mixed Heritage boys, Looked After Children, Stop and Searches/strip searches etc and ensure discussions and any potential actions are agreed and implemented by the management board

Update

- Disproportionality is now an agenda item within the YJS managers report to quarterly management boards highlighting over representation. Discussions undertaken and all actions are formulated and monitored.
- Stop Searches and Strip Searches are monitored and all information/data discussed at Management Board meetings.
- Regular ongoing discussions with all partners including Police and Social Care are undertaken to address and look at potential actions for any areas of over representation within the service.

Performance over the previous year

Binary reoffending rate

Work has now been completed by the Data team, YJS leadership team and Business support to set up the reoffending toolkit within our management information system Child View, this data is very useful and informative for management boards and any reports requested.

We continue to establish and embed a collaborative Multi-Agency solution and response to reoffending. Strong communication across Children's Services and Cleveland Police ensures regular discussions/mapping meetings are being undertaken with clear accountable actions for everyone. Alongside this the YJS puts a great deal of focus on their Multi-Agency risk management meetings for those small numbers of cases posing the highest risk of reoffending.

The YJS have representation on the Cleveland Reducing Reoffending Group which feeds into the Cleveland and Durham Local Criminal Justice Partnership. There is also representation on the Cleveland Prevention and Diversion, and Youth Offending sub-groups.

The information below are local reports tracked through our MIS Child View and gives a timelier update on reoffending data. It's worth noting that the cohorts highlighted below are tracked from their start date for 12 months tracking and a further 6 months to ensure there is nothing outstanding, this is in line with the MOJ/YJB tracking model.

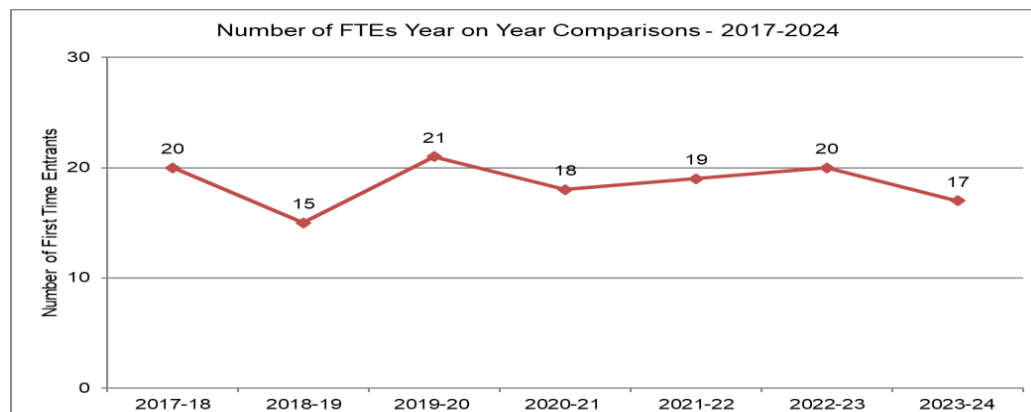
Latest last 4 Qtrs. reoffending Binary rates:

- Binary rate – Jan 22 – Mar 22 cohort – 24%
- Binary rate – Apr 22 – Jun 22 cohort - 28%
- Binary rate – Jul 22 – Sept 22 cohort – 47%
- Binary rate – Oct 22 – Dec 22 cohort – 28%

As can be seen from the figures above reoffending binary rates do fluctuate. It continues to be an area of priority for the YJS and partners to identify these YP earlier and offer suitable packages of support.

First time entrants

Hartlepool YJS continue to work hard in reducing and sustaining those reductions in FTE, the last 3 years have seen a bit of a levelling off of FTE and numbers have fluctuated minimally. 2023-24 has seen a reduction of **15%** in FTE compared to 2022-23. Our Early and Targeted Intervention programme – Choices, alongside Turnaround and our diversionary offer of Restorative Intervention (RI) and both Triage 1 & 2 ensure we have robust offers in place to intervene and divert children away from the criminal justice system. Furthermore we worked directly with 41 children last year across Triage (36), Triage 2 (1) and RI (4) who may have become FTE.



Use of custody

There has been 1 remand to Youth Detention Accommodation in 2023/24 and 2 custodial sentences, these are very similar to 2022/23.

Hartlepool YJS have a clear process for alternatives to custody through the offer of Bail/ISS packages and utilisation of pre-breach compliance meetings for those at risk of custody via non-compliance. Hartlepool YJS alongside other North East colleagues are also participating in the YRO (ISS) Pilot which commenced in July 2023, to date we have had 2 children use the pilot.

Year	Remands	Custody
2019-20	1	2
2020-21	0	2
2021-22	0	1
2022-23	2	2
2023-24	1	2

Additional key performance indicators (KPIs)

It is a requirement of the service to report on the following new key performance indicators, our first submission was August 2023 and quarterly thereafter (this is very much an ongoing learning process). The YJS have very recently purchased the KPI reporting tool from CACI for their MIS Child View, and are hoping to be in a position very shortly to provide more updated, accurate and in depth data on the below KPIs.

Suitable accommodation – The proportion of children in suitable accommodation at the end of their order

We know that access to safe and suitable accommodation reduces the risk of reoffending.

This KPI indicates how many children are in suitable/unsuitable accommodation.

This will allow us to understand and evidence the barriers in order to escalate with partners, and to target support when children are in unsuitable accommodation.

The YJS have senior representation on the local authority housing and accommodation panel. Attendance at all relevant Social Care meetings and ongoing communication will ensure we are able to identify suitable/unsuitable accommodation and challenge/address where needed.

Education, training and employment – *The proportion of children in suitable ETE at the end of their order*

There are established links between low educational engagement and attainment and the risk of childhood offending. This KPI will highlight where children are not in suitable ETE to help us to escalate concerns with ETE providers. At a wider level, this data will allow the MoJ and YJB to understand where the wider system acts as a barrier to a child's desistance and raise these with relevant other government departments if necessary. There is senior representation from the Virtual School and Post 16 service at management boards and a consolidated report is produced quarterly. There are also monthly internal education meetings.

Special educational needs and disabilities/additional learning needs – *The number of children with a formal plan in place as a proportion of children with identified SEND/ALN.*

Identifying SEND/ALN and providing support early is key to a child's educational engagement and attainment. This KPI should highlight where children are not receiving SEND/ALN support, to provide the evidence for us to escalate concerns with ETE providers.

Via the Virtual School, pathways have been implemented with the SEND team. Regular ongoing communication, attendance at meetings and suitable challenge should ensure we are able to monitor and record sufficiently.

Mental health care and emotional wellbeing – *The number of children with a screened or identified need for a mental health (MH) or emotional wellbeing (EW) intervention at the end of their order as a proportion of number of children with an order ending in the period.*

Rates of poor mental health are higher for children across all stages of the youth justice system than in the general population. We need to monitor access to mental health interventions so we can escalate concerns (at the appropriate level) where children are not receiving access to support for mental health and emotional wellbeing.

The YJS have a very good health offer via the YJS nurse specialist, Speech and Language therapist, Clinical Psychologist for the Trauma Informed Care Pathway (TICP) and Educational Psychologist. All have access to their own service systems and information and speedier (at times) processes for further referrals

Substance misuse – *The number of children with a screened or identified need for intervention or treatment to address substance misuse at the end of their order as a proportion of number of children with an order ending in the period.*

Children in the youth justice system are particularly vulnerable to substance misuse. We need to monitor access to substance misuse interventions and treatment so that we can escalate concerns where children are not receiving access to support for substance misuse.

The HOS Substance Misuse attends the management boards and produces a quarterly report. There are pathways/referral routes in place to ensure a speedy process and regular information sharing.

Out-of-Court Disposals – *The number of children who completed OOC intervention programmes in the period as a proportion of the number of children with an OOC intervention programme ending in the period.*

An increasing number of cases supervised by the YJS are now out-of-court-disposals (OOC). We need to ensure that interventions attached to these are completed and that children achieve a positive outcome.

We have a considerable amount of data and information available on all children engaging with the service via an OOC as well early/targeted intervention and Turnaround.

Links to wider services – *The proportion of children connected to or supported by wider care and support services at end of order.*

Real, effective multi-agency working is essential to reducing offending and reoffending. We need to engage consistently and proactively with other services to ensure holistic support and the early identification of risk. This KPI will help us to understand where we have good information sharing in place with social care and early help services etc.

The YJS are in a position to clearly highlight and indicate the links to wider services and outward referrals made

Management board attendance – *The number of senior partners attending management boards (MBs) out of five*

It is vital for YJSs to have strong leadership and consistent senior level representation at management boards. This KPI will indicate when there we have an issue in this area.

This will be monitored on a quarterly basis and board members politely reminded of attendance on an ongoing basis.

Serious violence – *The number of proven serious violence offences as a rate per 100,000 of the 10-17 population (2021).*

Serious Violence rates have increased and given the severity/ consequences of this particular form of crime, this is a high priority concern. Data on this will provide a more accurate picture and help to direct local, regional and/or national action to prevent and tackle knife and gang-related crime.

The YJS has an excellent ongoing working relationship with Cleveland Police and is well represented within CURV where regular ongoing meetings are held to identify, discuss and analyse all elements of Serious Violence.

Victims – *The number of victims engaged with on Restorative Justice opportunities as a proportion of total number of victims who consent to be contacted.*

All YJSs have a statutory duty to provide support to victims. YJSs need to ensure compliance with the Victims' Code to protect the rights of victims.

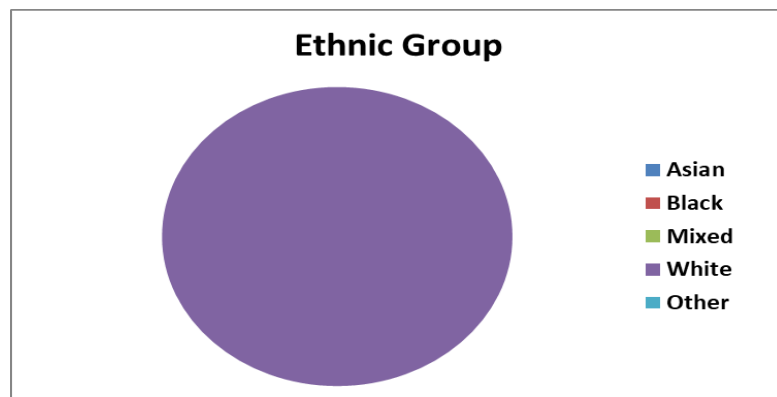
A lot of work is carried out with victims of crime, the YJS RJ worker contacts all victims ascertains their willingness to engage and follows very clear processes. All data is collected and stored securely on the MIS. We are in the process of updating our Victim Policy in line with the recently published Victims Code.

Local performance

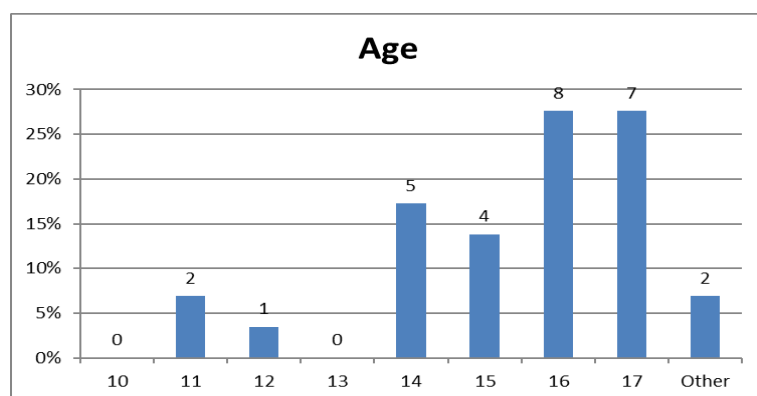
The service is dealing with smaller caseloads consisting of very complex individuals with multiple risks and vulnerabilities. Hartlepool YJS carry out a quarterly Needs Analysis of all children open to the service to ensure we thoroughly understand the collective needs of the children and ensure the service is able to respond to this. The Needs Analysis enables the service and partnership via Management Board meetings to have a good snap shot of the current cohort's complexities and potential gaps within delivery, services and areas of concern as well as any areas of over representation. Recent analysis reveals a cohort with many having very difficult home lives, they display much broader lifestyle choices i.e. substance misuse and the need to generate money to maintain this. This also reflects the national and regional picture in terms of caseload composition.

The information below was taken from the latest YJS Needs Analysis on the 08 05 24 and discussed at the management board on the 14 05 24.

The analysis was undertaken on 29 completed assessments.



Of the 29 CYP, all are white.



Ages are spread across the spectrum with the youngest being 11

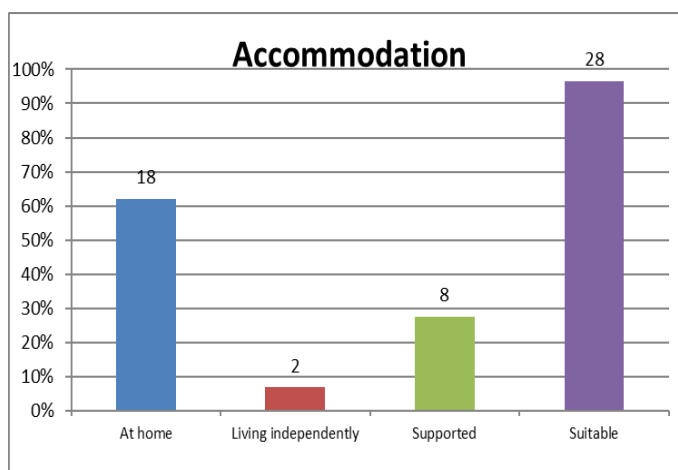
The majority of the cohort are made up of 16 and 17 year olds

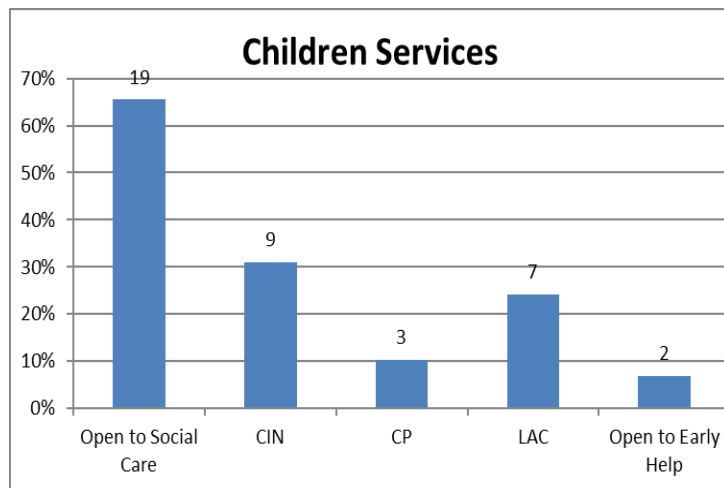
There are 5 Females within this analysis

18 CYP are classed as living at home, this is either with parents or an extended family member i.e. Auntie/Uncle, Grandparents etc.

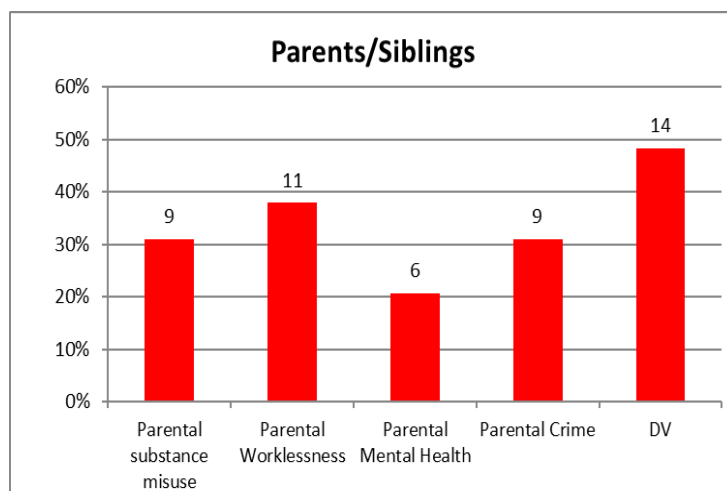
8 x YP are classed as living in Supported accommodation, 2 are placed out of area and 6 placed in Hartlepool.

2 children are living independently. Accommodation is currently deemed suitable for 28 of the 29 children assessed, 1 child is splitting time between parents and mates sofa.





*Of the 29 CYP 19 are currently open to Social Care.
 7 x CIOC
 3 X CP
 9 X CIN
 2 are also open to Early Help*

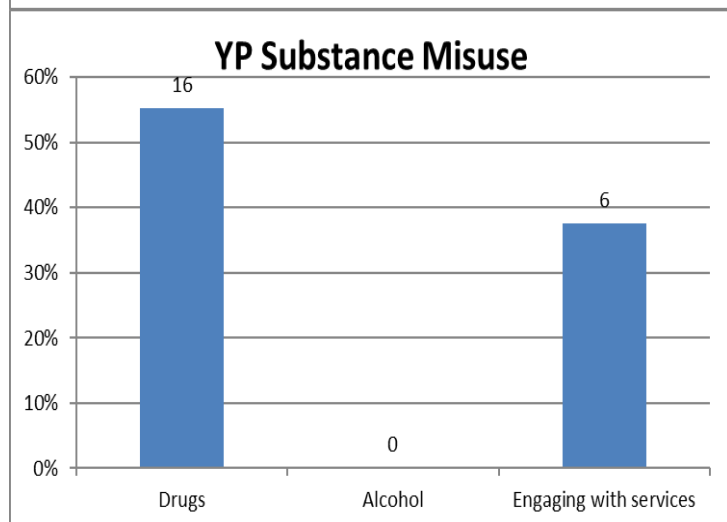


These figures equate to 15 CYP from the 29 assessed.

