

CALL-IN OF CABINET DECISION (5/3/2012) RE BEXTON COURT
Response by Lorraine Butcher - Strategic Director of Children, Families & Adults

NOTICE OF CALL-IN

There has been no specifically worded notice of this call-in but it results from an email from Ms Charlotte Peters Rock (see attached). In this report we address the key point made in that email:

However, we are now in a position where all Day and Respite Care, which formerly supported Family Carers in the Knutsford area, has been removed by Cheshire East Council - and all with no Consultation. That is unlawful

BACKGROUND & CONTEXT

On 5th March 2012 Cabinet took the decision, amongst others, to confirm the permanent closure of Bexton Court which had previously been closed temporarily since November 2010.

The reasons for the review which resulted in the Cabinet decisions included the following factors:

- Customer demand has changed over time for day and respite services. One of the key factors in this has been Personalisation. This has allowed customers to opt to purchase services from the independent sector via a direct payment rather than receiving them from the Council. As such, it gives them the opportunity for greater choice and control.
- The Council has recognised that it must respond to rising expectations of service quality and choice. Following the Cabinet Paper in January 2011 on Lifestyle Centres, pilots have taken place for interested service users with lower levels of need at Wilmslow and Macclesfield Leisure Centres. These pilots have offered service users greater choice and variety in services, offering the potential for real enhancement in quality of life. They therefore offer a genuinely empowering alternative to existing day services for some service users.
- A consequence of these two factors has been that a number of Council day and respite services are experiencing significant under capacity. This means these services are disproportionately expensive in relation to the number of customers they assist.
- Many of the buildings used are ageing, becoming unfit for purpose and are not equipped to meet modern customer expectations. The need for investment is recognised but this must be done prudently and be focussed on creating a smaller number of better equipped facilities that will operate at high occupancy in order to reap maximum benefit from the investment and the ongoing expenditure on resources

KEY POINT – LACK OF CONSULTATION

The comment that there has been no consultation (particularly in respect of Bexton Court) seems to be the crux of the call-in. However it is unclear whether the statement actually refers to the democratic process followed, the actual consultation

process itself, or the fact that Bexton was perceived not to be included in the consultation process.

Accordingly all three aspects are addressed below:

Democratic Process:

- Bexton Court has in fact been included in two separate consultations: the first conducted by Cheshire County Council (July-Oct 2007), the second conducted by Cheshire East Council (Sept-Dec 2011)
- In both these instances a full and proper democratic decision making process was followed both before and after the consultation.
- The very first recommendation in the Cabinet report of 5 March was:
 - To recognise the importance of ensuring that the outcome of the public consultation (see attached document) is carefully considered when evaluating the proposals contained in the attached business case.

The Consultation process

- The consultation was a borough-wide exercise run in accordance with accepted best practice. It was widely promoted using posters in all Council buildings with leaflets and letters given to customers and carers. It received extensive local press coverage.
- The consultation included 17 meetings for both the public and customers & carers with a total of 389 people attending.
- Whilst the Council does have a duty to consult on major changes to services and take the results of those consultations into account, it is not bound to make decision purely on the outcome of such consultations but to weigh those outcomes against the broader scenario in which the Council operates.
- In this instance the consultation did result in changes to the original proposals with the retention of Day Care services at the Stanley Centre together with a revision of plans for respite in Crewe and Nantwich. It can therefore be demonstrated that it was fully taken into account when developing the final proposals

None inclusion of Bexton Court in the Consultation

- Bexton Court was specifically mentioned, and with equal parity to the Stanley Centre and others, in the public consultation document and information pack
- Bexton Court was specifically mentioned, and with equal parity to the Stanley Centre and others, in the public consultation presentation slides used at all the public and customer meetings
- Every attempt was made to include former customers of Bexton Court including inviting them, and their carers, personally by letter to attend additional drop-in sessions organised solely for them – none accepted that invitation
- It can be easily deduced that it was widely understood that the consultation included Bexton Court given that:
 - Fol requests relating to Bexton have been received both during and after the consultation period – three such questions were from Ms Peter Rock
 - In its response to the consultation Knutsford Town Council commented 'Within this report was the recommended permanent closure of Bexton Court and the Stanley Centre, both located on the current Bexton Road

Community Hospital site. Relocation of these services to various locations across east Cheshire; Wilmslow, Macclesfield and Congleton was proposed.

- Coverage in the Knutsford Guardian, including articles on 7 and 14 Sept, refers to 'transfer of services from Bexton Court and the Stanley Centre

Taking all the above into consideration we therefore believe that a full and proper consultation in respect of Bexton Court, and the other elements in the proposals, was undertaken.

Lorraine Butcher
Strategic Director of Children, Families & Adults