

From: Richard Smith, Corporate Director Adult Social Care and Health

To: Dan Watkins, Cabinet Member for Adult Social Care and Public Health

Subject: **The future of Blackburn Lodge Care Home, Isle of Sheppey**

Decision no: **24/00053**

Key Decision: Yes

Classification: Unrestricted

Past Pathway of report: Adult Social Care Cabinet Committee – 19 September 2024

Future Pathway of report: Cabinet Member decision

Electoral Division: Sheppey (Swale)

Is the decision eligible for call-in? Yes

Summary: Blackburn Lodge Care Home is a detached, 34-bed council owned residential care home and older person's day care centre in Sheerness on the Isle of Sheppey. On Friday 10 November 2023 Blackburn Lodge Care Home was temporarily closed due to emergency health and safety concerns.

Recommendations: The Cabinet Member for Adult Social Care and Public Health is asked to:

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

- 1.1 Originally built in 1982, and converted from a former technical school, Blackburn Lodge Care Home is a detached, 34-bed council owned residential care home and older person's day care centre in Sheerness on the Isle of Sheppey, offering residential care, respite care, assessment/rehabilitation and a day care centre. There was also some provision for short term dementia care although the limitations of the building restricted the ability to deliver longer term dementia care.
- 1.2 On Friday 10 November 2023 Blackburn Lodge Care Home was temporarily closed due to 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 Care Home. In addition, the older people's day care service was also temporarily suspended. It was also necessary to de-register Blackburn Lodge Care Home with the Care Quality Commission (CQC) because once temporarily closed it was no longer able to provide a service.

2. Background

- 2.1 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.
- 2.2 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.
- 2.3 Blackburn Lodge Care Home is currently being held vacant by Infrastructure until a service decision is made. Once that is confirmed then Infrastructure will work on determining the future of the building. The building is secured/locked-up and being monitored by security contractors pending decision.
- 2.4 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.
- 2.5 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.
- 2.6 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.
- 2.7 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.

- 2.8 Day Care Services resumed at The Crawford Centre, Sheerness in May 2024 and alternative and additional day care provision is available on the island.
- 2.9 The proposal to permanently close Blackburn Lodge Care Home aligns with the ambitions set out in Framing Kent's Future as set out in Priority 2: Infrastructure for Communities – 'Challenge inappropriate development which does not have the appropriate physical or social infrastructure necessary to maintain the quality of life of new and existing Kent communities.' It also aligns with Priority 4: New Models of Care and Support – 'Explore options to ensure that residential care provision is fit for the future, responding to reduced levels of demand but increased levels of need and encouraging necessary growth in the specialist services segment of the market including for people with dementia, learning disabilities and mental health needs.'

3. Other Options Considered

3.1 Resolve building issues and return residential and day care service to Blackburn Lodge Care Home.

Due to the age and decaying fabric of the building, it would require considerable investment to make Blackburn Lodge Care Home 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 to rectify. It has been estimated that to bring Blackburn Lodge Care Home up to current CQC standards would cost in excess of £4 million and would take at least 13 months to complete from commencement of any work.

3.2 Sell Blackburn Lodge Care Home as a going concern.

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

4. Public Consultation

4.1 A 10-week public consultation on the future of Blackburn Lodge Care Home took place between Wednesday 28 February – Tuesday 7 May 2024. The consultation report is attached as Appendix 1. This was the fourth public consultation since 2010. (2010, 2015, 2020 and 2024).

4.2 273 consultees took part in the consultation, completing the digital online questionnaire (237), a paper questionnaire (33), or direct via email (3).

4.3 193 responses were from members of the public, 40 from friends or relatives of a former Blackburn Lodge Care Home resident, 13 from friends or relatives of a person previously day care services at Blackburn Lodge Care Home, 10 from staff at Blackburn Lodge Care Home. The remaining 17 were made up of responses from 'other' on behalf of an organisation, a person previously using day care or a resident at Blackburn Lodge Care Home, or detail was not provided.

