

# CHESHIRE EAST COUNCIL

## HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

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**Date of meeting:** 12 August 2010  
**Report of:** The Borough Solicitor and Monitoring Officer  
**Title:** Call In of Cabinet Decision 48 - Future Provision for Older People with Dementia

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### **1.0 Report Summary**

- 1.1 This report sets out the procedure for the Call In of Cabinet Decision 48 - Future Provision for Older People with Dementia, and encloses the original report considered by Cabinet on 19 July 2010.

### **2.0 Recommendations**

- 2.1 That the Scrutiny Committee considers whether or not it wishes to offer advice to Cabinet in response to the Call In.

### **3.0 Wards Affected**

- 3.1 All

### **4.0 Local Ward Members**

All for overall Dementia Strategy.

For Cypress House:

Councillors Crockatt, Whiteley and Stockton

For Crewe building changes:

Councillors Conquest, Martin, Thorley, Beard, Bebbington, Jones, Cannon, Flude, Howell, Cartlidge, Parker, Weatherill

### **5.0 Policy Implications**

- 5.1 Contained within the attached Cabinet report.

### **6.0 Financial Implications for Transition Costs**

- 6.1 Contained within the attached Cabinet report.

### **7.0 Financial Implications for 2009/10 and beyond**

- 7.1 Contained within the attached Cabinet report.

## **8.0 Legal Implications**

8.1 Contained within the attached Cabinet report.

## **9.0 Risk Assessment**

9.1 Contained within the attached Cabinet report.

## **10.0 Background and Options**

10.1 In accordance with Scrutiny Procedure Rule 12.3, Councillors D Flude, M Martin, T Beard, A Moran, M Parsons, C Thorley, R Cartlidge and S Conquest have called in the above decision for the reasons identified in Appendix 1.

10.2 In accordance with Scrutiny Procedure Rule 12.6, the Scrutiny Committee has three options. It may decide to offer no advice, in which case the decision may be implemented. If the Scrutiny Committee decides to offer advice, the matter must be referred to Cabinet in order for a decision to be made upon it, the Cabinet in accordance with Scrutiny Procedure Rule 12.8 will not be bound to accept any advice offered to it and will have sole discretion on any further action to be taken, such action may include:

- (1) Confirming with or without amendment the original decision; or
- (2) Defer the matter pending further consideration; or
- (3) Make a different decision.

Or the Scrutiny Committee may decide to recommend full Council to review the decision and decide whether or not to offer advice.

10.3 Where the Scrutiny Committee decides to offer advice, this must be clearly documented in the minutes.

10.4 If the Scrutiny Committee decides not to offer any advice, then the decision of Cabinet can be implemented immediately.

10.5 Full details of the Call In Procedure can be found at Scrutiny Procedure Rule 12.

10.6 The appropriate Cabinet Member and Officer will attend the meeting to explain the background and reasons for the decision and to answer any questions the Committee may have.

10.7 The following wording records the Cabinet decision of 19 July 2010:

### **“RESOLVED**

For the reasons set out in the report, and as now reported: -

That agreement be given: -

1. To the closure of Cypress House based on the results of discussions with service users and their carers and noting that services currently provided on the site are available and nobody who qualifies will be denied a service.
2. That, Cypress House be declared surplus to requirements and that it be sold on the open market if not required for Cheshire East Council.

3. To complete further work to progress the business case to develop two further sites, one in Macclesfield and one in Congleton to deliver the Dementia model jointly with Central and Eastern Cheshire Primary Care Trust, with a next report anticipated for Cabinet in October this year.
4. To the rationalisation of building use where this does not impact upon the range and volume of service provided to enable additional capital receipts to be added to support progress with the Living with Dementia strategy.
5. To recognise that Care4CE has reduced its cost base, rationalised its structure and purpose in line with Cabinet decisions and budget requirements and should now explore securing further commercial freedom to assist its development as an asset to Cheshire East Council. “

10.8 The Cabinet report is attached at Appendix 2.

10.9 A report in response to the issues raised in the Call In Notice is attached at Appendix 3

11.0 **Appendices**

Appendix 1 – Call In Notice

Appendix 2 – Cabinet Report – 19 July 2010

Appendix 3 – Response to the issues raised in the Call In Notice

***For further information:-***

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***Background Documents:-***

The Council's Constitution

Documents are available for inspection at:

Legal and Democratic Services, Westfields, Middlewich Road, Sandbach, CW11 1HZ