

CABINET

MINUTES AND DECISION RECORD

22 NOVEMBER 2010

The meeting commenced at 9.15 a.m. in the Civic Centre, Hartlepool

Present:

The Mayor, Stuart Drummond - In the Chair

Councillors: Robbie Payne (Deputy Mayor) (Finance and Procurement Portfolio Holder),
Gerard Hall (Adult and Public Health Services Portfolio Holder).
Cath Hill (Children's Services Portfolio Holder),
Hilary Thompson (Culture, Leisure and Tourism Portfolio Holder),

Also Present: Councillor Marjorie James, Chair of Scrutiny Coordinating Committee;
Councillor Chris Simmons, Vice-Chair of Scrutiny Coordinating Committee

Officers: Paul Walker, Chief Executive
Andrew Atkin, Assistant Chief Executive,
Chris Little, Chief Finance Officer
Alyson Camen, Legal Services Manager
Joanne Machers, Chief Customer and Workforce Services Officer
Dave Stubbs, Director of Regeneration and Neighbourhoods
Sally Robinson, Assistant Director (Safeguarding and Specialist Services)
Caroline O'Neill, Assistant Director (Performance and Achievement)
Danielle Swainston, Sure Start, Extended Services and Early Years Manager
Zoe Westley, School Improvement Adviser
Derek Gouldbum, Urban and Planning Policy Manager
Matthew King, Principal Planning Officer
Joan Stevens, Scrutiny Manager
Julian Heward, Public Relations Officer
David Cosgrove, Democratic Services Team

92. Apologies for Absence

Jonathan Brash (Portfolio Holder for Performance Portfolio Holder), Pam Hargreaves (Regeneration and Economic Development Portfolio Holder), and Peter Jackson (Cabinet Member without Portfolio).

93. Declarations of interest by members

None.

94. Inquorate Meeting

It was noted that the meeting was not quorate. The Mayor indicated that (as permitted under the Local Government Act 2000 and the Constitution) he would exercise his powers of decision and that he would do so in accordance with the wishes of the Members present, indicated in the usual way. Each of the decisions set out in the decision record were confirmed by the Mayor accordingly.

95. Confirmation of the minutes of the meeting held on 8 November 2010

Confirmed.

96. Core Strategy Preferred Options Report *(Director of Regeneration and Neighbourhoods)*

Type of decision

Budget and Policy Framework.

Purpose of report

This report sought approval, for consultation purposes, of the revised Core Strategy Preferred Options report and authorisation for officers to progress the associated consultation process.

Issue(s) for consideration by Cabinet

The Mayor indicated that the report presented the revised document for endorsement and sought Cabinet approval to carry out public consultation on this report in line with statutory requirements. The Mayor reported that the revised document incorporated the amendments as requested by Cabinet at the meeting on 6 September 2010. The consultation period was due to commence on 29 November 2010 and would last eight weeks.

Decision

- (i) That the revised Core Strategy Preferred Options Report be approved for public consultation purposes.
- (ii) That officers be authorised to carry out public consultation on the Report.

97. 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 items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph detailed 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 98 - Call-in of Cabinet Decision – Senior Management Review. This item contained exempt information under Schedule 12A Local Government Act 1972, namely, information that is likely to reveal the identity of an individual (Para 2).

98. Call-in of Cabinet Decision – Senior Management Review (*Scrutiny Co-ordinating Committee*) This item contained exempt information under Schedule 12A Local Government Act 1972, namely, information that is likely to reveal the identity of an individual (Para 2).

Type of decision

Non-key decision.

Purpose of report

To outline the Scrutiny Co-ordinating Committee's comments / recommendations following the Call-In of the decisions taken by Cabinet on the 30 November 2009 in relation to the Senior Management Review (Minute no. 124 refers).

Issue(s) for consideration by Cabinet

The issues considered by Cabinet are set out in the exempt section of the Decision Record. Cabinet agreed that as their debate had not been completed, the meeting should, once the remaining business was concluded, stand adjourned to be reconvened immediately following the conclusion of the meeting to be held on Monday 29 November 2010.

