

Decision Report - Executive Decision

Forward Plan Reference: FP/03/08

Decision Date – 17 June 2024

Key Decision – Yes



2024 – 2025 Corporate Condition Programme

Executive Member(s): Cllr Ros Wyke – Cllr Ros Wyke – Lead Member for Economic Development, Planning and Assets

Local Member(s) and Division: All

Lead Officer: Oliver Woodhams – Service Director, Strategic Asset Management

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Summary / Background

- 1.1 The Council has agreed to invest a combined total of £1.7m to address high-priority repair and maintenance issues under the Somerset Council Corporate Building Condition Programme. Approval is now required to enable officers to procure and deliver these programmes of work that will address these building condition issues within the allocations of capital funds for 2024/25 as approved by the Council on 20 February 2024.

Recommendations

- 2.1 The Cllr Ros Wyke – Lead Member for Economic Development, Planning and Assets
 - a) Delegates to the Service Director Strategic Asset Management, Corporate Surveyor and Strategic Manager – Estates, to agree projects for inclusion in the Corporate Building Condition Programme within the allocation of capital funds for 2024/25 as approved by Full Council on 20 February 2024. Identification of projects will be based on prioritisation of need. This delegation will include the commissioning and delivery of the identified projects for the programme and, in consultation with relevant officers from the Procurement function, to decide on the most appropriate means of procurement in each case;
 - b) Authorises the appropriate officers in the Strategic Asset Management function, in consultation with relevant officers from the Procurement function under delegation to competitively procure all contracts relating

to the capital projects, in accordance with the Authority's Contract Procedure Rules and public procurement law.

- c) Authorises the appropriate officers in Strategic Asset Management function under delegation, to expend up to a value of £50,000 or 10% of the project value, (whichever is the lesser) on each individual project for feasibility and initial design costs and fees.

Reasons for recommendations

- 3.1 Delivery of these programmes will ensure that the Corporate Estate remains safe, compliant and remains operational. It will ensure that the highest-priority condition items are addressed, usually those which are beyond economical repair.
- 3.2 Properly maintained buildings help to ensure statutory compliance with Health and Safety regulations, along with helping to ensure that the Somerset Council's Landlord obligations are achieved, in relation to properties rented out.
- 3.3 By engaging in replacing failing components, there will be a positive impact on the revenue repairs and maintenance budget. This in turn will see a reduction in reactive repair costs for those items.

Other options considered

- 4.1 For all condition projects, the alternative to investing in planned maintenance is to 'patch and mend' in order to try to prolong the life of building components as long as possible. However, in the majority of cases, a patch and mend approach becomes impractical / not possible due to life expired components and/or non-availability of components/equipment that requires replacement. This causes an increased likelihood of breakdown and failure and disruption to service. The longer those components are left to deteriorate, the higher the cost becomes for on-going maintenance and eventual replacement.

Links to Council Plan and Medium-Term Financial Plan

- 5.1 The recommendations support the vision in the Somerset Council Plan, which states that: *"Somerset Council will build a fairer, greener, resilient, more flourishing Somerset that cares for the most vulnerable and listens to you."* The Corporate Condition programme ensures that buildings used by Somerset Council remain well-maintained and usable for their purpose.

- 5.2 It also supports the priority of “A Greener, More Sustainable Somerset” by supporting the energy-efficiency of Council buildings. In general, well-maintained components and assets are more energy efficiency and well-maintained buildings lose less heat. Therefore, the maintenance of buildings is essential to make the Corporate Estate as energy efficient as possible.
- 5.3 The funding for these condition works was approved on 20th February 2024 as a part of the Council’s Medium-Term Financial Plan.

Financial and Risk Implications

- 6.1 The capital funding allocation of £1.7m for the programme covered by this decision paper was approved by the Council on 20 February 2024, as part of budget setting for 2024/25. It was approved under the health and safety umbrella, as funding needed to address poor condition building issues across the Council’s estate (excluding schools), to ensure buildings are safe and functional and remain operational.
- 6.2 Should key components within these buildings which are beyond economic repair, not be replaced, there is a high risk of disruption to the ability of the property to continue to function. This could have multiple and wide-ranging consequences depending on the property, from reputational loss to financial loss.
- 6.3 Only those items requiring urgent attention are proposed which, if not addressed could lead to building closure or loss of essential facilities to deliver services or would present a risk to health and safety if not addressed at the earliest opportunity.
- 6.4 The construction industry continues to experience significant increases in cost and supply of materials, along with the availability of labour. This presents a risk to project cost. Should this risk occur, projects will either be required to reduce the scope of works or attempt to secure additional funding from the Council. Were this eventuality to happen, this would need to be conducted as a request through the appropriate channels and would be the subject of a further decision.

