



## **MINUTES OF THE CALL IN OVERVIEW AND SCRUTINY COMMITTEE Wednesday, 5 January 2011 at 7.30 pm**

**PRESENT:** Councillor Castle (Chair) and Councillors Mrs Bacchus, Denselow, Kabir, Lorber, Mashari, Mistry and BM Patel

**Also Present:** Councillors Butt (Deputy Leader of the Council and Lead Member for Resources), Chohan, John (Leader of the Council) and R Moher (Lead Member for Adults, Health and Social Care)

### **1. Declarations of personal and prejudicial interests**

None declared.

### **2. Minutes of the last meetings held on 30 November 2010 and 9 December 2010**

RESOLVED:-

that the minutes of the last meetings held on 30 November 2010 and 9 December 2010 be approved as accurate records of the meetings.

### **3. Call-in of Executive decisions from the meeting of the Executive held on 13 December 2010**

Decisions made by the Executive on 13 December 2010 in respect of the reports below were called in for consideration by the Call In Overview and Scrutiny Committee in accordance with Standing Orders 6 (b) and 18.

#### **3.1 Adult Social Care Direct Services review**

The reason for the call in is:-

- To give full consideration to the alternative proposal submitted by Brent LD Carers.

Councillor Lorber, one of the councillors who had call in this item, explained that it had been because he wished that the committee consider the alternative proposals that had been made by Brent carers. He stated that the carers had felt that their views had not been sufficiently considered and neither had the item been considered in the detail they felt was necessary at the Executive meeting held on 13 December 2010.

With the approval of the Chair, Anjna Manek, a Brent carer, addressed the committee and circulated a document detailing the Brent LD carers' alternative proposals. Anjna Manek explained to Members that she had asked some carers to volunteer information about their particular cases and the sample used was

representative of the various situations that they faced. The questionnaire she had used had asked for information on the service user profile and the carer's situation. It was usual for there to be one primary carer per household and the paper circulated provided a synopsis of their response. Members heard that there were 138 users for the Stonebridge Centre and 100 for Strathcona. The level of disability amongst users varied, however nearly all also had underlying health issues and the average age of users was 49 years for the Stonebridge Centre and 46 years for Strathcona. Anjna Manek explained that most users had little connection with the community at large and many had difficulty in building relationships. Members noted that any user over 40 years of age were not likely to have been through the education system and the day centres provided users with the opportunity to meet with their friends and around 200 families in Brent were affected by the proposals. Anjana Manek drew Members' attention to comments with regard to costs for the personal budget, day centre costs and transition to care home costs, the figures of which were calculated using a number of different sources, including voluntary, public and private sector providers. With regard to option four in the report that was agreed by the Executive, she queried the accuracy of the financial costings and sought a further explanation of these. Anjna Manek also sought further details of how personalisation for users and carers would work for them, such as how could users maintain friendships where their interests differed. She suggested that she could identify six users for the council to create personalisation plans from Monday to Friday to see how it would work.

Turning to Brent carers' alternative proposals, Anjna Manek stated that of the Special Educational Needs teachers she knew, none had been consulted over the council's proposals. She acknowledged that those users on both the older and younger age of the spectrum were less likely to use day centres, however there was a sizeable number in between who wished for a building based service. She felt that even if one building had to be released as a day centre, two alternative locations in both the north and south of the borough should be sought. Anjna Manek stressed the importance the day centres played in providing a safety net for its users who had built trusting relationships with the staff and each other and would be resistant to change. The day centres also provided some respite for the carers, especially as some carers were also in employment. Anjna Makek suggested that a small group of trustees should be formed to include carers and a senior council officer and it be given a capped fund to distribute funding as it best saw fit to use. The group of trustees would offer the additional advantage of being able to react to needs more quickly and would seek to use services from both the public and private sector and she asked that Members consider these proposals.

