



City Chambers
DUNDEE
DD1 3BY

19th June, 2025

Dear Colleague

I refer to the agenda of business issued in relation to the MEETING of the **NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE MANAGEMENT COMMITTEE** to be held on Monday, 23rd June, 2025 and now enclose the undernoted item of business which the Convener has agreed be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.

Yours faithfully

GREGORY COLGAN

Chief Executive

AGENDA OF BUSINESS

7 TENDERS RECEIVED BY HEAD OF DESIGN AND PROPERTY – BLACKNESS HOUSING DEVELOPMENT - Page 1

(Joint Report No 197-2025 by the Executive Director of Neighbourhood Services and Executive Director of City Development, copy attached).

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REPORT TO: NEIGHBOURHOOD REGENERATION, HOUSING & ESTATE
MANAGEMENT COMMITTEE – 23 JUNE 2025

REPORT ON: TENDERS RECEIVED BY HEAD OF DESIGN AND PROPERTY –
BLACKNESS HOUSING DEVELOPMENT

REPORT BY: EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES AND
EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 197-2025

1 PURPOSE OF REPORT

1.1 This report details tenders received and seeks approval on acceptance thereof.

2 RECOMMENDATION

2.1 It is recommended that Committee approve the acceptance of the tender submitted by the undernoted contractor as set out in the report, with the total amount, including allowances detailed in Appendix 1.

3 SUMMARY OF PROJECTS TENDERED

3.1 Tenders have been received by the Design and Property Division in relation to the projects detailed below.

Architects Projects - Reference and Description	Contractor
Blackness Road – Development of 24 flats	Clark Contracts Limited

4 FINANCIAL IMPLICATIONS

4.1 The Executive Director of Corporate Services has confirmed that the overall cost of the project would be £8.526m and this would be met from the Housing HRA Element, Increased Supply of Council Housing of the Build Resilient and Empowered Communities section of the approved Capital Plan 2025-2030. As noted in paragraph 4.5, £1.255m of this has been incurred to date on fees and other costs and is included within the overall £8.526m.

4.2 Acceptance of the tender would result in further costs of up to £7.271m as detailed below:

Table 1

Expenditure	£m
Contract	5.968
Non-contract Allowances	0.900
Fees	0.403
Total	<u>7.271</u>

Table 2

Funded By	£m
Scottish Government – Affordable Housing Investment Grant (provisionally agreed)	2.326
Council Tax Second Homes Reserve	1.000
Borrowing	3.945
Total	<u>7.271</u>

4.3 It should be noted the expenditure on non-contract allowances of £0.900m is an estimate and may not be required in full. The funding includes a contribution of £1.000m from the Council

Tax Second Homes Reserve. This reserve has accumulated through the reduction of discounts and application of surcharges on second homes and empty properties. This reserve is earmarked to support expenditure related to affordable homes and activities aimed to reduce the number of empty homes in the city. It is noted the balance of this fund as at 31 March 2025 amounted to £2.458m.

- 4.4 The net revenue cost implications associated with this development will be funded from the Housing Revenue Account budget in future years.
- 4.5 In the event this tender was not accepted, and the decision was taken not to proceed with the project, the costs incurred to date of £1.255m would no longer be eligible to be capitalised and would require to be written off immediately. These costs would likely require to be written off against the HRA Renewal and Repair Fund. It is noted the balance of this fund as at 31 March 2025 amounted to £3.193m, of which £0.667m is committed for specific purposes.
- 4.6 It should also be noted that if the project did not proceed, further costs would be incurred amounting to approximately £0.700m. These would be a permanent elevational treatment works on the gable wall of the building adjacent to the demolition site and environmental improvements. These costs would require to be funded from the Housing HRA Capital Plan 2025-30 and met from future borrowing. If appropriate, a further report would require to be brought to members outlining more detail of these costs once known.

5 BACKGROUND

- 5.1 As set out within the Dundee Strategic Housing Investment Plan (SHIP), it is recognised that there are housing pressures locally, driven by a combination of population growth, increasing homelessness, changing household structures, and economic pressures. Rising private rental costs and waiting lists for social housing have further intensified the pressure on low- and middle-income households. These challenges underscore the need for increased investment in affordable housing developments to ensure that all residents have access to secure, energy efficient-, and sustainable homes that meet their needs now and in the future.
- 5.2 Furthermore, as part of our ongoing commitment as set out within the Dundee SHIP, Dundee City Council looks to ensure that wheelchair accessible properties are available to meet the needs of our community. It aligns with the Planning for Excellence for Social Care strategic plan, which identifies the need for wheelchair accessible housing which contributes to avoiding delayed hospital discharge. Currently, there are 76 applications for wheelchair accessible properties on our waiting list, which indicates the demand for these types of properties. The proposed new build development at Blackness Road is set to include six adapted properties, which will support our overall efforts in addressing this demand and providing suitable housing for those in need.
- 5.3 Reference is made to Article II of the minute of the meeting of the Neighbourhood Regeneration, Housing and Estate Management Committee held on 2 September 2024 when the Committee considered Report No 224-2024 and approved the sourcing strategy for the tender exercise of 24 Flats at Blackness Road.
- 5.4 A two-stage competitive tender procurement exercise was carried out in line with the Sourcing Strategy. The bidders who met the 'must have' requirements of the Single Procurement Document (SPD) in stage 1 were invited to submit a tender. The officer review has concluded that the tender submission meets the best value possible based on the current market conditions for the size, scale, complexity and duration of the construction programme.

6 PROJECT PROPOSALS

- 6.1 The Blackness New Build Affordable Housing project will consist of 24 flats designed to address the pressing demand for secure, energy-efficient, and sustainable accommodation. The development includes six wheelchair-accessible properties, ensuring inclusivity and meeting the needs of residents requiring wheelchair accessible housing. The design follows the

traditional tenement form of the surrounding area, utilising enhanced foundation detailing and retaining wall structures to overcome site constraints. The housing will feature modern insulation and efficient heating system comprising a hybrid air source heat pump with gas boiler booster for back up during long periods of colder weather. This provides tenants with reduced energy consumption and increased comfort for residents. This initiative aligns with Dundee City Council's commitment to providing affordable homes and supporting the wider community.

6.2 Site Constraints

- a The design for the proposed scheme follows the traditional tenement form of the surrounding area. Accordingly, there is restricted space around the development for construction, and this influences the building form, site logistics, methods of building and duration of construction programme.
- b The site constraints heavily influenced design solutions with emphasis on enhanced foundation detailing and retaining wall structures to provide a platform for constructing the flats. Combined with restricted site operating space adds to the base costs for development of the flats.
- c Works associated with utility and drainage connection to the brownfield site also contribute to the sequencing of programming works and associated high costs.

6.3 Affordability

- a Reference is made to Article II of the minute of the meeting of the Housing, Dundee Contract Services and Environment Services Committee held on 25 October 2010 when the Committee considered Report No 629-2010 which advised on the rent setting process and levels for the properties within the Council's new build programme. For a newbuild 2-bedroom flat, the current average weekly rent will range between £105.00 and £121.00. This is compared to the overall DCC average weekly rent of £88.49. Approximately 73% of Council tenants are recipients of either Housing Benefit or Universal Credit Housing Costs.
- b Households moving into newer, energy-efficient homes can expect significant energy savings, both in terms of cost and environmental impact. These modern homes are typically built to higher insulation standards and incorporate more efficient heating systems. As a result, residents benefit from reduced heat loss, lower energy consumption, and more stable indoor temperatures throughout the year. Over time, these efficiencies translate into lower utility bills and a smaller carbon footprint, making energy-efficient homes not only more comfortable but also more sustainable and economically attractive.

