PORTFOLIO HOLDER DECISION MEETING 22 MARCH 2007

Councillors: * Chris Mote

* Denotes Member present

[Note: Councillors Margaret Davine and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 21 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

15. **Declarations of Interest:**

RESOLVED: To note that no interests were declared in relation to the business to be transacted at this meeting.

16. **Minutes:**

RESOLVED: That the minutes of the meeting held on 30 November 2006 be taken as read and signed as a correct record.

17. **Petitions:**

RESOLVED: To note that no petitions were received under the provisions of Executive Procedure Rule 15 (Part 4D of the Council's Constitution).

18. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Executive Procedure Rule 16 (Part 4D of the Council's Constitution).

19. **Matters referred to the Executive Member (if any):**

RESOLVED: To note that no matters had been referred to the Executive Member for reconsideration in accordance with the provisions contained in the Overview and Scrutiny Procedure Rule 22 (Part 4F of the Council's Constitution).

20. **Reports from the Overview and Scrutiny Committee or Sub-Committees (if any):**

RESOLVED: To note that no reports had been received.

21. **Urgent Key Decision - Consultation on possible changes to Adult Community Care Services:**

It was noted that the meeting had been convened at short notice for the reasons set out in the agenda.

The Director of Adult and Community Care Services introduced the report, which required the Leader of the Council to determine whether to amend the decision of Cabinet on 15 March 2007 to consult on two options in relation to the Eligibility Criteria under 'Fair Access to Care Services' consultation.

The Leader of the Council explained that, following further advice and, in light of the Council's challenging financial situation, it would be misleading to consult on the option to retain the 'status quo'. However, should the Council's financial situation improve, the matter could be re-visited.

In accordance with Executive Procedure Rule 25.5 (Part 4D of the Council's Constitution), the Leader of the Council invited Members present to address the meeting. They made the following comments:-

- The stakeholders, who had taken part in the pre-consultation, had requested that the option to retain the 'status quo' be consulted on and that this option ought to be retained for the purposes of the wider consultation exercise in order to retain the confidence of the stakeholders. It was then for the Cabinet to decide on their preferred option when the outcome of the consultation was known;

- If the Leader of the Council was minded to amend the decision of the Cabinet, then it should be subject to a caveat;

- A Portfolio Holder had only recently prided on the consultation with stakeholders;

In response, the Leader of the Council stated that he intended to write to all the stakeholders who had taken part in the pre-consultation stage on this matter. He reiterated that it would be misleading to consult on an option, which was unlikely to be adopted.

In response to questions from Members, the Director of Adult and Community Care Services stated that consultees would have an opportunity to provide constructive feedback during formal consultation. In addition, the consultation would set out details of which groups of people would not be affected by the proposed changes.

RESOLVED: (1) To amend the decision of the Cabinet on 15 March 2007 to consult on two options and that officers consult only on the following option: "To meet only 'critical band' assessed needs and to stop paying for any assessed needs at 'substantial band' or below";

(2) that a letter be sent to those consulted at the pre-consultation stage to explain the decision taken at this meeting.

Reason for Decision: To respond to concerns expressed by a senior Councillor and to allow the planned consultation to proceed.

(Note: The meeting having commenced at 4.04 pm, closed at 4.21 pm)

(Signed) COUNCILLOR CHRIS MOTE