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04 December 2009

To: All Members of the Overview & Scrutiny Committee

Dear Member,

Re: Call-in Overview and Scrutiny Committee meeting – Wednesday 9th December 2009 - Item 5 – Call-in of decision of the Cabinet of 17th November 2009 regarding CAB92 Supported Housing Review

I attach a copy of the report of the Monitoring Officer and the Report of the Director of Urban Environment for the above-mentioned meeting which were not available at the time of collation of the agenda:

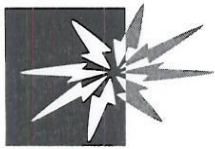
5. CALL-IN OF DECISION OF THE CABINET OF 17 NOVEMBER 2009 REGARDING CAB92 SUPPORTED HOUSING REVIEW (PAGES 1 - 18)

- i) Report of the Monitoring Officer
- ii) Report of the Director of Urban Environment

Yours sincerely

Natalie Cole
Principal Committee Coordinator

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Agenda item:

[No.]

Special Overview & Scrutiny Committee On 9 December 2009

Report Title: **Monitoring Officer's Report on the Call-In of Decisions taken by the Cabinet on 17 November 2009 recorded at minute CAB 92**

Report of: **The Monitoring Officer and Head of Legal Services**

Wards(s) affected: **All**

Report for: **Consideration by Overview & Scrutiny Committee**

1. Purpose

1.1 To advise the Overview and Scrutiny Committee whether or not the decisions taken by the Cabinet on 17 November 2009 on a report entitled "Supported Housing Review" and minuted at CAB 92, falls inside the Council's policy or budget framework.

2. Recommendations

2.1 That Members note the advice of the Monitoring Officer that the decisions taken by the Cabinet were inside the Council's policy and budget framework.

Report Authorised by:

John Suddaby, Monitoring Officer and Head of Legal Services

Contact Officer: Terence Mitchison, Principal Project Lawyer Corporate
Terence.mitchison@haringey.gov.uk 8489 5936

3. Local Government (Access to Information) Act 1985

3.1 The following background documents were used in the preparation of this report
The Council's Constitution
The Council's Housing Strategy 2009-19
The Council's Sustainable Community Strategy
The report on Supported Housing Review to Cabinet on 17 November 2009

4. Background

- 4.1 Under the Call-In Procedure Rules, set out in Part 4, Section H of the Council's Constitution, any 5 Members may request a Call-In even though they do not claim that the original decision was in any way outside the Council's policy/budget framework. Members requesting a Call-In must give reasons for it and outline an alternative course of action. They must specify whether the original decision is claimed to be outside the policy/budget framework. But it is not necessary for a valid Call-In request to claim that Cabinet acted outside its powers. It is sufficient to allege that the original decision was ill-advised for any reason.
- 4.2 The Call-In Procedure Rules require the Monitoring Officer to rule on the validity of the request at the outset. The Monitoring Officer has ruled that this Call-In request complies with all the 6 essential criteria for validity.
- 4.3 The Monitoring Officer must also submit a report to Overview and Scrutiny Committee (OSC) advising whether each Cabinet decision, subject to Call-In, was inside or outside the Council's policy framework. Advice on the budget framework, when this is relevant, is provided by the Chief Financial Officer. This is still a requirement even when those Members requesting the Call-In do not allege that the Cabinet decision was outside the policy framework. While OSC Members should have regard to the Monitoring Officer's advice, it is a matter for Members' own determination whether the Cabinet decision was inside the policy framework or not.
- 4.4 This determination should be the subject of a separate specific vote and it should be expressly minuted.
- 4.5 It is not every Council policy that forms part of the "Budget and Policy Framework". This framework is set out at Part 3, Section B of the Constitution. It contains the most important over-arching strategies, such as the Sustainable Community Strategy, and the major service plans including the Housing Strategy. There would have to be a clear contravention or inconsistency with such a Strategy before a Cabinet decision could be ruled to be outside the policy framework.

