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3<sup>rd</sup> September 2013

**Name of Cabinet Member:**

Cabinet Member (Health and Adult Services) Cllr Gingell

**Director Approving Submission of the report:**

Executive Director, People

**Ward(s) affected:**

Wyken  
Foleshill

**Title: Supported Living Services Provided at Axholme House**

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**Is this a key decision?**

No. Although two wards are affected, the impact is not considered to be significant.

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**Executive Summary:**

The Council is committed to ensuring that accommodation, care and support is delivered to individuals in ways that maximises their independence and reduces the need for on-going services.

As part of this approach to maximising independence the Council directly provides care and support services which assist people with mental health problems. These services are provided at Axholme House in Wyken which provides a 'Step Down' recovery option for people with long term and enduring mental ill health as part of their rehabilitation with a view to them living fully independently within the community. Occupants hold a license agreement for their bedroom and share the communal areas which include a kitchen and bathrooms.

Axholme House is owned by the Council, with Midland Heart, a Registered Social Landlord, being the landlord to the individual occupiers. This has been the arrangement since 2001 for which Midland Heart pays an annual rental to the City Council and recovers other costs through rents and charges to occupants. The Council is responsible for repairs including the main structure of the building, plant and equipment. Midland Heart is responsible for all other outgoings such as minor repairs and utility costs.

There are a number of structural issues with the Axholme House building including subsidence and the requirement for a new heating system. Due to the structural condition of the building and shared nature of the accommodation the Axholme House building will not be sustainable without significant investment.

An opportunity has arisen through Midland Heart to re-locate the service to an alternative building in St Paul's Road, Foleshill. This building, with some refurbishment, would enable an improved accommodation offer for the present occupants of Axholme House and mitigate against risks to service continuity due to the standard of the Axholme House building. If the relocation was to proceed Axholme House would be required to close.

**Recommendations:**

Cabinet Member is recommended to:

- (1) Approve a formal consultation with existing residents, their families and Midland Heart regarding a move to improved accommodation and ceasing the provision of services at Axholme House.
- (2) Accept a further report to a joint Cabinet Member Meeting with the Cabinet Member (Business, Enterprise and Employment) concerning the outcome of the formal consultation and subsequent recommendations.

**List of Appendices included:**

Appendix One - Equalities and Consultation Analysis

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## **Report title: Supported Living Services Provided at Axholme house**

### **1 Context**

- 1.1 The Council is committed to ensuring that accommodation, care and support is delivered to individuals in ways that promote independence and reduce the need for on-going support. Where care and support is provided along with accommodation the accommodation should be of a suitable standard to ensure maximisation of opportunities for increased independence and the effective delivery of care and support.
- 1.2 Axholme House is located on Axholme Road, Wyken and provides a step down recovery service for people with long term and enduring mental ill health after completion of clinical rehabilitation with a view to them living independently within the community following a stay at Axholme House of between six and twenty-four months. To support people moving on outreach support is also provided. Axholme House has also offered a number of people the opportunity to return to Coventry from out of city placements.
- 1.3 Axholme House offers accommodation for ten people although the number supported at any one time varies. At present only six of the ten bedrooms are occupied.
- 1.4 Axholme House is a two storey building constructed in 1976. Each occupant possesses a licence and has a private bedroom, with all other facilities including bathing and toilets being shared with other occupants. Over recent years the building has suffered from subsidence and the heating system will also need replacing in the near future. The cost of the structural work required to counter the subsidence along with a replacement heating system was estimated at approximately £200,000 in 2012.
- 1.5 As Landlord, Midland Heart has been aware for some time of the structural and suitability issues associated with Axholme House and the City Council has been approached by Midland Heart regarding the possibility of de-commissioning Axholme House and establishing the service at another Midland Heart property in Foleshill. This alternative property offers five bedrooms with shared lounge, dining room, kitchen and two bathrooms on the ground floor and four individual flats for five people on the first floor (one being a two-person flat).
- 1.6 The building is owned by Midland Heart and would be refurbished prior to any transfer of occupants from Axholme House. The Council would no longer have liability for building repairs in respect of the new property.

### **2 Options considered and recommended proposal**

- 2.1 It is recommended that the City Council consults with existing residents and stakeholders at Axholme House regarding a proposed move to the alternative building in Foleshill. This alternative accommodation is both of a higher standard for residents and negates the need for the City Council to invest in rectifying the structural and heating issues at Axholme House.
- 2.2 It is envisaged that the Council's team of 12 staff who currently provide the service at Axholme House would re-locate with the service to the new location.
- 2.3 The Axholme House site would thereafter be declared surplus to operational requirements and transferred to the Place Directorate for marketing with a view to disposal and the generation of a capital receipt.
- 2.4 As the service is intended to be delivered on a short term basis and occupants therefore hold licences as opposed to tenancies there are fewer issues in relation to moving to alternative provision.

