

ADULT AND PUBLIC HEALTH SERVICES PORTFOLIO DECISION RECORD

16 March 2009

The meeting commenced at 10.00 a.m. in the Civic Centre, Hartlepool

Present:

Councillor Gerard Hall (Adult and Public Health Services Portfolio Holder)

Officers: Jill Harrison, Assistant Director of Commissioning
Phil Homsby, Strategic Commissioner – Older People
Neil Harrison, Strategic Commissioner – Working Age Adults
Marie Horsley, Safeguarding Adults Co-ordinator
Sylvia Pinkney, Consumer Services Manager
Sylvia Tempest, Environmental Standards Manager
David Cosgrove, Democratic Services Team

32. Social Care Contracts (*Director of Adult and Community Services*)

Type of decision

Non-key.

Purpose of report

To seek approval to make an exception to the Contract Procedure Rules in respect of four social care contracts.

Issue(s) for consideration by Portfolio Holder

The report sought approval to make an exception to the Contract Procedure Rules in relation to the following contracts:

- People's Relief of Pressure – Mental Health Services
- Hartlepool Arts Studio Project – Community Arts Studio
- Hartlepool Citizens Advice Bureau - Representational Advocacy
- Hindu Cultural Society – Day Services.

It was proposed that the four contracts be extended for a further twelve month period from 1 April 2009 to allow a full tender procedure to be carried out for the new contracts from 1 April 2010.

At a meeting of the Heads of Service for the Adult and Community Services Department the 2009 Reviews were considered (these were submitted as appendices to the report) and it was agreed that the services should

continue for the following reasons:

Hartlepool Arts Studio Project – Community Arts Studio and People's Relief of Pressure – Mental Health Services. Following the review of mental health day services across Tees, Esk and Wear Valleys Trust and the Council contracted services, a Mental Health Day Services Strategy had been developed which recommended tendering for the future provision of mental health day services. It was proposed that these contracts continue to maintain services whilst the recommendations of the Strategy were implemented. The cost of the provision of the services from 1st April 2009 to 31st March 2010 would be;

- Hartlepool Arts Studio Project £52,600
- People's Relief of Pressure £52,200

Hartlepool Citizens Advice Bureau - Representational Advocacy. It was proposed that the existing service continued for a further 12 months to maintain service whilst a fundamental review of advocacy services was carried out and a tendering exercise undertaken. The cost of the provision of the service from 1st April 2009 to 31st March 2010 is £26,000.

Hindu Cultural Society – Day Services. The Service is required to continue for a period of 12 months in order to incorporate an intergenerational/educational project to advance the Hindu culture and also assist in the reduction of social isolation by promotion of inclusivity across several generations. It was also anticipated that the Department undertake a thorough evaluation of the uptake of the Service which would provide more evidence for the basis of a market testing/tender exercise in financial year 2009/10. The cost of the provision of the service from 1st April 2009 to 31st March 2010 is £10,560.

The Portfolio Holder questioned several aspects of the evaluation reports of the four contracts and particularly commented on the success of the People's Relief of Pressure group in assisting people back into work. The Portfolio Holder indicated that he was prepared to extend the contracts on the basis that they were subject to a full retendering procedure next year.

Decision

That an exception to the Contract Procedure Rules be approved in relation to the contracts identified above to allow for the services to continue for a further 12 months.

33. Animal Health and Welfare Service Delivery Plan 2009/2010 *(Head of Procurement, Property and Public Protection)*

Type of decision

Non-key.

Purpose of report

To seek approval for the Animal Health and Welfare Service Delivery Plan for 2009/10.

Issue(s) for consideration by Portfolio Holder

The Animal Health and Welfare Framework was introduced after the Foot and Mouth Disease outbreak in 2001, to recognise the importance of central and local government working in partnership. It was created in partnership between Defra, and the Welsh Assembly Government and LACORS on behalf of Local Authorities in 2002. All parties continue to work in partnership on the operation of this Framework.

Since its introduction there have been a number of relevant high profile reviews including the Hampton Review, the Eves Review and the Rogers Review. Each has made a series of recommendations that impact on the way that animal health and welfare is managed nationally and locally. The Framework has been revised to help meet the objectives of the Animal Health and Welfare Strategy.

The current version of the Framework was made available in February 2009 and took into account of the revised structure of the Animal Health Agency in England and the BERR Regulators' Compliance code "Statutory Code of Practice for Regulators". It was also designed to underpin the new National Indicator for England (NI 190). NI 190 takes into account variations in local authority areas in both the nature of the farming industry and the resource required to deliver an effective service.

Guidance has been issued to local authorities, which provides information on how local authority service delivery plans should be structured and what they should contain.

