

REPORT OF THE PEOPLE SCRUTINY COMMITTEE

The People Scrutiny Committee met on 17 March 2025.

Present: Councillors Johanna Howell (Chair), Colin Belsey, Anne Cross, Nuala Geary, Steve Murphy (substituting for Kathryn Field), Paul Redstone (substituting for Peter Pragnell), Stephen Shing, Colin Swansborough, Trevor Webb, Brett Wright (substituting for Carolyn Lambert), and John Hayling (Parent Governor Representative)

Also Present: Councillor Bob Standley, Lead Member for Education and Inclusion, Special Educational Needs and Disability)
Councillor Bob Bowdler, Lead Member for Children and Families (via MS Teams)
Councillor Kathryn Field (via MS Teams)
Councillor Carl Maynard, Lead Member for Adult Social Care and Health (via MS Teams)
Councillor David Tutt (via MS Teams)

1. Call-in: decision made by Cabinet regarding the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service

1.1 The decision made by Cabinet on 25 February 2025 in relation to the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service, was called in by four Members of the People Scrutiny Committee - Councillor Cross, Councillor Field, Councillor Lambert and Councillor Webb on 4 March 2025. A copy of the call-in request, specifying the grounds of concern requiring consideration by scrutiny, is at Appendix 1.

1.2 On 17 February 2025 a report to Cabinet setting out the outcome of a consultation on the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service was published, with a recommendation to proceed with the closure of the Linden Court Day service and to re-provision this service at Beeching Park in Bexhill (Appendix 2).

1.3 A People Scrutiny Pre-decision Board met on 20 February 2025 to consider the proposal that was set out in the report. The Pre-decision Scrutiny Board provided the Committee with an opportunity to consider the proposal and ask questions of officers, and to express their views to Cabinet before a decision was taken. The summary of comments agreed by the Board that was considered by Cabinet on 25 February as part of its decision making process is attached at Appendix 3. Issues discussed by the Board included the impact of the proposal on vulnerable adults; increased travel time for clients and carers; and alternative provision. Members of the Committee did not raise the issue of the impact on District and Borough Councils in relation to this proposal at the meeting of scrutiny and therefore no concerns were recorded in the Committee's comments that were subsequently considered at the Cabinet meeting. No such concerns were raised at the meeting of the Cabinet, at which a number of Members attended and made representations.

1.4 The minute outlining Cabinet's decision is contained in Appendix 4.

1.5 On 4 March 2025 the call-in request was received and was based on the following areas of concern in relation to the decision:

- Did not sufficiently consider that in principle, the agreement that has been made between the District, Borough and County Council leaders in preparation for unitarisation processes, includes this: ‘...Decisions made by all sovereign bodies until vesting day [when the Unitary Authority takes control] will have the interests of future unitary council as an explicit consideration.’; and
- Whether the impact of the proposal on District and Borough councils was sufficiently considered.

1.6 The Director of Adult Social Care and Health (ASCH) provided information to the Committee in relation to the points raised in the call-in request (Appendix 5). In summary this set out that while working principles had been drafted with the District and Borough Councils regarding how we will work together, including having regard to the interests of the future unitary as a consideration, these had yet to be considered through the Council’s decision making process and therefore did not form part of the Council’s policy framework; proposals for a unitary authority are still at formative stage, it is not yet known what proposals will be considered by Government (these will be submitted in September) and, if agreed, the changes will not come into being for a number of years. This proposal is not anticipated to impact on any future unitary in any different way to how it would impact on the County Council now. In addition, officers do not consider that there will be any material impact of this proposal on District and Borough Councils.

1.7 The People Scrutiny Committee met on 17 March 2025 to consider the call-in in relation to the decision made by Cabinet regarding the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service and the information provided by the Director of ASCH.

1.8 At the meeting the Committee discussed and raised questions on a range of issues including the impact of the decision on a future unitary authority and on District and Borough Councils; the impact of the decision on future consultations; alternative provision; ongoing costs of Linden Court, respite provision and alternative savings. Responses provided by the Director of ASCH at the meeting were also considered. In summary, the Director noted that the consultation had sought to understand the impacts of this proposal on clients, carers, families and partners and the impacts identified had been fully considered. Where possible, mitigations to limit these impacts would be put in place and clients’ eligible needs would continue to be met by reprovisioning care. However, the proposal was put forward in light of the Council’s statutory duties to set a balanced budget and meet Care Act eligible needs for all clients. The Director also stated that there were no anticipated impacts from this proposal on the District and Borough Councils, and that the implications for any Unitary, which may come into being at a future date, were no different to those for the County Council, nor was there expected to be any increase in demand for residential or respite care. The minutes of the meeting are attached at Appendix 6.

1.9 A motion moved by Councillor Cross and seconded by Councillor Webb that the matter be referred to the County Council on the grounds that a full financial assessment of the impact on a future unitary council and on District and Borough Councils was needed, including any additional costs for respite care, was carried.

1.10 The Committee therefore **RESOLVED** to refer the matter in relation to the decision made by Cabinet on 25 February to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service to the County Council.

1.11 The Scrutiny Committee has considered the call-in and referred the matter to the County Council for further consideration. Council cannot change the decision which, as an Executive decision, rests with the Cabinet. The role of the County Council is to consider the referral by People Scrutiny Committee, and whether to:

- take no further action – in which case the original decision will take effect; or
- refer the matter back to the Cabinet setting out the Council's views. On receipt of a referral from the County Council, Cabinet may then decide whether to proceed with the original decision or make an amended decision.

