

# North Yorkshire Council

December 2023

## The appointment of Contractors for the construction of extensions to council owned dwellings

### Report of the Corporate Director Nic Harne

#### 1.0 PURPOSE OF REPORT

1.1 The purpose of the report is to seek approval to appoint contractors for the implementation and delivery of extension projects to five council owned dwellings, which will provide additional accommodation for a number of physically disabled residents, creating improved living environments.

#### 2.0 SUMMARY

2.1 This report sets out a request to approve the construction of extensions of living accommodation at five council owned properties, procuring each project individually, to achieve speed of delivery.

#### 3.0 BACKGROUND

3.1 North Yorkshire Council had previously identified tenants who needed improved living accommodation, due to their physical challenges. Two properties were acquired as part of the Buy-Back scheme, all identified with the ability to be extended, and to provide the additional space and improved facilities, to address these requirements,

#### 4.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

4.1 Five properties have been acquired as part of this initiative. The following extensions/modifications are proposed.

1. 4, Jessamine Terrace, Spofforth, Harrogate HG3 1AX

A two-storey side extension to provide a wet room, utility room and dining area at ground floor along with the provision of two bedrooms above, creating a five bedroomed house for the current occupiers needs.

2. 3, St Andrew's Avenue, Harrogate HG2 7RN

Currently a void property with a nomination that has been identified as a suitable property for development. A two-storey extension to provide a wet room with WC and one bedroom at ground floor, with a further double bedroom at first floor, providing the property in total with five bedrooms.

3. 111, Aismunderby Road, Ripon HG4 1SD

Currently a property that has been purchased back into the HRA with a nomination that has been identified as a suitable property for development to meet the tenants requirements.

The conversion of a living room and conservatory at ground floor to provide a bedroom and en-suite wet room/WC, with the removal of a separate WC at first floor to create a larger bedroom, which will provide the property with 4 bedrooms.

#### 4. 2, Stockwell Place, Knaresborough HG5 0LJ

Currently a property that has been purchased back into the HRA that has been identified as a suitable property for development to meet the housing demand for 4 bedrooms with disabled facilities

An extension to provide a ground floor bedroom and an extended kitchen to create a four bed roomed property.

#### 5. 71 Charlton Drive, Knaresborough HG5 0DW

An occupied property that requires a fourth bedroom to meet the tenants needs. Ground floor extension to provide a bedroom and en-suite wet room which will provide a four-bedroomed house.

It is the recommendation to tender each of these projects individually, the anticipated size of the entire package would be in excess of £600,000 (incl of VAT).

To let the contracts separately, will not only enable greater client control through the delivery of the projects but also is likely to achieve greater competition from local contractors in pricing the projects, whilst also enabling projects to be run simultaneously, whereas with a larger contractor this may not be the case.

### **5.0 CONSULTATION UNDERTAKEN AND RESPONSES**

5.1 Local Planning Authority approval has been received for all five projects.

### **6.0 CONTRIBUTION TO COUNCIL PRIORITIES**

6.1 By awarding these contracts, the council will fulfil its obligations under the Decent Homes Standard, and contribute to the council's ambitions for Net Zero, in adopting a fabric first approach when undertaking the extensions works. By undertaking the proposed modifications will fulfil the councils obligations to provide adapted homes to meet the demand of disabled needs.

### **7.0 ALTERNATIVE OPTIONS CONSIDERED**

7.1 Not accepting the recommendations would have significant negative consequences. The council would not be able to meet the increase demand for properties with 4 & 5 bedrooms and the increase in the demand for disabled facilities, leading to an increased dissatisfaction from tenants and leading to further escalating complaints.

### **8.0 FINANCIAL IMPLICATIONS**

8.1 The financial implications of appointing individual contractors for the extension works within council-owned dwellings have been carefully considered. North Yorkshire Council's capital programme, along with the Housing Investment Programme (HIP)

budget, has been allocated to cover the costs associated with these projects. The availability of sufficient funds demonstrates the council's commitment to addressing the requirements of the increase in demand for additional space and disabled facilities, along with meeting the government's published Decent Homes Standard for social housing providers.

## **9.0 LEGAL IMPLICATIONS**

- 9.1 The tendering process for the works will follow the appropriate legal framework and requirements. The council has ensured compliance with relevant procurement regulations and procedures, including the procurement gateway process, to ensure transparency, fairness, and accountability.

