



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
10 December 2024

Key Decision [Yes]

Ward(s) Affected:

Adur Homes Whole Block Repairs - Phase 1

Report by the Director for Housing and Communities

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Executive Summary

1. Purpose

- 1.1. As part of our Adur Homes Improvement Plan, officers have been developing a maintenance programme, which is a critical part of providing residents with decent homes.
- 1.2. Ten existing Adur Homes blocks have been identified as requiring essential and urgent repairs.
- 1.3. The Councils are asked to approve a contract with a main contractor to carry out multiple and varied repairs to the ten blocks.
- 1.4. Following surveys carried out at Warren Court in Lancing, The 'RAFA' blocks and Aston House in Shoreham, essential repairs and remedial work is required across these blocks. For efficiency it is proposed that all the work is instructed under one contract with a Principal Contractor who will manage the subcontract packages of work, the sequencing and programming, together with the necessary resident liaison.

2. Recommendations

- 2.1. Approve the allocation of £5m from the previously approved Adur Homes Investment Programme budget for a 'Whole Blocks' repairs project, covering ten existing Adur Homes blocks in phase 1, to include site investigations and professional fees.
- 2.2. To appoint the multidisciplinary consultants to provide pre-contract services, site investigations and cost advice.
- 2.3. To commit to the principle of the repair and improvement of Adur Homes properties using a phased approach and Whole Block contracts, with one Principal Contractor where necessary.
- 2.4. To note that the phase 1 blocks have been identified on the basis of existing, historic information and investigations, however the production of new building conditions surveys may identify further urgent works in other properties.

3. Context

Adur Homes Investment Programme

- 3.1. In November 2022, following the death of two-year-old Awaab Ishak in a damp and mouldy flat in Rochdale, the Government ordered Councils to check their housing stock. A subsequent review was undertaken into Adur Homes' stock.
- 3.2. Following this review, In February 2023 Adur District Council (ADC or 'the Council') referred itself to the Regulator of Social Housing (the Regulator), following the completion of its review. Since this time, ADC has been providing regular reports to the Regulator on the progress of the Adur Homes Improvement Programme, which also includes the investment in homes
- 3.3. As a result of this, the team has been developing an investment programme for Adur Homes to cover the works required to maintain and improve our housing. As such, the overall Capital budget has been set at £19.3m for 2024/25 financial year and forecast for the next two years at £9m per year for 25/26 and 26/27 respectively.
- 3.4. Budgets for the Adur Homes Investment Programme have been agreed for this financial year and forecast for the next two financial years.

3.5. Capital budgets have been identified for improvements to safety, security, accessibility and compliance with the Decent Homes standards, over the next three years.

4. **Warren Court - Structural Reports**

4.1. Warren Court consists of four, three storey blocks, and is located on Sompting Road, close to Lancing railway station.

4.2. In May 2020 ADC appointed Philip Goacher Associates, Structural Engineers to undertake a structural survey on the condition of existing communal walkways and private balconies, and their railings.

4.3. The report provided by Philip Goacher Associates, issued in July 2020 identified numerous building defects as summarised below.

4.4. In February 2024 ADC re-appointed Philip Goacher Associates to re-inspect the properties.

4.5. It was also noted that since their original report of July 2020, no repairs of the highlighted building defects had been undertaken. This remains largely unchanged, however ADC's surveyors carry out regular inspections and re-pointing has been carried out to the south-facing walls. Day to day repairs reported by residents continue to be carried out.

4.6. **Arising Issues**

4.6.1. Warren Court: Railing to 24 private balconies and walkways: height, condition. Fixings, replacement and asbestos removal, private Balconies and Communal Walkway Structural Conditions: surfaces, concrete, soffits. Warren Court - Other Building Defects: repointing, structural aspects around windows, communal windows, lintels, soffits and fascias, concrete repairs, aspects of the roofs, asbestos removal

4.6.2. RAFA Blocks (Arundel Court, Broadway Court, Kingston Court, Osbourne Court and Penston Court - collectively known as the 'RAFA blocks' which are located off Stoney Lane and Wilmot Road in Shoreham - Communal Walkways: condition of railings and walkways, concrete and brickwork repairs, rainwater outlets. Redecorating, asbestos removal

4.6.3. Aston House Conditions: We do not currently have an up to date, formal conditions survey for Aston House however Building Surveyors, Michael Dyson Associates have produced their draft final data and

report and this is being reviewed. In the meantime it is noted that through various visual inspections of the block the private balconies are in poor condition as well as asbestos removal issues.

