



London Borough of Hammersmith & Fulham

CABINET

14 OCTOBER 2013

DISPOSAL OF 87 LIME GROVE

Report of the Leader : Councillor Nicholas Botterill; and the Cabinet Member for Community Care : Councillor Marcus Ginn

Open report

Classification: For Decision
Key Decision: Yes

Wards Affected: Shepherds Bush Green

Accountable Executive Director: Stella Baillie – Director of Provider Services and Mental Health Partnerships

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1. EXECUTIVE SUMMARY

- 1.1 The proposed disposal of 87 Lime Grove forms part of the Hammersmith and Fulham *Learning Disability Housing and Support Strategy* (Appendix 1). This involves a review of the current Learning Disability housing including in house provided services to ensure they are compatible with current and future needs.
- 1.2 A needs analysis has indicated that the building at 87 Lime Grove is unable to meet the borough's current and emerging needs for this group, particularly as it cannot house those with challenging behaviour, physical and complex needs.
- 1.3 The building at 87 Lime Grove (within the Transport and Technical Services property portfolio) is currently used by the Council's Community Support Service for People with Learning Disabilities which is part of Tri - Borough Adult Social Care Provider Services. It is proposed that 87 Lime Grove will be vacated after October 2013 and that the service will move to a more suitable building at 33 Boscombe Road (owned by Notting Hill Housing). A short programme of building works is required to make the building at Boscombe Road fit for purpose.

- 1.4 Following the transfer of this service, ASC will have no further use for the building at 87 Lime Grove and it can be disposed of.
- 1.5 *The Learning Disability Housing and Support Strategy* (See appendix 1) has already been agreed by Cabinet in July 2013. A strong case has been put for the need and financial benefits of developing well-designed supported living units in the borough to replace the use of inappropriate older supported housing (such as 87 Lime Grove) and prevent the use of high cost residential care placements.
- 1.6 If the sale of 87 Lime Grove is agreed, it is proposed that funding from the Community Capacity Grant be used to improve the replacement accommodation and other existing accommodation for People with Learning Disabilities. The improvements would require that £40k of funding from the Community Capacity Grant be used to meet the cost of improvement to the replacement building at 33 Boscombe Road and to the existing H & F Short Breaks Service building at 17 Rivercourt Road to ensure they are fit for purpose for People with Learning Disabilities involving complex or physical needs.

2. RECOMMENDATIONS

- 2.1 That authority be given for the Council to vacate the building at 87 Lime Grove after October 2013 and for tenants who still require support to move to more suitable buildings.
- 2.2 That authority be given for the building at 87 Lime Grove to be disposed of once vacated at best consideration reasonably obtainable and that the details of the sale be delegated to the Director of Law and the Director of Building and Property Management.
- 2.3 That authority be given to H & F Community Support Service to extend their existing Service Level Agreement with Nottinghill Housing to include 33 Boscombe Road
- 2.4 That authority be given for the Council to fund the costs of a short programme of building works through the Community Capacity Grant up to a value of £15k to ensure the building at 33 Boscombe Road is fit for purpose and meets the needs of vulnerable people.
- 2.5 That authority be given for the Council to fund an additional £25k spend from the Community Capacity Grant to be used to make improvements to fire safety at 17 Rivercourt Road.

3. BUILDING ISSUES AND REASONS FOR DECISION

- 3.1 The building at 87 Lime Grove is one of four buildings currently being used as supported accommodation for People with Learning Disabilities by the in-house

Community Support Team which is part of Tri - Borough Adult Social Care Provider Services. However, the building is not accessible and does not meet the needs of those with a Learning Disability who would be eligible for Adult Social Care.

- 3.2 The building is owned by the Council and was leased to A2 Dominion Housing Association in 2006. The lease with A2 Dominion expired in August 2009 and they are currently "tenants at will". The Council collects a low rent of £2,600 PA for this property.
- 3.3 87 Lime Grove is an older building in Shepherds Bush in need of refurbishment comprising of two flats over 4 floors with shared toilets, kitchen, living rooms and bathrooms. The upper flat has 3 bedrooms and the lower flat has two bedrooms (See Appendix 2 - *Plans - 87 Lime Grove W12*). The building has some narrow and steep stairways, is not suitable for conversion, and is inaccessible for Learning Disability service users who have challenging behaviour physical, or complex needs.

