MEETING OF THE OVERVIEW SELECT COMMITTEE

DATE: THURSDAY, 3 OCTOBER 2013
TIME: 5:30 pm
PLACE: THE TEA ROOM - FIRST FLOOR, TOWN HALL, TOWN HALL SQUARE, LEICESTER

Members of the Committee

Councillor Dawood (Chair)
Councillor Singh (Vice-Chair)

Councillors Cooke, Cutkelvin, Grant, Kitterick, Dr Moore, Newcombe, Osman, Porter, Thomas, Waddington, Westley and Willmott

Youth Council Representatives

To be advised

Members of the Committee are invited to attend the above meeting to consider the items of business listed overleaf.

Elaine Baker
for the Monitoring Officer

Officer contacts:
Elaine Baker (Democratic Support Officer):
Tel: 0116 2298806, e-mail: Elaine.Baker@leicester.gov.uk
Marie Galton (Members Support Officer):
Tel: 0116 2298896, e-mail: Marie.Galton@leicester.gov.uk
Leicester City Council, Town Hall, Town Hall Square, Leicester LE1 9BG
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BRAILLE/AUDIO TAPE/TRANSLATION
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General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Elaine Baker, Democratic Support on 0116 229 8806 or email elaine.baker@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 0116 252 6081
1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**
   
   Members are asked to declare any interests they may have in the business to be discussed at this meeting.

3. **CHAIR'S ANNOUNCEMENTS**
   
   The Chair will provide an update on developing scrutiny arrangements.

4. **MINUTES OF PREVIOUS MEETING**

   The minutes of the meeting held on 22 August 2013 are attached and the Committee is asked to confirm them as a correct record.

5. **PROGRESS ON ACTIONS AGREED AT THE LAST MEETING**

   a) Further to minute 35(d), “Questions for the City Mayor – Key Decisions”, the definition of a key decision has been sent to all members of the Committee. This is also attached for information at Appendix B1;

   b) Further to minute 19(a), “Chair’s Announcements – Police and Crime Panel”, the corporate response to the consultation on the Police and Crime Plan is attached for information at Appendix B2; and

   c) To consider progress on other actions agreed at the last meeting not reported elsewhere on the agenda.

6. **QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE**

   The Monitoring Officer to report on any Questions, Representations or Statements of Case received in accordance with Council procedures.

   Mr J McLean submits the following question:

   “In light of the UN Special Raconteur Raquel Rognics visit to investigate the bedroom subsidy under article 25 of the UN Declaration of Human Rights has or will the council get their legal team to raise this issue under Judicial review as a Local Authority or jointly with other Local Authorities or under ECHR?”
7. **PETITIONS**

The Monitoring Officer to report on any petitions received.

8. **TRACKING OF PETITIONS - MONITORING REPORT**   Appendix C

The Monitoring Officer submits a report that updates Members on the monitoring of outstanding petitions. The Committee is asked to note the current outstanding petitions.

9. **REPORT ON SCHOOL SWIMMING**   Appendix D

The Director of Culture and Neighbourhood Services submits a report on the uptake of school swimming and the proposed school swimming traded service. The Committee is recommended to note the report and comment as appropriate.

10. **POLICE AND CRIME PANEL - UPDATE**   Appendix E

The Council’s representatives on the Police and Crime Panel will give a verbal update on the role and development of the Police and Crime Panel. The Committee is recommended to note the update and comment as appropriate.

11. **SCRUTINY COMMISSIONS’ WORK PROGRAMMES**   Appendix F

To receive and note updates on work being undertaken following reports of reviews carried out by a Scrutiny Commissions. *Please note, these updates are submitted for information:*-

i) Elderly Person’s Homes (Adult Social Care Scrutiny Commission) (*Appendix F1*);

ii) Welfare Reform – Update on Questions Received (Housing Scrutiny Commission) (*Appendix F2*);

iii) Community Centres Charging Scheme (Neighbourhood Services and Community Involvement Scrutiny Commission) (*Appendix F3*); and

iv) Any other work not reported elsewhere on the agenda.

12. **OVERVIEW SELECT COMMITTEE WORK PROGRAMME**   Appendix G

A work programme for the Overview Select Committee is attached. The Committee is asked to consider this and make comments and/or amendments as it considers necessary.

13. **QUESTIONS FOR THE CITY MAYOR**

The City Mayor will answer questions raised by members of the Overview
Select Committee on issues not covered elsewhere on the agenda.

14. ANY OTHER URGENT BUSINESS
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Minutes of the Meeting of the
OVERVIEW SELECT COMMITTEE

Held: THURSDAY, 22 AUGUST 2013 at 5.30pm

PRESENT:

Councillor Dawood (Chair)
Councillor Singh (Vice-Chair)

Councillor Cutkelvin
Councillor Grant
Councillor Joshi (substitute for Councillor Waddington)
Councillor Kitterick
Councillor Dr Moore
Councillor Newcombe
Councillor Osman
Councillor Sangster (substitute for Councillor Cooke)
Councillor Willmott

Also present:

Councillor Chaplin
Councillor Clair  Assistant Mayor (Culture, Heritage, Leisure and Sport)
Councillor Clayton
Councillor Dempster  Assistant Mayor (Children, Young People and Schools)
Councillor Sood  Assistant Mayor (Community Involvement, Partnerships and Equalities)
Sir Peter Soulsby  City Mayor

*** *** ***

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

• Councillor Cooke (Councillor Sangster was present as his substitute);
18. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

19. **CHAIR’S ANNOUNCEMENTS**

a) **Police and Crime Plan**

The Chair reminded the Committee that the amended Police and Crime Plan currently was being consulted on.

This would not be taken as an urgent item at this meeting, due to the size of the agenda. However, a corporate response was being prepared and Members were invited to send comments to the Head of Community Safety and Partnerships by 28 August 2013. A copy of the consultation letter was tabled at the meeting and is attached at the end of these minutes for information.

The Committee expressed its concern that a very short time had been given in which to comment on the Plan. The deadline for comments was 30 August, but the letter inviting comments had only been sent out on 15 August and the consultation period included a bank holiday weekend.

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<tr>
<th>Action:</th>
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<tr>
<td>Comments for inclusion in the corporate response to the consultation on the Police and Crime Plan to be sent to the Head of Community Safety and Partnerships by 28 August 2013.</td>
<td>All Members</td>
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b) **Invitation to Police and Crime Commissioner to Meet the Overview Select Committee**

The Chair confirmed that a letter had been sent to the Police and Crime Commissioner, Sir Clive Loader, asking him to attend this meeting. A reply had been received from his office, stating that Sir Clive would be happy to meet the Committee members, but not at a formal meeting. The reason given for this was a concern that his attendance at a formal meeting of the Committee could give a perception that the Committee was scrutinising the work of the Commissioner, but this role was reserved for the Police and Crime Panel.

The Committee expressed its disappointment that this response had been received. Members stated that, as Sir Clive was an elected official, and therefore accountable to the public, they had hoped that he would welcome the opportunity to discuss his plans in public, as they felt that effective partnership between the Police and the Council was vital to the successful implementation
of the Police and Crime Plan.

RESOLVED:
That a further invitation to attend a meeting of the Overview Select Committee be sent to the Police and Crime Commissioner, Sir Clive Loader, stressing the Commissioner's responsibility to the public and the need for the Police and the Council to work together.

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<th>Action:</th>
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<tr>
<td>Further invitation to attend the Overview Select Committee to be sent to the Police and Crime Commissioner</td>
<td>Principal Lawyer (Regulatory)</td>
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c) **Scrubiny of Financial and Performance Reports**

A working group would be formed to give detailed scrutiny to the financial and performance reports currently submitted to this Committee. The group would report back to this Committee and would be led by the Vice-Chair of this Committee, Councillor Singh.

In response to queries from Members, it was noted that it was anticipated that the work of this group would not duplicate the work of the Council’s Audit and Risk Committee, as the group would have a more strategic remit than that of the Audit and Risk Committee.

It also was noted that membership of the group would be open to all members of the Overview Select Committee. Any members interested in participating were invited to contact Councillor Singh.

RESOLVED:
1) That a working group be established to give detailed scrutiny to strategic financial and performance reports;

2) That Councillor Singh be asked to prepare draft terms of reference for the working group established under resolution (1) above for submission to the next meeting of the Overview Select Committee; and

3) That membership of the working group established under resolution (1) above be open to all members of the Overview Select Committee.

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<th>Action:</th>
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<tbody>
<tr>
<td>Expressions of interest in joining a working group to give detailed scrutiny to strategic financial and performance reports</td>
<td>Interested members of the Overview Select Committee</td>
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performance reports to be given to the Vice-Chair Committee
Draft terms of reference for a working group to give detailed scrutiny to strategic financial and performance reports to be submitted to the next meeting of the Overview Select Committee Vice-Chair / Scrutiny Support Manager

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<tr>
<th>d) Access for All Event</th>
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<tr>
<td>Members were reminded that they had been invited to and Access for All event at 10.00 am on Wednesday 28 August and were encouraged to attend. The City Mayor and the Chair of this Committee had already indicated that they would both be attending.</td>
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<td>Any members wishing to attend, who had not yet replied, were asked to contact the Scrutiny Support Manager.</td>
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<th>Action:</th>
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<tr>
<td>Expressions of interest in participating in the Access for All event to be sent to the Scrutiny Support Manager</td>
<td>Interested members of the Overview Select Committee</td>
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20. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 30 June 2013 be approved as a correct record, subject to the removal of Councillor Willmott from the list of members present.

21. PROGRESS ON ACTIONS AGREED AT THE LAST MEETING

NOTED:

1) The minute of the Economic Development, Transport and Tourism Scrutiny Commission relating to the Accommodation Strategy, (minute 18, “Accommodation Strategy – Implementation”, 3 July 2013 referred); and

2) That the City Mayor would be reporting further on the Accommodation Strategy to the Economic Development, Transport and Tourism Scrutiny Commission meeting to be held on 9 October 2013.

22. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer reported that there were no questions, representations or statements of case.
23. PETITIONS

The Monitoring Officer reported that no petitions had been received.

24. TRACKING OF PETITIONS - MONITORING REPORT

The Monitoring Officer submitted a report updating Members on the monitoring of outstanding petitions. Further updates were tabled at the meeting and are attached at the end of these minutes for information.

In response to questions from the Committee, the City Mayor confirmed that it had been agreed with the Monitoring Officer that the three petitions received in relation to the closure of elderly person homes would be considered as part of the Council debate in September.

RESOLVED:

1) That the current outstanding petitions be noted; and
2) That petition referenced 14/02/2013 (but only that relating to Phase 1), 05/04/2013, 15/04/13 and 17/04/2013 be marked as “Green Complete”, be removed from the report.

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<th>Action:</th>
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<tr>
<td>Petitions referenced 14/02/2013 (but only that relating to Phase 1), 05/04/2013, 15/04/13 and 17/04/2013 be marked as “Green Complete”, be removed from the report.</td>
<td>Democratic Support Officers</td>
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25. UK CITY OF CULTURE BID

The City Mayor reminded the Committee that bids to become the United Kingdom City of Culture for 2017 would be submitted by Dundee, Hull and Swansea Bay, as well by this City. The deadline for submissions was 5.00 pm on 30 September 2013.

The City Mayor further advised the Committee that:-

- The Council and its partners were seeking to engage as widely as possible, including engagement into the county, before the deadline for submissions;
- There had been great interest in the bid in the city, but more work was required to ensure that as wide a range of experiences as possible was included in the bid;
- The theme for the bid was “Illumination”;
• Engagement work being undertaken included attendance at outdoor activities, community participation events, work with schools and the development of ideas for drawing on the city’s rich culture and heritage. This was resulting in some excellent ideas being put forward;

• The forthcoming City Festival on the August Bank Holiday weekend would be an opportunity to rehearse elements of the bid;

• The submitted bid would not be the final programme, as further development of its elements would continue through to 2017;

• Although the Council was underwriting the bid, it would not need to provide all the funding, (for example, there would be opportunities for sponsorship). There already had been some indications of interest from organisations willing to offer significant support. This was greatly welcomed, but these offers remained to be confirmed; and

• As this would only be the second time that the title had been awarded, an assessment would be made of the impact of the title for the current City of Culture (Derry/Londonderry).

Councillor Clair, Assistant Mayor (Culture, Heritage, Leisure and Sport), advised the Committee that the public awareness and stakeholder consultation events were underway, and a ‘back the bid’ team of volunteers were visiting festivals and events over the summer. In addition, ‘back the bid’ signing books were available at various libraries and community centres around the city that people could sign to show their support for the bid. All Members were asked to encourage as many people as possible to sign these.

The following comments were made during discussion on this:-

- The team working on the bid was congratulated on the work done so far, which had enabled the bid to progress to this stage;

- The legacy that could be achieved through this was very important and tangible benefits would be received. This included creating a legacy of pride in the city, economic and tourism benefits and the promotion of diversity;

- Although the Council’s economic situation meant funds available to the Council were limited, the potential benefits to the city made it important to bid for the title; and

- With the backing that the bid had already received, there was optimism that it would be successful.

In response to queries about whether the support of the city’s twin cities would be sought, the City Mayor confirmed that this could be considered.

Keith Blundell, of the bid writing team, introduced himself to the meeting. He
explained that, before he joined the bid writing team, he had been the Head of Tourism at Liverpool City Council, which had submitted a successful bid to become the European Capital of Culture. He advised the Committee that it had been found in Liverpool that the title had had a strong unifying impact on the city. Although the main economic impact had been on the city centre, engagement had spread right across the city.

The Committee suggested that an evidence base was needed for the economic and social benefits of the bid, so that it could be ensured that, as far as was possible, these benefits were experienced by all residents. This would be assisted by investment being undertaken in all parts of the city.

The City Mayor advised the Committee that a report on the bid would be made to the Heritage, Leisure and Sport Scrutiny Commission on 10 September 2013 and then to Council on 19 September 2013. A further report to this Committee could be made after the Council meeting.

RESOLVED:

1) That progress with the city’s bid to be the 2017 UK City of Culture be noted and welcomed;

2) That the Director of Neighbourhood Services be asked to consider approaching the city’s twin cities for support of the bid; and

3) That a further report on the bid be made to this Committee after consideration of the bid by Council.

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<th>Action:</th>
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<tr>
<td>Consideration to be given to approaching the city’s twin cities for support of the bid</td>
<td>Director of Neighbourhood Services</td>
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<tr>
<td>A further report on the bid to be made to this Committee after consideration of the bid by Council</td>
<td>Director of Neighbourhood Services</td>
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26. CALL-IN OF CITY MAYOR AND EXECUTIVE DECISIONS

i) **Decision by the City Mayor – Expenditure on Works in Guildhall Lane**

In considering this call-in, it was noted that, although there was broad support for the Connecting Leicester programme, at this time of financial cuts Members wanted to ensure that the investment would give an appropriate financial and/or environmental return. From the information provided when the decision was made, there did not appear to be evidence that this would be achieved. It
was acknowledged that the road needed refreshing, but the cost proposed seemed to be high.

However, those calling in the decision did not feel that it needed to be considered by Council, (as would normally be the next step, under Procedure Rule 12(f) of Part 4D of the Council’s Constitution). Councillor Kitterick therefore proposed that, instead of referring the call-in to Council, the call-in should be withdrawn and the matter reviewed by the City Mayor, with a view to achieving financial efficiencies. This was seconded by general consensus of the Committee.

In reply, the City Mayor stressed that it was important to consider the road in the wider context of the whole of the old town area. Continued investment was needed in that area, as a number of streets needed improving. The benefits of doing so could be seen in roads such as Silver Street, where the improvement of one road had greatly improved the whole area. The current main areas of concern were Hotel Street, Church Gate and Guildhall Lane. In particular, Guildhall Lane had very uneven pavements, which did not enhance its historic setting and caused problems for people with restricted mobility.

It was agreed that the three streets highlighted needed improvement, so improvements to the area were welcomed, especially where they improved access for disabled people, but the Committee felt that the cost associated with the improvement of Guildhall Lane seemed to be high. It therefore was questioned whether the improvement could be carried out at a lower cost, particularly as Guildhall Lane was not at the front entrance to either the Guildhall or the Cathedral and, in the current economic conditions, the Council could not afford to do all of the improvements to the very highest standards.

The City Mayor expressed concern that Members were underestimating the importance of the street. It linked to The Lanes area, through Applegate to Jubilee Square, but currently looked inappropriate. Patching could be carried out, but this could soon need further repair. However, the works proposed could be re-examined if considered necessary.

The Committee noted these comments, recognising that not improving the road to the same standard as surrounding ones could have a detrimental impact on the overall impression of the area and the surface could deteriorate quickly. This was a historic route and an important link, so expenditure should be sufficient to ensure that the road was improved to a good standard. It therefore was suggested that savings could be sought within these constraints.

The Committee noted that a good example of this was the improvement of Loseby Lane. This had been achieved at a lower cost than was proposed for Guildhall Lane. The City Mayor therefore was asked to consider whether the approach used in that road could be used for Guildhall Lane.

The City Mayor confirmed that the surface used in Silver Street drew on the experience of that used in Loseby Lane and Cank Street and the lessons learned in those streets were being applied in the proposals for Guildhall Lane.
However, the materials proposed for Guildhall Lane, and therefore the costs, could be reviewed.

The Committee also expressed concern that improvements were needed to Belgrave Gate. However, the challenges associated with improving this route were recognised, particularly in the way it was dissected by the flyover.

It was questioned whether information on these works had been considered when consultation information on Connecting Leicester had been reviewed by the Committee on 29 August 2012, (minute 39 referred), but it was noted that this had been a review of the concept and general financial provision, not detailed consideration of this specific project.

RESOLVED:

1) That the withdrawal of the call-in of the decision of the City Mayor on expenditure on works in Guildhall Lane be supported in accordance with Procedure Rule 12(g)(ii) of Part 4D of the Council’s Constitution; and

2) That the City Mayor be asked to re-examine the business case for the proposed works to Guildhall Lane, to determine if efficiencies and alternatives can be identified to reduce the budget without loss of quality, (for example, through using the same materials and finish as were used in Loseby Lane).

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<tbody>
<tr>
<td>The business case for the proposed works to Guildhall Lane to be re-examined, to determine if efficiencies and alternatives can be identified to reduce the budget without loss of quality</td>
<td>City Mayor</td>
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ii) **Decision by the Assistant City Mayor (Children, Young People and Schools) – Ending of Children’s Centres Contracts with External Providers**

The Committee noted that this decision had been called-in as it was questioned why it had been decided to withdraw these contracts at this time. The basis for the decision also was questioned, as the only reasons given for it were financial, but Members had hoped to see wider considerations, such as value for money. In addition, requests had been made that this decision be considered by the appropriate scrutiny commission before it was taken, but these requests had not been acted on.

The Committee was reminded that a written submission from Barnardo’s in relation to this decision had been circulated before the meeting.

At the invitation of the Chair, Clive Chambers, Assistant Director with Barnardo’s Midlands, addressed the Committee, drawing particular attention to
the following points:-

- Barnardo’s did not see its relationship with the Council as one of conflict. It acknowledged that it had been consulted throughout the process and recognised that the decision had been made to ensure that the maximum funding possible was available for services, but it was disappointed at the decision that had been taken;

- Barnardo’s was very proud of the work of the Children’s Centres. It was well received and had made a difference to people’s lives;

- The organisation’s national expertise had benefitted Leicester in a number of ways, as set out in the report submitted on this item, and it saw itself as a partner in service delivery in the city;

- The main area of difference between Barnardo’s and the City Council was whether there were alternative ways of commissioning services that could have saved money if they had been explored;

- It was agreed that there was a risk to delaying this decision, but Barnardo’s did not agree that funding was the basis for this. It felt that a decision was needed quickly for the staff involved; and

- There were revenue streams that the Council could only access through working with the third sector. This had gained the Council over £1 million in the past ten years and the recently announced Big Lottery funding for the Fulfilling Lives programme was only available through it being led by a third sector organisation.

