

# NHS Ayrshire & Arran



<b>Meeting:</b>	<b>Ayrshire and Arran NHS Board</b>
<b>Meeting date:</b>	<b>Tuesday 28 March 2023</b>
<b>Title:</b>	<b>To declare Harbourside surplus to NHS Ayrshire &amp; Arran use following the withdrawal of services from the premises</b>
<b>Responsible Director:</b>	<b>Nicola Graham, Director of Infrastructure &amp; Support Services</b>
<b>Report Author:</b>	<b>Jac Maconochie, Assistant Property Services Manager and Greg MacKenzie, Property Transaction Manager, Property Services, Strategy and Partnerships</b>

## 1. Purpose

This is presented to the Board for:

- Decision

This paper relates to:

- Annual Operational Plan

This aligns to the following NHSScotland quality ambition(s):

- Safe
- Effective

## 2. Report summary

### 2.1 Situation

The care home at Harbourside, Irvine has been vacated by The Richmond Fellowship Scotland (TRFS), leaving the property empty. The property is owned by the Board and the North Health and Social Care Partnership (HSCP) have confirmed that they have no other services that can utilise the property, therefore Board is asked to recommend that the property be declared surplus and thereafter sold.

### 2.2 Background

The facility at Harbourside opened in the early 1990 to take patients with learning disabilities from institutional or hospital settings, to a supported living format within the community.

The Board provided bridging finance to TRFS to acquire property to support the transfer of patients. The process was for the Board to buy properties and transfer the title to TRFS, with the Board holding a standard security to recoup the capital outlay when the premises reached the end of their lifecycle as care facilities. This process

was never concluded at Harbourside for unknown reasons and because TRFS undertook the management and maintenance of the premises, this did not become apparent to the Board until 2019. TRFS advised that the building was now in poor condition and estimated that the cost to upgrade the facility was £125,000 which they requested the Board fund as owners of the building. This has led to the HSCP moving the patients to various other sites which better suited the care needs and offer an improvement in service delivery and facilities. The improvement works at Harbourside were not considered to be value for money or enable the premises to meet the needs of patients.

A paper had previously been approved by Infrastructure Programme Board Advisory Group, Infrastructure Programme Board, Corporate Management Team and considered by the NHS Board at its meeting in November 2022. Prior to confirming “declaring surplus” and proceeding with disposal, Board asked that some further work was undertaken to assess the property’s potential suitability for re-purposing as accommodation for international recruitment as a Home of Multiple Occupancy (HMO).

Extract from Board minute:

“Board Members discussed the proposals. In relation to the Harbourside property, Members sought advice on whether it was possible for this property to be refurbished for use as staff accommodation which may aid Board plans for international recruitment and the need to provide staff accommodation for people being recruited from overseas.

Mrs Kirstin Dickson, as Chair of the Infrastructure Programme Board (IPB), provided assurance that the proposal to declare these properties surplus had previously been discussed in detail and approved by the IPB. IPB had agreed it would not be cost effective to repurpose these properties due to the maintenance and refurbishment work that would require to be undertaken.

Following discussion, Members requested that the Harbourside property be re-evaluated in regards to cost effectiveness to refurbish the property for use as staff accommodation.”

The paper presented in November 2022 outlined that disposal of the property would save the Board around £15,000 in operational costs per year and avoid backlog maintenance liabilities that were estimated to be £84,000, rising to £250,000 should the property be required to be upgraded to NHS standards.

## **2.3 Assessment**

In January 2023, OCCAM Architects completed their costed feasibility study to reconfigure the property as an eight person HMO property and undertake the necessary backlog maintenance works.

The projects costs were estimated as £847,000 inclusive of furnishings, fees and vat. This was considered to be poor value for money when compared to other potential solutions such as the purchase of two new build 4 bedroom properties in Ayrshire which could be better located to hospital sites and provide similar capacity at lower cost.

Independent property surveyors had previously noted an existing use value of £175,000 for the Harbourside premises with a potential market value of approximately £200,000 in the event of disposal.

If declared surplus, in accordance with the NHSScotland Property Transaction Handbook, we will submit a Trawl Notice to the Scottish Government to give other public bodies the preferential opportunity to acquire the site in advance of open sale. It is noted that North Ayrshire Council Housing Department have recently noted an interest in acquiring the site since the initial papers were presented in November 2022. A sale to North Ayrshire Council would be preferable in accordance with national policy and avoid the need to go to the open market and avoid the costs and risks in doing so.

