



Planned maintenance work

Leaseholders' *Frequently Asked Questions*



As landlord of your block of flats, the Council has a legal duty to maintain the building and estate. Maintenance works where any one leaseholder will be charged more than £250 are called *major works*, requiring that a *Section 20 Notice* be sent to each leaseholder. This leaflet of leaseholders' *Frequently Asked Questions* outlines the process, your rights and what you can expect from the Council.

The Council's maintenance duties

What kind of maintenance work does the Council carry out on your block of flats?

The Council is responsible for external and communal maintenance, ranging from small-scale repairs like replacing a roof-tile or communal front door, to larger jobs such as external decoration or new communal flooring or roofs. The latter are done as part of a five-year, rolling programme across the city.

Is the maintenance work proposed by the Council always essential?

The Council only carries out work that has been identified by surveyors as necessary for maintaining the fabric of the building.

Can I refuse these maintenance works?

You cannot prevent the works from going ahead. This is because the Council has a legal responsibility under the terms of your lease to repair and maintain the building. But you can challenge the costs if you believe they are unreasonable.

How can I find out what work is planned over the next few years for my block?

The Council produces an annual list of planned major works of maintenance around January each year. To enquire whether any are planned for your block or estate over the next 5–10 years, contact the Council's Home Ownership Team (contact details at the end of this leaflet).

Consulting leaseholders on major works

What is a *Section 20 Notice*?

For works that will cost over £250 per leaseholder, the Council sends an advance letter of notification to every leaseholder affected. It also sends the formal notification, called a *Section 20 Notice*. This informs leaseholders:

- what the proposed works are
- why it is necessary to do them
- the estimated timescale for the work
- the estimated cost to the landlord, and to you as an individual leaseholder

Note that this is a cost *estimate* only - the amount of the final bill for the leaseholder may be more or less.

How can I respond to a *Section 20 Notice*?

The *Section 20 Notice* will invite you to give to the Council in writing within 30 days any feedback you may want to give about the proposed works. After that time, the Council must reply to your feedback individually within 21 days. Depending on the cost and complexity of the work, the Council may also hold a meeting with leaseholders and tenants to discuss the proposed works.





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Consulting leaseholders (contd.)



Why do my council tenant neighbours not receive a *Section 20 Notice* or get invoiced to pay for major works?

Council tenants pay the Council a rent that includes the costs of repairs and maintenance. The proportion you pay as a leaseholder is based on the number of properties in the block, regardless of whether they are tenanted or leasehold.

Leaseholders in the same block are sometimes charged different amounts for the same works - why?

This is usually because they have bought their flat through the 'Right to Buy' legislation within the previous five years: contributions to works are limited for the first five years after buying the property.

Can a leaseholder nominate a sub-contractor of their choice to do the work?

If a leaseholder suggests a sub-contractor in the feedback that they send to the Council within 30 days of receiving a *Section 20 Notice*, the main contractor could potentially choose, at their discretion, to seek a quote from that sub-contractor and use them. But the main contractor is not obliged to do so.

Paying the Council for maintenance work done

Why do I have to pay for major works?

As part of their lease conditions, leaseholders must pay a contribution towards works on their block. The cost of these works on the block is divided equally among the properties in the block - both tenanted and leasehold - so that each pays the same amount.

When do I pay, and how much?

The Council adds the cost of the works to the leaseholder's service charge for the financial year in which the work was completed, and sends the invoice to the leaseholder in the following September. This invoice will adjust up or down to reflect any difference between the actual cost of the works and the estimate that was sent to the leaseholder in the *Section 20 Notice* before the works started.

How do I make payments for service charges?

Major works are invoiced as part of your service charges, leaving you 30 days to make the payment...

- **By Direct Debit**

The easiest way to pay is to set up a Direct Debit through your bank. You can pay on the 1st or 15th of the month, or monthly or quarterly in arrears. If you do not currently pay your service charges by direct debit, you can download the form online from our website at www.cambridge.gov.uk/pay-your-leasehold-property-service-charge

- **Online**

You can make a secure payment online, please visit our website and follow the instructions for making payments.

- **Customer Online Portal**

To register you need to enter your details on Council's 'My Cambridge Portal' at the top of Cambridge City Council's homepage: www.cambridge.gov.uk. Once you have access to your 'My Cambridge' account, click the Council Tenants and Leaseholders Tile, then click Log in or Register to access the Tenant and Leaseholder portal.

