

Committee Name and Date of Committee Meeting

Cabinet – 18 September 2023

Report Title

Stag Willow Extra Care Scheme

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

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Ward(s) Affected

Sitwell ward

Report Summary

Oaktrees on Stag Willow Close, Broom, was built and developed as an extra care scheme in 2006, by Together Housing, Housing Association. The Scheme comprised a main building (referred to as the Oak Trees Resource Centre) which contained the typical communal facilities associated with an extra care scheme and 8 individual flats. Adjacent to the Resource Centre are 20 bungalows.

Following a fire risk assessment, the Resource Centre was closed by Together Housing on 30 October 2020, as the assessment identified significant risks to users and occupiers of the building in the event of a fire. The Council's Care and Support Team, which operated from the Centre, were relocated to nearby Bakersfield Court (extra care scheme). Support to tenants has continued to be provided by the care staff travelling to Stag Willow Close if wellbeing visits or a call for assistance is required.

Whilst the buildings are owned by Together Housing, the land is owned by the Council and was transferred under a 125-year lease agreement at the point the original scheme was developed.

Since August 2020, Adult Social Care have continued to provide support to tenants, whilst Together Housing decided the long term future of the Resource Centre.

Following the findings of extensive key reports, specialist risk assessments and legal guidance, Together Housing have made the decision to permanently close the resource centre as the building is unsafe and can no longer be used within the scheme.

It is therefore proposed that Adult Social Care maintain the offsite wrap around care and support service to the remaining tenants who access the service currently, and in accordance with demand.

It is not expected that new tenants will require this level of support as moving forward the scheme will be promoted as retirement living. As such the future status of the scheme should become general housing rather than extracare.

Recommendations

That Cabinet:

1. Note the decision by Together Housing to permanently close the Resource Centre and the change in type of housing scheme from Extra Care to General Housing.
2. Approve the permanent change in service delivery to an offsite wrap around care and support service in line with the current delivery model.

List of Appendices Included

Appendix 1 Together Housing Sustainability Option Appraisal
Appendix 2a Equality initial screening
Appendix 2b Equality analysis
Appendix 3 Carbon impact assessment

Background Papers

Future Need for Accommodation with Support 2020-2030(Campbell Tickell Care and Support)
Accommodation Delivery Plan (Housing Research)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Stag Willow Extra Care Scheme

1. Background

- 1.1 Oaktrees on Stag Willow Close, Broom, was built and developed as an Extra Care scheme in 2006, by Chevin Housing, now Together Housing. There are 28 properties in total at Stag Willow Close. The Scheme comprises a main building (referred to as the Oak Trees Resource Centre) which contained the communal facilities associated with an Extra Care scheme and 8 flats. Adjacent to the main building are 20 bungalows.

The Resource Centre was available for use solely by tenants of the Scheme. Prior to the Centres closure, all tenants paid a building service charge for the running costs of the Centre to Together Housing. This was £28.36 per week and is no longer charged.

The Resource Centre closed on 30 October 2020, as a fire risk assessment identified significant risks to users and occupiers of the building in the event of a fire. The fire risk assessment identified that to mitigate the associated fire risks, extensive remedial works to the Centre would be required.

On identification of the fire risks, tenants of the flats within the Resource Centre were rehoused to alternative permanent housing. All tenants received statutory home loss and disturbance payments.

Following the temporary closure of the Resource Centre, the Council's care and support team, who operated from the Centre, were relocated to nearby Bakersfield Court. Tenants have continued to receive wellbeing visits or can call for assistance from the support team 24/7. Response times are generally 5 minutes by car.

Since the closure of the Resource Centre, the Council have worked with Together Housing and the remaining tenants to identify their needs going forward and support accordingly.

1.2 Leasehold Arrangements

The site and buildings are owned by Together Housing, whilst the land is owned by the Council. The land was transferred under a 125-year lease agreement to enable the development of the Extra Care Scheme.

The lease arrangement includes the following pertinent clauses:

- **Permitted use:** *Use of premises only for creation and provision of social units consistent with the objects of the Lease and the requirements of the Housing Corporation.*
- **'Social Housing Units':** *Means a unit of accommodation or letting by the Lessee to provide Housing at affordable rents for those who cannot afford to acquire it in the open market and/or the provision of accommodation designed for use by the elderly.*

Any change to the Scheme would need to comply with the terms of the lease.

1.3 **Current Position**

In terms of the Resource Centre, extensive fire safety remedial works would be required to bring the building up to a safe standard. Together Housing have raised concerns about the viability of making this investment and scoped out future strategic options for the Scheme.

Whilst commissioned and built as an extra care scheme, Oaktrees is not currently operating as an extra care scheme as there are no longer communal facilities. Communal facilities are regarded as a key component of extra care schemes.

