

ANGUS COUNCIL

**SOCIAL WORK AND HEALTH COMMITTEE
RESOURCES AND CENTRAL SERVICES COMMITTEE**

**5 OCTOBER 2004
21 OCTOBER 2004**

ACQUISITION OF "THE FIRS", LINEFIELD ROAD, CARNOUSTIE

**JOINT REPORT BY THE DIRECTOR OF SOCIAL WORK AND HEALTH AND
THE DIRECTOR OF PROPERTY SERVICES**

ABSTRACT

This report proposes that Angus Council purchase a care home for Adults with Learning Disabilities from NHS Tayside, within the partnership framework for Joint Future.

1 RECOMMENDATIONS

It is recommended that the Social Work and Health Committee notes the acquisition of "The Firs", Linefield Road, Carnoustie at a cost of £160,000.

It is recommended that the Resources and Central Services Committee approves the acquisition of this property and the conditions related to it.

2 INTRODUCTION

In January 2002 the Social Work Committee approved the transfer of responsibility for this residential facility from Tayside Primary Care NHS Trust to Angus Council (report no. 83/02). At that time, the management and staffing of the facility transferred to Angus Council. However, the property remained in the ownership of NHS Tayside.

Discussions about the acquisition of the property by Angus Council have been ongoing – albeit intermittently – since 2002, and it is now considered appropriate to proceed with the transfer of ownership.

3 PROPOSAL

It is proposed that Angus Council buy the property at Linefield Road, Carnoustie from NHS Tayside at a price of £160,000. This will create a more coherent position where the responsibility for the service delivery and building management rest with one agency. The purchase of the premises will be funded by a one-off Resource Transfer from NHS Tayside.

Under the terms of the proposed transfer the funds (i.e. "the grant") will be paid to Angus Council by Tayside Health Board. Angus Council will require to enter into a formal agreement with the Scottish Ministers (on behalf of the health board) to ensure the premises are used for the intended purpose. It will be a condition of that agreement that Angus Council also grant a standard security in favour of the Scottish Ministers to secure repayment of the grant (or proportion thereof) in the event that Angus Council default on the agreement.

Members should be aware that it will be a condition of the agreement that Angus Council be liable to repay a proportion of the grant under various circumstances, including:

- a) if the property is sold within 10 years of the date of purchase; or
- b) the Council ceases to use the premises for the agreed purpose; or
- c) the Council transfers control of the premises to a third party.

The amount to be repaid will be 100%, with a reduction of 10% for every complete year after the date of purchase.

Given that services for adults with learning disabilities are provided within the context of the Joint Future agenda, with aligned budgets, this condition does not represent a significant risk for the Council. Additionally, the sale of the property would result in a capital receipt that could be used to repay the relevant proportion of the grant.

The Joint Management and Commissioning Group for Community Care has discussed and supports the decision to transfer the ownership of this property to Angus Council and this will be progressed.

4 FINANCIAL IMPLICATIONS

The cost of acquiring the property at "The Firs", Linefield Road, Carnoustie will be £160,000. This will be met in full by a one-off Resource Transfer from NHS Tayside.

A budget for maintenance and property related running costs will be provided *via* recurring Resource Transfer.

5 HUMAN RIGHTS ACT IMPLICATIONS

There are no human rights implications arising from the recommendations contained in this report.

6 CONSULTATION

The Chief Executive, the Director of Law and Administration, and the Director of Finance have been consulted in the preparation of this report.

7 CONCLUSION

The acquisition of this property will ensure that there is a coherent management arrangement in place for this care home.

R Peat
Director of Social Work and Health

M Lunny
Director of Property Services

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.