

PUBLIC

MINUTES of a meeting of **COUNCIL** held on Wednesday, 29 November 2023 at Council Chamber, County Hall, Matlock.

PRESENT

Councillor T Ainsworth (in the Chair)

Councillors B Lewis, S Spencer, R Ashton, D Allen, N Atkin, J Barron, B Bingham, J Bryan, S Bull, S Burfoot, A Clarke, D Collins, C Cupit, A Dale, C Dale, J Dixon, R Flatley, M Ford, E Fordham, A Foster, R George, A Gibson, K Gillott, N Gourlay, D Greenhalgh, L Grooby, C Hart, A Hayes, A Haynes, G Hickton, S Hobson, N Hoy, R Iliffe, J Innes, T Kemp, G Kinsella, W Major, R Mihaly, P Moss, D Muller, D Murphy, G Musson, J Nelson, P Niblock, R Parkinson, J Patten, C Renwick, P Rose, P Smith, A Stevenson, A Sutton, S Swann, D Taylor, J Wharmby, D Wilson, J Woolley and M Yates.

Apologies for absence were submitted for Councillor K S Athwal, M Foster, T King, L Ramsey and J Siddle.

Officers present: Emma Alexander (Managing Director), Joe O'Sullivan (Executive Director - Corporate Services and Transformation), Helen Barrington (Director of Legal and Democratic Services), Mark Kenyon (Director of Finance and ICT), Carol Cammiss (Executive Director - Children's Services), Chris Henning (Executive Director - Place), Alec Dubberley (Head of Democratic and Registration Services) and Iain Little (Deputy Director of Public Health).

82/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Athwal, M Foster, King, Ramsey and Siddle.

83/23 DECLARATIONS OF INTEREST

None received.

84/23 PUBLIC QUESTIONS

Question from David Ingham to Councillor S Spencer, Cabinet Member for Corporate Services and Budget

“Further to my question being presented at Full Council this afternoon I'm now aware that despite action taken there's still a projected overspend of £32.947m. I can therefore understand why there's been a request for this Extraordinary meeting especially given my own

attendance at other meetings and what I've heard myself. Given my personal interest, I note in ASCH there's still a projected overspend of £5.721m even after using earmarked reserves – overspend on purchased services being a significant factor.

I expect on the basis of reduced cost/easier transition back home that all DCC establishments and bed spaces are being fully utilised and are full if this can be confirmed, and if not why not and whether it's now considered that action should have been taken much earlier to head off the overall financial situation as a whole the council is now revealing in parallel with some other authorities?"

Councillor Spencer advised Mr Ingham that as the question covered numerous portfolios of responsibility, a written answer would be forwarded. The response was as follows:

"As with other areas of the Council, the spend pressures in Adult Social Care have been significantly impacted by inflation and increases in the cost of living. There has also been a continued growth in demand for Adult Social Care services and support, both in terms of the number of people requiring support and the level of support provided due to increased acuity.

Adult Social Care is responsible for supporting all local residents with eligible need as defined by the Care Act 2014. Whilst residential care home services play an important role for those that need them, the majority of both the long term and short-term support provided by the Council to the people of Derbyshire, whether directly or through an alternative provider, is to people living within their own homes and not within residential or nursing home settings.

Most local residents prefer the option of community support. This support ranges from homecare, extra care, supported living, direct payments and day care.

Vacancies exist not only within in our homes (Derbyshire County Council) but also across the wider Private, Independent and Voluntary sector and it is important to note that local residents requiring 24 hour support and their families have choice about which establishment they want to live within.

Whilst the vast majority of the residential care home beds across the County, both directly operated and within the market, deliver long term care support rather than short term reablement, the Council does directly operate a number of Community Support Beds (80) which provide short term reablement and rehabilitation to support people to either leave

hospital or avoid an admission into hospital. These beds operate efficiently with people being admitted and discharge daily and deliver positive outcomes with 78% of people returning to their own home.

In terms of the overall financial position of the Council, the Council has introduced expenditure controls across all areas of the organisation. These limit departments to only incur expenditure on items that are considered to be essential for the delivery of services.”

Mr Ingham asked the following supplementary question:

“I note within the response it states there are vacancies within Council Residential Care Homes. Working on the assumption that all of these vacant beds have been/are being fully publicised and made available to enquirers (please advise me within the response if that assumption or any part of that assumption is not correct) precisely how many vacant beds and types are there currently in each of the Councils Residential Care Homes?”

Councillor Hoy responded to the supplementary question as follows:

“It is important to note that under the main legislation that governs Adult Social Care - Care Act 2014 people are assessed as to whether they are eligible for Adult Social Care support, if people are eligible for support they are allocated an indicative personal budget to meet their social care outcomes. People have choice about how to use this indicative personal budget and most people and their families choose to access support within their own homes. We are seeing a decrease in demand for residential care.

