

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE EXTERNAL OVERVIEW AND SCRUTINY
COMMITTEE MEETING HELD ON TUESDAY 21 APRIL 2009**

PRESENT: Councillor Hotson (Chairman)
Councillors Marchant, Mrs Gibson, Mrs Parvin,
Paterson, Schnell, Vizzard and Williams

APOLOGIES: Apologies for absence was received from Councillors

92. Notification of Substitute Members.

There were no substitute members.

93. Notification of Visiting Members.

Councillors Chittenden, Field, Fitzgerald, Batt, Mrs Marshall, and Mrs F Wilson, were visiting Members with an interest in Agenda Item 9, Call-in: Review of Fees and Charges for Hotfoot 2009-10.

94. Disclosures by Members and Officers:

Councillors Marchant and Williams declared that they had been lobbied with regard to Agenda Item 9, Call-in: Review of Fees and Charges for Hotfoot 2009-10.

95. Exempt Items.

Resolved: That all items on the agenda be taken in public as proposed.

96. Minutes of the Meeting Held on 17 March 2009.

It was requested that paragraph 7 of minute 86 be amended, with the removal of the sentence which reads "It was suggested that Family Liaison Officers were not sufficiently qualified to refer children for the scheme..." This would be replaced with;

"A Member requested that Councillors, alongside others, be allowed to continue putting families who come to them, forward for the scheme. Councillors should not, however, be expected to complete any detailed social services assessments of the child."

Councillor Hotson confirmed that the Community Safety Co-ordinator, David Hewetson had informed the Overview and Scrutiny Officer that he would be providing a breakdown of crime figures within rural and urban areas. The Overview and Scrutiny Officer had also been informed that the relevant Councillors would be contacted with regard to concern over the perceived lack of police presence in particular areas of Shepway South.

97. Order of Business

The Chairman proposed that Agenda Item 9, "Call-In: Review of Fees and Charges for Hotfoot 2009-10" be taken before Agenda Item 7, "Leader of the Council: Progress During 2008-09".

Resolved: That Agenda Item 9 be taken before Agenda Item 7.

98. Call-in: Review of Fees and Charges for Hotfoot 2009-10.

Councillor Mike Fitzgerald presented a speech (appendix A) to the Committee outlining why he had called in the decision to increase the fees and charges for the Hotfoot play scheme. Councillor Fitzgerald accepted that the originally stated increase of 21% was inaccurate, however raised concern that the second briefing note failed to identify clearly that there was to be a 15.3% increase in the discounted fees and charges. Councillor Fitzgerald questioned whether the increase in fees could be avoided by other means, such as limiting money spent on the printing of leaflets, and also questioned the appropriateness of increasing fees and charges after the annual budget had been agreed

Councillor Julia Batt informed the Committee that she too believed the increase in fees to be too high. Councillor Batt referred the Committee to paragraph 1.3.3.b of Agenda Item 9 and highlighted that the comparison of the discounted rates of the Hotfoot play scheme and the Tunbridge and Malling Borough Council (TMBC) Leisure Pass Scheme, failed to consider the increase in price which occurred in relation to the number of children per family that attended Hotfoot. This compared to the fixed charge of £8 for the TMBC Leisure pass scheme for between 1 and 4 children. Councillor Batt considered that a comparison of price with only the TMBC play scheme was unacceptable. Finally, it was questioned whether this price increase would further deter parents from using the scheme, thereby decreasing overall income. Councillor Mrs Batt called for the report to be rescinded and for the fees and charges increase to be no higher than inflation.

The Chairman invited visiting members to present their concerns to the Committee. All visiting members agreed that the increase in fees and charges was too high and that it would impact most significantly on those families who could least afford it. It was reiterated that such a large increase could further discourage uptake of the scheme. A Councillor raised particular concern that the higher percentage increase in concessionary prices undermined one of the core corporate values of the council, to promote equality (as set out in paragraph 1.5.1 of the agenda item 9). It was agreed by the Committee that reports signed by Cabinet Members must contain sufficient detail in support of the decision. A more comprehensive report was necessary, outlining why alternative savings were not plausible. Finally, Councillor Garland highlighted that a number of decisions with regard increasing fees and charges had been made by the previous

administration during 2007/08 after the budget had been set. This included an increase in Hotfoot charges of 11.1%.