Likelihood	5	Impact	3	Risk Score	15
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Legal Implications

- 7.1 In procuring the contracts, officers must comply with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

Once suitable contractors have been chosen through a compliant procedure the council will need to enter into contracts that protect it against the risks identified for each project.

HR Implications

- 8.1 There are no specific HR implications relating to the condition capital programme.

Other Implications:

9.1 Equalities Implications

Where replacing ramps or steps, works must comply with the latest standard and consideration is given to improving accessibility wherever possible. Where doors are being replaced, they should be compliant with latest building regulations which give due consideration to all potential users.

- 9.2 . While work is being undertaken at each site, arrangement to ensure that building will remain accessible will be put in place.

9.3 Community Safety Implications

Council properties need to be safe and not pose a risk not just for building users but also for the wider community. Deteriorated buildings or sites (such as fencing) could invite out of hours access leading to crime or anti-social behaviour.

- 9.4 Effective maintenance supports the development of an energy efficient property estate by ensuring the efficient operation of systems and equipment (HVAC, controls, lighting etc.) and by minimising heat loss through the building fabric. Effective maintenance also prolongs the useful life of plant and protects/enhances the value of a building and its equipment, which reduces the impact of the building on the environment due to the reduced number of components that need to be removed and disposed of, as well as produced.

- 9.5 When replacing life expired building components, new installations must conform to the latest standards and, where relevant, will be more energy efficient than the existing items they are replacing. Therefore, through the improvement of building components and carbon efficiency of buildings, as well as the prevention of the need for replacement components, this proposal supports Goal 1A of the Climate Emergency Strategy published by the 5

Somerset Councils in November 2020 which states: “The aim of Goal 1a is to decarbonise the Local Authority estate, assets and operations across Somerset, reducing its overall carbon footprint in the short term.”

9.6 Health and Safety Implications

By undertaking planned maintenance works, risks to health and safety of employees, tenants, and members of the public will be reduced, whereas waiting for components to fail rather than addressing them when first identified as requiring attention, will carry a greater risk of injury or ill-health and potential breach of H&S legislation.

9.7 Health and Wellbeing Implications

Properly maintained buildings should not be a detriment to the health and well-being of building occupants.

Draughty, cold, and poorly maintained buildings can have a negative impact on health and morale. Well-maintained, ventilated, and comfortable buildings are proven to improve the health and well-being of occupants and increase productivity.

9.8 Social Value

The Procurement Team have produced a standardised set of questions for the SLOAC (Standing List of Approved Contractors) tendering process which now includes a mandatory question in relation to Social Value which is included as part of the scoring of tender returns. Tenderers are asked to consider Somerset Councils priority areas for providing social value and to comment on how they will promote those values, for example through the development of local labour and trade skills within workforce and recruitment strategies.

Scrutiny comments / recommendations

- 10.1 This Programme formed part of the Capital Programme that was presented as part of the budget proposals to the Scrutiny Committee – Corporate and Resources on the 1st February 2024.

Background

- 11.1 Strategic Asset Management has many properties for which some form of maintenance liability is retained. It is essential that these properties are kept in a generally good and serviceable condition so that they remain usable and safe for Council services and other building users.

- 11.2 Over the 2023/24 financial year, officers from across the five Somerset Councils have been working to collate condition data on the corporate property assets for which they are responsible. This data will be used to inform the condition programme for the 24/25 financial year, which will address the most pressing condition issues at Somerset Council's corporate properties.
- 11.3 There is currently a significant amount of high priority building condition work identified to renew or replace life-expired components such as heating systems, roofs, and windows to ensure premises are kept operational and in a safe working condition.

Projects to be included in the programme will be assessed by the Corporate Building Survey, based on condition survey data.

Day-to-day repairs and maintenance are funded by the revenue repairs and maintenance budget and is generally carried out in-house by the Property Maintenance Group or subcontracted to suppliers. A capital condition programme reduces the need for day-to-day repairs and maintenance as the likelihood of component failure is reduced. In addition to this, this condition programme will ensure that the Council's buildings remain operational and minimise the potential for disruption to service delivery.

- 11.4 This decision covers the spending of the capital allocation for the funded programme, the Corporate Building Condition Programme. These funds have been approved and any projects delivered will be in line and will be within the specific funding allocations as approved by the Council.

Consultations and co-production

- 12.1 These programmes have been compiled by the Corporate Building Surveyor, based on building condition survey data.
- 12.2 Building users will be consulted prior to any works being carried out to ensure that works can be undertaken safely and to plan for any potential disruption that might be necessary during the works.

