

## OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 16TH MAY, 2007

**PRESENT:** Councillor G Driver in the Chair

Councillors B Anderson, J Bale, B Cleasby,  
P Grahame, T Leadley and R Pryke

Apologies Councillor B Lancaster

### 106 Declaration of Interests

Councillor Leadley declared a personal interest in respect of Agenda Item 7, 'Review of Called-In Decision – Services based at Terry Yorath House' (Minute No 107 refers) in his capacity as a relative of a service user in receipt of respite care (no direct link to Terry Yorath House). See also Minute No 108.

### 107 Call-In of a Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

The options available to OSC in respect of the called-in decision were explained. Due to the nature of the decision, the options were:-

Option 1 – Release the decision for implementation. Having reviewed the decision OSC could decide simply to release it for implementation. If this option was chosen, the decision would be released for immediate implementation, and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, OSC could recommend the Director of Adult Services to reconsider the decision. The officer would be obliged to reconsider the decision and would publish the outcome of her deliberations on the Council's delegated decision system. The decision could not be called-in again, regardless of whether or not it was varied.

**RESOLVED** – That the report be noted, and the procedures outlined in the report be adopted for this meeting.

### 108 Review of Called- In Decision - Services based at Terry Yorath House

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to a delegated decision taken on 1<sup>st</sup> May 2007 by the Director of Adult Services to extend an existing contract with the Disabilities Trust for the provision of care services at Terry Yorath House for a period of 12 months from 31<sup>st</sup> March 2007, with an option for two further possible extensions of 12 months each, whilst a service review and

procurement exercise was undertaken. The decision also allowed for a 4 month notice of termination of contract period.

The delegated decision had been called-in for review by OSC by Councillors Grahame and Leadley on the following grounds respectively:-

- 1 Concerns over the potential closure of Terry Yorath House, which provides housing and respite care for disabled adults. Councillors were concerned that the views of current residents have not been taken into account; and
- 2 Terms of new contract, such as four month notice of termination; terms of existing contract such as 'peppercorn' rent; obligations of both sides need clarifying.

The following people were present at the meeting, presented evidence and responded to Members' queries and comments:-

Sandie Keene, Director of Adult Social Services  
Tony Pugh, Social Services Department  
Alden Chadwick, Social Services Department  
Barbara Robinson, Social Services Department  
Mark Woolford, Corporate Procurement Unit  
Gerry Gillen, Legal and Democratic Services.

(NB: Councillor Bale declared a personal interest in this item in his capacity as a parent and joint carer of a service user (no direct link to Terry Yorath House).

## **109 Outcome of Call-In**

Following the receipt and consideration of evidence presented to them, OSC deliberated regarding the options available to the, as outlined in Minute No 106.

The Committee resolved to adopt Option 2.

**RESOLVED** – That the Director of Adult Services reconsider her decision in respect of this matter taking into account the views expressed by Members during the course of the discussion.