Of the 9 parents identified as using substances 2 are engaging with services

Of the 6 parents identified with MH issues 3 are engaging with services

9 CYP have witnessed DV, 3 have been perpetrators and 2 have been a victim

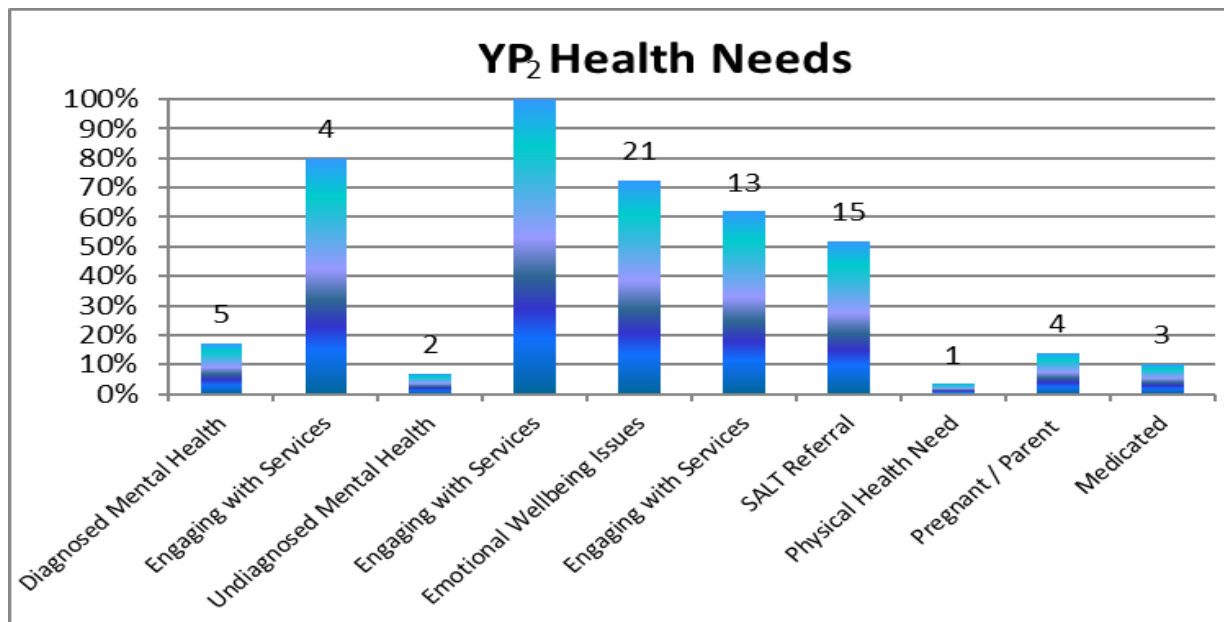


Of the 29 CYP assessed 16 have admitted using substances.

Of these 16, 6 are actively engaging with SM services.

YJS staff actively encourage all CYP to accept and engage with referrals to START

YJS staff do deliver level 1 SM work to all CYP refusing referrals.



Of the 5 CYP with a diagnosed MH issue 4 are actively engaging with services

Of the 2 CYP identified with undiagnosed MH issues both are engaging with services

A very high proportion of CYP have EWB issues of the 21 identified 13 are actively engaging with services

15 CYP have been referred into the SALT and all are engaging

There 1 Child identified as having physical health needs, Asthma

4 are parents (Dads)

3 CYP are currently medicated

****These graphs highlight a small snap shot of the Needs Analysis completed – May 2024**

****Education, attendance, SEND status i.e.EHCP and SEN need is captured in the Education report presented by the Virtual School Head teacher at all board meetings.**

Risks and Issues

The key risks and issues that have the capacity to have an adverse impact on the Youth Justice Service in the coming twelve months and potentially beyond are detailed below:

Risks	Potential Impact	Control Measures
An increase in secure Remand Costs and children remanded to Local Authority Accommodation	The continued unpredictability associated with remand episodes and remand length has the potential to place significant financial pressure on the YJS and broader Local Authority. The increasing and significant lack of suitable regulated	It remains essential that the service can demonstrate to the courts that there are robust and comprehensive alternatives in place to support reductions in the use of remands and custody. Coordinated Multi-Agency responses to children at risk of

	accommodation locally for children RLAA leading to children being placed out of area in unregulated placements at significant costs.	remand where safe and secure accommodation is the precipitating factor and is continuously monitored and further developed. Remand budget is incorporated within Wider Children's Services placement costs. North East YJSs piloting the YRO (ISS) since July 23.
Managing the potential for reduction in YJB grant and partnership financial and 'in-kind' contributions pre and post 2024/25	Consequential negative impact on performance. Reduced capacity to meet strategic and operational obligations and statutory requirements. Reduced capacity to continue to focus on early intervention and identification	Targeted resources to address need. Continue to administer and embed the current structure and practice. Regional collaboration with neighbouring YJS' such as coverage of Teesside Youth Court. Robust financial management and oversight from strategic board.
Continued concerns around Serious Youth Violence, Criminal Exploitation and County Lines	The unpredictability in reoffending rates, serious youth violence and exploitation of vulnerable children. Ultimately leading to criminalisation and wider service involvement having an adverse impact on Remand, Custody and Looked After Children (CIOC) figures.	Continued regular communication, intelligence and information sharing via MACE/CURV and across all services. Ensuring a multi-agency approach is adopted with senior strategic oversight. Ongoing joint training and regular updates on the national and local picture enabling timely and relevant interventions. Ensure clear processes and pathways (known to all staff) are implemented to work with identified children. Continue working alongside the OPCC, Cleveland Police and partners to support the VRU (CURV).
Issues	Potential Impact	Proposed Controls/actions
The continued delay in receipt of the YJB grant (as at 11 June 24 we are still unsure as to the actual amount)	Slows down the process of budget planning/commissioning for the forthcoming year, services not in a position to implement a robust budget but having to plan on the previous year's amount. Restricts service creativity.	Communication is received early from the YJB highlighting the delays and at times we are informed that there won't be a reduction. This process needs to be smoother and more streamlined to allow YJSs to plan more robustly.

<p>Much more onus being placed on YJS nationally by YJB, HMIP etc. via research, thematic and HMIP inspections to ensure certain services are available for children open to the YJS i.e. Speech and Language, TICP.</p>	<p>Much more pressure being placed on YJS to ensure a more bespoke package of support is available for children entering the service i.e. SALT, Trauma Informed Care Pathways etc and YJS not being adequately funded, supported for these specialist services</p>	<p>Research has identified that 85% + children entering the youth justice system have a speech, language and/or communication need. Services need to be supported and funded to provide this offer to all children. Or more onus placed on education to identify and address these needs much earlier.</p>
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4. Plan for the forthcoming year 2024/25

Child First

In line with the Youth Justice Boards Strategic Plan 2024-27 Hartlepool Youth Justice Service (YJS) is committed to:

- Prioritise the best interests of children and recognise their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.
- Promote children's individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society.
- Encourage children's active participation, engagement and wider social inclusion. All work is a meaningful collaboration with children and their carers.
- Promote a childhood removed from the justice system, using pre-emptive prevention, diversion and minimal intervention. All work minimises criminogenic stigma from contact with the system.

We continue to ensure the "Child First" principles are embedded and maintained within all areas of service delivery in collaboration with other services and all partners.

In early 2022 Hartlepool YJS produced a "Child First" guidance for all staff to ensure this approach is embedded across all areas of service delivery from assessment, planning, intervention and at closure and exit.

This approach continues to be central to our operational delivery across the whole service and within staff supervisions, case audits and quality assessment of Asset Plus/plans.

In addition to providing guidance to staff the YJS manager and Chair of the management board designed and delivered bite size "Child First" and the "Voice of the Child" sessions for all board members, which will be reviewed and delivered on an ongoing basis.

** (The process below is taken from Hartlepool YJS Child First Guidance)

Assessment/Planning

- The assessment is needs led and not just offence focussed
- We utilise the assessment period to start relationship building and getting to know the child
- We find out what the child likes doing and what they are good at and promote these throughout their time with the service
- Whilst completing the SAQ within the assessment we utilise Why, Where, What, When, Who etc. to gather the Childs/Parents/Carers feelings and thoughts better
- The child's plan is completed with them and parent/carer with their comments and signatures included
- We utilise Positive Activities within the plan and in collaboration with the child
- We ensure appropriate priority pathways are identified within the plan i.e. Health input and that they will run concurrent to other areas of the plan

Interventions

- We deliver as many sessions as possible away from the YJS Offices, utilising our offsite facilities more and other external locations as appropriate
- We ensure the Childs journey with the service is non-stigmatising
- We become the child's advocate during their time with us and have regular communication with all other services involved i.e. Health, Education and Social Care etc. advocating on behalf of the child
- We use appropriate language at all times with the child and throughout their journey with the service
- Reparation isn't used as a "tick box exercise" but is used correctly in a reparative way with the child understanding why they are required to complete it
- We complete a feedback form after each planned intervention ensuring we capture the child's voice and their thoughts & feelings (feedback forms are shared with Management Team and presented at Management Boards)

Reviews/Closures

- We will ensure that as and when required Child/Parent/Carer are actively included in all reviews, ensuring we capture their voices and comments
- We ensure that a Case Summary and Survey Monkey are completed with the Child/Parent/Carer at the end of the child's journey with the service (Case Summary are attached to Child View and the Survey Monkey shared with management team, analysed and findings subsequently presented at board meetings looking at potential service development)

Example – Child is open to the service due to an assault on a teacher. Following this the child was struggling in school and his relationships with the staff was breaking down, so much so he was assaulting staff and causing damage on a regular basis. His YJS Officer used Education well-being cards to gain the child's views and feelings about how school felt for them on a daily basis and how this made him feel. We also explored how he acted out how he was feeling in school because he was unable to vocalise his feelings. A photo of the well-being cards and all the information was subsequently shared with a member of staff at school who stated how the barriers for the child could be broken down and what staff could do to support them in school.

We were able to take it one step further. The child, a member of staff and YJS Officer sat in school and discussed the information together and agreed the support and plan around his struggles in school. The child handled the situation really well and we were able to reinforce the positive interactions and the child not using violence or aggression to voice his feelings. The child has since said that he feels supported and listened to, especially in school.

Voice of the child

Hartlepool YJS work collaboratively with all Children/Parents/Carers to ensure their voice is heard, listened to and helps shape service delivery as required.

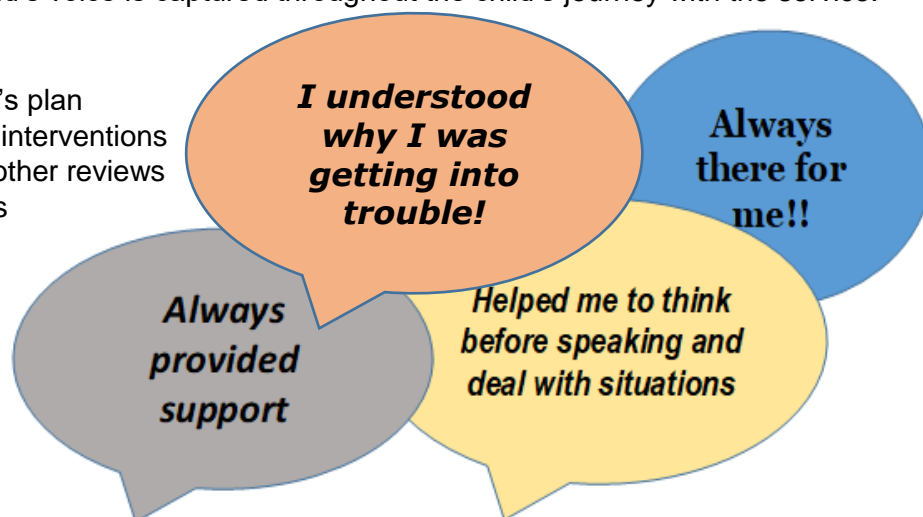
We will continuously review and enhance our delivery, so that the views of children are sufficiently captured, central to our work, and lead to change in the system to support children into positive outcomes and successful adulthood.

We strongly promote and encourage relationship building between staff and children from the outset of all involvement with the YJS.

Staff will start the process of capturing the child's voice during this period which also aids assessment. All SAQ and feedback sessions are completed face to face where possible and relevant and staff will encourage the child to expand on their responses. This process is also carried out with parents/carers.

We ensure that the child's voice is captured throughout the child's journey with the service:

- All SAQs
- Designing the child's plan
- After all completed interventions
- Asset Plus and all other reviews
- Closure Summaries
- Survey Monkey



Feedback is consolidated from the various sources and analysed via the monthly leadership meetings and quarterly service management boards. Any potential areas for concern or good practice are addressed appropriately.

The YJS will always advocate on behalf of the child at all meetings attended and where required their voice and that of parents/carers will be gathered in advance. There has been a marked increase and improvement in this process which has been very evident within education meetings. More in depth discussions are now taking place with education providers on a regular basis especially around exclusions/suspensions, reduced timetables and alternative provision.

Example – The YJS Educational Psychologist recently completed some work with a young person, where over the course of several sessions exploring her views on school, she reported some difficulties with reading and words “moving about”. Rather than dismissing this we explored the conditions where this happened for her, and how this impacted on her ability to access texts. Feeding this back to school, we were able to do some further work with her to identify changes to text to increase its readability, which school can adopt. Feeding this information back to mum through the Ed Psych and YJS Officer led to mum arranging an optician's appointment, where further assessment work is ongoing relating to a possible diagnosis of an eye condition.

This piece of work highlights the importance of drawing on successful positive relationships built with the young person (and staff) to feel comfortable sharing their difficulties, and the importance of sharing their voice with those around them to identify effective and timely support.

Resources and Services

The Youth Justice Service budget is resourced by a combination of Local Authority funding Youth Justice Board grant and partner contributions.

****2024/25 budget costs and contributions are attached at Appendix 2**

As we write and produce this plan we are unfortunately still unaware of the amount of YJB grant we will be receiving for 2024-25, the YJB grant figures indicated in Appendix 2 have been based on last year's YJB grant amount.

The National Probation Service continue to provide funding (£5k) as well as a seconded PO. The ICB contribution is a non-cash contribution via the commissioning of the Trauma Informed Care Pathway and the YJS Nurse Specialist is funded from Public Health.

Cleveland Police continue to provide a full time seconded Police Officer. Funding once again has been secured from the Police and Crime Commissioner towards the delivery of Triage, this is secured until 2025.

We use our grant, partner contributions and available resources to deliver the strategic priorities highlighted in Vision & Strategy previously and via the services identified below to all children. In 2024/25 we aim to improve and maintain our performance across all areas of delivery ensuring a child first ethos is embedded throughout.

- Early/Targeted Intervention
- Prevention & Diversion
- O OCD
- All Post Court orders

Board development

As highlighted previously effective integrated strategic partnership working and clear oversight by the Management Board are critical to the success and effective delivery of youth justice services in Hartlepool.

In line with the guidance provided by the YJB in 2021 "Youth Justice Service governance and Leadership" the following training was undertaken with all board members during 2023/24. This training is being reviewed/updated and will be delivered again in 2024/25.

	Board Development	Action Taken/Planned	Owner	Target Date/Completed
1	Board induction for all new members	Board induction to be undertaken with all new board members, utilising the template shared by the AYM	YJS Manager/Board chair	Ongoing throughout the year
2	Update and refresh all board members on YJ service	Utilising the YJB - YJ service governance and leadership document, Sessions designed for all	YJS Manager/Board Chair	Completed over 4 sessions April 24 - Mar 25

	governance and leadership	board members to attend and actively engage		
3	Child First/Voice of the Child	Sessions developed for all board members to attend and participate in Child First ethos/Voice of the child	YJS Manager/Board Chair	Completed over 4 sessions April 24 – Mar 25
4	Key Performance Indicators update	Presentation to all board members on progression of KPIs	YJS Manager	Sept 2024 Strategic Board meeting
5	Serious Youth Violence & Exploitation	Presentation & Discussion by Cleveland Police	Cleveland Police	Completed in May 2024

Spotlight sessions have also been introduced into Management Board meetings and presented by YJS staff, this gives all partners and board members a better insight into daily operational delivery within the service. To date the following have been presented and discussed:

- Out of Court Disposals (OOCDD)
- Reparation
- Restorative Justice
- YJS Health Offer
- Court & Post Court offer
- Serious Youth Violence (Delivered by Cleveland Police)

There is a proposal for board members to also deliver spotlight sessions on their role/service and how they link, support and advocate on behalf of the YJS and its cohort of children.

