

ADULT AND COMMUNITY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 27 September 2011

Present:

Councillor Judi Ellis (Chairman)
Councillor Roger Charsley (Vice-Chairman)
Councillors Anderson, Ruth Bennett, Peter Fookes,
Julian Grainger, William Huntington-Thresher, Moore,
Tom Papworth, Catherine Rideout and Charles Rideout

Angela Clayton-Turner, Brian James, Leslie Marks and
Lynne Powrie

Also Present:

Councillor Robert Evans and Councillor Diane Smith

37 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies were received from Mr Keith Marshall and Mr Richard Lane. Mr Brebner Anderson and Mr Peter Moore attended as their respective alternates. Councillor Ruth Bennett submitted apologies for lateness.

38 DECLARATIONS OF INTEREST

Councillor Judi Ellis declared that her father had dementia and was resident in a care home in Bromley. In respect of Item 8b, Councillor Ellis declared that she was a governor at Riverside School.

Mr Brian James declared the following interests: he had a son on the autistic spectrum who was in Bromley supported living and attending Bromley College, a 17 year old son who was currently going through transition and he was an Associate Governor at Nash College.

Councillors Catherine and Charles Rideout declared that they had a foster grandson attending Marjory McClure school.

Councillor William Huntington-Thresher declared that he was the LB Bromley appointed representative to the Board of Broomleigh Housing Association and in respect of item 8a, he also declared that he had an interest in a property outside LB Bromley.

Mr Brebner Anderson declared that he was a Community Governor at Bromley Healthcare.

Councillor Diane Smith declared that she was the LBB representative on the Bromley Healthcare Council of Governors.

Councillor Peter Fookes declared that he was a Board Member of Penge Churches Housing Association.

Councillor Roger Charsley declared an interest as a Member of the Burgess Autistic Trust.

39 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

40 QUESTIONS TO THE ADULT AND COMMUNITY PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

No questions were received.

41 MINUTES OF THE MEETING OF ADULT AND COMMUNITY SERVICES PDS COMMITTEE MEETING HELD ON 26 JULY 2011

RESOLVED that the minutes of the meeting held on 26 July 2011 be agreed.

42 MATTERS ARISING FROM PREVIOUS MEETINGS
Report RES11081

The Committee considered a report providing an update on the progress made on matters outstanding from previous meetings.

RESOLVED that the progress made on matters outstanding from previous meetings be noted.

THE DIRECTOR OF ADULT AND COMMUNITY SERVICES

Prior to introducing reports for pre-decision scrutiny, the Portfolio Holder reported that Mr Terry Rich had moved on from his position as Director of Adult and Community Services. The Portfolio Holder and the Committee put on record their thanks and appreciation to Terry Rich who had done a remarkable job at Bromley, raising the Department for Adult and Community Services to a high standard. The Portfolio Holder and the Committee requested that their thanks and best wishes for the future be pass onto Terry Rich.

43 PORTFOLIO HOLDER DECISIONS TAKEN SINCE THE LAST MEETING

The Committee noted the decisions taken by the Portfolio Holder since the last meeting held on 26th July 2011.

44 PRE-DECISION SCRUTINY OF ADULT AND COMMUNITY PORTFOLIO REPORTS

**A) ADDRESSING RISING HOMELESSNESS AND HOUSING NEED AND ASSOCIATED BUDGETARY PRESSURES
Report ACS11053**

The Portfolio Holder introduced a report providing an overview of the current housing market supply and need position within Bromley. The report also outlined the initiatives and direction proposed to address the current mismatch between housing need and supply which was resulting in increased usage and cost of temporary accommodation with associated budgetary pressures.

The report detailed a range of current and proposed initiatives which would seek to minimise the use of more expensive forms of temporary accommodation and thus seek to reduce the projected budget overspend.

