

AMENDED AGENDA

External Overview and Scrutiny Committee Meeting



Overview and Scrutiny

Date: Tuesday 21 April 2009
Time: 6:30 p.m.
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors: Hotson (Chairman), Marchant (Vice-Chairman), Mrs Gibson, Mrs Parvin, Paterson, Pollington, Schnell, Vizzard and Williams

Page No.

1. Apologies.
2. Notification of Substitute Members.
3. Notification of Visiting Members.
4. Disclosures by Members and Officers:
 - a) Disclosures of interest.
 - b) Disclosures of lobbying.
 - c) Disclosures of whipping.

Continued Over/:

Issued on 15 April 2009

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Louise Smith on 01622 602524**.

To find out more about the work of the Overview and Scrutiny Committees, please visit www.digitalmaidstone.co.uk/osc

David Petford, Chief Executive
Maidstone Borough Council, Maidstone House, King Street,
Maidstone, Kent, ME15 6JQ

5. **To consider whether any items should be taken in private because of the possible disclosure of exempt information.**

All public items will be web-cast.

6. **Minutes of the Meeting Held on 17 March 2009.** **1-8**
7. **Leader of the Council: Progress During 2008/09.** **9-16**
Interview with the Leader of the Council, Councillor Chris Garland.
8. **Cabinet Member for Community Services: Progress During 2008/09.** **17-24**
Interview with the Cabinet Member for Community Services, Councillor Marion Ring.
9. **URGENT ITEM: Call-in: Review of Fees and Charges for Hotfoot 2009-10.** **25 - 36**

Interview with:

- Cabinet Member for Community Services, Councillor Marion Ring; and
- Sports, Play and Youth Development Manager, Jacqueline Bryden.

Maidstone Borough Council

External Overview and Scrutiny Committee

Tuesday 21 April 2009

Call-In: Review of Fees and Charges for Hotfoot 2009-10

Report of: Senior Overview and Scrutiny Officer

1. Background

- 1.1. Councillors FitzGerald and Batt have called-in the decision of the Cabinet Member for Community Services with regard to "Review of Fees and Charges for Hotfoot 2009-10".
- 1.2. In order to assist Members in their consideration of this issue the following documents have been attached to this agenda:

Document
Call-in Form
<i>Report for Decision: Review of Fees and Charges for Hotfoot 2009-10</i>
<i>Record of Decision of the Cabinet Member for Environment: Review of Fees and Charges for Hotfoot 2009-10</i>

- 1.3. The Cabinet Member for Community Services, Councillor Marion Ring, and the Sports, Play and Youth Development Manager, Jacqueline Bryden will be in attendance at the meeting for interview.

2. Recommendation

- 2.1. The reasons for calling-in the Cabinet Member's decision are stated as:

"We do not believe that the price rise of 21% can be justified in the current climate. Whilst we recognise the fact that concessions are provided we feel that the decision will lead to families just outside of the qualification parameters for concessions will be unable to afford the high increase. There is a lack of financial evidence within the report and furthermore we are concerned at the lack of depth to the evidence submitted in the report as it relies entirely on a comparison with one other borough."

- 2.2. The Committee should consider the decision of the Cabinet Member against the above reason.
- 2.3. Having considered the call-in the Committee has three options for action:

- (i) **Take no action** – the decision will be implemented as taken by the Cabinet Member on 3 April 2009.
- (ii) **Refer to the Cabinet Member**– the comments of the Committee will be referred to the Cabinet Member for reconsideration of the decision within five working days, after which a final decision will be made.
- (iii) **Refer to Council** – the comments of the Committee and decision of the Cabinet Member will be referred to Council. If Council does not object to the Cabinet Member’s decision it will be implemented. If Council does object, it does not have power to make a decision unless the Cabinet Member’s decision is against the policy framework or contrary to or inconsistent with the budget. Unless that is the case, Council will refer its comments back to the Cabinet Member for reconsideration of the decision within five working days, after which a final decision will be made.

3. Reasons for Urgency

- 3.1 Call-ins of Cabinet decisions must be heard within ten working days of the expiry of the call-in period. The completed call-in form was received by the Overview and Scrutiny Partnership Manager on 14 April 2009 and the call-in period expired on 14 April 2009. The Chair of the External Overview and Scrutiny Committee has agreed to take the call-in at the meeting of the Committee on 21 April 2009.

To: Scrutiny Manager

CALL IN FORM

We would like to call in the decision as detailed below:

Decision making body or individual

Cabinet Member for Community Services

Decision made

Review of fees and charges for Hotfoot 2009-10

Date decision made

3 April 2009

Reason for calling in the decision

We do not believe that the price rise of 21% can be justified in the current climate. Whilst we recognise the fact that concessions are provided we feel that the decision will lead to families just outside of the qualification parameters for concessions will be unable to afford the high increase. There is a lack of financial evidence within the report and furthermore we are concerned at the lack of depth to the evidence submitted in the report as it relies entirely on a comparison with one other borough.