In response to the arguments identified, the Cabinet Member for Community Services, Councillor Mrs Marion Ring, stated that the financial downturn had had a significant influence on her decision. Councillor Mrs Ring recognised that comparison with other play schemes was necessary, but it was incorrect to refer to incomparable schemes. The Chief Finance Officer, Mr Derek Williamson identified that the Council had lost significant financial investment during the last year; however the Council had managed to protect the majority of the services it provided. Hotfoot had been kept, however the fees and charges had to be considered in light of the financial environment and the obligation to deliver the budget which had been set by Council. A shortfall in income from the Hotfoot play scheme had been covered in previous years by a reduction in the availability of facilities, however this could not continue indefinitely.

The Committee was informed that this was an Ofsted based scheme, of which there were very few in Kent and so comparisons had been difficult. The contrast with the TMBC play scheme was possible as similar pricing structures had been in place. The Sports, Play and Youth Development Manager, Mrs Jacqueline Bobb, identified that the increase equated to an additional 40p per day if pre-booked, or 50p per day if paid for on the door.

Mrs Bobb outlined a number of pressures that had necessitated the price increase:

- The cost of hiring the premises had risen from £200 to £225 per week;**
- Children with behavioural problems and physical disabilities where increasingly being encouraged to join the scheme but this required the employment of additional members of staff. Children who had been referred to the scheme by social services often required additional supervision;**
- Ofsted had increased costs and now charged £114 for the registration of new sites. Additionally, Ofsted insisted on carrying out Bureau (CRB) checks on top of those that had already been carried out by the Council for a further £44 each;**
- Child protection training, which had previously been provided free of charge by Kent County Council (KCC), was now charged at £450 per day. Mrs Bobb informed the Committee that at least two days of training would be required for staff members. The Council was looking into providing the training in-house, however staff would need to be paid for this time;**
- European Legislation now required that casual staff be paid holiday pay; and**

- ***Outside suppliers were costly, however all attempts were being made to utilise free suppliers to facilitate the scheme.***

In response to a question Mrs Bobb informed the Committee that each premises was able to hold 100 children, however only enough staff were initially employed for 50 children to ensure that money was not unnecessarily spent on employee wages. Mrs Bobb also informed the Committee that take up of the scheme was hindered by the apparent lack of willingness of schools to assist in its promotion.

A Councillor stated that the report did not show appropriate consideration of alternative funding streams and a rise in fees should not be the first option. The Committee recognised that a lot more information was available than had been conveyed within the report and it was vital that reports for decision were factually correct. Members were reminded that where they felt information was lacking, they were justified in asking for further detail.

Resolved:

That the Cabinet Member for Community Services delay the increase in fees for Hotfoot 2009-10 until alternative funding streams have been investigated.

99. Leader of the Council: Progress During 2008/09.

The Leader of the Council, Councillor Chris Garland, informed the Committee that a top priority this year had been the completion of the Sustainable Community Strategy (SCS). The SCS had been delayed due to the publication of new government guidance, however the SCS was now complete and was going to be presented to Full Council on 22 April 2009. The SCS had taken a wholly inclusive approach, particularly with regard to the inclusion of local businesses.

The Mid Kent Improvement Partnership (MKIP) had also been developed heavily through the year with the aim that many back office functions would be delivered jointly between Maidstone, Swale, Tunbridge Wells and Ashford. So far this process had been productive, particularly with regard to the audit department. Decisions had recently been taken to progress partnership working for the Licensing and Legal departments. Savings were to become more apparent as the Council moved further into the process. Councillor Garland was fully supportive of the work of MKIP but had emphasised that diminution of services must not be allowed. This work was particularly important in light of the likelihood of a decline of funding by government. The Comprehensive Area Assessments (CAA) had also encouraged greater partnership working, however the importance of partners

having the relevant will and capability had been emphasised to ensure that the focus of the partnerships was not lost.