Decision

The decision of Cabinet is set out in the exempt section of the Decision Record.

THE MEETING RETURNED TO OPEN SESSION

99. Business Transformation – Sure Start, Extended Services and Early Years – Service Delivery Options Review (*Director of Child and Adult Services*)

Type of decision

Non-key.

Purpose of report

The report set out the Options Report for the Sure Start, Extended Services and Early Years Service Delivery Option Review. This service delivery review had an efficiency target of £40,400 which was 5% of the total budget of £808,300.

Issue(s) for consideration by Cabinet

The scope of the Sure Start, Extended Services and Early Years Service Delivery Option Review had included all local authority funding for this area of work that includes:

- Play Development
- OSCARs out of school service
- Play opportunities pool
- Early Years

It highlighted that Extended Services through schools funding is directly passed to schools and this funding would cease from March 2011, therefore, this funding had not been included in the review. The General Sure Start Grant that funds early years activities such as childcare support and children's centres, had not been included in the review as this is currently a ring-fenced grant.

The report included a recent approval by the Children's Services Portfolio holder of a price increase for OSCARs that was expected to generate the required savings. In addition it sets out two further options to support the savings target. These included closing OSCARs and ceasing the Play Opportunities Pool.

The Sure Start, Extended Services and Early Years Manager highlighted that the SDO had been referred to the Children's Services Scrutiny Forum through the Scrutiny Coordinating Committee's consideration of the Forward Plan. The Chair of the Children's services Scrutiny Forum, Councillor Chris Simmons, was present at the meeting and indicated that the Forum had considered the proposals and supported the action suggested in the report.

The Chair of the Scrutiny Coordinating Committee, Councillor Marjorie James, who was also present at the meeting, indicated that when the options report had been considered by the Business Transformation Board

there had been a recommendation that the provision of the OSCARs service be tested for external market provision with options for private, voluntary or worker cooperative being examined with a report back in January. Officers indicated that this was an on-going review and further options for the provision of the service outside the authority would have to be considered.

The Sure Start, Extended Services and Early Years Manager indicated that government policy was currently unclear on the future of Sure Start. The coalition government had committed in principle to Sure Start but with a focus on the targeting of need instead of the current universal service. The funding of this targeted service is also unclear although initial messages from the Department for Education seem to be indicating that any Sure Start funding will 'unringfenced' in the future.

A large amount of parents with children under 5 were now engaging with children's centres and outcomes for the most vulnerable families were improving. It was important, however, that the Council continues to support our most vulnerable families and in light of reducing funding and a review was currently taking place of all Sure Start expenditure with the aim of identifying priorities and the most effective interventions using value for money principles. This review would be presented to Cabinet following the government's comprehensive review and the announcement on the future of Sure Start funding.

The Mayor was concerned at where these savings now sat in light of the extensive savings that the authority was going to have to make as a result of the government spending review. The Assistant Chief Executive commented that the £2.9m savings that Business Transformation (BT) was bringing forward were still required as part of the approach to the spending review. It was highly likely that this and other areas that had already been reviewed through BT would have to come back for further consideration.

Cabinet Members supported the review as submitted, though did comment that the Council's commitment to reducing child poverty did mean that sight must not be lost of the role these services played in tackling that issue. It was essential that these services did reach those most in need.

Decision

1. That the OSCARs increase in prices which exceeds the savings target which was agreed by the Children's Services Portfolio Holder on the 3rd August be noted.
2. That further information and potential options in relation to the General Sure Start Grant be presented to Cabinet following the government's comprehensive spending review.

100. Business Transformation – Social Inclusion / Vulnerable Pupils / SEN Service Delivery Options Report *(Director of Child and Adult Services)*

Type of decision

Key Decision Test (i) applies. Forward Plan CAS 76/10.