The Council continues to provide a 24/7 care and support service but now based at Bakersfield Court. Staff provide supportive advice and guidance on daily living and wellbeing matters and reassurance calls, on a responsive basis.

Together Housing now reference the scheme as “*Retirement Living*” for marketing purposes, following removal of the onsite care service and closure of the Resource Centre so as not to mislead potential customers by continuing to call it “*Extra Care*”.

In addition to the concerns about the Resource Centre, safety concerns were also raised for the 20 adjacent bungalows. Fire safety remedial works were completed by Together Housing in early 2021. These properties continue to be tenanted. However, due to the Scheme not being actively promoted as Extra Care, only limited numbers of the tenants require the type of services an extra care service would offer.

In light of this, it has been identified that the purpose of Oaktrees is to be reconsidered by Together Housing. To ensure the development offers the most appropriate form of accommodation, consideration has been given to:

- The best model of support to meet the needs of the existing residents.
- The most appropriate offer for people with adult care needs who require supported accommodation.
- A sustainable financial model of delivery.
- Future options for wrap-around care and support services.

2. **Key Issues**

2.1 **Together Housing position**

The Resource Centre required a significant level of investment due to the associated fire risks identified. This led Together Housing to complete a full sustainability options appraisal and from that review Together Housing have decided to close it permanently.

2.2 The Together Housing sustainability options appraisal considered the following options:

Option	Outcome
Undertake the fire safety works to the main building and leave as is	Given the issues with demand and underuse of the facilities, it is not considered viable.
Demolish main building and redevelop as bungalows for rent (older people)	New build option unlikely to be financially viable due to size of site and unlikely that THA could claim further Homes England social housing grant.
Remodel communal areas into older person flats	Not considered viable due to significant investment required and size of Scheme would still be very small and demand questionable.
Remodel communal areas into general needs flats & change the scheme into a general need scheme	Not considered viable due to significant investment required and size of the scheme would still be very small. Demand questionable.
Change use to communal facilities only	Not considered viable as vast majority of remediation works would still be required.
Demolish	Together Housing considers this to be the most realistic option.

2.3 Demand Analysis

The latest available demand analysis completed by the Council's Strategic Housing Team reflects that there were 12,329 borough wide bids placed on Council homes for rent by people aged over 55 years in 2021. High level insights include:

- People were mainly retired but some still working.
- Majority are moving from a house.
- Both 1 and 2 bed bungalows were most in demand for this age group.
- Demand for flats was significantly lower.

The data was very similar in the Sitwell ward (nearest to the development):

- 630 bids placed over the year by people over 55 years.
- Mix of retired and working.
- Mainly 1 and 2 bed bungalow demand, with demand for flats much lower.
- Mainly moving from houses –downsizing.

This would suggest demand is for accessible, rented accommodation for people aged over 55 years without support.

2.4 Support Service

As Oaktrees no longer operates as an Extra Care Scheme it does not have a core onsite care service nor communal facilities which are regarded as key components of an Extra Care scheme. Furthermore, the Scheme is now being marketed by the provider as a 'retirement living' scheme. Since the move in 2020 to a satellite wrap around service, the following needs of tenants have been identified:

- 13% of tenants make a trigger call for support at least once per week.
- 61% would only make a call in an emergency.
- 26% never make a trigger call.

All tenants have Rothercare equipment installed within the property to respond to emergency situations, in addition to being able to make direct trigger calls related to the scheme. Data reflects that the number of trigger calls direct to the service is very low and the majority are for reassurance only or more akin to housing related support.

It is therefore proposed to maintain the current offsite wrap around offer to the remaining tenants who access the service currently. It is not expected that new tenants will require this level of support as moving forward the scheme will be promoted as retirement living.

The service charges for the care and support provided will continue only for those existing residents who require the support. This would not apply to new tenants, leading over time to a gradual reduction in the number of people requiring the support.

Cabinet is therefore recommended to approve Adult Social Care continuing to operate an offsite wrap around care and support in line with the existing service and according to demand.

The service charge for the Resource Centre to the 20 bungalow tenants has ended. The support charge for care remains in place, for all current tenants.

There is a need to review the way the void properties are relet to ensure active nominations are made to those households with identified needs that align with the current and future housing and care offer. The Council currently has 100% nomination rights.

The Council is not aware of any future plans for the Scheme by Together Housing, beyond the closure and demolition of the Resource Centre.

3 Options considered and recommended proposals

3.1 Option 1

For Cabinet to agree with the Together Housings proposal for the Oaktrees building to permanently close and be demolished. To approve Adult Social Care continuing to operate an offsite wrap around care and support service in line with the existing service and according to demand. This will provide certainty for all tenants as to the future of the Oaktrees building and the provision of care and support. This is the recommended option.