6.4 Project Monitoring

- a The management and monitoring of the contract will be undertaken by Design & Property technical staff through service level appointments from Neighbourhood Services.
- b To ensure the contractor awarded the project delivers to the standards as outlined in the drawings and specifications, the contract administrator responsible for overseeing the project will be supported on site by a Clerk of Works carrying out day to day inspections and checks. Records and photos for each stage of the works are made ensuring that the work meets standards and quality of workmanship.
- c The committee report includes an assessed level of non-contract allowance. The level of allowance is a risk assessed sum to provide provision for unforeseen issues that are not possible to quantify with the parameters of the contract.

d Factors considered and assessed when setting the level of allowance include:

- general project complexity and duration;
- site conditions and constraints;
- market condition and tender levels;
- procurement route and contract; and
- regulatory risk and utility connections.

6.5 It is prudent for the Council to ensure appropriate provision is made within the project costs to accommodate for any unanticipated variations to the contract. An allowance of this nature could be required to a greater or lesser extent and will vary depending on the nature of a project. Any element of this expenditure will be managed by the quantity survey ensuring close financial control is in place.

7 POLICY IMPLICATIONS

7.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

8 CONSULTATIONS

8.1 The Council Leadership Team were consulted in the preparation of this report.

9 BACKGROUND PAPERS

9.1 None.

Neil Martin
Head of Design and Property

Louise Butchart
Head of Housing, Construction & Communities

Robin Presswood
Executive Director of City Development

Tony Boyle
Executive Director of Neighbourhood Services

Dundee City Council
Dundee House
Dundee

RP/NM/KM

17 June 2025

APPENDIX 1

PROJECT	Blackness Road – Development for 24 flats			
PROJECT NUMBER	19-549			
PROJECT INFORMATION	The construction of 24 new build flats at Blackness Road comprising of 18 general need two bedrooms flats and 6 wheelchair accessible one bedroom flats.			
ESTIMATED START AND COMPLETION DATES	August 2025 April 2027			
TOTAL COST	Contract Sum			£5,967,918.54
	Non Contract allowances			£900,000.00
	Fees			<u>£1,660,000.00</u>
	Total			<u>£8,527,918.54</u>
FUNDING SOURCE	Housing HRA Element - Increasing Housing Supply			£5,201,918.54
	Scottish Government – Affordable Housing Investment Grant (Provisionally Agreed)			£2,326,000.00
	Council Tax Second Homes Income			<u>£1,000,000.00</u>
	Total			<u>£8,527,918.54</u>
BUDGET PROVISION & PHASING	2017/2018 to 2024/2025			£1,255,039.40
	2025/2026			£2,696,685.52
	2026/2027			£4,249,322.64
	2027/2028			<u>£326,870.98</u>
	Total			<u>£8,527,918.54</u>
ADDITIONAL FUNDING	None.			
REVENUE IMPLICATIONS	The future revenue costs in future years will be offset by the rental income generated.			
POLICY IMPLICATIONS	There are no major issues.			
TENDERS	Open Tender via Public Contract Scotland – 4 compliant offers received			
	Contractors	Submitted Tender	Corrected Tender	Cost/Quality Ranking
	Clark Contracts	£5,997,863.34	£5,967,918.54	1
	Chap Construction	£6,540,707.69	£6,543,038.82	2
	Ogilvie Construction	£7,157,476.59	£7,145,986.87	3
	Robertson Construction	£8,497,574.90	£8,497,574.90	4
RECOMMENDATION	To approve and appoint the works to Clark Contracts.			
SUB-CONTRACTORS	None.			
BACKGROUND PAPERS	None.			

City Chambers
DUNDEE
DD1 3BY

13th June, 2025

Dear Colleague

You are requested to attend a MEETING of the **NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE MANAGEMENT COMMITTEE** to be held remotely on Monday, 23rd June, 2025, to follow the meeting of the Children, Families and Communities Committee called for 5.00pm.

The meeting will be livestreamed to YouTube. Members of the Press or Public wishing to join the meeting as observers should follow this link www.dundee.gov.uk/live or alternatively they may attend in person.

Should you require any further information please contact Committee Services on telephone (01382) 434228 or by email at committee.services@dundee.gov.uk.

Yours faithfully

GREGORY COLGAN

Chief Executive

AGENDA OF BUSINESS

1 DECLARATION OF INTEREST

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision making.

2 SOURCING STRATEGY FOR THE PROCUREMENT OF A 100% HOUSING STOCK CONDITION SURVEY - Page 1

(Report No 187-2025 by the Executive Director of Neighbourhood Services, copy attached).

3 HOUSING SCOTLAND BILL - RESPONSE TO THE CONSULTATION - Page 5

(Report No 188-2025 by the Executive Director of Neighbourhood Services, copy attached).

4 EMPOWERED COMMUNITIES - SOURCING STRATEGY FOR THE PROCUREMENT OF HOUSING CONCRETE REPAIRS PROGRAMME WORKS - Page 23

(Report No 194-2025 by the Executive Director of City Development, copy attached).

5 SOURCING STRATEGY BY HEAD OF DESIGN AND PROPERTY - Page 29

(Report No 196-2025 by the Executive Director of City Development, copy attached).

6 TENDERS RECEIVED BY HEAD OF DESIGN AND PROPERTY - Page 33

(Report No 176-2025 by the Executive Director of City Development, copy attached).

ITEM No ...2.....

**REPORT TO: NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE
MANAGEMENT COMMITTEE – 23 JUNE 2025**

**REPORT ON: SOURCING STRATEGY FOR THE PROCUREMENT OF A 100% HOUSING
STOCK CONDITION SURVEY**

REPORT BY: EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

REPORT NO: 187-2025

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to detail the development of a sourcing strategy for the appointment of a consultant to undertake a 100% Housing Stock Condition Survey.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a Approves the procurement exercise for the delivery of a 100% Housing stock condition survey utilising the Public Contracts Scotland framework detailed in this report in compliance with the Public Contracts (Scotland) Regulations 2015.
 - b Notes that the outcome of the procurement process will be brought back to committee in due course for the purpose of approving the contract award.

3 FINANCIAL IMPLICATIONS

- 3.1 The Executive Director of Corporate Services has confirmed the agreement of these recommendations will result in additional one-off costs of £1.5m for the Housing Revenue Account. These costs are already assumed within the approved Revenue Budget 2025/26 and within the provisional budget for 2026/27.

4 SOURCING STRATEGY SUMMARY

- 4.1 The proposed route to market is an open tender invitation to Public Contracts Scotland.
- 4.2 The expected benefits from this contract include: provision of a baseline assessment of the condition of 100% of the Housing stock; the ability to plan future workstreams to target investment in the housing stock where it will bring the greatest improvements to tenants; and to inform delivery of the net-zero strategy.
- 4.3 The services comprise the procurement of a Building Surveying Consultant with significant expertise in the field of domestic stock condition surveys. It is recommended that an open tender through Public Contracts Scotland is the route to procure those services.

Framework	Details
Public Contracts Scotland	Open tender

- 4.4 In addition to Community Benefits being an integral part of any accepted tender, the use of open tender through PCS creates opportunity for locally based, appropriately skilled consultants to bid to provide services in line with their area of expertise.

