

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

**Cabinet Member for
Adult Social Care and Public Health**

DECISION NO:

24/00053

For publication

Key decision: YES

Title of Decision – to permanently close Blackburn Lodge Care Home

Decision: As Cabinet Member for Adult Social Care and Public Health, I propose to:

- a) **PERMANENTLY** close Blackburn Lodge Care Home, Isle of Sheppey; and
- b) **DELEGATE** authority to the Corporate Director of Adult Social Care and Health to take relevant actions to implement the decision

Reason(s) for decision: Blackburn Lodge is a detached, 34-bed, council owned residential care home and older person's day care centre in Sheerness on the Isle of Sheppey. The site offered residential care, respite care, assessment/rehabilitation, and a day care centre. There was some provision for short term dementia care although the limitations of the building restricted the ability to deliver longer term dementia care.

In November 2023 Blackburn Lodge was temporarily closed because of emergency health and safety concerns. A safety inspection identified high levels of iron in the piped water (20x permitted levels). The 13 permanent residents were moved to alternative residential accommodation because it was not safe for them to stay at Blackburn Lodge. In addition, the older people's day care service was also temporarily suspended. It was necessary to de-register Blackburn Lodge with the Care Quality Commission (CQC) because once temporarily closed it was no longer able to provide a service.

Despite a programme of improvement works in recent years there are a number of building issues, including subsidence, which will require considerable investment and time to rectify to bring the building up to current Care Quality Commission standards and make the building fit for the future. The regulator, The Care Quality Commission (CQC), has confirmed that the layout of Blackburn Lodge would not meet the current standards for registration as a care home if it were to be built now. Blackburn Lodge Care Home has no en-suite bathrooms, and the general layout makes access poor, and this limits who can stay there. In addition to the issues concerning the building, Blackburn Lodge Care Home is not set up to meet what we assess as the most important future needs.

In the context of the significant financial challenges being faced by the Council to balance the budget and protect statutory services in the future the Council's proposal is to permanently close Blackburn Lodge Care Home.

We are actively engaging with local businesses and organisations as well as local people to understand the future needs and develop services which meet the needs of local people and are fit for purpose. This work is important, as it will provide us with a good understanding of the future needs and opportunities for supporting people who live on the Isle of Sheppey, aligning with the vision for adult social care by working with communities and empowering people to find trusted help and support locally from a range of sources as well as commissioning services so that people experience flexible and creative ways of arranging support which enable a balance between choice for the person we support, quality and value.

We have been working hard with partners, including the local Borough Council to find solutions, including to develop local Extra Care Housing for older people.

We have also been working with our commissioned partner, Community Catalysts, who have been actively working to engage with people living on the Isle of Sheppey to ascertain the types of support and services that they would like to see developed on the Island. Community Catalysts are experts in encouraging and supporting people to start and run small enterprises and community businesses that support and care for local people.

Day Care Services resumed at The Crawford Centre, Sheerness in May 2024 and alternative and additional day care provision is available on the island.

Financial Implications

Despite a programme of improvement works in recent years, there are a number of building issues, including subsidence, which will require considerable investment and time to rectify. It has been estimated that the cost of bringing Blackburn Lodge up to current CQC standards would be in excess of £4m and could take at least 13 months to complete from commencement of any work.

The council has sought advice from cost consultants to provide a cost per square metre rate that can be applied to give an approximate budget cost that would allow the building issues (e.g. electrical, fire, water) but also to allow for alterations required (i.e. providing en-suites bathrooms to each bedroom) to bring Blackburn Lodge up to current CQC standards. Calculations are as follows:

- Heavy refurbishment rate (which allows for some alterations, en-suites etc.) £2,000 per m²
- Total Floor area of Blackburn Lodge – 2,006 m²
- Estimated cost - £4,012,000

In the face of the Council needing to make £118m savings this year to balance the budget and protect statutory services in the future the proposal to permanently close Blackburn Lodge Care Home aligns with service transformation opportunities as outlined in Securing Kent's Future to provide services that meet the needs of Kent residents whilst meeting our Best Value duty.

Legal Implications

Following legal advice, the 43 staff (44 contracts) employed at Blackburn Lodge Care Home were consulted separately and consequently have been redeployed or are on notice of redundancy. The basis for this is that even if the Council were to commit to re-open Blackburn Lodge Care Home, the building would need considerable structural improvement that it is estimated would take a further 13 months (from a final decision being made in September 2024). It is therefore not reasonable for the Council to continue to employ staff in their current roles.

A staff consultation exercise took place separately which ended on 3 April 2024. An end of consultation meeting took place on 16 April 2024 to which staff and unions were invited – on this date all staff were issued with notice of redundancy and given redeployee status. Some employees have already been re-deployed, and others are no longer employed by the Council through redundancy.

The land is freehold and subject to a restriction in favour of the Secretary of State of Defence to use for local authority education purposes which was amended in 1982 to permit Kent County Council "to use for local authority purposes which the Council deem necessary to enable the council to discharge its social function as carried out under the auspices of its director of Social Services". If the above purpose of use should cease, a right to buy for £2,100 in addition to the value of any buildings erected on the property is triggered in favour of the Secretary of State.

Equality Implications

An initial Equality Impact Assessment (EqIA) has been completed to assess the potential impact this proposal could have on the protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation) and those with carer's responsibilities

Data Protection Implications

A full Data Protection Impact Assessment has been completed and approved by the Information Governance Lead the Corporate Director Adult Social Care and Health.

Cabinet Committee recommendations and other consultation:

KCC undertook a public consultation on the future of Blackburn Lodge Care Home, Isle of Sheppey from Wednesday 28 February to Tuesday 7 May 2024. The consultation hosted on KCC's [Let's talk Kent](#) website, with hard copies and support available for those who could not participate online.

The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 19 September 2024 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

Any alternatives considered and rejected:

Alternative options were considered by the council and are outlined in the public consultation documentation. These options are:

Resolve building issues and return residential and day care services to Blackburn Lodge.

Due to the age and decaying fabric of the building, it would require considerable investment to make Blackburn Lodge a safe and habitable environment.

Despite a programme of improvement works in recent years, there are a number of building issues including subsidence and the water pipe system, which will require considerable investment and time. It has been estimated that the cost of bringing Blackburn Lodge up to current CQC standards would be in excess of £4m and could take at least 13 months to complete from commencement of any work.

Sell Blackburn Lodge as a going concern.

This would mean trying to find a private buyer for Blackburn Lodge who would continue to run it as a care home. This is not considered to be a realistic and viable option because the level of investment required to make the building fully fit for the future is likely to be prohibitive to investors.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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signed

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date