5. Details of the Call-In and the Monitoring Officer's Response

- 5.1 The Call-In request form states, under the first heading, that the original proposals of the Cabinet "are considered to be inside the policy and budget framework". The Call-In request form then sets out 6 reasons why the original Cabinet decision should be re-considered. The Monitoring Officer agrees with the view stated in the Call-In request that the original Cabinet decisions were inside the policy and budget framework for the reasons set out as follows.
- 5.2 The only strategy of any relevance to this decision in the policy framework is the Council's Housing Strategy 2009-19. This has no direct references to the future of specific sheltered housing schemes. It does refer on page 18 to implementing the

conclusions of the Supported Housing Review as a priority action. On the same page the Housing Strategy also refers to an increased demand for housing provision for dementia, learning disabilities, physical disabilities, autism, mental health issues and other specialised needs. The original Cabinet decisions were intended to address this demand. There is no reason to consider that the original Cabinet decisions were in conflict with the Housing Strategy.

- 5.3 The “Older Persons’ Housing Strategy”, mentioned in the report to Cabinet, has not been completed or adopted and it will probably not form part of the Council’s “Budget and Policy Framework” in any event.
- 5.4 The Call-In request form also refers to the original Cabinet decisions being “in direct conflict” with Council Plan priorities 3, 4 and 5. This allegation is answered in the report being submitted to this meeting of OSC by the Director of Urban Environment. In any event, the Council Plan is not part of the Council’s policy framework. There is nothing specific in the Sustainable Community Strategy, linked to the Council Plan, that is in conflict with the original Cabinet decisions.

6. Call-In Procedure Rules

- 6.1 Once a Call-In request has been validated and notified to the Chair of OSC, the Committee must meet within the next 10 working days to decide what action to take. In the meantime, all action to implement the original decision is suspended.
- 6.2 If OSC Members determine that the original decision was within the policy framework, the Committee has three options:
- (i) Not to take any further action, in which case the original decision is implemented immediately
 - (ii) To refer the original decision back to The Cabinet as the original decision taker. If this option is followed, The Cabinet must meet within the next 5 working days to reconsider its decision in the light of the views expressed by OSC.
 - (iii) To refer the original decision on to full Council. If this option is followed, full Council must meet within the next 10 working days to consider the decision. Full Council must either decide, itself, to take no further action and allow the decision to be implemented immediately or it must refer the decision back to The Cabinet for reconsideration.
- 6.3 If OSC Members determine that the original decision was outside the policy framework, the Committee must refer the matter back to The Cabinet with a request to reconsider it on the grounds that it is incompatible with the policy framework.

6.4 In that event, The Cabinet would have two options:

- (i) to amend the decision in line with OSC's determination, in which case the amended decision is implemented immediately
- (ii) to re-affirm the original decision in which case the matter is referred to a meeting of full Council within the next 10 working days.

6.5 The Call-In request form asks OSC to refer the original decisions "back to full Council" with a list of points to be taken into account. However, the original decisions were all matters within the remit of the Cabinet, not full Council, being "executive-side" functions.

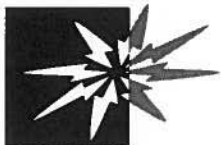
6.6 If OSC Members agree with the Monitoring Officer's recommendation that the original Cabinet decisions were all within the policy framework, then the only role for full Council would be to debate the issues and state a view as provided for in paragraph 6.2 (iii) above. The formal decision-making on the future of the specific sheltered housing schemes would have to stay with the Cabinet.

7. Recommendations

7.1 That Members note the advice of the Monitoring Officer that the decisions taken by Cabinet were inside the Council's policy framework.

8. Use of Appendices / Tables / Photographs

8.1 Not applicable.



Haringey Council

Agenda item

[No.]**OVERVIEW & SCRUTINY**

On 9 December 2009

Report Title: **Review of Supported Housing – The Call-in of a decision taken by Cabinet on 17 November 2009 (Cabinet Minute CAB.93)**

Report authorised by: **Niall Bolger, Director of Urban Environment**

Signed:

Niall Bolger for Director 4/12/2009.

Contact Officer : **Nick Powell**
Head of Housing Strategy, Development & Partnerships

E-mail: **nick.powell@haringey.gov.uk**

Tel: **020 8489 4774**

Ward(s) affected: **Hornsey, Tottenham Hale
 and White Hart Lane**

Report for: **Key Decision**

1. Purpose of the report

1.1 To respond to the issues raised in the Call-in of the report.

2. Introduction by Cabinet Member for Housing

2.1 The Council must ensure that all of its sheltered housing is fit for purpose, is brought up to modern standards by 2013, and plays its full role in meeting the current and future needs of older people. To this end, we have already agreed that 26 of the Council's 29 schemes are included in the decent homes programme.