5 RISK ANALYSIS

- 5.1 There are four standard risks in any procurement and for public sector regulated procurements, a fifth is added, that of the procurement exercise itself breaching the public contract regulations and leaving the Council open to a legal challenge

Sourcing Strategy Section 4 Key Risk Table

Description of Risk	Actions to be taken to manage Risk
Commercial Risk – that either the price objectives are not achieved up front or there are other costs that arise during the contract and diminish the overall benefits.	There may be potential if difficulties accessing properties to carry out the surveys which would impact KPI and potential to incur some cost.
Technical Risk – this concerns the difficulty in being able to specify the desired outcome and on the market being unable to deliver to the specification.	There are limited companies which may be able to deliver the need and also deliver the volume of surveys required for this project. However, the specification will detail this and highlight the capacity required.
Performance Risk – this concerns the ability of suppliers to perform consistently over the life of the contract to deliver the planned benefits.	If the works are being subcontracted there may be some inconsistency when surveys are carried out. We will try and specify exactly what is required over the duration of the contract.
Contractual Risk – being able to remedy the shortcomings in the contractor's performance without severely damaging the contract and about avoiding reliance on the contracted supplier as the contract develops.	KPI's will be built into the contract to ensure that the project is delivered including regular review meetings.
Procurement Risk – where a procurement is found unsound in law, through the public procurement rules.	Procurement Regulations will be followed through the tendering process.

6 CONCLUSION

- 6.1 It is concluded the preferred route to market would be an open tender through Public Contracts Scotland.

7. POLICY IMPLICATIONS

- 7.1 This report has been subject to the Pre-IIA Screening Tool and the procurement of a 100% stock condition survey is a change of strategy that would warrant completion of an Integrated Impact Assessment. However, it is also recognised that a report to Elected Members recommending acceptance of a successful tender would be the more appropriate report to include the Integrated Impact Assessment.

8. CONSULTATIONS

- 8.1 The Council Leadership Team were consulted in the preparation of this report.

9. BACKGROUND PAPERS

- 9.1 None

Tony Boyle
Executive Director of Neighbourhood Services

Louise Butchart
Head of Housing, Construction & Communities

28 May 2025

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ITEM No ...3.....

REPORT TO: NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE
MANAGEMENT COMMITTEE – 23 JUNE 2025

REPORT ON: HOUSING SCOTLAND BILL – RESPONSE TO THE CONSULTATION

REPORT BY: EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

REPORT NO: 188-2025

1.0 PURPOSE OF REPORT

- 1.1 This report updates members on amendments being proposed at Stage 2 of the Housing (Scotland) Bill process and sets out the officer response which if agreed, will be submitted on behalf of Dundee City Council to the Consultation.

2. RECOMMENDATIONS

- 2.1 It is recommended that members:
- Note that the Scottish Government has written to Local Government, Housing and Planning Committee with a package of amendments into the scope of the proposed rent control legislation for further debate at Stage 2 of the Housing (Scotland) Bill process; and
 - Agree the draft response (Appendix 1) to be submitted to the consultation on the amendments, by the deadline of 18th July 2025.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from the agreement of this report.

4. BACKGROUND

- 4.1 The Housing (Scotland) Bill was published on 26th March 2024, and sets out changes in the law in relation to housing – providing additional protections for tenants, homelessness prevention, and other housing matters.
- 4.2 The Scottish Government introduced the Bill to deliver its rented sector strategy, A New Deal for Tenants, and its long-term strategy, Housing to 2040, while also seeking to deliver on an ambition to end homelessness.
- 4.3 The Bill has **six main Parts**.

Part 1 of the Bill makes provisions about rent for private rented tenancies.

It requires councils to undertake an assessment of rent conditions in their area and submit this to the Scottish Government along with a recommendation about whether a rent control area should be designated. The Scottish Government can designate a rent control area with the approval of the Scottish Parliament. Within a rent control area, restrictions on rent increases

will apply both within and between tenancies. Regulations within any rent control area may apply only to Private Residential Tenancies (PRTs).

Part 2 places a duty on the First-tier Tribunal and the courts.

This includes considering delays to carrying out an eviction for tenants living in private rented housing. These measures are designed to provide greater protection for tenants. The Bill also deals with how damages for unlawful eviction are calculated.

Part 3 introduces new rights.

For private and social housing tenants to request to keep a pet and for tenants' requests to not be unreasonably refused by the landlord.

For tenants with a Private Residential Tenancy to make changes to the property they are renting.

Tenants can make certain minor changes (e.g. putting up pictures without the landlord's consent). Tenants can also request other changes (e.g. painting walls). Landlords cannot unreasonably refuse after they have lived in the let property for 6 months or more.

Part 4 makes changes to other matters affecting tenants.

Allowing unclaimed deposits to be paid into a Scottish Government backed scheme so that they can be used to provide support to private tenants across Scotland.

Enables a single joint tenant to end the tenancy where there is no mutual agreement between joint tenants to end the tenancy. The tenant seeking to end the tenancy would first need to give the other joint tenants appropriate notice. This is intended to ensure that no joint tenant can be indefinitely held to a rental contract against their wishes and ensure a fair process for all joint tenants where one joint tenant wishes to leave the property.

Giving Scottish Ministers the power to convert assured tenancies into Private Residential Tenancies.

Part 5 of the Bill relates to homelessness prevention.

Changes include:

- The Bill gives relevant bodies such as health boards and the police, an “ask and act” duty. These bodies are required to ask if an individual is homeless or at risk of homelessness, and to act if they are.
- Ensuring local authorities act sooner to prevent homelessness by taking reasonable steps.
- Making social landlords put in place support for tenants if they are overdue on rent due to domestic abuse.
- Making social landlords have a policy which sets out how they will support tenants who are at risk of homelessness due to domestic abuse.
- The Bill Policy Memorandum states that the overarching policy objective is to: “shift the focus away from crisis intervention and towards prevention activity which can eliminate the need for a household to go through the trauma of homelessness in the first place, without diluting the existing rights of people who are assessed as homeless”

- The Bill makes changes to update the definition of domestic abuse as it applies within homelessness legislation. It also requires social landlords to put in place support for tenants if they are overdue on rent due to domestic abuse and requires social landlords to have a policy which sets out how they will support domestic abuse.

Part 6 deals with other housing matters.

Pitch fees

The Bill makes changes to legislation setting out how pitch fees for mobile homes are updated.

This means there will be a presumption that pitch fees will increase in line with the consumer price index (CPI) rather than the retail price index (RPI). The intention is to ensure that increases remain fair, appropriate, and in line with the development of statistical measures of inflation.

Fuel Poverty Targets

The Bill makes changes to the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 and aims to strengthen and improve the Scottish Ministers' duties to consult and report under the 2019 Act and to remove budgetary limitations on the Scottish Fuel Poverty Advisory Panel.

Sharing Information

Allowing the Scottish Public Services Ombudsman to share information with the new homes ombudsman for the UK.

Rent Cap

In October 2024, in response to stakeholder feedback, the Scottish Government confirmed their intention to bring forward an amendment to the Bill which would set out the form which the proposed rent cap would take.

Subject to this amendment being approved by Parliament, rent increases would be limited to the lower of:

- (i) the percentage change in the Consumer Price Index (CPI) (a measure of inflation) plus 1% and;
- (ii) 6%. This fixed rent cap of CPI annual rate of inflation +1%, up to a maximum of 6%, would offer tenants clarity on their costs, should their tenancy be affected by rent controls.

