

**Motherwell, 22 May 2019 at 10 am.**

**A Meeting of the COMMUNITIES AND HOUSING COMMITTEE**

**PRESENT**

Councillor H. McVey, Convener; Councillor O'Rourke, Vice-Convener; Councillors J. Ashraf, Bonnar, Burgess, Burrows, Cochrane, M. Coyle, S. Coyle, Di Mascio, Docherty, Doolan, Douglas, Fannan, Fotheringham, Gallacher, Goldie, Graham, Jones, Kelly, Kerr, Lennon, Logue, MacGregor, McNally, McNeil, Morgan, Pettigrew, Roarty, Stocks, Alan Valentine, Annette Valentine, Weir and Woods.

**ALSO PRESENT**

In accordance with Standing Order 64(A), Councillor T Johnston attended as a substitute for Councillor Stubbs.

**CHAIR**

Councillor H. McVey (Convener) presided.

**IN ATTENDANCE**

The Executive Director (Enterprise and Communities); Head of Business (Housing Property and Projects); Head of Planning and Regeneration; Head of Housing Solutions; Business Finance Manager, and Committee Officer.

**APOLOGIES**

Councillors Beveridge, Currie, Gourlay, Hogg, A. McVey, O'Rourke and Stubbs.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

1. Councillor Douglas, Councillor Graham and Councillor Alan Valentine, by virtue of their membership of Town Centre Activities Limited, each declared an interest in paragraphs 8 and 10 and took no part in the consideration thereof.

**SALTIRE FACILITIES MANAGEMENT LTD - YEAR 8 BEST VALUE REVIEW**

2. With reference to (1) paragraph 22 of the Minute of the meeting of the former Policy and Resources Committee held on 8 December 2016, and (2) paragraph 4 of the Minute of the meeting of the special Policy and Strategy Committee held on 28 February 2019, there was submitted a report by the Head of Business (Housing Property and Projects) regarding the findings of the Joint Service Review undertaken in year 8 of the 10-year central heating servicing and maintenance contract with Saltire Facilities Management Limited (SFM) to determine whether acceptable levels of service delivery were being achieved (a) informing (A) that there was a contractual requirement to undertake a joint year 8 review to determine whether satisfactory levels of service continued to be delivered by the contract, and (B) that the review had been completed over five key stages with Elected Members, North Lanarkshire Tenants and Residents Association and SFM trade union representatives invited to feed into the review process to provide their views on the service delivery arrangements, in particular any issues or concerns about the cost or quality of service provision; (b) setting out the review findings which were very positive with regard to the Council's vision and strategic aims; governance arrangements; service delivery; financial performance; quality control; operational performance; customers and engagement; staffing; training and development and health and safety; (c) intimating

(A) that the review findings confirmed that SFM was delivering on the contract objectives, (B) that the initial contract period would end in January 2021, and (C) that the Council had the discretion to extend the contract for a period of up to three years beyond this date; (d) indicating (A) that full consideration would be given to a contract extension as part of the scoping and development work around the new Enterprise Contract, as reported previously to the Policy and Strategy Committee, and (B) that SFM would be given at least six months notice of the contract end date, and (e) advising that the Improvement Plan, enclosed in Appendix 1 to the report, summarised a number of opportunities which had been identified through the review to further strengthen the current arrangements and ensure the best possible service for the Council and recipients of the service.

**Decided:**

- (1) that the completion of the year 8 best value service review of the contract with Saltire Facilities Management Limited be noted;
- (2) that the high levels of service delivery currently being achieved be noted;
- (3) that it be noted that the contract would come to an end in January 2021, with the Council having the discretion to extend the contract for a period of up to three years, should this be deemed to be in the best interests of the Council, and
- (4) that the Improvement Plan, developed to further strengthen service delivery arrangements with Saltire Facilities Management Limited for the remainder of the contract period, be approved.

