

	<b>CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</b>
<b>Title</b>	Re-housing of sheltered accommodation at Cheshir House in order to obtain vacant possession, followed by demolition and the building of a 75 flatted Extra Care scheme.
<b>Report of</b>	Cllr Rozenberg, Chairman of Housing Committee Cath Shaw, Deputy Chief Executive
<b>Wards</b>	Hendon
<b>Status</b>	Public
<b>Enclosures</b>	None
<b>Officer Contact Details</b>	Derek Rust, Group Director Growth & Development The Barnet Group

<b>Summary</b>
<p>Development proposals for the Fosters Estate have been prepared and submitted to planning. The proposal is for the infill development of 217 additional mixed tenure homes of which 50% are affordable, including a 75-unit extra care scheme.</p> <p>The proposed masterplan includes the demolition of Cheshir House, an existing sheltered housing scheme, to enable that part of the Estate to be redeveloped for the extra care scheme.</p> <p>Cheshir House is a 1960s building containing 28 flats (23 occupied) offering sheltered accommodation for older vulnerable residents all of which are secure tenants, currently managed by the London Borough of Barnet.</p> <p>A planning submission has been made in May 2019 with approval expected in September 2019 and demolition in Summer 2020.</p> <p>In order for this timetable to proceed, it is necessary to safely re-home the current residents to other properties taking into consideration the age demographic of the residents and the</p>

possible stress of the move. With this in mind this report is asking for approval to begin the consultation process with a view to progressing with the re-housing process from August 2019 as it is envisaged to take a year for the process to complete.

The capital programme includes a budget of £16,265,000 for an earlier iteration of the extra care scheme, when 50 affordable units were proposed. The number of affordable units has now increased to 75, whilst grant funding for the additional 25 units has not yet been secured.

Funding options for the whole masterplan including Cheshir House are being considered and will be subject to a forthcoming approval at full business case stage. It is currently the intention to fund the scheme through the HRA and GLA grant.

In the event that the full masterplan does not proceed, the intention is that the extra care scheme will still progress.

This delegated powers report seeks approval to progress with the implementation of the scheme for Cheshir House, specifically addressing the further consultation and having regard to any relevant and appropriate objections or representations made, with the re-housing of the eligible residents at Cheshir House to enable the project milestones to be met.

## Decisions

1. Subject to proper consultation having been undertaken and completed, to authorise Barnet Homes to commence the process of re-housing those eligible residents at Cheshir House to alternative permanent new residences. This includes:
  - 1.1 Full engagement and consultation with existing residents, family members and carers to determine their needs and preferences.
  - 1.2 'Banding' of residents as per the LBB Allocations Policy.
  - 1.3 The re-housing of the existing residents to alternative suitable accommodation.
  - 1.4 Serving Notice of Seeking Possession under Ground 10 Housing Act authorising Barnet Homes to carry out the re-housing of Cheshir House and move residents to other accommodation deemed appropriate in order for the development of a new extra care scheme.

## 1. WHY THIS REPORT IS NEEDED

- 1.1 Development proposals for the Fosters Estate have been prepared and submitted to planning. The proposals include the infill development of 217 additional mixed tenure homes of which 50% are affordable, including a 75-unit extra care scheme.

- 1.2 The proposed masterplan planning application includes the demolition of Cheshir House, an existing sheltered housing scheme, to enable the land to be redeveloped for the extra care scheme.
- 1.3 Cheshir House is a 1960s building containing 28 flats (23 occupied) offering sheltered housing accommodation for older residents, all of which are secure tenants, currently owned and managed by the London Borough of Barnet.
- 1.4 A planning submission has been made in May 2019 with approval expected in September 2019 and with demolition anticipated for Summer 2020.
- 1.5 In order for this timetable to be met it is necessary to properly re-house current eligible residents to other properties taking into consideration all relevant factors, including the age demographic of the residents, and the impact of the relocation which will be permanent. With this in mind, this report is asking for approval to begin the re-housing process from August 2019 to allow adequate time for the process to be completed.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The masterplan planning application which includes Cheshir House, was made in May 2019, with approval expected in September 2019. The proposed construction programme assumes commencing demolition in Summer 2020. It is anticipated that the re-housing plan will take approximately one year, requiring a meaningful start to be made now.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

