

CHESHIRE EAST COUNCIL

REPORT TO: CABINET

Date of Meeting:	18 October 2010
Report of:	Phil Lloyd, Director of Adults, Community, Health and Wellbeing
Subject/Title:	Rationalisation and Temporary Closure of Buildings in Adult Services
Portfolio Holder:	Roland Domleo

1.0 Report Summary

- 1.1 The Cabinet Report of 19 July outlined a range of options for delivering the same level of service from fewer buildings in Adult Services. In particular, the report referred to the possible closure of Jubilee House and 291 Nantwich Road and the transfer of services to the nearby Hilary Centre. The matter was discussed at the Overview and Scrutiny Committee on 12 August 2010 and it was noted that those affected by the proposals would be consulted and a recommendation be brought to Cabinet.
- 1.2 The East Cheshire Acute Health Trust temporarily closed Tatton Ward of Knutsford Hospital on 6 September (reported to the Overview and Scrutiny Committee on 9 September 2010). At that meeting the Director of Adults, Community, Health and Wellbeing indicated that there would be financial and practice impacts on Cheshire East Council and undertook to explore these and report back. This report details that impact.

2.0 Decision Requested

- 2.1 Cabinet agree to the closure of Jubilee House and the transfer of services to the Hilary Centre once minor works are carried out to ensure the suitability of the Hilary Centre.
- 2.2 Cabinet note that as a result of discussions with users of 291 Nantwich Road it is not proposed to close that facility at this stage but to re-examine the future of that building in March 2011.
- 2.3 Cabinet agree to the temporary closure of Bexton Court, a Community Support Centre that is linked to Tatton Ward subject to the consideration of this matter by Overview and Scrutiny Committee on 10 November 2010 and discussions with those directly concerned about alternative options.

- 2.4 Cabinet notes that currently the East Cheshire Acute Trust is intending to re-open Tatton Ward in January 2011 and Cabinet agrees Cheshire East Council work with the Trust on its plans for the future of Tatton Ward and link its own approach to Bexton Court to this process.

3.0 Reasons for Recommendations

- 3.1 The transfer of services from Jubilee House to the Hilary Centre will both improve the experience of customers and deliver a financial benefit to the authority. The detailed option appraisal was attached in Appendix 5 of the report received by cabinet on 19 July. Extensive discussions have taken place with those affected (including local Members) and the emerging view is that the Hilary Centre is a better location. For example, it has a garden and vehicle access is better. There is minor improvement work to make to the building that will cost £40k . Once these are completed the centre can begin to provide the service. This will mean much more intensive use of the Hilary Centre which has a very low usage because of the shift to personalisation and people having access to their own budgets to purchase care.
- 3.2 The position in relation to Bexton Court is more complicated. The Council has closed two Community Support Centres (CSC) that provide short term residential respite care and day care for older people – Santune House in Shavington and Cypress House in Handforth. It had not intended to close Bexton Court because that is the centre for specialist dementia services in the North of the area (newly refurbished Lincoln House provides these services in the South). However, difficulties in securing clinical cover for Tatton Ward, which is directly linked to Bexton Court, led the East Cheshire Acute Health Trust to close the ward on 6 September for four months.
- 3.3 The financial and service delivery positions of the Council are not affected seriously in the short term by the closure of Tatton Ward. However, there remains a risk that the Ward may not re-open so the Council must move to consider how it would react to either an extended or permanent closure of Tatton Ward. To await such a decision would leave the Council risking a significant loss of income while still maintaining a property and a service that are not essential to its overall provision of care. There is, however, a linked matter and that is the withdrawal of £150,000 of money provided by Primary Care Trust towards delivery of community support centres. The loss of this money does have an immediate impact and one that the Council must accommodate. Saving on the running costs at Bexton Court does assist in this matter.
- 3.4 This matter was reported to the Overview and Scrutiny Committee on 9 September and that Committee noted comments from the Director to the effect that there would be practice and financial implications for the Council from this decision. The financial impact is that rent of £173k per annum is linked to the lease of the wing of Bexton Court that is known as

the Tatton Ward . This also covers the provision of catering and domestic facilities with staff posts at risk. Negotiations are continuing to work out what the loss will be during this temporary closure and the implications of a longer/ permanent closure on the viability of Bexton itself.

- 3.5 The loss of this link facility also makes the Bexton Court facility more isolated. The Trust is re-providing the beds in Macclesfield and it therefore makes sense for the Council to shadow this change and look to provide more beds closer to Macclesfield. It will prove possible to do this because there still remains significant capacity in the CSC system. The suggestion is that a wing be opened at Mountview in Congleton to provide specialist dementia respite. This will compensate for the very low occupancy at Mountview. In short, nobody will be denied a service as a result of this temporary closure of Bexton Court.
- 3.6 There are day services for 8 people per day provided at Bexton Court for 24 service users in total. Of these only 11 are local to Knutsford and all could be accommodated in alternative provision. This may involve temporarily using space in the nearby Stanley Centre where there is also spare capacity. This would not involve mixing the Bexton Court day service users with the day services for those with a learning disability, who are the main users of the Stanley Centre.
- 3.7 The re-opening of Bexton Court can be accomplished in line with the actions of the Acute Trust to re-open the Tatton Ward.