5. Issues for consideration

5.1. Proposed Works

- 5.1.1. It is proposed that ADC procures one Principal contractor to carry out all of the external and communal works required at Warren Court, RAFA blocks and Aston House.
- 5.1.2. This is considered to be the most efficient approach to procuring all of the complex aspects of work that are required and will save on project preliminary costs.
- 5.1.3. The final scope of the work will be informed by a detailed study carried out by a multidisciplinary consultant, in advance of entering into the contract.
- 5.1.4. The scope of the multidisciplinary consultant's appointment will include:
 - Intrusive investigations and surveys as recommended by Philip Goacher Associates and as identified following visual inspections.
 - Updated asbestos surveys where required.
 - Ground Penetrating Radar (GPR) surveys (to identify exact locations of services).
 - Royal Institute of Chartered Surveyors (RICS) Building Surveyor's advice.
 - Ecological advice (if bird or bat nesting is identified).
 - Preparation of the scope of works for each block.
 - Cost planning and consultancy including the production of a RICS pre-tender estimate of costs.
 - Architectural services including the production of Planning drawings and the submission of Planning Applications.
 - Building Control applications.
 - Preparation of contract documents and specifications.
 - Principal Designer duties under CDM Regulations.

- Liaising with the Council and the selected contractor to agree programming and sequencing of the works.
 - Agreement of the Construction Phase Plan (CPP) and safe methods of work, with the Council and the Contractor.
 - Participation in resident consultation if required.
- 5.1.5. As the Council's appointed multidisciplinary consultant, they would work with the selected contractor and the Council to identify innovative and cost effective technical solutions to remediating existing building defects. Where materials can be repaired or reconditioned then these options will be considered.
- 5.1.6. The brief to the multidisciplinary consultant and the selected contractor will be to seek not only efficiencies in the capital costs but reductions in ongoing revenue expenditure relating to repairs and maintenance.
- 5.1.7. It is anticipated that the detailed investigations by the multidisciplinary consultant will recommend the following works are carried out to the ten blocks:
- Replace cantilever private balconies with a steel, powder coated, composite system supported by columns (Warren Court and Aston House). All options will be investigated including the full replacement.
 - Replace communal walkway railings, repair defects and install steel, powder coated, composite steel columns to support failing structures (Warren Court and RAFA blocks).
 - Remove asbestos from soffits, facias, bitumen coverings and communal cupboards.
 - Carry out concrete and render repairs to prevent further sections falling away and redecorate.
 - Remove vegetation such as ivy and moss from walls and drainage systems.
 - Repair and replace rainwater goods where damaged and failing.
 - Replace residents' private windows where beyond repair and failing.
 - Install fire-rated windows to communal areas.
 - Replace glazed curtain walling in the stairwell link at Warren Court.

- Carry out repointing to brickwork where necessary.
- Repair lintels around windows and doors.
- Install secure communal entrance doors with audio door release and key fob entrance system.
- Repair steps, pathways and handrails to block entrances.
- Repair communal staircases.
- Make good and redecorate communal areas following all other works to include fire-rated wall finishes.

5.1.8. The successful Contractor will be required or make provision to:

- Perform the role of Principal Contractor under CDM Regulations.
- Carry out any outstanding ground/site investigations.
- Design the piling works for the new balcony columns, using a specialist subcontractor.
- Complete the design of the steelwork including connection details, using a specialist subcontractor.
- Write to all residents in a block where works are to be undertaken introducing the contractor, explaining what works are happening, and when, and giving a lead contact for residents to call during the works.
- Carry out all the building works including supervising the site and handling any residents' complaints.
- Issue record drawings for the contractor-designed and completed works, to be stored on the Health & Safety File.
- Ensure works are completed to the specified standard.

5.1.9. Appointing a single Principal Contractor to manage the packages of work required will bring financial efficiencies and reduce preliminary costs for items such as scaffolding and welfare facilities for operatives.

5.1.10. The Principal Contractor will be responsible for all subcontractors and for health and safety on site under CDM Regulations.

5.1.11. Residents will have one point of contact with one contractor to liaise with over access visits, works and any concerns that they may have.

5.2. **Safety and Quality Standards**

- 5.2.1. The Regulator of Social Housing has set out its requirements for Registered Providers (RPs) of Social and Affordable Housing, such as Local Authorities and Housing Associations.
- 5.2.2. Housing providers must ensure that tenants' homes meet the standard set out in the Government's Decent Homes Guidance (DHG) and continue to maintain their homes to at least this standard.
- 5.2.3. The DHG refers to 'Key Building Components' which are described as *"those which, if in poor condition, could have an immediate impact on the integrity of the building and cause further deterioration in other components. They are the external components plus internal components that have potential safety implications"*.
- 5.2.4. Components listed include external walls, windows, doors and roofs.
- 5.2.5. The guidance goes on to state that *"If any of these components are old and need replacing, or require immediate major repair, then the dwelling is not in a reasonable state of repair and remedial action is required."*
- 5.2.6. It has been identified in previous, historic surveys that various elements of the blocks are old, have not been appropriately maintained, and have reached the end of their service life.
- 5.2.7. The DHG also makes reference to inadequate insulation from noise and states *"Landlords should ensure reasonable insulation from these [noise] problems through installation of appropriate acoustic glazing in line with the current Building Regulations"*.
- 5.2.8. Where windows and window surrounds are failing in these blocks, they are unlikely to meet the standard for insulation from noise and should be repaired or replaced accordingly.

5.3. **Health and Safety**

- 5.3.1. RPs must identify and meet all legal requirements that relate to the health and safety of their residents, visitors and the community as a whole.
- 5.3.2. An RP is obliged to ensure that all required actions arising from health and safety assessments and conditions surveys are carried out within appropriate timescales.

5.3.3. Given the poor state of repair of these blocks, the Council's in-house surveyors are carrying out regular safety inspections, which use up both time and resources.

5.4. **Building Regulations**

5.4.1. As part of the Whole Block (phase 1) works an application will be made to Building Control prior to contract. In consultation with the Building Control Officer (BCO) requirements under the current Regulations will be included in the Principal Contractor's scope of works.

5.5. **Alternative Options**

5.5.1. The potential to let separate contracts to cover the required work has been considered, however it is recommended that the appointment of a Principal Contractor to manage the sequence and the programme of works would be a more efficient solution which would be less resource intensive for the Council and would reduce preliminary costs.

5.5.2. A single point of contact for residents will help with the management of the work and resident satisfaction.

5.6. **Do Nothing**

5.7. It is not an option for the Council to 'do nothing' about the disrepair of its housing stock.

5.8. If nothing is done to address the issues identified, the Council could be found to have:

5.8.1. Failed to comply with all relevant legal legislation and codes of practice.

5.8.2. Not to have applied its own policies and procedures.

5.8.3. Delayed unreasonably in dealing with the matters of disrepair, security and health and safety.

5.8.4. Behaved unfairly, unreasonably or incompetently in its obligations to residents and the community.

6. **Engagement and Communication**

6.1. There are 20 leaseholders across the 10 blocks. The works to private balconies, communal walkways, external buildings, drainage, communal stairs, landings and windows will all affect the leaseholders under S20 of the Landlord and Tenant Act 1985. The procedures

prescribed under the Act will be adhered to in consultation with the Council's Leasehold and Right to Buy Manger.

- 6.2. A 'meet the contractor' event will be held for residents when a contractor has been appointed. This strategy has been used to good effect when developing the Small Sites new-build projects, where neighbours who were living in very close proximity were invited to to meet representatives of the relevant contractor in a community space.
- 6.3. The Principal Contractor will provide a single point of contact for residents during the period of the works.

7. Financial Implications

7.1. Adur Homes Investment Programme Budgets

- 7.1.1. Previously approved capital budgets will be drawn down to fund the Whole Block Works Phase 1 in consultation with the Council's finance department. The proposed works do not require any additional capital funding.
- 7.1.2. The full detailed works and associated costs need to be identified and cost estimates produced and to obtain this, the first element of works need to be approved, this being as detailed in 5.1.4 above.
- 7.1.3. The current estimate for the overall works is around £5m but as stated this will be confirmed following the appointment of the multi-disciplinary consultant to undertake the scoping and costing exercise and this is estimated at £150,000. The requirement for a multi-disciplinary consultant has been submitted via a separate [report](#)

7.2. Financial Efficiencies of a Main Contract

- 7.2.1. The appointment of a Principal Contractor to manage the works will reduce costs associated with the hire of scaffolding, welfare facilities for operatives, and Contract Administration.
- 7.2.2. The Council resources that would be required to manage multiple contracts would be significant and would place undue burden on staffing budgets.

7.3. Maintenance and Resource Savings

- 7.3.1. The repair and replacement of key structural elements will reduce the requirement for ongoing patch repairs and temporary protection.

7.3.2. As noted at 4.5 above, at present Council resources are being used in carrying out regular inspections on unsafe structures.

7.4. Leaseholder Recharges

7.4.1. There are currently 20 leasehold properties across the 10 blocks.

7.4.2. Leaseholders are obliged to contribute to essential works required in communal areas and to the external fabric of the building.

7.4.3. An assessment of the amount of work and associated cost that may be recharged to Leaseholders will be carried out pre-contract.

7.5. Disrepair Claims

7.5.1. If a landlord fails to fulfil their obligations under the Landlord and Tenant Act, tenants and leaseholders have the right to take legal action. This action can compel a landlord to make the necessary repairs and, in some cases, provide compensation for any suffering caused by the disrepair.

7.5.2. Any such legal brought about by residents would represent a further cost to the Council.

7.6. Complaints to the Housing Ombudsman

7.6.1. Any complaints that are upheld by the Ombudsman may lead to fines payable to residents.

8. Legal Implications

8.1. Under Section 111 of the Local Government Act 1972, the Council has the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.

8.2. Section 3(1) of the Local Government Act 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.

8.3. Section1 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.

- 8.4. Any procurement arising from the recommendations in this report must be in accordance with the Council's Contract Standing Orders and the Public Contract Regulations 2015.
- 8.5. Under the Landlord and Tenant Act 1985, as well as a number of additional housing standards and regulations, landlords are obliged to:
 - 8.5.1. Keep the exterior of the property in good repair, including the structure and exterior finishes.
 - 8.5.2. Maintain all 'installations' for the supply of water, gas, electricity, sanitation, and drainage.
 - 8.5.3. Treat any health-threatening issues such as dampness and mould growth or unsafe structures.

These responsibilities are not just limited to the physical aspects of the building. The living conditions within the property must be conducive to safety and health and fit for human habitation at the beginning of the tenancy and throughout. This includes ensuring that the property is free from anything that could cause injury or illness, including harmful substances such as asbestos.

- 8.6. Section 20 of the Landlord and Tenant Act 1985 (as amended) provides that a landlord must consult leaseholders who are required under the terms of their lease to contribute to costs incurred through their service charges where any one leaseholder's contribution will be over £250. As part of the Whole Block works leaseholders will be notified of contract tenders.

Background Papers

- DCLG - A Decent Home: Definition and guidance for implementation
- National Housing Federation (NHF) Key measures of the Social Housing Regulation Act

Sustainability & Risk Assessment

1. Economic

- 1.1. The physical and aesthetic improvements to the blocks will help regenerate the estates in which they are located. It has long been understood that regeneration of housing and infrastructure has an economic benefit to communities.

2. Social

2.1. Social Value

- 2.1.1. The appointment of a multidisciplinary consultant will progress the Investment Programme which in turn will:

- Improve health and safety including fire risk
- Improve accessibility
- Improve security
- Improve appearance
- Regenerate the areas in which the blocks are situated
- Support the reduction of crime
- Support the reduction of antisocial behaviour (see 2.3 below)
- Foster a sense of community

- 2.1.2. Consultants will be assessed against their Social Value policies as part of the procurement process.

- 2.1.3. It is intended that the consultancy services and construction works will be procured via the CHIC framework.

- 2.1.4. CHIC supports an independent charity named Communities and Housing Investment in People (CHIP).

- 2.1.5. CHIP's Community Chest Fund offers grants to local community groups for projects which will make a positive difference to people's lives. There may be the opportunity for the Council to bid for funding for any established projects in the District.

2.2. Equality Issues

- 2.2.1. As previously stated in this report Adur Homes Investment Programme budgets have been identified for improvements to safety, security, accessibility and compliance with the Decent Homes standards, over the next three years.

2.2.2. The Equality and Human Rights Commission has published a briefing entitled "*Following Grenfell: the right to adequate and safe housing*" this report states "*The right to adequate housing is one of the most well-recognised economic and social rights internationally. It is central to human dignity and without it, it is effectively impossible to exercise a range of other human rights, including family life, privacy, and health.*"

2.3. **Community Safety Issues (Section 17)**

2.3.1. The introduction of improved security measures to homes such as safe and secure communal entrance doors, door entry systems and replacement windows and doors to homes and communal areas will support the safety and security of residents.

2.3.2. The Adur & Worthing Safer Communities Strategy 2021-2024 Priority 4 is to "*Increase community cohesion and reduce Anti-Social Behaviour (ASB) and hate crime*".

2.3.3. In March 2023 The Home Office published a report entitled "*Anti-social behaviour: impacts on individuals and local communities*". The report found that "*Those living in the most deprived areas were more likely to have experienced or witnessed ASB in the last 12 months compared to those in less deprived areas.*"

2.3.4. Housing that is in a visibly poor condition is known to lead to a perception of deprivation in the community. The physical and aesthetic improvements to these blocks will improve perceptions and help to improve community cohesion.

2.3.5. Estate improvements would benefit the whole community and not just the residents of specific blocks.

2.3.6. Arson is a common cause of fire and therefore it is recommended that secure entry doors are fitted to blocks of flats to prevent unauthorised entry.

2.4. **Human Rights Issues**

2.4.1. UK courts have accepted that international human rights treaties can be used as an aid to interpretation of relevant domestic laws (such as the Housing Act, the Human Rights Act or secondary legislation about the provision of suitable temporary accommodation).

2.4.2. The 'Following Grenfell' report mentioned above at point 2.2.2 has stated "*Crucially, the fundamental human rights principles of human*

dignity and nondiscrimination require the right to housing to be ensured to all people irrespective of income, access to economic resources or any other ground of discrimination. They also require that housing is not simply equated with the shelter provided by having a roof over one's head, but is seen as adequate housing, that is, somewhere you can live in security, peace and dignity."

- 2.4.3. The UN Committee on Economic, Social and Cultural Rights has set out seven key elements of the right to safe and adequate housing. One of these key elements is "*Habitability*", meaning that residents must be provided with adequate space, protected from cold, damp, rain, wind or other threats to health or structural hazards to guarantee their physical safety.

3. Environmental

- 3.1. Specialist pre-contract advice will be sought from an ecologist before any work takes place that may affect wildlife or the environment.

4. Governance

- 4.1. The Adur & Worthing Councils - Housing Strategy states:

"the Council remains committed to high levels of investment into maintaining and improving the condition of our housing stock, following best practices in investment and management"

- 4.2. These proposals align with the following Council policies and procedures:

- Adur & Worthing Councils - Housing Energy Conservation Act Report 2021
- Adur District Council - Fire Safety Policy (Housing)
- Adur & Worthing Councils - Risk and Opportunity Management Strategy 2024 to 2025
- Adur & Worthing Councils and Adur Homes Asbestos Policy
- Adur Homes - Asbestos Management Plan - Rev 3.1