With the approval of the Chair, Councillor Colwill addressed the committee. Councillor Colwill commented that although the intention was to provide users with choice, in effect the proposals were dictating what users were going to do. He queried how users could use mainstream services where they had conditions that could render this impractical, such as those who were incontinent. Councillor Colwill stated that the proposals needed to be re-considered from afresh, including a review of costings for personalisation, whilst also more needed to be done to assist carers and he suggested that officers see what it is like to be a carer. He also sought an update with regard to the John Billam site.

Members then discussed the item. Councillor Denselow enquired to what extent the Brent LD carers had been involved in the consultation process. He

acknowledged the frustration felt by the carers and he sought assurances that feedback from the consultation was properly considered before the decisions that were made by the Executive. Councillor Mashari enquired whether the practical implications of the proposals had been discussed with users and carers during the consultation and had there been consideration of how personalisation would work in view that many users had little connection with the community as a whole and may also have limiting health conditions. She asked whether it was possible to describe a typical day for a user and what their plan may be under personalisation. Councillor Mistry enquired what other local authorities were doing in respect of adult social care services.

Councillor Lorber expressed concern about the timing and speed of which the proposals were to be undertaken, which was also of particular concern to older carers, whilst many users were very attached to the services they currently used. With regard to the consultation, he stated that the carers had challenged the analysis of the first consultation and still had concerns that they had not been listened to in the second consultation. Stonebridge Day Centre users faced the prospect of two moves within the next year which was of serious concern to both carers and users and Councillor Lorber enquired about the possibility of keeping this centre open for the next 12 months until all the users' assessments had been undertaken. With regard to the New Millennium building, Councillor Lorber enquired about the possibility of this building accommodating 30 to 40 users during the assessment period. He asked why other locations had not been considered to accommodate disability users, such as Bridge Park which had sufficient space and was close to the Stonebridge Day Centre. Details were sought with regard to risk assessments undertaken and what alternative measures would be in place should a user be unable to manage a personalisation budget and their carers were not able to care for them during the day. Councillor Lorber added that such a situation could result in higher costs to the council as a user could be placed in residential care. He asked what a typical direct payment amount with regard to personalisation would be. Councillor Lorber also queried whether other services would be able to provide for users' interests in view of the savings measures, such as the proposed closure of some libraries and had a joined-up approach to it been taken.

The Chair asked for Councillor R Moher's response to the issues raised and the alternative proposals suggested by Anjna Manek.

In reply to the issues raised, Councillor R Moher (Lead Member for Adults, Health and Social Care) advised that there had been an extensive consultation as part of the review which had included a series of meetings with service users, carers and staff and relevant organisations were aware of the options that were being considered. Members noted that there had been 42 meetings that had taken place over the three months that the consultation had taken place. Issues that had been raised at earlier consultation rounds had been addressed in time for subsequent rounds. Councillor R Moher stated that costings had not been raised as an issue during the consultation. She acknowledged that although service users tended to want to continue to attend places they knew, a number of them had expressed interest in personal budgets and these would empower users and their carers to pursue what they wished to do and provide them with greater flexibility. However, the council may still have a role in helping users to be able to pursue these activities. Councillor R Moher stressed that the assessment of service users would be thorough before deciding on those who could participate in the community and

access mainstream services. With regard to the Stonebridge Day Centre, Councillor R Moher advised that its closure had been proposed for over two years, whilst the use of the New Millennium building for service users had been suggested as a possibility by staff working there, although other buildings in the borough may be available for this purpose.

Councillor R Moher acknowledged that the carers had raised a number of issues, of which there were already answers to some. She appreciated the concerns raised by carers, including such situations where providers may not turn up. However, the personal budget would empower service users and their carers to pursue preferred choices and ensure they received what they needed. Social workers would also be finding out what networks there were to support service users. Councillor R Moher asserted that there would not be any less care to users than what was being provided now but rather that it was being provided in a different way. Where the assessment had deemed that service users were in need of building-based services, appropriate options would be considered. Councillor R Moher confirmed that proposals for the John Billam site were proceeding as planned.