4.0 Wards Affected

- 4.1 Jubilee House – Crewe South, North, East and West; Bexton Court, Knutsford; 291 Nantwich Road, Crewe South, North, East and West

5.0 Local Ward Members

- 5.1 Knutsford – Councillors Hunter, Ranfield and Wilkinson; Bucklow Ward- Councillors Knowles, Macrae, and Walton; Crewe South Councillors Flude, Cannon and Howell; Crewe East, Councillors Conquest, Martin and Thorley, Crewe North, Councillors Beard, Bebbington and Jones; Crewe West, Councillors Cartlidge, Parker and Weatherill

6.0 Policy Implications including - Climate change - Health

- 6.1 Rationalisation of buildings reduces carbon impact without impact on service level. Positive impact from moving the North dementia specialist services closer to a centre of population and demand, albeit temporarily.
- 6.2 No direct impact on individual health although the environment for service delivery at the Hilary Centre is an improvement. There are wider

implications for the closer working between health and social care that will be explored through the changes proposed in this report.

7.0 Financial Implications (Authorised by the Borough Treasurer)

- 7.1 The net costs of running Jubilee House and the Hilary centre are £284k and £168k respectively. Following a restructure of the staff that is underway across these day services and Salinae (running costs of £329k) the overall net full year saving to the council of this proposal is £294k. Further work is underway to quantify what proportion of this can be delivered in 2010/11, with the earliest estimate at this point being approximately £75,000. Capital investment required in the Hilary Centre is £40k to be funded from existing capital resources e.g. Building Block Review.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 There is no statutory requirement for consultation in respect of the possible closure of a Community Support Centre. However, it is appropriate to seek the views of affected service users and for these to be taken into account before any final decision is taken as to closure. Any consultation must contain four elements, known as the Sedley Requirements (R v Brent London Borough Council, ex parte Gunning (1985) 84 LGR 168) and it would be good practice for these principles to be followed in this matter. The Sedley Requirements are as follows:
- a) The Consultation must be at a time when proposals are still at a formative stage
 - b) The proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response
 - c) That adequate time must be given for any consideration and response
 - d) That the result of the consultation must be conscientiously taken into account in finalising any proposals
- 8.2 An appropriate process has been undertaken in respect of the proposed changes at 291 Nantwich Road and Jubilee House and the conclusions of the discussions with service users is reported within the appendices to enable cabinet to take this information into account when making its decisions.
- 8.3 In respect of Bexton Court since there is no duty to consult in respect of a permanent closure, it follows that there is no duty to consult in this instance. However, ideally, the views of service users would have been sought prior to a decision being made to temporarily close the centre. Given the circumstances that have arisen in this particular case and the financial difficulty in keeping this centre open, this has not been possible. Officers should, however do as much as possible to keep service users informed and to involve them in decision. Therefore officers need to

communicate any decision in respect of temporary closure to service users as soon as possible and they need to ensure that appropriate discussion is had with them in respect of options for alternative provision.

- 8.4 Should the plan for Bexton Court change, service users' views should be sought and taken into account before any decision is taken to close the centre permanently.
- 8.5 The Authority has a duty under the Disability Discrimination Act 2005 to take into account the impact of these proposals upon affected service users and to carry out an Equality Impact Assessment before reaching any final decision to substantially vary service provision.
- 8.6 The temporary closure of Bexton Court itself is unlikely to result in any compulsory redundancies. It is understood that redeployment opportunities are available across the Care4CE service and therefore the likelihood is that staff will be temporarily relocated in a similar role and locality in order to care for residents who are similarly relocated.
- 8.7 The changes to service provision will necessitate staffing provision being reconsidered. Expressions of interest for voluntary redundancy have already been invited as part of the wider Voluntary Redundancy process. In the longer term, and as part of a wider process not solely connected to the closure of the centres referred to in this report, there may be "bumped" redundancies and, as a last case scenario, compulsory redundancies. There would need to be consultation with staff and the unions and utilisation of contractual mobility clauses where applicable. There may be individual employment law issues which would have to be addressed. HR and Legal Services should be consulted at the outset in general and in connection with individual cases.

9.0 Risk Management

- 9.1 The risks arising from these changes are similar to any large increase in demand e.g. from a harsh winter. These will be examined through a full closure and temporary closure programme based on expertise built up from recent experience of CSC closure.
- 9.2 A significant risk is that the East Cheshire Acute Hospital Trust decides that it cannot support the re-opening of the Tatton Ward. If this occurs then the Council will have to re-evaluate its options including that of permanent closure of Bexton Court and possibly the Stanley Centre.

- 9.3 CQC (Care Quality Commission) has confirmed that notice is not required for a temporary closure but we would need to get agreement to re-open, and satisfy CQC that the building was still fit for purpose.
- 9.4 Risk and adverse impacts on particular groups will be covered by an Equality Impact Assessment.