### **3.1 Do nothing**

- 3.1.1 This option would not achieve any of the Council's strategic objectives of delivering more choice for older people including provision of extra care accommodation, which provides more independence and higher quality living for residents within the borough.
- 3.1.2 There are a number of major and cyclical works projects required in the forthcoming years due to the condition of the building in its current form. Further refurbishment of the existing building is not a favourable option as the scheme will not meet the emerging and increasing needs of an ageing population irrespective of the proposed works.
- 3.1.3 Cheshir House contains 12 studio flats, almost half of the available accommodation. Barnet Homes have found studios difficult to let so this is not optimal.

## **4. POST DECISION IMPLEMENTATION**

- 4.1.1 Barnet Homes will arrange to have 1 to 1 meetings/interviews with residents to record their individual needs (e.g. Mobility, care needs, medical requirements etc.) and preferences (area close to family/friends, facilities etc.) Relatives, friends and carers can

be part of this process as per resident's wishes. These needs will be accommodated as far as possible.

- 4.1.2 All residents will need to be 'Banded' as per LBB's Allocation Policy and their individual cases expedited as soon as possible in order to minimise any unnecessary stress to the residents. Those eligible under the Council's allocations policy will be placed in Band 1, for those with highest priority need. This enables a flexible approach to access all potential options to provide alternative accommodation.
- 4.1.3 Barnet Homes intends to re-locate the eligible current residents in alternative suitable accommodation. This includes other Sheltered Housing schemes, independent homes or extra care depending on their needs and inside or outside the borough depending on their preferences. There is also the opportunity of assisting them to relocate to another part of the country or to the seaside (Specialist Scheme) if this is what they wish subject to accommodation being available.
- 4.1.4 Barnet Homes carried out a similar exercise during the re-housing of Moreton Close sheltered scheme which was carried out successfully with all residents being suitably rehomed. This was done to the residents' satisfaction and their families to enable Ansell Court, a 53 flatted Extra Care scheme to be delivered.
- 4.1.5 As a precautionary measure and to ensure the timetable of the project is not at risk, Barnet Homes intend to serve Notice of Seeking Possession under Ground 10 of the Housing Act 1985.
- 4.1.6 Barnet Homes will continue to consult directly with the Sheltered Housing Residents, keeping them informed and updated on developments in conjunction with LBB.
- 4.1.7 In terms of beginning the re-housing process, Barnet Homes are currently holding five void properties which would be suitable.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The 2017-18 Addendum to the 2015-2020 Adults and Safeguarding Commissioning Plan includes the following commissioning priorities:
  - Developing best practice social care, focused on what people can do and how they can help themselves;
  - Diversifying Barnet's accommodation offer to help more people live independently;
  - Transforming day care provision to ensure that people remain active and engaged through access to employment and volunteering;
  - Integrating health and social care services to prevent crises and help individuals stay well and in their own homes;
  - Improving the borough's leisure facilities to support and encourage active and healthy lifestyles; and

- Expanding evidence-based prevention and early support, including technology, to make sure people can use services closer to home to help them stay independent for as long as possible.

5.1.2 The expansion of Extra Care provision supports delivery of these priorities. It also supports the priorities of the Joint Health and Wellbeing Strategy (2015 – 2020) and the strategy's themes of wellbeing in the community and care when needed. In addition, The Right Home Commissioning Plan, which was approved by Adults and Safeguarding Committee in June 2017, supports the use of Extra Care to extend residents' independence as they get older. The expansion of Extra Care also contributes to meeting the commitments of the Dementia Manifesto for Barnet, supporting people with dementia to live a full and active life, and enabling them to live at home for longer as part of an active and supportive Extra Care community.

5.1.3 The Barnet Housing Strategy identifies the need for the Council to secure new types of housing for Barnet's older population and working age adults with additional needs. One of the areas identified for expansion is the provision of Extra Care housing.

## 5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The capital programme includes a budget of £16,265,000 for an earlier iteration of the extra care scheme, when 50 affordable units were proposed. The number of affordable units has now increased to 75, whilst grant funding for the additional 25 units has not yet been secured.

