

**HEALTH AND ADULT SOCIAL CARE  
OVERVIEW AND SCRUTINY COMMITTEE**

**17 JANUARY 2019**

**PROPOSED DEVELOPMENT OF THE HEALTH SERVICE  
OR VARIATION IN PROVISION OF HEALTH SERVICE –  
KENT AND MEDWAY NHS AND SOCIAL CARE  
PARTNERSHIP TRUST (KMPT)**

Report from Helen Greatorex, CEO, , Kent and Medway NHS and Social  
Care Partnership Trust (KMPT)

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**Summary**

This report advises the Committee of a proposal under consideration by KMPT to relocate existing mental health services from Canada House, Gillingham and Elizabeth House in Rainham to Britton Farm, Gillingham as both Canada House and Elizabeth House are considered to be unfit for use. KMPT is recommending that the Committee agrees that the proposal does not amount to a substantial development of, or variation to, the health service in Medway. The scheme has been developed as part of the Medway STP process (strategic estates group) in partnership with Medway Council.

**1. Budget and Policy Framework**

1.1 Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 the Council may review and scrutinise any matter relating to the planning, provision and operation of the health service in Medway. In carrying out health scrutiny a local authority must invite interested parties to comment and take account of any relevant information available to it, and in particular, relevant information provided to it by a local Healthwatch. The Council has delegated responsibility for discharging this function to this Committee and to the Children and Young People's Overview and Scrutiny Committee as set out in the Council's Constitution.

**2. Background**

2.1 At the meeting of Medway's Cabinet on 7 August 2018, Medway's Cabinet approved the commencement of the project to fund the re-modelling of the Britton Farm supermarket premises, of which the Council is the landlord, to

allow it be let as new office accommodation for the Kent and Medway NHS and Social Care Partnership Trust (KMPT). The Council had previously agreed on 19 July 2018 an addition to the Capital Programme of £850,000 for the re-modelling.

- 2.2 KMPT is working with Medway Council to complete a design proposal for the new hub so that costs can be confirmed. Provided these are affordable, it is intended that the Council proceeds to instruct and carry out the necessary works, with an intended occupation date no more than 12 months from the instruction date.
- 2.3 The relocation will enable a modern, fit-for-purpose environment for Medway mental health services, regarded as overdue by many, and will provide for the first time, genuine town centre access for users of the service and their carers. Currently the challenges of car parking, and vehicle traffic (at the Canada House location in particular) has led to difficulties with neighbours and neighbourhood groups. Being sited in a residential area, this is understandable. Medway residents will experience more equitable access as a result of the change, particularly the older person's service at Rainham, which is not central to the patch.

### **3. Proposed service development or variation**

- 3.1 The Trust is proposing the relocation of existing mental health services from out-dated, poor quality buildings to a newly refurbished, fit-for-purpose town centre location, in partnership with Medway Council, who own the proposed new service hub building. The existing buildings, at Canada House and Elizabeth House are now unfit for use, neither ever having been designed for this purpose and both significantly aged. There will be no reduction in services provided or in resources to provide them. By virtue of an improved layout and design, it is intended to increase and improve the nature of what is provided to the Medway population, through the benefits of integrating currently separate services on a single site.
- 3.2 The space available within the new facility at Britton Farm will be used quite differently to how space is used at the existing premises. The modern layout and design will allow for greater sharing of space among teams, enabling more efficient use of the space available. The early 20<sup>th</sup> century layout of the former maternity building at Canada House is particularly inefficient by today's standards. So although the total space available at the new facility (1410m<sup>2</sup>) is less than that currently available at the existing facilities (1914m<sup>2</sup>) the Trust is confident it will be more than sufficient. Although there are some 2,400 patients on community mental health caseloads at any one time, only a fraction of this number is seen day to day in the Trust's clinic. This year's data indicates around 20 appointments on average per day as the current requirement for clinic space (the majority of KMPT patients being seen at home or in other community settings).
- 3.3 KMPT is experienced in managing these new Hub projects, and will follow tried and tested practice to ensure service users and others are not inconvenienced by the changes. The transition will be a clean, weekend process, with existing facilities closing on a Friday and the new facilities opening on the following Monday, supported by comprehensive planning and engagement with all those

affected. KMPT's experience is that these changes can provide a Launchpad for significant improvement in service delivery, capitalising on the "feel good" impact of the new environment. It is essential, however, to plan the transition in detail, and the Hub project group will ensure this.

#### 4. Consultation

- 4.1 The Britton Farm proposal replaces a previous proposal to relocate to Sovereign House. During the development of the Sovereign House proposal affected stakeholders were engaged in those plans and supported them. Reviving that discussion with all affected stakeholders now that an alternative location has been found will commence once the option is shown to be affordable. Soft testing of the proposal has been met with the same level of support for relocation, driven largely by the need to move out of unfit accommodation and to a more accessible location.
- 4.2 Service users and staff will be engaged in the development through the design and implementation process, which will be supported by comprehensive communication and engagement strategies.