Purpose of report

To inform Cabinet of the findings of the Social Inclusion/Vulnerable Pupils/SEN Service Delivery Options Review.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported that this Service Delivery Option had an efficiency target of £57,200. This is 12% of the net budget of £474,849. The total budget for the areas covered by the SDO is £6,439,443. The scope of services covered in the review included:

- Education of Vulnerable Groups including: Looked After Children, Young Offenders, Young Carers, Home and hospital teaching, Ethnic minority & mobile pupils, Teenage parents
- School attendance & employment licensing
- Equality and diversity in schools
- Child protection in schools
- Behaviour improvement in schools, exclusions and Anti-bullying
- Secondary B&A Partnership
- Pupil Referral Unit
- Hartlepool Inclusion Standard
- Special Educational Needs including hearing & visually impaired
- Educational Psychology; and
- Elective Home Education

The complex funding of services included in the scope of this SDO restricted capacity to identify savings on Council funded services. However all service areas had been reviewed and in some cases proposals were made to reshape the use of ring-fenced grants. The main ring-fenced grant was the Dedicated Schools Grant (DSG), the scope of which provided funding for, and must be spent on, Local Authorities (LAs) "Schools' Budget" as prescribed in the School Finance regulations. This covered delegated budgets to individual schools and also other education provision for children which LAs funded centrally. The LA's share of the grant was "ring-fenced" and could not be used to support general spending.

A number of options had been identified for this review, relating to:-

The Educational Psychology Team
Learning Behaviour Team
School Attendance Team
Vulnerable Pupils Team

Pupil Referral Unit Team
 Special Educational Needs Team
 School Improvement Co-ordinators
 Independent School Fees.

Each of these areas was dealt with in turn in the report outlining the options considered and the savings that could be accrued. These were summarised as follows: -

	Dedicated Schools Grant (DSG)	General Fund	Net
A) Education Psychology Team - Option 1	+£60,000	-£60,000	£0
C) School Attendance Team- Option 1		-£14,000	-£14,000
D) Vulnerable Pupils – option 2	-£26,000	£0	-£26,000
D) Vulnerable Pupils – Home & Hospital	-£50,000	£0	-£50,000
E) PRU – option 2	-£19,000	£0	-£19,000
F) SEN Team – option 2	+£24,300	+£9,700	+£34,000
G) School Improvement Co-ordinators – option	-£35,000	£0	-£35,000
H) Independent School Fees	+£45,700	-£45,700	£0
Overall Financial Implications	£0	£110,000	£110,000

The Mayor questioned again if these areas would need to be revisited for further savings. The Assistant Director (Performance and Achievement) indicated that it was almost certain that these areas would need to be reconsidered. Pupil Attendance was an area that would require further consideration. The government had indicated that local authorities had no duty to set targets on school attendance. The Council currently employed a team of six officers on this function. In response to Member questions, Officers indicated that the government had made an announcement on the issue but had not issued the detail changes. The announcement only related to the issue of targets. Cabinet Members considered that this was one area where an early decision would be beneficial to all concerned and the Mayor asked for a report once the detailed changes were issued by government. Cabinet Members were concerned, however, that great strides had been made in school attendance figures over recent years and any withdrawal of the service could undo that work.

Decision

- (i) That the recommended options as set out in the report relating to: The Educational Psychology Team, Learning Behaviour Team, School Attendance Team, Vulnerable Pupils Team, Pupil Referral Unit Team, Special Educational Needs Team, School Improvement Co-ordinators, and Independent School Fees be approved.
- (ii) That the proposals for the achievement of the £110,000 savings summarised in the report and the table above be approved..

101. Third Local Transport Plan (LTP3) (Director of Regeneration and Neighbourhoods)

Type of decision

Key decision, tests (i) and (ii) apply. Forward Plan ref: RN39/10.

Purpose of report

To provide an update on progress towards the development of Hartlepool's third Local Transport Plan (LTP).

Issue(s) for consideration by Cabinet

The Director of Regeneration and Neighbourhoods reported that Cabinet at the meeting on 19th October 2009 approved the methodology for the development of the new Plan, for the draft document to be presented to Cabinet in October 2010 and for the final document to be submitted in March 2011 for final approval prior to instigation on 1st April 2011.