Background Papers

Somerset Council Scrutiny - Corporate and Resources 1st February 2024
Medium Term Financial Plan

<https://democracy.somerset.gov.uk/ieListDocuments.aspx?CIId=199&MIId=7084&Ver=4>

Somerset County Council Full Council 20th February 2024

2024/25 Budget, Medium-Term Financial Plan

<https://democracy.somerset.gov.uk/mgCommitteeDetails.aspx?ID=214>

Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	07/05/2024
Communications	Peter Elliott	26/04/2024
Finance & Procurement	Nicola Hix	08/05/2024
Workforce	Dawn Bettridge	23/04/2024
Asset Management	Oliver Woodhams	22/04/2024
Executive Director / Senior Manager	Jason Vaughan	01/05/2024
Strategy & Performance	Alyn Jones	23/04/2024
Executive Lead Member	Cllr Ros Wyke - Lead Member for Economic Development, Planning and Assets	16/05/2024
Opposition Spokesperson	Cllr Mark Healey for Prosperity, Assets and Development	Sent - 08/05/2024
Scrutiny Chair	Cllr Bob Filmer - Scrutiny Committee - Corporate & Resources	15/05/2024

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Somerset Council		
Version	1	Date Completed	16/01/2024
Description of what is being impact assessed			
<p>Delivery of the Building Condition Capital Programme for 2024/25. The Council has agreed to invest a combined total of £1,700,000 to address high-priority repair and maintenance issues under the Somerset Council Corporate Building Condition Programme. Where long term works happen on site we would work with the managers of effected staff to make sure suitable reasonable adjustments are in place to meet the needs of our staff. Any service affected will also be involved with identifying alternative service access.</p>			
Evidence			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset's Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles, should be detailed here</p>			
<p>Not considered applicable in this instance – this programme is intended to ensure that Somerset Council buildings and premises are maintained to an adequate standard to ensure that service delivery is not interrupted. Building condition works on the corporate estate are considered alongside asset rationalisation proposals and generally condition works are focused on buildings which are required to be retained for operational or strategic purposes, therefore should any building be deemed surplus, it would be subject to a separate more detailed decision making and EIA process. Somerset Council has in the region of c. 150 non-school operational assets where the council has responsibility for repairs and maintenance.</p>			

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

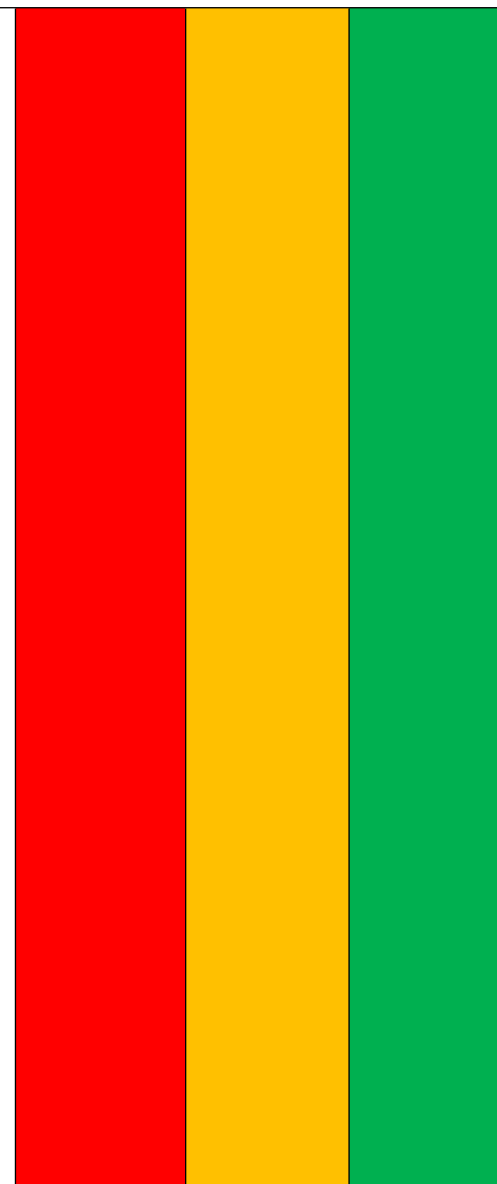
Not considered applicable in this instance – this programme is intended to ensure that Somerset Council buildings and premises are maintained to an adequate standard to ensure that service delivery is not interrupted. As priority works are identified, there would be appropriate consultation with service users and staff who may be impacted by work.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> There are no known negative impacts on the protected characteristic 	□	☒	□
Disability	<ul style="list-style-type: none"> Any premises changes need to be compliant with latest building regulations – in most instances this programme will replace an existing failed component with a newer item to latest standards. Due regards to improving accessibility is considered wherever possible. While work is being undertaken at each site, arrangements to ensure that building will remain accessible will be put in place. 	□	☒	□