Added to the above all statutory partners and board members are invited to attend all YJS internal training and are offered shadowing opportunities.

Workforce Development

An annual YJS training needs analysis is completed with the staff and forwarded to the local authority Workforce Development team. The YJS is constantly looking at creative and bespoke training for the staff and in line with identified needs of the children we work with.

Clinical supervision/emotional well-being is available via the Clinical Psychologist for all staff and reflective sessions are built into the YJS internal training programme.

Staff also attend all relevant local authority training as and when required.

	Workforce Development	Action Taken/Planned	Owner	Target Date/Completed
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1	AIM 3 - All case managing staff to have attended AIM 3 Assessor and Intervention training	1. All staff to be booked on and complete AIM 3 Assessment/Intervention training 2. Managers to have completed AIM 3 supervisor training	YJS Manager	All current case managing staff are AIM 3 assessment trained
2	YJS refresher trg - All staff to attend YJS internal training sessions identified in training programme. New KPIs included for May 23	1. Internal training programme updated and circulated to all staff 2. Attendance monitored to ensure all staff are captured within the training	YJS Manager/Health team/Business Support	1. Internal training programme ongoing 2. Programme reviewed 6 monthly
3	Child View Clinic - All staff to have access to a fortnightly Child View clinic to upskill, refresh and ask questions, sort issues	1. Fortnightly Child View Clinic implemented and available for all staff to attend.	Business Support Manager	1. Fortnightly Child View clinic implemented and ongoing
4	YJS training needs analysis completed	1. YJS training needs analysis completed and shared with Workforce Development Team	Leadership Team	1. YJS Training needs analysis has been completed for 24/25 and shared with WD

Evidence-based practice and innovation

The purpose of evidence-based practice and innovation is to promote effective practices which achieve positive outcomes for children.

This includes systems, ways of working or specific interventions which are based on the best available research, are child focused and developmentally informed.

Alongside this the YJS are constantly looking at creative ways to improve delivery and evidence effectiveness, all commissioned services deliver evidence based practice i.e. SLCN, TICP.

The following 2 recent examples of emerging practice and innovation below had a very positive impact on the children, Staff and board members.

Emerging Practice – Good trusting relationships between staff and children working with the service have always been identified as paramount and a very important part of service delivery.

Every child working with the service regardless of what level and what order are afforded ample time at the outset to begin to build a trusting relationship with all staff. This period of relationship building allows the staff and children sufficient time to get to know each other and hopefully highlight positive areas we can build and maintain and also areas where support and intervention are required. Staff utilise this period to help form the assessment and will include positive activities, getting to know the family and generally getting a better understanding of the child, their life and how best to work with them. Their voice is captured throughout this process and helps develop and create a much more personalised assessment and plan.

More recently this has proven very beneficial with Referral Orders whereby the service hold an initial panel meeting asap after the court outcome, the panel allow a further period of time for the worker and child to get to know each better, ensuring the child fully understands what is required of them and as a service we have a better understanding of the support the child needs throughout their order. At the following panel the contract is agreed and signed by all parties, however the order has started from the initial panel.

Innovation – Due to the rise in Serious Youth Violence the YJS have recently re vamped and implemented a new 6 week programme for weapons offences. We worked together with the Cleveland College of Art & Design to produce a locally created video. The video was filmed in Hartlepool and planned, designed and produced by students of the College. The students were able to access Hartlepool custody suite and local landmarks during filming which adds to the realism and authenticity. The 6 week programme (Life Changing) is based on 3 different scenarios with 3 different outcomes and offers the children lots of good discussion and educative opportunities throughout. During the 6 weeks the programme covers areas such as Law, Health, and Joint Enterprise etc. and to date has proven very beneficial with some very good feedback from the children.

Evaluation - All areas of intervention and delivery continue to be evaluated on a regular basis, commissioned services submit quarterly reports which are internally evaluated within the local authority Commissioning team. Speech, Language & Communication Needs (SLCN), Trauma Informed Care Pathway (TICP) and recently acquired input from ABC Therapies all deliver evidenced based interventions which are both internally and externally evaluated.

5. Priorities

Standards for children in the justice system

Alongside the Strategic Priorities of the service we need to ensure that we deliver all of our services in line with the Standards for Children in the justice system (2019).

These standards being:

N1 OOC

N2 At Court

N3 In the Community

N4 In Secure Settings

N5 On Transition

In 2023 all services were required to report against Standard 2: At Court. The assessment must have been agreed by the management board prior to submission and signed off by the board chair as accurate.

There were 3 main Sections to the assessment, Strategy, Reports and Process containing a total of 22 individual questions. Evidence was to be provided for each question and scored Outstanding, Good, Requires Improvement and Inadequate.

Hartlepool YJS had 13 Outstanding and 9 Good across the assessment, all evidence was checked and analysed by Management Board members who had to agree with the scoring.

There were no areas identified for immediate improvement within this standard, however the service will be carrying out an internal self-assessment of all National Standards again this year.

Service development

This Improvement Plan is presented quarterly within Management Board reports produced by the YJS Manager and discussed/monitored to ensure that relevant senior strategic oversight is in place and direction of travel remains positive.

	Service Improvement	Action taken/Planned	Owner	Target Date/Completed
1	Ensure that the identified priorities for the service correspond to the needs of the children supervised by Hartlepool YJS to ensure these needs are met.	Strategic Priorities have been amended following the findings of recent HMIP thematic inspections and the YJB Strategic plan. These will continue to be amended and discussed at all future Management Board meetings to correspond with the needs of children supervised by the YJS and in line with the up to date Needs Analysis/Data presented at all board meetings. Individual meetings to continue with the Virtual School, OSS, MACE, CURV and Substance Misuse Services to strengthen this process – all are members of the YJS Management Board and will submit updates at board meetings.	YJS Management Team Management Board Chair/Members	Ongoing and monitored/reviewed at all Management Board meetings
2	Maintain the Child First ethos across the YJS and partners	1. Produce and implement a Child First operational guidance for all staff and board members 2. Carry out bite size sessions with all staff and board members on the guidance 3. Review and update the guidance at planned regular intervals 4. Audits, QA and Supervisions to monitor the progression of the Child First ethos identifying good practice	YJS Management team Management board members All staff	1. Operational guidance produced, implemented and shared 2. Bite size sessions continue to be carried out with board members and all staff 3. The guidance will be reviewed in Sept 24 4. Monitoring of the process is ongoing via QA, Supervision, case audits and feedback

		and areas for improvement.		
3	Build upon and use the existing process to capture the voice of all children and their families to develop services.	1. SAQ are completed in depth for all children receiving an order 2. Intervention feedback forms are completed and handed to business support 3. Survey Monkey feedback is captured by children, parents/carers and victims of crime and shared with business support 4. Children, parents/carers are actively involved in planning and reviews, interventions and closures 5. All feedback is analysed at Leadership meetings and presented at board meetings for further discuss/service improvement.	YJS Management Team YJS Management Board Chair/Members	Process in place and all feedback and evaluation is presented at Management Board meetings for discussion
4	Maintain and where possible build upon the current service Health offer	1. Continue to establish funds annually to commission the SALT 2. Regular communication with the ICB to establish longevity and reassurance for the delivery of the TICP 3. Ensure the service retains a suitably qualified Nurse Specialist	YJS Management Board	Plans are in place via the YJS management board annually to review all commissioned services and secure future budgets as early as possible

6. National Priority Areas

The service continues to work towards achieving and improving their delivery and outcomes of the identified Strategic Priorities highlighted earlier in this plan which includes the National Priorities below:

Children from groups which are over-represented

It is widely known that children from a range of backgrounds are over-represented in the youth justice system. Nationally it is known that Black and Mixed ethnicity boys are over-represented and a HMIP thematic report made a number of recommendations for local authorities, YJS partnerships and YJS managers in relation to these children.

However, it is not only Black and Mixed ethnicity children that are over-represented, and the YJS are aware and respond to any local concerns about all children from over-represented groups.

This includes but is not limited to children known to social care services, children excluded from school and Gypsy, Roma and Traveller children.

There is no data to indicate that black and mixed ethnicity children are over-represented within Hartlepool YJS as well as Gypsy, Roma and traveller children. However the number of children within our care does fluctuate and at times there can be an over-representation as well as children excluded from school.

Disproportionality is covered within the YJS managers' report at the quarterly management board meetings. The following information was presented and discussed at the board meeting held in May 2024.

Children in our Care (CIOC)

- As at 04 05 24 there were **7** CYP who are CIOC open to the YJS, 4 on statutory court Orders, 3 on a Triage.
- This equated to **9%** of the current YJS cohort – as at 04 05 24 (no change from previous quarter)
- Of the **7** CYP **6** were CIOC before becoming open to the service and **1** due to the nature of the offences.
- As at the 04 05 24 there were **213** CIOC 10-17 year old – information received from Data Team
- **3%** of the overall 10-17 CIOC are currently open to the YJS (no change from previous quarter)

The YJS works very closely with Cleveland Police, CPS and the Courts to ensure protocol has been followed (10 point check) and there is clear transparent decision making. We also work alongside Social Care and the Through Care teams to ensure a good robust package of multi-agency support is afforded to each child. RJ training is also available and delivered to Care Home staff as required by the YJS RJ officer.

Policing

Hartlepool YJS have excellent links and communication with Cleveland Police. Police representation at the management board is via a Chief Inspector whose input is invaluable. We are very fortunate to have a vastly experienced and knowledgeable seconded Police Officer who is located with the team and provides all daily information, data and intelligence as required. Regular meetings are held with Cleveland Police and within Local Policing Areas (LPA) that ensure we are always up to date with concerns, risks and challenges and more importantly what is being done about them. As with the majority of Police forces nationally staff do move around roles and appointments quite quickly and at times this can cause a certain amount of uncertainty, especially re inducting a senior Police Officer onto the management board. Good communication, good links and pathways and open to good, frank discussions as required.

Prevention

Hartlepool YJSs early and/or targeted prevention programme is known locally as “The **Choices** Programme”. Referrals are received from within Children's Services i.e. Social Care/Early Help for all children 10-17 displaying behaviours associated with offending, antisocial behaviour, or other vulnerabilities. All referrals are screened and discussed at management meetings

A worker is allocated from the Pre Court team who will undertake a further YJS screening tool, gain consent and implement an intervention plan alongside the child, parent/carer.

To date and in a short space of time we have engaged **42** children fully through a programme of interventions including positive activities, none of these children have had any further involvement with the YJS currently.

****This is a voluntary programme and children will and do decline to consent or disengage during interventions, we make every effort to keep all children engaged in the process which to date has proven effective.**

As with all other YJSs nationally Hartlepool YJS has been heavily involved in the **Turnaround Programme** since its inception.

To date we have screened over 300 children and directly worked with a total of 93.

The initial impact of the **Turnaround Programme** has shown promise in aligning youth justice partners with existing integrated early help models. It has led to a greater recognition by partners of the issues faced by children at risk of entering the youth justice system, including children missing school, those with neuro-diverse conditions, other speech, language & communications needs and their increasing need for mental health care. Prevention and diversion work, including out of court disposals, now accounts for a significant proportion of the YJS caseload, up to 70% at times, and we welcome the renewed focus on early help for children at risk of entering the criminal justice system. This needs to be viewed as an 'invest to save' model for our partners, which prevents the escalation into core statutory children's services and transition into adult criminal justice system.

Hartlepool YJS are currently part of the **Immediate Justice** pilot, this was introduced via the Anti-Social Behaviour Action Plan. The 3 Cleveland YJSs have worked together alongside their respective Community Safety teams to design and implement a suitable process for all children engaging with the programme. All children 12-17 having had 2 reported incidents of ASB are referred onto the programme. The YJS make contact with the family ASAP and encourage the child/family to engage with the offer. All children engaging receive educational sessions including victim awareness/empathy as well as hands on reparation via various projects. As with all prevention programmes this is voluntary. In Cleveland this programme for children is known as **Making Good**. To date Hartlepool has worked directly with 15 children on the programme.

Diversion

Hartlepool YJS as with the majority of YJSs has a strong diversionary offer to steer children out of the criminal justice system and avoid criminal records.

Our direct diversionary offer delivered directly by YJS staff consists of:

- Restorative Intervention (RI)
- Triage1 & 2

Referrals are received via the Police (G26), a screening tool is carried out with family which is then presented at our weekly OOCd decision making panel, all cases are discussed in depth and decisions agreed as to the most suitable programme for the child. Mitigation, Gravity Scores and historical factors are taken into account prior to any decisions being made. Attendance at the panels will be a YJS manager, YJS Police Officer, RJ Officer, YJS nurse, SW/EHW (if open to other services) and education etc if required. At times referrals can also be sent from the court for consideration of an OOCd and undergo the same process.

The child is allocated a worker who will gain consent and carry out a screening tool/assessment prior to jointly creating an intervention plan alongside the child, parent/carer. If the child fully

engages with either RI, Triage or Triage 2 the initial offence is closed under Outcome 22. If however the child disengages or further offends it may be returned to the Police where a Youth Caution etc can be imposed.

The YJS has senior representation on the Cleveland OOCSD Scrutiny Panel where cases are looked at scrutinised/analysed i.e. was diversion the right offer, and all actions and future recommendations highlighted.

In 2023/24 Hartlepool YJS worked with **41** children via Triage **(36)**, Triage 2 **(1)** and RI **(4)**

Education

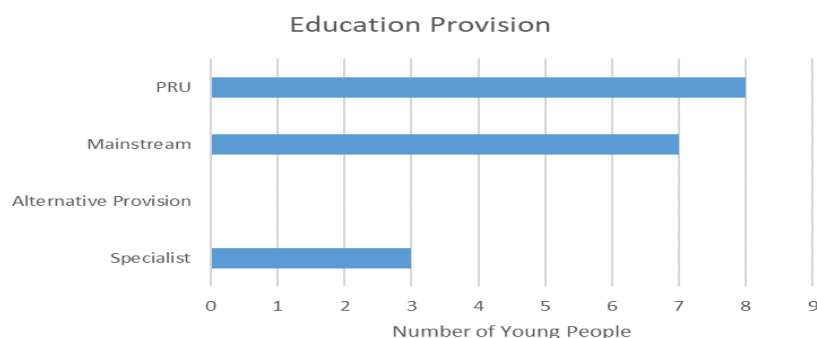
All YJS staff have direct access to a named Education worker within the Virtual School and a named worker within the One Stop Shop for all Post 16 children. The YJS have also commissioned time from an Educational Psychologist who has significantly added to our education support offer.

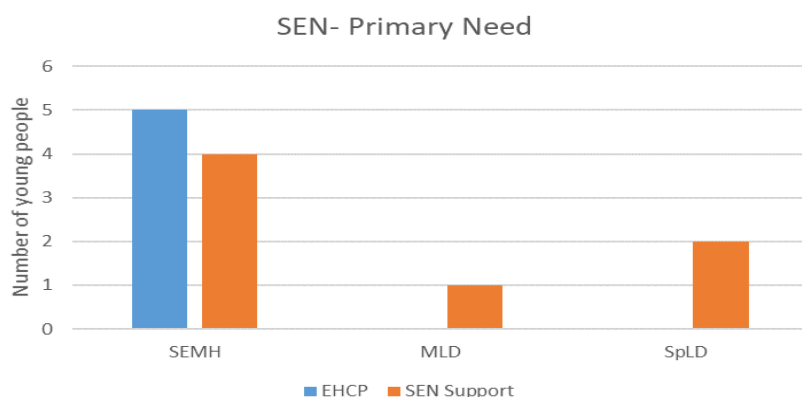
There are monthly education meetings held within the YJS with all partners in attendance where every child is discussed, actions raised and the education database updated. The YJS also have senior representation on the monthly Inclusion partnership meetings. The Virtual School Head Teacher and One Stop Shop manager attend and produce reports for all management board meetings

****The following is a snap shot of some of the data taken from the Education report produced for the Management board meeting held in May 2024.**

As can be seen from the data below, education provides a clear and significant challenge to the partnership and one which we are working very hard to understand better and be in a position to support both the children and education provider.

The data proved is invaluable and provides excellent discussion, challenges and clear actions moving forward.





Attendance Band %	Number of pupils
100-95	2
94-90	1
89-85	2
84-80	1
79-75	0
69-65	0
64-60	1
59-55	1
54-50	1
49-45	1
44-40	2
Under 40%	6

Number of days suspension	Number of young people
1-5	3
6-10	4
11-15	2
16-20	1

Number of Moves	Number of children
0	5
1	4
2	3
3	4
4	0
5	0
6	1
7	1

Restorative approaches and victims

Whilst crime rates in Hartlepool have fallen, the likelihood of being a victim of crime still remains a reality, especially in our most vulnerable and disadvantaged communities. The YJS and broader Youth Justice Partnership are working hard to reduce the numbers of victims of crime, by incorporating the use of restorative justice practices. Restorative Justice (RJ) provides opportunities for those directly affected by an offence (victim, offender and members of the community) to communicate and ensure victims of youth crime have a voice. The YJS is currently re writing its Victim Policy in line with the recently published Victims Code.