Also announced was the intention to consult on certain types of property which might be appropriate to exempt from rent control and on circumstances where it might be appropriate for landlords to increase rent above the level of the rent cap.

This supports consideration of how the powers within the Bill to:

- (i) exempt certain properties from rent control, or
- (ii) allow landlords to increase rent above the level of cap by regulations could be used.

Local Context

According to the Office of National Statistics, by how many bedrooms there are in a property, average rents as of April 2025 in Dundee and Angus were:

- One bedroom: £573
- Two bedrooms: £764
- Three bedrooms: £1,009
- Four or more bedrooms: £1,760

Private rent prices in Dundee rose to an average of £842 in April 2025, an annual increase of 5.6% from £798 in April 2024. This was higher than the rise in Scotland (5.1%) over the year. In Dundee and Angus, average rents on flats or maisonettes rose by 6.1%, while for semi-detached properties, the average increased by 4.7%.

For one bed properties, average rents rose by 6.3%, while the average for four-or-more bed properties increased by 4.0%.

The April 2025 to March 2026 LHA rates are set out below. This year (2025 to 2026) all rates have been frozen at the rate last determined on 31 January 2024. This was the 30th percentile of market rents at that time.

Scottish LHA report for April 2025 to March 2026 and effective from 1 April 2025

BRMA Name	No of Bedrooms				
	1 bed shared	1	2	3	4
Dundee and Angus weekly LHA	£86.30	£92.05	£141.53	£182.96	£253.15
Av monthly and weekly private rent at April 2025		573 132.23	764 176.30	1009 232.84	1760 406.15

5. SUMMARY OF DRAFT STAGE 2 AMENDMENTS

- 5.1 The Housing (Scotland) Bill is currently progressing through the parliamentary process. Parliament has supported the general principles of the legislation at Stage 1, and the Stage 2 consideration is underway and will be complete by 29 May 2025. Subject to the view of Parliament, the Bill will then progress to Stage 3, with the exact timetable being set by Parliament.

The Minister for Housing wrote to the Convener of the Local Government, Housing and Planning Committee concerning the draft Stage 2 amendments for the Housing (Scotland) Bill on 22 January 2025. This correspondence included a keeling schedule of proposed amendments with key changes and are both available online.

A summary of the proposed amendments is included below:

Rent Controls

An amendment to the definition of “relevant tenancies” - a move which will bring both PBSA and university-owned halls into the scope of the proposed rent control legislation.

It is important to note that extension of the definition does not expand all aspects of the Bill to student accommodation and the Bill does not go as far as to make student accommodation equivalent in law to a Private Residential Tenancy. The changes so far apply only to rent controls.

The proposed changes to the Bill mean that each local authority will be subject to a duty requiring it to assess rent conditions relating to:

- (i) the level of rent; and
- (ii) rent increases under relevant tenancies.

These assessments will inform mandatory reports that are to be submitted to the Scottish Ministers in 5 yearly intervals and will take account of guidance by the Scottish Ministers to assess rent conditions.

The reports will be required to set out the information gathered under the assessments regardless of whether the specific local authority imposes rent controls.

In addition to the mandatory 5 yearly reports, a local authority may (either of its own accord or by request from the Scottish Ministers) publish an interim report and assessment if they consider there has been a significant change in rents or rent increases since the previous report.

Following these assessments, local authorities can require the Scottish Ministers to impose rent controls wherever it is seen as necessary to protect the social and economic interests of tenants in the area, subject to a consultation period to gather the views of persons who represent the interests of affected tenants and landlords. If implemented, the local authority will require additional resource, not yet quantified to oversee and manage these aspects.

Rent Cap

The current proposal under the Bill is for private rent increases to be limited to **CPI plus 1%**, up to a maximum of 6% per year. There several changes associated with this including the removal of the requirement to consult on the rent cap for each rent control area.

If approved, the rent cap will apply to rent increases both during the term of a tenancy and in between tenancies and will only apply in areas where rent control is applied.

The Scottish Ministers' [proposed amendments to the Housing \(Scotland\) Bill](#) have now been submitted to the Local Government Housing and Planning Committee. In addition, [government amendment 231](#) will broaden Ministers' powers to impose timeframes on social landlords to investigate disrepair and start repairs.

Other Amendments

- Allow for information to be collected from persons who are not the registered landlord for a property, but who are acting as a landlord under a tenancy or occupancy arrangement granted by the registered landlord (e.g. sub-landlords), as well as from the registered landlord.
- Allow Scottish Ministers to request the same information from private sector landlords, as can be requested by a local authority under the rent control measures in the Bill. Measures to ensure that the information cannot be requested from the same landlord more than once in any 12 months are included.
- Expand the list of information which local authorities can request from landlords regarding their property.
- Allow for the requirements to consult in some sections to be met by consultations carried out before these sections come into force.
- Amend the information landlords in a Rent Control Area will be required to include in advertisements.
- Modify the end date of the first reporting period for the periodic assessment of rent conditions in section 1 of the Bill from 30 November 2026 to 31 May 2027.
- Extend the time period during which a tenant can submit an application for a review of their rent increase in a non-rent-controlled area (from 21 days to 30 days).
- Reduce the succession qualifying period from 12 months to 6 months in both the Private and Social Rented Sectors
- Require a joint tenant who is using the new measures around the ending of joint tenancies to also provide a copy of the notice to end the tenancy – that must be served on the landlord – to other joint tenants.
- Ensure that tenants in non-standard tenancies such as tied accommodation are not disadvantaged under the new unlawful eviction damages, due to them paying low or no rent
- Increase penalties that the Tribunal can order in cases of wrongful termination, from a current maximum of 6 times monthly rent to a maximum of 36 times monthly rent
- Broaden Ministers' powers to impose timeframes on social landlords to investigate disrepair and start repairs (Awaab's law in England), through regulation, following engagement with the sector.
- Just like the social rented sector, the Scottish Government will consider how to implement Awaab's law for private tenants, using existing powers, after engagement with the private rented sector.

6. CALL FOR EVIDENCE AND PROPOSED RESPONSE

- 6.1 The Local Government, Housing and Planning Committee will now look in more detail at the amendments the Scottish Government is proposing to make to the Bill, at Stage 2. They are also seeking written evidence to hear views about the draft amendments. The Committee's call for views is scheduled to close on 18th July 2025.

- 6.2 The questions set out in the call for evidence are detailed in Appendix 1, along with proposed responses on behalf of Dundee City Council for elected members' agreement.

7. POLICY IMPLICATIONS

- 7.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services, or funding, so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment as the report concerns a response to a call for evidence and will not directly result in any changes to services immediately.

8. CONSULTATIONS

- 8.1 The Council Leadership Team was consulted in the preparation of this report.

9. BACKGROUND PAPERS

- 9.1 None

Tony Boyle
Executive Director of Neighbourhood Services

Louise Butchart
Head of Housing, Construction & Communities Services

26 May 2025

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Housing (Scotland) Bill Consultation

Respondent Information Form

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Questionnaire

Question 1

Should mid-market rent properties be exempted from the application of rent controls under the Bill?

Yes

Please explain your answer.

These types of rented properties are targeted to support affordable housing supply in Scotland. With the assumption that MMR is predominantly developed by Registered Social Landlords and Local Authorities, we would agree that they should be exempt. To develop MMR there is a requirement to meet the affordability and eligibility criteria required by Scottish Government.

Question 2

We have set out some possible criteria which could be incorporated into a definition of MMR for the purpose of a possible exemption. Do you agree with these criteria?

Yes

Please explain your answer.

