

AT A MEETING of the CHILDREN AND YOUNG PEOPLE SELECT COMMITTEE of the COUNTY COUNCIL held at The Castle, Winchester on 12 September 2014.

PRESENT

Chairman:
p Councillor Ray Bolton

Councillors:

p John Bennison	p Ken Moon
p Ann Briggs	p Andy Moore
p Rita Burgess	p Jackie Porter
p Christopher Carter	a Patricia Stallard
a Roz Chadd	p Bruce Tennent
p Criss Connor	p Ken Thornber
p Marge Harvey	p Malcolm Wade
p Roger Huxstep	p Patricia West
a Warwick Lovegrove	p Christopher Wood
p Martin Lyon	

Substitute Members:

p Keith Evans

Co-opted Members:

a Rosemary Olivier: Roman Catholic Schools Representative
a Richard Wharton: Church of England Schools Representative
a Claire Dodd: Primary School Parent Governor Representative
a Andrew March: Secondary School Parent Governor Representative
p Louise Vardy: Special School Parent Governor Representative

At the invitation of the Chairman:

p Councillor Peter Edgar – Executive Member for Education
p Councillor Keith Mans – Executive Lead Member for Children’s Services

At the commencement of the meeting, the Chairman suspended Standing Order 10 for the purposes of the meeting to permit the press and members of the public to film and record the proceedings, with the exception of any items of business that had been excluded in accordance with Part 1 of Schedule 12A to the Local Government Act 1972. He reminded attendees that by remaining at the meeting they were consenting to being filmed and recorded, and to the possible use of those images and recordings for broadcasting purposes.

56. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Roz Chadd, Warwick Lovegrove and Patricia Stallard and co-opted member Richard Wharton.

57. **DECLARATIONS OF INTEREST**

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest and, having regard to Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Personal Interest in a matter being considered at the meeting they considered, having regard to Part 5, Paragraph 4 of the Code, whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, considered whether it was appropriate to leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with the Code.

58. **DEPUTATIONS**

A deputation was received from Gail Bedding of Hampshire Parent Carer Network (HPCN).

At the invitation of the Chairman, Gail Bedding addressed the Committee and thanked the members who had requested the call-in. She felt that on behalf of the parents and carers of disabled children in Hampshire, HPCN wanted to do all it could to save the short breaks programme. She explained that many had tried to influence the decision using facts and figures, analogies and letters from young people, but hadn't made a difference. She gave examples of the kind of care she and other parents gave to their disabled children and expressed the exhausting nature of it and the parents need for some respite, currently provided through the short breaks programme. She had calculated the cost of nine families putting their children into care as £1.8m, the amount required in savings from the short breaks programme. She explained the social, developmental and learning benefits to children of short breaks and felt that those children's full potential would not be reached without the programme. She did not want to see the most vulnerable families hit by cuts and asked that funding be provided for a further year to give the voluntary sector time to step up; to allow HPCN to work with providers on alternatives; to implement a strategic partner or parent consortium.

The Chairman thanked Gail Bedding for her comments and invited her to stay and hear the Committee's consideration of

the call-in request.

59. **CHAIRMAN'S ANNOUNCEMENTS**

In the absence of the Vice Chairman, the Chairman asked Cllr Pat West to assist him during the meeting.

The Chairman explained that as the Committee was meeting to consider an item which was not education related, the co-opted members did not have voting rights at the meeting.

Finally, the Chairman explained that the Committee's co-opted members representing the RC and CofE Diocese' had moved on to other things and, on behalf of the Committee, he expressed his thanks for their service and best wishes for their future. It was expected that their successors would be confirmed at the meeting of the County Council on 18 September 2014.

60. **CONSIDERATION OF REQUEST TO EXERCISE CALL-IN POWERS**

The Committee received a report (Item 5 in the Minute Book) from the Head of Governance and Monitoring Officer regarding a request by a quorum of members of the Select Committee to exercise call-in powers in respect of a decision by the Executive Lead Member for Children's Services to commence a public consultation on proposals to implement a new short break delivery programme including the creation of eligibility criteria to determine equality of access to the programme.

The Head of Governance and Monitoring Officer outlined the role of the Select Committee, which was to hold the Executive to account. However, this did not mean the Select Committee had the power to direct the Executive. Statutory guidance advised that the Executive should take into account the views of the Select Committee, but that it was free to take into account other factors in its decision-making process and make other determinations. She explained that the decision of the Executive Lead Member was in line with the budget decision of the Council in February 2014 and concerned implementation of that budget decision. Therefore, the option open to the Select Committee was to consider whether or not to ask the Executive Lead Member to reconsider his decision.

During the discussion, the following main points were made:

- Request that overnight short breaks be the subject of a separate consultation, to prevent any conflict and confusion
- Request for the funding reduction to be delayed to enable longer to plan, manage and implement the changes needed
- Expressed concern about the adverse impact on people providing care or working in a special needs area
- The proposed funding reduction was inconsistent with the

- aim of improving the lives of constituents
- Future consequential cost of potential residential care or alternative support unknown
- The essence of the Select Committee request to protect funding had been ignored
- The Executive Lead Member had committed to take into account the recommendations of the Select Committee in making the final decision following the consultation, and therefore the Committee should also wait for the results of the consultation before making any further recommendations.
- Suggestion that the invest to save reserve be used to delay the funding reduction

At the invitation of the Chairman, the Executive Lead Member for Children's Services addressed the Committee and thanked it and other attendees and in particular Gail Bedding for making her deputation. He confirmed that in making his decision to commence a public consultation, he did not ignore or turn down the recommendations of the Select Committee. He made an undertaking to include those recommendations, the deputations and the petition received at the meeting in the consultation response, which he expected to guide the consultation and enable others the opportunity to comment on the proposals. Once the consultation closed, he would consider all the responses, comments and recommendations and make a decision at the earliest opportunity to allow those affected as much time as possible to plan and prepare for the future.

In summarising the debate, the Chairman reminded the Committee of the Head of Governance and Monitoring Officer's advice on the law, the Constitution and the option open to the committee, as well as her confirmation that the decision of the Executive Lead Member was within the budget passed by the County Council in February 2014, to which all members contributed. The Committee had also heard from the Executive Lead Member who confirmed that the recommendations of the Select Committee were taken into account in his decision to go out to consultation, and would also be included in the consultation responses.

The Chairman's view was that it would be improper to ask the Executive Lead Member to reconsider his decision to go out to consult in respect of implementation of the budget decisions.

However, in line with the option open to the Select Committee, the Chairman proposed the recommendation that the Executive Lead Member for Children's Services should be requested to reconsider his decision as set out in the Decision Record attached as an Annex to the report, and it was voted upon as follows:

- 7 members of the Committee voted in favour of requesting the Executive Lead Member to reconsider his decision.
- 11 members of the Committee voted in favour of not requesting the Executive Lead Member to reconsider his decision.

RESOLVED:

That the Executive Lead Member for Children's Services should not be requested to reconsider his decision as set out in the Decision Record attached as an Annex to the report.