In addition victims of youth crime are helped to access appropriate support pathways that enable them to move on from the impact of crime.

A personalised approach is taken to ensure that victims of crime in Hartlepool are placed at the centre. This includes ensuring that individual needs and wishes are fully taken into account. As a result we aim to visit all victims of crime so they are able to access pathways to support, including the option to participate in restorative justice. Across 2023/24 there were **58** contacts with direct victims of crime and where consented, a Victim Impact Statement carried out.

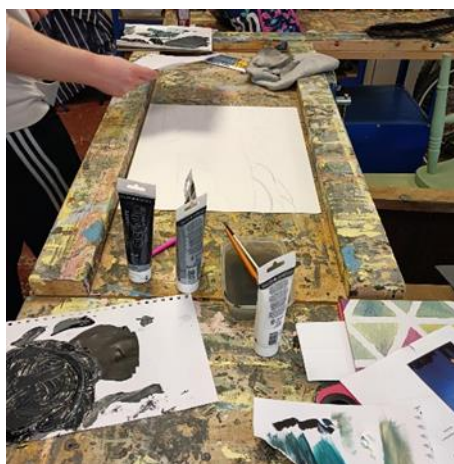
RJ is an important underlying principle of all disposals for children on YJS caseload, from Diversion to Detention & Training Orders.

Whilst restorative processes technically result in practical reparation, for example participating in a task that benefits the community, the communication between victim and the child who has committed a crime, as part of this process, can also produce powerful emotional responses leading to mutual satisfaction and socially inclusive outcomes.

All YJS staff have undertaken service-wide RJ training, many to level 3 and the RJ/Victim lead to Level 4. The previous decision to bring RJ and victim work in house has enabled Hartlepool YJS to have direct control and influence in shaping the direction and quality of this work, including the establishment of updated working policies, practices and procedures. In turn, this has already begun to result in better outcomes for both victims and children and is much more responsive to local need.

There is considerable evidence that RJ practice is much more integrated across all areas of the service. In particular, there is a closer link between those workers with additional RJ responsibility and case managers in relation to the needs and wishes of victims.

We aim where possible to ensure all children have a say in what they would like to do by means of practical reparation. We also have ongoing pieces of work which are individual bespoke projects and are planned to take place involving furniture restoration, bird boxes for distribution to local groups, working alongside the RSPB, Heugh Gun Battery and local community projects at well-known land marks/venues across the town.





Serious Violence and Exploitation

All 3 Cleveland YJS` have strategic representation within the Cleveland Unit for the Reduction of Violence (CURV). There are a number of meetings, boards and training events organised via CURV that the YJS attends. Improved data sharing and intelligence is evident and there are also much clearer links across the local authority and wider partners regarding Serious Violence. The YJS manager within his role as Secretary for the Association of YOT Managers (AYM) executive board led and produced the AYM national response for the consultation regarding the Serious Violence Duty.

The YJS Manager also has serious incidents within his quarterly report to the board and these are discussed and analysed for any lessons learned etc. During 2023/24 Hartlepool YJS reported **1** Serious Incident to the YJB.

There is ever improving partnership work across Hartlepool to address child criminal exploitation and interaction with the NRM. Hartlepool Multi Agency Child Exploitation team (MACE) lead on all matters regarding exploitation. There are regular case discussions and People/Areas of interest meetings which the YJS has senior representation at. The YJS has very good communication and information/intelligence sharing with the MACE team and co work many complex cases. A lot of work is ongoing with the SCA re NRM and regular liaison with the Police, CPS and Courts ensures everyone is as updated as can be. All YJS staff have attended various training events organised by the MACE re exploitation.

All YJS staff have carried out up to date Prevent training in line with local authority requirements.

The majority of children RUI who meet the criteria will be offered Turnaround. As part of the YJS managers' report to management board meetings all RUI and bail figures are shared and discussed to measure the time from arrest to outcome. Suitable challenge is made where required.

The following data is correct as at May 24 regarding outstanding Police investigations/enquiries

48 offences

- 24 - RUI
- 24 - Unconditional/Conditional Bail
- 9 - with CPS
- 38 - Ongoing (including offences where CYP are open on Out of Court disposals)
- 1 - Charge authorised

- 21 - 0 to 3 months
- 13 - 3 to 6 months
- 6 - 6 to 9 months
- 2 - 9 to 12 months
- 6 - 12 to 15 months (all HSB offences, 1 Charge authorised and 3 with CPS for a decision)

The YJS monitors time from offence to outcome and updates all data via the quarterly YJS management board meetings and challenges the Police/CPS as required.

Detention in police custody

A significant amount of work has been undertaken across Cleveland over the last couple of years re children detained in Police custody. There is a monthly "Children in Custody" meeting where we discuss all children who have been held in custody 12 hours or more in the previous month. The meeting is attended by senior representation from the 3 Cleveland YJS, Police Custody Management, EDT, Social Care, Custody health team, Custody Navigators and L&D. Every child is discussed to ascertain the reasons behind their length of stay in custody and suitable actions highlighted where required. The meeting is well attended and a lot of valuable information is shared.

The CURV funded 4 x Custody Navigators to engage, liaise and where needed support all children entering the custody suite. Management oversight is via South Tees YJS, however the Custody Navigators will engage all children and liaise directly with the home YJS, working across all 3 YJSs. This does speed up the process for children in the custody suite, and the Navigators also offer further support alongside the parent YJS outside of the Custody Suite.

Excitingly an area of the custody suite has been set aside for children only and after an extensive plan of works is now available as a Child custody area. There is a separate entrance and exit, and areas have been prepared with suitable reading materials, fidget objects, painted walls, breakout rooms etc.

Remands

There is constant dialogue locally, regionally and nationally re the use of remands, and we welcome the current shift in focus on remands, which has often been overlooked, to reduce the number, the length and seek community alternatives.

In 2023/24 Hartlepool YJS had 1 remand to YDA.

As a service we are constantly offering creative alternatives to the use of remands and custody. The changes to ISS and the current YRO (ISS) pilot with trail monitoring does enhance this offer and allow us the opportunity to offer a more creative and potentially robust alternative to custody with an improved process of oversight and management. In 2023/24 we had 2 children on the YRO (ISS) pilot.

Use of custody

Nationally the use of custody has decreased significantly over the past five years and this is rightly a success in the youth justice system. When children do go to custody it can have a damaging effect on their lives, disrupting education and straining family relationships. Children in custody are likely to be amongst the most complex and vulnerable children in society. Hartlepool YJS generally has relatively low numbers of children with custodial sentences, and every effort is made by the service to offer creative alternatives to a custodial sentence. The service has very good links to the local secure estate and ensures timely communication and planning is undertaken at all times.

All relevant services are involved from the outset of a custodial sentence and the 7 point plan is instigated from the beginning of every custodial sentence and followed throughout their sentence ensuring **Constructive Resettlement**.

In 2023/24 Hartlepool had 2 children serve custodial sentences.

Hartlepool YJS have implemented a Constructive Resettlement Guidance document which all staff follow to ensure every child is supported from sentence to resettlement.

There is regular management oversight of this via meetings, supervisions and QA. The guidance also highlights processes to be undertaken prior to sentence including Pre Sentence Reports (PSR) and the need for child/family involvement throughout. Actions to be undertaken at court after sentence and also in the first 10 days of sentence and then throughout their sentence planning for constructive resettlement.

7 Point Plan:

1. Case Management and Transition: Ensure that young people serving custodial sentences receive effective, end to end service provision based on a thorough assessment of need and risk, in order to reintegrate them into the community

2. Accommodation: To ensure that all young people leaving custody can access suitable accommodation and support where appropriate.

3. Education Training and Employment: Provide all young people with suitable and sustainable Education, Training and Employment through their sentence and beyond.

4. Health: Ensure that all young people in custody have access to suitable and sustainable general and specialist healthcare services, based on individual need, so that problems are assessed and treated at the earliest opportunity and in the most appropriate manner.

5. Substance Misuse: Ensure that all young people entering custody are screened for substance misuse, with recognition of previous interventions. Those with identified needs should receive specialist assessment access to appropriate interventions and treatment services, with their aftercare needs met on return to community.

6. Families: Ensure that families of young people in custody receive timely, high quality support and information, from the point of arrest and throughout the young person's sentence.

7. Finance, Benefits and Debt: Ensure young people leaving custody and their families are provided with information and advice so that they are able to access appropriate financial support.

A multi-agency approach is embedded to ensure each area of the above plan is monitored and every child receives the best and most timely support available from all services involved. The service has direct links to all partners in relation to accommodation, health, education, finance/budget, substance misuse and children's services such as Social Care and Early Help who are brought together at the point of sentence.

Working with families

The service works hard to include and work with families throughout a child's involvement. As highlighted throughout this plan the voice and input of parent/carers alongside those of the child are integral to successfully supporting children on their journey.

The YJS have staff trained to deliver the **Talking Teens** programme, this is based on the most recent research on adolescence, and consistent with the principles of the Nurturing Programme,

the groups provide a positive view of teenage development and focus on relationships within the family, communication, negotiating, decision-making and strategies to reduce conflict. To date engagement with parents has been very positive, we have delivered it as group work and 1:1.

Our quarterly internal **needs analysis** identifies parents/carers who may be suffering from MH/EWB issues, worklessness and substance misuse and have also been victims/perpetrators of DV. Staff work hard alongside partners and adult services to encourage parents to engage with the relevant services and pathways and do update on their progress via the needs analysis.

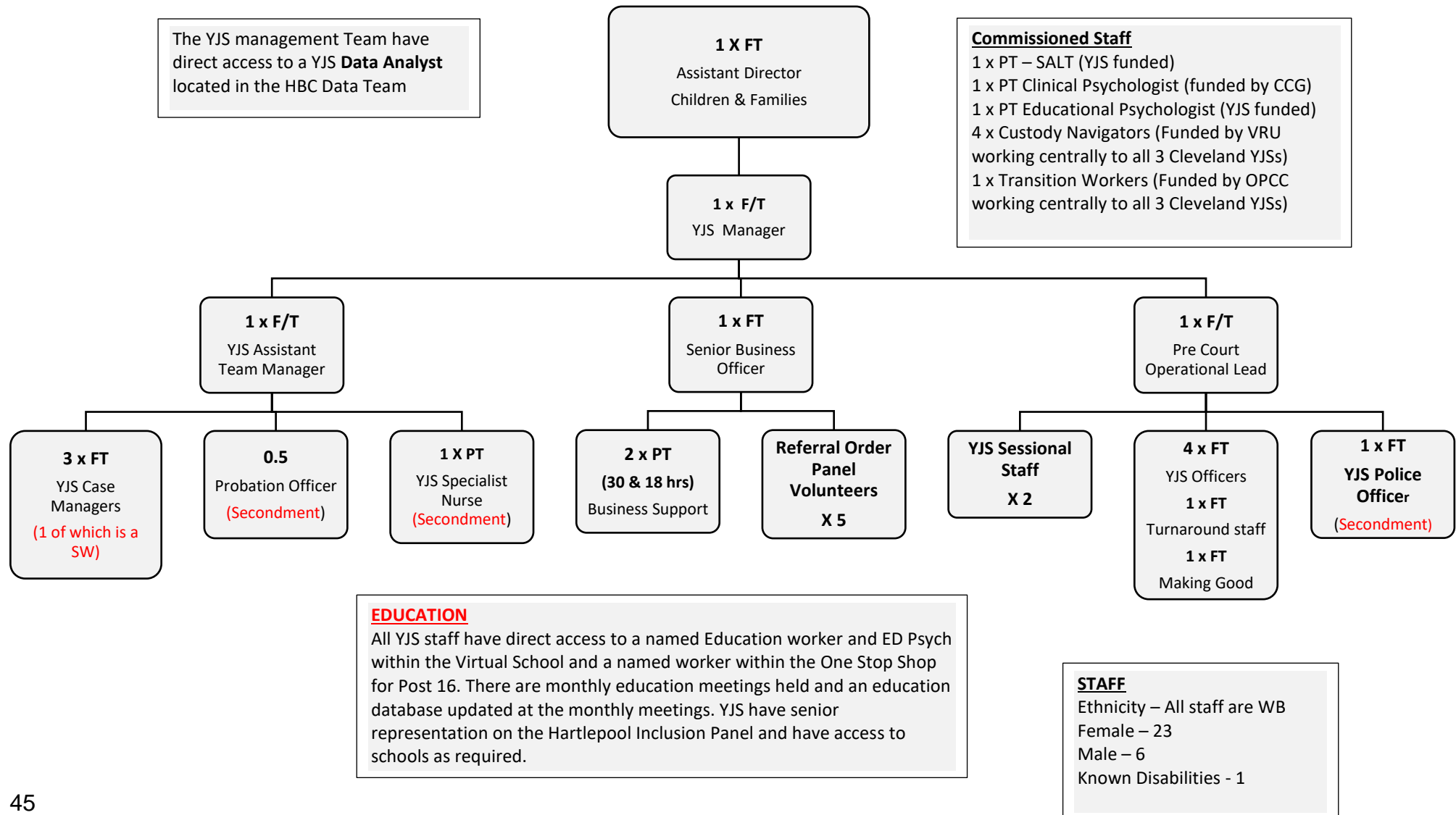
The YJS works alongside and in tandem with the **Supporting Families** programme. Checks are made with the SF lead at the outset of all work with children/families. Information is shared on the identified key worker, other service involvement, identified needs and any relevant plans in place. This speeds up the process and ensures a holistic approach as well as adding to an overall family plan.

The **Turnaround** programme has been invaluable with helping support and work with families. This is currently the only programme available to the YJS with specific funding available to offer families direct support. The benefits of this have been huge and have enabled and encouraged engagement from the outset. This needs to be viewed as an 'invest to save' model for our partners, which prevents the escalation into core statutory children's services and transition into adult criminal justice system. The initial multi-year funding for Turnaround has been very welcome, and we hope it can become permanent. There is always a worry that short-term initiatives come at the expense of investment in core service provision for the longer term, which requires sustained, multi-year settlements.

7. Sign off, submission and approval

Assistant Director Children & Families	
Signature	
Date	

Appendix 2 – YJS Service Structure, June 2024



Appendix 2 – Budget costs & Contributions 2024/25

B5: YOT budget
Costs and Contributions

Agency	Staffing Costs	Payments in kind	Other delegated funds	Total
Youth Justice Board	264,390		216,249	480,639
Local Authority	262,584	123,468	37,660	423,712
Police		51,789		51,789
Police and Crime Commissioner			37,950	37,950
Probation		30,204		30,204
Health		5,610		5,610
Welsh Government				0
Other			6,500	6,500
Total	526,974	211,071	298,359	1,036,404

Common youth justice terms

ACE	Adverse childhood experience. Events in the child's life that can have negative, long lasting impact on the child's health, and life choices
AIM 2 and 3	Assessment, intervention and moving on, an assessment tool and framework for children who have instigated harmful sexual behaviour
ASB	Anti-social behaviour
AssetPlus	Assessment tool to be used for children who have been involved in offending behaviour
CAMHS	Child and adolescent mental health services
CCE	Child Criminal exploitation, where a child is forced, through threats of violence, or manipulated to take part in criminal activity
Children	We define a child as anyone who has not yet reached their 18th birthday. This is in line with the United Nations Convention on the Rights of the Child and civil legislation in England and Wales. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.
Child First	A system wide approach to working with children in the youth justice system. There are four tenants to this approach, it should be: developmentally informed, strength based, promote participation, and encourage diversion
Child looked-after	Child Looked After, where a child is looked after by the local authority
CME	Child Missing Education
Constructive resettlement	The principle of encouraging and supporting a child's positive identity development from pro-offending to pro-social
Contextual safeguarding	An approach to safeguarding children which considers the wider community and peer influences on a child's safety

Community resolution	Community resolution, an informal disposal, administered by the police, for low level offending where there has been an admission of guilt
EHCP	Education and health care plan, a plan outlining the education, health and social care needs of a child with additional needs
ETE	Education, training or employment
EHE	Electively home educated, children who are formally recorded as being educated at home and do not attend school
EOTAS	Education other than at school, children who receive their education away from a mainstream school setting
FTE	First Time Entrant. A child who receives a statutory criminal justice outcome for the first time (youth caution, youth conditional caution, or court disposal)
HMIP	Her Majesty Inspectorate of Probation. An independent arms-length body who inspect Youth Justice services and probation services
HSB	Harmful sexual behaviour, developmentally inappropriate sexual behaviour by children, which is harmful to another child or adult, or themselves
JAC	Junior Attendance Centre
MAPPA	Multi-agency public protection arrangements
MFH	Missing from Home
NRM	National Referral Mechanism. The national framework for identifying and referring potential victims of modern slavery in order to gain help to support and protect them
OOCD	Out-of-court disposal. All recorded disposals where a crime is recorded, an outcome delivered but the matter is not sent to court
Outcome 22/21	An informal disposal, available where the child does not admit the offence, but they undertake intervention to build strengths to minimise the possibility of further offending
Over-represented children	Appearing in higher numbers than the local or national average

RHI	Return home Interviews. These are interviews completed after a child has been reported missing
SLCN	Speech, Language and communication needs
STC	Secure training centre
SCH	Secure children's home
Young adult	We define a young adult as someone who is 18 or over. For example, when a young adult is transferring to the adult probation service.
YJS	Youth Justice Service. This is now the preferred title for services working with children in the youth justice system. This reflects the move to a child first approach
YOI	Young offender institution

COUNCIL

3 OCTOBER 2024



Report of: Finance and Policy Committee

Subject: STRATEGIC FINANCIAL MANAGEMENT REPORT –
AS AT 30TH JUNE 2024

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people are enabled to live healthy, independent and prosperous lives.
- where those who are vulnerable will be safe and protected from harm.
- of resilient and resourceful communities with opportunities for all.
- that is sustainable, clean, safe and green.
- that has an inclusive and growing economy.
- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to enable Members to consider the proposal referred from Finance and Policy Committee to vire £0.700m of capital budget from the Borough Hall capital scheme to the Town Hall Theatre.

