

Meeting: Cabinet

Date: 5 December 2023

Wards affected: All

Report Title: Framework agreement Temporary Accommodation and Housing Standards - General Repairs & Maintenance Award of Contracts

When does the decision need to be implemented? As soon as the call-in period has expired

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Director Contact Details: Joanne Williams, Director of Adult and Community Services, alan.tyerman@torbay.gov.uk

1. Purpose of Report

- 1.1 The purpose of this report is to seek delegated approval to award contracts for general repairs and maintenance for temporary accommodation and housing standards using the Lot 2 (Maintenance and Repairs element only) of the Framework of Contractors for Disabled Facility Grant (DFG) Works and Maintenance and Repairs. This will thereby appoint up to 10 successful suppliers, following a procurement exercise.
- 1.2 The current list of approved DFG contracts does not include works associated with wider delivery across the Directorate or organisation. It is the intention that the Framework be used to undertake works in default (under legal notice) by the Community and Customer Department, and in the maintenance and repairs of temporary accommodation, if required.
- 1.3 The current procurement process continues until February 2024, when the preferred suppliers will be informed of their success to be on the Framework.

2. Reason for Proposal and its benefits

- 2.1 The proposal in this report helps us to deliver improved quality of accommodation and prevent homelessness. This will ensure we have a Framework of suitable qualified and vetted contractors, which can undertake works in a timely manner to meet statutory and safety requirements.
- 2.2 Works included, relate to maintenance and repairs of properties owned or leased by Torbay Council. This includes properties used in the provision of temporary accommodation and includes works under legal notice on other private properties. For example, repairs under

housing legislation, enforced by the Housing Standards team. Further explanation of the type of works in scope and need are included below.

- 2.3 Rapid and easy access to approved contractors via a Framework, following further competitive tender for works, enables an expedient response to address housing quality and safety issues in properties, to protect life and prevent homelessness.

3. Recommendation(s) / Proposed Decision

1. That the Director of Adult and Community Services, in consultation with the Cabinet Member for Housing, Finance and Corporate Services, be given delegated authority until February 2028, to award contracts for general repairs and maintenance for temporary accommodation and housing standards, using the successful bidders identified through the Procurement process for Lot 2 of the Framework of Contractors for Disabled Facility Grant (DFG) Works and Maintenance and Repairs.

Supporting Information

1. Introduction

- 1.1 A tender process is being concluded to establish a framework agreement to provide a list of contractors to undertake DFG work. In addition, it is proposed to the above a separate Lot has been added, so that this Framework of contractors can be used across Community and Customer Services and wider Directorates to undertaken maintenance and repairs as required on residential properties owned or leased by the Council.
- 1.2 It is the intention that the Framework be accessed to undertake works in default (under legal notice) by Community and Customer services and in the maintenance and repairs of temporary accommodation if required.
- 1.3 Access to the Framework will be available to any Council wholly owned subsidiary company who may request access to this Framework.
- 1.4 Lot 2, General Repairs and Maintenance includes the following works, but not limited to:
 - General domestic maintenance.
 - Major repairs.
 - General minor repairs, to include, but not limited to:
 - Domestic hot and cold-water repairs.
 - Rehanging and replacing of doors; and
 - Electrical works, including replacement of sockets.
 - Gas Safe works and electrical safety works.
 - Electricity Supply Acts
- 1.5 It is anticipated that the Framework will commence in February 2024 for a period of 4 years.
- 1.6 Call-off contracts through this Framework will be awarded following further competition. No contracts will therefore be directly awarded without obtaining competitive quotes.
- 1.7 It is anticipated that the type of work provided through this Framework, are matters pertaining to the work undertaken by the Housing Standards team. For example, completing emergency remedial works to protect life or prevent homelessness. Such activities include securing front door, emergency electrical works, heating repairs etc.
- 1.8 The Framework also aims to provide a mechanism by which Housing Options can access suitable qualified contractors to undertake works to ensure the safety of accommodation within its provision of temporary accommodation. For example, emergency heating repairs, repairs to fire doors etc.

