

# CABINET

## MINUTES AND DECISION RECORD

12 May 2008

The meeting commenced at 9.00 a.m. in the Civic Centre, Hartlepool

### **Present:**

The Mayor (Stuart Drummond) - In the Chair

Councillors: Pam Hargreaves (Deputy Mayor),  
Gerard Hall (Adult and Public Health Services Portfolio Holder),  
Cath Hill (Children's Services Portfolio Holder),  
Robbie Payne (Finance & Efficiency Portfolio Holder),  
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder).

Also Present: Councillor Jonathan Brash (Chair of Adult and Community Services and Health Scrutiny Forum)

Officers: Paul Walker (Chief Executive),  
Dave Stubbs (Director of Neighbourhood Services)  
Peter Scott (Director of Regeneration and Planning Services)  
John Mennear (Assistant Director (Community Services))  
Paul Briggs (Assistant Director (Resources & Support Services))  
Danielle Swainston (Sure Start, Extended Services and Early Years Manager)  
Joanne Smithson (Head of Community Strategy)  
John Potts (Principal Policy Officer)  
Charlotte Burnham (Scrutiny Manager)  
Steve Hilton (Assistant Public Relations Officer)  
David Cosgrove (Principal Democratic Services Officer)

### **290. Apologies for Absence**

Peter Jackson (Neighbourhoods & Communities Portfolio Holder),

### **291. Declarations of interest by members**

None.

### **292. Confirmation of the minutes of the meeting held on 28 April 2008**

Confirmed.

**293. Progress on the Recommendations made to Local NHS Bodies Exercised through the Authority's Health Scrutiny Powers** (*Chair of the Adult and Community Services and Health Scrutiny Forum*)

**Type of decision**

None – the report was for information only.

**Purpose of report**

To update the Cabinet of the progress made by the local NHS bodies in relation to the delivery of recommendations made by the Authority's Adult and Community Services and Health Scrutiny Forum, previously undertaken during the 2005/06 and 2006/07 Municipal Years.

**Issue(s) for consideration by Cabinet**

The Chair of the Adult and Community Services and Health Scrutiny Forum, Councillor Jonathan Brash, reported that at the time that Cabinet had considered the proposal to separate the Adult and Community Services and Health Scrutiny Forum in to two separate forums (4 February 2008) it was also agreed that the Chair of the Adult and Community Services and Health Scrutiny Forum reported back to a future meeting of the Cabinet on the progress made by the local Primary Care Trust (PCT) and the North Tees and Hartlepool NHS Foundation Trust in relation to the delivery of recommendations made by the Scrutiny Forum as a result of their in-depth investigations undertaken into local health care services.

The report set out information relating to the three major investigations that the forum had undertaken that involved health services. Arising from those in-depth scrutiny investigations, a total of 62 actions / recommendations were accepted by the Hartlepool PCT, some of which were joint actions between the PCT and the Council. These were outlined in detail in Appendix A to the report. To date, of those 62 actions, 60 actions had been achieved (96.8%); and 2 actions were not expected to achieve target (3.2%). The Chair of the Forum considered that this showed that the Forum's recommendations had been taken on board by the PCT and actioned and that the forum's investigations had had real benefits.

Cabinet went onto to discuss the potential areas of investigation for the new Health Scrutiny Forum in the new municipal year. The Chair of the Adult and Community Services and Health Scrutiny Forum commented that the new chair of the Health Scrutiny Forum would hold discussions with the Portfolio Holder and local NHS bodies on the potential areas for investigation. There were several major issues that would need to be discussed such as Pathways to Healthcare, in particular the location of the new hospital.

**Decision**

That the report be noted.

## **294. New Local Area Agreement (LAA) 2008/11 Proposed Outcome and Target Framework** *(Head of Community Strategy)*

### **Type of decision**

Key Decision – test (ii) applies.

### **Purpose of report**

To agree the proposed outcome and target framework including the Improvement Targets to be submitted for designation to the Secretary of State.

### **Issue(s) for consideration by Cabinet**

The Mayor reported that Cabinet had been updated of progress on the 18 February 2008 when Members were informed that the 35 Improvement Targets to be included in the new LAA had been agreed with GONE. Negotiations have since proceeded to set the associated three year targets.

