

Executive Decision Report

Release of the Property Maintenance Provisions 2014/15

Decision to be taken by: City Mayor

Decision to be taken on: 1 September 2014

Lead director: Mark Lloyd



City Mayor

Useful information

- Ward(s) affected: All
- Report author: Mark Lloyd
- Author contact details: 37 0107
- Report version number: 1

1. Summary

This report seeks approval to release £1.441m of the £1.7m set aside in the capital programme policy provisions for Property Maintenance 2014/15.

2. Recommendations

It is recommended that £1.441m of the Property Maintenance Provisions within the capital programme be released for investment in the Council's property portfolio, as described in the report and at Appendix 1.

3. Supporting information including options considered:

- 3.1 The City Council's building stock varies considerably in age and the type of construction. Furthermore, changes in codes of practice and legislation need to be considered and managed to ensure the Council is not exposed to unacceptable levels of risk.
- 3.2 A focussed programme of works is therefore proposed to ensure that the most pressing issues in the Council's properties are addressed in relation to our statutory and urgent maintenance issues.
- 3.3 It should be noted that the works do not include schools (which are funded from the Central Maintenance Fund and Education Capital Maintenance) and Housing Revenue Account (HRA) properties. However, opportunities are taken to plan work across the various funding streams, to maximise efficiency and outcomes and to minimise disruption.
- 3.4 The profile of the proposed spend is set out in the table overleaf. More detail of the individual buildings is included at Appendix 1. A further report will be brought in due course regarding the £259k balance of the £1.7m provision.

Other Options Considered:

- 3.5 Options to apply the funding differently were considered; however the proposals best reflect the priority works required.
- 3.6 The "do nothing" option would mean that priority buildings works and improvements would not be undertaken and the funding would not be used for its intended purpose.

Property Maintenance Provisions 2014/15	Budget £	% of Total Budget to be allocated
Boiler Replacements	551,000	38%
Fire Risk Reduction	454,000	32%
Water Hygiene	124,000	9%
Works to Heritage Properties	120,000	8%
Lath & Plaster – Greyfriars & Evington Park House	44,000	3%
Pediment Stability – Town Hall	40,000	3%
Roof Repair – Alliance House	36,000	2%
Boundary Fences – Belgrave Hall	33,000	2%
Heating Control Systems Upgrade	29,000	2%
Regulatory Reform Fire Risk Assessments	10,000	1%
Grand Total	1,441,000	100%

4. Details of Scrutiny

The setting aside of the Provision was approved by Council; however there has been no specific scrutiny of the detailed proposals in this report.

5. Financial, legal and other implications

5.1 Financial implications

This report proposes to release £1.441m of the £1.7m set aside within the capital programme for Property Maintenance Provisions 2014/15. Failure to implement the recommended changes from the risk assessments could affect the validity of the Council's insurance cover and would also lead to additional or elevated insurance premiums.

Colin Sharpe, Head of Finance, ext. 37 4081.

5.2 Legal implications

Offences under the Health and Safety at Work etc. Act 1974 can result in liability to a fine or imprisonment. In very bad cases – where risk has been recklessly disregarded and where there has been a death - it is possible that prosecutors could consider manslaughter charges.

The Council also has, in respect of the state of its buildings, a duty of care to anyone on its premises and to its employees. The extent of the action necessary under this duty of care should be determined as a result of a risk assessment. This liability is usually backed off by insurance arrangements.

Leicester City Council has a legal obligation under Section 4 of the Health and Safety at Work Act 1974 to control the risks associated with water hygiene in its properties so far as is reasonably practicable. The Council also owes a statutory duty of care to its employees and others in its workplaces and a common law duty of care to visitors etc.

Responsible officers and members of the Council, as well as the Council itself, could be liable to prosecution under the Health and Safety at Work Act and under extreme cases the law of manslaughter, and if found guilty could be liable to a fine or imprisonment. Also under Owners Liability and Employers Liabilities the Council could have civil liability. This is usually covered by insurance. Case law has established the principle that if one could reasonably foretell that events could occur, then reasonable action must be put in place to mitigate risks.

J McIvor, Legal Services, ext. 37 1409

5.3 Climate Change and Carbon Reduction implications

There are important Climate Change implications relating to many of the works that are to be undertaken in this report. Energy investment considerations should be taken into account in the delivery of the works, to ensure energy efficiency of building stock, carbon reduction and cost savings. The Energy Cost Reduction Fund could provide additional funding if required to deliver this investment.

Anna Dodd, Environment Manager, ext. 37 2247

5.4 Equality Impact Assessment

There are no specific equality impacts arising from this report. However, building work to be undertaken will incorporate, where required, inclusive design principles as set out by the Council's Inclusive Design Advisory Panel.

5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None.

6. Background information and other papers:

Capital Programme 2014/15, Council, 20th March 2014.

7. Summary of appendices:

Appendix 1 – Detailed proposed allocation of funds.

8. Is this a “key decision”?

Yes.

9. If a key decision please explain reason

Capital expenditure of over £1m is to be committed on a scheme not specifically authorised by Council.

Appendix 1 – Detailed Proposed Allocation of Funds

Boiler Replacement	Newfoundpool NHC	15,000
	Spence Street Sports Centre	83,000
	Southfields Library	90,000
	The Castle (The Great Hall)	40,000
	The Rowans	40,000
	Greyfriars - Conway Buildings	30,000
	Ethel Road Pavilion	10,000
	Greyfriars	20,000
	Keyway Centre	50,000
	New Parks House	93,000
	Fosse Centre	80,000
	New Parks Leisure Centre	20,000
	Over-programming	(20,000)
	Total Boiler Replacement	551,000
Fire Risk Reduction	Aylestone Leisure Centre	10,200
	Phoenix House	46,800
	Eagle House	27,700
	Tudor Rose NHC & Healthy Living Centre	1,400
	Barnes Heath House	3,200
	Central Library	2,000
	Greyfriars	93,000
	Highfields Library	3,200
	Layton House Resource Centre	4,000
	Museum Of Technology & Pumping Station	12,000
	New Walk Museum	205,000
	St Barnabas Library	2,300
	124 Wigston Lane	3,200
	Knighton Fields Depot	3,400
	Knighton Fields Centre	12,700
	Various small works	23,900
	Total Fire Risk Reduction	454,000
Water Hygiene	A large number of smaller projects, dead leg removal, tank replacement etc. to improve Water Hygiene throughout the estate, e.g. Western Park Public Toilets.	124,000
Works to Heritage Properties	To be allocated as required	120,000
Lath and Plaster	Greyfriars - Conway Buildings	25,000
	Evington Park House	19,000
	Total Lath and Plaster	44,000
Pediment Stability	Town Hall	40,000
Roof Repair	Alliance House	36,000
Boundary Fences	Belgrave Hall	33,000
Heating Control Systems Upgrade	A large number of low value Design Upgrades of heating control systems, such as Evington Park House.	29,000
Regulatory Reform FRAs	Fire Risk Assessments - Various	10,000
TOTAL PROPOSED ALLOCATION		£1,441,000