4.4 A petition to 'save Blackburn Lodge' was launched in November 2024, on change.org. The online petition raised a total of 2416 signatures which accompanies a paper petition which has 434 signatures. The 'save Blackburn Lodge' petition has surpassed 2500 signatures and has triggered a petition debate at the Adult Social Care Cabinet Committee on 19 September 2024.

5. Financial Implications

5.1 Despite a programme of improvement works in recent years, it has been estimated that the cost of bringing Blackburn Lodge Care Home 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.

5.2 The Council has sought advice from cost consultants to provide a cost per square metre rate which 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 Care Home 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

5.3 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.

6. Legal implications

6.1 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.

6.2 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.

6.3 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.

7. Equalities implications

- 7.1 An initial Equality Impact Assessment (EqIA) was completed with guidance from various experts and key stakeholders. The EqIA was published alongside the consultation document on Let's talk Kent. The EqIA is attached as Appendix 2, this is a live document and will continue to be reviewed and updated.
- 7.2 Age, disability, religion and belief, pregnancy and maternity, marriage and civil partnerships and carer's responsibilities have been identified as having potential for negative impact if we were to implement the proposal.
- 7.3 Age: some studies have suggested that moving older people we support from one residential home to another can be a disruptive and stressful time, which could in turn have a negative impact on a person's wellbeing.
- 7.4 Disability: the potential of day care users being offered alternative services that are further away may put those with a disability at a disadvantage when considering transport and travelling.
- 7.5 Religion and belief: people receiving residential care could be negatively impacted if placed in a care home further away which impact visiting their local, usual place of worship.
- 7.6 Pregnancy and maternity: there is a potential negative impact on people who visit family and friends in residential settings if the location of the care home is further afield.
- 7.7 Marriage and Civil Partnerships: there is a potential negative impact on people whose partners live in a residential care home that is further afield, which may result in difficulty visiting frequently than in their loved one was local.
- 7.8 Carer's responsibilities: day care may act as respite for unpaid carers. Carers of people we support may be disadvantaged if the person they care for is no longer able to attend day care or a suitable alternative.

8. Data Protection Implications

- 8.1 A full Data Protection Impact Assessment (DPIA) was carried out and signed off by the Information Governance Lead and the Corporate Director Adult Social Care and Health. The DPIA is attached as Appendix 3.

9. Governance

- 9.1 If a decision is made to permanently close Blackburn Lodge Care Home, relevant paperwork will be completed by the service to declare it surplus to their need, which will be signed off by the relevant director in adult social care.

10. Conclusions

- 10.1 Originally built in 1982, and converted from a former technical school, Blackburn Lodge Care Home is a detached, 34-bed council owned residential care home and older person's day care centre in Sheerness on the Isle of Sheppey, offering residential care, respite care, assessment/rehabilitation and a day care centre. The service was temporarily closed on Friday 10 November 2023 due to emergency health and safety concerns.
- 10.2 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 to make the building fit for the future
- 10.3 The Care Quality Commission 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. Aside from the major structural works, the building would require significant reconfiguration and a costly upgrade to provide 'high needs' dementia and nursing care – which is the level of care that today's Sheppey residents require.”
- 10.4 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 is to permanently close Blackburn Lodge Care Home.
- 10.5 We are actively engaging local businesses and organisations and local people to understand the future needs and develop services which meet the needs of local people and are fit for purpose and we have also been working hard with partners, including the local Borough Council to find solutions, including to develop local Extra Care Housing for older people. Alternative and additional day care provision is available on the island.

11. Recommendation(s): The Cabinet Member for Adult Social Care and Public Health is asked to:

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

The Future of Blackburn Lodge Care Home Consultation
[The Future of Blackburn Lodge Care Home | Let's talk Kent](#)

13. Appendices

Appendix 1 - Consultation Report
Appendix 2 - Equality Impact Assessment
Appendix 3 - Data Protection Impact Assessment

14. Contact details

Lead Officer	Relevant Director
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