Councillor Willmott, the lead sponsor for the call-in, explained that it had been hoped that there could have been prior discussion of the reasons for the decision in view of the potential for the added value of working with partners, (for example, in terms of income, training and having another perspective).

He further explained that it was accepted that the government required money to be saved, but questioned why this model of partnership working had to be changed. There had not been any discussion on, or information given for, the reasons for the change. If cost was the main reason for the decision, it therefore was questioned whether other ways of working had been explored.

Shabina Suhail, Children’s Services Manager with Action for Children, addressed the Committee at the invitation of the Chair, expressing the hope that the high skill and knowledge levels of current staff would be used when they transferred to the Council.

Councillor Dempster, Assistant Mayor (Children, Young People and Schools), stressed the good partnership that existed with Barnardo’s and Action for Children and expressed the hope that this would continue. She reminded Members that this change had been included in the budget proposals considered by the Children, Young People and Schools Scrutiny Commission
earlier in the year, but concerns about the proposal had not been raised at that time.

Councillor Dempster advised the Committee that:-

- The decision had come from the need to redesign the Children’s Centres service;
- It was hoped that greater use could be made of the buildings used by Children’s Centres, as some currently were only used at certain times of day, such as evenings;
- The current mixed model of Council and third sector provision had worked when it was first introduced, but something that offered greater flexibility was now needed; and
- This decision was the first step towards enabling a full service design to be undertaken. The full redesign would be consulted on.

The Committee questioned whether it would have been possible to achieve the savings required through renegotiating service level agreements, as the current model was working well. In reply, Councillor Dempster explained that the current model had created duplications in areas such as management and administration. Renegotiating therefore would not have removed the repeated costs, but having one provider would remove them. An attempt had been made before the decision was taken to negotiate a 10% reduction in costs, but this had not been possible.

Clive Chambers and Shabina Suhail advised that the 10% saving had had to be found in a very short time and would have resulted in a new service delivery model emerging. In the meantime, the providers had to remain contract compliant.

The Committee expressed concern that funding would cease in some Centres, which could result in them closing. This would inconvenience service users, as they would not be able to access a Centre in their own neighbourhood. There was a great need for these services, particularly given the current economic situation, so the Committee sought reassurances that in-house Centres would be able to meet demand.

Councillor Dempster stressed that it was contractual arrangements for Children’s Centres that were stopping, not the funding. As a result of this change, current staff would transfer to the Council under the Transfer of Undertakings Protection of Employment (TUPE) regulations. This was the first phase of a redesign of the service that would keep costs low, but also keep services local to people.

It was questioned whether the possibility of the Centres being provided wholly by the voluntary sector had been considered. Councillor Dempster reminded the Committee that over two-thirds of Children’s Centres already were provided
in-house. However, this decision needed to be made now due to the budget position. If more time had been available, it could have been possible to renegotiate contracts, but instead this would form part of a redesign of the service. Budget pressures also meant that a more flexible delivery was needed. For example, when staff were transferred under TUPE regulations, they would continue to work flexibly across the city.

The Committee was concerned that it had not seen possible ways of achieving savings and achieving flexibility through decommissioning the service to voluntary organisations and expressed its disappointment that the opportunity to discuss the options had not been available before the decision was taken. However, it felt that lessons could be learned from this.

Councillor Willmott therefore proposed that, instead of referring the call-in to Council, the call-in should be withdrawn and the matter referred to the Children, Young People and Schools Scrutiny Commission for post-decision scrutiny. This was seconded by Councillor Kitterick.

On behalf of the Committee, the Chair thanked the representatives of Barnardo’s and Action for Children for their attendance at, and participation in, the meeting.

The Committee was reminded that the Children, Young People and Schools Scrutiny Commission had requested that consultation materials for the redesign of the Children’s Centre’s network be presented to the Commission prior to the start of a consultation exercise with stakeholders, (minute 40, 23 January 2013 referred). Concern was expressed that this had not been done, so it had not been possible to consider these matters under the scrutiny process. In view of this, it was suggested that consideration could be given to how it could be ensured that decisions such as this were acted on in the future.

RESOLVED:

1) That the withdrawal of the call-in of the decision of the Assistant City Mayor (Children, Young People and Schools) on the ending of Children’s Centres contracts with external providers be supported in accordance with Procedure Rule 12(g)(ii) of Part 4D of the Council’s Constitution;

2) That the Children, Young People and Schools Scrutiny Commission be asked to undertake post-decision scrutiny of the decision referred to under resolution 1) above, this to include why and how the decision was taken, other options considered and what could be learned from this; and

3) That the Director of Delivery, Communications and Political Governance be asked to consider how a process can be developed that ensures that resolutions passed by committees and other bodies are acted on.
Post-decision scrutiny of the decision of the Assistant City Mayor (Children, Young People and Schools) on the ending of Children’s Centres contracts with external providers to be undertaken 

Consideration to be given to how a process can be developed that ensures that resolutions passed by committees and other bodies are acted on 

See also minute 28 below, (Call-In of City Mayor and Executive Decisions – Continued)
more risky than others and some were short term, while some were longer term. Currently, none of the long-term investments were in the tobacco industry.

Occasional investments were made in the tobacco industry though, through pooled equity. These investments were made by companies’ funds being pooled and invested by a fund manager. Such investments were more tactical than strategic, as whether they were made depended on whether the fund manager felt that particular shares were increasing or decreasing in value.

Councillor Kitterick drew attention to the briefing produced by Action on Smoking and Health (ASH), which had been circulated with the agenda. This set out the legal precedents for why investments were still made in industries such as tobacco.

The briefing also explained that trustees of pension funds did not have to only consider potential profit when considering investment policies. However, they had to show whether dis-investment would have appositive or neutral benefit. The County Council Pension Fund’s fund managers would have to be told not to invest in certain businesses, but at present the pooled equity managers were achieving a 10% return on the fund, so there was no financial benefit to stopping these investments.

Fund managers were chosen for their style of investment, so if one stated that they would not invest in tobacco, this could be deciding factor in their appointment if there was an equal choice between managers. This option had not been offered by the current fund managers.

The Committee thanked the Council’s representatives on the Pension Fund Management Board for their work. It was suggested that it could be useful for them to seek investors who made more socially acceptable investments, particularly as this Council now had significant public health responsibilities. However, it was recognised that the Council was unlikely to be able to change investment policy on its own, so it was suggested that the Local Government Association could be asked to promote ethical investment policies for pension funds.

RESOLVED:

That the Local Government Association be asked to work with councils to promote ethical investment policies for pension funds.

<table>
<thead>
<tr>
<th>Action:</th>
<th>By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Local Government Association be asked to work with councils to promote ethical investment policies for pension funds</td>
<td>Councillor Kitterick</td>
</tr>
</tbody>
</table>
30. **REVENUE BUDGET MONITORING 2012/13 - OUTTURN**

The Director of Finance submitted a report setting out the revenue outturn position for the 2012/13 financial year.

The Committee noted that there were no significant differences to the financial position at the end of period 9. The number of children in care was increasing more than was wanted, but this rate of increase rate was now slowing.

RESOLVED: That the report be noted.

31. **CAPITAL BUDGET MONITORING 2012/13 - OUTTURN**

The Director of Finance submitted a report showing the position of the capital programme for 2012/13 at the end of the financial year.

RESOLVED: That the report be noted.

32. **COLLECTION OF INCOME 1 APRIL 2012 - 31 MARCH 2013**

The Director of Finance submitted a report detailing progress made in collecting debts raised by the Council during 2012/13, together with debts outstanding and brought forward from the previous year. It also set out details of debts written off under delegated authority that it had not been possible to collect after reasonable effort and expense.

The Director of Finance advised the Committee that the report showed very good performance for the year. Some debts were hard to collect, but continued to be collected sensitively.

The £5.85 million that was written off was approximately 1.5% of the total debt raised. This was an improvement and compared favourably with organisations such as British Gas, which wrote-off 1.22% of its debt, but had less difficult debt to collect.

RESOLVED: That the report be noted.

33. **SCRUTINY COMMISSIONS’ WORK PROGRAMMES**


Councillor Newcombe introduced this report, explaining that, although the review had been started by the Economic Development, Transport and Tourism Scrutiny Commission, the issue was now the responsibility of the Housing Scrutiny Commission.
Councillor Newcombe advised that the Chairs and Vice-Chairs of the two Commissions would be forming a working group to undertake a review of the outstanding issues relating to site and contract management.

b) **Sports Facilities: Reviewing and Visioning (Heritage, Culture, Leisure and Sport Scrutiny Commission)**

Councillor Osman introduced the scoping document for this review, explaining that funding from Sport England would be used to investigate how sports facilities in Leicester were used. Recommendations would be made to the Executive regarding their future use and in relation to any additional facilities it was felt were needed.

c) **Report of a Review of the Council’s Homelessness Strategy (Housing Scrutiny Commission)**

Councillor Newcombe introduced the report on the review of the Council’s Homelessness Strategy.

He noted that useful information had been received from partner agencies, so it had been possible to deal with some concerns at meetings of the Commission. A number of conclusions had been reached and recommendations made. The Commission had asked to receive a further six months after the conclusion of the review, (in January 2014).

34. **OVERVIEW SELECT COMMITTEE WORK PROGRAMME**

The Committee received its work programme, noting that it would be developed further in consultation with the Chairs of the Scrutiny Commissions.

The Vice-Chair reported that he would be leading a review of the way in which the Council’s corporate strategy for implementing its duty of equality was implemented. All members of the Committee were welcome to participate in this.

It was noted that it was intended to bring the final report on Elderly Persons’ Homes to this Committee. The City Mayor advised that it had been hoped that a decision on the Homes could have been made some time ago, but it had been delayed in order to obtain further information. It would be useful for the report to be considered by the Committee before a decision was made.

It was noted that the review of community fees and charges by the Neighbourhood Services Scrutiny Commission was now ready to be reported to the Committee.

**RESOLVED:**

1) That the Committee’s work programme be approved and adopted, subject to the inclusion of the following items:-
The final report of the review of Elderly Persons’ Homes by the Adult Social Care Scrutiny Commission, to be considered at the meeting on 3 October 2013; and

The final report of the review of community fees and charges by the Neighbourhood Services Scrutiny Commission, to be considered at the meeting on 3 October 2013; and

2) That members of the Committee advise the Vice-Chair if they wish to participate in the review of the implementation of the Council’s corporate strategy for implementing its duty of equality.

35. QUESTIONS FOR THE CITY MAYOR

a) Burial of King Richard III

The City Mayor reported that, following a recent court case, a judge had allowed a request by a group of people claiming to be relatives of King Richard III for a review of where the remains of King Richard III should be interred.

It was felt in the city that the arguments put forward by the group would not be upheld, as former monarchs were buried in various locations around the country and between approximately 1 and 17 million people could claim to be related to King Richard III. In addition, King Richard had ridden to battle from Leicester and had been returned and buried here after his death by royal command.

Archaeological best practice, and the conditions of the licence issued for the archaeological dig that found his remains, were for a person to be reburied at the nearest location to where they were found. In this case, this was Leicester Cathedral.

The Committee expressed the hope that King Richard’s body would be buried in Leicester.

b) Questions at Council

Councillor Grant referred to the last meeting of Council, when the City Mayor had not fully answered a question at the meeting and queried why, when fewer questions than previously were being asked, this had happened. Councillor Grant further asked the City Mayor if there had been insufficient time to prepare a full answer to the question, or whether he had to reply in brief. This was a concern, as the person asking the question could be denied the chance of asking a supplementary question if a full answer was not given to the first question.

The City Mayor explained that he had given a brief answer at the meeting, but on reflection the following day felt that the answer may have appeared
dismissive. He therefore wrote to the Councillor who had asked the question and copied all Councillors in to that letter. The City Mayor gave an undertaking to seek to answer all questions asked at Council meetings as fully as possible in the future.

c) **Southgates Underpass**

Councillor Newcombe noted that a lot of good work had been achieved through the Connecting Leicester programme, but the Southgates underpass was very dirty, so did not look nice for residents or visitors who used it. He therefore asked the City Mayor if the possibility of having the underpass cleaned and/or improved had been considered.

The City Mayor reminded the Committee that the lighting in the underpass had been improved a few years ago, but undertook to ask officers to consider what could be done to improve its appearance.

<table>
<thead>
<tr>
<th>Action:</th>
<th>By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officers to be asked to consider how the appearance of the Southgates underpass can be improved</td>
<td>City Mayor</td>
</tr>
</tbody>
</table>

d) **Key Decisions**

Councillor Singh asked the City Mayor to explain under what circumstances a decision was classed as a key decision.

The City Mayor advised that there were various criteria that had to be met, such as financial considerations and the geographical area affected by the decision. The Principal Lawyer (Regulatory) undertook to circulate the full definition of a key decision.

<table>
<thead>
<tr>
<th>Action:</th>
<th>By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The full definition of a key decision to be circulated to members of the Committee</td>
<td>Principal Lawyer (Regulatory) and Democratic Support Officer</td>
</tr>
</tbody>
</table>

36. **CLOSE OF MEETING**

The meeting closed at 9.03 pm
Dear Partner,

The Police and Crime Plan 2013-2017 (the Plan) was published in March 2013. In the Plan I made a pledge that I would review its content to refresh it on a yearly basis, reflecting the needs of the people of Leicester, Leicestershire and Rutland.

With that in mind, I have completed a cycle of engagement with the communities I serve and with partner agencies that support in the delivery of the Plan. Engagement and consultation exercises with partners have taken place since April 2013. A group of partners have made up a Police and Crime Plan Steering Group who have met regularly to inform the Plan. I believe that this version of the Plan further emphasises the previous partnership thrust of the earlier document.

This ongoing engagement has helped me not only to understand what really matters to people, communities and partners, but also to reflect on lessons learned in my time as Police and Crime Commissioner so far and to incorporate updated thinking into the Plan.

While I hope that you will find time to read the whole document and to offer feedback on it by 30th August 2013. The notes below are intended to assist you in identifying the changes to the Plan compared to the previous published version.

**Change 1**
The original Plan had three principal sections. These were:

- 4.1 The strategic direction of Leicestershire Police
- 4.2 Contributing to regional and national threats – the strategic policing requirement
- 4.3 Working with partners to tackle crime, reoffending and non-crime incidents

In order to further emphasise the importance of partnership working to deliver the Plan, these three sections have been combined into two. The same priorities have been maintained, but re-worded in some cases to further draw in partners’ objectives. The two new sections are:

- The strategic direction for policing and partnerships
- Contributing to regional and national threats – the Strategic Policing Requirement

**Change 2**
At a late stage of delivering the original Plan it appeared that six themes had emerged. It was intended to strengthen those in subsequent versions of the Plan. Before and during the refresh it has become apparent that those six reduce to four. These four themes are:
- Reducing offending and reoffending
- Supporting victims and witnesses
- Making communities and neighbourhoods safer
- Protecting the vulnerable

Those themes are now drawn out more clearly in the Plan. Each key theme section is now structured to provide underpinning strategic priorities, the context of what we are trying to achieve and how performance will be measured.

**Change 3**
The wording of some strategic priorities has been amended. These amendments aim to tighten the priorities and to reflect better some of the supporting narrative. More specific priorities support effective commissioning and the focusing of resources to where they are needed most.

**Change 4**
I remain committed to setting challenging targets that focus our work towards achieving positive outcomes. It is my vision that Leicestershire Police will be ranked amongst the most effective police services in the country. With this in mind I have altered how targets are set to make sure we are heading towards my vision. It is worth explaining this change.

The Force is compared to a group of forces known as the Most Similar Group (MSG). These forces have been deemed similar by the Home Office using various socio-demographic factors; the MSG is updated regularly and this was most recently done on 9 August 2013. To ensure the force is performing well amongst its peers, a comparison is made to the average crime rate or crime outcome rate of the MSG. The targets have been set by calculating the MSG average for each of the priority crime types, and extrapolating it to the end of the year. The Plan target is then set to ensure that the Force is striving to at least achieve the MSG average by the end of 2013/14, or by the end of 2014/15 in certain cases.

Where the force is already better than the MSG average, a target has been set to ensure that the margin to the MSG average is at least maintained over time.

This improved methodology has altered targets in some cases and I am confident that this is the right thing to do.

**Change 5**
The police, partners and individual organisations are under considerable pressure to deliver an improved service, meeting the changing needs of our communities, whilst saving money. Since the preparation of the previous Plan, the Force has been working with the OPCC to develop a Change Programme focused on maintaining, or even improving, services whilst reducing costs over the medium term.

The refreshed Plan has a detailed section on how the Change Programme is intended to meet the challenge of producing “a comprehensive suite of change options to create a force that is fit for 2016/17 within the funding available”. I would point out, however, that not all the expected
detail is yet contained in this section, which is still under development; it will be ready before the document is despatched to the Police and Crime Panel for its consideration.

The section will also recognise that our partners are facing similar financial challenges and service pressures, and that by working together for the duration of this plan we will help each other to fulfill our requirements to save money and design services that meet the needs of the people of Leicester, Leicestershire and Rutland.

**Focused consultation areas**

I would like to draw your attention to specific areas of the plan where I would appreciate your comment:

**Strategic Priority: Reducing alcohol and drug related offending and reoffending**

Feedback from the original Plan consultation highlighted that the two measures below were useful, measureable and relevant to the priority:

- A reduction in the number of incidents recorded in or near licensed premises during the night-time economy hours of 7pm to 7am
- An assessment and evaluation of the use of late night levy options through partners with a view to implementation.

Do you think that these measures remain relevant? Could they be used to support the assessment of performance in reducing violent crime with injury instead?

**Strategic Priority: To reduce commercial burglary**

Feedback in the previous and current engagement and consultation periods has suggested that this is not a priority area. Applications for commissioned services have not been received to support the reduction of commercial burglary. Should we remove this priority?

**Strategic Priority: To prevent child abuse and child sexual exploitation (CSE) and provide a safe and supportive environment for victims and witnesses**

It is recognised that the performance measure in this area is not as robust as many others. So your advice and guidance on improving the measures in this target area would be appreciated.

**General – the Performance Management Framework**

A performance management framework for the Police and Crime Plan has been developed in the Office of the Police and Crime Commissioner. This framework is used by me to review the performance of the Force. The drafting of this refresh, and particularly the increased emphasis on partnership working, has highlighted the need for a more rounded performance framework that takes account of the contribution that all partners will make to the achievement of the strategic priority. My team and I will be working on this during the forthcoming year, probably through the Strategic Partnership Board’s Executive Group, and I would appreciate your thoughts on how this might be delivered.
The revised Police and Crime Plan is in consultation until 30th August 2013. Feedback, advice and comments will be collated and incorporated into the Plan where relevant. The draft plan will be presented to the Police and Crime Panel on October 2nd 2013, along with a summary of the feedback, where support for the Plan will be sought.

An Equality Impact Assessment is being completed alongside the Plan. Following the Police and Crime Panel meeting the graphic design of the final document will be prepared and alternative versions of the Plan will be produced.

Thank you for your support to date in the production of the revised Police and Crime Plan. I look forward to working together with you to further improve it and to achieve delivery of the priorities contained within it.