11.0 Background and Options

- 11.1 Detailed proposals relating to the proposals to transfer the services from Jubilee House and 291 Nantwich Road were contained in the Cabinet report 19 July. Since then there have been a number of meetings with service users to explain in more detail the proposals, to obtain their views and to listen to any concerns. Appendix 1 is a summary of the feedback from the focus groups held with users of the Hilary Centre and Jubilee House. No objections were raised to the proposals and reassurances were given on many of their concerns.
- 11.2 More anxieties have been raised, however, by service users, their carers and local members about the proposals to transfer services provided from that building to Jubilee House. Great value is placed on having a dedicated provision for services users with mental health needs in Crewe. This is unique to this area and not replicated in other parts of the borough, where service users are accessing more socially inclusive activities. In view of the concerns raised, we wish to defer the decision about the proposal to close 291 Nantwich Road until March 2011 to allow more time to work with those concerned to explore the options to them. The loss in revenue of this delay is £10k per annum and the capital receipt from the sale of the building.
- 11.3 Bexton Court is a Community Support Centre situated on the same site as the Community Hospital in Knutsford. It is a specialist centre for older people with dementia, providing 23 beds for assessment and respite for carers and day care for up to 8 service users a day. A previous proposal to close this centre was subject to a 12 week consultation process in 2008 and met with considerable resistance locally and the decision was subsequently deferred, by Cheshire County Council pending Local Government Review. However as a specialist service, Bexton Court has provided care for citizens from across the borough and also for older people living across the boundary in Cheshire West and Chester (CWAC). There are currently 26 regular respite users, 6 of whom are from CWAC. There are 24 who use the day service, 7 using both. In total, therefore 43 people are provided with a service. Appendix 2 shows the home locations of those using respite and illustrates their proximity to other Cheshire East Community Support centres from where a dementia service can be reprovided. Of the 21 day service users, 11 live in Knutsford, 4 in Wilmslow, 4 in Macclesfield, 3 Holmes Chapel, 1 in Poynton and 1 in Congleton.

- 11.4 Appendix 4 illustrates the continuing reduction in take up of the short stay provision resulting from the ability of service users and carers to have direct payments to make alternative arrangements, the competitive market, and the range of alternative services eg Extra Care Housing. The impact on the unit cost is demonstrated in Appendix 3. The lower the occupancy, the higher the unit cost. Loss of income from the Trust and PCT will increase the unit cost further.
- 11.5 Several years ago, an under-utilised wing of Bexton Court was leased to The East Cheshire Trust to provide 18 community beds. This ward is managed by the hospital at Macclesfield but the catering and domestic services are provided by staff at Bexton Court. The services are in effect mutually dependent and neither viable without the other, hence the impact of the temporary closure of the Tatton Ward.
- 11.6 There are also issues with the building itself. There have been recent problems with the roof, the conservatory is leaking and work is pending on the drainage. If Bexton is retained a further £70k will need to be spent to install a mister sytem to satisfy fire safety requirements.
- 11.7 In terms of staffing issues, the temporary closure in itself is unlikely to result in any compulsory redundancies. The likelihood is that staff will be temporarily relocated in a similar role and locality in order to care for residents who are similarly relocated. Redeployment opportunities are available across the Care4CE service. Expressions of interest for voluntary redundancy have already been invited as part of the wider Voluntary Redundancy process. In the longer term, and as part of a wider process not solely connected to Bexton Court, there may be “bumped” redundancies and, as a last case scenario, compulsory redundancies. There would need to be consultation with staff and the unions and utilisation of contractual mobility clauses where applicable. There may be individual employment law issues which would have to be addressed. HR and Legal Services will be consulted at the outset in general and in connection with individual cases.
- 11.8 In the light of the risk that Tatton Ward may not re-open discussions are now under way to develop a longer term vision jointly with Health partners. In particular we are exploring the scope jointly to provide staffed beds at Hollins View to avoid the ‘revolving door’ situation for those who have borderline health and social care needs.
- 11.9 In spite of the closure of two community support centres this year in Macclesfield, Appendix 4 illustrates that we still have over capacity. The intention is to convert a wing at Mountview to provide 11 dementia beds within existing capacity by some minor adaptations to provide the necessary security to the building and garden. The day service users can be accommodated in the specialist day services already provided at Redesmere, in Handforth; Mayfield in Macclesfield; a new service in

Mountview in Congleton and Lincoln House in Crewe. Alternative local arrangements are being explored for those day service users from Knutsford who don't wish to travel to any of these services. As people increasingly take up Personal Budgets and Personal Health Budgets continual consideration of occupancy levels and the need for building based solutions will require frequent monitoring.

11.10 A report will be brought to Cabinet in November to make proposals for a new dementia centre from the north of the borough to replicate the service developed at Lincoln House in Crewe.

11.11 Discussions are taking place with Cheshire West and Chester about the implications of a temporary closure for their citizens.

13. Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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