

**NORTH YORKSHIRE COUNTY COUNCIL****EXECUTIVE****14<sup>th</sup> January 2020****EXTRA CARE DELIVERY IN BEDALE**

**Appendices B and C of this report contain information of the type defined in paragraph 3 of Part 1 of Schedule 12A Local Government Act 1972 (as amended).**

Report of the Corporate Director – Health and Adult Services

**1.0 PURPOSE OF REPORT**

- 1.1 This report seeks to gain approval to award the funding required from the Council to support the development of a new extra care housing scheme in Bedale.

**2.0 EXECUTIVE SUMMARY**

- 2.1 The Council has undertaken a procurement through its Extra Care Housing Framework to seek an extra care housing scheme in Bedale.
- 2.2 Tender submissions were received in April 2018 and the evaluation of this submission was completed in July 2018. The scheme was presented originally to Executive on 4<sup>th</sup> September 2018, which supported development of the scheme and gave approval for commencing the consultation with Benkhill Lodge if required, which was approved. At this point no funding was requested from the County Council, however, due to amendment in the scheme design to alleviate community and planning concerns, this has increased the overall cost of the development and grant funding is now required to make the scheme viable. As a result, the contract could not be awarded.
- 2.3 A further expressions of interest process was carried out under the Extra Care Housing Framework in October 2019 which identified the level of grant funding required.
- 2.4 This report details the process adopted, provides details of the proposed scheme to be taken forward and outlines the next steps required in order to deliver a successful extra care scheme in Bedale.
- 2.5 This is a significant achievement in ensuring that we adhere to a robust procurement process that ensures we achieve value for money in the delivery of extra care developments across the county in line with the Care and Support Where I Live Strategy.
- 2.6 Planning permission for the scheme as currently envisaged was refused by Hambleton District Council in January 2020, Galliford Try and Broadacres have indicated their intention to appeal this decision. All information within this report

remains accurate and relevant, the recommendation under Section 16.0 will be contingent upon planning being approved at a future date.

### **3.0 BACKGROUND AND PROPOSALS**

- 3.1 The Council established a Framework of providers to develop extra care across the county in September 2015. The purpose of the Framework was to ensure that the Council adopted an open, robust and transparent approach to delivering extra care housing whilst also meeting legislative requirements in relation to state aid and procurement.
- 3.2 The Council sought expressions of interest from the six extra care Framework providers for the delivery and operation of an extra care scheme in Bedale in October 2019.
- 3.3 The first stage evaluation consisted of a desktop scoring phase for the submitted documents which included plans, responses to a questionnaire and artist's impressions of the scheme to be developed along with an in depth financial appraisal of the development. The second stage consisted of presentations to an interview panel in response to two questions issued. Scores were awarded throughout each element of the process and weighted in favour of 60% quality and 40% cost.
- 3.4 Work has been undertaken to ensure that any submission as part of the Framework can be delivered in the context of meeting need, value for money and ability to deliver. Following completion of the tender evaluation and clarification on certain aspects of the submission we are confident that the submission presented meets the requirements set out by the Council for the delivery of the scheme in Bedale. An assessment of the Provider's financial viability was undertaken as part of the tender evaluation and the outcome was that the successful provider for the proposed scheme is financially suitable to carry out the requirements of the contract. The successful bidder for the scheme in Bedale is Galliford Try in partnership with Broadacres Housing Association.
- 3.5 In summary the submitted scheme will deliver the following:
  - A site brought forward for development by provider;
  - A scheme of 59 units, broken down as follows;
  - 59 affordable rent units – 6 Open plan, 16 x 1 bed and 37 x 2 bed;
  - The scheme proposals include a cluster of 6 open plan apartments and 16 x 1 bed apartments with their own small communal lounge/dining area, quiet lounge and secure garden on the ground floor. Whilst specifically designed to support people living with more complex needs such as dementia, this area will be fully integrated into the scheme and operated in a similar manner to the Broadacres Housing Association Scheme at Kirkwood Hall in Leyburn;
  - NYCC will have rights to nominate tenants to 15 of the affordable rental apartments at first let;

- At practical completion Galliford Try Partnerships will hand over ownership of the building to Broadacres Housing Association who will manage scheme operation and service delivery.