Sir Clive Loader
Police and Crime Commissioner
The details of the following petitions have now changed since the report was published with the agenda:

<table>
<thead>
<tr>
<th>PETITION Date Received</th>
<th>LEAD PETITIONER</th>
<th>SUBJECT</th>
<th>NEW STATUS</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/02/2013</td>
<td>Cllr Waddington</td>
<td>Petition requesting railings around the new children's play area.</td>
<td>'GREEN' from 'RED'</td>
<td>Pro-forma sent to the Scrutiny Chair on 19 August 2013.</td>
</tr>
<tr>
<td>11/06/2013</td>
<td>Mr Bisson</td>
<td>E-Petition requesting the Council to implement a residential parking scheme in the Hughendon Drive/Aylestone Road area of the City.</td>
<td>Remains 'GREEN'</td>
<td>Pro-forma returned by the Scrutiny Chair on 16 August 2013. Final Letter being prepared.</td>
</tr>
<tr>
<td>05/08/2013</td>
<td>Mr N Talbot</td>
<td>Petition requesting a change in planting policy to one that includes flowers and plants that attract bees and other pollinating insects.</td>
<td>'GREEN' from 'Amber'</td>
<td>Pro-forma sent to the Scrutiny Chair on 19 August 2013.</td>
</tr>
<tr>
<td>14/2/2013 21/5/2013 1/8/2013</td>
<td>Mr D Brazier Ms V Wilson Mr D Thompson</td>
<td>Petitions on Homelessness</td>
<td>RED RED AMBER</td>
<td>A decision on Phase II of the Homelessness Strategy was taken on 14 August 2013 and pro-forma will be issued shortly. The Call-In period expired yesterday.</td>
</tr>
<tr>
<td>23/5/13</td>
<td>Mr A Goodier</td>
<td>Petition requesting a review of Westcotes parking Scheme and explore other options.</td>
<td>AMBER</td>
<td>A decision on the extension of the Westcotes Residents Parking Scheme was taken on 21 August 2013 and a pro-forma will now be prepared.</td>
</tr>
</tbody>
</table>
DEFINITION OF KEY DECISIONS –
TAKEN FROM THE ARTICLES CONTAINED IN
PART 2 OF THE COUNCIL’S CONSTITUTION

Article 6 – Key Decisions

Key Decisions are those which meet criteria laid down in legislation and the Council’s criteria. Key Decisions will be recorded on the City Mayor’s Forward Plan of Key Decisions. Details regarding the procedure for Key Decisions are given in the Access to Information Procedure Rules in the supporting documents to this Constitution.

The Council’s definition of Key Decision is an executive decision which is likely:

- to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in two or more wards in the City.

Expenditure or savings will be regarded as significant if:

(a) In the case of additional recurrent revenue expenditure, it is not included in the approved revenue budget, and would cost in excess of £0.5m p.a.;
(b) In the case of reductions in recurrent revenue expenditure, the provision is not included in the approved revenue budget, and savings of over £0.5m p.a. would be achieved;
(c) In the case of one off or capital expenditure, spending of over £1m is to be committed on a scheme that has not been specifically authorised by Council.

In deciding whether a decision is significant the City Mayor will take into account

- Whether the decision may incur a significant social, economic or environmental risk.
- The likely extent of the impact of the decision both within and outside of the City.
- The extent to which the decision is likely to result in substantial public interest.
- The existence of significant communities of interest that cannot be defined spatially in determining whether a decision is key.
This page is left blank intentionally.
Dear Mr Loader

POLICE AND CRIME PLAN

I refer to the refreshed Police and Crime Plan 2013-17 which was sent to consultees on 15th August for further comment.

The plan was considered by the Council’s Executive on the 30th August and will also be discussed at the Neighbourhood Services and Community Involvement Scrutiny Commission on 3rd September.

The Council wrote to your office on 21 February to highlight some key observations and a detailed response was also submitted during the first period of consultation. Having reviewed the refreshed plan we would like to highlight those issues that we still feel are not appropriately referenced in the document.

Our key issue is that whilst the plan makes reference to working in partnership with local authorities, there is still little reference to the statutory role local authorities have in relation to the crime and disorder agenda.

We believe that inclusion of this would help strengthen the plan generally and bring about a greater level of ownership amongst partners. Particular examples of the statutory functions we would like to see included:

- The duty placed on the local authority to prevent crime and disorder in the City as outlined in the Crime and Disorder Act 1998.
- The vast array of legislation linked to many of the Council’s regulatory functions e.g. Trading Standards, Licensing and Planning etc. (information provided as part of the consultation of the last Plan).
- The Safeguarding and Child Protection responsibilities placed on the Lead Member, Director of Children Services and Local Safeguarding Board.
- The Safeguarding responsibilities placed on the Lead Member, Director of Adult Services and Local Safeguarding Board in relation to vulnerable adults.
- The leadership role the City Council provides in co-ordinating and managing the local community safety partnership.
• The statutory responsibilities of the local authority in the relation to the management and reduction of anti-social behaviour, hate incidents and hate crime.

In addition, we would like the following observations to be taken in to account.

• The reference to safeguarding in the document needs to be made within a wider context than just the child sexual exploitation issue. The safeguarding of children covers a much wider range of issues including domestic violence, abuse and neglect etc.

• The plan identifies young people as being problematic (in terms of the level of young people’s offending or likely to experience issues around substance misuse) and does not at any point state that young people are victims of crime. The plan needs to reference young people as possible victims of crime together with an assessment of the type and level of support needed.

• The references to dementia appear to be about people who go “wandering” or “missing” due to dementia rather than any mention of vulnerability and/ or safeguarding. Further to this, there is no mention of how the Welfare Reform will effect on the wider community safety agenda.

However, we do believe that the refreshed Plan is an improvement. It contains a greater focus on community safety issues and there is greater emphasis on partnership working.

We’d be grateful therefore if the final plan could take these issues into consideration.

Yours Sincerely,

Frank Jordan
Strategic Director
WARDS AFFECTED
All Wards - Corporate Issue

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Overview Select Committee 3 OCTOBER 2013

Tracking of Petitions - Monitoring Report

Report of the Monitoring Officer

1. Purpose of Report

To update Members on the monitoring of outstanding petitions.

2. Recommendations

The Committee is asked to note the current outstanding petitions and to agree to remove those petitions marked ‘Green Complete’ from the report.

3. Report

The Committee is responsible for monitoring the progress and outcomes of petitions received within the Council. An Exception Report, showing those petitions currently outstanding or for consideration at the current Overview Select Committee meeting is attached. The report format had been changed, at the Chair’s request, to show the date the petition was received rather than the petition reference number in the first column.

Both the substantive list of petitions, with outcomes, along with the Exception Report, are lodged on the Council's Internet Site (Democracy Section), alongside associated current information which is also posted concerning guidance on the petition process.

The Exception Report contains comments on the current progress on each of the petitions. The following colour scheme approved by the Committee is used to highlight progress and the report has now been re-arranged to list the petitions in their colour groups for ease of reference:

- Red – denotes those petitions for which a pro-forma has not been completed within three months of being referred to the Divisional Director as expected.
- Green and marked COMPLETE – denotes petitions for which a response pro-forma had been signed-off by the relevant Scrutiny Commission Chair.
- Green – denotes petitions for which officers have proposed a recommendation in response to a petition, but a response pro-forma is not yet signed-off by the relevant Scrutiny Commission Chair.
- Amber – denotes petitions which are progressing within the prescribed timescales, or have provided clear reasoning for why the three-month deadline for completing the response pro-forma has elapsed.

In addition, all Divisional Directors have been asked to ensure that details of all petitions received direct into the Council (not just those formally accepted via a Council Meeting or similar) are passed to the Monitoring Officer for logging and inclusion on this monitoring schedule.

4. **Financial, Legal and Other Implications**

   There are no legal, financial or other implications arising from this report.

5. **Background Papers – Local Government Act 1972**

   The Council’s current overall internal process for responding to petitions.

6. **Consultations**

   Staff in all teams who are progressing outstanding petitions.

7. **Report Author**

   Francis Connolly  
   Democratic Services Officer  
   Extn. 398812
<table>
<thead>
<tr>
<th>Date Petition referred to Divisional Director</th>
<th>Received From</th>
<th>Subject</th>
<th>Type - Cncr (C) Public (P)</th>
<th>No. of Sig</th>
<th>Ward</th>
<th>Date Receipt Reported to Council (C) / Committee (Cttee)</th>
<th>Lead Divisional Director</th>
<th>Current Position</th>
<th>Scrutiny Chair Involvement</th>
<th>Date of Final Response Letter Sent to Lead Petitioner</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/05/2013 Miss Sally-Anne Storey</td>
<td></td>
<td>Petition asking for review of the parking situation on Queensferry Parade which the petitioners feel is inadequate and not fit for purpose. (p)</td>
<td>24</td>
<td>Eyres Monsell</td>
<td>Andrew L Smith</td>
<td>Letter sent to the Lead Petitioner requesting further information on the parking issues, but no response was received. Further attempts made to obtain the information to no avail. The contact telephone number rings out as ‘unobtainable’. A further letter was sent on 13 August requesting a reply or a call for a meeting – still awaiting a reply.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19/06/2013 Mrs C Bromiley and Ms P Haines</td>
<td></td>
<td>Petition against the proposed closure of Nuffield House Elderly Persons Home (p)</td>
<td>586</td>
<td>Western Park</td>
<td>Mrs Haines presented the petition to the Council Meeting on 27 June 2103.</td>
<td>Tracie Rees</td>
<td></td>
<td>A special Adult Social Care Scrutiny Commission took place 5 September to consider the final scrutiny proposals for the Elderly Persons Homes Review. A debate was held at the Full Council meeting on 19 September 2013. The Council “recommended to the Executive that the proposals for a phased approach for the closure and sale of the Council’s Elderly Person’s Homes be endorsed”</td>
<td></td>
<td>RED</td>
<td></td>
</tr>
<tr>
<td>14/02/2013 onwards Mr D Brazier</td>
<td></td>
<td>A number of petitions objecting to the closure of hostels, maintain support for local charities, maintain current bed spaces and budget, asking for homelessness to be avoided and specialist services to be included in the pathway for BME communities (p)</td>
<td>1,419</td>
<td>Various</td>
<td>Ann Branson</td>
<td>The petition was debated at Full Council on 21 March 2013. A report was considered by the Adult Social Care and Housing Scrutiny Commission on the 2nd of May. The Assistant City Mayor Housing took several key decisions relating to the Housing Strategy Phase 1 Delivery Proposal on 17 May 2013. The remaining outstanding issues in the petitions will be considered as part of the Phase 2 of the Housing Strategy Delivery Proposals. A decision on Phase II was taken on 14 August 2013. The pro-forma has been sent to the Assistant City Mayor to approve the response to the petitions.</td>
<td></td>
<td>The pro-forma process for a petition in Phase I was completed. The Scrutiny Chair has returned the pro-forma for the other petitions in Phase II and is content with the response.</td>
<td>Letter to Phase I Petitioner sent 14 June 2013. Letters to Phase II Lead Petitioners sent 20 September 2013</td>
<td>Phase I Petition GREEN COMPLETE</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>All Phase II Petitions GREEN COMPLETE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28/02/2013 Andrew Goodier</td>
<td></td>
<td>Petition requesting the Council to review the Westcotes Parking Scheme and explore other options as the scheme will have a detrimental effect upon the character of areas in and around Westcotes, which includes Western Park. (p)</td>
<td>117</td>
<td>Western Park and Westcotes</td>
<td>Andrew L Smith</td>
<td>The City Mayor's decision in relation to the Westcotes Parking Scheme Extension was taken on 21 August 2013.</td>
<td></td>
<td></td>
<td>The Scrutiny Chair has returned the pro-forma and is content with the response.</td>
<td>Letter to Lead Petitioner sent 20 September 2013</td>
<td>GREEN COMPLETE</td>
</tr>
</tbody>
</table>

Progress key:
- **Red** - Pro-forma not completed within three months of being referred to the Divisional Director.
- **Amber** - Petition being considered within the three month deadline.
- **Green** - Pro-forma sent to the Scrutiny Commission Chair, but not yet received as signed off.
- **Green Complete** - Pro-forma signed off and final letter sent to Lead Petitioner(s) and Ward Members.
<table>
<thead>
<tr>
<th>Date Petition referred to Divisional Director</th>
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<th>Subject</th>
<th>Type - Cncr (C) Public (P)</th>
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<th>Date of Final Response Letter Sent to Lead Petitioner</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/06/2013</td>
<td>Mr D Johnson</td>
<td>Petition to stop the reduction of beds available to homeless people and requesting the Council not to shut down the YASC drop-in service in the Dawn Centre</td>
<td>(p)</td>
<td>635</td>
<td>Multiple Wards</td>
<td>Ann Branson</td>
<td></td>
<td>The issues in the petition will be considered as part of the Phase 2 of the Housing Strategy Delivery Proposals. A decision on Phase II was taken on 14 August 2013. The pro-forma has been sent to the Assistant City Mayor to approve the response to the petitions.</td>
<td>Letter to Lead Petitioner sent 20 September 2013</td>
<td>GREEN COMPLETE</td>
<td></td>
</tr>
<tr>
<td>11/06/2013</td>
<td>Mr M Sayed</td>
<td>Petition objecting to the sale price of a narrow piece of land behind the Mount Zion Inn, Guthlaxton Street.</td>
<td>(p)</td>
<td>169</td>
<td>Spinney Hills</td>
<td>John Stevens</td>
<td></td>
<td>Negotiations continuing with the proposed developer with a view to the development progressing based on market terms. The City Mayor has approved the response.</td>
<td>Letter to Lead Petitioner 23 September 2013</td>
<td>GREEN COMPLETE</td>
<td></td>
</tr>
<tr>
<td>15/02/2013</td>
<td>Mr P Bisson</td>
<td>E-petition requesting the Council to implement a residential parking scheme in the Hughendon Drive/Aylestone Road area of the City.</td>
<td>(p)</td>
<td>2</td>
<td>Freemen</td>
<td>Andrew L Smith</td>
<td></td>
<td>Following discussions with the Ward Members, and the Road Safety Team, a proposal for a 20mph zone in the area will be added to list of potential 20 mph zones which will be prioritised later this year. The request for a residents' parking scheme will be added to the Council's database of requests for parking restrictions.</td>
<td>Letter to Lead Petitioner 23 September 2013</td>
<td>GREEN COMPLETE</td>
<td></td>
</tr>
<tr>
<td>21/05/2013</td>
<td>Mr R Pugsley</td>
<td>E-Petition requesting the Council to make changes to the proposed Jubilee Square Scheme in order that the Plane tree in St Nicholas Place be saved from the chainsaw.</td>
<td>(p)</td>
<td>20</td>
<td>Abbey</td>
<td>Andrew L Smith</td>
<td></td>
<td>Ward members consulted and the City Mayor has endorsed the response to the petition. It is not proposed to re-design Jubilee Square to allow the retention of the Plane Tree. The proposals for Jubilee Square were the subject of consultation in October and December 2012 and comments were recieved about the los of trees generally and the Plane Tree specifically. On balance, the removal of the Plane Tree is considered necessary for the approved design of Jubilee Square and was part of the planning application approved in April 2013. 23 large specimen trees will be planted in the new Jubilee Square.</td>
<td>Letter to Lead Petitioner 30 August 2013</td>
<td>GREEN COMPLETE</td>
<td></td>
</tr>
</tbody>
</table>

