

SCRUTINY MANAGEMENT BOARD

Minutes of a Meeting of the Scrutiny Management Board held on Wednesday, 18 December 2019 at 10.00 am at Committee Room 2 - County Offices, Kendal.

PRESENT:

Mr WJ Wearing (Chairman)

Mr J Airey
Mr KR Hamilton
Mr C Hogg
Mr J Lister

Mr W McEwan
Mrs V Tarbitt
Mr M Wilson (Vice-Chair)

Also in Attendance:-

Mr J Bland	-	Call in member
Mr S Collins	-	Lead call in member
Mrs J Currie	-	Professional Lead - Democratic Services
Ms P Duke	-	Assistant Director - Provider Services
Mrs K Johnson	-	Area Manager - South Lakeland
Mr P McSweeney	-	Call in member
Ms I Puzio	-	Chief Legal Officer (Monitoring Officer)
Ms L Walker	-	Residential Care Manager

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr P Dew, Mrs S Evans, and Dr S Haraldsen.

36 MEMBERSHIP

There were no changes in membership to report.

However, the Chair asked that members note that as Mr S Collins was the Lead Call in Member he would not be sitting as part of Scrutiny Management Board on this occasion.

37 DISCLOSURES OF INTEREST

There were no disclosures of interest made on this occasion.

38 EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be not excluded from the meeting during discussion of any items of business.

39 CALL-IN ITEMS

The Chair of Scrutiny Management Board explained that the Monitoring Officer had received a valid call in of a Cabinet decision in respect of Cumbria Care Reshaping of Services.

The call in members considered the decision to be flawed for a number of reasons, which were set out in the call in letter dated 25 November 2019, which had been published with the agenda for the meeting of Scrutiny Management Board.

The grounds for call in were clarified at a meeting between the call in members, the Chair and Vice Chair of Scrutiny Management Board, the Leader of the Council and the Area Manager for South Lakeland Local Committee on 3 December 2019.

Scrutiny Management Board was being asked to consider the call in on the grounds that:-

1. Contrary to the report there has continued to be a demand from the public for places in the Abbey which could have been met but were refused.
2. The costings for bringing the home back to full functionality were not made clear or adequately considered.
3. The most popular alternative from the public consultation, of a reduced capacity home with extra care housing attached, was not considered and a full closure at this stage would make more difficult the public's preferred option.
4. The accessibility of this home by public transport for elderly relatives and friends of residents was ignored.

The Chair described the procedure that would be followed at this meeting, and which had been published with the agenda.

(A) Cabinet report - 14 November - Cumbria Care Reshaping of Services

Scrutiny Management Board received and noted the Cabinet Report from 14 November entitled Cumbria Care Reshaping of Services.

(B) Cabinet Minutes - 14 November 2019

The Cabinet Minutes from 14 November 2019 were noted.

(C) Call in letter

Mr S Collins, Lead Call in Member, presented the reasons for the call in. In his presentation he made a number of, points, including:-

Mr Collins was aware that there had been issues in the past at the Abbey with both the lift and the roof. All of these works had been completed, and yet people were still being refused places in the home, he knew of people who had not been offered a place in the Abbey, even though there were spaces. Mr Collins asked the Cabinet Member whether it had been a deliberate policy not to use this home.

As part of the consultation process one of the options discussed was the possibility of keeping a smaller care home with extra care housing on site, which had been popular with many of the consultees. However, this appeared to have been ignored by Cabinet during their decision making.

Mr Collins was concerned that Cabinet had based the decision to close the Abbey on the previous CQC Report from 2016, which was out of date. The latest CQC Report indicated that all the issues from the previous inspection of the Abbey had been resolved and there were now no outstanding concerns. He felt that Cabinet had failed to recognise this when they had taken the decision to close the home.

Mr Collins said the Abbey Care Home was easily accessible for friends and relatives and should have been a serious consideration for Cabinet. The accessibility of public transport was crucial for older relatives.

The proposals for a community take-over of the home do not appear to have been considered by Cabinet at all. If the home closed and then reopened with a care home and an extra care facility sharing the site, the cost of opening a 'new' home was far greater than the cost of refurbishing a home which was currently operational.

With reference to South Lakeland Local Committee being consulted as part of the area planning process, he had no recollection of this decision ever being taken to the South Lakeland Local Committee for consideration.

