



ADUR DISTRICT
C O U N C I L

Ward(s) Affected:

Southwick Estate - Interim Works Package

Report by the Director for Housing and Communities

Executive Summary

1. Purpose

- 1.1. This report provides an update to Members on the proposed works to remediate building fabric across the Southwick Estate and to inform Members of the current costs estimates for that work.
- 1.2. To provide information to Members about leaseholder service charges and consultation procedure under s20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) 2003 and seek authorisation to the recommendation below based on the information in the attached Exempt Appendix to this Report.

2. Recommendations

- 2.1. To delegate authority to the Head of Property Services to proceed with the Section 20 consultation process on the proposed terms set out at paragraph 1.3 in the Exempt Appendix.
- 2.2. To delegate authority to the Head of Property Services to procure for the works contract and enter into all necessary contracts to deliver the works required to carry out the interim scheme of works based on the estimated value set out at Paragraph 6 below.

3. Context

- 3.1. The Major Projects team are leading a consultation with residents and leaseholders of the Southwick Estate over the options for full re-development, partial re-development or refurbishment of the buildings.
- 3.2. Certain properties have been identified as requiring immediate work with the buildings on the Southwick Estate are in a poor condition with various defects that require remediation at pace. The Interim Works Package has been designed to undertake the strictly necessary repairs required to make the buildings safe for occupation in the period between now and when the last of the sites are reached under the development programme, currently estimated to be a maximum of 10 years. The scope of works include but are not limited to:
- Cavity clearance
 - Wall tie replacements
 - Repointing
 - Lintel replacements
 - Concrete repairs
 - Balcony railing replacements
 - Balcony support structures
 - Roof covering repairs
- 3.3. The Interim Works programme is currently programmed to commence on site in early 2024, following the statutory consultation with leaseholders. Recommendations in relation to that consultation

4. Issues for consideration

- 4.1. Other than as set out in this report and the exempt appendix, there are no further issues for consideration.
- 4.2. The Council have appointed Faithorn Farrell Timms (FFT) to design, specify, procure and manage the Interim Works package. The scope of works is known and we have a pre-tender estimate for them which is set out in the financial paragraphs below.
- 4.3. All of the information is available to facilitate the leasehold consultation under s20 of the Landlord and Tenant Act 1985 and defined by the Commonhold and Leasehold Reform Act 2002 and Members are

referred to the Exempt Appendix which set out more detail in relation to the Council's proposed s 20 Consultation.

5. Engagement and Communication

- 5.1. The leasehold consultation period is approximately a 90 day process which will be carried out before works commence.
- 5.2. Residents and leaseholders are aware of the required works which have been discussed at Consultation events and included in newsletters led by the Development team relating to the future of the estate.
- 5.3. Communications surrounding the delivery timeframe have been and will continue to be included in consultation events and resident newsletters. More specific communications will be sent to residents at the same time as section 20 consultation commences.
- 5.4. On contract award, communications will be sent to the residents and leaseholders advising of the contract award and making introductions to the contractor.

6. Financial Implications

- 6.1. The latest pre-tender estimates for the works package estimate that the overall works are likely to cost £3.45m including all professional fees and a 12% Technical Services. The leaseholders are responsible for making a contribution to the cost of the scheme which is discussed in more detail in the exempt appendix.
- 6.2. The net cost of the scheme is included within the indicative programme capital programme for 2023/24 and 2024/25 which is to be agreed with the Cabinet Member for Customer Services.
- 6.3. Subject to approvals, the works scheme will commence early in 2024 and will run over the 2023/23 and 2024/25 financial years. Budget can be allocated in both years to cover the expected costs.

7. Legal Implications

- 7.1. Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.
- 7.2 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 7.3 Section 1 of the Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available of assets or services for the purposes of, or in connection with, the discharge of the function by the local authority.
- 7.4 The value of the works contract is below the UK Procurement Threshold and will be procured in accordance with the Council's Contract Standing Orders.
- 7.4 The Landlord and Tenant Act 1985 (as amended by the Common Leasehold and Reform Act 2002) states that a Landlord may only include costs in the service charge to the extent that they are reasonable.
- 7.5 Section 20 of the Service Charges (Consultation Regulations) (England) Regulations 2003 limit the amount of service charge that a Landlord can charge to £250 if the proper consultation processes have not been undertaken by the Landlord.
- 7.6 At Appendix 1 there is an additional document which is exempt under the Local Government (Access to Information) Act 1985 as the information relates to the financial or business affairs of Adur District Council and contains legal advice. This information must be given due consideration and taken into account prior to members reaching a decision.

Background Papers

Sustainability & Risk Assessment

1. Economic

- 1.1. These programmes and projects demonstrate economic investment into assets owned by Adur District Council

2. Social

2.1. Social Value

- 2.1.1. The work to the housing stock outlined in the report will have a beneficial impact on the health and wellbeing of the residents, many of whom are more disadvantaged in terms of health and income than other residents.

2.2. Equality Issues

- 2.2.1. The proposed work has no impact on accessibility or equalities.

2.3. Community Safety Issues (Section 17)

- 2.3.1. Matter considered and no specific issues identified.

2.4. Human Rights Issues

- 2.4.1. Matter considered and no specific issues identified.

2.5. Environmental

- 2.5.1. Matter considered and no specific issues identified.

2.6. Governance

- 2.6.1. The progress is regularly monitored via the Capital Working Group. Progress is reported to members 4 times a year.
- 2.6.2. The procurement of works will comply with the procurement regulations and contract standing orders.