Since this time significant changes had occurred in central Government with subsequent impact on the initial guidance in respect of the Plan development. A ministerial announcement was made in July 2010 in respect of the current Governments' aspirations towards transport planning and the new LTP. There remains in place a statutory duty for local authorities to develop their next Local Transport Plans in time for April 2011, and there are no plans to remove or amend this duty.

Because of all the uncertainty following the change of Government and the resulting changing agendas, development of the third LTP had been slower than anticipated. It was expected, however, that a working draft would be available before Christmas for further consultation with all stakeholders, including members of Cabinet.

It is proposed that any changes to be made to the document, as a result of this further consultation, would be presented to Cabinet for approval in March 2011 prior to implementation in April 2011.

Decision

1. That the progress towards the development of the third Local Transport Plan be noted.
2. That the working draft be approved for circulation to all stakeholders for the purpose of further consultation
3. That the draft document be revised to accommodate appropriate comments received during the consultation process and that the final document be presented to Cabinet in March 2011.

102. Business Transformation – Service Delivery Review Options Analysis Report for Children’s Social Care and Prevention Service *(Director of Child and Adult Services)*

Type of decision

Key Decision, Tests (i) applies. Forward Plan Ref: CAS 84/10.

Purpose of report

To inform Cabinet on the findings of the Children’s Social Care and Preventions Services, service delivery options review and the options appraisal aspect of the review.

Issue(s) for consideration by Cabinet

The Children’s Services Portfolio Holder reported that the Service Delivery Review for Children’s Social Care and Preventions Services had an efficiency target of £485,500. This target represented 5% savings against the whole division budget (excluding the Youth Offending Service which moved to this division part way through the Review programme) of £9.4M. The Service Delivery Option (SDO) did not include services commissioned by children’s social care as it had previously been agreed that this review would be undertaken in Year 3 of the SDOs Review Programme. Therefore whilst an efficiency target had been set, the target includes budgets associated with commissioning which were out with the scope of this review.

The savings identified within the review taken with savings identified through the commissioning review should achieve together the efficiency target of £485,500. Further proposals would be identified in respect of the balance of savings as part of the year 3 BT SDO programme.

Due to the size of this review, it had been organised into individual reviews of each of the following areas:

- Prevention Service
- ACORN Service
- Safeguarding, Assessment and Support Services (fieldwork teams)
- Safeguarding and Review Unit
- Through Care Team
- Placement Service
- Short break care for disabled children (Exmoor Grove)
- Resource Services

Details of each of the sub reviews were submitted as appendices to the main report.

The Mayor commented that this was a service area in which members

would generally be cautious about making savings. The Mayor sought assurance that none of the proposed savings would leave any area without adequate resources. The Assistant Director (Safeguarding and Specialist Services) commented that there had been a little down-sizing in some areas and the removal of any over capacity. During the review Officers were conscious of not removing too much support that some tasks ended up being pushed down to social workers with the consequent knock-on effect that would have on their workloads.

Cabinet discussed further the issue of the programme of SDO's against the spending review requirements. It was commented areas that needed to be protected should be identified now. SDO's should also be looking at services on the basis of 'do we still need to do this?'

The Assistant Chief Executive stated that the year 3 programme of SDO's was on hold while the authority identified where it was now in terms of the cuts that needed to be achieved. The Business Transformation savings of £2.9m still needed to be made as they were already factored into the budget proposals for 2011/12. The Chief Executive added that while BT had been superseded by the spending review, the SDO's were still bringing out good savings. Those savings needed to be made now but moving forward, the main criteria would be risk not finance. Services would need to be prioritised and those where it was safe to reduce expenditure would need to be looked at further. The problem in many respects was the drip-feeding of announcements from the government without the detail to back them up.

Cabinet members commented that the benefit of the prevention services for vulnerable children and adults could not be over-estimated. If spending on services was continually being reduced then Members did need to be reassured that no one was at risk. The government saying that they were removing the ring-fencing of certain funding streams and then providing less funding in total only increased the pressure on services. The Chief Executive stated that the number of front line social workers was continually monitored to ensure there were sufficient appropriately trained and qualified staff.