The criteria looks to mitigate the risk of uncontrolled rent increases.

Question 3

If there is an exemption for mid-market rent properties, should this include specific requirements on the level of rent charged, such as a link to Local Housing Allowance rates or to a specified percentile of market rates?

Yes

Please explain your answer.

MMR properties average rent last year increased by more than 6% according to recent published statistics published by Scottish Government and the Scottish Housing Regulator. This is more than the proposed rent cap. A percentile of market rates may be a better option as the LHA covers a very wide range of properties, and this would support controls in terms of MMR specifically. It is recognised that

MMR is required to be higher than social rents but less than the PRS and this requirement would support this.

Question 4

Should MMR properties only be exempted from rent control areas for the duration of time that they meet the specified criteria?

Yes

Please explain your answer.

When they are no longer subject to rent restrictions they should no longer be exempt.

Question 5

Are there any other types of housing provision which should also be considered as part of an exemption for MMR property?

In this question we ask you to consider only housing provision let below market rents, with binding restrictions on the level of rent that can be charged, or with restrictions on the types of tenants than can be granted a tenancy.

No additional types noted.

Question 6

Should build to rent (BtR) properties be exempted from the application of rent controls under the Bill?

No

Please explain your answer.

House building is a priority and needs to be encouraged/incentivised however, affordability for households remains a challenge. Therefore, we would recommend that there are controls in place to prevent properties becoming unaffordable for people (as we are seeing with PRS just now) as this contributes to increased levels of homelessness.

Question 7

We have set out some criteria which could be incorporated into a definition of BtR for the purpose of a possible exemption. Do you agree with these criteria?

No

Please explain your answer.

Dundee City Council acknowledge the criteria and would recommend that there should be consideration around the cost of the development when determining the level of the baseline rent to be set at the outset. However the fundamental aspect is that BtR are predominantly private sector led and let via Private Rented Tenancy Agreements and therefore the cap should be consistently applied across as the criteria doesn't change this aspect unlike the MMR criteria.

Question 8

Are there any other criteria that should be considered as part of a definition of BtR for the purpose of a possible exemption?

Please explain your answer.

The criteria for exemptions could align with the proposals for MMR.

Question 9

Should BtR properties only be exempted from rent controls for the timeframe that they meet the specified criteria?

Yes

Please explain your answer.

This would ensure properties are being built and used for the purposes in which it was intended with no deviation. Exemptions should end when property no longer meets the criteria.

Question 10

Are there any other types of new rental housing provision which should be considered as part of this category of exemption?

Please explain your answer.

No

Question 11

Excluding mid-market rent and build to rent/purpose built private rented accommodation, are there other categories of housing provision that should be exempted from rent controls?

No

Please explain your answer.

The categories cover the housing provision within the sector.

Question 12

What information would you consider would be acceptable to demonstrate that a property is eligible for the types of exemptions referred to in the previous sections in this chapter? (Properties let below market rent, Purpose-built rental housing, other circumstances where exemptions would be appropriate).

Please explain your answer.

The body that determines that the exemption applies could issue a statement/certificate to that effect (for example for BtR, the Housing Property Chamber HPC could be considered as the potential body

that determines). In the case of MMR, where the SG are involved through grant funding for affordable housing, it would suggest this body should be the SG rather than HPC but there should be consistency of approach to avoid a two-tier system

Question 13

What steps should a landlord need to take to confirm that their property is eligible for such an exemption?

Please explain your answer.

Provide certificate (as above) to local authorities and prospective tenants and state exemption on any property adverts.

Question 14

Should a landlord of an exempt property be required to communicate to tenants and prospective tenants about the exemption?

Yes

Please explain your answer.

This should be known to a prospective tenant (similar to an EPC rating being made available) so that they can make an informed choice.

Question 15

What could the process be for tenants to verify that a property is exempt?
Please answer below.

Refer back to the body that declared the exemption applied.

Question 16

Should landlords be able to increase their rent by more than the level of the rent cap at the beginning of a new tenancy, where the previous tenancy was let significantly below market rates?

Yes

Please explain your answer.

This should be carried out prior to the letting of the tenancy so that the prospective tenant can consider prior to signing the tenancy and the agreement is on the proviso of the controls in place as set out at Question 17.

Question 17

Should the rent be a certain amount below advertised rents for similar properties for this allowance to apply?

Yes

If no, please explain your answer.

If yes, what amount or percentage below the advertised rent for similar properties should a rent be before this should be allowed, and why?

6% as this aligns with the current thresholds on the level of rent increases.

Question 18

Should landlords be able to increase rents by more than the level of the rent cap to recover costs, where they have undertaken certain improvements which may enhance the rental value or bring additional benefit to the tenant?

Yes

Please explain your answer.

It is considered a risk that if landlords were unable to apply this increase, then improvements might not be carried out by landlords. However, there should be a clear definition as to what constitutes an improvement and when the increase can be applied.

Question 19

Should landlords who make improvements to a property which improve energy efficiency (for example by making specific improvements which improve the Energy Performance Certificate (EPC) rating of the property, or by installing an upgraded heating system) be allowed to raise the rent above the level of the rent cap?

Yes

Please explain your answer.

It is considered a risk that if landlords were unable to apply this increase, then improvements might not be carried out by landlords. However, there should be a clear definition as to what constitutes an improvement and when the increase can be applied.

Question 20

Are there any other types of improvements that should potentially qualify for this kind of increase above the level of the cap?

No

Please explain your answer.

There should be a clear definition as to what constitutes an improvement

Question 21

How do you think improvements that might qualify for this increase above the level of the cap should be distinguished from work that would be expected as part of routine property maintenance?

Please answer below.

There should be a clear definition as to what constitutes an improvement and a process to evidence that the improvement is required, has been carried out and when.

Question 22

Do you think that a rent increase above the cap should be calculated by:

- a) improved rental value basis
- b) cost recovery basis
- c) other

Please answer below.

The rent increase should be calculated on a cost recovery basis of the value of the improvement, over a specified period of time, whilst demonstrating best value.

Question 23

If a cost-recovery basis was used, what kind of factors should be taken into consideration when deciding how it should be applied?

Please answer below.

In line with the suggestion of there being a clear definition as to what constitutes an improvement, an average lifecycle should be linked to determine the period of which cost recovery should be calculated over. In addition, there should be a requirement for the landlord to demonstrate best value.

Question 24

Are there any other cost increases for rental properties that would justify raising the rent above the level of the cap?

No

Please explain your answer.

Other cost factors should already be determined and contained within the level of rent currently charged.

Question 25

Are there any other circumstances under which landlords should be allowed to raise rents above the level of the rent cap?

No

Please explain your answer.

Other cost factors and contingencies should already be determined and contained within the level of rent currently charged.

Question 26

What should the process be if a landlord seeks to make a rent increase above the level of the rent cap for any of the reasons referred to in the previous sections in this chapter? (Landlords who charge rent significantly below advertised rates, landlords who make improvements to their property, other costs a landlord may face)

Please choose your preferred option:

- a. landlords should be required to seek approval before raising the rent above the rent cap
- b. landlords should be allowed to raise rents above the cap without a requirement to apply to an external decision maker.

Please explain your answer.

Approval prior to increasing the rent to ensure the increase is legitimate and evidenced by an independent body.

Question 27

If landlords were required to seek approval before raising the rent above the rent cap, what kind of information should landlords have to provide to tenants after the rent increase has been approved, and when?

Please answer below.

Provide the approval notice from the body determining the decision.

