



SMITH PARTNERSHIP

Solicitors

RECEIVED 23 FEB 2011

Agencia Consulting Ltd
8 Waterside House
Livingstone Road
HESSLE
East Yorkshire
HU13 0EG

Celtic House, Heritage Gate, Friary Street, Derby, DE1 1LS
Phone 01332 225225 Fax 01332 225444 DX No 11528 - DERBY
www.smithpartnership.co.uk email info@smithpartnership.co.uk

Offices also at: Leicester, Stoke On Trent, Burton Upon Trent and Swadlincote

Date: 17th February 2011
Our Ref: SDR\K\194011-00001
Your Ref:
Please Ask for Simon Richardson

Dear Sirs

**RE: Our Clients: Mrs Elsie Lambert, Mrs Queenie Wagstaff and Mrs Doris McEvoy
Merrill House, Queensferry Gardens, Shelton Lock, Derby, DE24 0JR**

On behalf of our above named clients we wish the following points to be taken into consideration by Derby City Council in advance of their decision as to whether to close Merrill House.

1. Given the advanced age of our clients and, in at least two of their cases, the fact that they were moved to Merrill House within the last two years, a move from their home is a completely disproportionate and inappropriate response to the problems identified by the Council. They should be allowed to spend the rest of their days in their current home. When Mrs Wagstaff moved from Perth House to Merrill House she was very upset and her agitation was such that the family were worried about whether she would survive the move.
2. Our clients and their families were all under the impression, when the move to Merrill House was made, that that move would be the last the resident would make, and they all feel very badly let down.
3. The extra care model of future provision will not be suitable for any of our clients.
4. Our clients are concerned that the cost of accommodation and care at an independently run home is likely to be more than the cost at a Council run home and although the Council states that it will cover any difference, our clients do not believe that they have the means or the wish so to do, certainly for so long as there are cheaper beds available in other homes even if it means parting residents from their friends.
5. Our clients do not believe that there will be sufficient beds available to give every resident sufficient choice to be with their friends.
6. Our clients regard Merrill House, the residents and the staff as their family home and consider that it is their human right to remain there with them.
7. The Council has given priority to renovating its own premises at a costs of some £40 million whereas that project should have been postponed during the course of our clients' lifetimes so as to make funds available to enable our clients to remain in their home.

8. The families of our clients are concerned about how special problems would be dealt with if say their mother were in extra care housing, whereas at Merrill House they know that she is safe, secure and constantly attended by staff who can attend to any, even urgent, needs.
9. Neither our clients nor their families understand why Merrill House has been selected because their understanding is at the very worst it broke even last year.

Would you please ensure that these representations are placed before the Council Cabinet and would you please in due course forward to us the minutes of the decision made by the Cabinet in April.

Yours faithfully



Smith Partnership

Direct Dial: 01332 225331

Direct Fax: 01332 225395

Email: simon.richardson@smithpartnership.co.uk