Desired Outcome

That the Cabinet Member should reconsider the increase and bring it down to a more reasonable level in line with inflation in other services and other sectors. In addition those officers are asked to look into both a wider selection of boroughs for comparison and to consider alternative options to increase revenue from the service and that the 5-20 years old provision is considered collectively and not hotfoot in isolation.

Desired Witnesses

Cllr Marion Ring, Jacqueline Bobb, The relevant financial officer

Members calling in decision

1. Cllr Mike FitzGerald

Signed

1. 

2. Cllr Julia Batt

2. 

Overview and Scrutiny Committee responsible for examining this decision

..... Overview **27** and Scrutiny Committee

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MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR COMMUNITY SERVICES

**REPORT OF ASSISTANT DIRECTOR FOR CUSTOMER SERVICES
AND PARTNERSHIPS**

Report prepared by Jacqueline Bobb, Sports, Play and Youth

Development Manager

Date Issued: 26 March 2009

1. Review of Fees and Charges for Hotfoot 2009-2010

1.1 Issue for Decision

1.1.1 To set the level of fees and charges for Hotfoot play schemes for 2009-2010.

1.2 Recommendation of the Assistant Director for Customer Services and Partnerships

It is recommended that the Cabinet Member for Community Services agrees the proposed charges for the Hotfoot play schemes as shown in **Appendix A**

1.3 Reasons for Recommendation

1.3.1 It is Council policy to review the fees and charges annually to ensure that income targets and budget strategy savings are met.

1.3.2 In addition, charges are reviewed against those of neighbouring authorities to test market tolerance.

1.3.3 Comparative fees (see **Appendix B**) show:-

- a. Standard weekly rates for 1 or 2 children are £5 per child less than TMBC
- b. The discounted rates are more expensive as TMBC operate a heavily subsidised 'Leisure Pass scheme' which enables those on benefits to receive a significant discounted rate of £8.00 per week, compared to £15.00 per week for Hotfoot).
- c. In Summer 2008 a fund was established from contributions from a number of members delegated budgets and KCC Children's Social Services to provide free places for families in need. This has proved very successful and although the funding is not definite year on year, KCC Social Services and a number of members have confirmed funding for both schemes again in 2009-2010 financial year. These schemes help to provide an inclusive scheme for families regardless of income. The number

of families able to benefit from the referrals is dependent on the level of funding made available by Councillors and KCC Social Services respectively.

- d. Standard daily rate on Hotfoot is £1.00 per day less than TMBC
- e. Discounted daily rate on Hotfoot is 50p per day higher than TMBC

1.3.4 In prior years income targets have not been achieved as it has proved difficult to generate increased take up. Expenditure levels are fixed in relation to site hire costs and the ratio of staff to children. Assuming the 2009/10 season attracts participation rates that are similar to the 2008/09 season, the recommended increase in fees will enable the service to achieve its income targets and reduce its variance from budget. The effect on participants has been factored into the calculation of new prices.

1.3.5 The comparison with fees at TMBC suggests that the Hotfoot scheme in Maidstone has been undervalued in previous years. To correct this and achieve satisfactory performance against budgeted income requires a higher than inflation increase in fees, that averages 21%. Although a high percentage, this increase is low in value at a maximum of £4.70 per child per week.

1.4 Alternative Action and why not Recommended

1.4.1 The alternative course of action for the Cabinet Member would be not to increase the charges, or to increase them by a smaller amount however this would mean that income targets would not be met for 2009-10. Expenditure budgets could not be reduced to resolve this shortfall as they remain fixed in relation to the number of participants.

1.5 Impact on Corporate Objectives

1.5.1 The Council has a duty to promote wellbeing and a core corporate value is to promote equality. Key priorities met by well-used, accessible play schemes include promoting healthier lifestyles and lifelong learning. LAA2 targets facilitated include NI 55 and NI 56 (reducing obesity in children), N16 (Participation in Regular Volunteering), N1110 (Young People's Participation in Positive Activities).

1.6 Risk Management

1.6.1 Were the Council to increase its fees and charges to a higher level, there would be a risk of further income loss to the Council. This is mitigated by the fund which has been set up to provide free places for families in need.

1.7 Other Implications

1.	Financial	x
2	Staffing	
3	Legal	
4	Equality Impact Needs Assessment	x
5	Environmental/Sustainable Development	
6	Community Safety	
7	Human Rights Act	
8	Procurement	
9	Asset Management	

1.7.1 Financial: The slight increase in charges should enable the Section to achieve it's income targets for 2009-2010.

1.7.2 Equality Impact Needs Assessment: By continuing to offer differential pricing based on income it enables the majority of families to access the play schemes.