3. BACKGROUND

- 2.1 The quarter 1 Strategic Financial Management Report was considered by Finance and Policy Committee on 16th September 2024 and is attached at **Appendix 1**.
- 2.2 The report included the following proposal at paragraph 7.5 within **Appendix 1**, in relation to capital expenditure that requires Full Council approval given it is in excess of virement limits within the Constitution.

Town Hall Theatre (THT) and Borough Hall – following the temporary closure of Town Hall Theatre and part closure of Borough Hall in March, the required assessments and remedial works are nearing completion. The current plan is to reopen the venues in September and October respectively. In addition, it has been identified that further maintenance and improvement works at THT are needed over the next 12 months. The estimated cost of these works is £0.700m. It is proposed that this is funded by a £0.700m transfer from the Borough Hall £3.000m scheme within the approved capital programme.

3. PROPOSALS

- 3.1 The report proposes the virement of £0.700m as set out in the accompanying Finance and Policy report be referred to Council for approval.

4. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	No relevant issues.
FINANCIAL CONSIDERATIONS	The financial implications are fully set out in the main body of the report.
SUBSIDY CONTROL	No relevant issues.
LEGAL CONSIDERATIONS	No relevant issues.
CHILD AND FAMILY POVERTY	No relevant issues.
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues.
STAFF CONSIDERATIONS	No relevant issues.
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	No relevant issues.
CONSULTATION	No consultation required.

5. RECOMMENDATIONS

- 5.1 It is recommended that Full Council:
- i) Approve the reallocation of £0.700m from the Borough Hall approved capital scheme to support capital maintenance and improvement works at the Town Hall Theatre scheme as detailed above.

6. REASON FOR RECOMMENDATIONS

- 6.1 To enable maintenance and improvement works to be carried out at the Town Hall theatre to support its re-opening.

7. BACKGROUND PAPERS

None

8. CONTACT OFFICER

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Director of Finance, IT and Digital
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Paul Dixon
Assistant Director, Corporate and Financial Services
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Sign Off:-

Managing Director	Date: 03/09/2024
Director of Finance, IT and Digital	Date: 03/09/2024
Director of Legal, Governance and HR	Date: 03/09/2024

FINANCE AND POLICY COMMITTEE**16TH SEPTEMBER 2024**

Subject: STRATEGIC FINANCIAL MANAGEMENT REPORT -
AS AT 30TH JUNE 2024

Report of: Director of Finance, IT and Digital

Decision Type: Budget and Policy Framework

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people are enabled to live healthy, independent and prosperous lives.
- where those who are vulnerable will be safe and protected from harm.
- of resilient and resourceful communities with opportunities for all.
- that is sustainable, clean, safe and green.
- that has an inclusive and growing economy.
- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

2.1 The purpose of this report is to inform Members of:

- i) Forecast General Fund outturn for 2024/25;
- ii) Reserves forecasts;
- iii) Forecast Housing Revenue Account outturn for 2024/25;
- iv) Corporate Income Collection Performance; and
- v) Capital Programme Monitoring 2024/25.

3. BACKGROUND

- 3.1 The cost pressures reported to Finance and Policy Committee throughout 2023/24 have largely continued in to 2024/25. The significant financial pressures being experienced by the Council are from the recent high period of general price inflation and on-going increased demand and significant cost rises for Children's Social Care external placements. The latter increasing significantly in quarter 1 of 2024/25.
- 3.2 General inflationary pressures have eased back to around 2% in recent months but the profound impact of the now permanent inflation increases of the last 12 to 18 months continue to be felt. The Bank of England continue to set their policy approach to support their objective of maintaining inflation at their 2% target.
- 3.3 These pressures in conjunction with the inadequate funding settlement issued by Government for 2024/25, means the number of Councils issuing warnings on the sustainability of their financial position continues to grow. Hartlepool's officers continue to engage with MHCLG finance officials and Ministers within the new government, to outline the growing sustainability issues of the Council's finances as evidenced by the current years forecast overspend and reported Medium Term Financial Strategy (MTFS) funding shortfall.
- 3.4 The new government have indicated that they will seek to review local government funding but the extent and timeframes for this are currently unclear.
- 3.5 The latest 2024/25 budget forecast position for the Council is outlined below.

4. GENERAL FUND REVENUE OUTTURN 2024/25

- 4.1 The current forecast outturn position is a forecast overspend of £2.900m. The position is detailed in **Appendices A to E**, with a summary position set out from section 4.3 onwards.
- 4.2 Given the identification of on-going financial pressures early in the financial year, the Managing Director issued an all-staff communication in June 2024, requesting that spend should only be incurred where deemed absolutely necessary. On-going budget manager and staff efforts throughout the financial year will support the minimising of the current forecast overspend position.

Summary of 2024/25 Forecast General Fund Outturn	
	Q1 Forecast Outturn - Overspend/ (Underspend)
	£'000
Departmental Budgets	
Adult & Community Based Services	275
Children's & Joint Commissioning	4,790
Finance, IT and Digital	(300)
Legal, Governance and HR	(65)
Development, Neighbourhoods & Regulatory Services	200
Corporate	(2,000)
Total Forecast Budget Overspend	2,900

Adult and Community Based Services

- 4.3 The forecast outturn is a net departmental overspend of £0.275m, consisting of a projected £0.560m overspend within Preventative & Community Based Services, offset by a projected £0.285m underspend within Adult Social Care. The projected departmental overspend of £0.275m represents less than 1% of the department's overall net budget.
- 4.4 The forecast underspend within Adult Social Care includes the use of some one-off grant funding and is based on current client numbers and costs. However, it is still early in the year, with the winter period to come, so these projections will be closely monitored and updated as the year progresses. This underspend offsets the anticipated pressure from the forecast reduced income arising from delaying the implementation of charging for Telecare until 1st October 2024.
- 4.5 The forecast overspend within Preventative & Community Based Services mainly relates to reduced income across the following areas; Cemeteries and Crematoria, arising from the capital works impacting on the operating days/hours of the chapel, the Borough Hall/Town Hall Theatre temporary closures and the temporary cessation of activities at Carlton Adventure.

Children and Joint Commissioning Services

- 4.6 The current forecast outturn is an overspend of £4.790m. This mainly relates to increases in the number of children in our care requiring external residential and independent fostering agency placements. This reflects the increasing complexity of their needs and the significant fees being charged by the external care market. These increases also have associated adverse impacts on social work staffing budgets.

- 4.7 This area continues to be a risk for all councils owing to a range of external factors and the budget position will continue to be monitored closely during 2024/25 as demand continues to increase. As such, at this stage, there is a real risk that the budget position could deteriorate further. The council is investing in increased “Edge of Care” provision through the transformation fund and this initiative will increase in capacity over the coming months.
- 4.8 A number of ‘one-off’ and time limited temporary grants are helping to offset some of these budget pressures in the current financial year however the majority are due to end in March 2025.

Development, Neighbourhoods and Regulatory Services

- 4.9 The current forecast outturn for the department is an overspend of £0.200m. This is as a result of a number of factors including inflationary pressures on goods and materials and shortfalls in fee income.
- 4.10 In particular car parking income is showing an adverse variance of £0.180m. The variance is a result of a reduction in car parking income which reflects parking concessions and the post pandemic impact of reduced visitor numbers and hybrid working. The reduction in car park usage is a national trend.
- 4.11 There is an adverse variance in relation to planning income of £0.150m, this is a volatile area and the number of large planning applications is down compared to previous years.
- 4.12 There is a forecast adverse variance of £0.215m in relation to Strategic Asset Management as a result of a number of factors including shortfalls in fee income and a one-off unforeseen costs in relation to the property portfolio.
- 4.13 However there are a number of favourable variances offsetting the adverse position, in particular £0.590m in relation to Concessionary Fares owing to favourable contract negotiations with bus companies.
- 4.14 The department will continue to monitor the position closely and action will be taken to attempt to mitigate the forecast overspend position.

Finance, IT and Digital

- 4.15 The current forecast outturn is an underspend of £0.300m. This is owing to favourable variances from staffing vacancies and staff not being at the top of their grade, which is offsetting a pressure in income generation and additional printing and postage costs.

Legal, Governance and HR

- 4.16 The current forecast outturn is an underspend of £0.065m which mainly relates to vacant posts and staff not being at the top of their grade, offsetting reductions in income generation.

Corporate Areas

- 4.17 The current forecast is an underspend of £2.000m, which is predominantly as a result of the proactive investment of reserves. These investment returns are providing a welcome revenue stream to support the current budget position, but this will not be achievable in to future years as reserve cash balances reduce and capital programme under-borrowing continues, coupled with a downwards trend on interest rates.
- 4.18 A national pay offer for 2024/25 was made by employers on the 16 May 2024. The offer equated to £1,290 per employee regardless of grade, up to spinal point 43. This increase would equate to a 5.77% increase at spinal point 2 and 2.50% at point 43. As at the time of writing, GMB has accepted the pay offer, whilst Unison and Unite trade unions are balloting their members on potential strike action, with ballots taking place during September and October. The emerging position is being closely monitored.

Budget Savings Monitoring

- 4.19 Progress is being made in the implementation of the £1.885m approved savings plans for 2024/25. The position is positive given the demands and pressures services are experiencing. Directors continue to take the necessary action to mitigate any delays or issues with implementation.
- £1.457m (77%) of the savings have been fully realised to date.
 - £0.035m (2%) of savings where good progress is being made, with a good prospect that full savings will be achieved.
 - £0.393m (21%) is in respect of areas where delays and issues have been encountered, and at this stage it is deemed unlikely they will be delivered as planned. For budget monitoring purposes these are included as a forecast outturn pressure and further information noted below.
- 4.20 The implementation of charging for the Telecare service has been delayed until 1st October 2024. As such only £0.200m of the £0.400m forecast saving is anticipated to be achieved in 2024/25 and is categorised as red in the above monitoring.
- 4.21 A partnership arrangement for the block booking of children's social care provision with a local provider has recently ceased due to the provider not accepting HBC referrals. Two children are still living in the 3 bedroom home, but the forecast saving of £0.312m has now reduced to £0.130m. The £0.182m reduction is categorised as red in the above monitoring.
- 4.22 Property holding costs pending the transfer of Bevan House continue to be incurred, impacting on the forecast saving for 2024/25. The forecast £0.011m savings reduction is categorised as red in the above monitoring.

Dedicated School Grant

- 4.23 Up until 2022/23, the Council had successfully managed High Needs Block (HNB) costs within the available annual grant allocation and HNB reserves. This has been achieved despite a significant increase in demands on this service, including the impacts arising from the pandemic.
- 4.24 The 2023/24 outturn was an overspend of £2.348m. This overspend was considered necessary to invest in Hartlepool provision and so avoid placement of pupils with SEND outside the town, wherever possible. In time, this approach will reduce costs for independent and out of town provision and provide an improved outcome for Hartlepool children.
- 4.25 Applying all DSG reserves, the final DSG outturn for 2023/24 was an overspend of £1.589m. Accounting regulations covering the period up to 31 March 2026 do not allow this balance to be included in the General Fund. In accordance with accounting regulations this balance was transferred to the Dedicated Schools Grant Adjustment Account which is an unusable reserve.
- 4.26 Owing to this deficit position the Council must now consider and produce a DSG Management Plan for submission to the Education Skills and Funding Agency. This is a complex spend, demand and demographics data exercise, which when complete will document 4 years of actual data, the current years budgeted data and 6 years predicted data. This plan will be presented to a future meeting of the Children's and Joint Commissioning Services Committee.
- 4.27 The 2024/25 High Needs Budget exceeded the funding allocation by £3.115m. A one year recovery plan, which included; limiting inflation on Top Up Funding and Special Schools funding, putting in place a target to reduce the Out of Area and Independent School places by meeting need in Hartlepool provision and the transfer of the Growth Fund from the Schools Block to the High Needs Block was agreed by Children's Services Committee. These measures reduced the budget requirement by £0.944m, resulting in a funding shortfall of £2.171m for 2024/25.
- 4.28 The current outturn projection is an overspend of c£3.500m (i.e. c£1.329m beyond the originally identified 2024/25 shortfall), owing to increases in children being educated in independent or out of town provision, overspends on Individual Pupil Support payments, the cost of exclusions and the lag in funding for the Free School which opens in September 2024.

Reserves

- 4.28 The current reserves position and the forecast usage of reserves by year is summarised in the table below, with a more detailed analysis included at **Appendix M**.

Reserve Area	Current Reserves 31/03/24	Forecast Usage		Forecast Balance 31/3/28
		2024/25	2025/26 to 2026/28	
	£'000	£'000	£'000	£'000
Unearmarked General Fund	5,501	0	0	5,501
Budget Support Fund	7,947	(6,066)	0	1,881
Budget Support – Transformation and Invest to Save	3,000	(1,500)	(1,500)	0
Other Revenue Reserves	23,306	(7,315)	(8,412)	7,579
Revenue Reserves Total	39,754	(14,881)	(9,912)	14,961
Capital Reserves	25,917	(17,750)	(2,705)	5,462
TOTAL	65,671	(32,631)	(12,617)	20,423

4.29 Please note the information provided excludes any ring-fenced School, HRA and unusable reserves given their restricted nature.

5. HOUSING REVENUE ACCOUNT (HRA)

5.1 There is a forecast nil outturn variance in relation to the HRA. The position is summarised below with further details provided at **Appendix F**.

5.2 Rental income is forecast to be lower than budgeted as new Afghan Resettlement properties have not come on line as quickly as anticipated at budget build. This is because of the presence of some asbestos detected in the properties that require additional works.

5.3 The adverse variance can be mitigated through a combination of the following:

- Reduction in contribution to Right to Buy Reserve;
- Reduction in voluntary contribution to the Major Repairs Reserve (MRR); and
- Favourable variance in relation to interest payable on borrowing costs.

5.4 The Capital position is outlined in **Appendix G**. Members are asked to approve two budget amendments in relation to capital schemes:

- Increase in S106 Affordable Housing of £0.351m to reflect receipt of additional S106 monies.
- Transfer of £0.100m from the Major Repairs budget to HRA disabled adaptations. HRA disabled adaptations are funded through the MRR but for management and monitoring purposes are shown as a separate scheme.

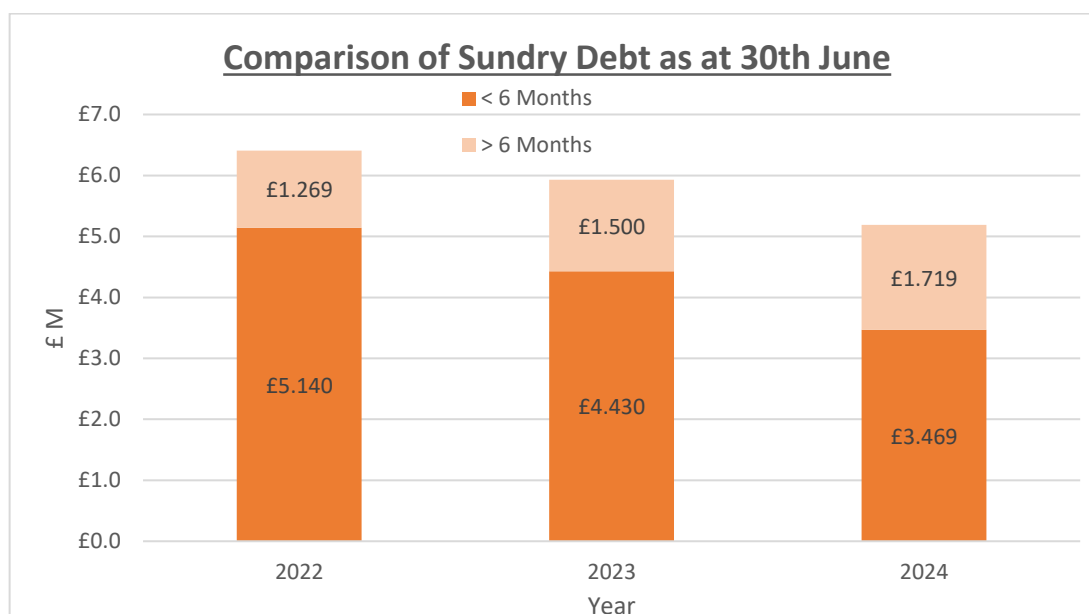
6. INCOME COLLECTION AND COLLECTION FUND

Sundry Debts

6.1 The Council collects significant Sundry Debts income for the payment of services provided by the Council. In total £7.017m sundry debts were raised in

the first three months of 2024/25. As at 30th June 2024, £4.652m (66.30%) of this amount had been collected.