**UPDATE ON OPEN MARKET PURCHASE SCHEME**

3. With reference to paragraph 13 of the Minute of the meeting of the former Enterprise and Housing Committee held on 15 February 2018 when, *inter alia*, approval had been given to develop and implement an Open Market Purchase Scheme (OMPS) subject to the availability of resources, with an annual update report being submitted to that Committee detailing those acquisitions that had been completed, there was submitted a report by the Head of Planning and Regeneration on the progress of the OMPS which was an extension of the Empty Homes Purchase Scheme (1) informing that, for the period from 1 April 2018 to 31 March 2019, from 637 enquiries/applications, 130 properties had been purchased and 26 were at the conveyancing stage; (2) providing a breakdown of the properties purchased, by area, in section 2.1 of the report; (3) intimating (a) that of the properties purchased in 2018/19, 44 were categorised as having been long-term empty properties and 86 had been purchased through the OMPS, and (b) that all of the properties purchased were former Council or Development Corporation Properties, and (4) advising that a further update report on the OMPS would be provided to a future meeting of the Committee.

**Decided:**

- (1) that a further update report on the Open Market Purchase Scheme be submitted to a future meeting of the Committee, and
- (2) that the report be otherwise noted.

**TOWER STRATEGY UPDATE**

4. With reference to paragraphs 17 and 19 of the Minute of the meeting of this Committee held on 13 February 2019, there was submitted a report by the Head of Housing (Property and Projects) regarding the current progress relating to fire safety works being carried out in all high rise towers in North Lanarkshire, and the Towers Reprovisioning Programme (1) indicating that the refurbishment works at Blairgrove, Merryston, Glen and Millbrae Courts, Coatbridge would commence in summer

2019; (2) advising that a three phased investigation of the 48 high-rise tower blocks, together with inspections of the cladding on specific Council buildings had been undertaken; (3) informing (a) that an action plan had been developed to complete the issues identified from the phase 1 and 2 surveys, and from the Scottish Fire and Rescue Service visits and checks of communal areas in the towers, and (b) that the remedial works contained in the action plan would be carried out in three stages; (4) intimating (a) that an initial newsletter had been sent to all tenants and residents within properties included in phase 1 of the reprovisioning programme and where fire safety work was scheduled to commence in the near future, and (b) that tenant meetings had been held to explain the requirement for, and extent of, the improvements, and (5) notifying that, as the works contained within the tower strategy were at various operational stages, a Management Board consisting of Heads of Service had been set up to oversee the management of the Tower Strategy in line with the Council's contract management procedures.

**Decided:**

- (1) that the progress of the ongoing structural surveys of the Council's tower stock be noted;
- (2) that it be noted that the refurbishment works at Blairgrove, Merryston, Glen and Millbrae Courts in Coatbridge would commence in summer 2019;
- (3) that it be noted that the remedial works for Stage 2 enhanced fire safety works was progressing and expected to be completed over the next 18 months;
- (4) that the progress of the Towers Reprovisioning Programme be noted, and
- (5) that the report be otherwise noted.

**NEW BUILD PROGRAMME - FUTURE PROCUREMENT**

5. With reference to paragraph 11 of the Minute of the meeting of the former Enterprise and Housing Committee held on 14 November 2018 when, inter alia, approval had been given to use the Scottish Procurement Alliance (SPA) new build frameworks for the procurement of the next phase of the new build programme, subject to best value being established and in accordance with Contract Standing Orders, there was submitted a report by the Head of Planning and Regeneration regarding the procurement for the next phase of the new build programme (1) outlining the background to various procurement routes which had been used to help ensure delivery of 5,000 new homes by 2035; (2) advising of the need to progress with alternative procurement routes available in the short term as the new build framework through Scotland Excel would not be available until October 2019; (3) informing (a) that Hub South West was a public private partnership that enabled cost-efficient design and construction of facilities within South West Scotland Hub Territory; (b) that the Council was a named participant contracting authority within the territory and had entered into a shareholders' agreement, and (c) that the partnership provided value for money and generated growth in the local economy through a new method of partnership working and procurement, maximising local investment and improved community services; (4) seeking approval to commence procurement of the former site of Abronhill High School, Cumbernauld for the new build housing programme using Hub South West as the Council's development partner, with the site being developed for mixed tenure housing, comprising 60 new build social housing units and approximately 30 homes for sale; (5) intimating (a) that the Council had commenced procurement activity utilising the most appropriate SPA Housing Construction Framework for the next phase of the new build programme, comprising up to nine sites, and (b) that, following receipt of the ground investigation report at Old Glasgow Road, Cumbernauld Village, the site was no longer considered viable due to the extent of abnormal costs associated with ground conditions, and (6) indicating that the sites at Laburnum Road, Viewpark and Northburn, Airdrie had been brought forward and added to the next phase of the new build programme utilising the most appropriate SPA housing construction framework.

