

ADOPTION OF A PREFERRED BUILDER PROTOCOL IN CONNECTION WITH THE PRIVATE SECTOR HOUSING AND REGENERATION ASSISTANCE POLICY

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to request Cabinet to adopt a preferred builder protocol in connection with the improvement and repair of owner occupied homes under the Private Sector Housing and Regeneration Assistance Policy which was approved by Cabinet on the 3rd April 2008 (Minute 581). The proposed protocol will eventually restrict applicants for Equity Renewal Loans and Home Repair Assistance Loans to the employment of contractors registered with the Wirral Traders Scheme operated by the Regeneration Department's Trading Standards Team or otherwise the employment of contractors from outside Wirral, approved by that team.

2.0 BACKGROUND

- 2.1 Home owners often request advice from the Home Improvement Team about how to appoint a reputable contractor. In order to give assurance as to the quality of work, integrity and customer service provided by contractors that work on individual private sector housing assisted repair/ renovation schemes, it is proposed to develop a preferred builders list based on the Wirral Traders scheme, operated by the Wirral Trading Standards Team. It is proposed that applications by home owners for assistance under the Wirral Private Sector Housing and Regeneration Assistance Policy, approved by Cabinet on 3rd April 2008, will only be approved if a builder or building service contractor registered with the Wirral Traders Scheme is employed by the home owner

3.0 THE WIRRAL TRADER SCHEME

- 3.1 The Wirral Trader Scheme was set up 5 years ago to promote good customer services from local businesses and give consumers a choice of traders that have been vetted by Trading Standards so they can be confident they are trustworthy. (e.g. builders, electricians, plumbers, double glazing, etc.). It now covers a wide range of trades and services such as solicitors, accountants, car servicing and repairs, drainage, home security, aerial installation and many more.
- 3.2 The scheme is non-profit making but there is an application fee of £58.75 to cover the cost of the vetting process, sourcing references, checks on such issues as complaint history, financial standing, court orders and previous convictions, checks with trade associations and on business practices at their premises via audit and interview. Help is also provided to contractors / service providers to attain the accreditation standards. The annual membership fee (£176.25) covers subsequent administration procedures, promotion and publicity, and dispute resolution.
- 3.3 The Scheme operates a dispute resolution procedure that is available to consumers and Scheme members. This includes officers from Trading Standards giving an impartial view which is binding on the Scheme member but open for the consumer to take Alternative Dispute Resolution or contest in Court, if they consider this decision is not fair.

- 3.4 The Scheme distinguishes between minor breaches and incidents that are contrary to the spirit of the Scheme. In the administration of sanctions, cases are examined using intelligence gathered from consumers, other agencies and information systems to make an informed decision. When a minor breach is identified, a member of the Trading Standards, Fair Trading Team will meet with the member to identify an action plan to resolve the issue. It is this level of support and advice that is responsible for the high levels of compliance and consumer satisfaction recorded with members of the Scheme.
- 3.5 Where more serious or persistent breaches are identified, Trading Standards will suspend membership whilst an investigation is carried out, with the ultimate sanction for non-compliance being removal from the Scheme
- 3.6 The aim of the Scheme is to provide those consumers who are not sure of a trader they can trust with a choice of businesses from a directory of traders on which they can rely, as it is not possible to disclose information to the public about poor service providers. The Wirral Trader Scheme directory is widely available, this and further information can be found at: http://www.wirral.gov.uk/LGCL/100001/200098/1127/content_0002093.html also <http://www.tradingstandards.gov.uk/wirral/ftsindex.htm>, One Stop Shops, libraries, CABx and Age Concern.
- 3.7 Trading Standards are developing a web-based platform for the Scheme which enables the public to find a Trader, leave feedback and rate their services. To find out more go to: <https://www.traderregister.org.uk/wirral>
- 3.8 The Scheme and its Code of Practice is approved by the Office of Fair Trading as a Local Authority Assured Trader Scheme and supported nationally.

4.0 **THE PREFERRED BUILDER PROTOCOL**

- 4.1 Officers have met to consider how best this proposal may be implemented, and have consulted the Office of Fair Trading (OFT) and other Trading Standards departments with regard to these proposals. As a consequence it is proposed that any business service providers and contractors can apply for membership to The Wirral Trader Scheme, provided they are trading or are intending to do business within the Wirral Council Boundary. The Trading Standards Team is prepared to carry out an assessment of any out of area contractors. This ensures that the authority is not operating a restrictive practice and addresses any concerns of the OFT. It is intended to advertise the proposals for adopting the preferred builder protocol in a widely circulated regional publication like the Liverpool Echo, inviting interested contractors to an event to explain the Housing Assistance Policy and the adoption of a preferred builder protocol.

