

Property Services Committee
6 June 2006

IRVINE, 6 June 2006 - At a Meeting of the Property Services Committee of North Ayrshire Council at 2.00 p.m.

Present

Samuel Taylor, Stewart Dewar, Gordon Allison, Jacqueline Browne, Ian Clarkson, Margie Currie, Jane Gorman, Margaret McDougall, Elizabeth McLardy, Margaret Munn and John Reid.

In Attendance

T. Orr, Corporate Director, O. Clayton, Head of Housing, R. Small, Head of Roads, J. Currie, Head of Cleansing, Grounds Maintenance and Transport, J. Paul, Head of Technical Services, I. Grice, Head of Building Services and M. Cashmore, Principal Officer (Property Services); D. Green, Chief Legal Officer (Litigation) (Legal and Protective); and G. Lawson, Head of Corporate and Democratic Support, M. McKeown, Corporate and Democratic Support Officer and J. Stevenson, Communications Officer (Chief Executive's).

Chair

Councillor Taylor in the Chair.

Apologies for Absence

John Bell, David O'Neill, Nan Wallace and Richard Wilkinson.

1. Minutes

The Minutes of the Meeting of the Committee held on 7 March 2006, copies of which had previously been circulated, were confirmed.

2. Stock Retention Business Plan: Year 1 Investment Review

Submitted report by the Corporate Director (Property Services) on progress made in 2005/06 to invest in the Council's housing stock.

The 30 year Business Plan which underpins the Council's Stock Retention Strategy makes provision for substantially increased investment in the housing stock, in order to ensure that the stock achieves full compliance with the Scottish Housing Quality Standard (SHQS) by 2015. During 2005/06, year 1 of the investment programme, around £22 million was spent on works covering central heating, rewiring, reroofing, rerendering, overcladding, window replacement, kitchen and bathroom replacement, home insulation, and aids and adaptations.

Term contracts are now in place for all major works programmes in the current financial year and work is well underway. A new stock condition survey designed to assess the stock against the SHQS will be completed over the four year period 2005/09. Data emerging from the survey will be subject to ongoing analysis and will be used to inform the investment programme in future years.

The Committee agreed to endorse the progress made to date to invest in the Council's housing stock.

3. Scottish Housing Quality Standard (SHQS): Energy Efficiency Work

Submitted report by the Corporate Director (Property Services) on the result of negotiations for the provision of future Energy Efficiency work to Council Houses as agreed at its previous meeting.

Negotiations have now been concluded with the Best Energy Ltd. and Solas Insulation Ltd. on the general principles of the contracts for future energy work to Council Houses. The report set out the scope of the energy efficiency works to be undertaken, the standards of the work expected by the Council, and arrangements for pricing and payment. The adoption of the negotiated contract will ensure that the ongoing delivery of energy efficiency works to the Council's Housing stock achieves Best Value and contributes to the achievement of the SHQS.

The Committee agreed that the Council enter into a negotiated contract for a 3 year period, with the option of a two year extension, with Best Energy Ltd., and Solas Insulation Ltd., to provide energy efficiency works to Council houses, as set out in the report.

4. Proposed Housing Development at Merkland Bridge

Submitted report by the Corporate Director (Property Services) on a proposed partnership development for affordable housing at the former travelling persons site at Merkland Bridge, Brodick, Isle of Arran.

Merkland Bridge Travelling Persons Site was closed in April 2006. The report set out proposals to enter into discussions with the landowner of the site, the National Trust for Scotland, and the island's registered social landlord, Isle of Arran Homes, with a view to utilising the vacant site for affordable housing under a partnership agreement. Under the proposal, Isle of Arran Homes will purchase the site from the National Trust for Scotland and put together a funding package through Communities Scotland, with a potential contribution from the Council using second home Council Tax income, subject to clarification from the Scottish Executive/Communities Scotland on how this additional money can be used.

Half of the properties developed will be allocated to Isle of Arran Homes General Needs Waiting List, with the remainder being leased to the National Trust for Scotland for lease to seasonal workers on non secure tenancies. All of the properties would be owned and managed by the Housing Association.

The Committee agreed (a) to the proposed partnership between the Council, Isle of Arran Homes and the National Trust for Scotland, as set out in the report, to develop the site at Merkland Bridge; (b) that the Corporate Director (Property Services) investigate the potential for investing second homes Council Tax income in the proposed development; and (c) to receive a further report at a future meeting.