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<th>Lead Divisional Director</th>
<th>Current Position</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>28/05/2013 Susan Kendall</td>
<td>Petition to address problems of overcrowded parking on Greenacre Drive, damages to verges, traffic danger to garage owners and no parking for residents.</td>
<td>(p)</td>
<td>56 Evington</td>
<td>Councillor Singh presented the petition to the Council Meeting on 21 March 2013.</td>
<td>Andrew L Smith</td>
<td>Meetings have been held with the Lead Petitioner to discuss the issues and the Petitioners’ suggested solutions. A number of proposals emerged and were assessed. These outcomes will be considered as part of the forthcoming current Transport Works Programme which will result in a prioritised list of schemes. Schemes not prioritised for this year’s funding allocation will be retained on the list for consideration in future years. The Scrutiny Chair requested further background information in August and this was recently sent by the Lead Officer.</td>
<td>Scrutiny Chair</td>
<td>GREEN COMPLETE</td>
</tr>
<tr>
<td>21/06/2013 Valerie Wilson</td>
<td>Petition urging the Council to take pride in ensuring that the homeless services for the black and minority ethnic community in Leicester City remain open by reconsidering its proposition in the</td>
<td>(p)</td>
<td>27 All Ward</td>
<td>Councillor Branson presented the petition to the Council Meeting on 21 March 2013.</td>
<td>Ann Branson</td>
<td>The issues in the petitions will be considered as part of the Phase 2 of the Housing Strategy Delivery Proposals. A decision on Phase II was taken on 14 August 2013. The pro-forma has been sent to the Assistant City Mayor to approve the response to the petitions.</td>
<td>Scrutiny Chair</td>
<td>GREEN COMPLETE</td>
</tr>
<tr>
<td>05/08/2013 Cllr Waddington</td>
<td>Petition requesting railings around the new children’s play area on the Rally.</td>
<td>(p)</td>
<td>304 Fosse</td>
<td>Councillor Waddington presented the petition to the Council Meeting on 21 March 2013.</td>
<td>Adrian Russell</td>
<td>The Lead Executive Member has been consulted together with the local Ward Members to finalise a response. Ward Members did not support the initial response so an independent risk/benefit assessment of the play area was commissioned to establish whether a fence is necessary based upon the risks present. The review was carried out on 19 June 2013 and the Lead Executive Member was briefed on the review report in mid-August.</td>
<td>Scrutiny Chair</td>
<td>GREEN</td>
</tr>
<tr>
<td>01/08/2013 Mr N Talbot</td>
<td>Petition requesting a change of planting policy to one that includes flowers and plants that attract bees and other pollinating insects.</td>
<td>(p)</td>
<td>567 City Wide</td>
<td>Councillor Russell presented the petition to the Council Meeting on 19 September 2013</td>
<td>Adrian Russell</td>
<td>The Council has a strategy to encourage bees and other pollinating insects and has been working for the past 2 years to improve the land it manages to provide habitat to support this strategy. Full details of this strategy and initiatives currently being undertaken will be reported to the Lead Petitioner.</td>
<td>Scrutiny Chair</td>
<td>GREEN</td>
</tr>
<tr>
<td>05/07/2013 Cllr Willmott</td>
<td>Petition requesting to keep staff at Rushey Mead Recreation Centre rather than the key fob entry system and not to charge for a group that raise money for charity.</td>
<td>(p)</td>
<td>173 Rushey Mead</td>
<td>Councillor Willmott presented the petition to the Council 19 September 2013</td>
<td>Liz Blyth</td>
<td>Sent To Divisional Director.</td>
<td>Scrutiny Chair</td>
<td>AMBER</td>
</tr>
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<tbody>
<tr>
<td>05/07/2013</td>
<td>K Johnson</td>
<td>Petition requesting a residents parking scheme for Tranter Place.</td>
<td>(p) 20 Belgrave</td>
<td></td>
<td>Andew L Smith</td>
<td></td>
<td>Sent to Divisional Director. The action requested by the petition has already been taken and a pro-forma is being prepared.</td>
<td></td>
<td></td>
<td>AMBER</td>
</tr>
<tr>
<td>12/07/2013</td>
<td>M Baig</td>
<td>Petition requesting the Council to prevent the removal of Governors from Uplands Junior School</td>
<td>(p) 174 Spinney Hills</td>
<td></td>
<td>Margaret Liberi</td>
<td></td>
<td>Sent to Divisional Director for preparation of an initial response.</td>
<td></td>
<td></td>
<td>AMBER</td>
</tr>
<tr>
<td>12/07/2013</td>
<td>M E Goss</td>
<td>Petition asking that the Council looks into and deals with the constant problems of water drainage and flooding at Croyland Green</td>
<td>(p) 50 Thurncourt</td>
<td></td>
<td>Andrew L Smith</td>
<td></td>
<td>Ward Member consulted and investigations being carried out to determine whether flooding is derived from the clean water supply or is a land drainage issue. The ponding of surface water only happens when it rains. Severn Trent Water confirmed that they had repaired the leak on 16 August. The Lead Petitioner reported on 28 August that water was still ponding during rainfall on 28 August. Officers will make a further visit to the site to see the ponding as it happens when the Lead Petitioner informs them that water is ponding again.</td>
<td></td>
<td></td>
<td>AMBER</td>
</tr>
<tr>
<td>17/07/2013</td>
<td>Miss R Chandarana</td>
<td>Petition objecting to the closure of Herrick Lodge Elderly Persons’ Home.</td>
<td>(p) 1470 Latimer</td>
<td></td>
<td>Miss R Chandarana presented the petition to the Adult Social Care Scrutiny Commission on 11 July 2013.</td>
<td>Tracie Rees</td>
<td>A special Adult Social Care Scrutiny Commission took place 5 September to consider the final scrutiny proposals for the Elderly Persons Homes Review. A debate was held at the Full Council meeting on 19 September 2013. The Council “recommended to the Executive that the proposals for a phased approach for the closure and sale of the Council’s Elderly Person’s Homes be endorsed”</td>
<td></td>
<td></td>
<td>AMBER</td>
</tr>
<tr>
<td>01/08/2013</td>
<td>Mr P Bromiley</td>
<td>Petition objecting to the closure of council run care homes in Leicester.</td>
<td>(p) 366 Multiple Wards</td>
<td></td>
<td>Mr P Bromiley presented the petition to the Adult Social Care Scrutiny Commission on 11 July 2013.</td>
<td>Tracie Rees</td>
<td>A special Adult Social Care Scrutiny Commission took place 5 September to consider the final scrutiny proposals for the Elderly Persons Homes Review. A debate was held at the Full Council meeting on 19 September 2013. The Council “recommended to the Executive that the proposals for a phased approach for the closure and sale of the Council’s Elderly Person’s Homes be endorsed”</td>
<td></td>
<td></td>
<td>AMBER</td>
</tr>
<tr>
<td>02/08/2013</td>
<td>Mr P Hookway</td>
<td>Petition objecting to the removal of locks from communal drying rooms at Gresley Close.</td>
<td>(p) 13 Beaumont Leys</td>
<td></td>
<td>Ann Branson</td>
<td></td>
<td>Following discussions with the Lead Petitioner, Ward Member and Lead Executive Member, the locks will be replaced and tenants advised of the requirements to comply with the new Fire Authority inspections affecting communal areas in properties with multiple occupancies. A pro-forma is being prepared.</td>
<td></td>
<td></td>
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</tr>
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<th>Current Status</th>
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<tbody>
<tr>
<td>23/08/2013</td>
<td>Ms K Bland</td>
<td>E-Petition requesting changes to the school admission criteria to end families living close to a school giving priority over siblings attending the same school.</td>
<td>(p) 4</td>
<td>Multiple Wards</td>
<td>Trevor Pringle</td>
<td>Sent to Divisional Director. A response proforma is being prepared for consideration by the Executive Lead Member.</td>
<td></td>
<td></td>
<td></td>
<td>AMBER</td>
<td></td>
</tr>
<tr>
<td>09/09/2013</td>
<td>Ms Sharon Matthew</td>
<td>Petition requesting gates to be fitted to both ends of the alley at the back of Tudor Close and Clifford Street.</td>
<td>(p) 15</td>
<td>Fosse</td>
<td>Ann Branson</td>
<td>Following discussions with Lead Petitioner, the Police were consulted to combat the issues of Anti-Social Behaviour. Estimates are currently being obtained for fencing and gates before a final decision is taken on the response to the petition.</td>
<td></td>
<td></td>
<td></td>
<td>AMBER</td>
<td></td>
</tr>
<tr>
<td>09/09/2013</td>
<td>Ramesh Mistry</td>
<td>Petition requesting the exclusive use of the pool at Cossington Swimming Pool for local community access for families including the elderly and young during the discounted hours of Sundays between 9am - 12.30pm.</td>
<td>(p) 54</td>
<td>Latimer</td>
<td>Presented to the Heritage Culture Leisure and Sport Scrutiny Commission on 10 September 2013 by Mr Mistry</td>
<td>Liz Blyth</td>
<td>Sent to Divisional Director. The action requested by the petition has already been taken and a pro-forma is being prepared.</td>
<td></td>
<td></td>
<td></td>
<td>AMBER</td>
</tr>
<tr>
<td>10/09/2013</td>
<td>S Jeffery</td>
<td>Petition requesting the Council to remove 7 unused garages on Rowanberry Avenue that are in poor condition and replace them with parking spaces for local residents.</td>
<td>(p) 32</td>
<td>New Parks</td>
<td>Ann Branson</td>
<td>Sent to Divisional Director.</td>
<td></td>
<td></td>
<td></td>
<td>AMBER</td>
<td></td>
</tr>
<tr>
<td>12/09/2013</td>
<td>Umesh Patel</td>
<td>Petition requesting Evington Leisure Centre to open half an earlier in the morning.</td>
<td>(p) 18</td>
<td>Evington</td>
<td>Liz Blyth</td>
<td>Sent to Divisional Director. A proposed response is currently being prepared.</td>
<td></td>
<td></td>
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Overview Select Committee

3rd October 2013

Report on School Swimming

Report of, Director of Culture and Neighbourhood Services
1. Summary

The purpose of this report is to provide information for the Overview Select Committee regarding the uptake of school swimming and the proposed school swimming traded service.

The briefing follows on from an earlier report presented to the Culture Heritage, Leisure and Sports Scrutiny Commission on 1st July 2013, a report on participation in Sport.

The Overview Select Committee is asked to note and provide comment on the paper.

2. Main report:

Background

Although all primary schools have a duty to provide swimming lessons for their pupils with swimming a compulsory part of the national curriculum, a local audit conducted in autumn 2011 found that approximately 50% of schools in the City do not take their children swimming. Furthermore, the DfE requires schools to ensure that by the end of primary school, pupils have been taught to swim 25m unaided using recognised strokes on their front and back (in addition to using a range of personal survival skills).

However, according to research undertaken in 2012 by the Amateur Swimming Association, a third of children in England cannot swim by the time they leave primary school. The health, wellbeing and economic benefits of learning to swim can be significant.

The barriers that have been identified by schools following the 2011 audit are as follows:

- Cost (transportation and generally)
- Insufficient availability of suitable time slots
- Logistics of arranging school swimming
- Length of swimming lesson too short
- Inexperienced teaching staff
- Facilities not meeting religious needs of some faith schools
Primary School Funding for Sport and Physical Activity

In March 2013, the Prime Minister announced a new two year funding programme for primary schools focusing on sport. This programme is a joint initiative of the Department for Education (DfE), Department of Health and Department for Culture, Media and sport, which provides a total fund of £150m for 2013/14 and 2014/14 in order to improve the quality of PE and sport provision for primary school aged children. This is a unique ring-fenced school fund.

Ofsted will be holding schools to account by strengthening its assessment of PE and sport provision. Schools will also be required to provide annual accounts on how these funds have been spent in order to enable parents to compare sporting provision across schools.

The total funding for Leicester primary schools is approximately £1.5million over the two years. All schools with seventeen or more primary-aged pupils receive a lump sum in each year of £8,000 plus a premium of £5 per pupil. A primary school with 250 primary aged pupils would therefore receive £9,250 in 2013/14 and again in 2014/15. Primary schools are able to decide how they spend their funding to improve the quality of PE and school sport.

A Traded School Swimming Service

Leicester City Council already provides free swim schemes for children in the City. The new primary school funding programme provides an opportunity for the local authority to take a lead on in encouraging and enabling an increase in the provision of school swimming, particularly from those who do not currently offer it.

The potential for a traded service for school swimming has been investigated by Leicester City Council (Sports Services). The proposal is to provide a single point of contact, with a simple and coordinated approach to school swimming for all schools. This should make the process easier for schools to fulfil their duty in the provision of swimming lessons.

This service requires an investment of £45k per year, for two years in order to pump prime a school traded service offer. After two years, it is hoped that this service will be self-sustaining by payments from schools. Public health has agreed to fund £90k, for two years from non-recurrent funding. This money will fund the salary, administrative expenses, computer equipment and other related costs to running this service.

Each school will be required to pay for their individual school swimming needs. For example; pool, transport and instructor hire. The traded service will make this easier for schools by offering a set price for all their needs.

Sustainability Measures

The service will report to the new council’s Traded Service’s Board to ensure sustainability and support for the programme. The council will also work with our colleagues in Children’s Services and partners within the School Sports Association.

Prices will also be marketed at a low price to encourage school take up. Currently City
schools pay approximately £67 per 20 minute lesson. This new service will be priced at £59 per 30 minute lesson. Savings will be generated from a tendered bus contract, where economies of scale can be achieved. This service will also be supported by a marketing campaign.

Benefits of the Service

The benefits associated with a traded service for school swimming and subsequently young people learning to swim, are numerous:

- Long term health and wellbeing benefits, including a skill for life.
- Long term economic benefits for the leisure sector.
- Increased revenue for the local authority, as more schools buy into the service.
- Ofsted will be providing greater scrutiny to school swimming via their new primary school funding programme, thus enabling schools to deliver their duty to school swimming.

The City’s regional counterparts (Nottingham and Derby) operate a similar swimming traded service and have been successful in gaining 100% participation from their schools.

Progress and next steps on the Traded Service

- Sport Services are leading on this development.

- A Project Team is currently being put together - the first meeting will be held in September. The team will include stakeholders from Sports, Children’s Services and the Amateur Swimming Association.

- A project plan including timescales will be developed by October 2013.

3. Details of Scrutiny

None for this report.
4. Financial and other implications

4.1 Financial implications

The briefing provides an update on national funding for primary school sport and local plans to use £90k of public health funding to “pump prime” a swimming traded service for schools, with a view to the scheme becoming self-funding through charges to schools. The expected viability of the service in the longer term will need to be closely monitored, particularly as the time limited sports grant received by schools and the public health pump-priming funding will finish at around the same time. – Colin Sharpe, Head of Finance, ext. 29 7390.

4.2 Equality Impact Assessment

An EIA screening questionnaire has been undertaken and has identified a positive impact to the protected characteristic groups. It was recommended that an analysis of user profile is undertaken periodically to determine its impact.

4.3 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

This initiative will contribute to priorities in relation to health and wellbeing of children.

5. Background information and other papers:

None

6. Summary of appendices:

None.
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# Appendix E

## RECORD OF DECISION BY CITY MAYOR OR INDIVIDUAL EXECUTIVE MEMBER

<table>
<thead>
<tr>
<th></th>
<th>DECISION TITLE</th>
<th>Police and Crime Panel</th>
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<tbody>
<tr>
<td>2.</td>
<td>DECLARATIONS OF INTEREST</td>
<td>None</td>
</tr>
<tr>
<td>3.</td>
<td>DATE OF DECISION</td>
<td>27/9/2012</td>
</tr>
<tr>
<td>4.</td>
<td>DECISION MAKER</td>
<td>City Mayor</td>
</tr>
</tbody>
</table>
| 5. | DECISION TAKEN | (a) The Panel Arrangements as required by the Police Reform and Social Responsibility Act 2011 and as set out in Appendix A to this report, be agreed;  
(b) The Panel Terms of Reference as Arrangements as required by the Police Reform and Social Responsibility Act 2011 and as set out in Appendix B to this report, be agreed;  
(c) It be agreed, as a matter of principle, that co-option of members from constituent authorities should be used to secure the balanced appointment objectives in relation to political balance and representation of the area covered by Leicestershire Police.  
(d) That the formal City Council Membership of the Panel be determined after the election for the Police and Crime Commissioner. |
| 6. | REASON FOR DECISION | The steps set out in the recommendations are required in order to establish the Police and Crime Panel and to advise the Home Office of actions taken, as required by the Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012. |
| 7. | a) KEY DECISION Y/N? | a) N  
b) N/A |
| 8. | OPTIONS CONSIDERED | None – it is a requirement of the Police Reform and Social Responsibility Act 2011 to approve the arrangements for the Panel.  
The power of appointment for nomination, removal and replacement of the City Council “proper” and “Co-opted” member places needs to be clarified at the forthcoming shadow panel meeting, to confirm that such decisions are for the City Mayor of Leicester City Council.* |

* City Mayor
<table>
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<tr>
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<tr>
<td>9.</td>
<td>5 Councillors not on Cabinet can ask for the decision to be called-in.</td>
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<td>Notification of Call-In with reasons must be made to the Monitoring Officer</td>
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<td>4/10/2012</td>
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<td>10.</td>
<td>SIGNATURE OF DECISION MAKER</td>
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<tr>
<td></td>
<td>(City Mayor or where delegated by the City Mayor, name of Executive Member)</td>
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City Mayor
Executive Decision Report

POLICE AND CRIME PANEL

Decision to be taken by: City Mayor
Decision to be taken on: insert date here
Lead Directors: Kamal Adatia & Miranda Cannon

City Mayor
1. Summary

To seek the agreement of the Executive to the Arrangements (Appendix A) and Terms of Reference (Appendix B) for the operation of the Police and Crime Panel, and to obtain the decision of the City Mayor to appointments thereto.

2. Recommendations

The Executive is recommended to:-

(a) agree the Panel Arrangements as required by the Police Reform and Social Responsibility Act 2011 and as set out in Appendix A to this report;

(b) agree the Panel Terms of Reference as Arrangements as required by the Police Reform and Social Responsibility Act 2011 and as set out in Appendix B to this report;

(c) agree, as a matter of principle, that co-option of members from constituent authorities should be used to secure the balanced appointment objectives in relation to political balance and representation of the area covered by Leicestershire Police;

The City Mayor is recommended to:

(d) Determine the membership of the four City Council Labour members, in accordance with the provisions set out in section 5.2 below

Reasons for Recommendations

The steps set out in the recommendations are required in order to establish the Police and Crime Panel and to advise the Home Office of actions taken, as required by the Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012.
3. Supporting information including options considered:

**Timetable for Decisions (including Scrutiny)**

On 15 June 2012, the Home Office issued a letter requiring host authorities for the purpose of the Police and Crime Panels to complete and return a pro-forma by 16 July 2012, including a statement that the local authorities in the Force area have agreed the Panel arrangements. As there are ten local authorities in the Force area, the Home Office has been advised that it will not be possible to meet this requirement, but that the appropriate decision-making processes will be followed as quickly as possible in order to achieve the appropriate outcomes.

It is intended that Police and Crime Panels should come into existence on 23 November 2012, following the election of a Police and Crime Commissioner on 15 November. However, further regulations and guidance from the Home Office are awaited. The Home Office has indicated that it would support the establishment of “shadow” panels which would have no statutory powers from an earlier date; further advice may be issued.

**Policy Framework and Previous Decisions**

As noted above, the relevant provisions of the Police Reform and Social Responsibility Act will come into effect on 23 November 2012.

**Resources Implications**

The County Council was originally advised by the Home Office that £30,000 would be made available to support the work of the Police and Crime Panel. As this was generally regarded as insufficient, a growth bid was agreed by the County Council at its budget meeting on 22 February 2012 of £100,000 for the operation of the Police and Crime Panel. It is now understood that the Home Office is likely to make funding of £53,000 available. The Panel arrangements, as set in Appendix A, enable the County Council, as host authority, to approach the constituent authorities for a contribution in the event that the cost of running the Panel exceeds the Home Office funding.

4. Details of Scrutiny

None required. The appointment of members to joint committees exercising Executive functions is a matter for the City Mayor. The work of the Panel itself, once established, will no doubt inform the work of the Council through channels that are to be decided.
5. Financial, legal and other implications

5.1 Financial implications

It is anticipated that the Home Office will be making funding available to Leicestershire County Council, as host authority, of £53k. It is expected that this amount should be sufficient to fund the cost of the panel however it should be recognised that the work of the panel may result in additional costs over and above this sum. As a constituent authority there would be an expectation to contribute to any additional costs. Should such a situation arise it is expected that these costs would be minimal and be able to be contained within existing democratic support budgets. Any such request would however, be rigorously scrutinised.

Alison Greenhill, Director of Finance

5.2 Legal implications

The Panel will be hosted by the County Council and it will have as its focus the work of the Elected Police Commissioner. It will have wide powers to make decisions (veto appointments, challenge budget), as well as scrutinise. The proposals put forward by County for membership insofar as they relate to the City have been passed by the County’s Executive, and are being presented to the relevant decision-making bodies in each constituent LA for approval. Consensus is required.

It is proposed that the City Council would have one mandatory and three co-opted members. All four would have voting rights. The three co-optees could not actually be co-opted until the core Panel had their first meeting, but we are being asked to identify all of our appointments at this stage.

Through a combination of Article 4.02 and 12.02 of the Council’s Constitution the functions of the Police & Crime Panel are Executive Functions (because they have important decision-making and complaint-handling powers), appointment of which is to be determined therefore by the City Mayor. Article 12.02 prescribes rules for appointment. Article 12.12c suggests that the four members must be Executive Members. Article 12.02e. suggests that because this joint committee will serve more than 5 LAs, the City Mayor can also appoint non-Executive members. Political balance does not apply, and in any event the Council are being asked to appoint 4 Labour Members specifically, in order to comply with the rules for the statutory make-up of the Panel. (Kamal Adatia, City Barrister)

5.3 Climate Change and Carbon Reduction implications

None
5.4 Equality Impact Assessment

No impact

5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

6. **Background information and other papers:** Police Reform and Social Responsibility Act 2011; Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012.

7. **Summary of appendices:** App A (Panel Arrangements; App B (Terms of Reference)

8. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?
   No

1. Is this a “key decision”? 
   No
Leicestershire Police and Crime Panel Arrangements
(to be agreed by all relevant local authorities)

Operating arrangements

1. Leicestershire County Council shall act as the host authority in establishing and running the Police and Crime Panel, including providing the necessary administrative and financial support.

2. The clerk to the Panel shall be appointed by the host authority.

3. The host authority will be responsible for reviewing the membership of the Panel in the light of the balanced appointment objective and making a recommendation to the Panel or relevant local authorities as appropriate as to the make-up and membership of the Panel.

Membership

4. The Panel shall be made up of a minimum of 10 Councillors and two Independent Members.

5. The elected membership shall consist of the elected City Mayor of Leicester (or his nominee), one Councillor each from Leicestershire County Council, Rutland County Council, Blaby District Council, Hinckley and Bosworth Borough Council, Melton Borough Council, North West Leicestershire District Council and Oadby and Wigston Borough Council.

6. All City Councillors, County Councillors and District or Borough Councillors are eligible to be members of the Panel.

7. Co-opted members shall be appointed in accordance with paragraph 8 below and may be appointed in accordance with paragraph 16 below.

Note:
The representation on the Panel above reflects statutory provisions

Appointment of Independent Members

8. The Panel shall co-opt two Independent Members on to the Panel for a term being the length of the term of office of the Police and Crime Commissioner, with a view to ensuring the Panel has the necessary skills, knowledge and experience to carry out its functions.

9. The selection process for co-opting members should include a reasonable period of advertising for the positions. There should be at least two weeks between the date the advert is first placed and the closing date for receipt of applications.
10. Information packs shall be prepared and sent to those requesting application forms.

