

CABINET

MINUTES AND DECISION RECORD

20 APRIL 2009

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).
Robbie Payne (Finance & Efficiency Portfolio Holder),
Peter Jackson (Neighbourhoods & Communities Portfolio Holder),
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder),

Officers: Paul Walker, Chief Executive,
Andrew Atkin, Assistant Chief Executive
Dave Stubbs, Director of Neighbourhood Services
Peter Scott, Director of Regeneration and Planning Services
Adrienne Simcock, Director of Children's Services
Nicola Bailey, Director of Adult and Community Services
Mike Ward, Chief Financial Officer
Stuart Green, Assistant Director (Planning and Economic Development)
Derek Gouldbum, Urban Policy Manager
Louise Wallace, Acting Director of Health Improvement
Julian Heward, Public Relations Officer
David Cosgrove, Democratic Services Team

258. Apologies for Absence

Councillor Cath Hill (Children's Services Portfolio Holder).

259. Declarations of interest by members

None.

260. Confirmation of the minutes of the meeting held on 6 April 2009

Confirmed.

261. Final Report – Quality of Care Homes Provision in Hartlepool (*Adult and Community Services Scrutiny Forum*)

Type of decision

Non-key.

Purpose of report

The report outlined the findings and conclusions of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool'.

Issue(s) for consideration by Cabinet

The Chair of the Adult and Community Services Scrutiny Forum presented the final report of the forum's investigation into the 'Quality of Care Homes Provision in Hartlepool' outlining the overall aim of the scrutiny investigation, its terms of reference, the methods of investigation, findings, conclusions, and subsequent recommendations. The final report was approved by Scrutiny Co-ordinating Committee on 13 February 2009. The report was commended to Cabinet.

Decision

That the recommendations of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool', as set out below, be approved and adopted;

"The Adult and Community Services Scrutiny Forum has taken evidence from a wide range of sources to assist in the formulation of a balanced range of recommendations. The Forum's key recommendations to the Cabinet are outlined below:

(a) That the Council, through its Adult and Community Services Department and relevant Portfolio Holder, works in partnership with LINKs to ensure that the statutory requirements in relation to care home inspection in Hartlepool are fully met;

(b) That the Council re-establishes the Hartlepool Care Managers' Forum in consultation with Hartlepool PCT to ensure that regular dialogue is maintained between care home managers and key partners;

(c) That the Council regularly publicises its gradings for individual Care Homes along with the Commission for Social Care Inspection quality ratings on the Council's website, in 'Hartbeat', in the local press and public libraries in order to raise public awareness of ratings and to encourage care homes to raise their standards;

(d) That the Council aligns its care home gradings with the Commission for Social Care Inspection quality ratings to provide an overall grading;

(e) That the Council considers including within their service specifications

the minimum standards which are not legally enforceable through the Care Homes Regulations 2001;

(f) That, where possible, the Council influence future residential care developments to locate dementia units on the ground floor of any new development in Hartlepool; and

(g) That the Portfolio Holder for Adult and Public Health lobby the Government to review the personal expenses allowance so that it is reflective of a person's needs and abilities."

262. Action Plan – The Quality of Care Homes Provision in Hartlepool *(Director of Adult and Community Services)*

Type of decision

Non-key.

Purpose of report

To agree an Action Plan in response to the findings and subsequent recommendations of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool'.

Issue(s) for consideration by Cabinet

The Adult and Community Service Portfolio Holder welcomed the scrutiny forum's report and outlined the proposed Action Plan (set out at Appendix A to the report) in response to the forum's recommendations following the investigation into the 'Quality of Care Homes Provision in Hartlepool'. The Portfolio Holder.

Decision

That the Action Plan in response to the recommendations of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool' be approved.