5. Public Transport Fund Project: Quality Bus Corridor

Submitted report by the Corporate Director (Property Services) on the progress and cost implications of the contract for the construction of bus lanes between Hayocks and Pennyburn Roundabouts.

At its meeting on 22 November 2005, the Committee agreed to accept the tender from R.J. McLeod Limited for roadworks required for the creation of a quality bus corridor between Hayocks and Pennyburn Roundabout. The works commenced in December 2005 and were originally scheduled to be completed by March 2006. Delays to the programme have however arisen due to problems caused by the inaccurate and inadequate information provided in respect of the utility services within the existing road corridor. These problems have been further compounded by difficulties with the utility companies in arranging and programming the resulting additional works.

The additional services works will increase the total public utility costs for the project. The main contractor has intimated claims for additional payments based on delay and disruption to his operations. These costs have yet to be fully identified and substantiated but it is estimated that the extra direct utilities charges will be approximately £95,000, with main contract claims of approximately £350,000. If met in full the claims would increase the value of the R. J. McLeod contract to approximately £1.48m compared with the accepted tender value of £1.13m. These costs impact on the overall Public Transport Fund budget for 2006/07 which has a potential overspend of between £170,000 and £200,000.

Discussions are currently ongoing with the affected utility companies regarding their works, and other claims will require to be quantified and substantiated by the main contractor within the terms of the contract. Meantime, an approach has been made to the Scottish Executive's Public Transport Fund programme for additional funding for unforeseeable service diversion and replacement costs.

The Committee agreed (a) to note the position; and (b) that the Head of Roads minimise the impact of any additional costs on the overall Public Transport Fund budget by managing the scale and phasing of other elements of the North Ayrshire programme and seek extra funding from the Scottish Executive.

6. Tenders for Supply of General Building Materials (D)

Submitted report by the Corporate Director (Property Services) on the outcome of the tendering process for the supply of timber, plumbing, kitchens, ironmongery, electrical, builders, and windows.

The Committee agreed to award 3 year fixed price contracts, with the option of two year extensions, to the undernoted suppliers in the amounts indicated:-

Timber

Section 1	Rowan Timber	£258,719.00
Section 2	M&J Timber	£108,532.40

Plumbing

Section 1	John Glendinning	£20,238.78
Section 2	William Wilson	£697,602.00
Section 3	John Glendinning	£74,056.93
Section 4	John Glendinning	£5,797.48

Kitchens

Section 1	Joinery Timber Creation	£264,130.96
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Ironmongery

Section 1	Jewson	£51,352.13
Section 2	Stephens and Smith	£1,154.00
Section 3	Jewson	£7,975.23
Section 4	Stephens and Smith	£19,077.04
Section 5	Jewson	£25,516.96
Section 6	Stephens and Smith	£3,377.45
Section 7	Stephens and Smith	£38,675.09

Electrical

Section 1	Edmundson, Irvine	£18,807.76
Section 2	Edmundson, Ayr	£32,019.58
Section 3	Edmundson, Ayr	£56,798.12
Section 4	Edmundson, Ayr	£3,639.71
Section 5	Edmundson, Ayr	£18,500.11
Section 6	Edmundson, Irvine	£16,017.22

Builder

Section 1	Builder Centre	£21,677.32
Section 2	Jewson	£36,467.79
Section 3	Builder Centre	£96,149.65

Windows

Section 1	Andrew Wright	£690,400.20
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7. North Ayrshire Council's Transport Service: Public MOT Station

Submitted report by the Corporate Director (Property Services) on the proposal to publicise North Ayrshire Council's Transport Service's MOT Station Charges.

The Council's Transport Service has been operating an MOT Station at West Byrehill Transport Depot for just over 12 months. The Station can MOT test private & light goods vehicles (Class 4), minibuses and buses which are non passenger service vehicles (Class 5), and 3.5 tonne vehicles (Class 7). The Station is open to members of the public and is widely used by local taxi drivers. In addition, through the Community Planning Partnership, services are offered to the Ambulance Service, Police, and Fire Services. In terms of Transport Regulations, the Transport Service is required to regulate MOT charges and publicise them at the premises where the MOT is carried out.

The Committee agreed to publicise the undernoted MOT Testing fees agreed for 2006/07:-

MOT Station - Public Fees Set by Ministry of Transport

Class 4	£44.15 per test
Class 5	£46.15 (e.g. Minibuses below 17 seats) per test
	£51.55 (Minibuses including seatbelt testing) per test
	£64.85 (e.g. Minibuses above 17 seats) per test
	£100.40 (Minibuses including seatbelt testing) per test

(Class retests will be charged at the same fee.)