The Area Manager for South Lakeland confirmed that following an initiation meeting to set the wider 'whole village' approach with the Local Member, the late Deputy Leader and the previous Portfolio Holder, she continued to work very closely with the Local Member, updating him at every juncture. He had remained fully involved in the planning, which included the conversations with the Parish Council and the wider community. The Local Committee were updated verbally on progress through their Strategic Planning Working Group.

Mr Collins was asking for this to be referred back to Cabinet for a complete review of all the options.

Mr McSweeney had concerns about the public consultation and whether this had been properly considered by Cabinet. The public consultation closed on 1

November, and the Cabinet meeting was held on 14 November, which he did not think was sufficient time to consider all the proposals before the decision was taken.

All three call in members had concerns that Cabinet had taken the decision to close the home without fully costed options for the alternatives. They felt that Cabinet should be asked to re-consider these.

The Cabinet Member reminded members of the background to the closure. The County Council was looking to modernise care throughout the County, in the right place, at the right time. Demands for residential care were declining, whilst demand for extra care housing, and nursing care were all increasing. It was in this context that Cabinet took the decision to close the Abbey.

The Cabinet Member explained the process for accessing places in care homes. All requests were assessed on need through social worker assessments, and places identified on this basis. Ultimately, it was an individual's choice as to which residential home they choose if places were available.

The Cabinet Member confirmed that no feasibility work had yet been carried out for costing of the possible options for the Abbey. This work would commence in the next stage of the modernisation process. Cabinet had considered high level costings as part of the decision making, and she referred members to the relevant pages of the Cabinet report for details. However, she said that Cabinet was always going to wait until a decision on whether to close the home, or not, was taken before definitive work on the costing of other options was started.

The Cabinet Member accepted that the accessibility of the home by both bus and train services was good, but that this was also true for these services to other homes in the district.

The Cabinet Member reassured Scrutiny Management Board that Cabinet would be willing to explore all other possible options for this site, and committed to continue to talk to the community to discuss options for the right care, in the right place, and at the right time.

It was also confirmed that the staff and residents of the Abbey were engaged separately and also as part of the wider community conversations.

The Chair then opened the floor up to questions and debate.

Mr Hogg asked for clarification of the costs of keeping the Abbey open and upgrading, as opposed to closing and reopening with a new facility. The Assistant Director – Provider Services explained that CQC had expected standards for the size of rooms and facilities etc within new homes. Where a home was upgraded these standards were applied where possible. With older homes there was the option to 'work towards' the required standards, whereas when new facilities opened there was an expectation that they be built to the required standard. It was possible that the cost of this would be greater, but not always, as it would depend on the cost to upgrade an existing building to meet the new standards.

The current rooms and facilities at the Abbey did not meet CQC standards for new homes. In addition, dependency of residents was increasing and this often required larger rooms to be available to support the appropriate equipment (mobile hoists etc) and space to provide quality care for people. Some rooms in the Abbey and other Cumbria care homes were quite small.

Staveley does not have any extra care homes, which had been recognised as one of the ways forward for modernisation of care services.

The Assistant Director said the preferred option for the site from the consultation feedback was for a new 10 bed residential unit, with extra care flats beside it. Cabinet would consider this as part of the next steps in the process of reshaping care services in Staveley.

Mr Airey proposed that Scrutiny Management Board refer this back to Cabinet and ask them to reconsider this decision. This was seconded by Mrs Tarbitt and this was then put to the vote. With 4 votes for and 4 votes against, the Chair exercised his casting vote, and it was therefore,

RESOLVED that this matter be referred back to Cabinet for the following reasons:-

- (1) SMB is concerned that before taking a decision to close the Abbey Care Home, Cabinet should have an understanding of the future options and the costs of these options. SMB would want Cabinet to be reassured as to any additional costs that may be incurred by closing the Care Home if it is to be reopened at a future date.
- (2) SMB is concerned as to the consultation that has taken place and whether it has been appropriately taken into account in Cabinet's decision making, in particular SMB is concerned as to whether there has been sufficient consultation with Local Committee and/or its members.

40 SUPPLEMENTARY INFORMATION

None

41 CALL IN FLOWCHART

The call in flowchart was noted.

The meeting ended at 11.40 am