Decision

1. That the proposals for the achievement of the £137,469 savings set out in the report be approved.
2. That Cabinet notes this Service Delivery Option Review does not include services commissioned by children's social care, which will be undertaken in Year 3 of the Service Delivery Options Review Programme.
3. That Cabinet notes the proposals for the outstanding savings target will be included in the review of Children's Social Care Commissioning which will be reported to Cabinet during 2011.

103. Re-Inspection Of The Youth Offending Service *(Director of Child and Adult Services)*

Type of decision

Non-key.

Purpose of report

To report to Cabinet on the work undertaken to improve and develop the Youth Offending Service (YOS) following the inspection in November 2009 and inform Cabinet of the planned re-inspection of the service in January 2011.

Issue(s) for consideration by Cabinet

The Children's Services Portfolio Holder reported on the work that had been undertaken over the past six months to support and improve the work of the Youth Offending Service with a focus on quality assurance, reviewing processes and systems and improving practice and the case records supporting work with children and young people.

Audit work had been completed to assist the service to understand its client base and shape service around the needs of children and young people in the youth justice system in Hartlepool. A service restructure was required and work has been completed on a draft structure which will be consulted upon in the near future.

The Council had received formal notice that a re-inspection of the service would commence on 24th January 2011. The report outlined how the service was preparing for the re-inspection and noted that it was likely the findings of the re-inspection would be that further service improvements were required.

Decision

1. That the report be noted and that the plans for the further development and improvement of the Youth Offending Service be endorsed.
2. That the planned re-inspection of the Youth Offending Service commencing on 24 January 2011 be noted.

104. Business Transformation – Quarterly Programme Update *(Chief Executive)*

Type of decision

Non-key.

Purpose of report

To provide a recap on the programme, to update on progress on the Programme since April 2010 and to provide an outline of forthcoming activity.

Issue(s) for consideration by Cabinet

The Assistant Chief Executive provided an overview of the current status of the programme and forthcoming reports which will be considered by Cabinet. The report provided information for the overall monitoring of progress of the Programme, against the originally established timescales.

In addition the report included an update in respect of both financial and risk related issues. The Business Transformation (BT) Programme, and the contribution it can make to the Medium Term Financial Strategy (MTFS) had been revisited in the light of the new financial position the authority faced. The originally established contribution to the MTFS for 2011/12 was £1.3m. As members will be aware, the BT Programme when it was established had core and aspirational targets. The core targets were built into the MTFS but the review, and progress on the programme in this year had identified that a significant portion of the aspirational targets could be factored in as part of the MTFS. This was not without risk but had resulted in an additional potential contribution of £1.6m from the BT programme to addressing the budget deficit for 2011/12

The overall Transformation Programme continued to proceed broadly in line with the originally agreed scope and timescale although work undertaken in respect of the SDO Programme had identified additional savings over and above those factored in as part of the MTFS.

Decision

That the progress made to date on the implementation of the programme and forthcoming reports to Cabinet be noted.

105. Quarter 2 – Capital and Accountable Body Programme Monitoring Report 2010/2011 *(Chief Finance Officer)*

Type of decision

None – the report was for Cabinet's information only.

Purpose of report

To provide details of progress against the Council's overall Capital budget for 2010/2011 and the spending programmes where the Council acts as the Accountable Body for the period to 30th September, 2010.

Issue(s) for consideration by Cabinet

The Finance and Procurement Portfolio Holder provided details of progress against the Council's Capital Programme for 2010/11 and indicated that just over 65% of expenditure would be paid in the second half of the financial year. This position wasn't usual at this stage of the year owing to the longer lead-times for capital projects.

It was currently anticipated that £7.6m of capital expenditure would be

re-phased into 2011/2012. This expenditure related to a variety of Schools projects totalling £5.7m including £2.3m for Jesmond Road School and £1.5m for North/Central Housing renewal. The report also provided details of progress against the NDC budget which is expected to be on target at the year-end.

Members questioned the potential for the NDC capital programme to be over-spent. The Chief Financial Officer commented that this was highly unlikely as the programme had been well monitored, but if it did, then the Council would be liable to meet that additional cost.

Decision

That the report be noted.