2.2 We also have an obligation to ensure that all investment in the refurbishment of the Council's sheltered housing schemes is responsible, appropriate and cost effective.

2.3 Before any decision is made to close a sheltered housing scheme, formal consultation must take place with tenants. This is the case with Protheroe House, which is being considered for closure and redevelopment as an 'extra care' scheme.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 The Supported Housing Review supports the Council's objective of improving housing conditions in the borough, and the implementation of the recommendations in this report will help to meet the following priorities in the Council Plan:

- **Priority 3 – 'Encouraging lifetime wellbeing, at home, work play and learning';**

By addressing the deficiencies and limitations of the Council's supported housing schemes, the proposed changes will support and encourage lifetime well being.

- **Priority 4 – 'Promoting independent living while supporting adults and children when needed'.**

Supported housing promotes, encourages and enables independent living.

'Extra care' supported housing provides 24 hour on-site care and support, offers older people a viable alternative to residential care and affords them the opportunity to live safely in an environment where they are actively encouraged to be as independent as possible.

- **Priority 5 – 'Delivering excellent, customer focused, cost effective services'**

If implemented, the recommendations in this report will ensure that, on completion of the decent homes programme, all of the Council's supported housing will meet the decent homes standard.

Where a scheme is not fit for purpose, the site will be either redeveloped (to provide modern general needs / 'extra care' housing) or disposed of.

Two of the 4 supported housing schemes included in the review are not fit for purpose and are expensive to maintain. For the Council, the provision of 'extra care' offers better value for money when compared to residential care options.

4. Recommendations

4.1 It is recommended that:

- (a) Members note the responses to the 6 issues raised by the Call-in when considering the proposed Variation of Action; and
- (b) Members receive and endorse the original report.

5. Reason for recommendations

Background

- 5.1 The Council owns 1,478 units of supported housing.
- 5.2 Two thirds of these homes are provided in the Council's 29 sheltered housing schemes. The other four hundred homes are provided in 26 community good neighbour schemes, situated on general needs estates.
- 5.3 In addition to the Council's 29 sheltered housing schemes and 26 community good neighbour schemes, housing associations own more than twenty sheltered housing schemes in Haringey, providing supported housing for more than 700 older people.
- 5.4 In April 2005, the Council commissioned Ridgeway Associates to carry out a borough-wide analysis of supported housing that included an assessment of Haringey's current and future needs and potential future delivery options. This analysis was informed by a stock condition survey, carried out by Savills.
- 5.5 The Ridgeway Report highlighted a number of key issues about the Council's supported housing, including the extent to which it is fit for purpose and the current and future demand for, and supply of, supported housing:
- (a) Some of the existing accommodation suffers from poor layout, has poor space standards and is unsuitable for people who use wheelchairs;
 - (b) Over the next ten years, it is projected that there will be an over-supply of general supported housing in Haringey;
 - (c) The supply of 'extra care' housing should be increased, in order to meet the needs of a growing number of people who are moving into supported housing later in life (often when their needs include housing, care and support), provide older people with a wider range of housing choices, and assist the Council's efforts to reduce the number of households living in residential care.
 - (d) Future developments in supported housing should take into account the use of 'assistive technology', the growing number of people with dementia, and the needs of older people from black and ethnic minority communities.
 - (e) Consideration should be given to the needs of older home owners who require housing, care and support but can no longer remain in their own homes.

Options appraisal of 4 sheltered housing schemes

- 5.6 Although 25 of the Council's sheltered housing schemes had already been included in the decent homes programme, 4 schemes (Campbell Court, Larkspur Close, Protheroe House and Stokley Court) have been the subject of an options appraisal.

- 5.7 Campbell Court, Larkspur Close, Protheroe House and Stokley Court were chosen because they were deemed unsuitable for supported housing, do not have modern facilities or need a lot of investment to bring them up to the decent homes standard.
- 5.8 To inform its decision on the future of the 4 schemes, the Council asked the Housing Quality Network (HQN) – an independent consultancy – to carry out a detailed assessment of the different options for each scheme. The inclusion of each scheme in the decent homes programme would be dependent on the outcome of the review.
- 5.9 The options considered for each of the 4 supported housing schemes were:
- Retain it as supported housing and include it in the decent homes programme;
 - Convert the accommodation to ‘general needs’ housing and include it in the decent homes programme;
 - Convert the accommodation to ‘extra care’ supported housing and include it in the decent homes programme;
 - Clear the site and redevelop it (with Homes for Haringey or a registered social landlord) as 100% social rented or as a mixed tenure development in line with the Council’s mixed tenure policies;
 - Clear the site and dispose of it on the open market