Background Documents

None

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes

If yes, when did it appear in the Forward Plan? April

Is this an Urgent Key Decision? No

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Cllr Marion Ring

Cabinet Member for Community Services

Telephone: 01622 686 492

E-mail: marionring@maidstone.gov.uk

Jacqueline Bobb

Sports, Play and Youth Development Manager

Telephone: 01622 602189

E-mail: jacquelinebobb@maidstone.gov.uk

Appendix A
Hotfoot Fees and Charges

	2008-9 Current Charge	2008-9 Current Estimate	2008-9 Actual Estimate	2009-10 Proposed Charge	shortfall against income target	2009-10 Increased Income	2009-10 Estimate
SPORTS & PLAY ACTIVITIES							
Regular Rates							
- Pre-registered (per week)	20.70			25.00			
- Not pre-registered (per day)	5.00			6.00			
- Pre-registered (per week)							
(for 2 children per family)	41.40			50.00			
(for 3 children per family)	51.00			61.20			
(for 4 or more children per family)	62.00			75.00			
Discounted rates							
- Pre-registered (per week)	12.00			15.00			
- Not pre-registered (per day)	3.50			4.00			
- Pre-registered (per week)							
(for 2 children per family)	23.50			28.20			
(for 3 children per family)	30.00			36.00			
(for 4 children per family)	38.00	22,235	19,268	45.60		2,730	24,965
TOTALS FOR HOTFOOT SUMMER SCHEMES:		22,235	19,268		2,967	2,730	24,965

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**APPENDIX B
SUMMER PLAYScheme
PROPOSED CHARGES 2009**

	Tonbridge & Malling BC Charges 2009 (£)	Maidstone BC proposed charges 2009 (£)
Standard Weekly Charge		
1 child	30.00	25.00
2 children	60.00	50.00
3 children	60.00	66.00
4 children	60.00	75.00
Families in Need*	na	Free
Leisure Pass Weekly Charge		Discounted rates
1 child	8.00	15.00
2 children	8.00	28.20
3 children	8.00	36.00
4 children	8.00	45.60
Daily Standby Charge		
Standard rate	7.00	6.00
Leisure Pass rate (TMBC)/Discounted rate (other districts)	3.50	4.00
Social Services Referrals**	Free	Free

*Subject to referral procedures

** Funded by KCC Social Services.

Swale, Medway, Ashford, Tunbridge Wells and Sevenoaks district councils were also approached for information about their council run play scheme charges. Swale reported back that they charged £5 daily rate (no weekly rates were reported)

MAIDSTONE BOROUGH COUNCIL
RECORD OF DECISION OF THE CABINET MEMBER FOR
COMMUNITY SERVICES

Decision Made: 3 April 2009

Review of Fees and Charges for Hotfoot 2009-2010

Issue for Decision

To consider setting the level of fees and charges for Hotfoot play schemes for 2009-2010.

Decision Made

That the proposed charges for the Hotfoot play schemes as shown in Appendix A of the Report of the Assistant Director for Customer Services and Partnerships be agreed.

Reasons for Decision

It is Council policy to review the fees and charges annually to ensure that income targets and budget strategy savings are met.

In addition, charges are reviewed against those of neighbouring authorities to test market tolerance.

Comparative fees (see Appendix B of the Report of the Assistant Director for Customer Services and Partnerships) show:-

- i. Standard weekly rates for 1 or 2 children are £5 per child less than TMBC.
- ii. The discounted rates are more expensive, as Tonbridge and Malling Borough Council (TMBC) operate a heavily subsidised 'Leisure Pass scheme' which enables those on benefits to receive a significant discounted rate of £8.00 per week, compared to £15.00 per week for Hotfoot).
- iii. In Summer 2008 a fund was established from contributions from a number of members delegated budgets and KCC Children's Social Services to provide free places for families in need. This has proved very successful and although the funding is not definite year on year, KCC Social Services and a number of members have confirmed funding for both schemes again in 2009-2010 financial year. These schemes help to provide an inclusive scheme for families regardless of income. The number of families able to benefit from the referrals is dependent on the level of funding made available by Councillors and KCC Social Services respectively.
- iv. Standard daily rate on Hotfoot is £1.00 per day less than TMBC
- v. Discounted daily rate on Hotfoot is 50p per day higher than TMBC

In prior years income targets have not been achieved as it has proved difficult to generate increased take up. Expenditure levels are fixed in relation to site hire costs and the ratio of staff to children. Assuming the 2009/10 season attracts participation rates that are similar to the 2008/09 season, the recommended increase in fees will enable the service to achieve its income targets and reduce its variance from budget. The effect on participants has been factored into the calculation of new prices.

The comparison with fees at TMBC suggests that the Hotfoot scheme in Maidstone has been undervalued in previous years. To correct this and achieve satisfactory performance against budgeted income requires a higher than inflation increase in fees, that averages 21%. Although a high percentage, this increase is low in value at a maximum of £4.70 per child per week.

Alternative actions and why rejected

The alternative course of action would be not to increase the charges, or to increase them by a smaller amount. However, this would mean that income targets would not be met for 2009-10. Expenditure budgets could not be reduced to resolve this shortfall as they remain fixed in relation to the number of participants.

Background Papers

None

Background documents can be viewed at the Council Offices

Signed
Councillor Marion Ring
Cabinet Member for Community Services

Date: 3 April 2009

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Scrutiny Manager by: **14 April 2009**