Question 28

If landlords were required to seek approval before raising the rent above the rent cap, what should be considered when designing a process for landlords to apply?

Please answer below.

A clear eligibility criterion that defines under what circumstance the landlord can apply.

A standardised application process that allows landlords to submit the current and proposed rent and justification and evidence for the increase.

Landlords should be required to notify tenants and there should be a process for tenant engagement and provide tenants with access to the evidence submitted.

Independent review and appeals process.

Time bound decisions and applications.

Enforcement process for unauthorised increases.

Guidance and information for both landlords and tenants.

Question 29

If landlords were allowed to raise rents above the rent cap without seeking approval, should they still need to produce evidence to prove that they qualify?

Yes

Please explain your answer.

Our view is that they should seek approval however if this was not required then the landlord should still need to provide evidence. It would need to be determined how that could be reviewed and by which independent body.

Question 30

If landlords were allowed to raise rents above the rent cap without seeking approval, who should they need to provide evidence/information to and when?

Please answer below.

To the tenant prior to the increased rent notice period. However, there is a concern that tenants may not feel they could challenge this and so clear guidance and supports would need to be in place.

Question 31

If landlords were allowed to raise rents above the rent cap without seeking approval, what should be considered when designing a process for tenants to verify or challenge the increase?

Please answer below.

A clear eligibility criterion that defines under what circumstance the landlord can increase the rent.
A requirement to engage with tenants to demonstrate the current and proposed rent and justification and evidence for the increase.
Independent review and appeals process.
Time bound decisions and applications.
Enforcement process for unauthorised increases.
Guidance and information for both landlords and tenants.

Question 32

What additional information do you think should be included in a 2-month pre-notice (for example information on the process, signposting to advice and support available)?

Please answer below.

- Name of all joint tenants
- Property address
- Start date of Joint Tenancy
- Name of the tenant who will remain
- Effective date of change
- Rent Charge
- Date of new Tenancy Agreement which should be issued to the remaining tenant(s) and record of delivery.
- Reason for the change – for example, voluntary or relationship breakdown.
- Remaining share of the deposit.
- Signposting to advice and support.

Question 33

Do you think a legal form (sometimes known as a prescribed form) should be created that a joint tenant must use for issuing the pre-notice?

Yes

Please explain your answer.

This would ensure the process is consistent and ensure all required information is submitted.

Question 34

Do you think that the pre-notice should be sent by the tenant initiating the end of the tenancy in a specific way to the other joint tenants, for example recorded delivery or by sheriff officer?

If yes, what method do you think should be required?

Yes

Please explain your answer.

If agreement on ending the tenancy cannot be reached, then it is almost certain that there will be dispute over whether information was provided timeously / correctly. A set process which requires evidence would assist all parties.

As there is a cost implication to delivery by Sheriff officer and recorded delivery (that also requires the recipient to sign for it or collect it) consideration should also be given to accepting delivery electronically.

Question 35

Do you think the tenant initiating the ending of the tenancy should be required to provide evidence that the pre-notice has been sent alongside the notice to landlord? For example, proof of email, postage, or information that shows it has been served by a sheriff officer.

Yes

Please explain your answer.

All parties should be as fully informed as possible and this provides transparency for the process and evidences the issuing of the pre-notice.

Question 36

Do you think that the copy of the 28-day notice to the landlord should be sent by the tenant initiating the ending of the tenancy in a specific way to the other joint tenants, for example recorded delivery or by sheriff officer?

If yes, what method(s) should be required?

Yes

Please explain your answer.

All parties should be as fully informed as possible and this provides transparency for the process and evidences the issuing of the pre-notice.

Question 37

Do you think the tenant ending the tenancy should be required to give evidence to the landlord that a copy of the 28-day notice has been sent to all other joint tenants? For example, proof of email, postage or by served by sheriff officer.

If yes, what method(s) should be required?

Yes

Please explain your answer.

All parties should be as fully informed as possible and this provides transparency for the process and evidences the issuing of the pre-notice.

Please refer to response at Question 34.

Question 38

We will be developing guidance to accompany these measures that would support both landlords and tenants understand and make use of the new process.

We want to provide information and support in certain circumstances such as domestic abuse where further guidance would be helpful, for example where a non-contact order is in place.

What particular information or advice should the guidance cover?

Please answer below.

- Legal Protection and Rights
- Step-by-step explanation of:
 - How a joint tenancy can be ended or transferred.
 - What happens if one party refuses to cooperate.
 - The role of the court in enforcing tenancy changes.
- Role of the Landlord
- Signposting to Support and Advice Services
- Templates and Tools i.e. Sample letters for requesting a tenancy transfer.
- Noting that all should be trauma informed developed.

REPORT TO: NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE
MANAGEMENT COMMITTEE – 23 JUNE 2025

REPORT ON: EMPOWERED COMMUNITIES - SOURCING STRATEGY FOR THE
PROCUREMENT OF HOUSING CONCRETE REPAIRS PROGRAMME
WORKS

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 194-2025

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to present sourcing strategies and seeks approval to commence with the procurement exercise in respect of each project.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee:
- a approves the commencement of a procurement exercise in respect of the projects as described, via Quick Quote mini competition through Public Contracts Scotland, based on the sourcing strategy summarised in this report; and
 - b delegates authority to the Executive Director of City Development to finalise the procurement sourcing strategy and award contracts (as set out in Section 4) up to the value of £500,000, to successful Contractor's bidding, following a tender process carried out in compliance with Public Contracts (Scotland) Regulations 2015.

3 FINANCIAL IMPLICATIONS

- 3.1 The Executive Director of Corporate Services has confirmed that funding is available.
- 3.2 Once formal tenders have been received, any contracts over the value of £300,000 will be reported to a future Neighbourhood Regeneration, Housing and Estate Management committee for approval.

4 SOURCING STRATEGY SUMMARY

- 4.1 Revenue – Housing (HRA) – Planned Maintenance – Works Programme for 2025/2026 and future financial years.
- 4.2 It is proposed to appoint Contractors to deliver the following:
- a Financial Year 2025/2026
- 4.3 Cyclical Concrete Repair/Replacement Surveys for DCC Housing underfloor works; and
- 4.4 Cyclical Concrete Repair/Replacement DCC Housing programme of works taken from external concrete element survey results from previous years.

- 4.5 It is proposed for Dundee City Council Engineers (Bridges & Structures Team) to deliver the following:
- a Cyclical Concrete Repair/Replacement Surveys for DCC Housing external works.
 - b Future Financial years 2025-2029
 - Future DCC Housing surveys, inspections and works identified through cyclical inspections
- 4.6 The Council shall invite competitive bids from suitably qualified contractors assessing cost, experience, resources, and performance to award each contract to a single contractor. Tenders will be evaluated by Council Officers from the City Engineers.

5 RISK ANALYSIS

- 5.1 There are 4 standard risks in any procurement and for public sector regulated procurements, a fifth is added, that of the procurement exercise itself breaching the public contract regulations and leaving the Council open to a legal challenge:

Description of Risk	Actions to be Taken to Manage Risk
Commercial Risk – that either the price objectives are not achieved up front or there are other costs that arise during the contract and diminish the overall benefits.	Low Risk - the individual works packages will be subject to competition through invitation to quote for low value works.
Technical Risk – this concerns the difficulty in being able to specify the desired outcome and on the market being unable to deliver to the specification.	Low Risk - the contract will be awarded through a compliant procedure. Bidders will be required to demonstrate technical competence as part of the invitation to quote process.
Performance Risk – this concerns the ability of suppliers to perform consistently over the life of the contract to deliver the planned benefits.	Low Risk – the contract will be managed in accordance with NEC Conditions.
Contractual Risk – being able to remedy the shortcomings in the contractor's performance without severely damaging the contract and about avoiding reliance on the contracted supplier as the contract develops.	Low Risk - DCC are contractually protected via the contract terms and conditions. The contractor shall be proactively managed during the term of the contract.
Procurement Risk – where a procurement is found unsound in law, through the public procurement rules.	Low Risk – these are non-regulated works contracts. This procurement will involve inviting competitive bids from suitably qualified contractors.