Assessment of the options

5.10 In August 2009, the Housing Quality Network completed its assessment of the different options for each scheme. This is summarised in the table below:

	Larkspur	Protheroe	Campbell	Stokley
DHS/refurbishment ‘as is’	NO	NO	MAYBE	MAYBE
Convert to General Needs	NO	NO	YES	MAYBE
Redevelop - Extra-Care	NO	YES	NO	YES
Redevelop - General Needs (housing association)	MAYBE	YES	NO	YES
Redevelop - General Needs (local authority homes)	NO	YES	NO	YES
Dispose	YES	YES	NO	YES

- 5.11 In its report, the Housing Quality Network set out the options for each of the 4 schemes, taking into account the state of the current property market, the likely costs of the building work, any planning issues affecting the sites, possible levels of rent and management costs and the likelihood of getting a grant from the government.
- 5.12 The HQN report sets out detailed cost estimates of the various options, including an 'optimum' solution that would involve the closure of all four schemes, the conversion of Campbell Court to 'general needs' housing, the redevelopment of Protheroe House as 'extra care' supported housing, the disposal of Larkspur Close and the redevelopment of Stokley Court as social rented housing.
- 5.13 The optimum solution outlined by HQN would have a one-off cost of around £11.7m for the cost of redevelopment or conversion plus clearance costs.
- 5.14 After giving the matter careful consideration, Officers recommended that the Council addresses each scheme on an individual basis, rather than pursue this 'optimum' solution. This process will require additional financial analysis and feasibility work to ensure that the costs of the proposed changes are viable.

Campbell Court

- 5.15 The 34 one-bedroom flats and 19 two-bedroom flats at Campbell Court (a nine storey block) are in a reasonable condition and, although relatively expensive, the cost of bringing the block up to the decent homes standard is not excessive compared to other schemes that are included in the decent homes programme.
- 5.16 Although Campbell Court's effectiveness as a sheltered housing scheme is inhibited by its height and the lack of communal facilities, there is lift access to all floors and a very strong sense of community within the block.
- 5.17 If Campbell Court is not retained as sheltered accommodation, the most appropriate solution would be to convert it to 'general needs' housing, with a mix of 2, 3 & 4-bedroom homes. This would reduce the number of homes from 53 to 44.
- 5.18 As Campbell Court is already a high rise building in a very low-level neighbourhood, redevelopment of the block will not provide an opportunity to increase the height of the development.

Larkspur Close

- 5.19 The 37 one-bedroom homes at Larkspur Close are small, have flat roofs and are difficult and expensive to maintain and keep warm. Running costs are high and the site has a poor layout and is prone to flooding.
- 5.20 The Housing Quality Network has concluded that, even if it is possible to bring Larkspur Close up to modern standards (in terms of layout and space), the cost of these improvements will be very high.

- 5.21 Consideration was given to the possibility of converting Larkspur Close to 'general needs' or 'extra care' housing. However, given the poor size and layout of the existing accommodation – and the high cost involved in bringing the properties up to a modern standard – neither of these options appear viable.
- 5.22 Given the restricted access, the narrowness of the site and the flooding problem, the options for the future use of Larkspur Close are unclear. More work is needed to establish whether it is suitable for any other type of accommodation or land use.
- 5.23 If Larkspur Close cannot be redeveloped by the Council or a housing association, it could be sold and the sale proceeds (estimated to be around £900,000) invested in the development of 'extra care' housing and/or other social housing.