1.12 The People Scrutiny Committee recommends the County Council to –

✧ consider the matter in relation to the decision made by Cabinet on 25 February to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service and what action, if any, to take.

2. Call-in: decision made by Cabinet regarding the proposal to reduce the funding for the Housing-Related Floating Support Service

2.1 The decision made by Cabinet on 25 February 2025 in relation to the proposal to reduce the funding for the Housing-Related Floating Support Service was called in by five Members of the People Scrutiny Committee - Councillor Cross, Councillor Field, Councillor Lambert, Councillor Shing and Councillor Webb on 4 March 2025. A copy of the call-in request, which specified the grounds of concern for consideration by scrutiny, is at Appendix 7.

2.2 On 17 February 2025 a report to Cabinet setting out the outcome of a consultation on the proposal to reduce the funding for the Housing-Related Floating Support Service was published, with a recommendation to proceed with the reduction in funding for the service (Appendix 8).

2.3 A People Scrutiny Pre-decision Board met on 20 February 2025 to consider the proposal that was set out in the report. The Pre-decision Scrutiny Board provided the Committee with an opportunity to consider the proposal and ask questions of officers, and to express their views to Cabinet before a decision was taken. The summary of comments agreed by the Board that was considered by Cabinet on 25 February as part of its decision making process is attached at Appendix 3. Issues discussed by the Board included the responsibilities of a possible future unitary authority, including housing support; the impact of the proposal on partners, including the voluntary, community and social enterprise (VCSE) sector and District and Borough Councils; and priority referrals, including care leavers.

2.4 The minute outlining Cabinet's decision is contained in Appendix 4.

2.5 On 4 March 2025 the call-in request was received and was based on the following areas of concern in relation to the decision:

- Did not sufficiently consider that in principle, the agreement that has been made between the District, Borough and County Council leaders in preparation for unitarisation processes, includes this: '...Decisions made by all sovereign bodies until vesting day [when the Unitary Authority takes control] will have the interests of future unitary council as an explicit consideration.'; and

- Whether the impact of the proposal on District and Borough Councils was sufficiently considered.

2.6 The Director of ASCH provided information to the Committee in relation to the points raised in the call-in request (Appendix 9). In summary this set out that while working principles had been drafted with the District and Boroughs regarding how the councils will work together, including having regard to the interests of the future unitary as a consideration, these had yet to be considered through the County Council's decision making process and therefore did not form part of the Council's policy framework; proposals for a unitary authority are still at formative stage, it is not yet known what proposals will be considered by Government (these will be submitted in September) and if agreed, the changes will not come into being for a number of years.

2.7 The response from the Director of ASCH also acknowledged that this proposal may impact other organisations including District and Borough Councils, but set out that, as part of the consultation process, the Council attended a number of meetings (as detailed in Appendix 9) to ensure colleagues from the District and Borough Housing Authorities were fully briefed. Feedback from these meetings was gathered and their views were included in the papers for Cabinet. The Director's response went on to set out that Council officers were continuing to engage with the District and Borough Housing Authorities in this regard. The impact of the proposal on the District and Borough Councils was fully considered and the Cabinet paid due regard to the impact on external agencies when making its decision.

2.8 The People Scrutiny Committee met on 17 March 2025 to consider the call-in in relation to the decision taken by Cabinet to reduce the funding for the Housing-Related Floating Support Service and the information provided by the Director of ASCH.

2.9 At the meeting the Committee discussed and raised questions on a range of issues including the impact of the decision on a future unitary authority and on District and Borough Councils; the impact of the decision on future consultations; the draft homelessness strategy; the future of the service provider; and the impact on Children's Services. Responses provided by the Director of ASCH at the meeting were also considered. In summary, the Director recognised the impact this decision would have District and Borough Councils and commented that this had been extensively consulted on and fully considered. However, the proposal had been put forward in light of the Council's statutory duties to set a balanced budget and meet Care Act eligible needs and there was no statutory requirement for the County Council to provide a housing support service. The Director also reported that final proposals for a single tier of local government would not be agreed by the Council and submitted until September 2025 but commented on the ongoing engagement with partners, including District and Borough Councils, on future funding arrangements for homelessness prevention. The minutes of the meeting are attached at Appendix 6.

2.10 A motion moved by Councillor Cross and seconded by Councillor Webb that the matter be referred to the County Council on the grounds that a full mediated assessment of the position of the district and borough councils on the proposal was needed, and that further consideration was needed about the impact of this proposal on a future unitary authority, was carried.

2.11 The Committee therefore RESOLVED to refer the matter in relation to the decision made by Cabinet on 25 February to reduce the funding for the Housing-Related Floating Support Service to the County Council.

2.12 The Scrutiny Committee has considered the call-in and referred the matter to the County Council for further consideration. The County Council cannot change the decision which, as an Executive decision, rests with the Cabinet. The role of the County Council is to consider the referral by People Scrutiny Committee, and whether to:

- take no further action – in which case the original decision will take effect; or
- refer the matter back to the Cabinet setting out the Council's views. On receipt of a referral from the County Council, Cabinet may then decide whether to proceed with the original decision or make an amended decision

2.13 The People Scrutiny Committee recommends the County Council to -

☆ consider the matter in relation to the decision made by Cabinet on 25 February to reduce the funding for the Housing-Related Floating Support Service and what action, if any, to take.

17 March 2025

JOHANNA HOWELL
Chair