

<b>SUBJECT:</b>	<b>Tudor Street Property</b>
<b>MEETING:</b>	<b>Individual Cabinet Member Decision</b>
<b>DATE:</b>	<b>30<sup>th</sup> November 2022</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>North Monmouthshire</b>

## 1. PURPOSE:

To seek a decision regarding the Council's forward use of the property located in Tudor Street ahead of the outcomes of the wider review of My Day My Life Services which is currently being undertaken.

To set out the reasons why an earlier decision is required due to time restrictions associated with TAN 15.

## 2. RECOMMENDATIONS:

- i) For Tudor Street to be de-commissioned as the accommodation base for the provision of day support services for adults with learning disabilities in the North of Monmouthshire.
- ii) For Tudor Street to be re-purposed to support the Council's policy aims in providing affordable housing within the county.
- iii) That Tudor Street is declared surplus and transferred to Landlord Services for disposal, on terms to be agreed with the Chief Officer for Resources in consultation with the Cabinet Member for Resources.

## 3. KEY ISSUES:

### Background and Context

My Day My Life provides day support for people with learning disabilities in North and Central Monmouthshire. The concept and ethos of My Day My Life was established in 2014 as a strengths-based, enabling approach which seeks to support people with a learning disability to pursue their individual interests and aspirations within every day, community settings.

The Tudor Street building provided a fixed base for the provision of My Day My Life services for people in the North of the County. However, since the inception of the My Day My Life model in 2014 there has been a gradual decline in the number of people regularly using Tudor Street, for the following reasons:

- More and more people had fully embarked upon the My Day, My Life process, some no longer accessing services/support.

- Others were being supported to access community-based opportunities rather than being offered a traditional day service.
- Building based activities were being led predominately by people's choice.
- More people experiencing a very different community-based support offering. Examples of such opportunities include Yam Jams music workshop, swimming, Touch Trust, yoga, Abergavenny Tea Dance, cinema, bowling, drumming and other sports opportunities.

Consequently, prior to 2020, because of this change in how the service was delivered, a decision was made for the building to open for 3 rather than 5 days per week.

Prior to the pandemic in March 2020, approximately 17/18 people were receiving support from the service and using the building regularly.

Early on in the pandemic Tudor Street was temporarily closed (March 2020) in line with all LA day centres due to the risks and the COVID-19 restrictions. Throughout the pandemic people continued to receive support via My Day My Life through one to one support and other group activities in the community. People using My Day My Life who lived in either supported housing or care homes received additional support from their care providers and additional funding has been made available to continue this moving forward. As restrictions started to lift, 7/8 people were being supported by the My Day My Life Hub service so instead of re-opening the building an Individual Cabinet Member Decision was made on 31<sup>st</sup> August 2022 to allow for an independent review of My Day My Life Services using a collaborative and inclusive approach.

The purpose of the review is to establish the basis for future service development including the exploration of accommodation options in-keeping with the purpose and ethos of the service. This review is scheduled to conclude in March 2023.

#### The need for an early decision outside of the review timeframe

Tudor Street is a property that has been integral to the overall service provision for people with learning disabilities in the north of the county for a long-time. With that in mind, we recognise that discussions regarding its future use would be a feature within the current review.

However, it is also fair to say that the Council's Adult Social Care and Health Service is currently working on the assumption that Tudor Street is no longer fit for purpose for My Day My Life services. This is based on a number of correlated factors including:

- Tudor Street is a large property which was originally utilised, prior to the development of My Day My Life services, as a 'one-size fits all' day centre for adults with learning disabilities and is not conducive to individual person-centred support.
- The building is exclusively used by people with a learning disability and doesn't support an inclusive community approach.
- The building needs considerable renovation and has high running and maintenance costs that could be better invested in an individualised service approach.
- The service model of community-based activity / individualised support has accelerated during the COVID period.
- The building is significantly under-utilised.

Within this context we are now in the position of seeking an early decision on the forward use of Tudor Street for three prime reasons:

- The imperative on the Council to make maximum use all its available assets has become even more critical given the current financial and economic situation.
- Although ideally we wanted the review to test our assumptions, the evidence to date strongly suggests that Tudor Street is no longer fit for purpose.
- There is an urgent and pressing need for affordable housing throughout the County. Development in the north of the County is currently on hold due to an issue with water quality in the rivers Usk and Wye. This sustainably located brownfield site represents an ideal opportunity to deliver affordable housing. The lawful planning use means there is a fallback position in terms of phosphates which it is hoped means this development can proceed promptly;
- Development of this site would be policy compliant under current flood risk policy but there is ongoing uncertainty about whether or not the awaited amended TAN15 policy will allow for the redevelopment of brownfield sites in areas at flood risk after June 2023.

A review of the sites development potential is underway and it is intended that a planning application for residential development is submitted shortly. As a consequence of the timescales to achieve planning consent and necessity to deliver affordable housing at speed, it is proposed that the site will be sold for housing development. As per the recommendations of the report, it is intended that the asset would be transferred to Landlord Services to dispose of the asset in the interest of supporting the Council's policy aims in providing affordable housing.

