

Subject:	HRA Asset Strategy Review – Providing Safe Homes		
Date of Meeting:	20th September 2017		
Report of:	Executive Director Neighbourhoods, Communities & Housing		
Contact Officer:			
	Name:	John Currell	Tel: 293355 & 293321
		Martin Reid	
	Email:	John.currell@brighton-hove.gov.uk	
		Martin.reid@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report presents an update and review to the Housing Revenue Account (HRA) Asset Management Strategy, specifically in relation to health and safety. The current agreed HRA Asset Management Strategy includes as one of its 3 key themes the commitment to ‘Invest in homes and neighbourhoods to provide safe, good quality housing’. This report builds upon the strategy by seeking to embed further improved policies as set out in the report in Appendix 1. This will provide a framework to ensure continued improvement in compliance and safety in homes, and better access to information for residents.
- 1.2 This report also gives an update on the project to retro fit sprinklers at Essex Place as reported to Housing & New Homes Committee on 16th November 2016, specifically relating to achieving match funding for the project from East Sussex Fire & Rescue Service.

2. RECOMMENDATIONS:

- 2.1 That Housing and New Homes Committee approve the Asset Management Strategy Review in principle, subject to consideration of the detailed Capital Programme in January 2018. The document is shown in full in Appendix 1.
- 2.2 That Committee agree to proceed with resident consultation, procurement and subsequent installation of a sprinkler system to Essex Place subject to match funding from East Sussex Fire & Rescue Service.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 As part of our HRA Asset Management Strategy and related strategic priorities both Capital and other resources to enable effective management of fire risk have been well supported and increased over previous years, with over £300,000 committed for 2017-18. This funding supports our work in achieving and

improving compliance, and as a result helps to ensure homes are as safe as possible for our residents. A multi-agency Housing Fire, Health and Safety Board, which includes East Sussex Fire and Rescue, several Council departments, and related agencies, has been in place for several years to ensure effective use of these resources, good governance and a 'joined-up' approach.

- 3.2 Prior to, and since the Grenfell Tower tragedy, we have undertaken a large number of actions, working closely with East Sussex Fire and Rescue Service. Since the Grenfell tragedy, these actions have largely focused on high-rise homes initially, and included undertaking additional precautionary inspections jointly with the fire service to check their safety, over and above the standard fire risk assessment process that is undertaken on all blocks. A brief overview of actions undertaken so far is included in the Asset Review document.
- 3.3 In order to ensure that the HRA is in an effective position to continue to review and improve fire safety for residents, it is crucial that our medium term policy and investment commitments respond to changing circumstances and are clear. This medium and longer-term proactive strategy is required to help plan for the future HRA Capital Programmes and staffing levels, to ensure ongoing policy is deliverable, and to allow for full and early involvement and consultation with residents, and other stakeholders, on detailed plans.
- 3.4 Retrospective installation of sprinklers at Essex Place has been planned in partnership with the Fire Service for some time. This was discussed at Committee in November 2016, and at that time was supported, subject to achieving match funding for the approximate £250,000 total cost, which the City Council has now had confirmed by East Sussex Fire and Rescue, who will contribute 50%, approximately £125,000.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Throughout the development of the Asset Management Strategy, Housing Strategy priorities and resident consultation and priorities have been fully considered and balanced against our statutory duties. As set out in the report in Appendix 1, a number of delivery priorities and options will continue to develop over time.
- 4.2 The HRA 30 year financial plan and future Capital Investment will be further updated to reflect policy changes, and any changes in legislation, once the detail is known. This will enable review of future investment decisions on existing and new homes.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Involvement with our residents to help shape strategy and service delivery priorities is a key focus for Housing. Ongoing consultation with tenants and leaseholders takes place continuously through a large number of different forums and settings.
- 5.2 Recently, a great deal of discussion and comments have been received by Housing on the subject of health and safety, and fire risk. This has taken place during the extensive visits to blocks by officers, by letter, telephone and e-mail.

This paper reflects some of the key areas that residents, and others, have expressed during these conversations.