#### 5. Risk management

- 5.1 The recommended option will require careful management.

Risk	Description	Action to avoid or mitigate risk
Health Services	There are few risks for mental health services in this proposal. The chief one relates to ensuring the design is fit for use.	Best practice in provision of community mental health services environments will be followed, and lessons learned from other hub developments in Maidstone and Ashford will be applied.
Vacancy	KMPT do not complete a lease once the designs are agreed.	Council officers to work closely with KMPT to agree the design. The building works will not start until an agreement for lease has been completed.  Alternative uses of the building to ensure its long term suitability for commercial rental.

Cost overrun	The capital works cost more than the agreed budget and take longer to complete than the agreed project completion date.	Effective project management of the scheme by the Capital Projects team with oversight from the Portfolio Holder.
Project conflict	Conflict between the capital works to provide the office accommodation, the residential units and innovation space.	Effective project management of the scheme by the Capital Projects team with oversight from the Portfolio Holder. Close liaison with the Head of Operations of Medway Development Company.

## 6. Financial implications

- 6.1 The vacancy of the Britton Farm supermarket has resulted in a loss of previous rental of £169,000 per annum (p.a.), additional business rates costs of £95,500 p.a. and repair and security costs of around £20,000 p.a.
- 6.2 The costs of the capital works will be funded through a new capital scheme. The proposed agreement with KMPT will repay those costs over 10 years in addition to a rental value for the premises. The feasibility work for these projects can be paid for from the £50,000 funding received at Round 6 of the One Public Estate project.
- 6.3 The scheme will be within the approved budget.

## 7. Legal implications

- 7.1 The residential works will be funded as a stand-alone project completed by the Medway Development Company.
- 7.2 The change of use of Britton Farm to include office accommodation and any residential development will require a planning application. The lease with KMPT will be in a format agreed by the Chief Legal Officer.
- 7.3 Provision for health scrutiny is made in the Local Authority (Public Health, Health and wellbeing Boards and Health Scrutiny) Regulations 2013 and includes a requirement on relevant NHS bodies and health service providers (including Public Health) to consult with local authorities about any proposal which they have under consideration for a substantial development of or variation in the provision of health services in the local authority's area. This obligation requires notification and publication of the date on which it is proposed to make a decision as to whether to proceed with the proposal and the date by which Overview and Scrutiny may comment. Where more than one local authority has to be consulted under these provisions those local authorities must convene a Joint Overview and Scrutiny Committee for the purposes of the consultation and only that Committee may comment.

- 7.4 The legislation makes provision for local authorities to report a contested substantial health service development or variation to the Secretary of State in certain circumstances, after reasonable steps have been taken locally to resolve any disagreement between the local authority and the relevant responsible person on any recommendations made by the local authority in relation to the proposal. The circumstances in which a report to the Secretary of State is permitted are where the local authority is not satisfied that consultation with the local authority on the proposed substantial health service development or variation has been adequate, in relation to content or time allowed, or where the authority considers that the proposal would not be in the interests of the health service in its area.
- 7.5 Revised guidance for health service Commissioners on the NHS England assurance process for service changes was published in March 2018:
- <https://www.england.nhs.uk/wp-content/uploads/2018/03/planning-assuring-delivering-service-change-v6-1.pdf>
- 7.6 The guidance states that broadly speaking, service change is any change to the provision of NHS services which involves a shift in the way front line health services are delivered, usually involving a change to the range of services available and/or the geographical location from which services are delivered. It also says that any proposed changes should be aligned to Sustainability and Transformation Partnership (STP) Plans.
- 7.7 The NHS England guidance acknowledges that the terms “substantial development” and “substantial variation” are not defined in the legislation. Instead commissioners and providers are encouraged to work with local authorities to determine whether the change proposed is substantial thereby triggering a statutory requirement to consult with Overview and Scrutiny. The Council has developed a template to assist the Committee in determining whether a proposed change is substantial. This is attached at Appendix 1 to this paper.
- 7.8 The NHS England guidance also states that public consultation, by commissioners and providers is usually required when the requirement to consult a local authority is triggered under the regulations because the proposal under consideration would involve a substantial change to NHS services. However, public consultation may not be required in every case, sometimes public engagement and involvement will be sufficient. The guidance says a decision around this should be made alongside the local authority.

## **8. Recommendation**

- 8.1 The Committee is asked to:
- i) Consider and comment on the proposed development or variation to the health service, as set out in this report and Appendix 1.
  - ii) In consideration of KMPT’s assessment that the proposal does not represent a substantial development of, or variation to, the health service in Kent and Medway, to determine whether it agrees with this assessment.

## **Appendices**

Appendix 1 – Completed Substantial Variation Template

### **Background papers**

None.

### **Lead officer contact**

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