3.6 The Council may wish to enable the provision of intermediate care, through development of intermediate care units as part of the schemes. This could involve the Council exploring the potential to lease/licence accommodation within these schemes.

#### **4.0 PERFORMANCE IMPLICATIONS**

4.1 The development of the proposed extra care scheme will provide new high quality accommodation with care and support in Bedale. This will support the Council's ambition, as set out in the Care and Support Where I Live Strategy, to allow people to remain safe and independent in their own homes.

4.2 The extra care scheme when built will be owned and managed by Broadacres Housing Association. They will manage scheme operation and service delivery as above but have indicated that they would like to extend the current partnership it has with the Council in relation to care provision for this scheme. The Council will need to work with the provider to consider and agree the best value care provision arrangements for the scheme.

4.3 Partnership working arrangements will need to be established with the Council and scheme operation and service delivery monitored in accordance with the contract requirements and conditions.

4.4 The scheme will be subject to a Section 106 agreement with Hambleton District Council ensuring that priority access to the scheme is given to local residents or those with an existing local connection

#### **5.0 POLICY IMPLICATIONS**

5.1 This proposal meets with the requirements to develop extra care housing which, where practicable, will replace local authority operated residential care provision as set out in the Care and Support Where I Live Strategy.

#### **6.0 EQUALITIES IMPLICATIONS**

6.1 An Equalities Impact Assessment on the Care and Support Where I Live strategy has been completed and is in place which includes the provision of extra care housing.

6.2 An Equalities Impact Assessment has been completed specifically for the delivery of and Extra Care Scheme in Bedale – see Appendix A.

#### **7.0 FINANCIAL IMPLICATIONS**

7.1 Confidential Item – see Appendix B of this report (attached)

## **8.0 LEGAL IMPLICATIONS**

- 8.1 A procurement process has been undertaken in relation to this exercise: expressions of interest have been sought under the Council's extra care Framework. Therefore, this process is compliant with the Public Contracts Regulations 2015, and there are no state aid implications arising out of the grant funding for the Bedale scheme.
- 8.2 It is acknowledged that the procurement process did not expressly include provision for intermediate care units, however it is recognised that there was potential for the Council to enable access to intermediate care units through the Framework.
- 8.3 The provision of intermediate care units could involve exploring potential for the Council to licence/lease accommodation within these schemes which would be subject to the Council's Property Procedure Rules. This is not considered to be grant funding, and any provision of funding for intermediate care units will be subject to the Council obtaining value for money. Therefore, it is unlikely that the provision of intermediate care units would constitute unlawful state aid. For this option to be pursued delegation is sought to the Corporate Director Strategic Resources to negotiate appropriate legal arrangements with the providers, and the legal implications of this option will be considered further at this stage.

## **9.0 CONSULTATION UNDERTAKEN AND RESPONSES**

- 9.1 A process of engagement was undertaken with stakeholders and residents in the Bedale locality, see Appendix C, prior to the procurement of a scheme and the feedback from this helped shape the specification that was issued as part of the tender process. As a result of this feedback, the plans for the scheme were amended and the general massing reduced. A 2<sup>nd</sup> community consultation event was held in September 2019 prior to submission of the planning application.
- 9.2 Planning consultation about the proposed scheme has been undertaken by the provider as per the requirements of the planning legislation for the area.
- 9.3 The Care and Support Where I Live Strategy says that we will carry out formal consultation with residents, people using services, relatives and staff in an elderly person's home at the point where an extra care housing opportunity is available. Subject to approval by Executive it is proposed we undertake a consultation at Benkhill Lodge Elderly Persons' Home for this opportunity. The process will be to undertake a 12-week consultation at the point that planning permission is granted for this extra care development. Once completed the results of the consultation will be presented back to Executive pending a formal decision on replacement.