5.2.2 Funding options for the whole masterplan are being considered and will be subject to a forthcoming approval at full business case stage. It is currently the intention to fund the scheme through the HRA and GLA grant.

5.2.3 In the event that the full masterplan does not proceed, the intention is that the extra care scheme will still progress independently.

5.2.4 The costs for re-housing Cheshir House are estimated to be £190,000. This has been included in the wider project's RIBA stage 4a cost plan, which has been approved at Capital Strategy Board and was approved at Full Council on 30 July 2019.

<b>Cost projections for the Re-housing Process</b>	<b>Projected Costs (Approx)</b>
Removals costs for 23 residents @ £800.00 each incl. vat	£18,400.00
Removals costs all communal furniture and equipment	£2,000.00
Statutory Home Loss & Disturbance allowances for all residents approx. £6,300 each	£144,900.00

Associated costs arising for additional services throughout the re-housing process.	£25,000.00
<b>Approximate Costs - as of May 2019</b>	<b>£190,300.00</b>

5.2.5 The budget allows for the associated direct costs relating to the re-housing exercise such as home loss payments etc. The staff costs connected with delivering this proposal will be met within the Barnet Group's development fee for the scheme.

5.2.6 No provision has been made for rent loss to the Housing Revenue Account in this estimate. This will be considered as part of the project's business case.

### 5.3 Social Value

5.3.1 Increasing the utility of existing assets through mixed use redevelopment will enable the Council's portfolio of assets to go further towards supporting local needs by helping to provide new opportunities for housing, (in particular, affordable housing) and new, improved community facilities.

### 5.4 Legal and Constitutional References

5.4.1 The Council will need to consider, comply with and obtain any statutory and legal requirements /consents to give effect to this approval.

5.4.2 All of the residents at Cheshir House are secure tenants and their rights are therefore enshrined in the Housing Act 1985 ("the 1985 Act"). In the absence of agreement there are limited rights within the 1985 Act to repossess a secure tenancy and one of those is set out at Schedule 2 Ground 10 which relates to the repossession of a secure tenancy where demolition, reconstruction or building works are required to be carried out and such cannot be reasonably carried out without the same.

5.4.3 There is a requirement for statutory consultation, the service of statutory notices setting out the Council's proposals which must provide for not less than 28 days' for representations to be received.

5.4.4 Any implementation of the scheme will need to evidence that the tenants/residents' views have been properly considered.

5.4.5 As the intention for this part of the Fosters Estate is for redevelopment, the Council is required to compensate eligible residents for loss of their home/s. It is proposed that these payments are made available to all residents regardless of whether they moved on a voluntary basis or via the statutory route.

5.4.6 Home loss payments would be made in line with the Planning and Compensation Act 1991, the Land Compensation Act 1973 and Home Loss Payments (Prescribed Amounts) (England) Regulations 2016. The prescribed amount of compensation is set as at £5800 subject to annual review.

5.4.7 The 1985 Act (Part II 5.26) allows local authorities to give financial assistance towards

removal costs to residents affected by a clearance programme which has resulted in either a temporary or permanent move of residency.

- 5.4.8 The Care Act 2014 aims to achieve clearer, fairer care and support, with an emphasis on promoting physical mental and emotional well being of both the cared for and the carer. It aims to put people in control of their care. The principle of well being underpins the Act. There is a new national eligibility criteria established and duties have been introduced in respect of prevention of need and integration of services.
- 5.4.9 As there is no land transfer to a third party involved, there are no issues relating to any requirement for any disposal consent although any statutory consents required including to appropriate the land to planning purposes given that Cheshir House sits in the HRA, may need to be considered.
- 5.4.10 The Barnet Council Constitution- Article 7- Committees, Forums Working Groups and Partnerships – states inter alia that the Housing Committee has responsibility for housing matters including housing strategy, homelessness, social housing, and housing grants, commissioning of environmental health functions for private sector housing.
- 5.4.11 The Barnet Constitution- Article 10.4 – Decision making by Chief Officers jointly with Theme Committee Chairmen- states, Chief Officers in consultation with Theme Committee Chairmen (Policy & Resources; Children, Education, Libraries & Safeguarding; Adults and Safeguarding; Environment; Assets Regeneration & Growth; Housing; Community Leadership) have delegated authority to make decisions which are not key decisions and which have a value between £181,302 and £500,000. A written report will be prepared for every decision.