Protheroe House

- 5.24 The 42 one-bedroom flats at Protheroe House have high running costs, are poorly designed and make poor use of the space available. The scheme is not suitable for retention as a sheltered housing scheme or conversion owing to the high levels of investment that would be required.
- 5.25 The Housing Quality Network has advised the Council that, even if it is possible to bring Protheroe House up to modern standards (in terms of layout and space), the cost of these improvements will be enormous.
- 5.26 Consideration was given to the possibility of converting Protheroe House to 'general needs' or 'extra care' housing. However, given the high cost involved in bringing the properties up to a modern standard, redevelopment will offer better value than conversion.
- 5.27 Although the site is also suitable for family housing, the Housing Quality Network has advised the Council that, of the 4 sheltered housing schemes it has looked at, Protheroe House is the most suitable for redevelopment as 'extra care' housing.
- 5.28 It is estimated that, if redeveloped, the Protheroe House site has the capacity to provide approximately 40 'extra care' homes. If the site is developed as a mixed tenure 'extra care' supported housing scheme, it would be preferable to offer up to a quarter of the new homes (probably 9 or 10) for sale / shared ownership;

Stokley Court

- 5.29 The 47 one-bedroom flats at Stokley Court are grouped together in a series of low-rise blocks and situated within a residential neighbourhood close to amenities and Hornsey High Street.
- 5.30 Although the scheme's running costs are reasonable, the blocks of flats suffer from poor design and land use. As the accommodation is spread over 3 floors and is not served by a lift, Stokley Court has obvious limitations as a supported housing scheme for people with limited, or reducing, mobility.

- 5.31 Consideration was given to the possibility of converting Stokley Court to 'general needs' or 'extra care' housing. However, a more fundamental redevelopment of the scheme will offer better value than conversion and, besides, there are already two 'extra care' schemes in the west of the borough and it is known that most of the unmet need for 'extra care' is in the east of the borough.
- 5.32 Of the 4 housing schemes under review, Stokley Court offers the best potential for redevelopment, given the site's size and shape and the scope for including an adjoining site in any redevelopment.
- 5.33 With better use of space and land, redevelopment of Stokley Court could increase the number of homes on the site by up to 25%. There is also the potential to bring neighbouring sites into the consideration of options.
- 5.34 One of the options available would be to redevelop the site as 100% social rented housing (creating up to 60 new council homes) through Homes for Haringey. Such an option would enable Homes for Haringey to establish its role as a developer (and not just as a manager) of new homes.
- 5.35 In order to make an informed decision on the future use of Stokley Court (and to assess the merits and feasibility of increasing the supply of rented social housing and improving the appearance of the local area), the Council first needs to consult with residents, Councillors and other stakeholders.
- 5.36 The solution that is eventually chosen for Stokley Court must be sustainable and in keeping with Haringey's Older Persons Housing Strategy which is due to be published in December 2010. It must also contribute to the well being of residents and the community, and make effective use of all of the resources available.

Cabinet decision of 17 November 2009

- 5.37 At the Cabinet Meeting of 17 November 2009, it was minuted **CAB.93 SUPPORTED HOUSING REVIEW** (Report of the Director of Urban Environment - Agenda Item 9) as follows:

We noted that the proposals contained in the report were intended to help to promote sustainable communities by providing older people with greater choice in their housing, housing-related support and social care.

'Extra care' supported housing was under-provided in Haringey, and this severely limited the choices and life chances of particularly vulnerable older people who might find themselves restricted to residential care options.

We also noted that any proposals to decommission sheltered housing schemes and to transfer tenants to alternative accommodation would be matters that fell within the requirement on the Council to consult with secure tenants on housing management matters which were likely to affect them. The consultation arrangements would allow the tenants to make their views known within a specified period and the Council had to take those views into consideration before making a final decision on the matter. Although the residents of Campbell Court, Larkspur Close, Protheroe House and Stokley Court had received a number of informal briefings on the progress of the Supported Housing Review and the options appraisal, no formal consultation had yet taken place. We further noted that most residents attending the briefings had expressed understandable concern and anxiety at the prospect of moving from their home and some had wanted to know whether there was scope for them to remain within a friendship group if they needed to transfer to alternative supported housing.

Clarification was then sought of how much had been included in the original decent homes bid in respect of the 4 schemes in question. Also, of why decisions were being made at the present time in advance of the proposed Older People's Housing Strategy of which sheltered housing would be a key component. Clarification was also sought of the role of residents in the decision making process and what weighting would be given to their views. It was accepted that difficult decisions had to be made and it was suggested the whole decision making process should be referred to the Overview and Scrutiny Committee for review.

We were informed that while the views of the residents would be taken into account before a final decision was made, the Council also had to have regard to wider considerations including the need for the shortage of extra care housing to be addressed and the availability of Council and Government capital funding. The views of the tenants at Campbell Court had been taken into account and it was now being recommended that it be retained as a sheltered housing scheme and included in the decent homes programme.