MOT Fees - Community Partners Contract Price

Class 4	£30 per test
Class 5	£40 per test (Minibuses below 17 seats)
	£50 per test (Minibuses above 17 seats)
Class 7	£40 per test

(Class retests will be charged at the same fee.)

8. Policy on the Provision of Gas Fires

Submitted report by the Corporate Director (Property Services) on the initiation of a review of the current policy on the provision of gas fires when new central heating is installed.

The standard specification for new gas heating systems installed by the Council provides for whole house heating through water filled radiators and the installation of a focal point fire in the living room as an additional facility for the tenant. The Council also offer a choice of 2 special gas fires or the provision of a wooden surround to accompany the standard gas fire subject to the tenant meeting the additional cost involved. Increasingly, however, tenants choosing new gas heating are requesting that the Council install fires which they have chosen for reasons of cost saving or personal preference. In some instances, tenants have also asked that the Council install an electric fire along with a new gas system.

As a result, the policy, originally designed to provide tenants with a degree of choice in respect of gas fires, is now becoming difficult to operate. It is creating difficulties for staff and contractors involved in progressing the annual central heating programme and is resulting in the installation of an increasing number of non-standard gas fires which may have implications for maintenance and result in complaints from subsequent tenants. Taking into account these difficulties, it was proposed that the current policy should be reviewed. The review will consider a number of options and will involve consultation with tenants. A report on the outcome of the review will be submitted to a future meeting of the Committee with a view to implementing any changes to the existing policy from 2007/08.

The Committee agreed that the existing policy on the provision of gas fires be reviewed, as set out in the report.

9. Kilbirnie: 15 Cochrane Street (G/R)

Submitted report by the Corporate Director (Property Services) on the proposed removal of a Closure Order in respect of the property at 15 Cochrane Street (g/r), Kilbirnie.

A Closing Order was served on the ground floor right flat at 15 Cochrane Street, Kilbirnie, on 28 June 1995. The owner of the property has now brought the property up to a tolerable standard and it was proposed that the Closing Order be revoked.

The Committee agreed to authorise the revocation of the Closing Order on the property at 15 Cochrane Street (G/R), Kilbirnie.

10. The Use of Conjoined Court Actions in Eviction Proceedings

Submitted report by the Assistant Chief Executive (Legal and Protective) on options available in eviction and rent recovery proceedings.

The Housing (Scotland) Act 2001 dictates that a landlord under a Scottish Secure Tenancy may raise proceedings by way of summary cause for recovery of possession of the property which means that a Decree of Eviction is sought against the tenant. As a result of the Sheriff Court Summary Cause Rules, it is possible to combine two types of action into one e.g. an action for eviction and an action to recover rent arrears. At present North Ayrshire Council does not use conjoined decrees and simply seeks a decree for eviction against tenants.

At its meeting held in April 2006, the Committee requested a report on the merits or otherwise of using conjoined decrees, on the basis that to obtain a conjoined decree would mean one finding for expenses against the tenant, rather than two awards of expenses if an action for eviction is raised and then subsequently followed by an action for repayment of rent arrears.

The report set out the advantages and disadvantages in using conjoined decrees. Whilst tenants being pursued may benefit from actions being combined in terms of having to meet only one set of expenses, they could, under certain circumstances, end up being blacklisted for credit. From the Council's standpoint there are a number of disadvantages in relation to the limit of £1500 on summary cause actions, and in relation to the implications of having to serve statutory notices prior to any action being raised.

In considering the advantages and disadvantages of conjoined actions, both to the tenants and the Council, it was proposed that the Council should continue to obtain eviction decrees only as a general rule, that conjoined decrees should be used where appropriate, and that debt actions should be taken against tenants who can but do not pay, at an early stage without actually instituting eviction proceedings against them. The merit of the latter course is that no notice, apart from the notice required to serve the summons, is required to serve a debt action.

The Committee agreed (a) to authorise the use of eviction only actions at present; and (b) that the Head of Housing, in consultation with the Assistant Chief Executive (Legal and Protective Services), determine in what instances obtaining a Decree as a conjoined decree or simply going for a debt recovery action for arrears of rent, should be appropriate.

The meeting ended at 3.50 p.m.