- 6.2 Robust procedures for collecting the remaining outstanding debt are in place. The following graph shows the comparable positions at 30th June for the last three years for long term debt and current debt which has been outstanding for less than six months.



- 6.3 Debtors totalled £5.188m as at 30th June 2024, of which £3.469m (66.87%) relates to current debts (less than 6 months old). Included within current debts (less than 6 months old) is debt where the customer has been invoiced for the whole of 2024/25 but payment is to be received in instalments throughout the year.
- 6.4 Debts greater than 6 months old total £1.719m. 99.98% of this amount is under recovery action and 0.02% (c£300) is now considered unrecoverable.

Council Tax

- 6.5 The in-year performance to the end of June is slightly down on 2023/24, though at this stage it is expected that the rate will increase over the year. As at the 30th June 2024 the Council had collected 26.42% of the 2024/25 liability, compared to 26.73% for the previous year. Arrears collection remains positive and consistent with 2023/24, which had record collections.
- 6.6 Members may recollect that increased efforts were to be made targeting potential single person discount fraud. An initial target of a 400 reduction during 2024/25 was agreed. In the first quarter of the year the number claiming single person discount has reduced by 220. Efforts will ramp up further as we progress through the year with the expectation that numbers reduce further through the year.

- 6.7 As at the end of June the Local Council Tax Support claimant count was 12,895 of which there were 8,518 working age claimants. There has been an increase in working age claimants since the beginning of the year but numbers have decreased during May and June.
- 6.8 The Collection Fund in respect of Council Tax continues to be closely monitored.

Business Rates

- 6.9 At the 30th June 2024 the Council had collected 26.89% of the 2024/25 liability compared to 27.54% for the previous year. This is slightly down on 2023/24 but business rate collection tends to be volatile during the year, and is also impacted by changes to liability for businesses. At this stage we expect collection rates to be in line with 2023/24.

7 CAPITAL OUTTURN

- 7.1 Details of actual expenditure, cost variations and reprofiling of budget are provided in **Appendices H to L** and summarised below. Where applicable expenditure has been reprofiled into future years. Resources will be carried forward to fund these commitments.

Department	Gross Budget	Actual to 31/3/24	Actual to 30/6/24	Budget (adjusted for prior yr reprofiling)	Addition Schemes and Cost Variations to Existing Projects	Reprofiling of expenditure	Revised Budget
	£'000	£'000	2024/25 £'000	2024/25 £'000	2024/25 £'000	2024/25 £'000	2024/25 £'000
Major Regeneration Schemes	121,047	15,229	3,345	73,877	1,989	(43,825)	32,041
Adult & Community Based Services	8,832	3,640	598	2,748	0	(267)	2,481
Children's & Joint Commissioning Services	13,976	1,436	531	9,899	1,339	(290)	10,948
Development, Neighbourhoods & Regulatory Services	29,959	5,931	1,766	15,908	(60)	(3,083)	12,765
Corporate	2,757	106	122	930	1,239	(577)	1,592
Total Capital Expenditure	176,571	26,342	6,362	103,362	4,507	(48,042)	59,827

- 7.2 The actual 2024/25 capital expenditure to 30th June 2024 is £6.362m and reprofiling of expenditure in to future years is £48.042m. After reprofiling the forecast capital expenditure in 2024/25, the in-year capital programme now totals £59.827m.
- 7.3 Screen Industries Production Village Hub - HBC has now received and signed the Grant Funding Agreement from TVCA for £1,989,000 which contributes to the creation of a nationally significant Screen Industries Production Village Hub to support the emerging TV/film industry in Hartlepool, this sum has been added to the existing scheme within the capital programme. This agreement confirms the funding previously offered to HBC through the Combined Authority's Indigenous Growth Fund as part of HBC's successful Levelling Up

Fund Round 2 submission, and confirms the projects £18.6m budget envelope. The purpose of the funding is matched capital finance to support the wider LUF delivery outputs including acquisition of key properties, redevelopment of assets to create flexible space for the TV/film industry, development of Public Realm and restoration of locally important heritage assets.

- 7.4 Children's Homes Purchase - 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, within Children's Social Care, the council continues to look for properties to convert into council run homes. In order to provide officers with the ability to act quickly, at its July 2024 meeting, Council approved borrowing of £1m for the purchase and renovation of properties into children's homes. The capital programme has been updated accordingly.
- 7.5 Town Hall Theatre (THT) and Borough Hall – following the temporary closure of Town Hall Theatre and part closure of Borough Hall in March, the required assessments and remedial works are nearing completion. The current plan is to reopen the venues in September and October respectively. In addition, it has been identified that further maintenance and improvement works at THT are needed over the next 12 months. The estimated cost of these works is £0.700m. It is proposed that this is funded by a £0.700m transfer from the Borough Hall £3.000m scheme within the approved capital programme.

Capital Receipts

- 7.6 There are no significant capital receipts received to date.

8. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	No relevant issues.
FINANCIAL CONSIDERATIONS	The financial implications are fully set out in the main body of the report.
SUBSIDY CONTROL	No relevant issues.
LEGAL CONSIDERATIONS	No relevant issues.
CHILD AND FAMILY POVERTY	No relevant issues.
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues.

STAFF CONSIDERATIONS	No relevant issues.
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	No relevant issues.
CONSULTATION	No consultation required.

9. RECOMMENDATIONS

9.1 It is recommended that Members:

- i) Note the 2024/25 forecast outturn position of £2.900m overspend and the accompanying financial performance for the year;
- ii) Note the forecast use of reserves;
- iii) Note the 2024/25 forecast outturn in relation to the Housing Revenue Account detailed within Section 5 of the report;
- iv) Approve HRA Capital Budget Amendments outlined in paragraph 5.4.
- v) Note the capital programme position and approve variations detailed within Section 7 of the report; and
- vi) Approve and refer to council the reallocation of £0.700m from the Borough Hall approved capital scheme to support capital maintenance and improvement works at Town Hall Theatre as detailed in 7.5 of the report.

10. REASONS FOR RECOMMENDATIONS

10.1 To inform Finance and Policy Committee of the Council's 2024/25 financial forecast outturn position.

11. BACKGROUND PAPERS

None

12. CONTACT OFFICERS

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Sign Off:-

Managing Director	Date: 03/09/2024
Director of Finance, IT and Digital	Date: 03/09/2024
Director of Legal, Governance and HR	Date: 03/09/2024

COUNCIL**3 October 2024****Report of:** Licencing Committee**Subject:** GAMBLING POLICY**Decision Type:** Part of the Budget and Policy Framework**1. COUNCIL PLAN PRIORITY**

Hartlepool will be a place:
- where people are enabled to live healthy, independent and prosperous lives.
- where those who are vulnerable will be safe and protected from harm.
- that has an inclusive and growing economy.

2. PURPOSE OF THE REPORT

- 2.1 To enable Council to consider recommendations referred from the Licensing Committee to adopt a Statement of Gambling Principles (a Licensing Policy) that details the principles the Council will apply when exercising its licensing functions under the Gambling Act 2005, including consideration of passing a 'No Casino' resolution.

3. BACKGROUND

- 3.1 The Gambling Act 2005 requires licensing authorities to publish, every three years, a statement of the principles that they propose to apply in exercising their functions under the Act.
- 3.2 Hartlepool's current Statement of Gambling Principles was published in January 2022 and, as such, a new one must be published no later than January 2025.

- 3.3 A draft new Statement was presented to the Licensing Committee at its meeting on 21st June 2024 and approval was given for a consultation exercise to be undertaken.
- 3.4 The consultation period ended on 26th August 2024 and one response was received from a National Gambling Support Organisation.
- 3.5 Following the conclusion of the consultation process, the Licensing Committee re-considered the draft Statement on 20th September 2024 and determined that it should be recommended to full Council for approval and adoption. The proposed Statement of Gambling Principles is attached as **Appendix 1**.

4. PROPOSALS

- 4.1 Licensing authorities are required to publish a Statement of Gambling Principles every three years.
- 4.2 Hartlepool's current Statement was published in January 2022 and, as such, a new policy must be published no later than January 2025.
- 4.3 As with previous policies, the draft Statement contains a 'no casino' resolution and Council is required to consider whether such a resolution should remain. Whilst such a resolution is permitted by the Gambling Act it does not, in reality, carry any weight as casinos can only be developed in areas that have been pre-approved by the Gambling Commission and Hartlepool is not one of those areas.
- 4.4 However, Council may feel that retaining the 'no casino' resolution makes an important statement that Hartlepool would not welcome any interest from developers should regulations change.
- 4.5 Formal adoption of the Statement of Gambling Principles must be made by full Council.

5. OTHER CONSIDERATIONS

Risk Implications	None
Financial Considerations	None
Legal Considerations	It is a legal obligation for Hartlepool Borough Council to publish a statement of principles every three years and, as such. A new statement must be published no later than January 2025.

Equality and Diversity Considerations	None
Staff Considerations	None
Asset Management Considerations	None
Environmental, Sustainability and Climate Change Considerations	None

6. RECOMMENDATIONS

- 6.1 That Council accept the Licensing Committee's recommendation and approve the adoption of the draft Statement of Gambling Principles as detailed in **Appendix 1** with effect from 3rd January 2025.
- 6.2 That Council accept the Licensing Committee's recommendation and approve the adoption of a 'No Casino' resolution for the reasons detailed in paragraph 3.4 above

7. REASONS FOR RECOMMENDATIONS

- 7.1 Licensing authorities are required to adopt and publish a Statement of Gambling Principles every three years and, as the current policy was published in January 2022, the Council is legally required to publish its new Statement no later than January 2025.

8. BACKGROUND PAPERS

- 8.1 There are no background papers associated with this report.

9. CONTACT OFFICERS

- 9.1 Sylvia Pinkney
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- Rachael Readman
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Sign Off:-

Managing Director	Date: 16/09/2024
Director of Finance, IT and Digital	Date: 16/09/2024
Director of Legal, Governance and HR	Date: 17/09/2024

STATEMENT OF PRINCIPLES

Gambling Act 2005

*(Published ***** January 2025)*



STATEMENT OF PRINCIPLES

Gambling Act 2005

(Published ***** January 2025)



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*This Statement of Licensing Principles was approved by Hartlepool Borough Council on *****.*

All references to the Guidance refer to the Gambling Commission's Guidance to Licensing Authorities, published 1st April 2021.

PART A

1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:
- In accordance with any relevant code of practice issued by the Gambling Commission
 - In accordance with any relevant guidance issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives and
 - In accordance with the authority’s statement of licensing policy

2. Introduction

- 2.1 Hartlepool is located on the north-east coast of England to the north of the River Tees. The Borough consists of the main town of Hartlepool, the seaside resort of Seaton Carew and a number of small outlying villages. The total area of the Borough is 9,390 hectares. The residential population is 92,338 of which ethnic minorities comprise 3.5% (2021 Census)
- 2.2 Hartlepool Borough Council consulted widely on this statement before it was published. A list of those persons consulted is detailed in Appendix 3.
- 2.3 The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;

- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.
- 2.4 Our consultation took place between 1st July 2024 and 26th August 2024 and we took into consideration the Code of Practice on Consultations published by HM Government in 2008 which is available at [Consultation principles: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/code-of-practice-on-consultations)
- 2.5 The policy was approved at a meeting of the Full Council on ***** and was published via our website on *****.
- 2.6 Should you have any comments as regards this policy statement, or the consultation process, please send them via e-mail or letter to the following contact:
- Trading Standards & Licensing Manager
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY
- e-mail: licensing@hartlepool.gov.uk
- 2.7 It should be noted that this statement of licensing principles will not override the right of any person to make an application (other than for a casino), make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.8 Statistics on Gambling Participation (2023) and Gambling Harm information
- In year to November 2023, overall participation in any gambling activity (in the last 4 weeks) was 48 percent overall participation in any gambling activity (in the last four weeks)(a 6 percentage point increase compared to year to June 2021).
 - In year to November 2023, the online gambling participation rate was 38 percent and falls to 16 percent when lottery draw only players are removed. This highlights the large proportion of online gamblers that only gamble on lottery draws.
 - The most popular gambling activities (in the last 4 weeks – November 2023) were lotteries including the National Lottery draws (31 percent) and other charity lottery draws (16 percent). Following lotteries, the next 3 most popular activities were scratchcards (13 percent), betting (10 percent) and instant wins (7 percent).
 - Information on gambling related harms and where to get support can be found here: [Where to get support | Gambling-related harms | Hartlepool Borough Council](#)

3. Declaration

- 3.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

- 4.1 **The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:**

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

- 4.2 Hartlepool Borough Council designates the Local Safeguarding Children Board for this purpose.

- 4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.hartlepool.gov.uk/licensing.

5. Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities
- has business interests that might be affected by the authorised activities
- represents persons in either of these two groups.

- 5.2 There are a number of factors that the Council may take into account when determining whether a person lives 'sufficiently close to the premises'. These include: -

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises such as the number of customers, routes likely to be taken by those visiting the establishment

- the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises.

5.3 Relevant factors will depend on the particular application. For example the Council may consider that living sufficiently close to premises to likely be affected could have a different meaning for (a) a private resident, (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.

5.4 For those with business interests, the licensing authority should be satisfied that the relevant business is likely to be genuinely affected. Factors that are likely to be relevant include:

- the size of the premises
- the 'catchment' area of the premises, that is, how far people travel to visit the premises
- whether the person making the representation has business interests in that catchment area that might be affected.

5.5 In addition to the above, interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

5.6 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department at the Civic Centre, Hartlepool.

6. Exchange of Information

6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the

Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

7.2 This licensing authority's principles are that:

7.3 It will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

7.4 As per the Gambling Commission's Guidance to Licensing Authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

7.5 This licensing authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission
- The principles set out in this statement of licensing policy

7.6 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

7.7 This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.8 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements are available upon request to the licensing department, Hartlepool Borough Council, Civic Centre, Hartlepool, TS24 8AY. Our risk methodology is also available upon request.

8. Licensing authority functions

8.1 Licensing authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

8.2 It should be noted that licensing authorities are not to be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

PART B
PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

9. General Principles

9.1 Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 (i) Decision-making

9.3 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

9.4 It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution') and also that unmet demand is not a criterion for a licensing authority.

9.5 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

9.6 **Definition of "premises"** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

- 9.7 The Gambling Commission states in the fifth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."
- 9.8 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activity names on the premises licence.
- 9.9 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:
- Do the premises have a separate registration for business rates
 - Is the premises' neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or a public passageway?
 - Can the premises only be accessed from any other gambling premises?
- 9.10 This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.
- 9.11 **The Gambling Commission's relevant access provisions for each premises type are reproduced below:**

9.12 Casinos

- The principal access entrance to the premises must be from a street
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

9.13 Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

9.14 Betting Shops

- Access must be from a street or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

9.15 Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

9.16 Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

9.17 Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

9.18 Premises “ready for gambling”

9.19 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

9.20 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

9.21 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

9.22 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

9.23 More detailed examples of the circumstances in which such a licence may be granted can be found in the Gambling Commission's Guidance to Licensing Authorities.

9.24 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

9.25 **Planning** - The Gambling Commission Guidance to Licensing Authorities states:

7.58 – In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use

premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence. This is why the Act allows a potential operator to apply for a provisional statement if construction of the premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them. [Part 11](#) of this guidance gives more information about provisional statements.

- 9.26 This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.65 - When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

- 9.27 **Duplication with other regulatory regimes** - This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 9.28 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.
- 9.29 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.
- 9.30 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should

pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

9.31 Ensuring that gambling is conducted in a fair and open way - **This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.**

9.32 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

9.33 This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

9.34 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis.

9.35 **Conditions** - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

9.36 Decisions on individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this

regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

9.37 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.38 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

9.39 These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.40 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.41 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

9.42 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises

may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

9.43 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

9.44 Local Risk Assessments

9.45 Since 6 April 2016, the Gambling Commission's 'Licence Conditions Code of Practice' (LCCP) has required all existing licensees that provide gambling facilities at their premises, to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. Licensees must take into account any relevant matters identified in the licensing authorities (gambling) Statement of Policy when making their risk assessments.

9.46 In making risk assessments, licensees must take into account relevant matters identified in this policy.

9.47 The LCCP also states that licensees must review (and update as necessary) their local risk assessments:

- To take account of significant changes in local circumstances, including those identified in this policy;
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- When applying for a variation of a premise licence; and
- In any case, undertake a local risk assessment when applying for a new premise licence.

9.48 The licensing authority will expect the local risk assessment to consider as a minimum:

- Whether the premise is in an area with high levels of crime and/or disorder
- Whether the premise is in an area of high deprivation
- The demographics of the area in respect of vulnerable groups of people including those with gambling dependencies, where this information is available
- Location of services and amenities for children in the area such as schools, playgrounds, leisure facilities and other areas where children may gather.