2.5 Should the recommended proposal not be acceptable then the service could continue to operate from Axholme House. However, due to the issues outlined, this does not present a viable long term option unless significant investment was to be made.

### **3 Results of consultation undertaken to date**

3.1 Preliminary discussions have been undertaken with existing occupants who are aware of the potential to move to the alternative accommodation in Foleshill.

3.2 The Axholme House staff team has been aware for some considerable time of the building issues. They are aware of the potential to move to the building at St Paul's Road, Foleshill and their initial feedback has been very positive in respect of this.

### **4 Timetable for implementing this decision**

Should the Cabinet Member agree to the proposal outlined in this report, formal consultation will commence in September 2013 with recommendations delivered to a joint Cabinet Member meeting to include the Cabinet Member (Business, Enterprise and Employment).

Although a consultation normally lasts for three months, should there be significant support for the move then this timescale may be shortened.

### **5 Comments from Executive Director, Resources**

#### **5.1 Financial implications**

Implications of closure of Axholme House would include loss of rental income paid to the Council by Midland Heart of £18,700 per annum but this would be offset through a capital receipt for the land and negating the requirement for building works and boiler replacement. A one-off £40,000 contribution to Midland Heart's refurbishment costs would be made from Mental Health capital grant funds. There would be small costs associated with reimbursement of staff to compensate for extra travel to the new location and small costs associated with the move. These costs would be offset by reductions related to expenditure which is incurred due to the constraints of the current building. Service users would not incur additional costs as the new provision would be fully furnished.

#### **5.2 Legal implications**

Axholme House is a supported living environment and not a care home. Service users are provided temporary accommodation and have licences rather than tenancies; however, the following guidance is pertinent:

In the case of *R v Devon CC ex p Baker* and *Durham CC ex p Curtis* and others the court approved the proposition that consultation on the closure of care homes should contain four elements namely:

"First that consultation must be at a time when proposals are still at a formative stage. Second that the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response. Third that adequate time must be given for consideration and response and finally, fourth, that the product of consultation must be conscientiously taken into account in finalising any statutory proposals."

The court has also approved the proposition that if a resident is to be transferred from one home to another, he or she must be consulted over their removal from the existing home as well as over the home to which he or she is to be transferred.

The public sector equality duty under section 149 of the Equalities Act 2010 requires that decision makers must have ongoing due regard to avoid discrimination and advance opportunity for anyone with the relevant protected characteristics which are disabilities, age, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. "Due regard" requires more than just an awareness of the equality duty. It requires rigorous analysis by the public authority, beyond broad options.

As mentioned earlier in this report, it is proposed that a further joint Cabinet Member report will be submitted detailing the proposals for the disposal of Axholme House. Officers within the Place Directorate would ensure that vacant possession of Axholme House is secured from Midland Heart and that any capital receipt from the disposal of Axholme House would satisfy the Council's legal obligation to obtain best value in accordance with the provisions under section 123 Local Government Act 1972.

## **6 Other implications**

### **6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

Should the alternative accommodation option be pursued *this* would contribute to a number of the Council's objectives and priorities including:

- citizens living longer, healthier, independent lives through an improved accommodation offer
- providing a good choice of housing
- improving the environment through development of a vacant building

### **6.2 How is risk being managed?**

A fuller risk analysis will be informed through formal consultation with stakeholders but the following risks have been identified to date:

- Slippage in availability of the St Paul's Road building, Foleshill.

This will be mitigated through on-going dialogue with Midland Heart and the adherence to a project plan for building re-furbishment.

- Current service users do not elect to move to the new accommodation

This is considered to be unlikely as the St Paul's Road building will offer an improved standard of accommodation and feedback so far has illustrated that residents support a move. Residents will have options to move to accommodation other than St Paul's Road.

### **6.3 What is the impact on the organisation?**

The care and support staff currently working at Axholme House would re-locate to the new building which is approximately 2.5 miles from Axholme House and would continue to provide outreach support as well as support for residents.

Two cleaning staff are employed by the City Council and should the proposal be implemented their posts would be redundant as Midland Heart would provide cleaning

services themselves at the St Paul's Road property. Redeployment options would be pursued for the Council's cleaning staff in the first instance.

Should the proposal proceed to implementation the Axholme House site would be declared surplus to operational requirements and transferred to the Place Directorate for marketing with a view to disposal and the generation of a capital receipt.

#### **6.4 Equalities/EIA**

An initial Equalities and Consultation Analysis has been completed. This will be further developed during the consultation so that final decisions can be made based on robust knowledge of known impacts.

#### **6.5 Implications for (or impact on) the environment**

None

#### **6.6 Implications for partner organisations?**

Midland Heart will be impacted upon by the proposal as the landlord for the occupiers of Axholme House and the Foleshill building. Midland Heart have been fully involved in the development of the proposal described in this report.

#### **Report author(s):**

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#### **Directorate:**

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## **Appendices**

### **Equality and Consultation document**