Officers confirmed that the four schemes had been included in the original decent homes bid and that details of the amounts sought would be provided to Councillor Gorrie and to Cabinet Members. However, the HQN report had set out detailed cost estimates of the various options and had concluded that it was not viable to bring the schemes up to the decent homes standard. There had been resident engagement and involvement in the process to date and a formal consultation process was now proposed.

RESOLVED:

That the key outcomes of the Supported Housing Review be noted and approval be granted in principle to the following recommendations in relation to the sheltered housing schemes at Campbell Court, Protheroe House, Larkspur Close and Stokley Court:

1. That Campbell Court be maintained as a sheltered housing scheme and included within Haringey's decent homes programme;
2. That, subject to formal consultation with the tenants and completion of a detailed financial appraisal, Protheroe House be closed and the site redeveloped as a mixed tenure 'extra care' supported housing scheme;
3. That Larkspur Close continue as a sheltered housing scheme but not be included in the decent homes programme until completion of a comprehensive options appraisal and financial assessment, including the feasibility and cost of completing remedial works converting Larkspur Close to a 'good neighbour' scheme and redeveloping the site and pending a decision being made on its future use;
4. That Stokley Court continue as a sheltered housing scheme but will not yet be included in the decent homes programme until December 2010 when a decision will be made on its future use;
5. That formal consultation take place with the residents of Protheroe House on the future of their homes, and that the results of that consultation and the Equalities Impact Assessment be reported back to a future meeting;
6. That, with immediate effect and until further notice, properties that become vacant at Protheroe House must not be re-let.

6. Summary (Matters raised in the Call in)

6.1 Responses to the reasons for Call-in are detailed below. The numbering follows the six bullet points in the Call-in request document.

[1] The Council has failed to apply a consistent weighting to the clearly expressed wishes of all four schemes. For one scheme residents wishes have been supported. For three schemes they have not.

Response

6.2 The decisions that have been made in relation to each of the 4 sheltered schemes have taken into account the views and wishes of residents. However, whilst the residents' wishes were all treated consistently and with equal importance, the circumstances of each scheme vary significantly (see paragraphs 5.15 – 5.36).

6.3 Campbell Court is in a much better state of repair than the other 3 schemes, has working lifts and can be brought up to the decent homes standard at a cost that is comparable to the average for the borough. It is for these reasons that it was decided that Campbell Court will be maintained as a sheltered housing scheme and included within Haringey's decent homes programme.

- 6.4 Larkspur Close and Protheroe House are in a much worse physical condition (so will require substantial investment to bring them up to the decent homes standard) and, as the accommodation at Stokley Court is spread over 3 floors and is not served by a lift, Stokley Court has obvious limitations as a supported housing scheme for people with limited, or reducing, mobility.

[2] The Council has failed to provide residents with clarity on any alternative accommodation arrangements which has resulted in stress and uncertainty for residents. 6.6 indicates deferring a decision was rejected on the grounds of the stress it causes residents yet for three of the four schemes that is precisely what has been done.

Response

- 6.5 On 17 November 2009, Cabinet decided that Campbell Court should be maintained as a supported housing scheme and that, subject to formal consultation with the tenants and completion of a detailed financial appraisal, Protheroe House should be closed and the site redeveloped as a mixed tenure 'extra care' scheme.
- 6.6 A decision on the future use of Larkspur Close and Stokley Court will be made following a further, more detailed options appraisal and, in the case of Stokley Court, completion of Haringey's Older Persons Housing Strategy.
- 6.7 It is certainly not the case that the Council has failed to provide residents with clarity on the alternative accommodation that will be provided if they are required to move.
- 6.8 During the briefing sessions arranged for residents and their families, a lot of questions were asked about the type of accommodation that would be provided if a decision was made to close the sheltered housing scheme(s). Officers attending the sessions described the available options and reassured residents that everyone who needs to move will be supported throughout the process and given the advice and practical help they need in order to make a successful move to suitable alternative accommodation. This included a commitment to try to keep friendship groups together and to help individual residents to move to other parts of the country if this is what they would prefer. These options were discussed at all of the schemes.
- 6.9 Paragraph 6.6 of the Cabinet Report for 17 November 2009 refers to the 'do nothing' option set out in the HQN report, published in August 2009. As all of the Council's housing stock must be brought up to the decent homes standard by 2012/13, there is only a limited time within which to make decisions if the schemes are to be included in the programme. The 'do nothing' option was unacceptable, since it would have prevented the necessary improvements to the 4 schemes.