Within the plan the Authority must set out the Standard or Level of activity which it proposes to meet during the year, benchmarking this against the Activity Matrix for animal health which sets out the range of activities likely to be carried out by local authorities in animal health and welfare work. The matrix describes three levels of practice delivery for each activity:

- minimum standard (Level 1)
- good practice (Level 2)
- better practice (Level 3)

All local authorities are expected to achieve at least the 'minimum standard' outlined in the activity matrix. The Animal Health and Welfare Service Plan for 2009/10 was submitted as Appendix 1 to the report.

The Portfolio Holder noted from the report that there were no high risk premises in Hartlepool, such as slaughterhouses, but questioned how many other sites officers were required to inspect. The Consumer Services Manager indicated that there were around 140 inspections required which

included 80 farms. The plans were also linked into the appropriate emergency plans for avian flu and rabies. Initial discussions had already taken place with Defra (Department for Environment, Food and Rural Affairs) in relation to the Tall Ships event in 2010.

The Portfolio Holder acknowledged the significant workload pressure placed on the division in meeting the benchmarking against the activity matrix. The Consumer Services Manager indicated that there was a significant workload and it was anticipated that the division would meet Level 1 in all areas, with some at Level 2. Most staff would be involved in inspections.

Decision

That the Animal Health and Welfare Service Delivery Plan for 2009/10 be approved.

34. Revision of 2009/10 Licence Fees – Private Hire Operators *(Head of Procurement, Property and Public Protection)*

Type of decision

Non-key.

Purpose of report

The report provided information regarding fees currently charged for private hire operators licences within the Tees Valley area and recommended a fee structure for such licences in Hartlepool for 2009/10.

Issue(s) for consideration by Portfolio Holder

On 16 February 2009 the Portfolio Holder was presented with a report detailing proposed fees and charges for various licences and other services provided by the Consumer Services Section. The Portfolio Holder requested further information regarding the proposed fees for private hire operators licences and that was set out in the report at this meeting.

Fees for private hire operator licences have, in previous years, been significantly less than those charged for a single vehicle licence. In 2008/09 the fee was increased from £190 to £250, but this still remains less than the current vehicle licence of £270 (to be increased to £300 with effect from 1 April 2009). There are currently six licensed private hire operators in Hartlepool of which four are relatively large businesses – Twenty Three Taxis operate approximately 110 private hire vehicles, Hudson's operate approximately 50, Royal Cars operate approximately 30 and Streamline Taxis operate 120 hackney carriages. The remaining two are individuals who own and operate their own vehicle.

It is proposed that a new fees structure be introduced for private hire operator's licences that better reflects the additional workload generated by larger operators. The proposal is that there should be a standard fee of £250 plus and additional £10 for each vehicle operated up to a maximum

total fee of £500. It was proposed that the maximum fee payable would, in the first year, be capped at £500, however, the Portfolio Holder indicated that he would prefer the cap of £500 to permanent.

The Portfolio Holder indicated that he had some initial reservations in relation to the £10 per vehicle but would approve the proposed charges for advertisement. The Consumer Services Manager indicated that it was a statutory requirement that the proposed fees be advertised for 28 days prior to implementation. Any objections received would be brought back to the Portfolio Holder for further consideration.

Decision

That the proposed private hire operator fees, as set out in Appendix I to the report, and that such fees be introduced as soon as practicable following the satisfactory conclusion of the statutory consultation process.

35. Revision of 2009/10 Fees and Charges – Update Report (Environmental Standards) *(Head of Procurement, Property and Public Protection)*

Type of decision

Non-key.

Purpose of report

To provide additional information for consideration by the Portfolio Holder in respect of proposed charges for services provided by the Environmental Standards Section of the Procurement, Property and Public Protection Division.

Issue(s) for consideration by Portfolio Holder

Proposed charges for the various services offered by the Environmental Standards Section were considered by the Portfolio Holder on 16 February 2009. At that meeting the Portfolio Holder requested additional information on the cemeteries service and made proposals regarding the Open Markets.

Comparator cremation charges for other local authorities in the north east had been sought, but many were still at the stage of determining their charges for 2009/10. Of the charges set for the current year, it was clear that Hartlepool's charges were among the more expensive, particularly when the proposed additional 'environmental' charge was taken into account.

The Portfolio Holder was concerned that the proposed additional income from the increased charges had been included in the 2009/10 budget. The Portfolio Holder questioned if the additional environmental charge was intended to offset the repayments for the proposed prudential borrowing for the new cremators. The Environmental Standards Manager indicated that the proposed increased charge would bring an additional £55,000 per

annum and the environmental charge would also create the same level of additional income. The Portfolio Holder asked for further information on the environmental charge and whether it was intended that this charge was to offset the payment of the prudential borrowing for the new cremators. At this time the Portfolio Holder indicated that he was only prepared to approve the increase in the standard cremation charges.