Councillor John (Leader of the Council) added that the views of the carers and service users were valued and there would be difficulties and challenges encountered because of the changes, however issues that had previously been raised in the consultation prior to 2010/11 had been addressed and there would be provision for all users irrespective of their level of disability. She advised that the council was obliged to pursue a programme of personalisation as set by the Government.

Alison Elliott (Assistant Director – Community Care, Housing and Community Care) advised that the consultation had shown there was broad support for the principles, but not necessarily a full appreciation of the practical implications. She advised that carers had been presented with possible day and night scenarios and those carers with users who already had personalisation plans in place had been invited to provide information to carers on their experience. Personalisation plans were difficult to generalise because of their individual nature depending on the users' interests and needs, however these would be progressed through the assessment process and carers would be fully involved in this. The opinions of other professionals, such as health visitors and speech and language therapists would also be sought during the assessment and a holistic approach would be taken. A range of activities, including those related to education, work and leisure would be considered to see which best suited each users' needs and it may be possible for group-based activities to be arranged, such as going to college or even work-related activities. Alison Elliott acknowledged the role day centres played in giving carers respite and there would be no reduction in such provision. There had been an assumption that around 30% of users assessed could undertake a degree of independent living, however if this was shown to not be the case, then the proposals would need to be reconsidered by the Executive.

With regard to the New Millennium Centre, up to 20 users could be accommodated although some improvements to the building would be needed. It was acknowledged that users valued being with their friends and community facilities such as Bridge Park could also be used as a meeting place for them. The personalisation programme was in line with the Department of Health's strategy of putting users first and giving them more choice, independence and control. Other

local authorities were moving in the same direction and each faced the challenge of calculating the budgets required for direct payments. An indicative budget had been presented and this would be continually updated as the assessments were being completed. The Executive had considered all the options presented to them including the level of support for each and the views of the carers, users and staff.

Members then decided not to agree to recommendations put forward by the Chair and Councillor Lorber that in view of the concerns and the alternative proposals put forward by carers, that the proposals be re-considered and that updates on this item regarding the user assessments be presented to the One Council Overview and Scrutiny Committee to identify what centre-based options should be considered.

RESOLVED:-

that upon considering the report from the Director of Housing and Community Care on the Adult Social Care Direct Services Review, the decisions made by the Executive be noted.

### **3.2 Fees and Charges**

The reason for the call-in is:-

- To give full consideration to the impact on services of increases in fees and charges.

Councillor Lorber, one of the councillors who had called in the item, commented that he felt the proposals had been drafted over a relatively short period of time which included some substantial fee increases in some cases, whilst other fee changes were being proposed to start earlier, from January or February as opposed to the beginning of the new financial year. He felt that fee and charges increases would have major implications in some areas, such as sports activities and in shopping areas.

Members then discussed the item. Councillor Denselow asked what the impact of the Comprehensive Spending Review (CSR) was with regard to consideration of fees and charges and he requested information on fees and charges in comparison with other local authorities prior to the savings required by local authorities. He commented that costs for pest treatment such as rats may be unaffordable for poorer households and enquired whether this would be means tested. Councillor Mashari suggested that the introduction of a free service to remove bulky waste would reduce fly tipping and therefore reduce the risk of pests. She asked whether any other measures were being considered to tackle pest infection, including working with other relevant agencies. Councillor Mashari also enquired whether more information could be provided to businesses to advise them in respect of making waste disposal arrangements. Councillor B M Patel sought reasons for the large increase in charges in respect of illegal deposits.

Councillor Lorber stated that the service to address rat infestation had been free because of environmental health reasons and he enquired what the consequences would be of introducing a £95 charge. He felt that rat infestation was a big problem in the borough, especially near shopping centres and that this represented a

retrograde step. He asked what fees and charges changes required consultation with users, such as for allotments. In respect of the timing of the decision, he felt that as the council had been planning savings and had known about the VAT rise for some time, it was surprising that the proposals had been put to the December Executive. He felt that the VAT increase would not incur any additional costs to the council in any case. Councillor Lorber commented that the loss of take up in using services because of the increased charges could mean a fall in income and he asked whether this had been taken into consideration when devising the proposals. He queried the reasons for the difference in charges between on and off-street parking and asked when a review of the proposed fees and charges would take place to assess the impact both financially and on services.

