

# Public Document Pack



## **Oxfordshire Joint Health Overview & Scrutiny Committee**

**Thursday, 11 March 2010 at 10.00 am  
County Hall**

### **ADDENDA**

#### **7. Oxford Drug Rehabilitation Project (Pages 1 - 7)**

Please find below, for consideration at the meeting, some further information which has been received from the DRP Project Group.





## **Oxfordshire Local Involvement Network (LINK) Drug Recovery Project Group**

**Further information for Oxfordshire Joint Health Overview and  
Scrutiny Committee meeting  
11<sup>th</sup> March 2010**

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**Response to the DAAT report for the OJHOSC meeting on March 11<sup>th</sup> 2010 from the Oxfordshire LINK DRP Project Group**

**Main issues arising for Oxfordshire LINK:**

The DAAT report does not address the issue that there was no consultation on the DRP closure. It continues to stress that no-one has been disadvantaged since the closure. It does not acknowledge that its responses to formal questions from the LINK have not been answered clearly or within the statutory time frame.

**Responses from others to the DAAT report:**

A response has been received by Graham Stratford of the city council (see attached) and complements his previous report for HOSC; he mentions that there are lessons to be learnt in terms of communication, the DAAT report does not mention that there are any lessons to be learnt from this saga.

A further response (see below) has been received from the Director of the Ley Community, Wendy Dawson and provides a different reason as to why negotiations for situating the replacement DRP at the Ley Community broke down in 2009.

**No consultation on the closure:**

The LINK DRP project group is of the opinion that had a consultation on the closure of the Drug Recovery Project taken place at the time of the DAAT and Supporting People Strategic Review it could have focussed attention, disabled communication errors and notably shortened the time between the DRP closure and the replacement unit opening, perhaps even finding a solution so no closure had to occur.

**No-one has been disadvantaged since the closure:**

The DAAT report continues to stress that no-one has been disadvantaged since the DRP closure. As far as we have been able to ascertain, neither the DAAT nor OUT have undertaken any specific research into this since the DRP was shut down two and a half years ago, the statement is evidenced by alleging nothing has been reported.

We are puzzled as to why a replacement unit is being provided at all if needs are being met by current services and no-one is being disadvantaged. The two points do not correlate. Evidence of disadvantage is provided in the previous LINK DRP report.

**Conclusions:**

Learning from mistakes takes place when they are acknowledged and accepted. We find it reasonable to state that it needs to be accepted by Supporting People, DAAT and the PCT that it was a grave mistake that no consultation on the closure took place. We request that HOSC recommend to Supporting People, DAAT and the PCT that they accept that this omission was a mistake.

We request that HOSC recommend to the DAAT that their statement that no-one has been disadvantaged since the closure is not accepted.

We request that HOSC remind Oxfordshire DAAT that questions from the Oxfordshire LINK are to be answered clearly and, as set down in law on time. We also request this be communicated to Supporting People as they have not responded at all to the last set of formal questions from the LINK regarding this matter.

**From:**  
**Graham Stratford**  
**Head of Service**  
**Community Housing & Community Development**  
**Oxford City Council**  
**27/1/10**

**DRP Project, 170 Walton Street**

The DRP was, as you will be aware, funded by Supporting People and the service was provided by English Churches Housing Group (ECHG, now a part of Riverside Housing Association). The property was provided by Oxford City Council at a sub-market rent. The property had originally been leased to Oxford Citizens Housing Association (OCHA, now part of the Green Square Group) in 1993, on a ten year agreement. In 2001, OCHA assigned the lease, with City Council agreement, to ECHG. The term of the agreement was not extended, and the lease expired on 26th September 2003.

At that time, no new agreement was developed - the work was the responsibility of an officer who is no longer with the City Council, and who was part of a Service which came under my control in 2007- but the DRP remained in place and continued to pay rent under the terms of the original lease - ECHG became what the lawyers refer to as "Tenants at Will", which is to say that although they had no actual lease, they were there with the tacit agreement of the landlord.

This situation continued until 2007, when Supporting people made the decision to terminate ECHG's contract to provide the DRP service before the originally agreed termination date, because of concerns about cost and poor performance, and to tender for an improved service that would answer these concerns. The Supporting people team therefore gave notice to ECHG that their contract would be terminated on 30th September, and when issuing that notice asked that no further admissions be taken, so that the scheme could be closed on that date.

As the City Council officer with responsibility for Supporting people Partnership matters, I was involved in the discussions that led up to this decision to some extent, and also in the discussions concerning the future of the project. My understanding from these meetings was that the SP team would be putting together a tender for a scheme that would provide 8 beds, rather than the five that were available in 170 Walton Street, on the basis that a service of this size would provide cost benefits on a "per unit" basis - that is to say, such a scheme would require much the same staffing level as the Walton Street project, but would handle higher numbers of clients, thus reducing the cost per service user, one of the key criteria against which SP measure value for money. It was also stated during these discussions that it might well be desirable to relocate the project away from Oxford city centre, in order to remove users from the "street culture" of drug use which undoubtedly exists amongst rough sleepers and some hostel dwellers.