4. BACKGROUND

- 4.1 The background to this proposed disposal is that there is a need to remodel Learning Disability housing and support services in the borough. Currently there is an over reliance on residential care models and older supported housing and an insufficient supply and range of suitable housing, support and care options to meet the needs of people with learning disabilities, particularly those with complex and challenging needs.
- 4.2 The predicted increase in the number of people in London aged 18 to 64 with a moderate to severe learning disability (who are likely to be eligible for adult social care) is expected to increase by 11% by 2020¹. On this basis the number of adults with learning disabilities requiring services would increase from 460 people to 510.

5. PROPOSAL AND ISSUES

- 5.1 The building at 87 Lime Grove is not fit for future use as Learning Disability housing and a more suitable local accommodation has been identified as a replacement. It is proposed that this building is disposed of following a change of planning use from a special needs property to a residential property.
- 5.2 It is proposed that a short programme of building works up to £15k be funded by the Community Capacity Grant to bring the replacement property at 33

¹ Data source: PANSI website (Projecting Adult Needs and Service Information) using LD moderate/severe population projections aged 18 to 64

Boscombe Road up to standard. This would potentially release 87 Lime Grove for disposal.

- 5.3 The Council's current Learning Disability Short Breaks Service is an in borough respite service which is part of Tri - borough Adult Social Care Provider Services. It provides much needed short breaks for service users, parent and carers in the borough. The current building at 17 Rivercourt Road requires some investment in order to meet the fire safety standards recommended in a recent Health and Safety Audit. It is proposed that £25k of funding from the Community Capacity Grant be used to fund improvement to fire safety at 17 Rivercourt Road.
- 5.4 Longer term to improve the quality and quantity of local Learning Disability housing with support, and to meet the rising demands emerging from changes in demographics, investment will be needed for the development of better designed alternative housing and support services which are fit for the future, accessible and cost effective when compared to high cost residential placements. (Appendix 1 - *Learning Disability Housing and Support Strategy*).

6. OPTIONS AND ANALYSIS

- 6.1 Retaining existing supported housing (which is not fit for purpose and cannot be brought up to accessibility standards) will not deliver the same value for money as provision through the Extra Care and supported living models which have been used for People with Learning Disabilities in other boroughs such as Westminster.
- 6.2 Retaining existing supported housing will not address the overall shortage of accommodation for people with challenging and complex needs who need accessible specialist housing with support. .
- 6.3 The option of investing funding from the Community Capacity Grant in building an extra bathroom in the replacement property at 33 Boscombe Road will have the advantage of releasing Lime Grove for disposal . If this is not done the property at Boscombe Road cannot meet the needs of those with complex and challenging behaviour
- 6.4 The H & F Short Breaks Service at Rivercourt Road also needs to be brought up to standard to meet Fire Safety recommendations included in a recent Health and Safety Audit (Appendix 3). If this is not addressed using funding from the Community Capacity Grant the building will not meet current fire safety recommendations .

7. CONSULTATION

- 7.1 The proposals in this report regarding moving part of the Community Support Service from 87 Lime Grove to 33 Boscombe Road does not require a wider consultation as exactly the same housing and support service will be delivered from an alternative more suitable accommodation. However service users, parents and carers, staff and stakeholders will be kept up to date regarding developments.
- 7.2 A wider consultation will take place starting Autumn 2013 on the *Learning Disability Housing and Support Strategy* (Appendix 1). This will include consultation with Learning Disability service users, their families and carers, and stakeholders. This will report into a project board comprising of senior officers and other key stakeholders to provide governance and track progress.
- 7.3 The outcome of the consultation on the *Learning Disability Housing and Support Strategy* will be reported to Cabinet with detailed plans regarding the future of services. Staff and trade unions will be consulted about any proposals outlined in this report.

8. EQUALITY IMPLICATIONS

- 8.1 An Equality Impact Assessment is not necessary as no changes to service delivery are proposed apart from location. The new service will be 0.6 miles away from the current location. It is not possible to continue with the existing location, as the existing building is not suitable for people with mobility-related disabilities due to it being in need of repair and spread over four floors with steep and narrow stairways. Individual assessments will be carried for service users to ensure the new property meets their needs, for example, their needs relating to sensory impairments.
- 8.2 A wider consultation will take place starting Autumn 2013 on the *Learning Disability Housing and Support Strategy*. This will include consultation with Learning Disability service users, their families and carers, and stakeholders. Consultation documents will be drawn up with an easy read version which will be available for service users
- 8.3 As part of the wider consultation on the *Learning Disability Housing and Support Strategy* there will be a range of ways in which people can contribute to the consultation, in writing, at public meetings, via e mail and by individual meetings where appropriate.
- 8.4 As part of the wider consultation on the *Learning Disability Housing and Support Strategy* an Equalities Impact Assessment will be carried out during the consultation period and will contribute to decision making following the consultation.