The Mayor highlighted that although progress had been made in negotiating the 35 Improvement Targets that will be submitted to the Secretary of State, further work was still required to develop Local Priority Targets where targets were set jointly by the Council and the Local Strategic Partnership and subject to local monitoring arrangements.

Appendix 2 to the report set out the current status of the proposed three year Improvement Targets. Negotiations would continue to reach agreement on the proposed Improvement Targets, however, it was clear that it would not be possible to set designated targets for all of the Improvement Targets before the June 2008 sign-off date. Central Government were insisting that a partially complete LAA goes forward for ministerial sign-off in June in accordance with their original timetable rather than delay until all targets were negotiated.

When it had been possible to reach agreement on the remaining Improvement Targets a further report would be brought to Cabinet. Theme Partnerships and Outcome Owners would be tasked with drafting the first annual Delivery and Improvement Plan for the new LAA and this would be brought to Cabinet in July.

Cabinet Members raised the question of wider Member involvement in the development of the LAA. The Head of Community Strategy outlined the wide consultation, including scrutiny, which had taken place to which Members and the wider public had been invited. Cabinet Members also questioned a number of the targets including the target relating to bathing water quality in light of the recent approval to Northumbrian Water to cease stage 3 ultra-violet treatment of effluence from the Seaton Carew Treatment Works. The target relating to new business start-ups and the lack of a target relating to alcohol abuse issues were also discussed by Cabinet Members.

### **Decision**

1. That the progress made in negotiating the new LAA be noted and that the nine Improvement Targets be approved for submission to the Secretary of State.
2. That responsibility be delegated to the Mayor, following consultation with Lead Partners, the Assistant Chief Executive and the Head of Community Strategy, to agree the Improvement Targets still under negotiation.

## **295. Childcare Sufficiency Assessment 2007-2008** (*Director of Children's Services*)

### **Type of decision**

Non-key.

### **Purpose of report**

To advise Cabinet of the results of the Childcare Sufficiency Assessment 2007-2008 and the proposed Childcare Sufficiency Action Plan for 2008-2009. To seek Cabinet approval for publication of the Childcare Sufficiency Assessment 2007-2008 as per regulations detailed in Section 11 of the Childcare Act 2006.

### **Issue(s) for consideration by Cabinet**

The Children's Services Portfolio Holder reported that local authorities were required under Clause 11 of the Children Act 2006 to assess childcare provision in their area. The result of this assessment formed the basis of the Childcare Sufficiency Assessment (CSA). Local authorities were required to undertake their first Childcare Sufficiency Assessment during 2007-2008 and to publish a final copy by the end of April 2008. There was a further requirement to keep the assessment under review (annually) with a full assessment repeated every three years.

The Children's Services Portfolio Holder highlighted that it was important to note that the Local Authority's duty is to ensure sufficient childcare only for those parents and carers that work or are in training that may reasonably result in work. It was not 'our' duty to provide childcare in order to fill any gaps identified as part of the assessment. Instead, the Council must work with the private and voluntary sector to seek solutions. A further duty was to support settings in their long term sustainability which was crucial in order for parents to have confidence in their childcare choices.

The CSA identified 177 registered and unregistered care schemes in the town offering 3,766 registered and unregistered childcare places to children and young people aged 0-16 years. A return rate of 61% was achieved as part of the research process. (Appendices 5-15 to the report related to data received from childcare providers). Childcare providers reported 898 vacancies out of 3,766 places. This equated to a vacancy rate of 23.8%. Charges for care schemes varied. Some school-based provision is offered

at a lower cost as their overheads are already covered by the running costs of the school. Some childcare providers have been able to secure funding to support the cost of their provision. A variety of reasons influenced the wide range of costs that parents pay. Before school provision ranges from 20p to £3.50 per session, after school provision from 40p to £4.65 per session, holidays from £4.55 - £10 per day, day care from £110 - £128 per week and childminding from £110 - £150 per week.

The assessment process also sought responses from employers in the town and 125 employers with more than 5 employees responded to the survey giving a return rate of 23.7%. Those employers who responded operated in a wide range of sectors with the highest returns from public services (24%) and manufacturing (16.8%). 59.2% of companies advised that more than half of their workforce were women and 92% of companies employed staff on contracts of less than 16 hours a week. These people are by the very nature of their hours of work ineligible for Tax Credits that can be claimed in order to make childcare more affordable.