**Decided:**

- (1) that the commencement of procurement activity with Hub South West to potentially deliver new build social housing and housing for sale at the site of the former Abronhill High School, Cumbernauld be approved, the outcome of which would be subject to a further report to a future meeting of the Committee;
- (2) that the removal of the site at Old Glasgow Road, Cumbernauld Village due to the poor ground conditions be noted;
- (3) that the inclusion of sites at Laburnum Road, Viewpark and Northburn, Airdrie within the sites to be procured using the Scottish Procurement Alliance Framework be noted, and
- (4) that the report be otherwise noted.

**SCOTTISH HOUSE REGULATOR: AMENDED GOVERNANCE**

6. With reference to paragraph 2 of the Minute of the meeting of the former Enterprise and Housing Committee held on 14 November 2018 when, *inter alia*, it had been agreed to note the Scottish Housing Regulator Landlord Report, which identified North Lanarkshire Council's performance in relation to the Scottish Social Housing Charter, there was submitted a report by the Head of Housing Solutions (1) setting out changes to the way in which the Scottish Housing Regulator would regulate Social Landlords in Scotland from 1 April 2019, and (2) advising that every landlord in Scotland now had a statutory obligation to produce an Annual Assurance Statement by 31 October each year, which would require Committee approval prior to submission.

**Decided:**

- (1) that the requirement to produce an Annual Assurance Statement by 31 October each year be noted, and
- (2) that a copy of North Lanarkshire 2019 Assurance Statement be submitted to the next meeting of the Communities and Housing Committee for consideration.

**SMOKE AND HEAT DETECTOR INSTALLATION PROGRAMME**

7. There was submitted a report by the Head of Business (Housing Property and Projects) detailing recent changes to the Housing (Scotland) Act 1987, specifically in relation to smoke and heat detectors in domestic properties (1) detailing the changes which would be required following amendments to the legislation; (2) advising that landlords had been given a two year period to undertake the upgrades required, which would give the Council until February 2021 to undertake the requisite installations across its Housing Stock; (3) notifying that the estimated cost of the installation programme would be up to a maximum of £10m over the course of the next two financial years, and that currently no budget was in place within the Housing Property and Projects Capital Plan to cover the costs; (4) informing that a report would be submitted to a future meeting of the Committee once a procurement exercise had been completed and the anticipated costs were clarified, and (5) indicating (a) that officers from Housing Property and Projects were currently procuring a Measured Term Contract for the installation programme, with colleagues from Financial Solutions working closely to finalise the budget requirements associated with the new programme; (b) that Housing Property and Projects would continue to monitor the 2019/20 capital allocation to identify if any opportunities existed in the current programme to contribute towards the larger installation scheme, and (c) that a further report would be submitted to a future meeting of the Committee on anticipated budget requirements.

**Decided:**

- (1) that the changes to the Housing (Scotland) Act 1987 in relation to smoke/heat detection be noted;
- (2) that the timescale of February 2021 for complying with the changes to legislation be noted;
- (3) that the estimated financial implications associated with the changes to the legislation be noted;
- (4) that it be noted that the financial implications would be considered as part of the 2020/21 HRA revenue estimates process;
- (5) that a report be submitted to a future meeting of the Committee on anticipated budget requirements, and
- (6) that the report be otherwise noted.

**Councillors Douglas, Graham and Alan Valentine, prior to the consideration of the following item of business, having declared an interest by virtue of their membership of TCA Limited, took no part in the consideration thereof.**