11. Applications shall be considered against an eligibility criteria and then the Chairman and Vice-Chairman of the Panel will be invited to meet to consider the applications and interview candidates.

12. Following the interviews, the Chairman and Vice-chairman will make recommendations to the Panel for appointment.

13. The following may not serve as independent co-opted members: the Police and Crime Commissioner, a member of the Police and Crime Commissioner’s staff, a civilian member of Leicestershire Police Force, an MP, an MEP or a member of any of the local authorities covered by the Force area.

[N.B Serving police officers will not be eligible to serve in accordance with their conditions of service]

Appointment of Elected Members

14. Members of the Panel will be appointed by each relevant local authority in accordance with its procedures.

15. Terms of office of elected members will be agreed by the local authorities at the time of appointment, having regard to the outcome of any review of membership by the host authority. Local authorities, in making the appointment must have regard to the balanced appointment requirement, as far as reasonably practicable, and seek to ensure appointees have the necessary skills, knowledge and experience.

16. The Panel, once established, may agree to co-opt additional members drawn from the local authorities to ensure the balanced appointment requirement, as far as reasonably practicable.

17. Substitutes are permitted subject to the arrangements of the relevant local authority. The clerk to the Panel must be notified of the attendance of any substitute at least 24 hours before the meeting.

Resignation/removal of members

18. Members may resign from the Panel at any time. Elected members should inform the nominating local authority and the clerk to the Panel in writing. Co-opted members should inform the Chairman and the clerk to the Panel in writing.

19. Elected members may be removed by their nominating local authority. Reasons for the removal of a member should be presented in writing to the Chairman of the Panel.

Payments/Allowances
20. Payment of expenses and allowances, if applicable, for elected members will be a matter for the nominating authority. A scheme of expenses and allowances for the two independent co-opted members will be established by the Panel and administered by the host authority.

Communication and Engagement

21. A Communications and Engagement Strategy, for the work of the Panel, including how the work of the Board will be influenced by stakeholders and the public, including seldom heard groups, will be published following agreement by the Panel. The Strategy will make provision for:

   a. The role of the Panel to be promoted.
   b. Support and guidance to be given to:
      i. Members of the relevant local authorities;
      ii. Members of the Executives (if any) of relevant local authorities; and
      iii. Officers of relevant local authorities

22. The Panel will operate as a forum to represent the views of stakeholders and the public to the Police and Crime Commissioner.

Budget

23. Leicestershire County Council as the host authority will receive funding from the Home Office for the purpose of establishing and maintaining the Panel and for the payment of expenses to members. In the event that the costs so incurred exceed the funding made available by the Home Office, the host authority may ask that a contribution be made by authorities providing members to serve on the Panel. Any such requests shall be in proportion to the extent of representation of authorities on the panel for the period covered by the costs incurred.
Appendix B

Leicester, Leicestershire and Rutland Police and Crime Panel

Terms of Reference

Introduction

The Leicester, Leicestershire and Rutland Police and Crime Panel will publicly scrutinise the actions and decisions of the Police and Crime Commissioner (PCC) in the context of relevant sections of the Police Reform and Social Responsibility Act 2011, with a view to supporting and challenging the PCC in the effective exercise of his or her functions, acting as a critical friend.

References in this document to the “Panel” are references to the Police and Crime Panel. It should be noted that Home Office guidance and regulations are still to be published in relation to Police and Crime Commissioners and Police and Crime Panels.

Terms of Reference
(to be agreed by all relevant local authorities)

The Police and Crime Panel will be a joint committee of Blaby District Council, Charnwood Borough Council, Harborough District Council, Hinckley and Bosworth Borough Council, Leicester City Council, Leicestershire County Council, Melton Borough Council, North West Leicestershire District Council, Rutland County Council and Oadby and Wigston Borough Council.

To enable it to effectively scrutinise and support the Police and Crime Commissioner in the exercise of his or her functions, the Panel will:-

1. Review and make a report or recommendation on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner.

2. Hold a public meeting to consider the annual report from the Police and Crime Commissioner on the exercise of the Commissioner’s functions, at which the PCC will be present to answer questions and make a report or recommendation (as necessary).

3. Hold public confirmation hearings and review, make reports, or recommendations (as necessary) in respect of proposed senior appointments made by the Police and Crime Commissioner.

4. Review and make reports on the proposed appointment, suspension or removal of the Chief Constable.

5. Review and make a report and recommendation (as necessary) on the proposed police precept.
6. Review and scrutinise decisions made or other action taken, by the Police and Crime Commissioner in connection with the discharge of the Commissioner’s functions.

7. Fulfil functions in relation to complaints about conduct matters made against the Police and Crime Commissioner or Deputy Police and Crime Commissioner (if appointed) in accordance with the responsibilities accorded to the Panel by the Police Reform and Social Responsibility Act 2011.


9. Publish all reports and recommendations the Panel makes and send copies to the constituent local authorities.

10. Determine and publish rules of procedure, including those for the appointment and removal of a Chairman, method of making decisions and the formation of sub-committees, panels and working parties.

11. Co-opt additional members to the Panel with regard to the balanced appointment objective and to ensuring the required skills, knowledge and experience are represented.
Appendix F1

Leicester City Council Scrutiny Review

Elderly Person’s Homes

A Report of the Adult Social Care Scrutiny Commission

July 2013
**Adult Social Care Scrutiny Commission**

Chair: Dr Lynn Moore

Vice Chair: Lucy Chaplin

Commission Members: Dawn Alfonso
Luis Fonseca
Ross Grant
Rashmi Joshi
Rob Wann
Ross Willmott

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<td>Summary of Appendices</td>
<td>13</td>
</tr>
<tr>
<td>Evidence Paper/Annexes</td>
<td>14</td>
</tr>
</tbody>
</table>

*Minutes from Adult Social Care Scrutiny Commission meetings*

The minutes from the Adult Social Care Scrutiny Commission in relation to this review can be accessed online at:
Chair's Foreword

A series of special meetings have been held by the Adult Social Care Scrutiny Commission in response to the executive's Proposals for the future of Councils EPHs and the development of Intermediate care facility. This report summarises the findings and conclusions of the Commission, formulated in a situation fraught with concerns for the future of the homes and their residents. I wish to acknowledge at this point the efforts of residents' families in framing and presenting petitions to the Council to keep the homes open.

As usual, I commend the industry of members of the Commission and the officers offering us support; as well as the efforts of the Assistant Mayor, Councillor Rita Patel, and the officers in her department in providing us with requested information while facing the challenging task of working to ensure the wellbeing of all present and future elderly city dwellers, within the severe restrictions on the budget, created by Government cuts. I should also like to thank Cllr Deborah Sangster who represented the Health and Wellbeing Scrutiny Commission in one of the special meetings.

While it was not possible to present a set of firm recommendations which all members of the commission could agree, we were able to make suggestions as to a way forward; and it is my perception that we have worked together in a professional manner, and will continue to do so, to carve out a feasible and positive result.

Councillor Dr Lynn Moore
Chair, Adult Social Care Scrutiny Commission
1. Summary of the work of Scrutiny

Introduction

1.1 Since 2011, this scrutiny commission has been reviewing the Council’s decision on the future of the Council’s elderly person’s residential homes. During this time the commission has kept a watching brief on the area, maintaining it as a standing item on the agenda, and it has actively reviewed the area culminating in a few reports.

1.2 There has been another consultation period which has run until 10th July and subsequently the Executive are ready to make a decision on the future on the Council run homes for the elderly. As such the commission have scrutinised the proposals again, building on previous work completed whilst taking a refreshed approach through a number of meetings which has resulted in this report.

1.3 This report provides the findings and conclusions of the Adult Social Care Scrutiny Commission’s review into the executive’s proposals for the future of the Council’s Elderly Persons Homes and the development of an intermediate care facility building on proposals made by the previous commission (see Appendix 1).

1.4 The rationale given by the executive in making these proposals is given as follows:

- The demand for residential care is changing because the requirements of older people are changing.
- The provision of community based services, such as supported living, extra care housing, assistive technology, adaptations and home care has meant that older people are able to remain in their home and live independently for longer.
- The changes are reflected in national and local policy and local academic research. The council’s vision for adult social care also sets the direction of travel, which gives older people greater choice and control, including the support to live independently.
- The future of the EPH’s needs to be considered in the wider context of services’ for older people, balancing the needs of a relatively small number of residential service users, compared to the larger number of people needing adult social care support.
- The need to develop new services that enable older people to retain their independence as alternatives to long-term residential care such as intermediate care and re-ablement services.

1.5 The review has examined evidence around the above rationales. It has explored an option for retaining some homes and has asked officers to provide
costings on this option: conversion into small intermediate care units in separate locations in the city, while retaining some facility for providing residential care.

1.6 Conclusions

After deliberating all the evidence and information provided, the Adult Social Care Scrutiny Commission recommends that the Assistant Mayor for Adult Social Care and the Executive consider the following:

1.6.1 There is overwhelming desire to keep the homes open from staff, residents and relatives. There is no doubt should the homes be closed it will lead to great disappointment to the people in the homes and their families.

1.6.2 Instead of building a new intermediate care facility we were keen to encourage the building of smaller units around the city. This could have been positive in that the homes could have remained open for a dual purpose, and would have avoided the transport and parking problems associated with a single large unit. However, we now realise that funds set aside in the budget for intermediate care relied on the sale of these homes to interested buyers to raise the necessary capital. Continuing with this plan would incur massive extra costs not covered in the current budget for adult social care, without incurring funds away from other essential and innovative services.

1.6.3 In chairing the commission, it was clear that opinion was divided between closing homes to keep within the budget; and continuing to explore the option of additional investment to retain and/or rebuild existing homes to provide intermediate care. In these circumstances i.e. that there was no unanimity in making a central recommendation, the chair decided to report this to executive rather than take a vote.

1.6.4 It was possible, however, to agree some proposals as follows:

1.6.5 Moving an elderly resident to a different location, either because a home is closed permanently, or to be rebuilt, will require full consultation with resident (if possible) and family members as to choice of location. It will be imperative that key members of staff who have formed a particular close relationship with the resident will be involved in the transition, accompanying them on visits (if physically possible) as a prelude to a final move; and being present for several days to attend to their care alongside staff in the new location, until the resident is happily and comfortably settled.

1.6.6 While the authority regularly inspects private residential provision, it will be doubly important, should our homes be closed, that a rigorous inspection regime is put in place, so that inspections are carried out frequently and without warning, family members are regularly contacted for their views on provision, and control action is taken immediately any instances of poor care or neglect are detected or reported. There is a need to monitor quality, quantity and choice of food, quality of physical care and quality of amenities.
2. Report

Background Information

2.1. The 2011 Census population estimate for Leicester City is 329,900 which is an increase of 47,000 (16.7%) since the last census in 2001. 37,200 (11.3%) of the population are aged 65 and over, a decrease of 700 (-1.8%) in the over 65s since 2001.

2.2. There are fewer older people in the city than nationally, but the proportion of older people across the Local Authority with any level of social care need (39%) is above the regional average (35%). These needs are often complex and include for example isolation, poverty, frailty and increasing dementia. There are increasing numbers of older people, mostly women, caring for others.

2.3. The Joint Specific Needs Assessment on Dementia estimates that there are 2,700 people aged 65 and over living with dementia, and this figure will increase to 3,700 people by 2030. There are 800 new cases a year being diagnosed. We expect to see about 70 younger people with dementia. Early diagnosis, care of carers, integrated care pathway, collaboration between health and social care are key issues.

2.4. The older population of Leicester is growing with an estimated increase of people aged 65 and over of 67% by 2033. The 65+ population is projected to grow significantly in Leicester over the next 20 years - a 7% increase in the 65+ age group to 2016 and a 48% increase in 65+ by 2031.

- 14,600 (39%) of people aged 65+ are estimated to have some level of social care need
- With 10,300 having ‘moderate’ to ‘very high’ needs
- 3,700 (10%) having ‘very high’ needs
- Of the ‘very high’ needs group, 1,160 are estimated to have severe functional disability resulting from a high level of cognitive impairment (primarily dementia).

* source Planning4care (local data set, which uses a range of information).

2.5. The council currently runs eight homes that provide care for the elderly and one home that provides intermediate care. The Department of Health refers to Intermediate Care as being “a range of integrated services to promote faster recovery from illness, prevent unnecessary acute hospital admission and premature admission to long-term residential care, to support timely discharge from hospital and maximise independent living”.

2.6. It is being proposed that a phased approach is taken to consider either selling the homes as going concerns or to permanently close the homes. In doing so, it is also proposed to open a brand new purpose built intermediate care facility.
2.7. The proposal for the phased approach is as follows:

<table>
<thead>
<tr>
<th>No. perm Beds</th>
<th>No. of perm res at 25/01/13</th>
<th>Name</th>
<th>Plan</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>38</td>
<td>9</td>
<td>Elizabeth House</td>
<td>Close in 2013 with site available for disposal</td>
<td>Low number of long term residents</td>
</tr>
<tr>
<td>31</td>
<td>16</td>
<td>Nuffield House</td>
<td>Close in 2013 with site available for disposal</td>
<td>Low numbers of long term residents. Specialist Respite care would be delivered elsewhere</td>
</tr>
<tr>
<td>40</td>
<td>5</td>
<td>Herrick Lodge</td>
<td>Close in 2013 with site available for disposal</td>
<td>Low number of long term residents</td>
</tr>
<tr>
<td>29</td>
<td>28</td>
<td>Cooper House</td>
<td>Seek sale as going concern. Procurement to commence 2013, with sale anticipated in 2014/15</td>
<td>Soft Market testing indicates interest</td>
</tr>
<tr>
<td>33</td>
<td>28</td>
<td>Abbey House</td>
<td>Seek sale as going concern. Procurement to commence 2013, with sale anticipated in 2014/15</td>
<td>Soft Market testing indicates interest</td>
</tr>
</tbody>
</table>

Evaluation of Phase 1

Proposed Phase 2

<table>
<thead>
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<th>No. perm Beds</th>
<th>No. of perm res at 25/01/13</th>
<th>Name</th>
<th>Plan</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>27</td>
<td>Arbor House</td>
<td>Consider sale as going concern, late 2015</td>
<td>Soft Market testing indicates interest</td>
</tr>
<tr>
<td>38</td>
<td>31</td>
<td>Thurncourt</td>
<td>Consider sale as going concern, late 2015</td>
<td>Soft Market testing indicates interest</td>
</tr>
<tr>
<td>27</td>
<td>N/A</td>
<td>Brookside Court</td>
<td>Will close when the new intermediate care facility opens</td>
<td>Intermediate care would be provided from one facility</td>
</tr>
<tr>
<td>40</td>
<td>17</td>
<td>Preston Lodge</td>
<td>Transfer intermediate care provision to new facility and consider options, including closure</td>
<td>Intermediate care would be provided from one facility</td>
</tr>
</tbody>
</table>
Evidence submitted to the scrutiny commission

2.8. The Adult Social Care Scrutiny Commission has held a series of meetings to consider in detail the proposals around the future of the elderly person’s homes. In two meetings in early July, the commission invited submissions from unions and also from family members/carers and stakeholders affected by the proposals.

2.9. On behalf of the unions Janet McKenna and Gaynor Garner from Unison (the full Unison submission is attached as Appendix 2) and Steve Barney, from GMB together made the following points:

- The plan to invest in a 60 bed facility was of no interest to current service users.
- Current service users did not want their care home to close and the least-worst option would be for the home to be sold.
- Current service users wanted the staff to retain their salary, terms and conditions. There was a difference between the pay and conditions offered by the local authority and those offered by private care homes, and there were fears that staff would leave to find a better paid job with less stress and pressures if council homes became privately owned.
- People wanted to live independently but it was likely that they would need more intensive care as they got older.
- The rules of procurement could prove to be disadvantageous to local authority care homes; as the approved companies were not necessarily the cheapest.
- The proposals were about making economies and there was a need to identify whether this degree of saving was required.
- The residents were happy with the current provision and with the care they received. The council should be proud of their staff.
- There was a gap in the market relating to nursing and dementia care, which was likely to increase. The local authority could not provide nursing care; this was provided by the NHS.
- There was a need to increase respite provision to ease the burden on spouses.
• There was a need for a mixture of both local authority and private care homes.
• The council did not do enough to promote their own care homes.

2.10. Philip Parkinson, Interim Chair of Healthwatch Leicester also stated the following:

• In his opinion the Council and the Scrutiny Commission faced a tough dilemma when considering these proposals.
• It is evident that the City Council had a tradition of providing high quality care.
• It was clear that existing residents/carers do not want any change at all and did not want homes to be handed over.
• Residents/Relatives at Nuffield House did not want to be moved elsewhere.
• There are real concerns if homes were handed over, standards would slip.
• Real challenges would have to be faced with funding levels cut by the Government and one of the options on the table would have to be followed.
• Although it would be good to see an option where the homes could stay open, it was felt that, without that being a possibility, these proposals were the best possible option.

2.11. There were a number of other representations given from family members of people in the care homes. These are summarised as follows:

• Concern around ‘top up’ fees and what was going to happen with them and whether there would be an added cost there.
• Reassurance was sought that the Council had looked at all options, other than the closure of care homes in Leicester. In a recent consultation some respondents had opted for the sale of existing homes to private providers in the absence of an option to keep all homes open.
• It was questioned whether consideration had been given to amalgamating a couple of the under-utilised homes into one instead of closing them all.
• Residents could now end up in homes further away from their preferred area.
• Concerns were raised over people choosing to go elsewhere, in that they did not have a choice and many of the private sector homes were not of a good quality; also what would happen if a move did not prove successful.
• Some people had been told that a block had been put on people coming into City Council homes, with people being purposefully put off which led to a decrease in the numbers that were being quoted. It was felt this was a deliberate attempt by the Council to skew the numbers in their favour.
2.12. In most cases a response was provided to all the above submissions by the Assistant Mayor for Adult Social Care and officers who were present; as for example, when a move was not successful, in which case full support would be given. Where questions couldn’t be answered at the time it was agreed that extra information would be provided.

2.13. These submissions are important as they support the earlier consultation findings and what is considered common knowledge: that people do not want the council run homes to close. There were also serious accusations of people being actively deterred from entering the homes, but there had been no formal complaints given to the Assistant Mayor and she stated that she was still actively investigating these claims although to date there had been no confirmation of them. One family member of a resident did quote a council report from 2011 which stated a policy to actively stop taking referrals to the homes proposed for closure. Prior to that, occupancy in 2011 was between 90% and 98%.

Nursing Care combined with Residential Care

2.14. The scrutiny commission has been informed by officers that the Council cannot provide nursing care in their homes as they are not legally allowed to do so. However, the commission has found that Hampshire County Council has managed to combine nursing care with residential care, with the creation of dual purpose homes, providing long-term residential care, but with a nursing wing funded by the NHS. This was however the only example of such an arrangement nationally. It had been set up through a specific arrangement with government in special circumstances.

Consideration of the proposals

2.15. The commission has considered the proposals in great details. Even though it may not be favoured, earlier consultations and evidence gathered by the commission shows overwhelming support to keep the homes. Few alternative options have been put forward. The scrutiny commission has requested that an alternative option - deploying monies earmarked for a 60-bed intermediate facility to convert existing homes into dual purpose residential care/intermediate care - should be fully costed, to consider whether this could provide a feasible option for keeping the homes open.

2.16. Under occupancy of the homes has continually been cited as a reason to close and sell the homes with 161 permanent residents in the council’s elderly persons’ homes out of a possible 282 beds. Commission Members have considered the prospect that the occupancy rates in the local authority care homes would increase and the homes would become the place of choice if people knew that improvements would be carried out and that the homes would be kept open. Although there has been a decrease in occupancy figures, the numbers dropped considerably more in 2011 when these
proposals were initially released, showing that there may well be a direct correlation. However, numbers have increased since then.