The Committee considered a range of issues including:

- **The data used in identifying trends.** The Head of Housing Need reported that the Department had gathered a significant amount of data for the trend analysis and paragraph 1.5 of the report provided a summary of this data. A detailed breakdown of the data could be provided to Members. Councillor Julian Grainger requested to see a monthly plot of the data that had been gathered.
- **Identifying homes for use in more affordable parts of the Country.** The Assistant Director (Housing and Residential Services) reported that some Homes & Community Agency funding had been used jointly by the South East London Boroughs through Housing Associations to purchase properties around the Kent coast. A Member highlighted that tenants within the private sector expected to move to properties in a number of geographical locations dependant on their available budget and individual circumstances. It therefore stood to reason that tenants in the social rented sector should be expected to adjust their expectations to fit with the budget available and their individual circumstances, and in certain cases this should mean considering properties in less expensive areas of the Borough or the Country. In response it was noted that under current housing/homeless legislation this could only be addressed by the Council with tenants and homeless families on a voluntary basis.
- **The payment in lieu.** The Assistant Director (Housing and Residential Services) reported that some of the payments, received by the Council

in lieu of affordable housing, had been invested in the Crown Meadow Court project whilst some funds had been used to support development for learning disability projects. By utilising funds received in lieu of affordable housing in partnership with Housing Associations, the fund produced more properties due to the greater proportion of the capital cost being borne by the Housing Association and repaid through the rental income stream. Meanwhile, purchase of existing properties generated supply more quickly than funding new development.

- **The supply of housing across the Borough.** A Member suggested that one of the key issues facing the Local Authority was that not enough properties were being built across the Borough. In response, the Assistant Director (Housing and Residential Services) acknowledged that less properties were currently being built but that in the current economic climate developers were not building houses as less people could afford to obtain a suitable mortgage or have the required deposit than prior to the recession. A Member stressed the importance of encouraging Councillors sitting on the Planning Sub-Committees to recognise that there was an increasing need for residential properties. The Assistant Director (Strategy and Performance) reported that this report would be forwarded to the Development Control Committee for consideration.
- In response to a question about household growth the Assistant Director (Housing and Residential Services) reported that a significant proportion of the population of Bromley were first time home occupiers and those suffering from marital breakdown and this impacted on the supply of housing in the Borough.
- A Member requested a statistical breakdown of the individuals on the housing register.

The Committee recommended to the Portfolio Holder that the inclusion of the theme of locating properties in less expensive areas of the Country in the strategy, and that the report be submitted to the Development Control Committee for information in consideration of the Core Strategy on Affordable Housing.

RESOLVED that the Portfolio Holder be recommended to:

- a) Agree the continued strategy and initiatives for 2011/12 as detailed in paragraph 1.18 of the report, the range of housing duties and needs in Bromley and to deal with increased pressures on the service and budget.**
- b) Approve the pursuance of the proposed initiatives and direction as outlined in paragraph 1.19 of the report and in particular the work around seeking use of empty Council buildings as temporary accommodation and the potential for using other forms of temporary accommodation – e.g. mobile homes,**

- c) **Approve the proposals for use of Payment in Lieu funds as detailed in paragraph 1.22 of the report aimed at contributing supply options to help address the issues raised in this report.**
- e) **Note and support the ongoing work of the Empty Homes Officers to contribute to the supply and help address the budget pressures and for the additional financial benefits as per paragraphs 1.26 to 1.28 of the report.**
- f) **Support the proposal to make a spend to save bid for a person to see through the work on the range of proposals and initiatives on increasing supply to reduce the pressures and spend on Bed and Breakfast accommodation;**
- g) **Support the proposal to make a bid for LBB capital to ensure sufficient funding for grants to bring empty properties back in to use with the aim of such grants to be in the form of loans to reduce the pressures and spend on Bed and Breakfast accommodation and increase the financial benefit to the Council from the New Homes Bonus.**
- h) **Agree to the inclusion of the theme of locating properties in less expensive areas of the Country in the strategy,**
- i) **Agree that the report be submitted to the Development Control Committee for information in consideration of the Core Strategy on Affordable Housing.**

B) INTEGRATED TRANSITION STRATEGY FOR YOUNG PEOPLE WITH LEARNING DIFFICULTIES AND/OR DISABILITIES
Report ACS11052

The Portfolio Holder introduced the draft Integrated Transition Strategy for young people with learning difficulties/disabilities, produced jointly by Adult and Community Services and Children and Young People Services with input from colleagues in health. The report proposed that the draft strategy be released for consultation.