Based upon the feasibility study that was completed in January 2023, Infrastructure Programme Board have reaffirmed the previous recommendation that the property be declared surplus and taken for disposal.

### **2.3.1 Quality/patient care**

There is no effect on patient care as all services have been withdrawn from the properties.

### **2.3.2 Workforce**

No staff are based there as all services have been withdrawn from the properties.

### **2.3.3 Financial**

The recommendation is to sell the property and obtain a capital receipt for the Board. This would eliminate the ongoing operational costs of £15,000 p.a. and the backlog maintenance liability of £84,000 (equivalent to £250,000 to meet NHS standards).

### **2.3.4 Risk assessment/management**

Delay to disposal would be reflected in operational costs equivalent to £15,000 per annum being incurred so a quick disposal is preferred to minimise ongoing costs. If a sale is to be made to a public body, this should be framed around a fixed timescale to minimise the risk of drift.

There is also a risk when selling the property, offers may fall below the assessed Market Value.

To minimise potential drift and to reach certainty around price as quickly as possible, it is recommended that should the property be sold via the open market (not to a public authority), this be done via auction concurrent with other disposal properties.

Extended periods with a vacant property can attract vandalism that can adversely impact price in addition to making good costs.

### **2.3.5 Equality and diversity, including health inequalities**

An impact assessment is attached.

### **2.3.6 Other impacts**

- The objective is to obtain best value in selling the property.
  - Property Services, Strategy & Partnership will manage the process and coordinate between the advisers.

- The Post Transaction monitoring will be carried out in compliance with the NHS Scotland Property Transactions Handbook and any financial or corporate audits that will take place.
- The disposal of the property is in line with corporate objective of reducing the size of the estate, by removing buildings which do not support current service objectives.

### **2.3.7 Communication, involvement, engagement and consultation**

There is no required duty to involve and engage external stakeholders for this paper.

### **2.3.8 Route to the meeting**

This has been previously considered by the following groups as part of its development. The groups have either supported the content, or their feedback has informed the development of the content presented in this report.

- Infrastructure Programme Board Advisory Group, 24 August 2022
- Infrastructure Programme Board, 8 September 2022
- Corporate Management Team, 20 September 2022
- NHS Board, 28 November 2022 – *Not approved*
- Infrastructure Programme Board Advisory Group, 25 January 2023
- Infrastructure Programme Board, Circulated Virtually February 2023
- Infrastructure Programme Board Advisory Group, 8 March 2023
- Infrastructure Programme Board, Circulated Virtually 10 March 2023
- Corporate Management Team, 14 March 2023

## **2.4 Recommendation**

For decision. Members are asked to declare Harbourside surplus and proceed with disposal.

## EQUALITY IMPACT ASSESSMENT

**This is a legal document stating you have fully considered the impact on the protected characteristics and is open to scrutiny by service users/external partners/Equality and Human Rights Commission**

If you require advice on the completion of this EQIA, contact [elaine.savory@aapct.scot.nhs.uk](mailto:elaine.savory@aapct.scot.nhs.uk)

'Policy' is used as a generic term covering policies, strategies, functions, service changes, guidance documents, other

<b>Name of Policy</b>	To declare Harbourside, Irvine surplus to NHS Ayrshire & Arran use following the withdrawal of services from the premises.		
<b>Names and role of Review Team:</b>	Greg MacKenzie – Property Transaction Manager Jac Maconochie – Assistant Property Services Manager	<b>Date(s) of assessment:</b>	7 <sup>th</sup> March 2023

### SECTION ONE AIMS OF THE POLICY

1.1. Is this a new or existing Policy : New \_\_\_\_\_

Please state which:      Policy     Strategy       Function       Service Change       Guidance       Other

1.2 What is the scope of this EQIA?

NHS A&A wide                       Service specific                       Discipline specific                       Other (please detail)  
Property Disposal

\_\_\_\_\_

1.3a. What is the aim? To declare Harbourside, Irvine surplus and dispose of the property.

1.3b. What is the objectives? To obtain the best financial return for the sale and removing the liability of owning and maintaining the property.

**1.3c. What is the intended outcomes?** To reduce the size of the NHS Ayrshire & Arran Estate and to remove the ownership cost of the unused property.