- **By phone**

You can make a payment via the automated payment line. Please call 01223 457779, select Option 6 - Service Charges. You will need your Service Charge Account Number, which is shown on your invoice.

What if I cannot pay for the work?

Resident leaseholders (not leaseholders who sublet their property) may be able to arrange a Payment Plan separate from their annual service charge. This is at the Council's discretion and depends on individual circumstances.

If you are notified about major works planned for your block or estate and are concerned that you may not be able to afford the costs, it is important to contact the Home Ownership Team as soon as possible. Phone 01223-457827 or email leasehold.services@cambridge.gov.uk



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When major works are being done

Two-way communication during the works

All residents are informed in writing of the start date for the works, and given the contact details for the contractor appointed by the Council. During the works, it is the contractor's responsibility to keep residents informed, and residents can tell them about any problems on site. If dissatisfied with the contractor, residents can phone the Council at 01223-458543 or email Martin.Donnelly@cambridge.gov.uk. After the work is completed, residents receive a *Satisfaction Survey* to give their feedback on the quality of the works done.



Why are there sometimes delays in major planned works being carried out?

Delays can occasionally be caused by unexpected factors such as the weather, a need for further works revealed by the primary work once it starts, or a sub-contractor pulling out at short notice, requiring a new one to be procured. If there are delays in a programme for whatever reason, all leaseholders and tenants are written to by the main contractor, apologising for the delay and keeping them informed on progress.

When is external painting done?

There is a 7-year cycle for external painting. Painting is planned for spring and summer, but delays like those above can mean a late start on painting. If it has to be done in winter, the painters must follow regulations on applying paint in bad weather. Council surveyors regularly inspect their work, and the paint manufacturer's technical representative also does inspections to ensure the quality of the work.

Will planned maintenance work disrupt other services, such as cleaning or grounds maintenance?

The Council and contractors liaise regularly with other services to minimise disruption during planned maintenance works.

Scrutinising maintenance work done by the Council

How can I find out what maintenance work the Council has done in my area during the year, without having to wait to be invoiced for it in the following September?

You can contact the Home Ownership Team (contact details at the end of this leaflet) to ask for details of any works completed in the past year.

Why am I paying for maintenance on the lift when I live on the ground floor?

Under the terms of your lease, you must pay a proportion of the cost for works to your whole block. For instance, everyone will also pay an equal proportion for maintenance work on the roof.

How are the prices for planned maintenance scrutinised to ensure they give value for money?

The main contractor for planned maintenance work is appointed through a transparent tendering process advertised publicly in the official *Journal of the European Union*. Leaseholder and tenant representatives are involved in the evaluation of the tender. This main contractor then carries out a further tender for the works locally, getting up to three prices to test the local market before appointing a sub-contractor to do the works.

How can I challenge the final cost of the work?

The law says that the costs, scope and standard of the works must be reasonable. So you have the right to challenge the reasonableness of the cost of the works (including fees), their scope, or the quality of the work done. But the Council would like you to contact them first please before challenging any charges, as this will be the quickest way to get any problems corrected for you.



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Scrutinising maintenance work (contd.)

You can also make a formal challenge at any time during the major works process after receiving a *Section 20 Notice*, without telling the Council. You can submit this challenge to the First Tier Tribunal Property Chamber (previously called the Leasehold Valuation Tribunal). For information and an application form, see online at www.gov.uk/housing-tribunals/apply-to-the-tribunal or phone 01223-841524.

You do not need to have legal representation to take a challenge to this Tribunal. There is a fee of £100 for submitting a challenge, plus £200 if there is a hearing. But the total fee then remains at £300, even if multiple properties submit a challenge together.

Contact details



For more information on any aspect of the Council's Home Ownership services, please use the contact details below.

Contact:

Home Ownership Team, Cambridge City Council

Email: leasehold.services@cambridge.gov.uk

Tel: 01223-457835

www.cambridge.gov.uk/leaseholders

Leaseholders' Consultation Meetings

These are regular consultation meetings where:

- the Council keeps leaseholders informed of all issues affecting them
- leaseholders can air any concerns or problems
- leaseholders can meet and liaise with their elected leaseholder representative on the Council's *Housing Scrutiny Committee*

Your elected leaseholder representative can also be contacted any time by email at hsc.residents@gmail.com

For details of the next *Leaseholders' Consultation Meeting*, please contact the Council's Home Ownership Team at the contact details above.