Where it is necessary for 24 hour support to be provided again people and their families have a choice of which residential home they would like to live in. So whilst our homes are part of that choice so are residential homes within the private, voluntary and independent sector. All bed availability is shared with people looking to make an admission to ensure that they are appraised of all the options available when making a choice and our own residential homes are on the care directory alongside private services.

There is currently a national shortage of care workers and Derbyshire is not unique in this regard and therefore a number of beds are closed across our facilities . In addition, within Ada Belfield, Staveley Centre, Meadow View, Oakland and Thomas Fields also provides 62 Community Support Beds which are run jointly with Derbyshire Community Health Service. These beds are to support either people in crisis in the community or to support discharge for people leaving hospital. These

beds are always full and have a high success rate 86% of enabling people to return back to their homes following a period of reablement and respite. These beds are not included in the numbers below:

Residential Home	Registered None CSB	Occupied / Reserved	Vacant	Closed
Ada Belfield Centre	20	19	1	0
Bennerley	40	20	0	20
Briar Close	40	22	6	12
Castle Court	40	20	4	16
Florence Shipley	32	24	0	8
Lacemaker Court	16	14	2	0
The Grange	25	15		10
The Leys	35	13		22
Meadow View	16	16		0
New Bassett House	40	13	14	13
Oakland Village	16	16		
Thomas Colledge	24	19		5
Staveley Centre	16	13		0
Whitestones	40	15	3	22
Thomas Fields	10	10		0
Rowthorne	40	29		11

85/23 REQUISITION FOR AN EXTRAORDINARY MEETING OF THE COUNCIL

The Chairman reported that in pursuance of paragraph 3 of Schedule 12 to the Local Government Act 1972 Councillors J Dixon, D Greenhalgh, J Bryan, C Dale and R George had signed a requisition to the Chairman of the County Council to call an Extraordinary Meeting as follows:

“We, the undersigned members of Derbyshire County Council being five by number, hereby requisition an extraordinary meeting of the said Council in accordance with the provisions of Schedule 12 to the Local Government Act 1972.

This is in light of the recent report to Cabinet (21 September 2023) Agenda Item 5, Performance Monitoring and Budget Monitoring/Forecast Outturn 2023-24 as at Quarter 1 that identified a potential £46m

overspend in this year's budget and the urgent need to make urgent savings as a consequence.

Given that there is less than 6 months in which to make these in-year savings in order to mitigate this shortfall, and the unforeseen nature of this predicted overspend, it is right that as a matter of urgency all elected members are informed in person of the Council's finances, together with the implications for services of those in-year savings, and have the opportunity to address this issue at a meeting of the Council."

The Chairman then advised that the order of business would be as follows:

- 1) For Council to receive a written report from the section 151 officer on the current budgetary position of the Authority, including the need for the Authority to make £46m of in-year savings and the measures planned to achieve those savings;
- 2) To allow members to ask technical questions of the section 151 officers regarding the Council's finances arising out of his report to Council;
- 3) For Council to receive an oral update from the Leader of the Council on the current budgetary position of the Authority, including the need for the Authority to make £46m of in-year savings, together with details of the measures he plans to achieve those savings and the likely impact of those measures on services;
- 4) To allow members to ask questions of the Leader regarding the Council's finances or arising out of his or the section 151 officer's report to Council, and
- 5) To allow Council to have the opportunity to make recommendations to the Cabinet to inform any decisions it may make to achieve the £46m in savings.

The Director of Finance and ICT (Section 151 Officer) introduced a report, which had been circulated in advance of the meeting, that detailed the current budgetary position of the Council for the financial year 2023/24 and which responded to the request for an extraordinary meeting of the Council.

After debate, Councillor Dixon proposed a motion, duly seconded in the following terms:

That Council notes the information reported to it today by the Leader and

by the section 151 officer.

Council instructs the section 151 officer to bring similar update reports to every future full Council meeting until he is able to report to this Council that he is satisfied that it is no longer necessary to do so.

Council also asks Cabinet and the Head of Democratic Services to include an agenda item on every full Council meeting allowing members to receive a report from the section 151 officer and the Leader and for them to answer questions from members on those reports until such time as the section 151 officer has reported to Council that he is satisfied it should no longer be necessary to do so.

That Cabinet members should brief the relevant Improvement and Scrutiny Committees on the budget progress as a standing item.

Council adjourned between 11.52 am and 12 noon.

Following advice from the Director of Legal and Democratic Services, and with the agreement of Councillor Gillott as seconder, Councillor Dixon amended the wording of her motion to remove the following text:

“Council instructs the section 151 officer to bring similar update reports to every future full Council meeting”

And replace it with:

“Council recommends to Cabinet that the section 151 officer be requested to bring similar update reports to every future full Council meeting”

A vote took place on the motion and it was declared LOST.

The meeting finished at 12.30 pm