Relations with KCC had improved although there continued to be some differences in opinion. Councillor Garland had met regularly with Councillor Paul Carter, Leader of KCC. The two Councils were working closely with regard to the Maidstone Strategic Relief Road and funding for planning had been secured. Negotiations had begun with regard to the development of Upper Stone Street and the gyratory system. Agreement had been reached with regard to establishing a skills studio at Senacre Hall. Discussions were also taking place with regard to the development of a second skills studio at Park Wood.

In response to a question, the Committee was informed that the University Centre for the Creative Arts had been given all details of possible campus locations within the Borough and they would be reaching a conclusion as to the location of the new campus by the early autumn.

With regard to the Local Strategic Partnership, a Councillor requested that the Leader work to obtain Member representation on the Children's Services working group. The Leader stated that he was negotiating this with KCC.

Finally, Councillor Garland identified that although a number of retail outlets were currently empty within the town centre, it was hoped that the High Street Regeneration programme would, in the future, attract retail and other commercial organisations into the town.

Resolved:

That the update of the Leader of the Council be noted.

100. Cabinet Member for Community Services: Progress During 2008/09.

The Cabinet Member for Community Services, Councillor Mrs Marion Ring, provided the Committee with a report of the progress that had been made through 2008/09. Councillor Mrs Ring informed the Committee that she had seen her role as having been an ambassador for the community. Much work had gone into ensuring the involvement of partners and informing them of their roles. Councillor Mrs Ring felt that more support from partners may have been beneficial with regard to the prevention of crime and a good quality of life for older people.

A Councillor reiterated the belief that Councillors should be able to refer children to the Hotfoot play scheme. The Committee recognised that the Cabinet Member for Community Services had been requested to look into this issue within the next municipal year at its meeting on 17 March 2009.

It was requested that officers communicate the results of the CCTV call-in, held on 8 January 2009, adequately to Members.

A number of Councillors requested that the provision of mental health services be given high priority particularly as Kingswood was no longer providing services for individuals who made self referrals. It was hoped that the Mental Health joint working group would continue to emphasise the importance of this need. Councillor Mrs Ring emphasised her continued support for the metal health services that were provided within the borough.

Resolved:

That the update of the Cabinet Member for Community Services be noted.

101. Duration of the Meeting.

6:30 p.m. to 8:40 p.m.

102. Call in Item Appendix A

Hotfoot Fees and Charges 2009-10

Call-in

Chairman, Members

Can I first say that I have always been 100% supportive of the Hotfoot, Community and Parish Play schemes? This Council has supported delivery across the Borough since the early days when equipment was delivered to Village and Community Halls to support the fun activities both indoors and outside.

I was also instrumental with officers in helping to secure Children's Fund money and this has supported for six years the provision of holiday play schemes in our most challenging wards. This ended last year although the Children's fund has continued with the Government grant now going centrally to the County. Throughout this time I also strongly supported the Safer Maidstone Partnership's involvement and funding as there was clear evidence that crime levels fell during periods of operation.

What I can't support is the likely demise of the programme and its success as a result of excessive increases in charges of some 21%, and 21%, 25% for some charges, is excessive, at a time when parents are struggling to pay the rent or are in fear of repossession.

I am asking Scrutiny to support this Call-in and ask that other ways be found of addressing this small budget consideration.

In sharing my serious concerns with members about this dramatic increase in fees that the Cabinet Member has agreed I would first like to ask a few questions that are relevant and if considered by officers may help the Cabinet Member amend the outcome.

First I need to say it has been very misleading in both the forward plan shared with our partners and the public under purpose- to state - *To consider a slight increase in fees for the Hotfoot scheme from Summer*

onwards and in 1.7.1 in the report under Financial – to state -*The Slight increase in charges should enable the section to achieve its income targets for 2009-10. If 21% is slight what would be small or moderate. Yes it is misleading.*

There is evidence in the report that the current shortfall is the result of fewer people using the scheme which if that is the case should have been identified post summer when the greatest commitment is made by parents and carers and this frankly should have been addressed when preparing the Annual Council budget.