The Interim Strategic Commissioner, Learning Disabilities, reported that LB Bromley, in conjunction with LB Bexley, had been one of only three London Boroughs that had been awarded SEN and Disability Green Paper pathfinder status.

The Committee considered the issues surrounding transition in depth. Mr Brian James reported a level of concern about the value of transition and felt that improved communication between Adult's Services and Children's Services would improve the transition process for all parties involved. Mr James highlighted that whilst he welcomed the pursuit of independence for young people going through transition, the process could create a level of isolation that could cause young people who had been more protected in

children's services to deteriorate. Mr James felt that independent living with some communal facilities could be more beneficial to young people with more complex needs.

The Assistant Director (Older People) recognised that transition had not always been a smooth process but that over the past year a significant amount of work had been undertaken. The new Department currently being formed within the Council would further help to develop the integrated care pathway. Work was currently being undertaken to ensure that the needs of the young people currently known to the Local Authority would be met in the future and should a request for communal facilities be received it would be given due consideration.

The Committee acknowledged there had been significant improvements in the past four years. A Member stressed the need to ensure there was enough flexibility in the process to ensure that young people going through the transition process could take the necessary steps at their own pace in order to find their independence. Lynne Powrie highlighted the need to ensure there was adequate information and support available to parent carers as young people went through the transition process.

The Committee recommended to the Portfolio Holder that reference to support for carers and families should also be included in the strategy.

RESOLVED that the Portfolio Holder be recommended to:

- (a) Agree to the inclusion of reference to the support available for families and carers within the draft strategy;**
- (b) agree to the release of the draft strategy for consultation for a period of 3 months from November 2011,**
- (c) note that the results of the consultation will be reported back to both Portfolio Holders being asked to endorse the final strategy via the appropriate PDS Committees.**

**C) GATEWAY REVIEW AND PROCUREMENT STRATEGY -
RESIDENTIAL AND NURSING HOME RESPITE CARE FOR OLDER
PEOPLE
Report ACS11050**

The Portfolio Holder introduced a report setting out the future approach to the provision of residential and nursing respite care and the development of alternative models of respite for older people. The report recommended a procurement strategy for care home based respite following the end of the current contract with Shaw Healthcare at Kingswood House.

The Commissioning Manager provided an overview of the report and stressed the importance of respite care and the need to have flexibility in the approach to the provision of respite care. The Committee heard that service users relied on respite care in very different ways, some booked their respite a long

time in advance whilst other periods of respite were booked at very short notice.

The Committee noted that that a further report on the wider aspects of respite care would be presented to a future meeting and this should be added to the Committee's work programme.

In response to a question, the Commissioning Manager reported that respite was designed to meet the needs of carers. Some carers would need short breaks whilst others would need more support. Respite was allocated through an assessment of need and was a service that was paid for by the Local Authority.

The Committee also recommended to the Portfolio Holder that it may be helpful for the Department to undertake a short satisfaction questionnaire that could be given to individuals who used the service.