**1.4. Who is this policy intended to benefit or affect? In what way? Who are the stakeholders?**

An empty property presents a risk of vandalism and also a potential fire hazard, so is a risk to members of the public and Estates staff. There is also a financial benefit in obtaining receipts from any sale and removing ongoing maintenance and utilities costs.

**1.5. How have the stakeholders been involved in the development of this policy?** There are no stakeholders associated with the premises as it is now vacant. The North HSCP are responsible for the relocation of services and will be able to evidence their Equality Impact Statement in this regard.

**1.6 Examination of Available Data and Consultation** - Data could include: consultations, surveys, databases, focus groups, in-depth interviews, pilot projects, reviews of complaints made, user feedback, academic or professional publications, reports etc.)

In accordance with the NHS Scotland Property Transactions Handbook, Property and Legal Advisers will be appointed.

**Name any experts or relevant groups / bodies you should approach (or have approached) to explore their views on the issues.**

The proposed disposal of the property by sale would be subject to the guidance set out in the NHS Scotland Property Transactions Handbook and once it is declared surplus by NHS Board a property and legal adviser would be appointed.

**What do we know from existing in-house quantitative and qualitative data, research, consultations, focus groups and analysis?**

.The property carries a backlog maintenance liability of approximately £84,348.22.

**What do we know from existing external quantitative and qualitative data, research, consultations, focus groups and analysis?**

The Market Value per the pre-marketing report is small in relation to the likely costs of either repair of the premises or demolition, so the best option is to dispose of the property quickly to minimise risk of exposure to further costs or adverse events. A quick sale may also reduce the potential for vandalism or fire.

**1.7. What resource implications are linked to this policy?**

There will be cost for a Property Adviser, and Legal fees.

<b>SECTION TWO</b>	<b>IMPACT ASSESSMENT</b>
--------------------	--------------------------

Complete the following table, giving reasons or comments where:

The Programme could have a positive impact by contributing to the general duty by –

- Eliminating unlawful discrimination
- Promoting equal opportunities
- Promoting relations within the equality group

The Programme could have an adverse impact by disadvantaging any of the equality groups. Particular attention should be given to unlawful direct and indirect discrimination.

If any potential impact on any of these groups has been identified, please give details - including if impact is anticipated to be positive or negative.

**If negative impacts are identified, the action plan template in Appendix C must be completed.**

<b>Equality Target Groups – please note, this could also refer to staff</b>
---

	Positive impact	Adverse impact	Neutral impact	Reason or comment for impact rating
<b>2.1. Age</b> <ul style="list-style-type: none"> <li>• Children and young people</li> <li>• Adults</li> <li>• Older People</li> </ul>			✓	Services have been withdrawn from the property.
<b>2.2. Disability</b> (incl. physical/ sensory problems, learning difficulties, communication needs; cognitive impairment, mental health)	✓			Harbourside does not meet either best practice for supported residential accommodation, in terms of en-suite facilities, observation and support from staff and shared communal space. There are also questions relating to the equality act and compliance with fire risk assessment, in evacuating the building and spread of smoke. This would be dependent on how the building would be used, if retained.

<b>2.3. Gender Reassignment</b>			✓	Services had been withdrawn from the property.
<b>2.4 Marriage and Civil partnership</b>			✓	Services had been withdrawn from the property.
<b>2.5 Pregnancy and Maternity</b>			✓	Services had been withdrawn from the property.
<b>2.6 Race/Ethnicity</b>			✓	Services had been withdrawn from the property.
<b>2.7 Religion/Faith</b>			✓	Services had been withdrawn from the property.
<b>2.8 Sex (male/female)</b>			✓	Services had been withdrawn from the property.
<b>2.9 Sexual Orientation</b> <ul style="list-style-type: none"> <li>• Lesbians</li> <li>• Gay men</li> <li>• Bisexuals</li> </ul>			✓	Services had been withdrawn from the property.
<b>2.10 Carers</b>	✓			By moving both patients and carers to new assisted living properties this has improved the conditions for carers and their ability to look after patients.
<b>2.10 Homeless</b>			✓	All patients have been relocated to other/improved properties, which better suit their needs.
<b>2.12 Involved in criminal justice system</b>			✓	Services had been withdrawn from the property.
<b>2.13 Literacy</b>			✓	Services had been withdrawn from the property.
<b>2.14 Rural Areas</b>			✓	Services had been withdrawn from the property.