It is interesting that when the expected profit from the market income fell, due to lower fees and car park income, £50,000 was found to prop up the profit. Leisure found £10,000 from *existing budgets* to address the over spends on the new Art Centre. £10,000 was found for each of three years for the River Festival and £15,000 on top of sponsorship for St. George's Day Celebrations this week.

I could go on but the most significant review of fees worth noting is the report awaiting a decision about Environmental Services and I quote 'The charges for garden sacks- actually meet less than 50% of the annual cost (approximately £600k), similarly to the income received from bulky item collections only cover 48% of the annual cost (approximately £150k) However the current downturn has had a detrimental effect on uptake of the service- it is therefore NOT recommended that the prices for the bulky service be increased. Instead, the current pricing structure should be maintained'.

If this Council can meet the shortfall of this essential service then I am sure it can meet the shortfall in respect of the essential Hotfoot service. One should also ask how much money is given by the Safer Maidstone Partnership, has that increased, should we ask for member devolved budgets to support main steam Hotfoot when we also ask for support for the Hotfoot charity to support carers. Should we not consider Rewind and Freefall income these are all marketed as a single product in a glossy brochure? What are the community playgroup financial arrangements? Cost of training etc.

Should not the school cluster pay for the costs of the hall if they have the benefit of the Children's fund money-

What I do know is that this council should not recommend any increase in Hotfoot fees this year and that a full review and consultation be undertaken.

The Leader did email me about this call in suggesting that if I had raised my concerns earlier somehow the decision would have been changed. Well firstly that was not possible due to my personal family commitments at that time but either one reacted to an average 21% increase set against a 1% pay rise, possible repossession or unemployment or not. Council Tax is capped at 5%

In these difficult times of recession we need to help parents and carers and seek to ensure we respond to the challenges they face.

Members of Scrutiny, I ask you to support this call in and recommend that the Cabinet find other ways of addressing this shortfall, to remove the burden of a 21% hike in fees faced by parents and carers this year.

I would like to end by quoting Paul Carter Leader of the KCC writing in *Around Kent* where he says 'During these difficult times of recession and

rising unemployment, when people are worried about the threat of redundancy, keeping there business afloat and meeting household costs, any increases in bills are going to be really unwelcome.
Thank you for listening

Cllr. Mike FitzGerald

Reflections on the Briefing Note

This just strengthens the case for a review and no increase

The Budget savings were agreed to keep the Council Tax a 4.46 and identified within each Portfolio not to come back to Members in the form of increased fees and charges later.

The OFSTED requirements, the cost of which needs an explanation, were no part of the original report as no background documents were identified and it was not referred to in the decision paper.

Frankly it is misleading as it has a minimum effect on overall costs and now appears as some late justification for the high increase.

Where are the accounts that show the spending to support the play schemes?

What are the costs of Materials, Clothing, and Equipment?

What is the cost of use of each school?

Do Breakfast Clubs and After School Clubs have the same room costs to meet?

Are not Community Schools there to serve the community?

What are the training costs?

What are the advertising costs?

How much Safer Maidstone Partnership money supports the schemes?

How much devolved budget supports the schemes?

How is any surplus calculated? If 2008-9 is £19.268 and estimated increase £2.730 we have £21.998 against an estimated £24.965. Bearing in mind the Easter Activities have already taken place at existing prices.

The call-in has importantly identified the correct fee charges but It seriously concerns me that the paper highlight in bold the proposed increase of 8.9% while hiding the 15.30% for discounted rates which affect our most vulnerable group of parents and cares.

The 5-20 provision is identified because they are the groups that are promoted in a 4 colour brochure printed 2-3 times a years that includes Rewind and Freefall.

What are the Costs of printing? Are charges made for advertising?

Are there profits from Freefall and Rewind?

Members of Scrutiny, I ask you to support this call in and recommend that the Cabinet find other ways of addressing this shortfall, to remove the burden of the hike in fees faced by parents and carers this year.

Cllr. Mike FitzGerald