Given that the ECHG contract was to end on 30th September 2007, I wrote to the then Performance Manager at ECHG, Judith Taylor, on 18th July of that year. My letter stated, inter-alia;

“The tender specification for the new Drug Rehabilitation Project calls for a scheme of at least eight beds, in order to achieve the unit cost savings that are driving the reconfiguration of services funded through Supporting People. 170 Walton Street is a five bed property, and is therefore unsuitable for housing the new project.

This being the case, Oxford City Council are desirous of regaining possession of the property at the earliest possible date. I hope that we will be able to come to a mutually satisfactory agreement regarding vacation and handover of the property. However, I would be negligent in my duty to the Council if I failed to ensure that all possible eventualities have been covered by appropriate actions on my part. I have therefore instructed our Estates Service to draw up an appropriate Notice to Quit, which will be served on ECHG as soon as possible. My understanding is that such a notice, in the case of Tenants at Will, must be for the same duration as the rent period. In the case of 170 Walton Street, that period is of 3 months, the rent being due on the usual quarter days.”

ECHG did in fact vacate the property in the Autumn of 2007, and at that point my involvement with the property ended. The property was an asset of our landlord service, Oxford City Homes (the Service within the council with responsibility for council housing in the city), and I made the relevant officers aware of the forthcoming vacancy of the building. The landlord service then produced a report for our then Executive Board, which was submitted on 5<sup>th</sup> November 2007. The report gave members four options for the future of the property:

Option 1. To sell the property on the open market and to use the funds to help meet the shortfall in decent homes funding.

Option 2. To retain, convert the property back to family accommodation and re-let to those on the waiting list. Currently there are over 250 families on the list for properties with four bedrooms or more.

Option 3. To retain and re-let to a “special needs” provider, at market or subsidised rent. It is thought that social housing providers would be unable to fund market rent levels as, generally, the maximum that they can afford is based upon Benefits that their tenants receive and also take into account any administrative costs that they have. It is likely therefore, that the rent would be subsidized, this subsidy being funded from the General Fund.

Option 4. To transfer to an RSL. Dialogue with RSLs about future options for this type of property is continuing and no firm arrangements have yet been made.

The report recommended that members approve Option 1., and members accepted the recommendation and passed that recommendation to full Council, which ratified the decision on 19<sup>th</sup> November 2007.

I believe that in the interim period, the property failed to attract offers at a level that was considered appropriate, and was withdrawn from the market. However, I understand that our Asset management team intend to re-market the property through agents in the very near future.

**Subsequent email communication 8/3/10:**

My understanding at the time that I met with Geoffrey Ferres in advance of the procurement process was that an 8 bed scheme would give the reduction in unit costs that SP were seeking, and that this is what would be sought, and that central Oxford was not the ideal location due to the street culture. I was also aware that ECHG were having their contract terminated, and would therefore be vacating the property. I progressed matters on that basis in good faith. I was not then involved in the actual procurement process, and was somewhat startled to be informed by the DAAT that the tender would be for a five to eight bed unit, and that they would like the Walton Street property to be available. By that point, I had handed the property back to our landlord service, who then progressed the Board report which authorised sale of the property. There is obviously a lesson to be learnt about communication here, but I can assure you that had I been aware of the desire of SP and DAAT to include access to Walton Street in the tender specification from the beginning, I would have ensured that that was done - I have robustly & successfully defended the use of such properties for supported housing in the city, as is evidenced by the continuing occupation of our properties by SP funded providers such as One Foot Forward, Mind, and Stonham and would never seek to take back any such property where a viable use was proposed.



**From:**  
**Wendy Dawson**  
**Chief Executive**  
**The Ley Community**  
**5/3/10**

The issue which broke down the negotiations was the refusal of Ox DAAT to pay for waking nights, which both we and SMART agreed was absolutely essential in at least the first 18 months of the project. SMART were prepared to fund this from their budget but Ox DAAT refused to support this.

For background information. We offered the use of one of our buildings, Mandelbrote House, for three main reasons:

- as a gesture of goodwill and a solution to SMART/Ox DAAT problem of finding a suitable and appropriately located building in which to develop the DRP which SMART won the contract through Oxfordshire DAAT and Supporting People in 2007;
- as good business sense because we were already looking into developing our own detox facility;
- as a way to engage the Ley within the Oxfordshire Treatment Sector and therefore demonstrate our ability to work in partnership within a modern and progressive agenda.

At a very early meeting with Ox DAAT (Jo and Sam) and Steve and I we all agreed (in the minutes) that an evaluation would be undertaken after one year to make sure the project was 'fit for purpose', was being effectively managed and there was no compromise to the Ley as we have been established in our current location since 1979 have an excellent reputation amongst our neighbours and with our commissioning bodies across the UK which we would not want to damage.

We were nowhere near agreeing on the lease arrangements with SMART. As the CEO of the Ley Community together with my senior team and the Board of Trustees in their Governance responsibility we have a duty of care for our residents (service users) together with managing the financial risk/potential and securing our assets against neglect or compromise. It was in this vein that the draft working lease was being prepared to make sure all parties were safe and secure. The draft lease had even got as far as our respective solicitors.

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