

Cabinet – 18 March 2009

Proposed Transfer of Almshouses to a Registered Social Landlord

Portfolio:	Councillor Barbara McCracken – Social Care, Health and Housing.
Service:	Strategic Housing
Wards:	Bloxwich West
Key decision:	Yes
Forward plan:	Yes

1. Summary of report

The bungalows at 1-7 Heather Close and 80 – 83 Sandbank, Bloxwich, are almshouses and the Council has the managing responsibility for them. These 11 almshouses are managed within the guidance of the Charities Commission registered under 216315 formerly Moseley's Dole. The Council does not have the resources to bring these properties up to the decent homes standard and is not in a position to apply for funding for this work. This report considers the future of these properties with a view to providing quality housing for vulnerable residents.

2. Recommendations

Cabinet to note the proposed recommendation for the council acting in its role as trustee:

1. The Council as trustee applies to the Charities Commission for consent to transfer the trusteeship and the freehold interest in the 11 almshouses to a Registered Social Landlord.
2. The Council as trustee to delegate authority to an Assistant Director to negotiate the transfer to the Registered Social Landlord which can best meet the criteria set down by the Council and Charities Commission.

3. Background information

- 3.1 Moseley's Dole and Corporation Almshouses.
By Deed of 1451 William Lyle of Moxhull, the monks were to distribute money at Walsall on Moseley's obit day for his soul and that of his wife Margery. This payment continued over the centuries but it was abandoned in 1825. It then was used to build eleven one-room almshouses in Bath Street for needy widows chosen by the Mayor. The Walsall Corporation Act of 1890 required the

Council to maintain the almshouses and to pay an allowance to the residents. In 1937 it was decided not to fill future vacancies because the almshouses were unfit to live in. The old buildings were demolished in 1952 and replaced in 1955 by seven one bedroom bungalows in Heather Close, Bloxwich, and four in Sandbank, Bloxwich. The bungalows were then occupied by aged widows and spinsters. (See Appendix 1 Walsall Corporation Act 1890 Part VII – Almshouses)

- 3.2 These properties continue to be managed by the Council and let according to the original deeds. In 2003 the Council transferred all its housing stock to two organisations, Walsall Housing Group and WATMOS (Walsall Alliance of Tenant Management Organisations); however these 11 properties remained under the trusteeship of the Council. Unfortunately much of the paperwork relating to these properties is absent and there have been no has been no governance documents found, no tenancy agreements, no trust deeds and no rent charged since 2003.
- 3.3 The Council has not retained the trusteeship of all its almshouses. For example, in 1997, the trusteeship and managing responsibility of Henry Boys Almshouses were transferred to Accord Housing Association but with the Council retaining nomination rights for representatives on the trustee board.
- 3.4 The almshouses at Heather Close and Sandbank are now the only ones for which the Council retains any responsibility. Since stock transfer in 2003, the occupancy has reduced to its current position of four let properties. The remaining vacant properties have been left empty as the Council has not had the resources to bring them up to a habitable standard and to maintain them. There is no Housing Revenue Account and the budget of £500 per property per year has only been sufficient to undertake minor repairs and basic health and safety measures.
- 3.5 These almshouses are not being used in an efficient and effective manner. The Council is aware of the need for bungalow accommodation for people within the borough and the Council has undertaken a preliminary investigation in to the possible options to ensure these properties are available for the vulnerable of the borough.
- 3.6 The two options are
 - (a) the Council retains managing responsibility and commits the necessary resources to improving the properties, or
 - (b) the Council transfers the managing responsibility and the freehold interest to a Housing Association with the experience of managing almshouses, and the ability to raise resources to bring these properties up to the Decent Homes Standard. The council has already received expressions of interest from Housing associations who would be interested in managing these properties. The council will be writing to all Associations operating in the borough to ensure compliance with the tendering process.

4. Resource considerations

4.1 **Financial:** The current budget for Almshouses is £8,829 which is expenditure for urgent repairs and maintenance only. In order to fund the requirement in to retain the responsibility i.e.

Option (a), the Council would need to bring these properties up to Decent Homes Standard. This would mean an initial investment of approximately £0.120m based on a property inspection that took place in 2007. There would also be a requirement for an ongoing budget and contingency fund of £1000 per property per year to this service and would require Cabinet to approve an additional element of funding, or to withdraw funding from elsewhere within the department.

Option (b) would release the Council from the ongoing financial responsibility for these properties as they would no longer be the Council's asset. This would also generate a saving of £8,829 which will be offset against the department savings target for 2009/10.

4.2 **Legal:** If the Council did not transfer, the responsibility for the trusteeship would remain; if the council agreed with recommendation (b) responsibility for the trust land would transfer to the housing association.

4.3 **Staffing:** Option (a) would need a Council officer to continue to provide a housing management function for these 11 properties. There would need to be a rent collection function and the Council would need to maintain a list to ensure that these properties were let fairly and equitably in line with the deed. Option (b) would require staff time in progressing the transfer but no staff time or resources after this point.

5. Citizen impact

Either option would result in improved properties being available for letting to vulnerable citizens of the borough. Properties would remain as a charitable provision monitored by the Charities Commission for the needs of vulnerable residents of the borough.

6. Community safety

The improvement of the properties will bring those currently vacant back into beneficial use which should reduce anti-social behaviour in these areas.

7. Environmental impact

The current empty properties are a cause for concern since they run the risk of becoming eyesores that detract from the appearance of the neighbourhood and also increase the risk of attracting squatters and vandalism, arson and other anti-social behaviour.

8. Performance and risk management issues

8.1 **Risk:** If the council retains responsibility for these properties without the resources to bring them up to the decent homes standard the risk of these properties falling into greater disrepair is increase with a risk to the health and safety of the current residents.

8.2 **Performance management:** The council has chosen as part of its priority from the National Indicators set NI 141 Number of vulnerable people achieving independent living. The provision of property suitable to peoples needs in old age goes a significant way to helping people both achieve and maintain independent living.

9. Equality implications

An improved standard in these existing homes will create wider housing choices in the affordable homes for the elderly and will increase social and economic inclusiveness by making housing accessible to people with lower incomes

10. Consultation

Officers from Legal Services, Finance and Estates and Asset Management have been consulted and their advice will continue to be needed.

The current residents have been consulted in February 2009 individually by personal interview.

Background papers

Walsall Corporation Act 1890 Part VII – Almshouses

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Signed:
David Martin
Executive Director
2 March 2009



Signed:
Councillor John O'Hare, Leader of the Council
on behalf of
Councillor Mrs Barbara McCracken
Portfolio Holder
9 March 2009