

To: HOUSING AND SOCIAL WORK SERVICES COMMITTEE		Subject: EXTERNAL REFURBISHMENT OF NOS 1-47 PAXSTONE CRESCENT, HARTHILL
From: HEAD OF DESIGN SERVICES		
Date: 5 August 2010	Ref: DC/JH/ HOER08203	

**1.0 PURPOSE**

1.1 The purpose of this report is to keep Committee Members informed of the above.

**2.0 BACKGROUND**

- 2.1 A block of 24 private flatted properties in Paxstone Crescent, Harthill has been identified as in being in a serious state of disrepair and having a detrimental effect on the amenity of the surrounding area. As a result of this disrepair, the block attracts the attention of local youths who congregate in the close areas, and there are also problems with fly tipping. Although there are owner occupiers resident within the block, the majority of residents are short-term private tenants. The problems have been exacerbated as a result of the non-cooperation of three private landlords who own 13 (54%) of the properties within the block. As they hold a majority share, they have the power to prevent other owners from appointing a factor or carrying out common repairs and maintenance without their consent. If other owners were to carry out repairs without their written agreement, they would have no power of recovery.
- 2.2 Numerous attempts have been made to encourage all owners to work together to agree to carry out essential repairs including the offer of grant to assist with repairs. Although many owners have indicated a willingness to proceed, the non-cooperative landlords have failed to complete the necessary paperwork to allow the repairs to be carried out, despite offers of assistance.
- 2.3 It was therefore necessary to enforce essential works through the serving of a Section 108 notice (Repair Notice) under the Housing (Scotland) Act 1987, which can be applied to properties where the local authority considers the property to be in a state of serious disrepair. This notice was served on 12<sup>th</sup> February 2008. There is a right of appeal to a Sheriff within 21 days of a notice being served but no appeal was lodged in response to this notice. Owners subject to a Repair Notice have a mandatory right to grant towards the cost of the work. If the owners do not comply then the local authority has the power to execute the works required, along with any additional works that could not have been reasonably ascertained prior to the serving of the notice. Where work is carried out under enforcement powers the local authority has the power to apportion costs between owners, to prevent the block from falling into further disrepair which could result in the need to demolish if action is not taken now. Essential works include, re-roofing, re-rendering, repairs to common closes, replacing balconies and replacing the door entry system.
- 2.4 On completion of works, owners will be billed for their share of the cost of work, off-set by grant. Where owners fail to pay within two weeks of the account being raised, a Charging Order will be placed on their property title. This gives the council power to recover the full amount on re-sale plus 10% per annum for the period that the debt remains outstanding.

- 2.5 Following completion of the works it is proposed to work with owners to help them appoint a factor for the block to ensure investment is maintained, and consideration will also be given to serving a Maintenance Order on the block, if required, to ensure the block is maintained in good order in future.
- 2.6 Tenders were issued and funding is contained within the Non-HRA Private Sector Programme.

### 3.0 REPORT

- 3.1 The tender documents were issued to six Contractors, all of whom submitted Tenders as follows:-

<u>Contractor</u>	<u>Before Checking</u>	<u>After Checking</u>
Ailsa Building Ltd	£278,872.90	£287,823.40
AC Whyte & Co Ltd	£307,243.05	£307,243.95
Central Building Contractors (Glasgow) Ltd	£339,063.09	£340,747.49
Stewart & Shields Ltd	£357,250.00	Not Checked
Brick & Steel Construction Ltd	£359,541.78	Not Checked
AMD Construction Ltd	£363,353.80	Not Checked

- 3.2 After checking the lowest offer remained that submitted by Ailsa Building Ltd in the amended amount of £287,823.40.
- 3.2 As the tender offers expired 16<sup>th</sup> March 2010 the lowest tenderer has agreed to keep his offer open until 31<sup>st</sup> July 2010 in the adjusted amount of £298,050.66.

### 3.3 Report – External Refurbishment, 1-47 Paxstone Crescent, Harthill

- 3.4 The project costs arising are as follows: -

Tender Costs	£	298,050.66
Fees	£	33,977.78
Total	£	<u>332,028.44</u>
Estimated Spend 2010/2011	£	320,000.00
Estimated Spend 2011/2012	£	12,028.44

### 4.0 RECOMMENDATION

The Committee is asked to note that in accordance with the delegations given to the Executive Director of Corporate Services, this project is being progressed for acceptance, after consultation with the Convenor.

### 5.0 BACKGROUND PAPERS

Held by the Head of Design Services.

  
Head of Design Services