2.17. The lack of en-suite bathrooms in the care homes has also been cited as a reason that the homes are not adequate. Current residents report that they are happy with the situation. In fact having a bigger bathroom, shared or otherwise, can allow for better care than a smaller en-suite as some residents may not be safe in using these unaccompanied. However the commission accepts that future residents will expect to have en-suite facilities and this should be respected.

2.18. In terms of having an intermediate care facility, the proposals are to have a new purpose built facility. Economies of scale have been cited as the reason for having just one site for intermediate care. The commission felt that the provision of one purpose built facility could create problems for families and friends if they have to incur costly travel expenses when visiting. There might also be risks in the creation of a care culture which values efficiency and staff convenience over the specific care needs of individuals. Consequently, the commission asked for full costings for four options to compare costs.

2.19.

Table 1 Total Current Capital Funding (Provided at the request of the Chair)

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
<th>Cost</th>
<th>Funding to be found</th>
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<tbody>
<tr>
<td>Option A</td>
<td>1 Intermediate Care Facility. New Build and Fixtures and Fittings. EPHs or Brookside (30 intermediate care and 30 respite beds) to be sold to raise capital.</td>
<td>£6.7m</td>
<td>£0.66m</td>
</tr>
<tr>
<td>Option B</td>
<td>4 Converted EPHs to provide intermediate care and residential care. Sell Brookside. (60 intermediate care and 72 residential beds)</td>
<td>£16.3m</td>
<td>£11.67m</td>
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<tr>
<td>Option C</td>
<td>3 New Build EPHs to provide intermediate care. Sell Brookside. (60 intermediate care beds)</td>
<td>£11.61m</td>
<td>£6.97m (approx.)</td>
</tr>
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3.

4. Revenue Expenditure (Provided by officers)

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
<th>Cost</th>
<th>Saving against current cost</th>
</tr>
</thead>
</table>

9
## Current Costs

<table>
<thead>
<tr>
<th>‘Do Nothing’</th>
<th>8 EPHs + Brookside</th>
<th>£9.5m</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option A</strong></td>
<td>1 Intermediate Care Facility. No EPHs or Brookside.</td>
<td>£6.0m</td>
<td>£3.5m</td>
</tr>
<tr>
<td><strong>Option B</strong></td>
<td>4 Converted EPHs to provide intermediate care and residential care. Sell/dispose other 4 EPHs and Brookside.</td>
<td>£8.0m</td>
<td>£1.5m</td>
</tr>
<tr>
<td><strong>Option C</strong></td>
<td>4 Converted EPHs to provide intermediate care and residential care. Retain 4 EPHs and dispose of Brookside.</td>
<td>£9.5m</td>
<td>0</td>
</tr>
</tbody>
</table>

### 5.

5.1. The commission requests that people currently residing in intermediate care facilities should be asked what their needs are and what they believe to be sufficient support for them in such a facility.

5.2. Greater investment in things such as home adaptations have been quoted as increasing ‘independence’ and therefore requiring less social care support and reducing the need of residential care. The commission questioned whether these adaptations were used as frequently as stated and although agreeing they might make it easier for people, they might not actually reduce the care needed if some people need support in using the adaptations. The commission recommends regular monitoring of use, particularly when a person does not have a carer present.

5.3 The commission accepts the reality of the current situation in which the cost of maintaining council homes is more expensive than finding places with private providers, largely because staff in council homes receive better pay and conditions, commensurate with better skills. In a weekly comparison of supporting a resident within a council home (£805 per person per week) at current occupancy and that of a independent sector home (£401 per person per week), the difference at first glance is quite considerable at £404 more at current occupancy in a council run home. The previous commission considered costs when homes were in full occupancy. This indicated that there were sufficient resources to keep Council-run homes up to standard, based on projection of maintenance costs over 5 years; and that pound for pound, they cost as much to run as private homes. However, staff costs inflated the overall cost.

5.4 Agency costs for 2012/13 were broken down based on the roles that were undertaken by agency staff and added to the cost of Council staff. Of the £652 weekly cost, approximately £115 relates to the use of agency staff. Of the £1.5m spent on agency staffing in 12/13, approximately £1.4m was spent on care assistants.
Table 2 below shows a comparison of the average hourly cost of employing staff within the EPH’s (including on-costs, annual leave and sickness) compared with the rates paid to agencies for 2012/13:

<table>
<thead>
<tr>
<th>Role</th>
<th>EPH Staffing Cost (including on-costs, annual leave and sickness)</th>
<th>Average Rate Paid to Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Care Assistant</td>
<td>£17.81</td>
<td>£11.82</td>
</tr>
<tr>
<td>Care Assistant</td>
<td>£13.75</td>
<td>£11.01</td>
</tr>
<tr>
<td>Chef / Cook</td>
<td>£15.67</td>
<td>£12.79</td>
</tr>
<tr>
<td>Domestic, Laundry &amp; Catering</td>
<td>£10.20</td>
<td>£8.02</td>
</tr>
<tr>
<td>Handy Person</td>
<td>£11.71</td>
<td>£9.57</td>
</tr>
<tr>
<td>Admin Assistant</td>
<td>£12.76</td>
<td>£9.90</td>
</tr>
</tbody>
</table>

5.6 It should be noted that in all roles the cost of using agencies is lower than the equivalent cost to the Council of employing staff. If Council staff had been employed rather than using agency staff, the additional cost for the year would have been around £385k. This means that the total cost of the EPHs in 2012/13 would have increased from £8.5m to £8.885m.

5.3 The commission notes that more than 800 elderly people are accommodated in privately-run homes. A recent survey with a sample of these residents established that the main reason for choosing a particular home was to be near to family members. The commission was told that the city council has provided a safety net for residential care when a private care home had to close.

6. **Summary and Conclusions**

6.1 The Commission has heard a great deal of detail around the proposals for the future of the Council’s elderly person’s homes, including specialist care requirements around dementia and other conditions; but is conflicted as to whether these homes should remain open in some capacity so was not able to make firm recommendations on the issue. The commission requested that minutes of the final meeting should be appended to this report as an indication of the individual views of members. (Appendix 4)

6.2 The commission is supportive of investing in intermediate care but questions whether it is worth exploring the possibility of housing it in separate facilities to provide a more localised service, rather than a single facility.

11
6.3 Moving an elderly resident to a different location, either because a home is closed permanently, or to be rebuilt, will require full consultation with resident (if possible) and family members as to choice of location. It will be imperative that key members of staff who have formed a particular close relationship with the resident will be involved in the transition, accompanying them on visits (if physically possible) as a prelude to a final move; and being present for several days to attend to their care alongside staff in the new location, until the resident is happily and comfortably settled. The commission recognises the commitment given by the Assistant Mayor to fully support residents and family in any move.

6.4 Census data indicate that the number of elderly people in Leicester is projected to increase over time, so there is a need to ensure the city is future-proofing care services for the elderly.

6.5 There is no doubt that should any of the homes be closed it will lead to disappointment for many people in the house, their families and staff. There is an overwhelming desire in the staff, residents, relatives and some members of the commission to keep the homes open and invest in them to ensure the council can be part of residential care for the elderly in the future. This includes providing specialist dementia care and intermediate care. The commission also noted that the consultation did not include an option about keeping the homes open under local authority ownership.

6.6 We hope the decision of the Executive will take into account the considerable work done by the commission to ensure that all avenues have been explored and examined. The commission will continue to monitor the progress as part of their work programme and hope that the best decision will be made in the interests of the residents of the homes and their families and carers as well as in the interests of future residents and their families.

6.7 The executive’s proposals to provide intermediate care rely on the sale of some of the homes and some of the sites. It is not clear nor guaranteed that these sales will be possible and that puts the executive’s proposals at risk. This would leave the council with no homes and no intermediate care facility.

6.8 The commission tried to explore options to keep the homes open and provide intermediate care in these facilities. Information on these options was very late in coming to the commission and it has not been possible to fully explore those options. The commission is supportive of investing in intermediate care but did not agree that a larger single facility was the best. It did not accept that proposals for a 60 bed intermediate care facility were best for the city; and was concerned about parking, traffic and access issues for local people, and the impersonal nature of such a large facility. Furthermore the commission questioned that consistency of care could only be delivered on one site. The commission feels this is a training issue, and that intermediate care could be delivered over small sites around the city, which would be more local to communities and more homely.
6.9 The commission noted that from the evidence given by Hampshire County Council it is possible for local authorities to provide nursing care in care homes. While it was recognised that the circumstances for Hampshire may be special it does not prevent other authorities from negotiating with the NHS and the Department of Health.

6.10 The commission welcomed the evidence submitted by the unions, their expressed willingness to work with the City Council; and noted the stress for staff at this time.

6.11 While the authority regularly inspects private residential provision it will be doubly important, should the executive choose to close the council's care homes, that a rigorous inspection regime is put in place, so that inspections are carried out frequently and without warning; and that family members are regularly contacted for their views on provision and control action is taken in any instances of poor care or neglect. There is a need to monitor quality, quantity and choice of food, quality of physical care and overall quality of amenities.

7. **Summary of Appendices**

Appendix 1 – Recommendations in Adult Social Care and Housing Scrutiny Commission: Final Report: “A Review of the consultation process and proposals to change elderly persons’ residential services provided by the Council”

Appendix 2 – Unison Response to EPH Proposals 2013

Appendix 3 – Draft minutes of meeting of ASC Commission 5 September
Appendix 1

2 Recommendations

2.1 The Overview Select Committee (OSC) is asked to consider the following recommendations of the Adult Social Care & Housing Scrutiny Commission. In doing so OSC is asked to recommend this report to Cabinet and to request a response from Cabinet to these recommendations within three months:

2.2 Recommendations around consultation options

1. That the Elderly Person’s Homes should remain open and run by Leicester City Council.
2. We ask cabinet to note the very good levels of care, the opportunities for social activity and the dedication of our staff.
3. That there should be maintenance programme for the Elderly Person’s Homes in the scope of the review (if necessary), based on the latest condition survey evidence.
4. Specific feasibility work should be undertaken as to the suitability of any of the homes for conversion into extra care and intermediate care facilities before closure is considered.
5. That the approach to maintenance of the council’s EPSs is reviewed to improve standards, outcomes and efficiency and, if appropriate, considered as part of the maintenance service provided by Housing Services.
6. That intermediate care and re-ablement services should be invested in, maximised and increased where possible.
7. Cabinet needs to consider that handing over the homes to a third party provider is likely to result in significant worsening of staff terms and conditions, for large numbers of people, effectively pushing people onto the minimum wage.
8. As part of point 4 above the department should consider reducing the provision of single bed hostel spaces – reported to have surplus places – by closing Upper Tichborne Street Hostel and investing the saving into the development of EPHs.

2.3 Recommendations around the consultation process itself

1. That when conducting a consultation based around costing (for example a rationale for a consultation based on the state of buildings and the costs involved in refurbishing them), there should be an agreed understanding of the costs involved from the onset, based on up-to-date evidence.
2. That when providing options as part of a consultation, there should be a range of options which included reinvestment into the homes to keep them open. Options around ‘degrees of closing or cutting’ should not be the only options available.
3. That any consultation into the future forms and function of elderly persons’ residential services provided by the Council should be appropriately resourced, taking resident’s needs into consideration.

4. That effective training should be given to those supporting the consultation of vulnerable people to ensure that personal views of carers/interviews don’t influence the findings.

5. That the impact of this review on the reputation of the Council’s care homes should be considered to minimise any adverse communication.

6. That the impact of further reviews into elderly person’s homes be considered from the outset to ensure communications are effectively managed and to minimise any reputation damage.

7. That those planning the consultation should consider the impact on staff, residents and families to ensure that points 3-5 above are properly implemented. These are homes where people live, and that should always be taken into account.

2.4 Recommendations around service redesign ideas and /or improvements to the quality of the service provided

1. That permanent staffing levels in the homes should be improved and monitored to keep agency costs at a minimum.

2. That the Council make recommendations that staff in privately-run homes should be paid a fair wage and receive a high standard of training.

3. That the city council explores opportunities to provide apprenticeships to staff in care homes – in partnership with local colleges.

4. That homes that are best suited to alternative uses (not necessarily those with low occupancy rates) should be considered for intermediate care.

5. That further consideration be given to redevelopment and a strategy for managing more specific cultural, linguistic and religious care needs of residents across the homes – specifically for the Asian and Asian British population which is currently 20% of over 60s in Leicester.

6. That the homes’ IT systems and broadband be reviewed and if necessary upgraded to improve efficiency of administrative duties, and to provide access for residents.

7. The possibility of a retirement village should be explored, as part of a portfolio of residential options for older people in Leicester, and as part of the Ashton Green development in the first instance.

2.5 Recommendations around the wider funding issues surrounding adult social care and their impact on this review

1. That cabinet in making any decision to keep the homes open do so for the next 5 years at least.

2. That a full and up to date detailed condition survey be carried out into the health of each home to better understand the costs associated with ongoing maintenance and refurbishment to alternative use for each home and facilitate improve decision-making around each homes’ future.
3. That options for increased collaboration and efficiency be developed and considered around joint-working with the NHS, particularly around referrals and admission processes.

4. That a review of communications surrounding the marketing and admissions/referral process of the homes be carried out to tackle the perceived negative reputation of Council-run homes compared to privately run homes and improve admissions and referrals.
1. Preamble

We would begin this response by highlighting the fact that the future of Leicester City Council’s Elderly Persons Homes (EPHs) has been under threat for the past four years.

Initially the closures of the EPHs appeared as a budget proposal in the 2009-10 budget.

A best value review was proposed because ‘in-house provision is more costly at present than externally commissioned provision. The review will examine all options for reducing that differentiation in cost. The savings attached are target savings’ (£12.7m by 2011/12).

By the 2012/13 budget – the same text appeared but the phrase ‘best value review’ had been dropped. At this point the claim was made that this proposal was now driven by policy rather than budget.

By this time we were being asked to believe it was no longer about cost but about ‘choice and independence’ etc.

The FAQs that accompanied the consultation at this time (2011) betrayed the fact that cost remained at the heart of things.
“The Council’s homes are becoming less and less popular: the number of people choosing to live in them is falling year on year. Many of the homes require a great deal of maintenance and investment and do not meet modern standards. For example, rooms are not big enough to deal with equipment that might be needed to help a person to move around, and residents have to share bathrooms and toilets.”

It is quite clear that those people presently residing in Leicester City Council’s Elderly Person’s Homes will derive no benefit from the current proposals. Only self-deception could convince anyone otherwise.

At the outset UNISON wish to make it clear that we do not dispute the assertion that people wish to remain as independent for as long as possible and generally speaking independence is seen as remaining in their own homes. This is a perfectly natural aspiration. What can’t be ignored however is the fact that we are an aging population and dementia is an illness affecting ever greater numbers of people. Ultimately there comes a time when residential care is the safest, most cost effective option for those in the advanced stages of dementia or with complex healthcare needs.

Whilst investing in intermediate care may be both commendable and necessary it is not a replacement for residential care and UNISON believes that the public sector ought to be part of the provision of that care.

2. Rationale for Closure/Sale

(i) Falling Numbers

A variety of reasons have been forwarded for what is essentially a decision by Leicester City Council to divest itself of its EPHs; falling numbers is cited as one of the major factors. As supporting evidence for the proposals a document entitled ‘Declining Numbers’ was presented to the trades unions. On the face of it this appears show diminishing demand for residential care in both the public and private sector.

The column headed ‘National demand for places in public sector care homes’ appears to show a startling drop in demand; however UNISON
believes what it actually reflects is the falling number of public sector care homes (and therefore places) available. Leicester City Council isn’t the first Authority to sell off its homes. A truer picture might be derived if there was also a column showing national demand for places in independent care homes.

Also whilst numbers are diminishing currently (probably due in part to falling birth rates in the 1930s), most people are well aware of the demographic time bomb that the country faces with a growing elderly population set to rise significantly by 2031. The proposed strategy in respect of intermediate care will not help address the problem that this city will face over the next 10 -25 years.

The very report which is being relied on to evidence the aspirations of the aging population shows that there will be an increase in those aged 65+ in Leicester and Leicestershire of over 30,000 by 2025. There will be particularly significant increases in those aged 80-84 and 85+\(^1\). In fact by 2031 there will have been an increase in the over 85s by 53%\(^2\). It is this section of the population for whom residential care may ultimately become a necessity.

In respect of the other figures presented, it is of note that the numbers within the Authority’s EPHs began to decline shortly after 2009/10 – the time when the uncertain future of the EPHs was made public; it looks entirely possible from the figures that the number of residents was on the on the increase again. Given that 82 people opted for Council’s EPHs despite the uncertainty it seems likely that if the future had been more certain these figures would be higher.

UNISON believes that at least in the period 2010 – 11 social workers were being ‘advised’ not to place people in Council run homes. It is clear from the consultation exercise undertaken in 2011 that this perception was shared by service users and their relatives. Indeed one advocate from the Alzheimer’s Society asserted they had been told by social

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\(^1\) A Qualitative Assessment of the Housing Needs and Aspirations of Older People in Leicestershire – Andy Steele May 2010

workers that they could not make referrals for placements in local authority homes\(^3\).

If consideration of such statistics form part of the decision making process then it needs to be remembered that statistics can be presented in such a way as to demonstrate any assertion; discovering the actual truth of the matter requires more rigorous examination – a more enquiring mind.

(ii) The wish to remain at home/independent

The research by Andy Steele of the University of Salford\(^4\) is being cited as part of the rationale for the proposals to close or sell the EPHs; specifically it is being used to support the contention that residential care isn’t what people want any more. This conclusion however isn’t actually the focus of the research; - there was clearly a far wider remit relating to examining under-occupancy in housing, extra care, sheltered housing, retirement villages, as well as trying to establish the aspirations of the BME population and the Gypsy and Traveller community.

Amongst the issues raised in the report were that loneliness and isolation were the attendant problems of ‘staying put’; that people wanted company, activities and entertainment. It can’t be ignored that staying at home; even for those able to do so, is not without its problems.

Ultimately for many there comes a time when home is not an option; touting Extra Care as an alternative to residential care is all very well however it is not for everyone. Those interviewees currently accessing Extra Care expressed concerns about residents with a range of disabilities and high health needs effectively diminishing the level of care provided [to them] overall.

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\(^3\) Consultation on the Future of Leicester City Council’s Residential Care homes for Older People- part 13

\(^4\) A Qualitative Assessment of the Housing Needs and Aspirations of Older People in Leicestershire – Andy Steele May 2010
The Joint Dementia Commissioning Strategy\(^5\) itself acknowledged ‘Extra Care may not appropriate for people who are at the advanced stages of dementia’. Worse still, given the reliance on this and similar types of housing provision for the future, is the admission within the strategy itself that ‘due to the affordability of Extra Care Housing schemes and with changes in the funding/grant arrangements from the Homes & Communities Agency (HCA), it is unlikely that many traditional Extra Care schemes will be built in the future’\(^5\).

Similarly Sheltered Housing will not be appropriate for those with multiple health problems

(iii) The desire to have en-suite bathrooms

The ‘requirement’ for better bathroom facilities has been cited on numerous occasions over the past four years – although significantly not by any of the consultees. The claim however is made that ‘Current residents have said that they value the quality of care they receive more than the building they live in, but expectations of future generations will be different. For example the sharing of bathrooms is unlikely to be acceptable in future’\(^7\).

This assertion is inconsistent with the findings of the assessment of housing needs study which found amongst those consulted that familiar areas near family and social support networks were ‘perceived as a higher priority than the type [my emphasis] of housing provision’\(^8\).