9.49 The risk assessment may also include:

- Procedures in place to ensure staff are adequately trained in how to monitor and deal with customers suspected of excessive gambling (including brief

intervention training for staff), vulnerable persons or children and also details and regularity of training given

- Details of supervisory and management procedures in place including number of staff available and their designated duties and responsibilities
- Details of any consideration given to the need for CCTV in the premise and i installed how the system will be operated and monitored and what coverage it is designed to give in the premise.
- Details of the signage and documents relating to games rules, gambling care providers and other relevant information including a consideration of whether information needs to be provided in another language that may be prevalent in the locality.

9.50 Such information may be used to inform the decision the Authority makes about whether to grant a licence, to grant a licence with special conditions or to refuse the application. The policy does not prevent an application made and each application will be decided on its merits with the onus being on the applicant to show how the concerns.

10. Adult Gaming Centres

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11. (Licensed) Family Entertainment Centres:

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be

sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

11.2 This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

11.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.4 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

12. Casinos

12.1 This licensing authority has passed a 'no casino' resolution on the basis that whilst it recognises that gambling can be an enjoyable and harmless activity for many, it believes that a casino may provide an environment that may harm vulnerable persons who may gamble beyond their means.

12.2 Potential licence applicants should note that as a 'no-casino' resolution has been passed by this authority no applications for casino premises licences will be considered. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.

13. Bingo premises

13.1 This licensing authority notes that the Gambling Commission's Guidance regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted: -

18.5 Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that

premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

14. Betting premises

- 14.1 *Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

15. Travelling Fairs

- 15.1 This licensing authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 15.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 15.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

16. Provisional Statements

- 16.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 16.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.

- 16.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 16.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 16.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- 16.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional statement stage;
 - which in the authority's opinion reflect a change in the operator's circumstances; or
 - where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

17. Reviews

- 17.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and

- in accordance with the authority's statement of principles.
- 17.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 17.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 17.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 17.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 17.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 17.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 17.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 17.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

PART C
Permits / Temporary & Occasional Use Notice

18. Unlicensed Family Entertainment Centre gaming machine permits

18.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

18.2 Gambling Commission Guidance states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

18.3 It should be noted that a licensing authority cannot attach conditions to this type of permit.

18.4 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

19. (Alcohol) Licensed premises gaming machine permits - Automatic entitlement: 2 machines

19.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

19.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

19.3 Permit: 3 or more machines

- 19.4 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission and *“such matters as they think relevant.”*
- 19.5 This licensing authority considers that *“such matters”* will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.
- 19.6 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 19.7 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 19.8 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

20. Prize Gaming Permits

- 20.1 In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

20.2 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

21. Club Gaming and Club Machines Permits

21.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

21.2 Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gambling Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

21.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years;
- or
- (e) an objection has been lodged by the Commission or the police.

- 21.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance to Licensing Authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:
- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."
- 21.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

22. Temporary Use Notices

- 22.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 22.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 22.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 22.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

22.5 In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

22.6 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

23. Occasional Use Notices

23.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

END

CONTACT DETAILS, ADVICE & GUIDANCE

Further details regarding the licensing application process, including application forms, can be obtained from:

The Licensing Team
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Tel No: 01429 523354
Fax No: 01429 523308
Email: licensing@hartlepool.gov.uk
Web Site: www.hartlepool.gov.uk/licensing

Local Area Profile

The Gambling Commission recommends that licensing authorities provide a 'local area profile' to assist gambling operators to understand the risks, or potential risks, associated with particular geographical areas.

As an area profile can change with time, Hartlepool Borough Council refers licence holders, or potential applicants, to the following sources of information about Hartlepool: -

Government website – Indices of deprivation 2019 -

<https://www.gov.uk/government/publications/english-indices-of-deprivation-2019-research-report>

Gambling Outlet Accessibility in Hartlepool

[CDRC Mapmaker: Access to Healthy Assets & Hazards \(Gambling Outlet Accessibility\)](#)

SUMMARY OF LICENSING AUTHORITY DELEGATIONS PERMITTED UNDER THE GAMBLING ACT

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officers
Final approval of three year Statement of licensing principles	X		
Policy not to permit casinos	X		
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received/representati ons have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representati ons have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representati ons have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Setting of licence fees			X

CONSULTATION

The following individuals/agencies and organisations were consulted about this Statement of Licensing Principles between July and August 2024: -

Hartlepool Borough Council councillors
Cleveland Police
Cleveland Fire Service
Hartlepool Borough Council Planning Department
Hartlepool Development Corporation
Hartlepool Borough Council Trading Standards Service
Hartlepool Borough Council Environmental Health
Tees Valley Combined Authority
HMRC
Gamblers Anonymous
GamCare
British Beer and Pub Association
~~Association of British Bookmakers~~
Bingo Association
Remote Gambling Association
~~Business in Sport & Leisure~~
~~Casino Operators Association~~
BACTA
British Holiday & Home Parks Association
British Race Courses Association Ltd
~~British Casino Association~~

COUNCIL

3 October 2024



Report of: Managing Director

Subject: BUSINESS REPORT

1. MEMBERSHIP VACANCIES

Council are informed that Councillor Darby has resigned from the membership of the Planning Committee. This vacancy has been added to the list of vacancies below.

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

RECOMMENDATION

That nominations be sought for the above vacancies.

2. RESIGNATION OF COUNCILLOR

I have received notification from Councillor Jonathan Brash that he has resigned as a Councillor.

A by-election was held on 19th September 2024 when Councillor Owen Riddle was elected.

There are consequent vacancies to the following outside bodies to which Councillor Brash had been appointed:-

Outside Bodies

Hartlepool Power Station Community Liaison Committee
Safer Hartlepool Partnership
Victoria and Jubilee Homes (Term of Office 2022 – 2026)

RECOMMENDATION

That nominations be sought for the above vacancies.

3. SAFER HARTLEPOOL PARTNERSHIP (SHP)

Membership of the Partnership reflects the statutory requirements and consists of senior representatives from the five responsible authorities plus additional stakeholders, see **Appendix 1**. A request has been received from Jonathan Brash, MP for Hartlepool to continue his participation within the membership of the Partnership.

Members' are asked to note this request.

4. PARISH COUNCIL REPRESENTATIVES ON POLICY COMMITTEES

On 22 May 2024, the Leader of the Council and Managing Director wrote to the Parish Clerks of all Hartlepool Parish Councils seeking nominations for a representative from each Parish Council to be co-opted onto each of the Council's Policy Committees as non-voting members. Council are informed that Parish Councillor S Smith from Greatham Parish Council has registered an interest in being a co-opted member on Economic Growth and Regeneration Committee and Neighbourhood Services Committee.

As appointment of co-opted members is within the remit of full Council, Members approval is sought.

RECOMMENDATION

That Parish Councillor S Smith of Greatham Parish Council be co-opted as a non-voting member on Economic Growth and Regeneration Committee and Neighbourhood Services Committee.

5. WHITBY STREET SUBSTANCE MISUSE TREATMENT CENTRE - FUNDING

Councillors will be aware that the Whitby Street Substance Misuse treatment centre needs to be replaced. A new build on a site at Roker Street had been proposed. Capital funding of £3.000m was agreed to support the new build through prudential borrowing, with the borrowing costs being met via a rental agreement utilising Public Health grant funding. A small amount of available grant of £0.027m was recently added to the scheme. A total budget of £3.027m is included within the current capital programme.

The proposed build at Roker Street received objections and did not proceed. Following consideration of various options it has been determined that the most appropriate location is the existing site. It is therefore proposed to place a new, larger, Portakabin modular building, offering improved modern accommodation for staff and service users on the existing Whitby Street site.

Due to the change of site and associated delays, the cost for providing the building has risen to £3.6m. This includes amounts for project management and contingencies as well as the cost increases. Following a review of financial options, the additional cost of £0.573m can be met through a combination of:

Substance misuse reserve	£338,000
Capital receipt	£130,000
Public Health reserve	£105,000

The actual borrowing from the existing approval will be entered into when deemed appropriate in line with the Councils Treasury Management Strategy.

In order to secure progress and avoid further escalation of costs, agreement with Portakabin is required. As such council are requested to approve the scheme variation, given it is in excess of £200,000, whilst noting that no additional borrowing approval is required.

SAFER HARTLEPOOL PARTNERSHIP MEMBERSHIP

(Extract from the Terms of Reference)

Responsible Authorities
<ul style="list-style-type: none"> • Hartlepool Borough Council – Two Elected Members • Hartlepool Borough Council – Managing Director • Hartlepool Borough Council - Executive Director of Development, Neighbourhoods and Regulatory Services • Hartlepool Borough Council - Assistant Director, Regulatory Services • Cleveland Police - Hartlepool District Commander • Cleveland Fire and Rescue Authority – District Manager • Durham Tees Valley Probation Trust - Director of Offender Management • Representative of North East and North Cumbria Integrated Care Board • Youth Offending Board - Chair
Other Members
<ul style="list-style-type: none"> • Hartlepool Borough Council – Director of Public Health • Office of Police and Crime Commissioner for Cleveland • Hartlepool Borough Council – Head of Youth Services • Representative of Hartlepool Voluntary & Community Sector – Chief Executive, Safe in Tees Valley • Housing Hartlepool – Director of Housing Services • Hartlepool Magistrates Board – Chair of the Bench

This group is the ‘strategy group’ for the purposes of the statutory Regulations. New members may be added to the Partnership by agreement of existing members.

There is also the potential for co-opting members onto the Partnership to undertake specific pieces of work or for specialist knowledge and skills as and when required.

COUNCIL

3 October 2024



Report of: Managing Director

Subject: BUSINESS REPORT (2)

6. HARTLEPOOL BOROUGH COUNCIL/HARTLEPOOL DEVELOPMENT CORPORATION PLANNING APPLICATION

Due to an administrative error the boundary line for the Hartlepool Development Corporation (HDC) has been incorrectly drawn resulting in a small overlap between the jurisdiction of the HDC and Hartlepool Borough Council as the planning authority.

A planning application has since come forward to develop a site off Maritime Avenue which is predominantly within the HDC. In terms of determining the planning application, it would be better if this was to be determined by one planning authority rather than a cross boundary application. Given the majority of the site sits within the HDC and it was always the intention that this full site rest solely within the HDC boundary, it is proposed to delegate our planning function to the HDC to allow them to determine the full application on this occasion.

The Council would still be consulted on any application coming forward through the existing neighbouring authority arrangements and the principle of the development was previously agreed under application H/FUL/0638/01.

The planning application covers seven sites (see attached plan **Appendix 2**) which will be phased over a number of years, for 650 houses and apartments. Phase one will include 210 apartments and 180 2 & 3 bed houses.

RECOMMENDATION

That Members approve the delegation of HBC's planning function to the HDC in relation to site 7 - Maritime Avenue.

7. PARISH COUNCIL REPRESENTATIVES ON POLICY COMMITTEES

Following on from item 4 of this report, Council are informed that the following additional nominations have been received:

Minna Ireland –Finance and Policy Committee

Lynn Noble – Neighbourhood Services Committee

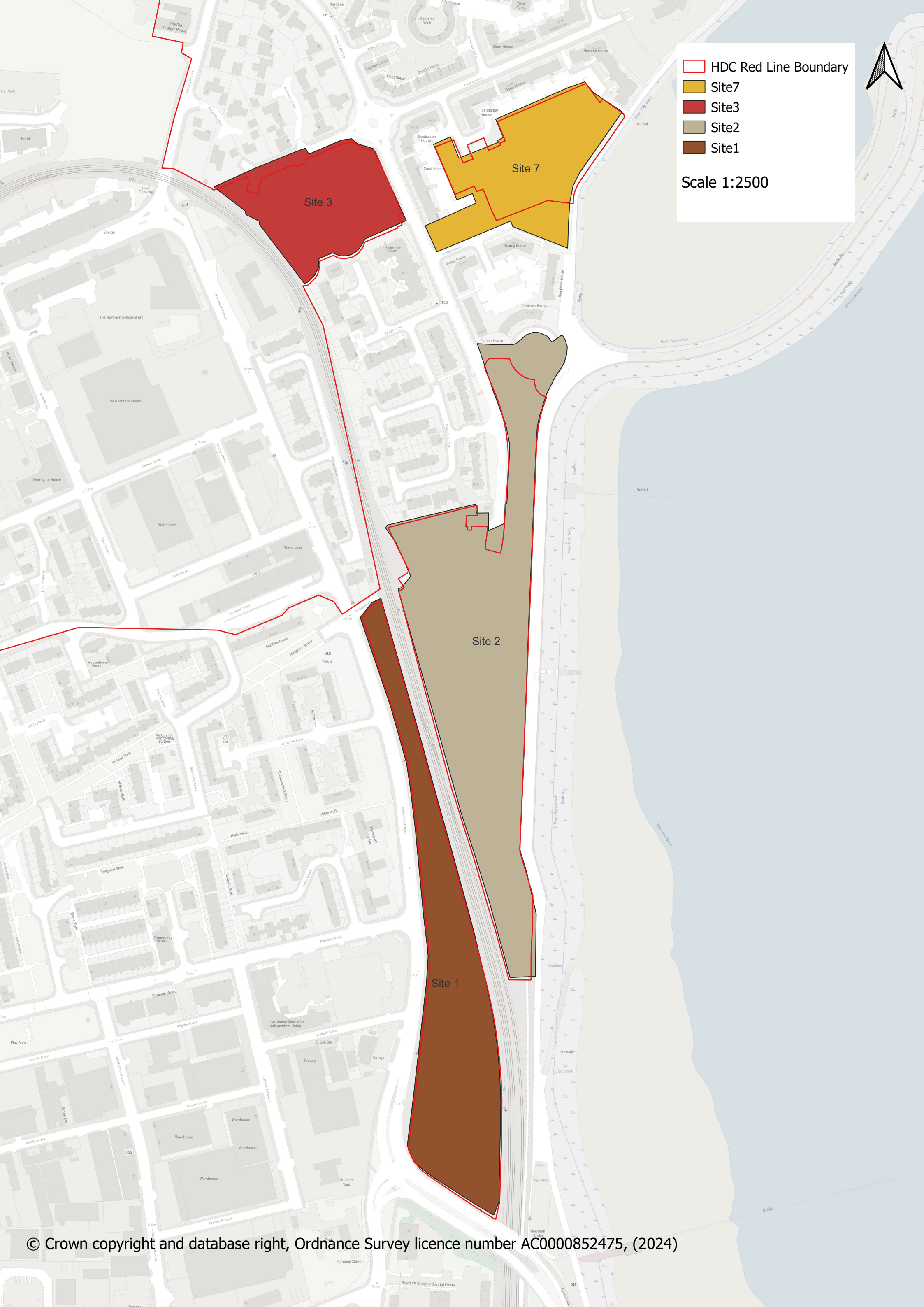
As appointment of co-opted members is within the remit of full Council,
Members approval is sought.

RECOMMENDATION

That one parish representative be appointed to the Committees noted below:

Finance and Policy Committee –
nomination Parish Councillor Minna Ireland (Dalton Piercy Parish Council)

Neighbourhood Services Committee –
nominations Parish Councillor Stephen Smith (Greatham Parish Council) or
Lynn Noble (Dalton Piercy Parish Council)



HDC Red Line Boundary

Site7

Site3

Site2

Site1

Scale 1:2500

CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

22 MARCH 2024



PRESENT:

CHAIR

Cllr David Coupe – Middlesbrough Council

HARTLEPOOL BOROUGH COUNCIL

Cllr Ben Clayton

MIDDLESBROUGH COUNCIL

Cllr Dennis McCabe, Naweed Hussain

REDCAR & CLEVELAND BOROUGH COUNCIL

Cllrs Peter Chaney, Steve Kay, Mary Ovens

STOCKTON ON TEES BOROUGH COUNCIL

Councillors Jim Beall, Stefan Houghton, Sufi Mubeen, 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

Area Manager – Prevention, Protection and Engagement

APOLOGIES:

Cllr John Leedham - Hartlepool Borough Council

Cllr John Kabuye - Middlesbrough Council

Cllr John Gardner - Stockton Borough Council

96. WELCOME NEW MEMBER

The Chair informed Members that Hartlepool Borough Council had appointed Councillor John Leedham to the Authority to replace Councillor Tom Cassidy. He placed on record thanks to Councillor Cassidy for the support he had given during his time with the Authority.

RESOLVED – That the change of Membership to the Cleveland Fire Authority be noted.

97. DECLARATIONS OF MEMBERS INTERESTS

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

98. MINUTES

RESOLVED – that the Minutes of proceedings of the Ordinary Meeting of 9 February 2024 be confirmed.

99. MINUTES OF MEETINGS

RESOLVED - that the Minutes of the Executive (Appeals) Committee on 19 February 2024, Audit & Governance Committee on 23 February 2024 and Executive Committee on 15 March 2024 be confirmed.

100. COMMUNICATIONS RECEIVED BY THE CHAIR

There were no items of Communication received.