The results of the Childcare Sufficiency Assessment had been condensed into an action plan for 2008-09 (Appendix 16 to the report). Actions related to solutions for childcare providers, employers and parents. The action plan would be implemented by the Childcare Market Officer in conjunction with key partners both within and outside the local authority.

The issue of the number of people on 16 hours or less contracts with employers in the town and thereby illegible for family tax credits concerned the Portfolio Holder and Members of the Cabinet as they considered this to be a penalty against those people. Cabinet was also concerned to ensure that all was being done that could be to ensure those eligible for tax credits took up these and any other allowances they were entitled to. The Sure Start, Extended Services and Early Years Manager indicated that officers worked with staff within the authority and other agencies such as Job Centre Plus to encourage as many people as possible to take up the family tax credits and any other allowances they were entitled to. The Children's Services Portfolio Holder did comment that there was much anecdotal evidence of the difficulties of the administration of the family tax credits scheme, particularly over payments which were then clawed back, which did cause concern for many families on low incomes.

In response to Members questions, the Sure Start, Extended Services and Early Years Manager indicated that deciding if there was sufficient childcare places across the town was very difficult. There was at the time of the assessment an overall vacancy rate of 23% but this hid many wide variations. There were nurseries in the town with waiting lists while others had a very low occupancy level. Much seemed to depend on the location. In terms of the quality of the provision, there was no real link between price and quality. Price tended to be based on the business model of the particular establishment rather than any qualitative assessment. Prices of services provided by schools also varied considerably depending on the level of subsidy provided by the school management. All these factors were

outside of the control of the local authority.

**Decision**

1. That the Childcare Sufficiency Assessment and associated action plan be approved;
2. That the publication of the Childcare Sufficiency Assessment 2007-2008 be approved.

**296. Outside Bodies Review** (*Assistant Chief Executive*)

**Type of decision**

Non-key.

**Purpose of report**

To advise Cabinet of the review of representation on outside bodies carried out by the Constitution Working Group, agreed by Constitution Committee and approved by Council. The report sought authority to be delegated to the Deputy Mayor to review the list of Executive appointed bodies and to allocate members to vacant positions in respect of the 2008/09 Municipal Year.

**Issue(s) for consideration by Cabinet**

The Performance Portfolio Holder reported that at the meeting of the Constitution Working Group held on 3rd April 2008, Members considered a report relating to a review of outside bodies. The recommendations of the Working Group were subsequently agreed by the Constitution Committee at its meeting also held on 3rd April 2008. The report to the Working Group set out the extent of nominations to Outside Bodies and the rationale for a review. A number of criteria for assessing Council participation in Outside Bodies were also set out in the report, together with classification of nominations.

The Council and Executive currently nominate to over 100 organisations, many of which have multiple nominations. The Constitution Working Group and Constitution Committee considered those organisations which comprise Community and other nominations. It was agreed that the Executive appointed bodies be referred to Cabinet for its consideration.

Results of recent consultation with members and organisations have been collated and a series of pro-formas have been produced in respect of the organisations which are included in the category of executive nominations. Consideration of continued participation in some of the organisations, using the criteria agreed by Members, is required. There are also a number of deletions proposed; comprising those organisations that no longer exist or which have been succeeded by new governance arrangements. As part of the review, Members were asked to put forward organisations for inclusion on the approved list, where participation may be of value to the Council. Suggestions were submitted to the Constitution Working Group, Constitution Committee and agreed by Council. One of those

organisations, North East Rural Affairs Commission is an Executive appointment (category B5) and is, therefore, required to be considered as part of the review.

The Mayor highlighted that the power to appoint to those outside bodies considered as executive appointments lay with him rather than the Cabinet collectively, though he did wish to continue to delegate his responsibility to the Deputy Mayor in this regard.

**Decision**

That the Mayor delegates authority to the Deputy Mayor to review the list of Executive appointed outside bodies, in conjunction with other Executive Members as appropriate, and to allocate members to vacant positions in respect of the 2008/09 Municipal Year.

**P DEVLIN**

**CHIEF SOLICITOR**

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