**TCA LIMITED: DISSOLUTION UPDATE REPORT - FINANCIAL PERFORMANCE TO 31 DECEMBER 2018, AND 2018/2019 PERFORMANCE REPORT**

8. With reference to paragraph 29 of the Minute of the meeting of the former Enterprise and Housing Committee held on 5 September 2018, when *inter alia*, it had been agreed that TCA Local be brought in-house within the Enterprise and Housing Resources Service, with effect from 1 April 2019, to support the development, where appropriate, of the Council's future town centre strategies, and to enable existing digital and marketing activities to be considered within the context of the Council's overall communication strategy, subject to shopmobility services continuing beyond 31 March 2019 until the future delivery model was agreed, there was submitted a report by the Head of Business Solutions providing an update on the progress in implementing the recommendations approved by the former Enterprise and Housing Committee in September 2018, and the future delivery arrangements for services provided at that time by Town Centre Activities (TCA) Limited (1) detailing within the report the progress update on the dissolution; employee engagement and transfer; shopmobility, and transfer of assets and undertakings; (2) advising that, during the transition period, TCA Limited had adopted a "business as usual" approach and the Board of Directors and staff had been commended on maintaining, and in many cases improving, services during the period of major change, with Appendix 1 to the report providing a summary of the charity's performance against previously approved indicators and targets, and (3) intimating that future operational performance would be reported via existing reporting arrangements within Housing Solutions.

Thereon, the Head of Housing Solutions spoke in further explanation of the HRA and Non-HRA funding elements of CCTV monitoring and advised that (1) the transferred cash assets from TCA Limited would be held within the Council's Change Management Fund, to be used in furtherance of TCA's charitable objectives, and reported through the Finance and Resources Committee, and (2) the initial focus for Shopmobility would be to maintain existing service provision, with further developments and potential expansion scheduled for a later date.

**Decided:**

- (1) that the progress in implementing the Council's previous decision that TCA Limited be wound up, with the TCA Safe and Local divisions transferring to in-house service delivery from 1 April 2019, be noted;

- (2) that it be noted that (a) 33 former TCA employees had transferred to the Council under the Transfer of Undertakings (Protection of Employment) Regulations 2006, with the majority of the staff members now employed in Housing Solutions in furtherance of the Council's housing improvement and community safety priorities; (b) three staff members were now employed in Strategic Communications, and (c) TCA's former Finance Assistant post was now located in Financial Solutions;
- (3) that it be noted that engagement continued with third sector organisations in North Lanarkshire to identify a suitable partner provider to take over responsibility for delivering and developing the Shopmobility service;
- (4) that the decision by TCA Limited's Board of Directors to continue with the responsibility for Shopmobility in the interim and up to 30 June 2019, until the alternative delivery arrangements took effect, be noted;
- (5) that it be noted that the process to formally wind up TCA Limited and its subsidiary companies, Garrison Monitoring Services Limited and Northguard Limited, was progressing and it was anticipated that this process would be concluded in Autumn 2019;
- (6) that the balance of funds received from the cash assets transferred from TCA Limited to the Council be held within the Change Management Fund and, when allocating these funds, the Council required to demonstrate that the monies were being used in furtherance of TCA Limited's charitable objectives;
- (7) that TCA Limited's performance in 2018/19 be noted, and that this report would conclude the reporting regime previously considered by the former ALEOs and External Bodies Monitoring Sub-Committee, and that future operational performance would be reported via existing reporting arrangements within Housing Solutions, with financial performance being included in revenue monitoring reports to this Committee, and
- (8) that any use of the transferred cash assets from TCA Limited held within the Council's Change Management Fund would be reported to the Finance and Resources Committee.

#### **REVENUE BUDGET MONITORING REPORTS**

##### **(1) HRA REVENUE MONITORING REPORT - 1 APRIL 2018 TO 31 MARCH 2019 - PROVISIONAL OUTTURN**

9. There was submitted a report by the Executive Director (Enterprise and Communities) (1) providing a summary of the Housing Revenue Account financial performance for the period from 1 April 2018 to 31 March 2019 (Period 13) provisional outturn, and (2) illustrating the projected outturn as at 31 March 2019, with major outturn variances highlighted and explained in accordance with the Council's approval Financial Regulations.