101. REPORTS OF THE CHIEF FIRE OFFICER

101.1 Efficiency and Productivity Plan 2024/25

The Chief Fire Officer (CFO) presented Members with the Efficiency and Productivity Plan which sets out how the Authority will achieve 2% non-pay efficiencies and increase productivity by 3% over the period 2024/25. These targets were agreed by the National Fire Chiefs Council (NFCC) and Local Government Association (LGA) as part of the 2021/22 Spending Review and the CFO and Treasurer are directly responsible for ensuring the targets are achieved.

Members thanked officers for providing a comprehensive report and acknowledged the difficulties of constantly trying to achieve more with less funding. They also suggested the preventative work carried out by firefighters be more widely promoted.

RESOLVED - that Members approved that Authority's Efficiency and Productivity Plan 2024/25 and noted that it will be published on the Brigade website by 31 March 2024.

101.2 Service Plan Priorities 2024/25

Members received the corporate priorities for 2024/25 which were the result of strategic planning and integrated risk management activities by the Executive Leadership Team to ensure the strategic direction remains appropriate. The outcomes from this work were presented to the Executive Committee on 19 January 2024 as a suite of priorities for inclusion in the Service Plan 2024/25 to support the delivery of the Authority's Community Risk, People and Resource plans for 2022-26.

Members asked how the public holds the Authority to account on delivering these priorities. The CFO confirmed that there is constant interaction with the public through social media which is picked up by the Communications Teams. In addition, the public is regularly consulted as part of the Brigade's Community Engagement Strategy.

RESOLVED – That Members approved the corporate priorities for 2024/25 at Appendix 1, as recommended by the Executive Committee on 19 January 2024, to be set out in the Authority's Service Plan 2024/25.

101.3 Information Pack cont.

101.3 Campaigns

Spring Campaign 2024

The CFO introduced the Area Manager for Prevention, Protection and Engagement (AM-PPE) to the meeting. He circulated a copy of the Brigade's Spring Campaign brochure and outlined the key prevention activities to be undertaken by operational crews and Community Liaison Officers, specifically over the school holiday period.

101.3 Information Pack cont.

Members thanked the AM-PPE for sharing the brochure and suggested increasing engagement with ward councillors in advance to promote activities via their newsletters to residents.

RESOLVED – that the information pack be noted.

102. REPORT OF THE CLERK

102.1 Calendar of Meetings 2024/25

Members considered the proposed schedule of Cleveland Fire Authority meetings for the municipal year of 2024/25. The Clerk confirmed that the dates were aligned to the Authority's business planning calendar and would be presented to the Annual Meeting of the Authority on 7 June 2024.

Members discussed the start time of the Executive Committee meeting which was currently being trialled at 10.15am and agreed to change to 11.00am to align with the start time of the Audit & Governance Committee.

RESOLVED – That Members approved the Cleveland Fire Authority meeting schedule for 2024/25 at Appendix 1.

103. REPORT OF THE LEGAL ADVISER AND MONITORING OFFICER

103.1 Pay Policy Statement 2024/25

The Legal Adviser and Monitoring Officer (LAMO) reported that in line with the provisions set out in the Localism Act 2011, the Authority had a statutory duty to prepare a Pay Policy Statement for each financial year relating to:

- the remuneration of its chief officers
- the remuneration of its lowest paid employees
- the relationship between:
 - the remuneration of its chief officers and
 - the remuneration of its employees who are not chief officers

The LAMO referred to the Pay Policy Statement 2024/25 at Appendix 1, which had been considered by the Executive Committee on 15 March 2024, and outlined the key changes as highlighted in yellow which included:

- Firefighter (Development) - £28,310 (pay award pending 1 July 2024)
- Non-operational employees Grade B (Development) - £23,114 (pay award pending 1 April 2024)

He reported that the Government's National Living Wage sets a minimum wage for all workers aged 25 years and over of £11.44 per hour, which equates to an annual salary of £22,067.76, which was lower than the Authority's lowest paid employees Grade B (Development) which is currently £22,737 (pay award pending 1 April 2024).

RESOLVED - That Members approved Cleveland Fire Authority's Pay Policy Statement 2024/25 for publication.

104. REPORT OF THE TREASURER

104.1 Treasury Management Strategy 2024/25

Members considered the Treasury Management Strategy report which had been scrutinised by the Audit & Governance Committee on 23 February 2024. The report covered:

- Economic Background and Outlook for Interest Rates
- Treasury Management Strategy 2023/24 – 3rd Quarter Review
- Treasury Management Strategy 2024/25
- Borrowing Strategy 2024/25
- Investment Strategy 2023/24
- Minimum Revenue Provision and Interest Costs and other Regulatory Information 2024/25

The Treasurer informed Members that the Bank of England decision to retain the Base Rate at 5.25% suggested this would be the peak level and provided inflation continued to reduce during 2024 interest rates should begin to reduce. He reported that the timing of this would be critical to the Authority's borrowing for the AMP and for securing interest income to support the MTFS up to and beyond 2026/27.

RESOLVED – That Members approved the following recommendations made by the Audit & Governance Committee at its meeting on 23 February 2024:

- i) The 2023/24 Treasury Management third quarter position detailed in section 5 be noted.
- ii) The prudential indicators outlined in Appendix A be approved.
- iii) Borrowing Strategy 2024/25
Members noted that in the event of a change in economic circumstances that the Treasurer may take out additional borrowing in advance of need if this secures the lowest long term interest cost.
- iv) Investment Strategy 2024/25
Members approved the Counterparty limits as set out in paragraph 8.7.
- i) Minimum Revenue Provision (MRP) Statement
Members approved the following MRP statement:
 - For capital expenditure incurred before 1st April, 2008 the Authority's MRP policy is to calculate MRP in accordance with former DCLG (Department for Communities and Local Government) Regulations. This is 4% of the Capital Financing Requirement except where the Authority makes Voluntary Revenue Payments (VRP) which is in excess of the amount required by these regulations, based on asset life;
 - From 1st 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;
 - The Treasurer may determine to make Voluntary Revenue Provision payments to reduce the Authority's overall CFR if it is in the best financial interests of the Authority.

105. **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.”
106. **CONFIDENTIAL MINUTES OF MEETINGS**
RESOLVED – that the Confidential Minutes of the Executive (Appeals) Committee on 19 February 2024 and Executive Committee on 15 March 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, 6 February 2024.

Present: Councillor Tony Riordan (Chair), Councillor Norma Stephenson OBE (Deputy Chair), Mayor Chris Cooke, Councillor John Coulson, Mr Paul McGrath, Councillor Jim Platt, Councillor Debbie Powlay, Mr Luigi Salvati, Councillor Janet Thompson and Councillor Mike Young

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

Also In attendance: Steve Turner (Police and Crime Commissioner), Lisa Oldroyd (Office of the Police and Crime Commissioner), Chief Constable Mark Webster (Cleveland Police) and Michael Porter (Office of the Police and Crime Commissioner)

Apologies: Councillor Pauline Beall, Councillor Chris Jones, Councillor Jonny Neal and Councillor Carole Thompson

PCP 39/23 **Declarations of Interest**

There were no interests declared.

PCP 40/23 **Minutes of the meeting held on 14 November 2023 and attendance matrix**

Consideration was given to the minutes of the meeting held on 14 November 2023 and the attendance matrix for 2023/24.

RESOLVED that the minutes of the meeting held on 14 November 2023 be agreed as a correct record and the attendance matrix be noted.

PCP 41/23 **Precept Proposals 2024/25**

The Chief Constable, Mark Webster presented a recap of remedial actions following HMI placing the force into special measures in 2019 and progress made in recent years:

- Cleveland Police released from special measures in September 2023 and received endorsement of actions going forward. While there remains a lot to do the force has also made a lot of progress and the importance of maintaining momentum was underlined.
- The staff survey in 2022 identified a lack of stable leadership so issues were addressed and reflected in improvements in the 2023 survey. This has been accompanied by improved performance data after changes were made to leadership and organisational design.
- Cleveland Police deal with approximately 1000 calls per day, of which between 250 and 300 are 999 calls. The force is proactively tackling crime through prevention and problem solving and strategic planning.

- Initiatives have been launched such as Clear Hold Build and Right Care Right Person to enhance this approach and the Force Impact Day assesses performance management and enables resources to be properly focussed.
- Current progress data is positive but shows some of the highest crime rates in the country. Momentum is being maintained through prevention and problem solving and the Matrix Team focussing on proactivity and deterrence.

As part of the ensuing discussion, Panel Members made the following points:

- A panel member asked for the presentation to be circulated and this will be looked into.
- Some panel members remarked that most people can see improvements and there is a stronger partnership. It was also noted that whilst the data shows highest national rate of homicide per 100,000 the detail of the 13 cases when examined are hard to police. The area remains prominent in social deprivation tables. Cleveland has always been in these positions for rates of crime, but arrests and conviction data is very good.
- A panel member commented that more could be done with the Right Care right Person initiative, and it was agreed that while this has led to greater co-operation with partners the communications can be improved.
- Recruitment can be met through funding despite the formula, the force is attractive.
- A panel member asked about joint training opportunities with local councils, and this was welcomed.
- A panel member asked for expansion of comparison data for funding.

A report from the Commissioner regarding the proposed precept for the financial year 2024/25 was considered by the Panel. The proposal was to set the Band D Police Element of the Council Tax within Cleveland for 2024/25 at £303.73 representing an increase of £13, or 4.47%, over the 2023/24 level should be supported.

The Commissioner indicated that he had considered the following in making his proposal for the 2024/25 precept:

- The views of the public of Cleveland
- The financial impact on the people of Cleveland and the current financial environment.
- The financial needs of the organisation as currently projected both for 2024/25 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 also discussed his proposals with the Chief Constable and engaged and consulted with the public on the options available to him.

The Panel noted that the Police Funding Settlement 2024/25 had been announced on 14 December 2023 in a written statement by the Minister for Crime, Policing and Fire and that nationally, the overall funding for policing

would rise by up to £842.9 million when compared to the restated 2023-24 police funding settlement, bringing the total settlement for 2024-25 up to £18.4 billion.

- The settlement also confirmed that PCCs would be empowered to raise additional funding through their Band D precept flexibility by up to £13 in 2024/25 without the need to call a local referendum.

The Panel had regard to the detailed information contained within the Commissioner's report in relation to the overall funding position, and specifically how this related to Cleveland. In determining the budget strategy and LTTP for Cleveland in 2024/25, a number of future funding and planning assumptions had been made:

- Pay awards budgeted for a 2.5% increase in 2024/25 returning to 2% in subsequent years. If pay awards exceed 2.5% it is hoped that government funds this as it has done so previously. £185 million of the 2024/25 policing settlement had been committed to last year's 7% pay award.
- A precept increase of £13 (4.47%) in 2024/25.
- Underlying Tax Base Growth expected to be 1.39% in 2024/25.
- The plan included a specific grant of £1,680,000 to achieve the Government targets for a further 35 Police Officers in 2024/25. In Cleveland, plans are in place to increase officers within Cleveland to over 1,530, which includes growth of 48 FTE and costs circa £2.1 million.

Questions and Comments from Panel members included the following:

- A Panel member commented that the reference to council tax in the proposal should be clarified as the increase related to the precept element.
- A Panel member asked why data for 2025/26 showed a decrease. Now in the final year of the spending review there is not yet the commitment from government. Also, special grant funding for historical investigations is ending as these should conclude in 2024/25.
- A panel member advised that the task and finish group had reviewed the proposal and recommended the Panel accept.

RESOLVED The Panel accepted the proposal to set the Band D Police Element of the Council Tax within Cleveland for 2024/25 at £303.73.

**PCP
42/23**

Quarter 3 - delivery and performance report

The Commissioner presented his Police and Crime Plan Performance and Delivery report which covered the Quarter 3 period of 2023/24 (October to December 2023). In presenting his report he highlighted the following:

- Cleveland Police have the highest arrest rates in England.
- Positive outcome rate at 10%, one of the best in the country.
- Continuing the Combating Drugs Partnership with matched funding.
- Stop and search data shows how seriously violent crime is taken.

- Taken on board HMI recommendations, focussing on making a difference and grades will follow.
- COPA has been successfully implemented; calls are down 2.5%.

As part of the ensuing discussion, the following questions and comments from Panel were raised:

- A member suggested that it would be useful to have surveys reflecting how people feel about crime. The Commissioner commented that engagement has shown that the vast majority are confident in Cleveland Police but he recognised the need to engage further outside usual forums.
- A member recommended ward councillors promote COPA a lot more within their own communities.

RESOLVED that the report be noted.

**PCP
43/23**

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 scrutiny meetings.

On 29 November 2023 the focus was on the introduction of Right Care, Right Person (RCRP). This is an operational model developed by Humberside Police that changes the way the emergency services respond to calls involving concerns about mental health. It is in the process of being rolled out across the UK as part of ongoing work between police forces, health providers and Government.

It is aimed at making sure the right agency deals with health-related calls, instead of the police being the default first responder as is currently the case in most areas. It has been shown to improve outcomes, reduce demand on all services, and make sure the right care is being delivered by the right person.

The PCC was assured by the information provided in response to a number of questions about the introduction of the Right Care Right Person (RCRP) and sought to review further information and assess progress in 2024.

The introduction of Right Care Right Person is also being considered on a regular basis by the External Ethics Committee.

In January 2024 the PCC sought details from the Force in relation to their strategy for stalking and harassment. A number of programmes in this area are being supported by the OPCC including ongoing discussions between Cleveland Police and Suzy Lamplugh Trust and the introduction of an Independent Stalking Advocacy Caseworker (ISACs) who is now in post and working with local victims.

The PCC was partly assured by the information provided and thanked the force for their open and honest presentation and agreed to reconsider the subject in 6 months' time to consider further progress in this area.

RESOLVED that the report be noted.

**PCP
44/23**

Communication, Consultation and Engagement Update

The Commissioner presented his report detailing the communication activity of the PCC's office between 1 October and 31 December 2023. In particular he highlighted that there had been a good cross-section of engagements undertaken, as demonstrated in the table. He also recommended that Panel members listen to the podcast with the Chief Constable.

RESOLVED that the report be noted.

**PCP
45/23**

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.

The Commissioner highlighted that there had been £1.2 million funding secured by the team in one quarter. This represented additionality going directly to projects that impact local people.

Questions and Comments from Panel members included the following:

A member asked if funding for Safer Streets has been removed. The Commissioner advised that there had been a reduction of £180,000 in funding but spending was not going to be reduced.

RESOLVED that the report be noted.

**PCP
46/23**

Members' Questions to the Commissioner

Question 1 – The following question had been submitted by Paul McGrath for response by the Commissioner:

“Could the Commissioner give his views on the Policing Vision 2030, the refreshed sector led document which identifies the key priority themes for focus and delivery for policing up to 2030?”

The Commissioner responded that this dovetailed into the Police and Crime Plan and showed that the National Police Chiefs' Council, Association of Police and Crime Commissioners, and the College of Policing were all working together. The Commissioner felt that the vision validated that what was being done in Cleveland was the right thing.

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

“It has been reported in the local media that there were 500 arrests relating to organised crime, and in particular drugs. Could the Commissioner advise what proportion of those arrested are non-British nationals and what action is being taken to control the overtaking of local establishments such as pubs by gangs and gang leaders?”

The Commissioner responded that arrests were made without fear or favour and, as such, did not see the relevance of where those arrested come from. He would, however, share the link to ONS data with the Panel Member.

Question 3 – The following question had been submitted by Councillor Janet Thompson for response by the Commissioner:

“How much money has the recent rebrand of vehicles and equipment as ‘Matrix’ cost? Was the Matrix name and branding copied from Merseyside Police and if so, did we pay them a fee for the Matrix signage and how much did it cost?”

The Commissioner responded that the name had been used from Merseyside Police but as there was no copyright no fee needed to be paid. The £20,000 spend had come from existing fleet budgets for overall vehicles branding so there had been no extra spend required. The Chief Constable commented that sharing good practice and increasing Force visibility was positive and was considered to be money well spent.

**PCP
47/23**

Public Questions

There were no questions from members of the public.

**PCP
48/23** **Forward Plan**

Members were presented with the Forward Plan for the Panel 2023/24.

RESOLVED that the Forward Plan 2023/24, including dates of future meetings, be noted.

**PCP
49/23** **Exclusion of the Press and Public.**

RESOLVED that the press and public be excluded from the meeting on the grounds that the following item contains exempt information as defined in Paragraph 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

**PCP
50/23** **Complaint Update**

The Panel considered a report of the Monitoring Officer detailing complaint/referral matters that had been received.

RESOLVED

With regard to complaint reference 2023-07:

1. The complaints process be brought to an end.
2. The Monitoring Officer write to the Commissioner advising him of the comments and concerns raised by the Panel.

With regard to complaint reference 2023-08:

3. The complaint be delegated to the Complaints Sub-Committee.
4. The Complainant and the Police and Crime Commissioner be invited to a meeting of the Sub-Committee.

With regard to complaint references 2023-03 and 2023-04:

5. In light of the absence of a response from either complainant, the complaint process be brought to an end.