RESOLVED that a further update report be presented to the Committee in September 2012 and that the Portfolio Holder be recommended to:

- (a) Agree that a short satisfaction questionnaire, aimed at the users of the service be undertaken;**
- (b) endorse the approach to the provision of residential and nursing respite care and the development of alternatives to care home respite; and**
- (c) approve the procurement intentions to establish contracts for residential respite services as set out in paragraphs 3.13 to 3.15 of the report.**

**D) BLUE BADGE GUIDANCE FOR APPLICANTS ELIGIBLE "SUBJECT TO FURTHER ASSESSMENT"
Report ACS11049**

The Portfolio Holder introduced a report providing an update to the London Borough of Bromley guidance on the administration of the national Blue Badge scheme within Bromley with reference to people who require further assessment. The report highlighted that the Blue Badge scheme was a national arrangement of parking concessions for people with severe walking difficulties who travel as drivers or passengers in cars. The Scheme was operated in Bromley in accordance with the guidelines set out by the Department for Transport. In June 2011, the Department for Transport released an updated national guidance document in conjunction with a Local Authority Circular (England) on eligibility changes; this was followed in July 2011 with a Good Practice Review document on delivery of improved Blue Badge administration, assessment and enforcement.

The Strategic Commissioner for Mental Health and Substance Misuse provided an overview of the report and highlighted the changes that had been made to the guidance.

Members of the Committee stressed that the assessments undertaken by applicants for Blue Badges should be rigorous and thorough but also fair. The Executive Assistant reported that she had observed an assessment following an appeal. The assessment had been thorough and had involved a number of different physical environments such as flat ground, stairs and corners.

In response to a question, the Strategic Commissioner reported that Blue Badges could be issued for up to six months, after this time they became invalid and it was an enforcement issue to ensure that badges had a valid date.

Angela Clayton-Turner highlighted that no consideration was currently given to people with dementia, many of whom could also have difficulties with transportation. Following discussion the Committee suggested that the Alzheimer's Society should be encouraged to lobby government.

Mr Brian James suggested that it would be helpful to have a strong link to Freedom Passes in the literature concerning Blue Badges. This would encourage younger people to use public transport and develop their independence.

Councillor William Huntington-Thresher, who was also Chairman of the Environment PDS Committee, reported that the issue of Blue Badges had also been considered by the Environment PDS Committee. The Chairman reported that she had considered the report presented to the Environment PDS Committee and endorsed the recommendations made by that Committee.

RESOLVED that the Portfolio Holder be recommended to endorse the criteria for the discretionary or under the 'subject to further assessment category' for applicants for the Blue Badge Scheme.

E) SERVICES FOR PEOPLE WITH PHYSICAL DISABILITIES
Report ACS11047

The Portfolio Holder introduced a report outlining the budgets for services for people with physical disabilities. The report outlined proposals to manage budget pressures by using the NHS funds which had transferred from the Primary Care Trust to the Local Authority in 2011-2012 and 2012-2013. The Committee noted that the proposals would be submitted to the Executive on 19th October 2011 for draw-down of the funds.

The Assistant Director (Older People) provided an overview of the report and tabled an updated chart showing the spend on services for people with physical disabilities from 2008/9 to 2010/11. The Committee were also provided with additional literature on Extra Care Housing in the Borough.

Councillor Ruth Bennett reported that she had visited Crown Meadow Court both as a Ward Member and on an official Council visit. Councillor Bennett

highlighted the excellent work being undertaken as part of the Extra Care Housing project and stressed how proud she was of what had been achieved.

Councillor Tom Papworth requested that the Committee be provided with the average costs of nursing placements in order to identify whether costs were rising. The Assistant Director (Older People) undertook to provide the information requested and reported that costs had risen as the level of need had increased.

The Assistant Director (Older People) reported that the Department was increasingly seeing that people wished to live in their own self-contained properties which gave people with physical disabilities a certain level of independence.

RESOLVED that the Portfolio Holder be recommended to support the proposals for investment of the NHS social care funds for presentation to the Executive on 19th October 2011.

**F) BUDGET MONITORING 2011/12
Report ACS11048**

The Portfolio Holder introduced a report outlining the budget monitoring position for 2011/2012 based on activity up to the end of June 2011.

In response to a question, the Head of ACS Finance reported that the Department had seen growth within the Physical Disabilities budget and it was likely that the budget would continue to grow. The Department was currently reviewing spend-to-save initiatives around physical disabilities and this would enable cost pressures to be managed in the future. Any proposals would be presented to the Executive for consideration.