By adhering to the legal implications, the council will be able to confidently proceed with the appointment of the selected contractors. Some key legal implications to consider are:

1. **Procurement regulations:** The procurement process will be conducted in accordance with applicable procurement regulations and guidelines. These regulations aim to promote fair competition, prevent corruption, and ensure that public funds are utilised efficiently. The council will take the necessary steps to comply with these regulations, including publishing tender notices, evaluating bids objectively, and selecting suppliers based on pre-defined criteria.
2. **Contractual agreements:** Once appointed, the contractors will enter into contractual agreements with the council. These contracts will outline the terms and conditions, obligations, and responsibilities of both parties. It is important to ensure that the contracts are legally sound, clearly defining the scope of work, timelines, pricing, quality standards, and any other relevant provisions. Legal experts within the council will review and finalise these contracts to protect the council's interests and ensure compliance with applicable laws.
3. **Health and safety regulations:** The construction of extensions to properties involves potential risks and hazards. The council has a legal obligation to ensure the health and safety of its employees, tenants, and the public. Therefore, the appointed contractors will be required to adhere to all relevant health and safety regulations, including providing risk assessments, implementing safety measures, and maintaining appropriate insurance coverage. The council will monitor and enforce compliance with these regulations to mitigate any potential legal liabilities.
4. **Compliance with building codes and standards:** The extensions must meet the necessary building codes and standards applicable to council-owned dwellings. It is essential to ensure that the installed materials and products comply with relevant regulations and certifications, including fire safety, energy efficiency, and structural integrity. The appointed contractors will be responsible for meeting these legal requirements and obtaining any necessary approvals or permits.
5. **Dispute resolution mechanisms:** In the event of any disputes or disagreements arising from the contracts, it is important to have appropriate mechanisms in place for dispute resolution. The contractual agreements should include provisions for mediation, arbitration, or other means of resolving conflicts amicably. This helps to minimise the risk of legal disputes and provides a framework for resolving any issues fairly and efficiently.

By addressing these legal implications, the council ensures that the appointment of the contractors is conducted within the boundaries of the law, mitigating potential legal risks and safeguarding the council's interests.

It is advisable to consult with legal experts within the council to ensure full compliance with all relevant legal requirements and to address any specific legal considerations that may arise in the context of this contracts.

## **10.0 EQUALITIES IMPLICATIONS**

**10.1** The equalities implications of appointing the contractors for the provision of the extensions at council-owned dwellings have been considered. It is important to ensure that the procurement process and subsequent contracts do not discriminate against any individuals or groups protected by equality legislation.

In assessing the equalities implications, the following considerations have been considered:

1. **Non-discriminatory procurement process:** The procurement process followed for the appointment of the contractors will be conducted with fairness and impartiality. The evaluation criteria and scoring is designed to be objective and avoid any disadvantage to specific contractors or individuals. The process adheres to the principles of equality, ensuring equal opportunities for all bidders.
2. **Compliance with equality legislation:** The appointed contractors will be required to comply with all relevant equality legislation and regulations. This includes but is not limited to the Equality Act 2010, which prohibits discrimination on the basis of protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Contractors will be expected to adhere to these legal requirements in their practices and conduct during the installation of the works.
3. **Accessibility considerations:** The council recognises the importance of accessibility for individuals with disabilities or other access needs. It is crucial that the extension works meet accessibility standards, ensuring that all tenants, regardless of their abilities, can benefit from the improvements. The extension process will consider any specific requirements of tenants with disabilities to ensure equal access to the services provided.
4. **Equality monitoring:** To monitor and address any potential disparities or inequalities in service provision, the council will implement an equality monitoring system throughout the duration of the contracts. This system will collect data on the demographic profile of tenants allocated to the properties. By analysing this data, the council can identify and rectify any unequal outcomes or service gaps that may arise.
5. **Communication and consultation:** The council is committed to engaging with tenants and relevant stakeholders throughout the procurement process and the implementation of the contracts. This includes consulting diverse communities and considering their perspectives to ensure that the needs and concerns of different groups are considered. Effective communication will enable the council to address any equalities-related issues promptly and inclusively.

By considering these equalities, implications and implementing measures to promote fairness and non-discrimination, the council aims to demonstrate its commitment to equality and diversity in the provision of services to council-owned dwellings.

It is important to note that the specific equalities considerations may vary depending on the local context and the relevant equality legislation applicable to the council. The council's legal and equalities teams should be consulted for a comprehensive assessment of the

equality implications in these specific cases, taking into account local regulations and guidelines.