Further it also overlooks the truth of the situation which is those requiring residential care are frail, elderly and often have dementia and/or physical disabilities. Of the current 161 residents within the City Council’s Elderly Persons Homes 32% have dementia; 19% mental health needs; 34%

\(^5\) Leicester, Leicestershire and Rutland Joint Dementia Commissioning Strategy 2011-2014 p.23
\(^6\) Ibid p.24
\(^7\) Consultation on the Future of Leicester City Council’s Residential Care Homes for Older People
\(^8\) A Qualitative Assessment of the Housing Needs and Aspirations of Older People in Leicestershire – Andy Steele May 2010 p.33
physical disabilities and 15% are described as frail or having a temporary illness.\textsuperscript{9}.

The oft ignored reality is that the majority of residents will require assistance with their personal care. Personal privacy in the bathroom is lost as safety becomes the greater concern and support is required. What these people need (and get currently) is care - not en-suite bathrooms.

There is clearly an attempt by those involved in establishing strategies/services for the future to empathise and project their own wants into the process; however one of the problems encountered is that it is very difficult to envisage yourself being so highly dependent. No-one wants to believe that there will come a time when they are almost entirely dependent on another person to take them to the toilet; to bathe them or to deal with their incontinence.

The other contention in respect of this issue is that the independent sector currently provides such facilities or if it doesn’t ‘the market will provide’.

Alas neither of those assertions is entirely true.

(iv) Cost

As stated at the outset the proposition to close and/or sell the EPHs arose initially as a budget proposal; and despite assertions about choice, personalisation, falling numbers etc. UNISON believes cost remains at the heart of the matter. As such the issue is essentially one of priority.

No-one is claiming that residential care is no longer necessary – it clearly is; the decision by Leicester City Council to sell or close its homes is simply LCC saying it no longer wishes to be in the market to provide such care.

Whilst UNISON acknowledge that we live in more austere times we take the view that this means a more thorough examination of priorities in

\textsuperscript{9} Executive Decision Report – Proposal for the Future of the Council’s Elderly persons Homes and the development of Intermediate Care Facility – Deb Watson p12
terms of public spending in general and in this instance capital spending more specifically.

We note the statement within the EIA which accompanies the proposals -‘The Council cannot afford to modernise its homes to meet long term needs’.10

It appears to us the Council chooses not to afford to modernise its homes. Without wishing to appear glib the Council (even in these straitened times) can afford capital projects of a less people-centred nature, and can invest both capital and revenue on historical and cultural projects which are unlikely to provide any obvious benefits to the majority of people in Leicester; yet providing the continuity of care that the residents of its EPHs both require and deserve seems beyond their means.

UNISON accepts that alongside a re-evaluation of current corporate capital priorities other finance generating programmes may be required. The increased provision of -and charging for respite care is one possibility (see Para. 6(iii))

Further pooled Local Authority and NHS budgets ought to be considered to fund homes that can provide both specialist dementia care together with nursing care.

It is UNISON’s position that the market works better in a mixed economy; with the public sector providing the model in relation to both standards of care and staffing. Better trained and paid staff (with better terms and conditions) results in a stable and well-motivated workforce which is central to the good care of the elderly. Unfortunately this is often lacking in the independent sector.

3. Consultation

In March-June 2011 the consultation centred on the proposal to close 6 of the EPHs and ‘the change of use of 2 homes to short term care’.

10 EIA - 28 Oct 2011 Appendix 5 221211.
There was then apparently the suggestion that ‘more options for change’ should be looked at which resulted in a further period of consultation on revised proposals between July and September 2011.

The options at this point were not much improved and are paraphrased below:

(i) Close some or all of the homes and invest in intermediate care
(ii) Sell or lease some or all of the homes
(iii) Close the homes with low occupancy.

UNISON is of the view that the basis on which the consultation was undertaken was somewhat disingenuous. Residents and their families were being told that their views were important and would be ‘taken into account’ or ‘fed into the decision making process’. Worse still at the Thurn Court meeting (21/7/11) attendees were told ‘what we are consulting on is whether the Council should still run homes itself’

Clearly that wasn’t what was being consulted on and in respect of the notion that views would be taken into account/considered; from the outset it was apparent there was nothing the consultees could do or say which would result in an alternative option being adopted. What the results of the consultation show beyond any doubt is what the vast majority of people wanted was **no change**.

Of the options presented to them, the first, investment in intermediate care, was of no relevance to their present situation. Whilst keeping people in their homes for longer is a commendable aim it is not an option open to the existing residents of the City’s EPHs.

The results of the consultation are being presented as option 2 having received the most support. It’s apparent that this was regarded as the ‘best of a bad bunch’ and even then a number of conditions/caveats were forwarded by those consulted.

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11 Consultation on the Future of Leicester City Council’s Residential Care Homes for Older People p.76
At Elizabeth House service users and their relatives were ‘happy for another provider to take over the home, provided it would be run in the same way as it is now, with the same staff, same health care and same GP etc.’\textsuperscript{12}

At Thurn Court the view was ‘as long as it was run as well as it is now, the same staff group, the same price, the standards were maintained, the staff salaries and pensions stayed the same’\textsuperscript{13}

Leicester City Council however cannot give these guarantees; the provisos raised by consultees in respect of option 2 are not within their gift – yet it appears no-one sought to advise the residents and their families of this fact.

In order to believe the consultation is in any way meaningful requires a high level of cognitive dissonance. The closure/sale of the homes is only linked to the strategy of investing in intermediate care in that Leicester City Council have taken the decision that financially the two cannot co-exist. The long (?) term strategy requires that the stability and security of the current service users be sacrificed.

### 4. Impact on Service Users

A number of concerns were common throughout the consultation. Many felt there would be a detrimental effect on the health of service users; that they would lose their support networks in that they would be separated from friends and family. For those with dementia the changes could prove devastating.

In reality no matter how carefully moves are managed it is difficult to see a positive outcome for all (see Para. 7 for further discussion).

Financial considerations were also raised. Many people were afraid that fees would increase beyond their means.

The impact on residents cannot and should not be underestimated. The people who reside in the Council’s homes are, as it recognises, ‘frail

\textsuperscript{12} Ibid p.38
\textsuperscript{13} Consultation on the Future of Leicester City Council’s Residential Care Homes for Older People p.70
elderly over the age of 85\textsuperscript{14}. Yet these are the people whom LCC propose to move (or hand over to a new provider). The residents profile shows that 25 of the residents in homes earmarked for closure are aged 91-100, (32 are 81-90 and 3 are 101+).\textsuperscript{15}

5. Other Considerations

(i) Prospective Buyers

There is clearly a trend within the independent sector to build ever larger care facilities as evidenced by the growth of 60 bedded units such as Beaumont Hall. Whilst the notion of large care homes has long since been rejected for children ‘looked after’ by the local authority, the older population do not warrant the same consideration. Large impersonal homes no doubt provide economies of scale for those seeking a profit but the levels of care offered must surely be questionable. If staying at home is the wish of the majority of those with a choice then surely an attempt should be made to replicate that homely environment for those people who don’t have the choice.

UNISON are concerned that one of the conclusions of the soft market testing is ‘the capability to expand on site is critical to market interest’\textsuperscript{16}

This is surely a timely reminder (as if one were needed) that for many of providers in the independent sector – profit is the driver.

The consultation demonstrated that people’s experiences of the independent sector were not always good. Many shared their poor experiences and equally importantly their poor perceptions of the independent sector.

Indeed even those advocates from the Alzheimer’s society felt that council homes ‘appear to provide a better quality of life for residents with dementia than many of the private homes they have seen’\textsuperscript{17}.

\textsuperscript{14} Executive Decision Report – Proposal for the Future of the Council’s Elderly Persons Homes and the development of Intermediate Care Facility – Deb Watson p.4

\textsuperscript{15} Resident profile as at 180213 – Appendix D

Whilst we appreciate LCC’s stance as to the quality of care provided in the independent sector it is difficult to detract from the views held by those with actual experience.

Whereas profit may not be the main motivator for the voluntary and social enterprise sector -funding is in the same parlous state as it is in the public sector and therefore the need to maximise finances is no different for them than it is the private or public sector provider.

(ii) ‘The Market Will Provide’

Related to the previous paragraph -this claim has been made during the consultation process with the trades unions in relation to the provision of en-suite bathrooms. It prompts the question if the market is truly that responsive – ready to identify need and provide accordingly – why are their insufficient residential places for people with combined dementia and nursing needs? The answer is of course glaringly obvious – profit. If there isn’t a profit to be made then the market will not provide. By divesting itself of its in-house service the Council is placing it’s faith in the laissez faire - supply and demand -approach of the market to something (the care of the elderly) which ought properly to warrant greater public involvement and protection.

6. Counter Proposals

As we have highlighted throughout this response the existing residents derive no benefit from taking forward any of these proposals – what is being decided upon is just how negative or damaging the impact might be.

(i) Keep all or some of the homes open

The Alzheimer’s Society suggested keeping the homes open (due to the better quality of life they offered). The overwhelming results of the

17 Consultation on the Future of Leicester City Council’s Residential Care Homes for Older People p.82
consultation concurred with this. It appears this is an option that has not been fully explored and/or has been dismissed out of hand.

UNISON believes that re-aligning capital priorities would allow some if not all of the homes to remain open.

The current proposals can only be viewed as fit for the short to medium term. As previously stated the elderly population is not declining but increasing in the long term. In the not too distant future there will be the need to increase provision. Closing and selling off the properties at this point in time is short sighted and we believe will eventually prove more costly than investment in the medium term.

(ii) Keep all or some of the homes open and focus provision on dementia care

Current figures show 32% of residents have dementia\(^{18}\). It is unclear whether this figure is consistent with the statement in the joint commissioning strategy that 50% of people in Leicester City with dementia remain undiagnosed. Whatever the true picture there is a strong case to increase the provision of placements for those with dementia in the city.

A truly creative approach which tackles the real gaps in provision would be to look at a joint enterprise with the NHS to provide residential care for those with dementia who also require nursing care.

As has already been identified the market has to date failed to provide in this area.

Whilst UNISON acknowledges the existence of the dementia care strategy it doesn't address sufficiently the needs of those in the advanced stages of dementia.

‘It is estimated that the prevalence of dementia will increase to 1.4 million [nationally] over the next 30 years; this is a 100% increase, with associated costs rising to an estimated £50 billion per year\(^{19}\). The


\(^{19}\text{Leicester, Leicestershire and Rutland Joint Dementia Commissioning Strategy 2011-2014 p.8}\)
current direct cost to Leicester, Leicestershire and Rutland (LLR) is £67million per year.\textsuperscript{20}

These are truly terrifying figures – failure to act now will leave the public sector unable to meet the need in a timely way in the future and will cost the economy dearly.

The potential exists to convert a number of current homes into specialist dementia (over a period of time) units thus increasing the likelihood of some service users being able to remain where they are. The phasing of this move would allow those residents who do not meet the new criteria to remain where they are.

(iii) Respite Provision

In terms of provision for those with dementia the Evington centre has 80 in-patient assessment and treatment beds. ‘In 2009/10 there were approximately 315 admissions to those beds….The primary reason for admissions related to family or carer breakdown which contributed to 42% of the total number of admissions’\textsuperscript{21}

Of significance is that 48% of those admitted were discharged to care homes\textsuperscript{22}

The failure to support those caring for people with dementia has a huge potential cost to the economy – estimated at £104million pa in LLR – (a cost borne by families and carers). If these carers aren’t supported this majority of this cost will pass to public services such as adult social care and the NHS.

Investment in respite supports the stated aim of helping to keep people in their homes for longer.

When closure of the homes was first put forward the proposal was to convert at least two of them into specialist dementia care units. Again UNISON takes the view that if the will existed the money could be found to do this.

\textsuperscript{20} Ibid p.11
\textsuperscript{21} Ibid p.18
\textsuperscript{22} Ibid p.19
7. Conclusion

The response to the consultation was that no-one wanted to see any change to their current provision. Despite this fact change is what is proposed. Option 2 of the proposals was the lesser of the three evils on offer but acceptance of this came with provisos.

Residents and their families were anxious to keep the same staff group (on the same pay and pensions!). What no-one has said is that although staff would transfer under TUPE regulations in all likelihood it wouldn’t be long before the new provider sought to make changes to their terms and conditions. In the current climate it wouldn’t take much to establish an economic, technical or organisational reason which would allow them to ‘restructure’ salaries (down the way). Additionally pensions aren’t protected by the regulations so in any event staff face a poorer deal on their occupational pension in their old age. Will staff stay? – I don’t think anyone can say with any certainty they will. The continuity of care ‘promised’ can’t necessarily be delivered.

It is those very staff facing redundancy that will be expected to help residents make that difficult transition into new homes. Whilst they will no doubt approach this in the same professional way they always have done this is a different situation to moving someone to alternative accommodation because they can no longer be cared for in the home. In the latter instance it was the residents’ needs that dictated a move was necessary. In this instance their needs are not the paramount reason for change.

It will be harder for staff to adequately explain to residents that it is the Council’s strategy for the future which necessitates their home closing.

It was recognised in the University of Salford report that ‘older people tend not to plan or choose to move to more appropriate accommodation, they move in response to a life crisis.’\textsuperscript{23} Peoples’ psychology is such that this is unlikely to change. People don’t plan to be old, frail or dependent.

\textsuperscript{23} A Qualitative Assessment of the Housing Needs and Aspirations of Older People in Leicestershire – Andy Steele May 2010 p.31
All the intermediate care, Extra Care or Sheltered Housing provision in the world won’t change that.

People don’t want change - they like and grow attached to the familiar – whatever that is. The consultees in the University of Salford report demonstrated that those who were in their own homes wanted to stay there, similarly those in supported housing schemes were positive about their experience, and those in Leicester City Councils EPHs speak of the care they receive there in glowing terms. Housing provision for older people needs to be a mixed economy not just to ensure people get what they want but also that they get what they need depending on the time of life they are at and their physical and mental health.

It is UNISON’s position that housing for the elderly in its many forms remains the business of the public sector and for the reasons cited above Leicester City Council need to play their part in that provision.

Janet McKenna – UNISON Social Care + Health Convenor
16.05.13
MINUTE EXTRACT

Minutes of the Meeting of the

ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: THURSDAY, 5 SEPTEMBER 2013 at 5.30pm

P R E S E N T :

Councillor Dr. Moore – Chair
Councillor Chaplin – Vice-Chair

Councillor Alfonso Councillor Joshi
Councillor Fonseca Councillor Willmott

Also in Attendance

Councillor Rita Patel – Assistant City Mayor (Adult Social Care)

* * * * * * *

27. APOLOGIES FOR ABSENCE

There were no apologies for absence.

28. DECLARATIONS OF INTEREST

Councillor Chaplin disclosed an Other Disclosable Interest as she had spoken with a number of members of the public relating to the Elderly persons Homes proposals (Minute 32 refers) and had also been one of the Councillors that had called in the notice of decision on the Older Persons Mental Health Day-Care Services item (Minute 33 refers).

Councillor Joshi disclosed an Other Disclosable Interest as his wife had formerly worked in the Reablement Team within Adult Social Care, but was still employed by the City Council (Minute 32 refers) and that he was currently working for a voluntary organisation within mental health services (Minute 33 refers).
Councillor Moore disclosed an Other Disclosable Interest as she had spoken with families and staff in relation to the item relating to Older Persons Mental Health Day-Care Services item (Minute 33 refers).

32. ELDERLY PERSONS HOMES PROPOSALS

Councillor Moore introduced the item and made reference to the previous meetings of the Scrutiny Commission that had discussed this area of work, and had been held on 1st July and 11th July 2013. Responses by officers to the questions raised by members had been circulated and an opportunity had been given for Members to seek further information from officers on the responses given.

Councillor Moore stated that there was now a need to draw this review by the Scrutiny Commission to a conclusion so that a report could be prepared, setting out the conclusions reached, for consideration by the Executive.

Member’s attention was drawn to the Responses report circulated and to an additional sheet ‘Elderly Persons Homes – Financial Implications’ that had been drawn up by the Chair and had been tabled at the meeting.

Capital Expenditure

Current Funding is:

| Funding already approved       | £3.0m |
| Sale of EPH Sites (Preston, Herrick, Elizabeth, Nuffield) | £1.41m |
| Sale of Brookside              | £0.4m |
| NHS Funding                   | £1.23m |

**Total Current Capital Funding**  **£6.04m**

(Table drawn up at the request of the Chair)
<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
<th>Cost</th>
<th>Saving against current cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option A</td>
<td>1 Intermediate Care Facility. New Build and Fixtures and Fittings. No EPHs or Brookside (30 intermediate care and 30 respite beds)</td>
<td>£6.7m</td>
<td>£0.66m</td>
</tr>
<tr>
<td>Option B</td>
<td>4 Converted EPHs to provide intermediate care and residential care. Sell Brookside. (60 intermediate care and 72 residential beds)</td>
<td>£16.3m</td>
<td>£11.67m</td>
</tr>
<tr>
<td>Option C</td>
<td>3 Re-build EPHs to provide intermediate care. Sell Brookside. (60 intermediate care beds)</td>
<td>£11.61m</td>
<td>£6.97m (approx.)</td>
</tr>
</tbody>
</table>

### Revenue Expenditure (table provided by officers)

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
<th>Cost</th>
<th>Saving against current cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Do Nothing’ Current Costs</td>
<td>8 EPHs + Brookside</td>
<td>£9.5m</td>
<td>0</td>
</tr>
<tr>
<td>Option A</td>
<td>1 Intermediate Care Facility. No EPHs or Brookside.</td>
<td>£6.0m</td>
<td>£3.5m</td>
</tr>
<tr>
<td>Option B</td>
<td>4 Converted EPHs to provide intermediate care and residential care. Sell/dispose 4 EPHs and Brookside.</td>
<td>£8.0m</td>
<td>£1.5m</td>
</tr>
<tr>
<td>Option C</td>
<td>4 Converted EPHs to provide intermediate care and residential care. Retain 4 EPHs and dispose of Brookside.</td>
<td>£9.5m</td>
<td>0</td>
</tr>
</tbody>
</table>

Councillor Moore stated that, in relation to provision of intermediate and residential care, she had visited one of the homes referred to in the proposals and had come away with the impression that there were no conflicts regarding the provision of these two areas of care within one facility.

Members had an opportunity to question and comment on the options reported as follows: -

**Councillor Alfonso** – concerns that funding not in place to retain or re-furbish existing homes, funding would likely be sourced from elsewhere within the City Council therefore affecting other services. Therefore she could see no other option than Option A.
Councillor Joshi – having looked at all options reported and having taken into consideration all the information available Option A – 1 Intermediate Care Facility, No EPHs or Brookside (Revenue Expenditure Table). Noted that moving people with care was important.

Councillor Willmott – Not here to make a decision. The City Council is in business to provide public services. Clearly been failure to invest properly to ensure retention of this service, figures tabled lacked credibility. Figures given give maximum costs for running local authority homes but minimum costs for income. At the last meeting it was established that the running costs of EPHs were similar between local authority and private sector homes, the difference came with staff wages and staff ratios. Conflict with Living Wage agenda by Deputy City Mayor.

Private sector care market was at risk of collapse, large debts and number of providers have gone bankrupt over last few years. By putting all eggs in one basket could lead to serious problems.

Suggest that, between now and full Council, all options available to the City Council, not taking the options tabled tonight at face value. Ther was a way forward that was not one of the options reported at the meeting.

Councillor Fonseca – Prefer Option A (Revenue Expenditure). Duty of care to support all people who need us, not just those in EPHs.