- All works must be planned to take account of the fact that properties still need to operate and that employees, service users, and members of the public may be present. If it is not possible to undertake work outside of operating hours, contractors liaise closely with facilities management and premises managers and are required to conduct themselves in accordance of equality legislation and the standards set in relation to equality and diversity. When considering the potential impacts on our staff and service users we have identified the following:
 - Impact of changes to office space (how the space is formulated for the office space available) for neurodivergent staff
 - Maintaining accessibility routes and access for wheelchair users
 - Impact of lift being out of use on staff and customers with accessibility
 - Where accessible toilet facilities are out of use this could have an impact on staff being able to work from an office that need these facilities
 - Where service provision is not available this could disproportionately affect disabled service users.
 - Increased sound from works could disproportionately impact staff with a hearing impairment
- The works will be fully accessible with the proper facilities and provisions in place to cater for disabled users, pursuant to statutory obligations set out in the Equality legislation and brought together under the umbrella provisions of the Equality Act 2010.



Gender reassignment	<ul style="list-style-type: none"> • Clear conduct on what is expected behaviours and professionalism from appointed contractors (working within the confines of the Equality Act) and work is carried out in accordance with the Councils policies and expectations. For example, ensuring no discriminatory language used about Gender Reassignment. The Council will ensure, in agreeance with the Contractor, that there is a clear route of resolution if this were to happen. There will also be inclusion within the contract regarding the above 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> • There are no known negative impacts on the protected characteristic 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> • There are no known negative impacts on the protected characteristic 	□	⊗	□
Race and ethnicity	<ul style="list-style-type: none"> • Clear conduct on what is expected behaviours and professionalism from appointed contractors (working within the confines of the Equality Act) and work is carried out in accordance with the Councils policies and expectations. For example, ensuring no racially discriminatory language is used whilst contractors are on site. The Council will ensure, in agreeance with the Contractor, that there is a clear route of resolution if this were to happen. There will also be inclusion within the contract regarding the above 	□	⊗	□

Religion or belief	<ul style="list-style-type: none"> • There are no known negative impacts on the protected characteristic 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<ul style="list-style-type: none"> • Clear conduct on what is expected behaviours and professionalism from appointed contractors (working within the confines of the Equality Act) and work is carried out in accordance with the Councils policies and expectations. For example, ensuring no sexual harassment. The Council will ensure, in agreeance with the Contractor, that there is a clear route of resolution if this were to happen. There will also be inclusion within the contract regarding the above 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> • Clear conduct on what is expected behaviours and professionalism from appointed contractors (working within the confines of the Equality Act) and work is carried out in accordance with the Councils policies and expectations. For example, ensuring no discriminatory language is used connected to sexual orientation. The Council will ensure, in agreeance with the Contractor, that there is a clear route of resolution if this were to happen. There will also be inclusion within the contract regarding the above 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> • There are no known negative impacts on the protected characteristic 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Managers will be engaged before work will take place involving their staff to make sure accessibility requirements are considered before work is started.	Select date	Project Manager	Pre-contract and briefing meetings	<input type="checkbox"/>
Include a clause in the contracts for these works around the conduct and language of contractors on site meeting the requirements of the equality act 2010.	Select date	Project Manager	Review at contract award stage	<input type="checkbox"/>
The Council will ensure, in agreeance with the Contractor, that there is a clear route of resolution if a discrimination allegation is raised.	Select date	Project Manager	Progress meetings as and when required. Escalated under the complaints policy as necessary	<input type="checkbox"/>
Asset Management will work with the service affect by any works before work takes place to identify suitable alternative venues or delivery/timescales.	Select date	Project Manager	Pre-contract and briefing meetings	<input checked="" type="checkbox"/>

Where a large/long term project takes place a specific Equality Impact Assessment will be completed by Asset Management, working with the effect services and staff managers, to identify specific service and staff impacts and how these will be resolved.	Select date	Project Manager	Pre-contract and briefing meetings	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
If negative impacts remain, please provide an explanation below.				
Completed by:	Wendy Kerslake			
Date	16/01/2024			
Signed off by:	Darren Puckett			
Date	03/06/2024			
Equality Lead/Manager sign off date:	Tom Rutland 03/06/2024			
To be reviewed by: (officer name)	Wendy Kerslake			
Review date:	01/04/2025			