263. Local Government (Access to Information) (Variation) Order 2006

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 the paragraphs below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 264 Victoria Harbour (Para. 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

Present (for the following item only):

The Mayor (Stuart Drummond) - In the Chair

Councillors: Pam Hargreaves (Deputy Mayor),
Gerard Hall (Adult and Public Health Services Portfolio Holder).
Robbie Payne (Finance and Efficiency Portfolio Holder),
Peter Jackson (Neighbourhoods and Communities Portfolio Holder),
Victor Tumilty (Culture, Leisure and Tourism Portfolio Holder),

Officers: Paul Walker, Chief Executive,
Peter Scott, Director of Regeneration and Planning Services
Mike Ward, Chief Financial Officer
Stuart Green, Assistant Director (Planning and Economic Development)
David Cosgrove, Democratic Services Team

264. Victoria Harbour (*Chief Executive, Chief Financial Officer and Director of Regeneration and Planning Services*)

Type of decision

Key Decision – tests (i) and (ii) apply.

Purpose of report

To present details of proposals relating to land at Victoria Harbour.

Issue(s) for consideration by Cabinet

The details are set out in the exempt section of the minutes.

Decision

The decision is set out in the exempt section of the minutes.

The meeting returned to open public session.

265. Employment Land Review (*Director of Regeneration and Planning Services*)

Type of decision

Non-key.

Purpose of report

To seek Cabinet approval to use the Employment Land Review (ELR) document as a material consideration in the determination of planning applications relating to employment land and an evidence base to inform the Core Strategy and other relevant Development Plan Documents.

Issue(s) for consideration by Cabinet

The Mayor summarised the key findings of the study which identified those allocated employment sites which should be retained for employment uses and those areas of land which might be considered for de-allocation. The study concluded that there was a potential over-supply of employment land across the Borough and recommended that the following sites be de-allocated:

- Parts of Oakesway
- Mixed use regeneration site at the Headland (adjacent to the Manor House)
- East of Stranton (Anchor Mills)
- Parts of Tees Bay Retail Park
- Brenda Road East, Southerm Part
- Golden Flatts
- Parts of Graythorp
- Century Park (Former RHM Site)

The findings of the Employment Land Review would inform the Local Development Framework including the Hartlepool Core Strategy and should be a material consideration in determining planning applications for employment use as well as alternative uses on employment land. A report was to be made to the Planning Committee at its meeting on 22 April 2009 to seek members' views on the use of the Employment Land Review as a material consideration in determining applications for planning permission. A copy of the Employment Land Review had also been placed in the Members' Room.

Members questioned the longer term use of the Century Park site and its potential sale. Officers indicated that the site could be sold with its present use; its current use was not restricted by the declassification.

Decision

That the Employment Land Review recommendations be referred to the Planning Committee:

1. for use as a material consideration in the determination of planning applications relating to employment land; and
2. to be used as an evidence base to inform the Core Strategy and other relevant Development Plan Documents .

266. Transport Assessments and Travel Plans Supplementary Planning Document *(Director of Regeneration and Planning Services)*

Type of decision

Non-key.

Purpose of report

To advise Cabinet that a Supplementary Planning Document for Transport Assessment and Travel Plans has been prepared and consulted upon and to seek approval of the report for adoption.

Issue(s) for consideration by Cabinet

The Mayor highlighted the process involved in the development of and consultation on the Transport Assessments and Travel Plans Supplementary Planning Document (SPD) and that approval was now sought for the adoption of the final version of the document. The report advises that the SPD would become part of the newly proposed Local Development Framework and would provide guidance on how the Borough Council would implement the Hartlepool Local Plan Policy relating to Transport Assessments and Travel Plans.

Decision

That Cabinet recommends to Council that the Transport Assessments and Travel Plans Supplementary Planning Document be formally adopted.

267. Household Waste Recycling Centre and Salt Storage Facility *(Director of Neighbourhood Services)*

Type of decision

Non-key.

Purpose of report

To seek Cabinet approval to the delegation of powers to the Portfolio Holders for Neighbourhoods and Communities and Finance and Efficiency.