9. LEGAL IMPLICATIONS

- 9.1 The building is owned by the Council and was leased to A2 Dominion Housing Association in 2006. The lease with A2 Dominion expired in August 2009 and they are currently “tenants at will”. An appropriate period of notice would need to be served.
- 9.2 Appropriate liaison with A2 Dominion would take place regarding service users individual tenancy agreements.
- 9.3 If authority is given to dispose of the property the Council would use their legal power under S.123 Local Government Act to do this.
- 9.4 The Council has a duty to its vulnerable residents and to make provision for services and accommodation. The Council has discretion on how it delivers the services and accommodation required and the proposals are clearly within that discretion. Although the Council is not obliged to undertake a public consultation on the *Learning Disability Housing and Support Strategy* it is sensible, reasonable and prudent to do so.
- 9.5. Legal implications verified/completed by: Dermot Rayner - Senior Solicitor (Property) x 2715.

10. PLANNING ISSUES

- 10.1 The property provides special needs housing, so would fall within Use Class C2 - ‘Residential Institutions’. The site is located in the Coningham and Lime Grove Conservation Area and within Flood Risk Zones 2 and 3. The site has a public transport accessibility level of 6a, benefiting from excellent public transport.
- 10.2 Local planning policy seeks to protect housing for people who need care and support, and supports planning applications for new special needs housing, where there is a local need.
- 10.3 If a planning application to change the use from special needs housing to general housing were to be submitted it would need to be demonstrated that there is no longer a need for this type of accommodation, or that the current facility is unfit for purpose, or that the housing would be replaced elsewhere.
- 10.4 A planning application for a change of use would, in this case, need to be supported by evidence for officers to consider, including details of a suitable replacement facility that is proposed to be provided at 33 Boscombe Road and/or an alternative location within the borough.
- 10.5 Subject to the above, given the property, its location and surrounding uses, the principle of general residential use would not be unacceptable. The quality of

the proposed residential accommodation would need to be assessed against guidance on residential quality set out in The London Plan and the Council's Core Strategy, Development Management Local Plan and Planning Guidance Supplementary Planning Guidance.

11. FINANCIAL AND RESOURCES IMPLICATIONS

- 11.1 The property at 87 Lime Grove was valued at £550,000 to £600,000 with existing C2 planning use in July 2013. If planning consent for residential use was achieved the property is likely to have a value of £1m to £1.1 m.
- 11.2 Any proposed changes as a result of further review and the consultation exercise will be detailed in a future report, which will include any further financial implications
- 11.3 The Community Capacity Grant allocation for 2013/14 could be used to meet the £40K capital expenditure. The proposals above meet the reform and efficiency criteria required to use this grant.
- 11.4. Finance Implications verified/completed by: Jade Cheung - Finance Manager – Capital x 3374

12. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 12.1 87 Lime Grove is held by TTS. Annual expenditure on this property is negligible but there would be a loss of rental income of £2,600 PA.
- 12.2 It is Council policy to use surplus capital receipts for debt reduction purposes.
- 12.3 The Community Capacity Grant allocation for 2013/14 could be used to meet the £40K capital expenditure. The actual grant has not been received yet by the Council but is due in August 2013, and any terms and conditions must be met. The Department of Health allocates the Community Capacity Grant to local authorities, providing capital funding to support development in three key areas: personalisation, reform and efficiency. The grant must be spent on these areas.

13. CONCLUSION

- 13.1 This report seeks permission to vacate and dispose of the building at 87 Lime Grove and move the service users to a more suitable property. It also seeks permission prior to disposal to support an application for change of use from Special Needs Housing to Residential Housing.

13.2 The report and proposal forms part of the Wider *Learning Disability Housing and Support Strategy* agreed by Cabinet in July 2013. As such it proposes that the funds from the Community Capacity Grant be used to bring some existing Learning Disability property up to required standards. It proposed that the Council use the Community Capacity Grant to fund the costs of a short programme of building works up to a value of £15k to ensure the replacement building at 33 Boscombe Road is fit for purpose. It is proposed a further £25k of funding from the Community Capacity Grant be used to fund improvement to fire safety at 17 Rivercourt Road to make the Council’s Learning Disability Short Breaks service compliant with recent Health and Safety Audit recommendations.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None		

Appendices:

1. **Learning Disability Accommodation and Support Strategy**
2. **Plans - 87 Lime Grove W12**
3. **ASC Health and Safety EMT Report – Q1 13/14**