This site present a strong opportunity to increase the provision of sufficient good quality housing for people's needs. The Local Housing Market Assessment carried out in 2020 highlighted a growing disparity in the affordability of housing, as well as an increasing demand for the provision of affordable housing across the county. This estimated a shortfall of 468 affordable homes per year between 2020,2025, with the majority to be provided as Social Rented accommodation (68%), followed by Low Cost Home Ownership (25%) and Intermediate Rent (7%). As of September 2022, there were 2,220 households with a recognized housing need registered on the housing waiting list. Affordable housing is a cross-cutting theme that will help deliver many of the wellbeing goals of the Future Generations Act, including a more equal Wales, a Wales of cohesive communities, a prosperous Wales and a healthier Wales.

#### **4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

The people who will be potentially affected by the forward use of Tudor Street include adults with Learning Disabilities in the north of the County. There are currently between 6 and 10 individuals who are identified as using the building as part of their My Day My Life care and support plan prior to its temporary closure. All but one of these individuals are receiving support at the moment via My Day My Life or Individual Support Services.

People with learning disabilities should be afforded choice and control over the services that are in place to support them. The service recognises this and is currently undertaking a full review of My Day My Life Services including exploring the sort of accommodation that will be required to

support a full range of activities. People who might potentially have wished to continue to use Tudor Street will be invited to contribute to the review.

The workforce of Tudor Street is predominantly female, some of whom have worked for the service over many years. The proposal to de-commission Tudor Street will affect their work base location. However; as described within this report in respect of current practice being far more community orientated and individualised, the impact of changing from a fixed work-place to a flexible one has already happened. The workforce will be fully involved in the review that is taking place and will have the opportunity to further shape and influence the development of My Day My Life Services going forward.

## 5. OPTIONS APPRAISAL

<b>Option – to de-commission the accommodation base for the provision of day support services</b>			
<b>Option</b>	<b>Benefit</b>	<b>Dis-benefit</b>	<b>Recommended</b>
<p><b>Do Nothing</b> – include the future use of Tudor Street within the current review of MDML services, and do not take any further actions until the full outcomes of the review are received.</p>	<p>People will have full opportunity for their views to be heard specifically with regards to the future use of the building in Tudor Street</p> <p><u>Mitigation:</u></p> <p>People with learning disabilities who were using the building and their families will be consulted separately regarding the specific issue of Tudor Street.</p>	<p>The Council would lose the opportunity to re-purpose the building if an early decision was not taken because of TAN 15.</p> <p>It is predicted that the outcome of the review would conclude that Tudor Street was no longer fit for purpose. If an early decision was not made, the Council would risk a significant opportunity to pursue its policy objectives in respect of developing affordable housing.</p> <p>MCC will carry the running costs for the property, should it continue to remain vacant or fail to be repurposed/reopened.</p>	NO
<p>Decide at this point to de-commission Tudor Street as the accommodation base for the provision of day support services for adults with learning disabilities in the North of Monmouthshire.</p>	<p>This would ensure that the building could potentially be re-purposed for affordable housing (subject to planning) because an early decision would allow alternative development to be pursued ahead of TAN-15 implementation.</p>	<p>Bringing forward the decision regarding Tudor Street would mean that it would no longer be available as an accommodation base for My Day My Life Services.</p> <p><u>Mitigation:</u></p> <p>The current review will explore suitable accommodation for My Day My Life activities to ensure that people with learning</p>	YES

		disabilities will have a full offer of services and will not be dis-advantaged through the de-commissioning of Tudor Street.	
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<b>Option – to dispose of the property for development</b>			
<b>Option</b>	<b>Benefit</b>	<b>Dis-benefit</b>	<b>Recommended</b>
Retain the asset and let for alternative purposes	<p>Opportunity to generate rental return, albeit limited given condition of property.</p> <p>MCC have received approaches from local community groups seeking to take on the property for social enterprise. We actively work to support community groups in shared use or partnership with other providers before utilising vacant buildings. As considered on a case by case basis, this asset lends itself well to residential development.</p>	<p>The property requires investment and therefore any letting would carry ongoing liability to MCC or require rental incentive due to required tenant improvements. It is unlikely that any community use could accommodate the required costs. Limited income would be achieved.</p> <p>Affordability disparity continues to widen.</p> <p>The opportunity to deliver housing development is missed as a consequence of the amended TAN15 policy.</p>	NO
Retain the asset and develop the site, inclusive of open market housing	<p>The site is inside the development boundary and can facilitate housing development in the north of the County, which has been frustrated due to phosphates constraints.</p> <p>MCC would generate a financial benefit to the authority, albeit delayed return as a consequence of the capital outlay required to undertake the development.</p>	<p>The scale of development is limited and therefore would result in additional cost and delays to the construction and availability of the properties, compared to that of a private development or housing association.</p> <p>Given the significant upfront cost required to support the build, and restricted timescales on which to achieve a planning consent, it is recommended that an RSL is approached given risk against the experience and track record of delivery.</p> <p>Affordable housing is considered the most appropriate use of the site</p>	NO