6 POLICY IMPLICATIONS

- 6.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

7 CONSULTATIONS

7.1 The Council Leadership Team has been consulted in the preparation of this report.

8 BACKGROUND PAPERS

8.1 None.

Neil Martin
Head of Design and Property

Louise Butchart
Head of Housing, Construction and Communities Service

Robin Presswood
Executive Director of City Development

Tony Boyle
Executive Director of Neighbourhood Services

NM/RM/KIM

28 May 2025

Dundee City Council
Dundee House
Dundee

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APPENDIX 1

SOURCING STRATEGY	Housing Concrete Repair Programme Works
PROJECT NUMBER	Multiple
PROJECT INFORMATION	The works comprise cyclical concrete repair/replacement surveys for DCC Housing underfloor works; and cyclical concrete repair/replacement DCC Housing programme of works taken from survey results from previous years.
PROPOSED CONTRACT DURATION	Next 5 years
RECOMMENDATION	<p>It is recommended that the Committee:</p> <ul style="list-style-type: none"> a approves the commencement of a procurement exercise in respect of the projects described, based on the associated sourcing strategy; and b delegates authority to the Executive Director of City Development to finalise the procurement and award a contract to the successful bidder following a tender process carried out in compliance with Public Contracts (Scotland) Regulations 2015.
FINANCIAL IMPLICATIONS	<p>The financial implications associated with this report are the estimated cost of the contract to be awarded. Based on experience and market enquiries, the total cost of each contract is estimated to be £265K. The contracts will be funded from the 2025-2030 Housing (HRA) – Planned Maintenance – Works Programme.</p> <p>Where the most economically advantageous tender is more than 10% greater than the sum detailed above then the matter will be reported back to Committee for approval.</p>
POLICY IMPLICATIONS	There are no issues.
BACKGROUND PAPERS	None.

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REPORT TO: NEIGHBOURHOOD REGENERATION, HOUSING & ESTATE
MANAGEMENT COMMITTEE – 23 JUNE 2025

REPORT ON: SOURCING STRATEGIES BY HEAD OF DESIGN AND PROPERTY

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 196-2025

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to present sourcing strategies and seeks approval to commence with the procurement exercise in respect of each project.

2 RECOMMENDATION

- 2.1 It is recommended that Committee approves the commencement of a procurement exercise in respect of the projects described, based on the sourcing strategy detailed in Appendix 1.

3 SUMMARY OF SOURCING STRATEGIES

- 3.1 Proposed sourcing strategies for progressing by the Design and Property Division in relation to the projects detailed below.

Proposed Sourcing Strategies
24-019 – Brington Place Sheltered Housing – Lift Replacement

4 FINANCIAL IMPLICATIONS

- 4.1 The Executive Director of Corporate Services has confirmed that funding for the above projects is available as detailed on the attached sheet.

5 SOURCING STRATEGY SUMMARY

- 5.1 This Sourcing Strategy seeks approval to progress with an appropriate compliant tender process via Public Contracts Scotland. Bidders will go through a selection process to assess capability to the needs and requirement of the contract.

6 RISK ANALYSIS

- 6.1 There are 4 standard risks in any procurement and for public sector regulated procurements, a fifth is added, that of the procurement exercise itself breaching the public contract regulations and leaving the Council open to a legal challenge:

Description of Risk	Actions To Be Taken To Manage Risk
Commercial Risk – that either the price objectives are not achieved up front or there are other costs that arise during the contract and diminish the overall benefits.	Low Risk - the contract will be tendered and awarded through a compliant tender procedure, through which all costs have been considered.
Technical Risk – this concerns the difficulty in being able to specify the desired outcome and on the market being unable to deliver to the specification.	Low Risk - the contract will be tendered and awarded through a compliant procedure. Bidders will be required to demonstrate technical competence as part of the tender evaluation process.

Description of Risk	Actions To Be Taken To Manage Risk
Performance Risk – this concerns the ability of suppliers to perform consistently over the life of the contract to deliver the planned benefits.	Low Risk – a contract management process will be put in place with the use of KPI's.
Contractual Risk – being able to remedy the shortcomings in the contractor's performance without severely damaging the contract and about avoiding reliance on the contracted supplier as the contract develops.	Low Risk - DCC are contractually protected via the contract terms and conditions. The contractor shall be proactively managed during the term of the contract.
Procurement Risk – where a procurement is found unsound in law, through the public procurement rules.	Low Risk – this is a regulated contract.

7 SUMMARY

- 7.1 It is recommended that the Committee approve this Sourcing Strategy and award appropriate delegated powers to the Executive Director of City Development to proceed as outlined.

8 POLICY IMPLICATIONS

- 8.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

9 CONSULTATIONS

- 9.1 The Council Leadership Team has been consulted in the preparation of this report.

10 BACKGROUND PAPERS

- 10.1 None.

Neil Martin
Head of Design and Property

Robin Presswood
Executive Director of City Development

NM/KM

29 May 2025

Dundee City Council
Dundee House
Dundee

APPENDIX 1

SOURCING STRATEGY	Brington Place Sheltered Housing
PROJECT NUMBER	24-019
PROJECT INFORMATION	Sourcing Strategy for the tender process for the replacement of the passenger lift.
PROPOSED CONTRACT DURATION	12 weeks
RECOMMENDATION	<p>It is recommended that the Committee:</p> <ul style="list-style-type: none"> a approves the commencement of a procurement exercise in respect of the projects described, via the DCC Lifts Framework (Service, Maintenance, Repair and Installation of Passenger/Goods Lifts; ref DCC/CD/94/24), based on the sourcing strategy summarised in this report; and b delegates authority to the Executive Director of City Development to finalise the procurement and award a contract to the successful bidder following a tender process carried out in compliance with Public Contracts (Scotland) Regulations 2015.
FINANCIAL IMPLICATIONS	<p>The financial implications associated with this report are the estimated cost of the contract to be awarded. Based on previous experience and market enquiries carried out against existing framework rates, the total cost of the contract is anticipated to be £135K inclusive of non-contract allowances and fees. The contract will be funded from the Capital Plan 2025-2030 – Build Resilient and Empowered Communities – Housing HRA Element – Healthy, Safe and Secure.</p> <p>Where the most economically advantageous tender is in excess of 10% greater than the sum detailed above then the matter will be reported back to Committee for approval.</p>
POLICY IMPLICATIONS	There are no issues
BACKGROUND PAPERS	None

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ITEM No ...6.....

REPORT TO: NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE
MANAGEMENT COMMITTEE – 23 JUNE 2025

REPORT ON: TENDERS RECEIVED BY HEAD OF DESIGN AND PROPERTY

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 176-2025

1 PURPOSE OF REPORT

- 1.1 This report details tenders received and seeks approval on acceptance thereof.