[3] The Council has provided no clarity on the decision making process, decision making criteria and weighting of the various criteria that has been used or will be used.

Response

- 6.10 The decisions made by the Council were based on the detailed findings of three comprehensive consultancy reports. The reports set out a clear process of assessment and evaluation of the existing supported housing stock, include demographic trends and a robust, evidence based assessment of the future demand for supported housing provision. It has been produced by recognised experts.
- 6.11 When determining how best to improve the provision of supported housing in the short term and long term, Cabinet Members and Officers have given very careful consideration to the recommendations and evidence in each of the reports.
- 6.12 The decisions were based on the consultancy reports and reflect the aspirations of the Council that older people should be able to live independently, for as long as possible, in decent housing. The choices available to the Council, and the subsequent judgements made, reflect a wide range of factors including the constraints on revenue and capital funding, the timescales for the decent homes programme, the needs of current and future residents of the 4 schemes, the scope for improvements at each scheme and the options for disposal.
- 6.13 An important consideration during the review was the relative over-provision of general supported housing (evidenced by the high number of void properties) and the under-provision of extra-care supported housing.

[4] The decision to review Sheltered Housing at Campbell Court, Protheroe House, Larkspur Close and Stokely Court at this time conflicts with the proposed undertaking of an entire review of future provision of Supported Housing as part of the Older Person's Housing Strategy which is not due for completion until 2010.

Response

- 6.14 The decisions made in relation to the four sheltered housing schemes reflect the need to improve, in the short term, the quality of some of the schemes where it is appropriate to do so. The decisions also reflect the longer-term strategic development of housing and social care services that are appropriate to an ageing population with more complex needs and for whom the offer of general supported housing may be neither appropriate nor acceptable.
- 6.15 The Older Persons Housing Strategy will set out the strategic context for future service provision, promote independence and safety in the home, improve the quality of the homes in which older people are living and assist the integration of housing and social care. Although the Council's supported housing will feature in it, the Older Persons Housing Strategy will cover all forms of tenure.

- 6.16 Although it would not be practical for the Older Persons Housing Strategy to include “an entire review of future provision of supported housing”, it is likely that, following consultation with stakeholders and consideration of existing and future demand for supported housing (good neighbour, sheltered and ‘extra care’), one of the key actions in the new Strategy will be a review of existing provision and a more detailed assessment of the borough’s future needs.
- 6.17 Evidence-based and reflecting the national and local context, Haringey’s Older Persons Housing Strategy will set out clearly the standards of housing, care and support that older people should expect to receive in Haringey. This will inform future service reviews and provision.
- 6.18 The timetable for producing the Older Persons Housing Strategy will enable the Strategy to be developed in an inclusive way with a wide range of stakeholders (including older people) that complements the borough’s other key strategies.

[5] The Ridgeway report identified twelve schemes as not fit for purpose within 5 years. This is a strategic issue and should be addressed as part of the Older Person’s Housing Strategy.

Response

- 6.19 It has been agreed that, including Campbell Court, 26 of the Council’s 29 sheltered housing schemes and all of the Council’s ‘good neighbour’ schemes will be brought up to the decent homes standard by 2012/13. This leaves only three sheltered housing schemes (Larkspur Close, Protheroe House and Stokley Court) that have not yet been included in the decent homes programme.
- 6.20 At its meeting on 17 November 2009, Cabinet decided that Protheroe House should not be included in the decent homes programme and that a decision on whether or not to include Larkspur Close and Stokley Court in the programme should be made on completion of a comprehensive options appraisal of the two sites.
- 6.21 As explained in paragraphs 6.15 – 6.17, the Older Persons Housing Strategy will provide the strategic framework within which to review and plan for housing and housing-related support for older people. Delaying a decision on all 4 sheltered schemes (rather than just Stokley Court) until the Older Persons Housing Strategy is completed in 12 months’ time is unnecessary and would serve no useful purpose.

[6] Displacing older person residents from supported housing they wish to remain in is in direct conflict with the Council Plan priorities 3, 4 and 5 contrary to the statements in the cabinet report.

