

## **Property Consolidation Strategy- Botton Village**

### **Introduction.**

Botton Village is a collection of properties which are owned by Camphill Village Trust (CVT). This village has operated as an 'intentional community' where co-workers and people with learning disability live in shared housing settings for some 60 years. Up until 12 years ago there were around 160 adults with a learning disability living within the community. Botton now has less than 100.

The management of CVT has needed to modernise the employment structures of the community in order to comply with modern legal requirements and best practice. Also, due to the decline in numbers the numbers of properties that remain financially viable has reduced.

Long-standing 'co-workers' have been offered the chance to become employed by CVT. Many have accepted this and are working with the organisation to improve services and work towards a positive future at Botton Village.

There are a number of long-standing co-workers, however, who do not accept that CVT has a right to make changes at Botton Village and will not sign contracts that regularise their position. This is because they do not accept that they are employees although legal advice from both the Charity Commission and HMRC has confirmed that this is the case.

### **Housing situation**

Botton Village is a community in North Yorkshire with 48 properties. Some of these properties are shared between 'co-workers' and people who receive support. This is the case in 13 properties. The other properties are occupied by coworkers who are not life sharing, retired coworkers, and a small number of employees. There are also 6 properties which are empty. Additional capacity has been created by coworkers who have become employed have vacated rooms in houses where there are people we support living who now receive support through paid employees.

There is no paperwork or legal agreements that determine on what basis 'co-workers' occupy these properties.

[REDACTED]

In the New Year, it is our intention to commence legal proceedings to secure possession of all 13 of these properties. This regrettable step is necessary in order to enable CVT to comply with HMRC and Charity Commission rulings, and to address the £1million a years trading deficit that the village runs with.

This places those people at risk of homelessness. A number of these occupants have dependent children. In total 15 children will be affected by this situation. The attached spreadsheet gives details of those families and individuals affected.

Historically, leaving co-workers, who have often given many years' service to the community, have been in receipt of what is termed 'Transitional Support'. This is a discretionary sum of money that supports those co-workers to transition to life outside the community. These discretionary sums are available to those at risk of homelessness if they comply with the terms of the Notice To Quit (NTQ)- i.e. vacate the property within 2 months. Should CVT be forced to take legal action, however, CVT's view is that this discretionary payment will no longer be available. It is the view of CVT that this payment is only appropriate where there is some goodwill and that co-workers engaging CVT in a legal process would be a definitive breach of such goodwill.

It is considered by North Yorkshire CC that the situation of co-workers being evicted from properties where there are people with learning disabilities is to be avoided.

There are 14 of these properties, however, which would require moving some 30-40 people with learning disabilities in a short space of time. This is neither desirable nor practicable.

Therefore a managed approach is necessary which prioritises those properties where we anticipate that the on-site co-workers are most likely to have an adverse impact on the morale and wellbeing of other residents. I would suggest that no more than 4 consultations are ongoing at any one time although it may be possible to achieve more.

#### **Priorities for consolidation.**

#### **Properties agreed by managers at Botton for consolidation-**

- 1) Old Botton Farm
- 2) Rogers House
- 3) Rock House
- 4) Martin House
- 5) Stormy Hall
- 6) High Farm
- 7) Skylark
- 8) Nook
- 9) Castle House

Currently, it is anticipated that there will be 16 service users affected by the first tranche of consolidation.

## **Service User options**

- 1) Cherry House (3 beds)
- 2) New Botton Farm
- 3) Falcon House (4 beds)
- 4) Hall South (2 beds)
- 5) Lavender Loft (2 beds)
- 6) Staffa (2 beds)
- 7) Merlin Flats (1/2 beds)
- 8) Piet's Palace- (3 beds)
- 9) Tree Houses- (3 beds)
- 10) Bakery Flat- (1 bed)

There are 20 plus spaces available as choices for people to move to.

