

For Noting

Agenda Item: 12.2
Date of Meeting: 26/02/25

To: The Management Committee
From: The Director
Subject: Proposal for Supported Accommodation Unit - Update

1. Introduction and Purpose

- 1.1 At its January meeting, Committee decided that I should explore leasing our one remaining supported accommodation unit to either Glasgow City Council or to the Care Provider, Quarriers.
- 1.2 The purpose of this report is to provide Committee with an update on the matter.

2. Proposal to Lease 70 Househillwood Road

- 2.1 Before contacting either party, I sought further clarification from our solicitor about whether it would be acceptable to “gift” the white goods, furniture and furnishings to either the occupants or to whoever we lease the unit to i.e. the Council or Care Provider. Our solicitor advised “I am also of the opinion that gifting the white goods either to the occupant or GCC/the support provider then removes any responsibility from Rosehill in relation to the property other than the maintenance and repair.”
- 2.2 I also sought our solicitor’s advice about whether there is a preference to which organisation we enter into a lease with. I wasn’t sure if there were more benefits to it being with the Council as opposed to the care provider e.g. care provider dependent on funding and if that funding was lost. I proposed contacting the Council first to see what happens. Our solicitor advised “I agree that given the option the Council are more likely to be agreeable to being tied in for a longer period and not so concerned about funding constraints.”
- 2.3 On the basis of our solicitor’s advice, I emailed the contact I had within Glasgow City Council. Following an exchange of emails, I was advised that the Council don’t tend to take on the lease for a unit and was asked if I had contacted the care provider. I subsequently emailed the contact I had within the Care Provider, Quarriers. I am currently waiting a response. Any update on this matter, will be reported at the meeting.

3. Risk

3.1 The risks associated with the proposal to lease the unit at 70 Househillwood Road to the Council or the Care Provider have been considered as follows:

Risk Category	Mitigating Measure
<p>Financial:</p> <ul style="list-style-type: none"> • Potential for rent/service loss when voids in unit • Rents and service charges are not adequate to meet costs 	<p>Propose to include in any lease agreement that the lessee is responsible for the rent and service charges regardless of whether rooms are occupied or vacant.</p> <p>Current rent and service charges are adequate and are reviewed annually to ensure our costs are being covered.</p> <p>A further review of the rent and service charges will be carried out in advance of any lease being entered into and will take account of any relevant terms of the lease agreement.</p>
<p>Governance:</p> <ul style="list-style-type: none"> • Lack of clarity in lease terms and responsibilities 	<p>Our solicitor will advise us throughout the process and will draft the lease agreement or as a minimum review and advise on any draft agreement suggested by GCC or the Care Provider.</p>
<p>Legislative and Regulatory:</p> <ul style="list-style-type: none"> • Fail to meet legal or regulatory requirements including HMO compliance 	<p>Same as for risk under Governance</p> <p>We will determine whether we should retain responsibility for repairs and maintenance which would enable us to be assured we are HMO compliant. Alternatively robust terms and conditions will need to be added to the lease agreement about R&M responsibilities, ensuring compliance with HMO requirements and providing us with appropriate evidence of this.</p>

4. Delivery of our Strategic Objectives

Area	Related Strategic Objective(s)
Proposal to enter into a lease agreement with GCC or care provider.	5) Build and contribute to effective partnerships 6) Use resources efficiently and effectively

5. Application of our Core Values

Area	Related Core Value(s)
Proposal to enter into a lease agreement with GCC or care provider.	<ul style="list-style-type: none"> Accountable and Compliant Efficient and Responsible

6. Compliance and Assurance

- 6.1 The approach we are undertaking in relation to the proposal to lease our supported accommodation unit to the Council or Care Provider including taking legal advice, will ensure we have met our legal and regulatory requirements as follows.

Compliance Source	Details
The Standards of Governance and Financial Management for RSLs	<p>Standard 4 - The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.</p> <p>Guidance 4.1 – The governing body ensures it receives good quality information and advice from staff and, where necessary, expert independent advisers, that is timely and appropriate to its strategic role and decisions. The governing body is able to evidence any of its decisions.</p> <p>Guidance 4.4 – The governing body identifies risks that might prevent it from achieving the RSL's purpose and has effective strategies and systems for risk management and mitigation, internal control and audit.</p>

6.2 Evidence Bank

Evidence	Assurance Exercise Location
<ul style="list-style-type: none">Report for 26/02/25 meeting	<ul style="list-style-type: none">Regulatory Standard 4 – Guidance 4.1 and 4.4

6.2.1 Committee is reminded that our Assurance Exercises are available in the Committee Log-in Area of our website, which Committee can access at any time.

7. Summary

7.1 Following Committee's decision last month that I should begin discussions with the Council or the Care Provider about the possibility of leasing our one remaining supported accommodation unit, an update is being provided to Committee on the matter. The update is set out in Section 2.

7.2 Risk is considered at Section 3.

7.3 Section 4 shows how the proposal to lease the unit links to the delivery of our strategic objectives.

7.4 Section 5 shows how the proposal to lease the unit links to the application of our core values.

7.5 Section 6 sets out how we comply with Regulatory Requirements.

7.6 Committee is asked to note this report and that the current position is that the Council do not tend to enter into leases and, as such, I have now contacted the Care Provider, Quarriers and am currently awaiting a response.