The Head of ACS Finance also highlighted the cost pressures outlined on page 101 of the report and gave assurances to the Committee that officers within the Department would be meeting regularly to review and manage these pressures.

RESOLVED that the Portfolio Holder be recommended to note that a projected underspend of £295,000 is forecast, based on information as at June 2011.

**G) CAPITAL PROGRAMME MONITORING - 1ST QUARTER
Report RES11099**

The Portfolio Holder introduced the revised Capital Programme for the Adult and Community Portfolio following changes agreed by Executive on 20th July 2011.

In response to a question, the Head of ACS Finance confirmed that the project for the Learning Disability Day Centre related to the proposed sale of Leasons.

RESOLVED that the Portfolio Holder be recommended to note and confirm the revised Capital Programme agreed by the Executive in July 2011.

**45 ORPINGTON HEALTH SERVICES PROJECT
Report RES11096**

The Committee considered a report outlining options for the future of health services in Orpington, and in particular the hospital, due to recent changes. These included the reduced usage of the hospital estate, recommendations from the Independent Reconfiguration to A Picture of Health, having facilities that were not suitable for modern healthcare and also the costs of running underutilised facilities.

Dr Angela Bhan from Bromley Business Support Unit, Diane Hedges, Project Director, Strategic Commissioning and Jonathan Pearce, Director of Estates at South London Healthcare Trust attended the meeting to respond to questions from the Committee.

Dr Bhan highlighted that the key drivers for the proposed changes were outlined in the report and the Project Group was being asked to make recommendations about commissioning and providing services in Orpington. A Needs Assessment had been undertaken in the summer and existing data held by the PCT had been used to inform and deliver the Needs Assessment on time. At the time the Committee's agenda had been published the Needs Assessment had not been completed but as this process had now finished, Dr Bhan suggested that it would be helpful if the document were circulated to Members of the Committee.

A Member questioned whether any consideration had been given to allowing another hospital provider to take over the site. The Project Director acknowledged that no consideration had been given to this, but that it could be included as a further option in the consultation.

Another Member suggested that the NHS could also consider commissioning services through private providers and this should be added to the consultation as a further option.

The Committee agreed that further consideration should be given to the proposals at the Health Scrutiny Sub-Committee that would be held on 15th November 2011.

RESOLVED that the report be noted and that further consideration be given to the proposals at the Health Scrutiny Sub-Committee on 15th November 2011.

**46 WORK PROGRAMME
Report RES11082**

The Committee considered its work programme for 2011/2012. Members noted that the November meeting would now be held at 7pm on 30th November 2011.

A further meeting of the Health Scrutiny Sub-Committee would be held on 15th November 2011.

RESOLVED that the work programme be noted.

**47 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL
GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER
2006 AND THE FREEDOM OF INFORMATION ACT 2000**

RESOLVED that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**48 PRE-DECISION SCRUTINY OF EXEMPT (PART 2) ADULT AND
COMMUNITY PORTFOLIO REPORTS**

**A) AWARD OF FRAMEWORK AGREEMENT FOR CARE SERVICES IN EXTRA
CARE HOUSING
Report ACS11046**

The Portfolio Holder introduced a report setting out the results of the tendering process for the Framework Agreement for Care Services in Extra Care housing. The report made recommendations for award.

RESOLVED that the Portfolio Holder be recommended to agree the recommendations outlined in the report.

**B) OUTCOME OF TENDERING FOR ADULT AND YOUNG PEOPLE
SUBSTANCE MISUSE SERVICES
Report ACS11051**

The Portfolio Holder introduced a report outlining the outcome of tendering for adult and young peoples' substance misuse services. The report also sought agreement from the Portfolio Holder to the award of the contract for young peoples' services and to the council's contribution from the Young Peoples Substance Misuse grant.

RESOLVED that the Portfolio Holder be recommended to agree the recommendations in the report.

The Meeting ended at 10.45 pm

Chairman

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