## **11.0 CLIMATE CHANGE IMPLICATIONS**

- 11.1 Addressing climate change is a critical priority for the council, and the appointment of the contractors for the installation of kitchens within council-owned dwellings presents an opportunity to make positive contributions towards reducing the impact on the environment and achieving the council's ambitions to decrease carbon emissions.
- 11.2 Environmental considerations have been an important aspect of the tender evaluation process. The council will seek contractors who demonstrate a commitment to sustainability, energy efficiency, and reducing carbon footprint. The inclusion of specific questions in the selection questionnaire regarding environmental considerations will allow the council to assess the bidders' strategies and practices in mitigating their impact on the environment.
- 11.3 The selected contractors will play a crucial role in supporting the council's efforts to reduce the environmental impact associated with the extension works. Some key climate change implications to consider include:
- 11.3.1 Energy efficiency: The extensions can significantly contribute to reducing energy consumption within council-owned dwellings. The selected contractors should prioritise the use of high-quality materials and technologies that enhance thermal insulation and minimise heat loss. This will help to reduce the carbon emissions associated with heating and cooling requirements, leading to lower energy bills for tenants and a decreased environmental footprint.
- 11.3.2 Sustainable materials and manufacturing processes: The council will encourage the contractors to prioritise the use of sustainable materials and eco-friendly manufacturing processes. This includes sourcing materials from suppliers that adhere to recognised environmental standards and certifications. By choosing contractors who prioritise sustainability, the council can support the circular economy and reduce the environmental impact associated with the production and disposal of building materials.
- 11.3.3 Waste management and recycling: The extension process may generate waste materials. The council will work closely with the appointed contractors to ensure responsible waste management practices. This includes promoting recycling and proper disposal of waste materials in line with environmental regulations. By minimising waste sent to landfill and maximising recycling efforts, the council can reduce its carbon footprint and contribute to a more sustainable waste management system.
- 11.3.4 Carbon footprint reduction: The overall aim of the council's decarbonisation strategy is to reduce carbon emissions across its operations and assets. The extensions will align with this goal by improving the energy performance of council-owned dwellings by adding additional measures to the fabric of the building, thus future proofing the property. The council will collaborate with the selected suppliers to measure and track the carbon savings achieved through this project. This data can be used to demonstrate progress towards carbon reduction targets and inform future decision-making on sustainability initiatives.
- 11.4 The council will establish clear communication channels with the contractors to ensure their understanding of the climate change implications and the council's expectations regarding sustainable practices. Regular monitoring and evaluation of

the contractors' environmental performance can be implemented to ensure compliance with the agreed-upon environmental considerations and encourage continuous improvement.

- 11.5 It is important to note that the climate change implications may extend beyond the scope of the extensions. The council is integrating climate change considerations into its broader housing strategy, such as promoting energy efficiency measures, renewable energy generation, and sustainable building practices in future housing projects.

By addressing climate change implications in the appointment of the contractors, the council can demonstrate its commitment to environmental stewardship, contribute to local and national climate targets, and create healthier and more sustainable living environments for its tenants.

Please note that the specific climate change implications may vary depending on regional climate priorities, local regulations, and the council's existing climate action plans. It is recommended that we will consult with relevant sustainability and environmental experts within the council for a comprehensive assessment of the climate change implications in this specific case.

## **12.0 RISK MANAGEMENT IMPLICATIONS**

- 12.1 Failure to execute these contracts would result in further delays in the council providing much needed, and much awaited improved living accommodation for people who are in need. It would also increase pressure on council officers, who would need to manage dissatisfied tenants who could potentially escalate their complaints to significantly higher levels. Such circumstances could lead to reputational damage to the council. To avoid these risks and ensure the achievement of targets, it is essential to progress the contracts for the extension works as soon as possible.

## **13.0 REASONS FOR RECOMMENDATIONS**

- 13.1 The council has identified the need to provide the additional accommodation in the properties listed above.
- 13.2 Considerable time and cost has been spent developing the designs and layouts for the extensions in agreement with the future occupiers, all the required information is now available to take these projects forward to tender.
- 13.3 To ensure that the projects are delivered in as short as possible timescale, it is proposed that the projects should be individually tendered.
- 13.4 Projects should proceed expeditiously from this point to avoid the council being subject to adverse criticism and scrutiny.

## **14.0 RECOMMENDATION(S)**

Therefore, it is recommended that the overall works programme for the extensions is approved, and it is also the recommendation that each extension is packaged and tendered on an individual contract basis. It is anticipated that it will provide the greatest potential for delivering the much-needed extensions, in the shortest possible timeframe.

**APPENDICES:**

**None**

**BACKGROUND DOCUMENTS:**

**None**

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.