Councillor Chaplin – Expressed horror that consideration being given to close EPHs when elderly population is rising. Gov’t is not demanding that we close homes, we also know that additional costs compared to private sector are down to staffing costs. Short-sighted to be considering closures now. Not reassured by the various versions of figures circulated, the Executive required accurate figures. Issue rests on sale of existing sites, what if sites were not sold, would this jeopardise whole intermediate care plans.

It was also apparent that all refurbishments of existing homes were not required immediately. En-suite facilities had also proved to be detrimental as this meant that certain elderly persons were then not likely to leave their room.

Provision of intermediate care and residential care within one site was purely a training issue. Information shared from Hampshire County Council showed that joint provision could be achieved within one facility. The City Council should in fact be approaching the Department for Health and NHS with view to assuring that nursing care was provided within residential homes.
Concerned re: equality issues for Herrick Lodge residents.

Concluded by stating that options worked up had not been thoroughly costed and assessed.

Chair – Re-iterated that Scrutiny Commission could not make a decision, but rather it would be making recommendations to Executive.

If staff were paid at a level similar to the private sector then the City Council would be able to retain homes, we chose to pay our staff a living wage. If other options of providing care were explored it could prove to be cheaper. Some people opt to go to private sector homes, often to be near families, and there was a need to strengthen inspection regimes in private homes and we needed to look at how best this could be done.

Regarding sale of EPHs, some people have said that this would be fine as long as the services were retained, purchasers of the EPHs must therefore be vetted thoroughly. There was however a need to respect the skills of staff and voluntary redundancy must be offered. The Scrutiny Commission were pursuing the issue of providing nursing care in homes.

Unhappy about proposal for a 60 bed unit (Option A) but was happier about several smaller units locally and the retention of EPH provision in the City.

- Use funding set aside for 60 bed unit to fund re-build smaller units on sites of 4 homes providing residential/intermediate care.
- Work with DoH and NHS to provide nursing care on site
- Monitor work of private sector
- Look at provision of Extra Care and nursing care in homes.
- What sort of provision were those private providers who have expressed interest in our homes looking to provide

Councillor Willmott – not prepared to recommend the sale of any of the City Council EPHs to private sector. Not sure of the viability of re-building 4 homes. £6m quoted was only available if the sites of other homes were sold. Support the pursuit of Extra Care and Nursing Care in homes.

The meeting adjourned to allow consideration of the various Options tabled. It became apparent that certain information was not available at the meeting and that officers had not had an opportunity to cost the alternative options put forward.
**Councillor Joshi** – Having listened to debate still of opinion that Option A (Revenue Expenditure) was the favoured option.

**Chair** – uneasy around Option A as this would not offer residential care in future should we want it.

Propose Option C (Capital Funding) – Re-Build 3 EPHs to provide intermediate care. Also look to provide Extra Care and look at the Hampshire model. Use the budget available in a more creative way.

**Councillor Willmott** – Amendment - suggest keeping all 8 homes and re-furbish where appropriate, provide residential and dementia care where appropriate and that the City Council look to make available funding for Extra Care provision.

**Chair** – stated that there was a divergence of opinion. Could take a vote but there was obviously a need for further information that was not available to members and officers at this meeting and that there was a need to get some of the figures referred to firmed up.

It was suggested that a report would be prepared recording the discussions that had taken place at this meeting and, following the draft report being circulated to members for comment, it would be referred to the Executive as a record of the views of the Scrutiny Commission members.

**RESOLVED:**

that a report to be prepared recording the discussions that have taken place at this meeting and, following the draft report being circulated to members for comment, it would be referred to the Executive as a record of the views of the Scrutiny Commission members.
i) Mr. M. Barker submitted the following question:

“Can I have a breakdown by status (i.e. disabled, single parent, carer, etc.) of City Council tenants affected by the bedroom tax between 1 April and 30 June 2013?

The Housing Division does not hold details of all those tenants who are disabled or carers. What can be provided is a breakdown of the household type of those tenants who were affected when the change was introduced on the 1st April 2013:

<table>
<thead>
<tr>
<th>Household Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single people</td>
<td>1081</td>
</tr>
<tr>
<td>Couples without children</td>
<td>112</td>
</tr>
<tr>
<td>Families with children under 16 yrs.</td>
<td>297</td>
</tr>
<tr>
<td>Families with only ‘adult’ children</td>
<td>184</td>
</tr>
<tr>
<td>Single parent with children under 16 yrs.</td>
<td>584</td>
</tr>
<tr>
<td>Single parent with only ‘adult’ children</td>
<td>403</td>
</tr>
<tr>
<td>Extended families (parent/older relative)</td>
<td>39</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,700</strong></td>
</tr>
</tbody>
</table>

ii) Mr. S. Score submitted the following question:

“How many tenants have you served Notice of Seeking Possession for failing to pay their rent between 1 April and 30 June 2013?”

There were a total of 910 Notices of Seeking Possession served from 1st April to the end of June. This covers all LCC tenancies that are in default of their rental obligations. (Notices are served in line with the council’s policies and procedures in managing rent collection).

We continue to work with all these tenants to avoid eviction action.

iii) Mr. L. Weston submits the following question:

“How many tenants have asked for help from the Discretionary Housing Fund, and how many have been helped?”

<table>
<thead>
<tr>
<th>Month</th>
<th>Total Received</th>
<th>Awarded</th>
<th>Refused</th>
<th>Outstanding</th>
</tr>
</thead>
<tbody>
<tr>
<td>April</td>
<td>131</td>
<td>96</td>
<td>35</td>
<td>0</td>
</tr>
<tr>
<td>May</td>
<td>104</td>
<td>81</td>
<td>23</td>
<td>0</td>
</tr>
<tr>
<td>June</td>
<td>88</td>
<td>25</td>
<td>14</td>
<td>49</td>
</tr>
<tr>
<td>July</td>
<td>152</td>
<td>19</td>
<td>3</td>
<td>130</td>
</tr>
<tr>
<td>Aug</td>
<td>100</td>
<td>2</td>
<td>1</td>
<td>97</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>575</strong></td>
<td><strong>223</strong></td>
<td><strong>76</strong></td>
<td><strong>276</strong></td>
</tr>
</tbody>
</table>
iv) Ms K Boulton submits the following question:

“Is Disability Living Allowance/PIP classed as income by housing staff when assessing requests for DHF?”

Yes, disability living allowance or personal independence payment (PIP) is classed as income when assessing requests for Discretionary Housing Payment.

Why?

When undertaking all Discretionary Housing Payment (DHP) assessment irrespective of tenure the applicant is asked to disclose their full income and capital details. The household’s income forms part of the income and expenditure evidence.

In particular the questionnaire asks a number of questions around the applicant’s health and the impact of their condition upon their living environment and expenditure which may warrant additional consideration/expenditure allowance’s by the Revenue and Benefits team who manage this service.

The questionnaire encourages disclosure of this evidence in a way that informs the decision maker and establishes a consistent, evidence based and fair decision making process based on all the households’ facts not simply a financial one.

v) Mr. K. Cross submitted the following question:

“How much in direct costs does it cost the authority to evict a tenant for failing to pay the bedroom tax (including legal costs, staff time, bailiffs, etc.)?”

The direct costs to the authority to evict a tenant costs approximately £285.38. This figure includes attendance at court, administrative costs and execution of warrant by bailiff’s office.

This figure does not include the cost of monitoring the account or lower level arrears actions taken.

vi) Mr. I. Reynolds submitted the following question:

“How many tenants have asked to be moved to a smaller property since the introduction of the bedroom tax?”

At the 1st April there were 292 Council and Housing Association tenants on the Waiting List with under-occupation priority. By the end of July this had increased to 452, a 55% increase.
The figures given include all those Council and Housing Association tenants who have asked for a transfer on the basis of overcrowding. They are not necessarily all affected by the Bedroom Tax.
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Leicester City Council Scrutiny Summary Report

Community Centres Charging Scheme

A Report of the Neighbourhood Services and Community Involvement Scrutiny Commission

October 2013
1. Report

Background

1.1 The Neighbourhood Services and Community Involvement Scrutiny Commission were informed that the Council’s Community Centres charging scheme needed reviewing. Officers informed the commission that the previous scheme was complicated and out of date when compared to competitor facilities. Another key factor for reviewing it was the inconsistent levels of charge being applied from centre to centre dependent on the interpretation of the scheme which has been set historically based on the room size in each building.

1.2 The previous fees and charges scheme had been in place for over 20 years and was based on a matrix approach of room size (12 bands - Vertical from 1 to 12) and type of usage i.e. community, private and commercial hire (8 scales – Horizontal from A to H). The scheme collected income in arrears which had been found to be time consuming, and costly in terms of generating invoices and chasing outstanding payments. This had also resulted in a significant amount of debt owed to the Council from unpaid bookings.

1.3 The previous scheme as shown below outlines the current rates which include an inflationary increase of 3% to come into effect from the 1st April 2013.

**NEIGHBOURHOOD CENTRES - ROOM HIRE PRICE MATRIX (Charge per Hour)**

<table>
<thead>
<tr>
<th>Band</th>
<th>Price</th>
<th>Community Groups and Organisations</th>
<th>Private</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Scale A</td>
<td>Scale B</td>
<td>Scale C</td>
</tr>
<tr>
<td>1</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
</tr>
<tr>
<td>I</td>
<td>2</td>
<td>6.80</td>
<td>10.00</td>
<td>13.40</td>
</tr>
<tr>
<td>3</td>
<td>6.60</td>
<td>9.70</td>
<td>13.00</td>
<td>16.20</td>
</tr>
<tr>
<td>4</td>
<td>6.40</td>
<td>9.30</td>
<td>12.50</td>
<td>15.40</td>
</tr>
<tr>
<td>II</td>
<td>5</td>
<td>5.00</td>
<td>7.60</td>
<td>9.90</td>
</tr>
<tr>
<td>6</td>
<td>4.30</td>
<td>6.50</td>
<td>8.50</td>
<td>10.60</td>
</tr>
<tr>
<td>III</td>
<td>7</td>
<td>4.10</td>
<td>6.20</td>
<td>8.10</td>
</tr>
<tr>
<td>8</td>
<td>3.90</td>
<td>5.90</td>
<td>7.70</td>
<td>9.40</td>
</tr>
<tr>
<td>9</td>
<td>3.10</td>
<td>4.50</td>
<td>6.10</td>
<td>7.50</td>
</tr>
<tr>
<td>IV</td>
<td>10</td>
<td>2.90</td>
<td>4.30</td>
<td>5.80</td>
</tr>
<tr>
<td>11</td>
<td>2.80</td>
<td>4.10</td>
<td>5.50</td>
<td>6.80</td>
</tr>
<tr>
<td>12</td>
<td>2.50</td>
<td>3.70</td>
<td>4.80</td>
<td>6.20</td>
</tr>
</tbody>
</table>
**New Proposed Scheme**

1.4 Officers proposed a simplified scheme which considered the types of use setting out four bands aligned as closely as possible to existing rates to avoid disruption. The number of charging categories reduced from 96 to 16.

1.5 The new scheme broadly maintains the status quo for overall income and was not driven by a desire to generate more income, but to simplify and streamline charges to avoid misinterpretation and to be applied more consistently across all centres.

1.6 Also noteworthy are the arrangements for groups who are part of a Community Governance Partnership Agreement as they are given a further 20% discount off the Community Charge.

1.7 The objective of the new scheme is to ensure charges remain affordable, realistic, cost effective and fair and to do this usage has been categorised within bands as described below. The new scheme has been developed to be broadly comparable against existing rates to seek to ensure that it actively encourages voluntary and community groups to use community centres:

- **Standard Rate** – This rate applies to Leicester based businesses and residents for private hire. This rate also applies to Leicester based public sector partners who are either supported by budgets for provision of services or have the opportunity to draw down external funding. This type of charge has traditionally always been higher due to the nature of use.

- **Community Rate** - Community Groups - Fees for this group have been kept as low as possible.

- **Instructor Rate** - Funded voluntary/community groups, activities charging for instruction and those clubs and groups charging local people fees for instruction, will be charged at a higher rate than the Community rate.

- **Commercial Rate** – Other individuals, groups and organisations based outside Leicester. These charges are set at a commercial rate to ensure that a reasonable cost is recovered from commercial organisations.
1.8 The simplified scheme is as described in the table below:

<table>
<thead>
<tr>
<th>Band</th>
<th>Facility</th>
<th>Standard Rate</th>
<th>Community Group Rate (Regular Bookings) 65% Discount</th>
<th>Instructor Rate (Regular Bookings) 40% Discount</th>
<th>Commercial Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Small Centre/Large Hall</td>
<td>20.00</td>
<td>7.00</td>
<td>12.00</td>
<td>50.00</td>
</tr>
<tr>
<td>II</td>
<td>Small Hall/Large Room</td>
<td>16.00</td>
<td>5.50</td>
<td>9.50</td>
<td>40.00</td>
</tr>
<tr>
<td>III</td>
<td>Medium Room</td>
<td>12.00</td>
<td>4.00</td>
<td>7.00</td>
<td>30.00</td>
</tr>
<tr>
<td>IV</td>
<td>Small Room/Office</td>
<td>8.00</td>
<td>3.00</td>
<td>5.00</td>
<td>20.00</td>
</tr>
</tbody>
</table>

2. Summary and Conclusions

2.1. The scrutiny commission has had this scheme as an item on the agenda on many meetings which eventually culminated in a final meeting on 20th August 2013. The commission had asked for detailed consultations to be carried out with users of the centres and this had been provided.

2.2. The commission looked separately at the particular challenges facing the Charging Scheme at Rushey Mead Community Centre as a closed item which meant they could see the impact in great detail for each group. It was concluded that the only fair way forward was to introduce a more transparent and consistently applied charging scheme.

2.3. In all the charging scheme was agreed by the commission with the following recommendations:

2.3.1. Officers consider a re-classification of those groups that currently use community facilities and have expressed concerns at the level of charges they are expected to pay.

2.3.2. Officers consider that where a Community Centre has a ‘lounge type’ or communal area, consideration be given for the group to use the space for free or at a discounted rate to reflect the non-exclusive nature of these areas/rooms.

2.3.3. Officers look to extend the same the transitional arrangements that have been offered to groups at the Rushey Mead Recreation Centre to similar groups across the City, where if the group have historically not been charged for the use of a room, transitional support is extended from 7 months to 2 years.
2.3.4. Officers look to find ways of reflecting within the fees and charging scheme the voluntary nature of work undertaken by certain groups who do not currently benefit from the discount or payback scheme offered to groups within a partnership agreement.

2.3.5. Officers to formalise ways of signposting community groups to appropriate sources of funding.

2.3.6. Community groups who have taken the time to write a written response to the consultation on the proposed Charging Scheme need to be given a formal response to their feedback, and that they are kept informed of the implementation and operation of the new Scheme.

2.3.7. Following the recent problems experienced with the Charging Scheme consultation exercise, databases containing details of community groups using the centres be updated more regularly, and more consideration is given to the way we engage with these groups effectively.

2.3.8. An impact assessment is completed covering the usage of community facilities and also the financial implications for the period immediately following the implementation of the new Charging Scheme. A report back to this Scrutiny Commission to be made in 6 months.

3. Response from Executive

3.1. We have had an initial response from the Executive to each of the recommendations made by the commission and these are expressed below as follows:

3.1.1. Officers are working case by case on each group to verify that the community group is being correctly assigned to the charge scale of the new scheme. Each group that has requested this will be informed of the outcome of the verification process.

3.1.2. Officers have identified the specific areas in the centres that would be designated as “lounge” or drop in areas (areas outlined below for information) together with criteria for use on a consistent basis.

- African Caribbean Centre Café
- Brite Library and Reception Area
- Eyres Monsell Lounge
- Fosse Library
- Linwood Centre Hall
- Manor House Old lounge
- St Matthews Library
- Stocking Farm Healthy Living Centre Reception
- Thurnby Lodge Community Library
- Tudor Area behind reception adjacent rooms
3.1.3. Officers have applied the 2 year transition payment scheme to those groups who are currently not paying for the room which do not qualify for “lounge” or drop in status. Each group will be informed of the outcome of the change.

3.1.4. The new Fees and Charges provides a 65% discount on the standard rate to recognise community group activities are operated on a voluntary basis and their contribution to encourage community involvement.

3.1.5. An information leaflet has been developed and a poster campaign will be launched by the end of September. Following the Community Services Organisational Review the new role of Community Engagement Officer will provide specific support to groups to make funding applications.

3.1.6. A letter has been devised and will be sent to all groups that have made a submission regarding their fees and charges by 6th September 2013.

3.1.7. Officers are currently developing a database which will capture the accurate information to assist in the use and development of centre programmes; income collection; and knowledge and contact with community groups. This will also provide a monthly report to the Assistant Mayor and Service Director, Culture and Neighbourhoods.

3.1.8. Officers are currently working on this to provide robust information for the Scrutiny Report to be presented in six month time.”

3.2. As per the final recommendation made by the scrutiny commission we will continue to monitor the impact of the charges and the implementation of the scheme.

3.3. The commission have also asked for more information regarding response 3.1.2 as we recognise this is a key recommendation and the response is not yet fully developed.

4. Report Author

Councillor Elly Cutkelvin
Chair, Neighbourhood Services & Community Involvement Scrutiny Commission
<table>
<thead>
<tr>
<th>OSC Meeting Date</th>
<th>Standing Items</th>
<th>Forward Plan and one-off items</th>
<th>Scrutiny Commissions Work Programmes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3rd July 2013</strong></td>
<td>City Mayor’s Accommodation Strategy Report to be presented to the Economic Development, Transport and Tourism Scrutiny Commission due to the lack of suitable early date. OSC members to be invited to attend for this item.</td>
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<tr>
<td>To be confirmed</td>
<td></td>
<td>Accommodation Strategy – Site visit to City Hall to be arranged by Peter Cook</td>
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</table>
| 31st October 2013 | Tracking of Petitions – Monitoring Report  
Revenue monitoring period 4  
Capital monitoring period 4  
Forward Plan and Corporate Plan of Key Decisions  
Questions for the City Mayor | Sir Clive Loader – Police and Crime Commissioner  
City Mayor’s Delivery Plan – update on targets  
Access for All  
City of Culture Bid – Full Report |                           |
| 28th Nov 2013    | Tracking of Petitions – Monitoring Report  
Review of treasury management activities first year half  
Discretionary rate relief awarded 2012/13  
Forward Plan and Corporate Plan of Key Decisions  
Questions for the City Mayor | Accommodation Strategy Implementation  
Pay and Workforce Strategy Review  
Equalities Service Practices  
Community Cohesion  
Health and Well-being update |                           |
| 19th Dec 2013    | Tracking of Petitions – Monitoring Report  
Revenue monitoring period 6  
Capital monitoring period 6  
Collection of Income, first half year  
Procurement Plan Monitoring - first half year  
Forward Plan and Corporate Plan of key decisions  
Questions for the City Mayor | The Impact of Welfare Reform |                           |
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<td>27&lt;sup&gt;th&lt;/sup&gt; March 2014</td>
<td>Tracking of Petitions – Monitoring Report Revenue monitoring period 9 Capital monitoring period 9 Forward Plan and Corporate Plan of key decisions Questions for the City Mayor</td>
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<td>24&lt;sup&gt;th&lt;/sup&gt; April 2014</td>
<td>Tracking of Petitions – Monitoring Report Forward Plan and Corporate Plan of key decisions Questions for the City Mayor</td>
<td>Access for All City Mayor’s Delivery Plan – update on targets Police and Crime Panel Update</td>
<td></td>
</tr>
<tr>
<td>13&lt;sup&gt;th&lt;/sup&gt; May 2014</td>
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