## **Options for unoccupied spaces**

In addition to the co-occupied spaces, there are a number of other unoccupied properties. All of these are currently on a 'suited' key system with no practical control of master keys. This makes it possible for residents in the village to move without any permission and to occupy property without any legal agreement. It is also possible for residents to occupy currently unoccupied property in houses that are already occupied. This property is owned by CVT and, as it is unoccupied currently it may be appropriate to secure the property to ensure that we do not have to take further legal action to secure our own property.

### **Option 1**

Serve Notices as below. Leave all other property unsecured.

### **Option 2**

Serve Notices as below. Secure all unoccupied property with locks that are not on the 'suite'. This ensures that we do not have to serve Notice to one person/ family in multiple locations. When people we support move from properties that are being consolidated (see list above), secure all unoccupied rooms in the property so that the remaining co-worker's space is clearly defined. This will also prevent families from moving into alternative accommodation if they are evicted.

### **Option 3**

Serve Notices as below. Secure all unoccupied property with locks that are not on the 'suite'. In addition, go room by room in each property and secure unoccupied rooms. Remove any disused items and put them into storage. Two people to make and countersign inventory for any property. This will give more rapid control of more of the estate but is likely to be provocative.

## **Timetable of changes**

09/01/15- NTQ and NoSPs to be served on co-workers where no agreement to become employees exists.

09/01/15- All unoccupied property to be secured by lock and key.

09/01/15- Consultations to start with first 4 houses identified for consolidation.

12/01/15- 16/01/15- surgeries to be held at Botton with Housing Advice Workers from Scarborough Borough Council to attend in order to support residents to make the most informed choice possible.

09/03/15- deadline for affected co-workers to leave their accommodation. Applications to be made to Court for possession.

## **Implementation proposal**

This details how we anticipate implementing the changes. However, this must be seen as an outline plan, and there will be some changes and adaptations required as the situation develops.

### *Old Botton Farm(OBF)*

There are currently 4 pws living in OBF, we are proposing that three of the pws move into Cherry House. Cherry House is currently occupied by a coworking family who anticipate leaving at the end of February. The team that currently support OBF will move with the pws from OBF to Cherry House. We do not anticipate that there will be extra staff required. The one remaining pws at OBF is anticipating leaving the community early in 2015 so we propose that he remains in OBF. We only receive payment for one house support a week for this person.

## **Action**

- 1) Steven James/Bogdan Bucur meet with Cherry House coworkers w/c 29/12/14 to discuss.**
- 2) Consultation process with the pws to start 12/01/15.**
- 3) Implement moving process check list 12/01/15.**

### *Martin House*

█ to move from Martin House to TWH due to increasing needs and request by pws.

Two pws (█, █) from Rock House to move into Martin House who are requiring increasing support.

## **Action**

- 1) Steven James to meet with Daniel Stefanescu and agree staffing required and how to develop the team required to take on Martin House.**
- 2) Steven James to meet with Martin House guest volunteers and explore their concerns.**
- 3) Steven James to meet with Martin House coworkers and explain that they need to move into other accommodation so that Martin House can become part of the TWH and Linden older care provision.**

### *Rogers House*

As per Martin House, plus one pws move to Hall South (■) and the other pws move to Falcon.

## **Action**

- 1) Begin the process w/c 12/01/15 as per the agreed moving checklist.**

### *Rock House*

Two pws move to Sherwood (■, and ■), ■ to move to Shepherds Cottage, and ■ to move to Botton Hall.

## **Action**

- 1) Steven James to discuss with employees the merger of Hall North and South into a new Botton Hall configuration with one support team running the whole building.**
- 2) Beging the process w/c 12/01/15 as per the agreed moving checklist.**

## **Outcome**

We anticipate that by the end of February 2015 we will have 8 houses run entirely by paid staff.

We will then be left with the South neighbourhood, Dalehead, Lusmore, Rowan, High Farm, and Sherwood as one cluster. At the end of February we will start the process of moving in paid staff to work alongside the coworkers with the view of the coworkers leaving early April.

At the same time we will integrate Stormy Hall and Shepherds Cottage to be run by one staff team over seeing both houses.

Nook House and Castle House will also have staff taking over the running of the houses, but with the potential of Nook closing.

Finally Skylark will be run by the existing Falcon House team.