**Decided:** that the financial position of the Housing Revenue Account budget 2018/19 be noted.

**Councillors Douglas, Graham and Alan Valentine, prior to the consideration of the following item of business, having declared an interest by virtue of being Board Members of TCA Limited, took no part in the consideration thereof.**

##### **(2) ENTERPRISE AND COMMUNITIES - REVENUE MONITORING (NON TRADING) - PROVISIONAL OUTTURN**

10. There was submitted a report by the Executive Director (Enterprise and Communities) (1) providing a summary of the former Enterprise and Housing Resources and Infrastructure Services, excluding the

Council's trading operations from 1 April 2018 to 31 March 2019 (Period 13); (2) advising that the former Enterprise and Housing Resources Service provisional outturn position highlighted an underspend of £0.641m, as detailed within Appendix A to the report, and (3) intimating (a) that the former Infrastructure Service provisional outturn position highlighted an underspend of £0.009m, and (b) that throughout the financial year the Service had identified a number of financial pressures across each division which had been fully offset by planned management action, with further information detailed within Appendix B to the report.

**Decided:**

- (1) that the financial position of the former Enterprise and Housing Resources and the Infrastructure Revenue Budgets for 2018/19 be noted, and
- (2) that the report be otherwise noted.

**(3) REVENUE MONITORING REPORT (TRADING) - PROVISIONAL OUTTURN**

11. There was submitted a report by the Executive Director (Enterprise and Communities) (1) advising of the provisional outturn of the Council's Trading Account financial performance for the period 1 April 2018 to 31 March 2019 (Period 13) with major outturn variances highlighted and explained in accordance with the Council's approved Financial Regulations, and (2) intimating that the Trading Account provisional outturn showed a surplus of £0.371m based on the performance to Period 13.

**Decided:** that the financial position of the 2018/19 Infrastructure Trading Account be noted.

**CAPITAL PROGRAMME MONITORING REPORTS**

**(1) HRA CAPITAL MONITORING REPORT - 1 APRIL 2018 - 31 MARCH 2019 - PROVISIONAL OUTTURN**

12. There was submitted a report by the Executive Director (Enterprise and Communities) (1) advising of the provisional outturn position for the 2018/19 HRA Capital Programmes, and (2) providing, in the Appendix to the report, a summary of the provisional outturn of (a) the mainstream programme, and (b) the New Build Programme and the Council Buy Back Schemes.

**Decided:** that the financial position of the 2018/19 HRA Capital Programmes be noted.

**(2) ENTERPRISE AND COMMUNITIES - CAPITAL MONITORING - PROVISIONAL OUTTURN**

13. There was submitted a report by the Executive Director (Enterprise and Communities) (1) highlighting the financial performance capital monitoring reports for the former Enterprise and Housing Resources and Infrastructure Services 2018/19 provisional outturn; (2) advising that the former Enterprise and Housing Resources Service budget provisional outturn position reflected an underspend of £4.687m largely attributable to externally grant funded programmes, as detailed within Appendix A to the report, and (3) intimating that the former Infrastructure Service budget provisional outturn position reflected programme acceleration of £1.367m, as detailed within Appendix B to the report.

**Decided:**

- (1) that the financial position of the former Enterprise and Housing Resources and Infrastructure Capital Budgets for 2018/19 be noted, and
  - (2) that the report be otherwise noted.
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**CONTRACTS FOR APPROVAL**

**(1) APPROVAL TO COMMENCE PROCUREMENT**

14. With reference to paragraph 26 of the Minute of the meeting of the former Enterprise and Housing Committee of 5 September 2018 when the action taken to award the contract for the phased structural surveys of all 44 remaining tower blocks, for the design and installation of sprinkler systems within 23 tower blocks, and the design of sprinkler systems for the remaining 21 tower blocks using the negotiated tender procedure at a total value of £7,236,680.00 had been noted, there was submitted a report by the Head of Business (Housing Property and Projects) seeking approval to commence procurement exercises for the Sprinkler Installation Programme, Installation of Fire Detection Systems to Domestic Properties, Re-roofing, Re-render and Insulation Works, and Replacement Windows and Doors and proposing that with regard to the contracts for (1) the Sprinkler Installation Programme, that a framework/contract be put in place to allow a mechanism to be used to call off installation of sprinkler systems within specific towers at a later date; (2) Installation of fire detection to domestic properties, that a new contract be put in place to achieve compliance with the amended regulations by February 2021; (3) Re-roof, re-render and insulation, that the insulation works be combined with the roofing and rendering lots to allow more flexibility within each programme, and that the procurement vehicle be secured via the Official Journal of the European Union, and the additional term contracts be put in place to ensure the delivery of the 2020/2021 HRA Capital Programme and beyond, and (4) Replacement windows and doors, that the contract be procured to realign with future contracts which would allow a seamless transition in delivery and provide efficiencies by reducing further tender exercises for a short period of time, and that the procurement vehicle be secured via the Official Journal of the European Union, and the additional term contracts be put in place to ensure the delivery of the 2020/2021 HRA Capital Programme.