Response

- 6.22 In reviewing the future of the 4 schemes, the Council was seeking to improve the quality of supported housing, increase the supply of ‘extra care’ housing in the borough, provide residents with more choice in how their housing and support needs are met, and help older people to remain independent.

- 6.23 The statements in the Cabinet report (see paragraph 3.1) correctly demonstrate how the outcomes of the review of supported housing, and the resulting decisions made by Cabinet, contribute to the achievement of the Council priorities 3, 4 and 5.
- 6.24 As the Cabinet decided that Campbell Court should continue as sheltered housing, none of the residents of that scheme are being displaced. Furthermore, since it is likely to be some time before a decision is made in respect of Larkspur Close and Stokley Court, none of the residents of those schemes are being displaced, either.
- 6.25 At this stage, the only residents who are likely to be displaced in the foreseeable future are those who are living at Protheroe House. Subject to formal consultation with the tenants and completion of a detailed financial appraisal, Protheroe House will close and the residents will be provided with suitable alternative accommodation.
- 6.26 Given a choice, most of the tenants who are displaced by the proposed closure of Protheroe House (or, indeed, any other sheltered housing scheme) would prefer to remain where they are. However, the Council must bring all of its housing up to the decent homes standard, increase the supply of 'extra care' supported housing and provide older people with viable alternatives to residential and nursing care.
- 6.27 Encouraging lifetime wellbeing, promoting independent living and delivering excellent, customer focused services will sometimes involve the displacement of tenants to somewhere more suitable or to enable their existing accommodation to be improved or redeveloped to provide them or someone else with better housing.
- 6.28 The Council is committed to reducing the number of people placed in residential and nursing care, and to delivering excellent, cost effective services. Responsible investment in the refurbishment of existing sheltered housing schemes and the provision of services that meet the needs of an ageing and increasingly frail population is more cost effective than a strategy that focuses on residential care.

7. Chief Financial Officer Comments

- 7.1 The Chief Financial Officer has been consulted and is satisfied that the comments in the original Cabinet report remain valid.

8. Head of Legal Services Comments

- 8.1 The Head of Legal Services has been consulted in the preparation of this report.
- 8.2 The Council has a responsibility to make arrangements to provide residential accommodations for persons aged 18 or over who because of age, illness, disability and any other circumstances are in need of care and attention which is not otherwise available. The sheltered housing scheme is part of the Council's such responsibility.

- 8.3 In making such arrangements the Council must have regard to the welfare of all persons for whom accommodation is provided and in particular to the need for providing accommodation of different descriptions suited to the different needs of the people to whom it has the responsibility. In order to fulfil its responsibility the welfare of those people at present in occupation of the premises mentioned in this report must be addressed.
- 8.4 All the properties mentioned in this report are held by the Council for housing purposes. Where disposal is proposed, such disposal cannot take place unless the consent of the Secretary of State is first obtained. The Secretary of State has issued some general consents which will need to be considered. Further reports must be produced once proposals for redevelopment or disposal have been agreed and further legal comments will be provided on those proposals and on whether or not specific consents will be required or whether the Council can rely on those general consents.
- 8.5 Where tenants need to be moved out to enable the redevelopment to take place, suitable alternative accommodations must be provided to those tenants that the Council has a duty under the homeless provisions, under paragraph 8.2 above and/or those with a secure tenancy.
- 8.6 The Council has an obligation to consult with those tenants who will be affected by the proposals set out in this report. It is noted that at this stage no formal consultation has taken place, as such any recommendation must be subject to a formal consultation. The Council must take into account the result of these recommendation and seek to address any issues raised.
- 8.7 The Council as a social landlord has an obligation to ensure that its residential accommodations meet the decent homes standard. This sets out the minimum standard requirements for social housing. The deadline for meeting this minimum standard is 2010, although some individual deadlines can be negotiated beyond 2010 with the CLG. It has been agreed with DCLG that those properties which are within this Council's programme will have to meet the decent homes standard in the financial year 2012/2013. A delay in making a decision on whether or not any of the properties mentioned in this report should be within the programme may cause the Council to fail to meet the agreed deadline.

9. Local Government (Access to Information) Act 1985

- 9.1 The following background papers were used to inform the production of this report:
- Ridgeway Report – Older Person's Housing and Support Needs Analysis (July 2005)
 - HQN Report – Sheltered Housing Options Appraisal (August 2009)