2 RECOMMENDATION

- 2.1 It is recommended that Committee approve the acceptance of the tenders submitted by the undernoted contractors as set out in the report, with the total amount, including allowances detailed in Appendix 1.

3 SUMMARY OF PROJECTS TENDERED

- 3.1 Tenders have been received by the Design and Property Division in relation to the projects detailed below.

Architects Projects - Reference and Description	Contractor
24-1002 – Various Properties – New Controlled Door Entry Installations	Construction Services

Engineers Projects - Reference and Description	Contractor
R4354 - Hilltown West PH1 Steps – Phase 2	Anderson Specialist Contracting
P22999 - 1, 4 and 12 Moncur Crescent Steps Replacement	Anderson Specialist Contracting

4 FINANCIAL IMPLICATIONS

- 4.1 The Executive Director of Corporate Services has confirmed that funding for the above projects is available as detailed on the attached sheet.
- 4.2 Where the Council utilise a national or local framework to procure construction and engineering works, all tenderers that have been assigned to the relevant framework have previously been assessed on a qualitative and cost basis, ensuring a highly competitive benchmark is set for the framework supply chain.

5 POLICY IMPLICATIONS

- 5.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

6 CONSULTATIONS

- 6.1 The Council Leadership Team were consulted in the preparation of this report.

7 BACKGROUND PAPERS

7.1 None.

Neil Martin
Head of Design and Property

Robin Presswood
Executive Director of City Development

NM/KM

12 June 2025

Dundee City Council
Dundee House
Dundee

APPENDIX 1

PROJECT	Various Properties – New Controlled Door Entry Installations	
PROJECT NUMBER	24-1002	
PROJECT INFORMATION	The works comprise the installation of new stair entrance doors and controlled door entry systems to 5nr housing complexes.	
ESTIMATED START AND COMPLETION DATES	August 2025 October 2025	
TOTAL COST	Contract Non contract allowances Fees Total	£128,622.49 £20,000.00 <u>£24,000.00</u> <u>£172,622.49</u>
FUNDING SOURCE	Capital Plan 2025-2030 Build Resilient Empowered Communities – Housing HRA Element – Healthy, Safe and Secure	
BUDGET PROVISION & PHASING	2024/2025 2025/2026	£18,869.00 £153,753.49
ADDITIONAL FUNDING	None.	
REVENUE IMPLICATIONS	None.	
POLICY IMPLICATIONS	There are no major issues.	
TENDERS	Negotiated Contract:	
	Contractor Construction Services	Tender Amount £128,622.49
RECOMMENDATION	To accept the offer from Construction Services.	
SUB-CONTRACTORS	SPG Integrated Limited, Dundee	
BACKGROUND PAPERS	None.	

PROJECT	Hilltown West PH1 Steps – Phase 2																													
PROJECT NUMBER	R4354																													
PROJECT INFORMATION	Removal of existing steps, design, supply and installation of new steps. Removal of existing handrails and balustrades, design, supply and installation of new. Addresses are 1-15 & 20-34 Kinghorne Court, 1-16 Kinnaird Street, 20-31 Kinloch Street. All to match works carried out during Phase 1.																													
ESTIMATED START AND COMPLETION DATES	June 2025 September 2025																													
TOTAL COST	Contract Non contract allowances Fees Total			£59,041.00 £6,959.00 <u>£4,000.00</u> <u>£70,000.00</u>																										
FUNDING SOURCE	Capital Plan 2025-2030: Build Resilient and Empowered Communities - Housing, HRA Element, Free From Serious Disrepair																													
BUDGET PROVISION & PHASING	2025/2026			£70,000.00																										
ADDITIONAL FUNDING	None.																													
REVENUE IMPLICATIONS	None.																													
POLICY IMPLICATIONS	There are no major issues.																													
TENDERS	<table><tr><th>Contractor</th><th>Submitted Tender</th><th>Corrected Tender</th><th>Quality Ranking</th><th>Cost/Quality Ranking</th></tr><tr><td>Anderson Specialist Contracting</td><td>£59,041.00</td><td>-</td><td>1</td><td>1</td></tr><tr><td>Dundee Plant Company</td><td>£67,441.00</td><td>£68,441.00</td><td>1</td><td>2</td></tr><tr><td>SDB Contracts</td><td>£81,650.00</td><td>£83,650.00</td><td>1</td><td>3</td></tr><tr><td>Kilmac</td><td>£123,780.00</td><td>-</td><td>1</td><td>4</td></tr></table>					Contractor	Submitted Tender	Corrected Tender	Quality Ranking	Cost/Quality Ranking	Anderson Specialist Contracting	£59,041.00	-	1	1	Dundee Plant Company	£67,441.00	£68,441.00	1	2	SDB Contracts	£81,650.00	£83,650.00	1	3	Kilmac	£123,780.00	-	1	4
Contractor	Submitted Tender	Corrected Tender	Quality Ranking	Cost/Quality Ranking																										
Anderson Specialist Contracting	£59,041.00	-	1	1																										
Dundee Plant Company	£67,441.00	£68,441.00	1	2																										
SDB Contracts	£81,650.00	£83,650.00	1	3																										
Kilmac	£123,780.00	-	1	4																										
RECOMMENDATION	To accept the tender from – Anderson Specialist Contracting (Forfar)																													
SUB-CONTRACTORS	None.																													
BACKGROUND PAPERS	None.																													

PROJECT	1, 4 & 12 Moncur Crescent Steps replacement																			
PROJECT NUMBER	P22999																			
PROJECT INFORMATION	The work comprises the replacement of existing 3 set of steps with precast concrete steps and galvanised handrails at 1, 4 and 12 Moncur Crescent, Dundee.																			
ESTIMATED START AND COMPLETION DATES	August 2025 October 2025																			
TOTAL COST	Contract			£86,631.00																
	Non contract allowances			£11,869.00																
	Fees			<u>£26,500.00</u>																
	Total			<u>£125,000.00</u>																
FUNDING SOURCE	Capital Plan 2025-2030, Build Resilient and Empowered Communities, Housing, HRA Element, Free From Serious Disrepair			£125,000.00																
BUDGET PROVISION & PHASING	2025/2026			£125,000.00																
ADDITIONAL FUNDING	None.																			
REVENUE IMPLICATIONS	None.																			
POLICY IMPLICATIONS	There are no major issues.																			
TENDERS	<div>Mini competition</div> <table><thead><tr><th>Contractor</th><th>Submitted Tender</th><th>Quality Ranking</th><th>Cost/Quality Ranking</th></tr></thead><tbody><tr><td>Anderson Specialist Contracting</td><td>£86,631.00</td><td>1</td><td>1</td></tr><tr><td>SDB Contracts</td><td>£94,268.00</td><td>1</td><td>2</td></tr><tr><td>Kilmac Ltd</td><td>£192,345.00</td><td>1</td><td>3</td></tr></tbody></table>				Contractor	Submitted Tender	Quality Ranking	Cost/Quality Ranking	Anderson Specialist Contracting	£86,631.00	1	1	SDB Contracts	£94,268.00	1	2	Kilmac Ltd	£192,345.00	1	3
Contractor	Submitted Tender	Quality Ranking	Cost/Quality Ranking																	
Anderson Specialist Contracting	£86,631.00	1	1																	
SDB Contracts	£94,268.00	1	2																	
Kilmac Ltd	£192,345.00	1	3																	
RECOMMENDATION	To accept the tender with highest score for cost and quality from Anderson Specialist Contracting (Forfar).																			
SUB-CONTRACTORS	None.																			
BACKGROUND PAPERS	None.																			