In relation to the proposed changes to the markets, the Environmental Standards Manager indicated that the operators of the Thursday market were happy to move to the new 'self erection' scheme. The Wednesday market was, however, very different with operators indicating that they preferred the stalls to be erected before they arrived and were happy to pay the associated charges. The Portfolio Holder requested a further report on the Wednesday market arrangements.

Decision

1. That the additional information set out in the report be noted.
2. That the suggested charge increase for cremation be approved for implementation from 1 April 2009 but that the environmental charge be not implemented at this time.
3. That further comparator information on cremator charges be reported once all the charges were set and that a report on how the prudential borrowing for the new cremators was to be structured be submitted.
4. That a further report on the Wednesday market be submitted once further discussions with the stall holders had been undertaken.

36. Buildings Based Respite Care *(Director of Adult and Community Services)*

Type of decision

Non-key.

Purpose of report

To seek the Portfolio Holder for Adult and Public Health Services' approval to make an exception to the Contract Procedure Rules in relation to a contract for the provision of Learning Disability Respite Services.

Issue(s) for consideration by Portfolio Holder

The initial contract for the provision of this Service was in place with Voyage Care Services (formerly Milbury Care Services) since 2001. The Provider had been effective in meeting the requirements of the specification and the Service itself had been instrumental in the contribution to departmental priorities, statutory requirements and national and local objectives. However, the impact of the Personalisation Agenda and implementation of Self Directed Funding had developed the scope and availability of services in the marketplace used to meet people's individual needs.

Following an extended consultation exercise with Carers and Individuals

who use the Service, the outcome of which was still to be finalised, approval to enter into a new contract until 31st March 2010 with Voyage Care Services was sought. This would enable sufficient time for a full tender process to be undertaken to establish a future buildings based respite service. The cost of the service until 31st March 2010 will be around £337,250 or £136 per bed per night.

The Personalisation Agenda was leading many users of the service to choose their own respite care packages which were leading to a reduction in the use of this service. This would be explored fully during the full tendering exercise which would include extensive consultation with service users.

Decision

That the exception to the Contract Procedure Rules in relation to the contract extension until 31 March 2010 for the provision of Learning Disability Respite Services with Voyage Care Services, as set out in the report, be approved.

37. Safeguarding Vulnerable Adults National Consultation on Review of No Secrets and Hartlepool Vulnerable Adults Protection Committee Quarterly Statistics 01 October 2008 – 31 December 2008 *(Director of Adult and Community Services)*

Type of decision

Non-key.

Purpose of report

The report provided an update/summary on the Consultation on the Review of the No Secrets Procedure and presented the Hartlepool Safeguarding Adults Quarterly Statistics.

Issue(s) for consideration by Portfolio Holder

The Report provided an update on the recently completed National Consultation on the Safeguarding Framework and also provided local activity/ statistical information on Safeguarding for the last Quarter.

Decision

That the report be noted.

38. Water Safety Plan *(Head of Procurement, Property and Public Protection)*

Type of decision

Non-key.

Purpose of report

To provide the Portfolio Holder with information about Hartlepool Water's 'Water Safety Plan'.

Issue(s) for consideration by Portfolio Holder

The report gave details of the Water Safety Plan which had been produced by Hartlepool Water, which is part of Anglian Water, in late 2008. The water company has an obligation to communicate their Plan to their stakeholders, which includes the local authority and through them Parish Councils.

In late 2008, Hartlepool Water carried out a detailed risk assessment of all the water delivery stages from borehole source to tap. This included an assessment of risks to water quality in the catchment, treatment works, storage reservoirs, water mains network and within the customers' premises. Having examined the extensive range of risks that face the company as a water supplier, Hartlepool Water found that there were no risks with a residual risk factor that they deemed to be unacceptable and therefore requiring additional measures, investment or procedures.

Following these investigations and the assessment of the risks, Hartlepool Water submitted a detailed Water Safety Plan to the DWI in late September 2008 and in November, it was confirmed that the Plan met the legislative requirements and was fit for purpose. Following this approval, the Water Company had an obligation to communicate their Plan to their stakeholders, which includes the local authority and through them Parish Councils. To fulfil these obligations, in February 2009 the plan was discussed during a meeting between Hartlepool Water and Public Protection staff.

While the full Plan itself has not been published owing to the sensitivity of some of the contents a briefing note was available through Hartlepool Water's website and a copy of this was provided with the report

Decision

That the report be noted.

The meeting concluded at 11.35 a.m.

P J DEVLIN

CHIEF SOLICITOR

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