106. Quarter 2 – Corporate Plan and Revenue Financial Management Report 2010/2011 (*Corporate Management Team*)

Type of decision

None – the report was for Cabinet's information only.

Purpose of report

To inform Cabinet of the progress made towards achieving the Corporate Plan Actions in order to provide timely information and allow any necessary decisions to be taken and to provide details of progress against the Council's overall revenue budget for 2010/2011.

Issue(s) for consideration by Cabinet

The Finance and Procurement Portfolio Holder outlined the second performance and financial management report for the current year and provided details of the actual position at the end of September and the first forecast outturns for departmental expenditure. The report confirmed that corporate budgets were expected to under-spend at the year end by £0.9m. This was to be utilised with £0.5m to support the in year grant cuts and £0.4m to support the Tall Ships programme.

In relation to departmental expenditure the report indicated that departmental outturns have now been prepared and these show that an over-spend of £0.375m was expected. This included anticipated shortfalls on Car Parking income, Building Control and Planning income and Shopping Centre and Land Charges income. Income had been allocated from the Strategic Risk Reserve to partly cover these shortfalls. There was however, a favourable variance on the costs of Looked after Children which was less than expected when the budget was set. This was a volatile area and specific reserves were being created to manage the risk in future years through the Medium Term Financial Strategy. The forecast outturns didn't include potential benefits from the advance Service Delivery Options savings being achieved earlier than anticipated in the Medium Term Financial Strategy. This would be reported as part of the 2011/12 budget

report.

The Assistant Chief Executive reported that in relation to the Corporate Plan element of the report overall performance was good, and in line with expectations with 97% of actions and 87% of the PIs (when annually reported PIs have been removed) judged to be either on or above targets. A number of actions had had date change requests suggested for various reasons. Cabinet is asked to note and approve these requests

Decision

That the report be noted and the date changes requested approved.

107. Adjournment of Meeting

The meeting stood adjourned to be reconvened immediately following the meeting of Cabinet to be held on Monday 29 November 2010.

The meeting concluded at 11.40 a.m.

**Upon being reconvened on Monday 29 November
immediately following the conclusion of the Cabinet scheduled at 9.15 am
in the Civic Centre, Hartlepool**

Present:

The Mayor, Stuart Drummond - In the Chair

Councillors: Robbie Payne (Deputy Mayor) (Finance and Procurement Portfolio Holder)
Gerard Hall (Adult and Public Health Services Portfolio Holder)
Cath Hill (Children's Services Portfolio Holder)
Jonathan Brash (Performance Portfolio Holder)
Pamela Hargreaves (Regeneration and Economic Development Portfolio Holder)

Also Present:

Councillor Chris Simmons, Vice-Chair of Scrutiny Coordinating Committee

Officers: Joanne Machers, Chief Customer and Workforce Services Officer
Angela Hunter, Principal Democratic Services Officer

108. Apologies for Absence

Apologies were received from Councillor Hilary Thompson (Portfolio Holder for Culture, Leisure and Tourism).

109. Declarations of interest by Members

Councillor Jonathan Brash declared a personal interest in minute 111 and confirmed he would not be participating in any discussions or voting on that item.

110. 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 items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph 2 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 111 - Call-in of Cabinet Decision – Senior Management Review. This item contained exempt information under Schedule 12A Local Government Act 1972, namely, information that is likely to reveal the identity of an individual (Para 2).

111. Call-in of Cabinet Decision – Senior Management Review (*Scrutiny Co-ordinating Committee*)

This item contained exempt information under Schedule 12A Local Government Act 1972, namely, information that is likely to reveal the identity of an individual (Para 2).

Type of decision

Non-key decision.

Purpose of report

To outline the Scrutiny Co-ordinating Committee's comments / recommendations following the Call-In of the decisions taken by Cabinet on the 30 November 2009 in relation to the Senior Management Review (Minute no. 124 refers).

Issue(s) for consideration by Cabinet

The issues considered by Cabinet are set out in the exempt section of the Decision Record.

Decision

The decision of Cabinet is set out in the exempt section of the Decision Record.

The meeting concluded at 11.36 am

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 2 December 2010