Issue(s) for consideration by Cabinet

The Finance and Efficiency Portfolio Holder requested that Cabinet delegate authority to the Portfolio Holders for Neighbourhood and Communities and Finance and Efficiency to submit a proposal to special Council on 30th April to fund the replacement of the salt storage facility and the extension of the Household Waste Recycling Centre providing they agree to the works at their joint meeting to be held on 27th April 2009. The proposal is to fund the works through prudential borrowing

Decision

That the delegation of authority to submit a proposal on this issue to special Council on behalf of the Executive be agreed.

268. Commissioning Services and Support for People with Learning Disabilities and Complex Needs *(Director of Adult and Community Services)*

Type of decision

Non-key. The item was for Cabinet's information only.

Purpose of report

To inform Cabinet of the recommendations of a joint review undertaken in 2008 by the Commission for Social Care Inspection, the Healthcare Commission and the Mental Health Act Commission in nine areas of England to see how well people with learning disabilities and complex needs were being supported by local services.

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder outlined how the three commissions shared concerns about the quality of services and support for people with learning disabilities, in particular those with complex needs. Reports had documented how people with learning disabilities received poor services and how their rights were not being safeguarded, despite a wealth of policy and practice guidance about how services should be commissioned and delivered. The report reviewed how local councils and Primary Care Trusts (PCT's) commissioned services and support for people with learning disabilities and complex needs.

Decision

That the contents of the report be noted and that Cabinet supports the implementation of recommendations and requests an update on progress in six months time.

269. PCT Strategy – Focus on Staying Healthy (*Director of Adult and Community Services*)

Type of decision

Non-key. The item was for Cabinet's information only.

Purpose of report

The report presented to the Cabinet the 'Staying Healthy' section of the PCT Strategy 2009/2014.

Issue(s) for consideration by Cabinet

The Acting Director of Health Improvement, Louise Wallace, gave a presentation to Cabinet highlighting how implementation of the strategy could only be effectively delivered through the continued joint strategic approach; partnership working and shared ownership of the health and well being agenda, between the Primary Care Trust (PCT) and the Local Authority. The presentation reinforced the significant resources already invested in this area including health improvement staff and the senior officer leadership of the jointly appointed Local Director of Public Health and current Acting Director of Health Improvement.

Members commented on how much work was already being done on many of these topics through the Health and Wellbeing Partnership of Hartlepool Partnership. The Connected Care project in Owton was raised as a good example of how coordinated services could have a major effect and was an

example that could serve other areas of the town well. Members were concerned that there were still problems for a large number of residents in gaining access to GP services at convenient hours. Members commented that the GP services being transferred into the new facility on Park Road should have some 'guidelines' set as to open hours etc. in advance to ensure that services were available to people at times they found convenient.

Members also expressed concern that while there were excellent services being provided to those wishing to stop smoking, little funding was being directed towards reducing peoples alcohol consumption unless they had a chronic problem. Alcohol consumption, whilst being a major health problem, was also at the root of many of the problems being tackled by the Safety partnership. This issue needed to be taken up with central government so that the issues of crime and violence associated with excessive drinking were being tackled properly.

Members agreed that update reports should be provided but considered that quarterly reports to Cabinet would be sufficient.

Decision

That the report and presentation be noted and that Cabinet receives quarterly reports on progress towards delivering key public health and health improvement priorities.

270. Six Lives: The Provision of Public Services to People with Learning Disabilities (*Director of Adult and Community Services*)

Type of decision

Non-key. The item was for Cabinet's information only.

Purpose of report

To inform Cabinet of the conclusion and recommendations following the report into six investigations conducted by the Health Service Ombudsman for England, three of which were investigated jointly with the Local Government Ombudsman.

Issue(s) for consideration by Cabinet

The Adult and Public Health Services Portfolio Holder reported on the detailed accounts of six complaints made by Mencap on behalf of the families of six people with learning disabilities, all of whom died between 2003 and 2005 while in NHS or local authority care.

Decision

That the contents of the reports be noted and that Cabinet supports the implementation of the recommendations highlighted in the report and receives an update on progress in six months time.

The meeting concluded at 11.05 a.m.

P J DEVLIN

CHIEF SOLICITOR

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