- 5.3 Health and Safety priorities are overseen by the Housing Fire Health and Safety Board, which includes a number of Council departments and East Sussex Fire and Rescue Service. The contents of the review document reflect the priorities of this board.
- 5.4 The review establishes a high priority for providing easily accessible information for residents about safety where they live.
- 5.5 As set out in the review, some potential safety measures will only be a success, and proceed, where there is clear resident support, such as for the provision of sprinklers.

6. CONCLUSION

- 6.1 To ensure ongoing compliance is maintained, and continue to provide safe homes for residents, it is proposed to increase the level of HRA resources managing both the health and safety, and the fire risk, in our dwellings and blocks. This will be undertaken largely in the policy areas discussed in this policy document, and delivered principally through the HRA Capital Programme from 2018-19 onwards, and through the normal staff resource reviews.
- 6.2 Extra resources will assist with specific areas that will benefit safety, such as ongoing improvements in fire door and common ways management and enforcement (where required), better communication and information for residents, electrical safety compliance works and ongoing monitoring, and the installation of sprinklers (subject to local consultations).

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The Asset Management Review document recommends that more HRA resources are used to manage fire risk in council dwellings. This will have both revenue and capital implications for the HRA. If agreed in principle, these changes will be reflected in the 'HRA Budget and Investment Programme 2018/19 and Medium Term Financial Strategy' report for consideration by Housing and New Homes Committee in January 2018.
- 7.2 The 2017/18 HRA Capital programme includes a budget of £0.250m for new sprinkler systems at St James's House and Essex Place. The budget assumes that 50% of this will be funded by East Sussex Fire and Rescue Service.

Finance Officer Consulted: Monica Brooks

Date: 24/08/17

Legal Implications:

- 7.3 The Grenfell tragedy has served to focus the minds of many authorities about the provision of safe housing. The legal implications of not providing safe housing are very significant and range from corporate manslaughter and other criminal matters to Court proceedings for negligence. It is therefore very important that all safety is constantly kept under review and even more so when an incident of this nature arises. There are no specific requirements of any local authority as to how it undertakes its fire safety (and other safety reviews), but the general

principle under criminal civil law is to take all reasonable steps to identify issues and then to address those issues. In relation to fire risk assessments, the Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risk to which residents and others are exposed for the purpose of identifying general fire precautions. Any such assessment must be reviewed regularly, particularly if there is reason to suspect that it is no longer valid or there has been a significant change at the premises. There is no directive or time limits applicable, but what is reasonable and practical in all the circumstances. The proposal to install and maintain the sprinkler systems as set out in the report is a suitable and proportionate response to the assessed fire risk as part of an ongoing process which will be kept under review. External legal advice in relation to Brighton Leases has been sought regarding the council's powers to force access to leaseholder flats and the leaseholders' obligation to contribute towards sprinkler installation and maintenance costs. In the event of any leaseholder opposition, this can ultimately be resolved by the Property Tribunal.

*Lawyer Consulted: Simon Court
2017*

Date: 25th August

Equalities Implications:

- 7.4 A full Equality Impact Assessment is planned to fully capture any impacts arising from these policies, as an addition to existing EIA's in place for Capital Programmes.

Sustainability Implications:

- 7.5 All Investment programmes include consideration of sustainability related issues, including energy and water conservation, and the procurement of materials from managed and sustainable sources.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 – HRA Asset Strategy Review – Providing Safe Homes

Documents in Members' Rooms

Background Documents

Crime & Disorder Implications:

- 1.1 There are no significant crime and disorder implications.

Risk and Opportunity Management Implications:

- 1.2 Health and Safety Risks are managed through the Housing Fire Health and Safety Board.

Public Health Implications:

- 1.3 This review reflects the City Councils wish and duty to promote public health, safety and wellbeing.

Corporate / Citywide Implications:

- 1.4 Both Corporate Health and Safety team and East Sussex Fire and Rescue Service form a key part of the Housing Fire Health and Safety Board, which oversees health and safety in City Council Housing.