3.2 Option 2

For Cabinet to disagree with Together Housings proposals to close Oaktrees permanently and demolish the building and to not agree to the proposed care and support arrangements. This would leave existing tenants unclear as to the future of the building and contribute to growing anxiety about the future of the scheme and how their support needs will be met. Not recommended.

4. Consultation on proposal

4.1 The proposals within this report have been consulted with all parties involved with strategic decision making regarding the future of the site This includes legal representatives from both Together Housing and the Council.

4.2 Future consideration for the site

Should Cabinet give approval to the recommendations within this report, it is the intention of Together Housing, as the landlord, to consult with tenants of the bungalows regarding future use of the site. This will support Together Housing's strategic decision making and has been advised by their legal representatives.

4.3 Engagement with tenants

Both Rotherham Council Adult Care and Together Housing have produced a series of communications and letters and held several engagement sessions with tenants. These were initially regarding the closure of the Centre and alternative support and activity arrangements, and latterly about the future proposals relating to both the building and to ensure wrap around support is in place with a focus on meeting eligible needs.

Tenants are fully aware that future decisions are being made regarding both the resource centre and the support service and would welcome a timely resolution.

Whilst the Council are the leaseholders of the land, the Centre is the property of Together Housing. It has been agreed that any future proposals would have to be within the conditions of the lease agreement noted in section 1 and Council approval must be sought.

Together Housing will hold a consultation with tenants regarding the future of the site following agreement of the proposals within this report.

5. Timetable and Accountability for Implementing this Decision

5.1 The decision will be implemented from 1st October 2023.

6. Financial and Procurement Advice and Implications

6.1 The service currently provides an offsite wrap around care and support service to the existing tenants, which will continue. Tenants are currently charged for this care and support at £33.28 per week. If this element reduces then that source of income will be lost and it is unlikely that there will be savings to offset this. This will introduce a small financial pressure to the service spread over a number of years. The annual cost for each tenant is £1730 which would be the income reduction reflected at each point that a tenant no longer requires the support service.

This charge relates specifically to the wrap around support service and is separate to the service charge for the resource centre that has been removed by Together Housing.

6.2 In the absence of any expenditure with 3rd party providers for goods, works or services there are no procurement implications arising from this report.

7. Legal Advice and Implications

7.1 The report seeks the authority of Cabinet to confirm the current structure of the wrap-around support for tenants at Oaktrees Extra Care Scheme (Stag Willow). Cabinet needs to satisfy itself that this is a decision which appropriately meets the needs of the individuals concerned. Consultation took place with those affected by the changes at the time the original service was remodelled and since that point, there have been no changes in circumstances which would require a further consultation.

7.2 A joint position statement has been prepared by legal advisers for Together Housing Group and the Council in relation to the site at Stag Willow Close. The statement records the joint understanding of the interpretation of the lease of the property. The jointly held view of the legal advisors is that there is no legal obligation under the terms of the lease to remediate the property.

Whilst the Council are the leaseholders of the land, the Centre is the property of Together Housing. It has been agreed that any future proposals would have to be within the conditions of the lease agreement noted in section 1 and Council approval must be sought.

8. Human Resources Advice and Implications

- 8.1 Should any Human Resources matters arise from this report the Council will follow due processes.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The recommendations in this report are inclusive for vulnerable adults within the Borough. There are no implications for children and young people.

10. Equalities and Human Rights Advice and Implications

- 10.1 The proposals in this report support the Council to comply with legal obligations encompassed in the:

- Human Rights Act (1998), to treat everyone equally with fairness dignity and respect with a focus on those who are disadvantaged as a result of disability and Page 12 of 13.
- Equality Act (2010) to legally protect people from discrimination in the wider society.

The Equality Analysis provides further detail and can be reviewed in appendix 4.

11. Implications for CO2 Emissions and Climate Change

- 11.1 A Carbon Impact Assessment form has been completed and can be reviewed in Appendix 3.

12. Implications for Partners

- 12.1. Our partners have been consulted and engaged throughout the process of identifying and understanding proposals for the longer term viability of the scheme. All partners are in agreement with the recommendations of this report.

13. Risks and Mitigation

- 13.1 Risk - There is a risk of anti-social behaviour on the site whilst the resource centre remains closed.

Mitigation - Together Housing will hold a consultation with tenants regarding the future of the site following agreement of the proposals within this report.

- 13.2 Risk – There is a financial risk due to loss of income as the current tenancies begin to reduce over coming years.

Mitigation – alignment with reduced service delivery.

14. Accountable Officers

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Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	04/09/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	30/08/23
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	25/08/23

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