

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

20 July 2009

Joint Report of the Director of Health and Housing and Cabinet Member for Housing

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 DELIVERY OF ENERGY EFFICIENCY PROGRAMME ACROSS NORTH & WEST KENT PSR PARTNERSHIP 2009-11

Summary

This report seeks the delegated authority for the Director of Health and Housing, in consultation with the Cabinet Member for Housing and the Chief Solicitor, to sign the Energy Efficiency/Fuel Poverty contract. This contract will enable the Council to deliver its energy efficiency programme across the borough as part of the West Kent Private Sector Renewal Partnership.

1.1 Background

1.1.1 Members are aware of the North and West Kent Private Sector Renewal Partnership bid for Regional Housing Board (RHB) funding for 2008/11. The bid was led by this Council and comprised of eight local authorities in Kent, namely Tonbridge & Malling Borough Council, Ashford Borough Council, Dartford Borough Council, Gravesham Borough Council, Maidstone Borough Council, Medway Council, Sevenoaks District Council and Tunbridge Wells Borough Council.

1.1.2 Clear guidance was provided by the Regional Housing Board (RHB) on what improvements in private sector housing they would want to see targeted. The North and West Kent Partnership followed this guidance carefully and the programme that has been developed focuses on delivering decent homes and improving energy efficiency, including use of renewables. As required by the RHB, loan products are being considered and most grants offered are now repayable, introducing the concept of recycling back into the Council's Capital Plan.

1.1.3 As reported to Members in a report to the May 2009 meeting of this Board, the partnership was currently procuring an energy efficiency/fuel poverty contract for the administration and delivery of energy related works as part of the bid activities. The procurement was led by Maidstone Borough Council's procurement team in

partnership with Gravesham Borough Council. The procurement process has been undertaken in line with the EU procurement rules.

1.2 Energy Efficiency/Fuel Poverty Contract

- 1.2.1 Following the tendering process and a subsequent interview, the partnership agreed to accept the tender from Creative Environmental Network (CEN). This service has been EU procured on a three year contract which assumes definite funding for years one and two (i.e. 2009/10 – 2010/11). However, Regional Housing Board funding for 2010/11 remains indicative at this point in time, which could result in a potential shortfall in year two.
- 1.2.2 As a result my officers are currently in discussions with Legal Services to resolve this issue and formalise the contract documentation in preparation for signing.

1.3 Legal Implications

- 1.3.1 The energy efficiency/fuel poverty contract is grant funded and will be used to fund Housing Assistance policy works, which is discretionary grant funded works for private sector renewal under the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002.

1.4 Financial and Value for Money Considerations

- 1.4.1 The energy efficiency/fuel poverty contract value across the whole partnership is based on a figure of £3,576,900 of which Tonbridge & Malling's part is £478,000 for a two year contract with a possible extension of a further year subject to funding being available.

1.5 Risk Assessment

- 1.5.1 The Council's position could be compromised if Maidstone Borough Council's procurement team have not complied with the Contracts Procedure Rules in accordance with the Local Government Act 1972.

1.6 Recommendations

- 1.6.1 **CABINET is RECOMMENDED to DELEGATE AUTHORITY** to the Director of Health and Housing in consultation with the Cabinet Member for Housing and the Chief Solicitor, to resolve the matter outlined at 1.2.1 and enter into a contract with Creative Environmental Network (CEN) that formally commits the Council to funding CEN to administer and deliver energy related works for home owners in the Tonbridge and Malling borough.

The Director of Health and Housing confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Hazel Skinner

Documents held on the subject file in the Housing
Service

John Batty
Director of Health and Housing

Councillor Jill Anderson
Cabinet Member for Housing