## **5.5 Risk Management**

- 5.5.1 The Sheltered Housing Scheme of Cheshir House has 23 older residents in occupation, some of whom may be vulnerable. Barnet Homes will manage the re-homing process in a sensitive and proactive way where the eligible residents' needs and preferences are taken into account as appropriate and they are supported throughout the entire process.

## **5.6 Equalities and Diversity**

- 5.6.1 Under the Equality Act 2010, the Council must have due regard to the need to: a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; b) advance equality of opportunity between those with a protected characteristic and those without; c) promote good relations between those with a protected characteristic and those without. The 'protected characteristics' referred to are; age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regards to eliminating discrimination. The Council will be undertaking an Equalities Impact Assessment and will take proper and full consideration of any relevant matters raised by it in relation to the proposal and if appropriate its implementation.
- 5.6.2 The Council is committed to improving the quality of life for all, and wider participation in the economic, educational, cultural, social, and community life in the Borough.

## **5.7 Corporate Parenting**

5.7.1 No issues identified.

## **5.8 Consultation and Engagement**

5.8.1 Barnet Homes will continue to consult directly with the existing residents, keeping them informed and updated on developments. They will work alongside the consultants who are leading on the communications activities.

5.8.2 Upon instruction, Barnet Homes will write to all residents inviting them to a meeting to discuss the next steps.

5.8.3 The residents of Cheshir House will continue to be consulted on the wider proposals for development on the Fosters Estate, whilst they remain in occupation.

## **5.8 Insight**

5.8.1 The Council's Housing Strategy and emerging Local Plan respond to evidence such as the Strategic Housing Market Assessment and other needs assessments that have identified a need for increased housing delivery. Barnet has 393,000 residents and this figure is expected to grow by 76,000 over the next 25 years; an increase of 19%.

5.8.2 The council has identified a need for additional supported housing and is increasing the supply of extra care housing as an alternative to residential care homes, providing a more flexible and affordable approach that can help older people live more independent lives for longer.

5.8.3 The older population in Barnet is set to increase significantly, with the number of people over 60 living in the borough expected to rise by 68% from 75,519 to 121,701. Good housing can help to support other council objectives, such as helping older and vulnerable people to live independently and the council has put in place a programme of providing new extra care housing schemes, including at Cheshir House.

5.8.3 It is estimated that there are currently over 4,000 people with dementia in Barnet and by 2021 this figure is expected to increase by 24%. People with dementia are usually, at a later stage of the disease, admitted to residential care and the new extra care scheme at Cheshir House will provide an alternative option.

5.8.4 The delivery of new affordable rented homes will help to meet the objective in the Council's Housing Strategy to prevent and tackle homelessness, by reducing the use of temporary accommodation. There are currently more than 2,700 households living in temporary accommodation which presents significant budgetary pressures for the Council.

5.8.5 Barnet's Health and Wellbeing Strategy recognises the importance of access to good quality housing in maintaining Well-Being in the Community.

5.8.6 Lack of affordable housing is highlighted in Barnet's Joint Strategic Needs Assessment



(JSNA) as one of the top three concerns identified by local residents in the Residents' Perception Survey

## 6 BACKGROUND PAPERS

Assets, Regeneration and Growth Committee, 13 June 2019

<https://barnet.moderngov.co.uk/documents/s52938/Upper%20and%20Lower%20Fosters%20report%20public.pdf>

Assets, Regeneration and Growth Committee, 13 June 2019

<https://barnet.moderngov.co.uk/documents/s49857/UPPER%20and%20LOWER%20FOSTERS.pdf>

Assets, Regeneration and Growth Committee, 12 December 2016

<https://barnet.moderngov.co.uk/documents/s36542/Upper%20and%20Lower%20Fosters.pdf>

Chairman:  
Has been consulted

Signed: Cllr Rozenberg

Date: 30 July 2019

Chief Officer:  
Decision maker having taken into account the views of the Chairman

Signed: Cath Shaw

Date: 2 August 2019  
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