**Decided:**

- (1) that the commencement of new procurement exercises, as detailed in the reports for the Sprinkler Installation Programme, Installation of Fire Detection Systems to Domestic Properties, Re-roofing, Re-render and Insulation Works, and Replacement Windows and Doors be approved, and
- (2) that the report be otherwise noted.

**(2) TENDER FOR CLOSE CLEANING SERVICES**

15. With reference to paragraph 23 of the Minute of the meeting of the former Housing and Social Work Services Committee held on 4 February 2016 when, *inter alia*, approval had been given to award the contract for Stairwell Cleaning (Close Cleaning) to Caledonian Maintenance Services for a period of three years, with an option to extend for a further period of one year at the Council's sole discretion, there was submitted a report by the Head of Housing Solutions seeking approval to progress a competitive tendering exercise to implement a new contract for close cleaning services within the Council owned low rise flatted properties to commence in January 2020 (1) advising that the current Measured Term Contract for Close Cleaning was within the year extension period and was due to end in January 2020, and (2) proposing (a) that the Close Cleaning Service continue and that a new contract be put in place; (b) that a competitive tendering exercise commence to implement a new contract for Close Cleaning Services within Council owned low rise flatted properties, with the duration of the new contract being for a period of 36 months, with a further option to extend for a period of 12 months, at the sole discretion of the Council, at an estimated contract value of £1.6m for the maximum period of the contract, and (c) that a further report be submitted to a future meeting of the Committee providing details on the criteria and scope of the contract, and on the outcome of the tendering exercise.

**Decided:**

- (1) that a competitive tendering exercise for the Close Cleaning Service be undertaken;
- (2) that a further report be submitted to a future meeting of the Committee providing details on the criteria and scope of the contract and on the outcome of the tendering exercise, and
- (3) that the report be otherwise noted.

**(3) CONTRACT FOR GARDEN ASSISTANCE SCHEME**

16. With reference to paragraph 18 of the Minute of the meeting of the former Housing and Social Work Services Committee of 2 February 2017 when, inter alia, approval had been given to establish a ranked framework for the provision of the Garden Assistance Scheme, for a three year period, with an option to extend the framework by a further year commencing March 2017, there was submitted a report by the Head of Housing Solutions seeking approval to commence a procurement exercise to establish a contract for the provision of the Garden Assistance Scheme across North Lanarkshire to commence in March/April 2020 (1) advising that the current Measured Term Contracts for the Garden Assistance Scheme were due to end in October/November 2019, at the end of the growing season, after this year's programme had been completed, and (2) proposing (a) that the Garden Assistance Scheme continue and that a new contract or contracts be put in place; (b) that a procurement exercise commence to establish a contract for the provision of the Garden Assistance Scheme across North Lanarkshire to commence in March/April 2020, with the duration of the contract/contracts being for a period of 36 months, with a further option to extend for a period of 12 months, at the sole discretion of the Council, at an estimated contract value of £4m for the maximum period of the contract, and (c) that a further report be submitted to a future meeting of the Committee on the outcome of the tendering exercise.

**Decided:**

- (1) that a procurement exercise to establish a contract/contracts for the provision of the Garden Assistance Scheme across North Lanarkshire, to commence in March/April 2020, be undertaken;
- (2) that a further report be submitted to a future meeting of the Committee on the outcome of the tendering exercise, and
- (3) that the report be otherwise noted.

**CONTRACTS AWARDED BELOW COMMITTEE APPROVAL THRESHOLD**

17. There was submitted a report by the Head of Business (Housing Property and Projects) intimating that the contracts highlighted within Appendix 1 to the report had been accepted by the Head of Asset and Procurement Solutions in accordance with General Contract Standing Orders during the period 13 February to 9 April 2019.

**Decided:**

- (1) that the contracts accepted by the Head of Asset and Procurement Solutions in the reporting period 13 February to 9 April 2019 be noted, and
- (2) that the report be otherwise noted.