



CABINET REPORT

Report Title	Property Transactions relating to Supported Living Provision
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	12 th June 2019
Key Decision:	Yes
Within Policy:	No
Policy Document:	Yes
Service Area:	Head of Housing and Wellbeing
Accountable Cabinet Member:	Cllr Stephen J Hibbert
Ward(s)	All Wards

1. Purpose

- 1.1 Officers from the Council, Northampton Partnership Homes (NPH) and Northamptonshire County Council (NCC) have been exploring ways in which the three organisations can work together to increase the supply of supported living accommodation for vulnerable adults in Northampton.
- 1.2 To seek Cabinet approval to vary the Management Agreement, if required, made between the Council and NPH, on 5 January 2015, for the delivery of housing management and other services – to enable NPH to provide NCC with housing management support and other services.
- 1.3 To seek Cabinet approval for the Council to acquire, from NCC, the property known as Moray Lodge, to enter into a lease, a sub-lease and tenancy agreements in relation to NCC's Eleanor Lodge and progress construction on the site known as Billing Brook Road.

2. Recommendations

- 2.1 Approves the Scheme known as Eleanor Lodge, as detailed in Appendix B.
- 2.2 Approves the Scheme known as Moray Lodge, as detailed in Appendix C.
- 2.3 Approves the scheme known as Billing Brook Road, as detailed in appendix D.
- 2.4 Delegates to the Head of Housing and Wellbeing in consultation with the Cabinet Member of Housing and Wellbeing, the Borough Secretary and Chief Finance Officer the authority to approve the terms of the lease and any associated documentation.
- 2.5 Delegates to the Head of Housing and Wellbeing in consultation with the Cabinet Member for Housing and Wellbeing, the Borough Secretary authority to regularise and to create a pathway through which property transactions, such as is proposed herein and related to Adult Social Care in the community can be appropriately managed and support by both authorities.
- 2.6 Delegates to the Borough Secretary in consultation with the Cabinet Member for Housing and Wellbeing, the Head of Housing and Wellbeing and the Chief Finance Officer, the authority to approve any variations required to be made to the Management Agreement between Northampton Borough Council and Northampton Partnership Homes dated 5 January 2015 that may be required to implement any Cabinet approvals arising from this report.

3. Issues and Choices

3.1 Report Background

- 3.1.1 In light of the positive and close working relations the Council has with NCC and in light of the wider unitary agenda. Northamptonshire County Council (NCC) has approached the Council and NPH seeking the assistance of both in helping NCC to provide supported living accommodation in Northampton at properties known as Billing Brook Road, Thorplands, Moray Lodge, Duston Northampton and Eleanor Lodge in Delapré. This will be for the benefit of Adult Social Care Customers who have either Acquired Brain Injury, Mental Health Issues, Autism and/or highly complex learning disabilities or physical disabilities. The provision of supported living accommodation with the support of the Council will improve the quality of care provision locally as well as providing significant cost savings for NCC.
- 3.1.2 NCC are keen to utilise the Council's Registered Provider status in order to access available grant funding from Homes England and/ or NHS England (where appropriate) for the development of the supported living accommodation which NCC would not otherwise be able to access.
- 3.1.3 In relation to NPH; - NCC are keen to utilise the services of NPH to build and for NPH to manage the supported living accommodation on behalf of the Council as the Registered Provider. In relation to Eleanor Lodge this will be managed through a lease with the Council and in relation to Moray Lodge and Billing Brook Road

these properties are intended to form part of the Council's housing portfolio with NCC retaining nomination rights for a period of 30 years unless or until (subject to a notice period) there is a change of use with respect to either property, and it can no longer be used for its intended purpose.

3.2 Issues

3.2.1 NCC has identified there is a lack of appropriate supported living for a number of Adult Social Care client groups within the Northampton area.

3.2.2 Appendix A provides a summary of schemes and the client groups these supported living schemes seek to support. With Appendices B to D providing additional detail for each of the schemes.

3.3 Choices (Options)

3.3.1 Cabinet has the following choices:

1. Not to approve any of the schemes, this would limit the opportunity for residents within the Borough and County to access suitable housing for their needs and continue to drive Social Care costs through the need to place clients with complex needs out of area.

2. To approve selected schemes, this would limit the opportunity for residents within the Borough and County to access suitable housing for their needs and continue to drive Social Care costs through the need to place clients with complex needs out of area.

3. To approve all three schemes, with associated delegations to officers to enable progression on all three schemes. This will improve provision of specialist supported living accommodation within the Borough and contribute to the financial sustainability of Adult Social Care, which will in addition assist with the financial sustainability of the new Unitary Authority West Northamptonshire Council.