## **10.0 IMPACT ON OTHER SERVICES/ORGANISATIONS**

- 10.1 The development of extra care has been proven to improve the 'community offer' and also provide accommodation that allows people to live in the scheme with significant health and social care needs. This reduces demand on statutory social care and health services and provides residents with choice and control on how they live independently.

## **11.0 RISK MANAGEMENT IMPLICATIONS**

11.1 Significant risks for the development are as follows:

- Planning permission is not granted for the development on the proposed site – Planning permission has been refused by Hambleton District Council for development of an Extra Care Scheme on the proposed site and Galliford Try and Broadacres are considering their options regarding appealing the planning decision.
- Delays to the delivery programme – the provider is required to provide the Council with a Programme of Works and a Partnership Project Steering Group will be established to monitor scheme delivery utilising a project management approach.
- The provider is in discussion with Homes England regarding grant funding for the scheme due to the proposed design changes.

## **12.0 HUMAN RESOURCES IMPLICATIONS**

12.1 TUPE issues for existing staff currently working in Benkhill Lodge Elderly Persons' Home may apply dependent on the outcome of the consultation detailed in paragraph 9.3 and further advice and guidance will be sought from legal services as appropriate.

## **13.0 ENVIRONMENTAL IMPACTS/BENEFITS**

13.1 All new build developments such as extra care are built to lifetime homes standards and have increased levels of insulation and energy efficiency reducing the carbon footprint and in turn energy costs to residents. The provider operates an Environmental Policy with a commitment to implementing enhanced standards of sustainability across the entirety of their working operations.

## **14.0 COMMUNITY SAFETY IMPLICATIONS**

14.1 The developers are part of the Considerate Constructors build scheme which is a code of practice that focuses on site safety during the build stage of the project. The scheme will incorporate Secured by Design principles.

## **15.0 REASONS FOR RECOMMENDATIONS**

15.1 The opportunity presented for extra care development in Bedale provides exciting investment projects for the town.

15.2 The development will provide excellent housing with care offers and enable the people of Bedale to remain independent and living in their own property within the community for generations to come.

15.3 The proposal is in line with the Council's objectives and ambitions that are set out in the Care and Support Where I Live Strategy – e.g. to roll out more extra care

schemes and provides an opportunity for Elderly Persons' Home replacement where practicable and subject to consultation.

15.4 The proposal has been assessed in terms of financial viability and offers value for money in comparison to other extra care developments.

**16.0 RECOMMENDATION(S)**

16.1 That Executive are requested to:

- i. approve the level of funding for the Bedale extra care scheme as detailed in Appendix B of this report; and
- ii. if the need for intermediate care units is required, authorise the Corporate Director Strategic Resources, in consultation with the Assistant Chief Executive (Legal and Democratic Services), to negotiate appropriate legal arrangements.

Richard Webb  
Corporate Director – Health and Adult Services  
COUNTY HALL  
NORTHALLERTON

27 February 2020

Author of report - Dale Owens Assistant Director – Health and Adult Services  
Presenter of report – Richard Webb Corporate Director – Health and Adult Services

Background Papers: None

Appendices:

Appendix A – Equalities Impact Assessment

Appendix B – Financial Implications - Confidential

Appendix C – Consultation Feedback & Response - Confidential

## Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

### *Bedale Extra Care Development*

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).



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如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔

**Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.**

Name of Directorate and Service Area	Health and Adult Services, Provider Services
Lead Officer and contact details	Mike Bedford – Commissioning Manager Accommodation
Names and roles of other people involved in carrying out the EIA	Dale Owens – Assistant Director for Care and Support
How will you pay due regard? e.g. working group, individual officer	Consultation with users of service, relatives and carers and staff.
When did the due regard process start?	August 2018

**Section 1. Please describe briefly what this EIA is about.** (E.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA considers the implications of developing an Extra Care Housing Scheme in Bedale, North Yorkshire.