4.2 **TECHNICAL PROCESS**

- 4.2.1 The Home Improvement Team will undertake the processes involved in providing Equity Loans for Renewal and Home Repair Assistance loans including inspection and measuring, scheduling, costing and producing a tendering document.
- 4.2.2 Applicant home owners will be requested to approach one or two contractors on the preferred list, to provide an estimate which will be compared to the Home Improvement Team Schedule of rates.

- If requested to assist the home owner directly, the Home Improvement Team Manager will contact two building contractors from the preferred list selected by the home owner.
- Where a contractor is unable or unwilling to undertake the works then the Home Improvement Manager will advise the home owner accordingly and discuss approaches to further contractors on the preferred list with the home owner.
- Where urgent works are required the Home Improvement Team Manager in consultation with the HMRI Private Sector Manager will select one available contractor from the preferred list for a quote which will be compared with the schedule of rates.

4.2.3 Work should start on site in accordance with timescales agreed in a signed form of contract between the house holder and contractor and a high level of supervision and customer liaison will be undertaken by the Home Improvement Team.

4.2.4 The completion of a scheme will be in accordance with the signed form of contract and completion of a signed customer satisfaction certificate. Payments upon completion of the works will be made direct to a contractor and interim payments may be available, subject to the value of work completed.

4.2.5 The administration team will draw up payment documents for signature and counter signature by senior officers in accordance with current payment procedures. A copy of the protocol is attached as Appendix 1 to this report.

4.3 It is anticipated that it will be necessary to have transitional arrangements to allow interested contractors to register with the Trading Standards Team and for the contractor to be suitably assessed following the holding of the information event for contractors. It is therefore recommended that members agree the protocol and authorise the Director of Regeneration to decide upon an implementation date when satisfactory procedures are in place to enable improvement and repair schemes to be adequately serviced. When in place the protocol will restrict the approval of applications for Home Repair Assistance and Equity Renewal Loans only to contractors registered on the Wirral Traders Scheme or if trading from premises outside Wirral , those approved by the Trading Standards Team .In the meantime if the Home Improvement Team is requested to advise on the employment of a suitable building contractor by a home owner he /she will be directed to existing contractors registered with the Wirral Traders Scheme.

5.0 **FINANCIAL IMPLICATIONS**

5.1 These are set out in the report under the Technical Process in paragraph 4.

6.0 **STAFFING IMPLICATIONS**

6.1 Equity Loans for Renewal will be administered by the Home Improvement Team whose roles will change as a result of this policy change and any staffing implications will be reported as appropriate. Home Repair Assistance will be administered by the Home Improvement Team and Wirral Home Improvement Agency.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 This report recognises that whilst the primary responsibility for maintaining privately owned homes rests with individual owners, there will be a proportion of vulnerable owners whom, for whatever reason, will not have sufficient resources to maintain their homes. The Equity Loan for Renewal and Home Repair Assistance makes provision for such owners should they approach the Council for assistance, subject to available resources.

8.0 COMMUNITY SAFETY IMPLICATIONS

8.1 All Loan assisted works allow for issues of security and safety, as far as reasonably possible.

9.0 LOCAL AGENDA 21 IMPLICATIONS

9.1 Equity Loans for Renewal seek to provide assistance to improve housing conditions, improve the local environment, enhance sustainability of older housing stock and maintain communities. The use of low maintenance materials and implementation of energy efficiency measures in connection with loan assistance is taken into account within the Policy. Provision has been made to assist the installation of environmentally sustainable technologies.

10.0 PLANNING IMPLICATIONS

10.1 Relevant planning approvals will be sought in relation to improvement works as appropriate.

11.0 ANTI-POVERTY IMPLICATIONS

11.1 Loans for Renewal aim specifically to assist financially disadvantaged homeowners or homeowners who lack the financial means to invest large sums in their own homes

12.0 SOCIAL INCLUSION IMPLICATIONS

12.1 HMRI intervention aims to regenerate areas, recognised as being severely affected by social and economic deprivation with high ratios of empty properties and incidents of crime and anti social behaviour.

13.0 LOCAL MEMBER SUPPORT IMPLICATIONS

13.1 This report has borough wide implications but HMRI investment involves the following Wards: Bidston and St James; Birkenhead and Tranmere; Rock Ferry; Seacombe; Liscard; Claughton.

14.0 BACKGROUND PAPERS

14.1 None

15.0 RECOMMENDATIONS

15.1 Cabinet agrees the adoption of the preferred builder protocol which will restrict the approval of Home Repair Assistance and Equity Renewal Loan Applications by home owners who employ builders or building service contractors registered with the

Regeneration Department Trading Standards Wirral Traders Scheme or if based outside Wirral, the employment of contractors approved by the Trading Standards Team.

- 15.2 The Wirral Trader Scheme's Code of Practice and Guidance documents are amended to accommodate applications and Scheme membership for any business service providers and contractors, trading or intending to do business within the Wirral Council Boundary.
- 15.3 The Director of Regeneration be authorised to select an implementation date.

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Director of Regeneration

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