3.3.2 Cabinet are recommended to approve option 3 above.

4. Implications (including financial implications)

4.1 Policy

4.1.1 The action that the Council is proposing to take is in line with Council policy and reflects the priorities in the Corporate Plan 2018-2020. *"Housing for Everyone - Helping those that need it to have a safe and secure home"*.

4.2 Resources and Risk

4.2.1 The resource and risk aspects of these schemes are detailed in the appendices to this report.

- 4.2.2 Council at its meeting on 3rd June 2019 approved the increase in HRA borrowing and the total cost of all three schemes to the HRA Capital Fund should not exceed £6.000M.
- 4.2.3 The requirements of both Councils under the Prudential Code, referred to in paragraph 4.3.4 has been considered. NCC will achieve value through transfer of an asset in return for nomination rights and the Council will achieve value for money through the creation of capital assets. The HRA analysis of affordability and pay back is identified in each of the Appendices relating to each scheme.

4.3 Legal

- 4.3.1 The Agreement for the delivery of housing and management of other services dated 5th January 2015 and made between (1) Northampton Borough Council and (2) Northampton Partnership Homes (NPH) may need to be varied if the role and activities of NPH need be expanded so that they are able to provide their services to Northamptonshire County Council but only in so far as is necessary to achieve that purpose.
- 4.3.2 The Head of Housing and Wellbeing pursuant to Part 8, Paragraph B paragraph 4.1 of the Constitution has only the delegated power to manage the Landlord services carried out by NPH and to oversee the exercise of the functions delegated and contracted to NPH. The Head of Housing and Wellbeing does not have the necessary delegation to enter into a Lease with Northamptonshire County Council or the authority to enter into tenancy agreements with the proposed tenants of Eleanor Lodge (to be nominated by NCC) or to provide a sub-lease to Northamptonshire Adult Social Services (NASS) for office accommodation at Eleanor Lodge. Cabinet approval to enter into the Lease, Tenancy Agreements or sub leases and any associated documentation thereto will be required and delegated through this report and approval.
- 4.3.3 In relation to the proposed Lease between the authorities of Eleanor Lodge it is to be noted that there is a potential risk of an additional financial impact on the Council if for any reason, NPH are not in a position to collect the rent in the sums anticipated from Eleanor House, which NPH would expect to receive to cover the cost of their management service.
- 4.3.4 For the reasons noted above at paragraph 4.3.2 in order for the land known as Moray Lodge to be transferred by Northamptonshire County Council into the Council's housing portfolio Cabinet approval to acquire this asset is necessary and approval sought through this report.
- 4.3.5 It is also important that the proposal from NCC is in accordance with The Prudential Code for Capital Finance in Local Authorities and in addition that the proposal is in accordance with Council's Housing Strategy.
- 4.3.6 It is to be recommended that consideration be given to developing a policy and/or joint arrangement between Council and Northamptonshire County Council until such time as West Northamptonshire Council has been established, so as to

regularise and to create a pathway through which property transactions, such as proposed herein and related to Adult Social Care in the community can be appropriately managed and supported by both authorities.

- 4.3.7 It is to be recommended that in addition to the policy and/or joint recommendation noted above at paragraph 4.3.6 or as a standalone policy that consideration be given to the Council and NPH establishing an agreed way of working specifically designed and related to the provision of supported living in the community

4.4 Equality and Health

- 4.4.1 A high level Equality Impact Assessment has been carried out for these schemes by NBC and it is to be noted that NBC is required to provide housing options to all residents, including those with protected characteristics and, these schemes comply with the Council's equality duties and provide specific supported living capacity not currently available in the Borough.
- 4.4.2 NCC will have nomination rights so responsible for ensuring specific equality assessments are conducted, if required for the specific client groups targeted for each scheme.

4.5 Consultees (Internal and External)

- 4.5.1 NCC In respect of the schemes requirements and purpose
- 4.5.2 NPH in respect of the Business Cases for the HRA and ability to deliver future housing and management services to the residents.
- 4.5.3 NBC Cabinet Members for Finance and Housing and wider Cabinet Members.
- 4.5.4 NBC Corporate Management Board

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 NBC is a Registered Provider for housing and has duties to offer suitable accommodation to all residents. The request to assist from NCC highlights a shortage of specific supported living accommodation for a number of Adult Social Care client groups. These schemes will assist in rebalancing that lack of provision.
- 4.6.2 These schemes support three strands of the NBC Corporate Plan (2018-2020);
- a) More Homes, Better Homes
 - b) Putting the Customer First
 - c) Spending your Money Wisely

4.7 Other Implications

- 4.7.1 There are no other implications.

5. Background Papers

- 5.1 NBC Council Report – HRA Budget 3 June 2019
- 5.2 NPH Management Agreement with NBC 2015.

6. Next Steps

- 6.1 The Council Corporate Management Board will work with NCC and NPH to progress the three schemes.

Stuart McGregor
Chief Finance Officer