The Chair asked if an exception to remove the charge to deal with rat infestation could be considered if there was a marked increase in rat-related diseases.

In reply to the issues raised, Councillor Butt (Deputy Leader of the Council and Lead Member for Resources) advised that £7m savings were required following the Government announcement in the summer of 2010 and this had increased to £37 million since the Local Government Finance Settlement made in light of the CSR. Re-consideration of how all services were being provided was being undertaken in view of the additional savings required and the increase from 17.5% to 20% in VAT. Councillor Butt explained that the changes to the fees and charges were being completed at the same time as the VAT increase in order to prevent the undesirable situation of having to change fees and charges twice. The deeper and front-loaded savings required as a result of the CSR had necessitated the need to increase some fees and charges in order to help fund operating of services. Councillor Butt advised that some service fees would continue to be means tested, such as allotments, however this would not include pest control. Should there be a significant increase in rat-related diseases, then the council would work with relevant partners such as the Environmental Agency to tackle this and a more holistic approach was being taken to address this issue. Members heard that the on-street parking charges were in line with neighbouring boroughs, whilst the off-street parking charges were designed to encourage motorists to use these facilities as opposed to parking in streets. The one hour parking fee had remained the same to encourage quicker turnover of parking spaces used and increase the number of visitors to shopping areas, thus boosting local businesses.

With regard to the introduction of the free bulky waste collection service, Councillor Butt advised that this had proven successful and had reduced incidences of fly tipping. A review of all businesses would take place to ensure that they had waste collections and Councillor Butt agreed to provide more information to Councillor Mashari in respect of this. Members heard that comparative studies with other local authorities in London had identified Brent as charging considerably less for illegal deposits and therefore increases to bring the charges in line with other boroughs were made.

Clive Heaphy (Director of Finance and Corporate Services) advised that Environmental Health had indicated that there were inefficient resource implications in respect of rat services as there would be a number of occasions when call-outs would conclude that there were no rats on the premises. It was also felt that the charge would dissuade unnecessary visits and result in a greater percentage of genuine call-outs. Members were advised that there was not a requirement to

consult with specific groups with regard to the fees and charges increases, however information would be given on these at the Area Consultative Forums. Clive Heaphy advised that the timescale to change fees and charges was due to the timing of the CSR and the Local Government Finance Settlement, however it was felt that one as opposed to two increases would be preferable to service users. Although the council had been planning savings for some time, the new Government's cuts were deeper and more front loaded than the previous Government's. The grant loss for the Council for 2011/12 was 11.3% and the council had to consider all options to address this, including raising some fees and charges. Such increases included a built-in assumption in reduction in demand for some services and the fees and charges set were as a result of bench marking exercises with other local authorities. With regard to on-street and off-street parking charges, these were based on the same principals as previously. Clive Heaphy advised that 7% of the savings needed would come from raised revenue, whilst the vast majority, 93%, would be achieved through reducing expenditure. Members noted that fees and charges changes would be reviewed through the budget monitoring process.

RESOLVED:-

that upon considering the report from the Director of Finance and Corporate Services on Fees and Charges, the decisions made by the Executive be noted.

**4. The Executive list of decisions for the meeting that took place on Monday, 13 December 2010**

RESOLVED:-

that the Executive list of decisions for the meeting that took place on Monday, 13 December 2010 be noted.

**5. Date of next meeting**

It was noted that the next meeting of the Call In Overview and Scrutiny Committee was scheduled for Wednesday, 2 February 2011 at 7.30 pm and would only take place if there were any call-ins of decisions from the Executive meeting held on 17 January 2011.

**6. Any other urgent business**

None.

The meeting closed at 9.10 pm

A CASTLE  
Chair