<b>2.15 Staff</b> <ul style="list-style-type: none"> <li>Working conditions</li> <li>Knowledge, skills and learning required</li> <li>Location</li> <li>Any other relevant factors</li> </ul>	✓			<p>The Building was in poor quality, with a high level of backlog maintenance. The building does not offer any potential for reuse and the North HSCP have confirmed that their services have no further use for the property.</p>
---	---	--	--	--

**2.16. What is the socio-economic impact of this policy / service change? (The [Fairer Scotland Duty](#) places responsibility on Health Boards to actively consider how they can reduce inequalities of outcomes caused by socio-economic disadvantage when making strategic decisions)**

	Positive	Adverse	Neutral	Rationale/Evidence
<b>Low income / poverty</b>			✓	Services had been withdrawn from the property.
<b>Living in deprived areas</b>			✓	Services had been withdrawn from the property.
<b>Living in deprived communities of interest</b>			✓	Services had been withdrawn from the property.
<b>Employment (paid or unpaid)</b>			✓	Services had been withdrawn from the property.

**SECTION THREE CROSSCUTTING ISSUES**

**What impact will the proposal have on lifestyles? For example, will the changes affect:**

	Positive impact	Adverse impact	No impact	Reason or comment for impact rating
<b>3.1 Diet and nutrition?</b>			✓	Services had been withdrawn from the property.

<b>3.2 Exercise and physical activity?</b>			✓	Services had been withdrawn from the property.
<b>3.3 Substance use: tobacco, alcohol or drugs?</b>			✓	Services had been withdrawn from the property.
<b>3.4 Risk taking behaviour?</b>			✓	Services had been withdrawn from the property.

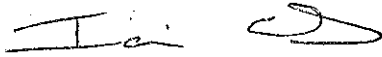
<b>SECTION FOUR CROSSCUTTING ISSUES</b>				
<b>Will the proposal have an impact on the physical environment? For example, will there be impacts on:</b>				
	<b>Positive impact</b>	<b>Adverse impact</b>	<b>No impact</b>	<b>Reason or comment for impact rating</b>
<b>4.1 Living conditions?</b>			✓	Services had been withdrawn from the property.
<b>4.2 Working conditions?</b>			✓	Services had been withdrawn from the property.
<b>4.3 Pollution or climate change?</b>			✓	Services had been withdrawn from the property.
<b>Will the proposal affect access to and experience of services? For example:</b>				
	<b>Positive impact</b>	<b>Adverse impact</b>	<b>No impact</b>	<b>Reason or comment for impact rating</b>
<b>Health care</b>			✓	Services had been withdrawn from the property.
<b>Social Services</b>			✓	Services had been withdrawn from the property.
<b>Education</b>			✓	Services had been withdrawn from the property.

<b>Transport</b>			✓	Services had been withdrawn from the property.
<b>Housing</b>			✓	Services had been withdrawn from the property.

<b>SECTION FIVE</b>	<b>MONITORING</b>
<b>How will the outcomes be monitored?</b> The NHS Scotland Property Transactions Handbook has Post-Transaction Monitoring process.	
<b>What monitoring arrangements are in place?</b> The Property Adviser and Legal Adviser sign off on the sale process during and after missives.	
<b>Who will monitor?</b> Head of Property Services, Strategy & Partnership will monitor the process and the Chief Executive will sign off once concluded.	
<b>What criteria will you use to measure progress towards the outcomes?</b> To complete the Property Transaction Monitoring Certification, which will be subject to audit by our external advisers.	
<b>PUBLICATION</b>	
Public bodies covered by equalities legislation must be able to show that they have paid due regard to meeting the Public Sector Equality Duty (PSED). This should be set out clearly and accessibly, and signed off by an appropriate member of the organisation.	
Once completed, send this completed EQIA to the <b>Equality &amp; Diversity Adviser</b>	

**Authorised by** Iain Gairns **Title** **Head of Property Services, Strategy & Partnerships**

**Signature**

A handwritten signature in black ink, appearing to be 'I. J.', enclosed in a rectangular box.

**Date**

07.03.2023

## Identified Negative Impact Assessment Action Plan

Name of EQIA:

N/A

Date	Issue	Action Required	Lead (Name, title, and contact details)	Timescale	Resource Implications	Comments

Further Notes:

Signed:

Date:

