

BABERGH DISTRICT COUNCIL

FROM: HEAD OF TECHNICAL SERVICES

REPORT NUMBER **E112**

**TO: OVERVIEW AND SCRUTINY
(COMMUNITY SERVICES) COMMITTEE**

DATE OF MEETINGS: 23 AUGUST 2005

**REVIEW OF PROCEDURES FOR UNDERTAKING WORKS THAT ARE TO BE
RE-CHARGED TO FORMER COUNCIL-OWNED PROPERTIES**

1. **SUMMARY**

This paper reports on a review (by a joint member officer working group) of the procedures used to undertake estate maintenance/improvement works, where there are re-charges to be made to the owners of former council-owned properties.

2. **RECOMMENDATIONS**

- (a) That the improved procedures produced by the group, as listed in section 4.4(c) of this report, be implemented wherever relevant to future estate maintenance/improvement schemes
- (b) That the work of the group be extended to cover other areas of work involving recharges, as listed in para 4.4 (d) of this report.

The Committee is able to resolve this matter

3. **FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications to this report

4. **KEY INFORMATION**

- 4.1 In November 2004 your committee asked that a joint working group of Members and officers be set up to review policies and procedures relating to estate maintenance/improvement works where there is a mixture of council houses and sold council houses.
- 4.2 Councillors Bryn Hurren, John Roberts and Wendy Sadler were nominated to work on the group, and the co-ordinator would be Stewart Schleip, the Council's Engineering Services Manager.
- 4.3 At its first meeting the Group agreed that the following would be carried out:
 - a) Identify areas of work included within 'estates maintenance & improvements'
 - b) Review existing procedures
 - c) Recommend revisions to procedures if required
 - d) Identify other areas of work undertaken by the Council that involve recharges in relation to properties formerly owned by the Council
 - e) Decide whether these areas should also be examined

4.4 The outcomes against these items are:

- a) The areas of work generally affected by this report are:
- Garage forecourts
 - Communal parking areas
 - Communal footpath areas
 - Communal drainage facilities that are the responsibility of the Council
 - Sewage treatment works
- b) Existing procedures with regard to estate maintenance works were reviewed and found to be inadequate taking into account the Council's current policies on customer care. The following problems were identified:
- The terms and conditions included within the conveyances for sold properties often vary and proper investigations are not always carried out to ensure where liability lies
 - Where liable, occupiers of sold properties were not receiving sufficient notice of proposed works, and the reasons for the works
 - Insufficient checks are made to ensure that the name of occupier/owner is accurate
 - Occupiers of sold properties were not receiving sufficient notice of the estimated cost of the proposed works, often caused by budget pressures to spend money within a given time period
 - Occupiers of council and sold properties were not receiving sufficient notice of the starting date and construction period for the proposed works
- c) The following revisions are proposed:
- Liabilities under conveyances should be investigated as soon as the work programme for any estate improvements is developed
 - The occupiers/owners of properties, whether council or sold properties, should be informed of a proposed scheme as soon as the work programme for estate maintenance is developed and committee approval sought to implement the programme.
 - Current ownership of sold properties should be established through direct contact by letter or by visiting the property. In addition the Council's Housing Register, the electoral roll, and if necessary the Land Registry should also be used as source to establish current ownership of sold properties if there is any doubt.
 - Accurate estimates of the work proposed should be prepared before tenders/quotations are sought, and full details of these estimates, together with proposed administrative charges, should be forwarded to the owners of sold properties at least three months in advance of completion of the proposed works. This should include a breakdown of how costs are apportioned to each property.

- Occupiers/owners of all properties affected by the scheme should be informed of the proposed start and finish dates for the scheme, together with an outline of what is going to be undertaken
- Details of the final cost of the works (including administration costs), and how these costs have been apportioned should be sent to the owners of sold properties as soon as possible after completion of the works.
- A period of one month should then be allowed for any queries or objections to these costs to be resolved, following which the Council can issue invoices.

d) Other areas of work involving recharges have also been identified:

- Repairs or improvements to shared facilities e.g. chimneys, soakaways, footpaths
- Unauthorised tenant alterations (where rectification works are required)
- Accidental or wilful damage to property
- Unwarranted call out charges e.g. for 'emergency' works
- Recovery of costs from leaseholders

e) It was agreed that the member/officer group should also examine these areas.

5. **CONCLUSION**

The joint working group has reviewed the procedures in relation to recharges for works undertaken on estate maintenance/improvement schemes, and has produced a series of improvements to be implemented.

The group has also identified other areas involving recharges, and wishes to extend the review to cover these areas.

6. **APPENDICES**

None

7. **BACKGROUND PAPERS REFERRED TO:**

None

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