Between 2003 and 2018, the Council will have supported the construction of twenty two specialist Extra care housing developments providing 1111 apartments and bungalows. The Care and Support Where I Live Strategy details how the Council will build on this to deliver further schemes in identified locations of need across North Yorkshire.

It is not the intention of the Council that a single 'model' of scheme design be developed, but that each scheme is developed in response to local circumstances and requirements, to provide a diversity of accommodation across the County.

The Council does not intend to suggest that Extra care housing and other accommodation with support options are a panacea for the needs of people who need support. Some people's support needs will continue to be met in permanent residential and nursing care placements where this is appropriate.

Where the Council proposes to replace in house residential schemes with Extra Care then further EIA's will be developed that are related to the decision required and its impact at that time.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (E.g. to save money, meet increased demand, do things in a better way.)

- In increase the utilisation across existing services and provide best value for service provision.
- To ensure that service delivery is of modern standards and in line with the Care and Support Where I Live Strategy
- To deliver savings and efficiency to meet corporate targets set in the HAS 2020 plan
- To Improve the service offer to people in the locality

**Section 3. What will change? What will be different for customers and/or staff?**

The development of Extra Care increases choice for residents living in the local community by increasing the range of housing, care and support options available to them

The introduction of Extra Care allows people to remain in their locality that have social care needs where other provision may not be available.

**Section 4. Involvement and consultation**

The Council held Professional and Community Stakeholder Engagement Events in June 2017 to give these stakeholders the opportunity to review the demand data and give their views on proposals to develop an extra care scheme in Bedale.



Stakeholders were also asked for their views on the sort of services and facilities that could potentially be included in a scheme.

Full period of consultation will be held by the provider at planning stage with the wider community.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

The introduction of Extra Care may provide the Council with the opportunity to reduce costs in relation to the provision of care and support by enabling people to remain living in their own homes for longer periods.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc. (see Appendix 1)</b>
Age		✓		Improve access to housing with care and support predominantly for older people in Bedale.
Disability		✓		Accessibility to purpose build accommodation that is fully accessible with ensuite accommodation should reduce the need for the use of hoisting equipment and provide an improved experience for the individual.
Sex (Gender)	✓			A higher proportion of older female residents typically occupy Extra Care Housing Schemes in line with national demography.
Race	✓			No issues raised or identified from the engagement process
Gender reassignment	✓			No issues raised or identified from the engagement process
Sexual orientation	✓			No issues raised or identified from the engagement process
Religion or belief	✓			No issues raised or identified from the engagement process
Pregnancy or maternity	✓			No issues raised or identified from the engagement process

Marriage or civil partnership	✓			No issues raised or identified from the engagement process
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<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?		✓		This would provide additional housing with care and employment opportunities in a rural area.
...have a low income?	✓			Affordable units are included within the scheme to enable all people to access services there.

<p><b>Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.</b></p> <p>There is a potential that older women aged 65+ may be impacted more due to the demographic breakdown of existing people within Extra Care</p>
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<p><b>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b></p>	<b>Tick option chosen</b>
<p><b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.</p>	✓
<p><b>2. Adverse impact - adjust the proposal -</b> The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.</p>	
<p><b>3. Adverse impact - continue the proposal -</b> The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)</p>	
<p><b>4. Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.</p>	
<p><b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)</p> <p>Although we have highlighted those groups at greater risk of impact we believe that following the planning consultation any additional needs that are identified will be incorporated into the design of the scheme.</p>	

**Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)**

- Management liaison meetings are held with the provider of the scheme on a monthly basis from occupancy to monitor any issues within the scheme

**Section 11. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements

**Section 12. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The EIA considers the impact of the development of Extra Care within the locality on people who may be eligible for social care services.

We believe in the development of Extra Care will have a positive impact on the local community allow people to remain living within their own homes for longer when they require social support.

**Section 13. Sign off section**

This full EIA was completed by:

**Name:** Mike Bedford

**Job title:** Commissioning Manager

**Directorate:** Health and Adult Services

**Signature:**



**Completion date:** 23 August 2018



**Authorised by relevant Assistant Director (signature):**

**Date:** 23 August 2018