

AT A MEETING of the Children and Young People Select Committee of  
HAMPSHIRE COUNTY COUNCIL held at The Castle, Winchester on Tuesday,  
30 January, 2018

Chairman  
p Councillor Ray Bolton

Vice Chairman  
p Councillor Roz Chadd

p Councillor Jackie Branson  
p Councillor Zilliah Brooks  
p Councillor Fran Carpenter  
p Councillor Steve Forster  
p Councillor Marge Harvey  
p Councillor Wayne Irish  
a Councillor Gavin James  
p Councillor Kirsty Locke

a Councillor Russell Oppenheimer  
p Councillor Neville Penman  
p Councillor Jackie Porter  
a Councillor Robert Taylor  
p Councillor Malcolm Wade  
p Councillor Michael Westbrook

**Substitute Members:**

p Councillor Pal Hayre, Conservative

**Co-opted Members:**

a Ian Brewerton, Secondary School Parent Governor Representative  
p Jane Longman, Special School Parent Governor Representative  
VACANT, Primary Schools Parent Governor Representative  
VACANT, Church of England Schools Representative  
VACANT, Roman Catholic Schools Representative

**In attendance at the invitation of the Chairman:**

p Councillor Peter Edgar – Executive Member for Education  
p Councillor Keith Mans – Executive Lead Member for Children’s Services  
p Rob Sanders, Deputy Director of Education, Church of England

**43. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Gavin James, Russell Oppenheimer and Robert Taylor. Councillor Pal Hayre was in attendance as the Conservative Substitute Member. Apologies were also received from Ian Brewerton, the Co-opted Secondary School Parent Governor Representative.

**44. DECLARATIONS OF INTEREST**

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's

Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

No declarations of interest were made.

#### **45. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 15 January 2018 were confirmed as a correct record and signed by the Chairman. It was noted that there was an error in recording Councillor Kirsty Locke's attendance, who appeared twice in the attendance list.

#### **46. DEPUTATIONS**

The Committee did not receive any deputations.

#### **47. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman did not make any announcements to the meeting.

#### **48. CONSIDERATION OF REQUEST TO EXERCISE CALL-IN POWERS**

The Committee received a report (Item 6 in the Minute Book) from the Head of Law and Governance and Monitoring Officer following a request by a quorum of Members of the Children and Young People Select Committee to exercise call-in powers in respect of a decision by the Executive Lead Member for Children's Services to close two overnight residential respite homes for children with disabilities as the County Council moves towards a wider range of overnight respite services.

The Head of Law and Governance and Monitoring Officer introduced the report and confirmed the purpose of the meeting. The decision taken by the Executive Lead Member at his Decision Day on the 15 January was set out at Annex A which had been subject to pre-scrutiny and supported by the Children and Young People Select Committee. Attention was also drawn to the additional decision taken by the Executive Lead Member to receive regular update reports, also set out in Annex A. The process of call-in as set out in the Constitution at Annex F was explained, as well as the role of the Select Committee as explained in Section 5 of the report. Members were referred to the reasons for the call-in as provided in Annex E.

Paragraph 3.1 of the report was explained to Members, which highlighted the Transformation to 2017 programme which included savings of £3.2m for Children with Disabilities remodelling. These savings had been pre-scrutinised by the Select Committee, before Executive Lead Member approval for

submission to Cabinet. These were then recommended to County Council on the 22 October 2015 where the overall Transformation to 2017 savings had been approved.

The Monitoring Officer's view was that the decision of the Executive Lead Member was in line with the budget decision of the County Council on 22 October 2015 and concerned implementation of that budget decision. Therefore, the option open to the Select Committee was to consider whether or not to ask the Executive Lead Member to reconsider his decision. The Monitoring Officer also emphasised to Members that the decision taken by the Executive Lead Member to close Merrydale and Sunbeams, was not conditional on the Executive Lead Member receiving regular update reports as set out in the additional decision 1b) at Annex A.

The Chairman invited the Director of Children's Services to speak and it was heard that alternative care plans were now in place for 20 families, with all other families considering options available to them, with the exception of one family who had not engaged with the County Council thus far. It was confirmed that the Executive Lead Member would receive an update in the next few weeks in accordance with his additional decision.

The Executive Lead Member confirmed he had added the additional decision to receive regular update reports following the concerns he had heard at the pre-scrutiny Select Committee meeting held on 15 January.

Members named on the call-in request set out their position and their concerns that children and families would be disadvantaged in terms of care and transport arrangements from the closures, and it was felt that these had not been addressed satisfactorily. There were also concerns around the level of care, capacity and specialist equipment at alternative residential respite units.

In response to questions, Members heard:

- All families affected by the closure of Merrydale and Sunbeams had been contacted and new respite care plans had been offered. Plans had so far been agreed with 20 families, with one family refusing to engage.
- That the closure date of Spring 2018 would provide a sufficient transition period during which time there would be close working and support to the families affected. Officers emphasised that there would be no gaps in care during this transition period.
- That discussions regarding alternative transport arrangements for families were taking place and would be finalised once the new arrangements for care plans were confirmed and in place.
- That officers were working closely with Adult Services to ensure appropriate care plans for young people (16/17 years of age) and ensuring the smooth transition for them and their families to alternative respite care.
- That Merrydale and Sunbeams were not modern purpose built units for residential respite care and that other purpose built units such as SMILE and Firvale were noted as alternative providers, with Firvale having capacity for children and young people transferring from Merrydale and Sunbeams, as well as future new referrals.

- That the eligibility criteria for residential respite care would not change and would remain the same for families affected by the closures as well as future new referrals, and support offered. It was confirmed that new referrals would not be affected by the closure of Merrydale and Sunbeams.
- That staff currently working at Merrydale and Sunbeams would help to transition children and young people to new residential respite care and to support them with this change.
- That officers were committed to working closely with all families affected to ensure care plans were right for the needs of the children and their families. Regular officer meetings to review issues were taking place and it was emphasised that changes would be handled sensitively and appropriately with continual monitoring.

The Chairman moved to debate. A variety of arguments were heard, including:

- Some Members expressed concern that the parents had not received sufficient reassurance about the impact of the changes and were concerned about the quality of care going forward.
- A request that new arrangements should be trialled first to ascertain the impact of the changes on children and families before making a decision to close Merrydale and Sunbeams.
- Concerns how alternative travel arrangements would impact on children and their families and firm assurance would be needed that travel arrangements were confirmed and in place before the start of their transition.
- That change may not be welcomed by some families and children initially, but these may ultimately prove to have a positive effect over time.
- To delay the closure of Merrydale and Sunbeams may negatively impact on children and their families.
- That there was a lack of confidence amongst families that their views had been taken into consideration as a result of the consultation which may have an impact on responses to future consultations.

At the end of the debate the Chairman thanked officers for their reassuring answers to the Select Committee's questions.

In line with the option open to the Select Committee, the Chairman proposed that a vote should be taken on the recommendation in the report that the Members of the Select Committee determine whether or not they consider that the Executive Lead Member for Children's Services should re-consider his decisions as set out in the Decision Record attached at Annex A

The recommendation was voted upon as follows:

- 10 Members of the Select Committee voted in favour of not requesting the Executive Lead Member to reconsider his decisions.
- 4 Members of the Select Committee voted in favour of requesting the Executive Lead Member to reconsider his decisions.

RESOLVED:

That the Executive Lead Member for Children's Services should not be requested to reconsider his decisions as set out in the Decision Record attached at Annex A to the report.

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Chairman,