	MCC would retain control of the properties.	given the site constraints (which limit new build development to that of block/s of flats).	
Dispose of the property for residential development	<p>The site is inside the development boundary and can facilitate housing development in the north of the County, which has been frustrated due to phosphates constraints.</p> <p>Given timescales do not allow for a tender process to be undertaken, it is recommended that disposal directly to housing association will best enable a planning consent to be achieved on the site under current flood risk policy and ahead of uncertainty associated with the proposed amended TAN15 policy. The site lends itself to demolition to facilitate affordable housing due to its layout and constraints.</p> <p>Disposal of the site will accelerate the availability of affordable housing, including the provision of accommodation for the homeless, in accordance with the council's policy objectives.</p> <p>The disposal of the property for development would generate a capital receipt.</p>	<p>MCC would not retain control of the property, however the Housing Department would work with the purchaser to retain nomination rights over the properties.</p> <p>The financial return is lower than that of a development inclusive of market housing. However, the potential for open market housing is considered limited due to site constraints. In order to demonstrate best value, any sale would be supported by an independent valuation.</p>	YES

## **6. EVALUATION CRITERIA**

None considered specifically in relation to this report.

The number of people using My Day My Life services and evidence of their individual outcomes is routinely monitored.

## **7. REASONS:**

To ensure that the potential to make the best future use of the building at Tudor Street is secured, whilst not disadvantaging people with learning disabilities.

Development of the site for the provision of affordable housing will allow the Council to intervene in the affordable housing market.

## **8. RESOURCE IMPLICATIONS:**

Due to the property sitting vacant, the conditions are deteriorating and potentially could become a liability to the Council. Despite closure, the property continues to carry running costs (rates/utility) that will increase if the asset is re-opened or left vacant. The disposal of this property will generate a capital receipt for Monmouthshire County Council. An appraisal will be undertaken to ascertain the market value of the site.

## **9. CONSULTEES:**

Nick Keyse – Estates Development Manager

Ceri York – Service Manager Commissioning and Disability Services

Strategic Leadership Team

## **10. BACKGROUND PAPERS:**

None

## **11. AUTHOR:**

**Jane Rodgers, Chief Officer Social Care, Safeguarding & Health**

## **12. CONTACT DETAILS:**

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## Is my report exempt?

In some instances it may be necessary to submit a report to a committee but withhold the whole report, or part of that report, due to the sensitive nature of information contained within it.

There are specific circumstances in which a report may be considered exempt which are set in legislation. When writing your report bear in mind the following circumstances to consider whether your report should be exempt;

*Local Government Act, Schedule 12A, Part 4;*

12. Information relating to a particular individual
13. Information which is likely to reveal the identity of an individual
14. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
15. Information relating to any consultation or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
16. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
17. Information which reveals that the authority proposes –
  - a. To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - b. To make an order or direction under any enactment
18. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

If you are unsure if the report should be exempt or not you should contact Democratic Services or the Monitoring Officer for further advice and guidance. The principal to bear in mind however is that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

If your report is to be exempt you should let Democratic Services know as soon as possible if you have not already done so when adding the item to the forward plan of the relevant committee.

When submitting your report to Democratic Services for publication with the agenda you must also include an exemption certificate which give details as to why the report is exempt and not for publication. This certificate will be publicly available with the agenda in place of the report so the reasoning for the exemption should be made clear on this form. The exemption certificate is available overleaf.

Further information on definitions and exemptions is available within the Local Government Act at the following link; <http://www.legislation.gov.uk/ukpga/1972/70/schedule/12A>

## SCHEDULE 12A LOCAL GOVERNMENT ACT 1972 EXEMPTION FROM DISCLOSURE OF DOCUMENTS

**Meeting and Date of Meeting:** Insert date and meeting

**Report:** Insert report title

**Author:** Insert author

I have considered grounds for exemption of information contained in the background paper for the report referred to above and make the following recommendation to the Proper Officer:-

**Exemptions applying to the report:**

[Enter the section and reason of the exemption, as defined by the Local Government Act set out above e.g – This report will be exempt under paragraph 12 of Schedule 12A – Information relating to a particular individual]

**Factors in favour of disclosure:**

Openness & transparency in matters concerned with the public

**Prejudice which would result if the information were disclosed:**

[Give a brief indication of what information would be disclosed and the impact of its disclosure]

**My view on the public interest test is as follows:**

Factors in favour of disclosure are outweighed by those against.

**Recommended decision on exemption from disclosure:**

Maintain exemption from publication in relation to report

Date: Insert date

Signed: Signed by report author

Post: Insert post

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I accept/I do not accept the recommendation made above

Signed: [Signed by Chief Officer / Head of Service / Chief Executive]

Date: Insert Date