

COMMUNITY SERVICES
STANDING SCRUTINY PANEL

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 4th November 2009 at 10.00 a.m.

Present: Councillors Robin Reid (Chair), Ian Douglas, Ann Galbraith, Bill Grant, Elaine Little, Alec Oattes and Philip Saxton.

Apology: Councillor John Allan.

Attending: D. Russell, Head of Legal and Administration; K. Leinster, Head of Community Care and Housing; C. Monaghan, Head of Policy, Performance and Communication; P. Linton, Performance and Change Management Manager; and D. Knight Committee Services Officer.

Also attending: Councillors Peter Convery, Hugh Hunter, John McDowall and Helen Moonie.

1. Item for Call-in – Motion – The Adult Care and Support Green Paper (England): Shaping the Future of Care Together.

Reference was made to the Minutes of the Leadership Panel of 27th October 2009 (Page XX, paragraph 1) when that Panel, having considered the terms of a Motion from Councillor McFarlane, seconded by Councillor Convery, had agreed

“The Adult Care and Support Green Paper (England): Shaping the Future of Care Together.

The Green Paper is part of a very long running debate and its proposals are still under wide public consultation. The Paper sets out proposals for England only but does not take into consideration of cross border implications. The Green Paper takes the view that care in England cannot be funded from general taxation, it describes three options for long term funding rather than offering a single recommended proposal. Some of the funding proposals particularly relate to benefits and attendance allowance and could have serious implications for Scotland’s Councils if implemented.

We ask this Council to advise COSLA of our concerns and that COSLA respond to the consultation on the Green Paper.”

The Panel was advised that the Motion had been the subject of a call-in for the following reasons:-

- (1) what is the detail of the relevance of the Motion to South Ayrshire Council?
- (2) further information required regarding the “serious implications” for South Ayrshire Council?
- (3) clarification of the three options proposed for funding of the national care scheme in England contained within the Green Paper?
- (4) what detailed concerns will be expressed to COSLA? and

- (5) is it the intention that South Ayrshire Council responds to the consultation document, in which case will the response require approval of the full Council or is the Council asking COSLA to respond to the consultation?

Councillor Convery, the seconder of the Motion advised that due to a prior commitment, Councillor McFarlane had been unable to attend this meeting and on her behalf, conveyed her apologies to the Panel.

The Head of Community Care and Housing outlined the relevance of the Green Paper to South Ayrshire Council in questioning, should a person living in Scotland relocate to England, how would they be able pay for potential care and the financial implications of a person living in England who had paid into the proposed scheme, relocating to Scotland where personal care was free.

The Chair requested clarification with regard to the terms of the Motion that had been published on the agenda calling the meeting of the Leadership Panel on 27th October 2009 and the decision that had been taken at that meeting and the competence of the questions which related to the original Motion.

The Head of Legal and Administration advised that the call-in had been competent and in response to a question as to whether the Leadership Panel could change the terms of a Motion and whether correct procedures had been followed, he intimated that an amended Motion had been tabled and agreed by the Leadership Panel and confirmed that correct procedures had been followed and that the terms of any Motion could be amended or altered at the meeting.

A full discussion took place and questions were raised by Members of the Panel in relation to issues under the Barnett Formula and the potential financial implications of the Green Paper and the relevant Officers responded accordingly.

Decided: following review, that the decision of the Leadership Panel in respect of this matter be confirmed and implemented.

Councillor Grant joined the meeting at 10.10 a.m. during consideration of the foregoing item.

2. Minutes of previous meeting.

Decided: to note the Minutes of the meeting of 23rd September 2009 (issued).

3. Remit from the Leadership Panel: South Ayrshire Directorate Plans.

Reference was made to the Minutes of the Leadership Panel of 27th October 2009 (Page 000, paragraph 7) when it had been decided, having considered a report (issued) of 19th October 2009 by the Head of Policy, Performance and Communication, to record their appreciation of the work undertaken by Officers and Elected Members in the preparation of South Ayrshire Council's Directorate Plans and

- (1) to approve the Children and Community Directorate Plan for 2009-12;
- (2) to approve the Corporate Services Directorate Plan for 2009-12;
- (3) to approve the Development and Environment Directorate Plan for 2009-12; and

- (4) to agree to remit the individual Directorate Plans to the relevant Standing Scrutiny Panel for further consideration,

there was submitted a report (issued) of 29th October 2009 by the Head of Policy, Performance and Communication providing a mapping between objectives within the Directorate Plans and Scrutiny Panels.

Having heard the Head of Policy, Performance and Communication in further detail, various questions relating to the Plans were raised, to which she responded accordingly.

Decided: to agree that progress on those objectives which related to this Panel be presented to this Panel, on a six monthly basis.

4. **Work Programme of Reviews – Community Services Standing Scrutiny Panel.**

The Head of Legal and Administration reminded the Panel of the detail in the Guidance for Undertaking Scrutiny Reviews to facilitate consideration of the Panel's further Scrutiny Review Programme.

Decided: to agree

- (1) that prior to the next meeting of this Panel, Members should intimate areas they would like to be reviewed to the Chair and the Executive Director – Children and Community; and
- (2) that the Executive Director – Children and Community should submit a report suggesting a programme of Scrutiny Reviews to the next meeting of this Panel, scheduled to take place on 2nd December 2009.

The meeting ended at 11.15 a.m.