2. Options under consideration

- 2.1 Works in default – No other options have been considered. If the contract is not awarded, existing procedures will remain by obtaining quotes from contractors. The Framework aims to ensure that the Council is legally compliant through the total value of any contract awarded to any one provider. It also aids expediency in accessing contractors and ensuring that all appropriate British Safety Standards, Codes of Practice and DBS requirements are in place.
- 2.2 Temporary Accommodation – Works have been included in the Framework to provide a mechanism by which to access contractors as required that are cost effective to the Council, whilst a longer term strategy is developed over the management and maintenance of temporary accommodation.
- 2.3 Due to current market difficulties in accessing contractors to undertake works, it also aims to ensure sufficiency of supply to undertake the works required in a timely way.

3. Financial Opportunities and Implications

- 3.1 There is no operational budget associated with works in default undertaken by Community and Customer Service. This is a long standing arrangement, by which monies are repaid to the budget once received from the liable party. Works are only undertaken when the level of risk is such, that immediate remedial action is required to protect life and therefore prevent homelessness. The approximate spend each year within Housing Standards is between £17K - £20K.
- 3.2 All works in default, under housing legislation, are done so under legal notice in line with existing procedures. These are standard operating practices and as appropriate, invoices issued and or land charges placed on the legally responsible person (e.g., owner) to reclaim costs. An additional charge for undertaking the work is also added (30%) to assist in facilitating compliance by landlords and cost recovery for additional activities undertaken by the Council.
- 3.3 Works associated with the provision of temporary accommodation, which is the responsibility of the Council, are done so within the Housing Options budget. Torbay Council has owned a number of properties for approximately 6 months, with minimal additional expenditure. Works are still within warranty and any damage has been minimal. If intentional damage is caused, the Council strives to reclaim this through the liable individuals. This Framework would facilitate swift responsive repairs if required, to mitigate void and therefore additional cost. Estimated expenditure is £40K p.a.
- 3.4 The provision of this Framework does not commit the Council to additional expenditure and are works that are already being undertaken.

4. Legal Implications

- 4.1 The Framework is being procured in line with the Council's procurement policies and procedures.
- 4.2 The Local Authority has a legal responsibility under Section 5 of the Housing Act to take appropriate enforcement action in relation to category 1 hazards in accommodation. Schedule 3 states that emergency remedial action can also be undertaken to fulfil this duty.

5. Engagement and Consultation

- 5.1 Engagement has taken place with service users namely Community and Customer Services to seek views and opinions on what services would be of benefit in accessing a framework and the type of services required.
- 5.2 Wider discussions have taken place as part of the procurement exercise within the procurement teams to ensure that this does not fetter any other tenders taking place or are planned.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 The procurement has been undertaken with full support and advice from the Procurement Team.
- 6.2 Regard has been given to wider procurement exercises that are in the process of being undertaken.

7. Tackling Climate Change

- 7.1 Works undertaken as part of the contract related to the quality of accommodation will also address excess cold and therefore include improving the thermal efficiency of properties.

8. Associated Risks

- 8.1 The risk of not awarding the contract is that there are delays in accessing suitably qualified contractors to undertake the works required to protect life and prevent homelessness.
- 8.2 The Framework aims to provide efficiencies in accessing suitable qualified contractors and therefore reducing costs.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Improved quality of accommodation for at risk group.		
People with caring Responsibilities			No detrimental impact.
People with a disability	Improved quality of accommodation for at risk group.		
Women or men			No detrimental impact.
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			No detrimental impact.
Religion or belief (including lack of belief)			No detrimental impact.
People who are lesbian, gay or bisexual			No detrimental impact.
People who are transgendered			No detrimental impact.
People who are in a marriage or civil partnership			No detrimental impact.
Women who are pregnant / on maternity leave	Improved quality of accommodation for at risk group.		
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Ensuring safety for those that maybe living in substandard accommodation due to economic vulnerabilities.		
Public Health impacts (How will your proposal impact on the general	Improvement in quality of accommodation and		

health of the population of Torbay)	linkages between health and housing.		
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10. Cumulative Council Impact

10.1 The awarding of this Framework does not impact on wider strategy decisions related to the landlord function of temporary accommodation.

11. Cumulative Community Impacts

11.1 None