

BARNSELEY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR GROWTH AND SUSTAINABILITY

TITLE: COUNCIL HOUSE BUILDING SAFETY BUDGETS 2023/24

REPORT TO:	CABINET
Date of Meeting	16th August 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

The purpose of this report is to approve the drawdown of the following Building Safety related budgets; making further investment in our council stock to ensure that we continue to maintain tenants' safety as our number one priority:

- Fire Safety Budget – in scope buildings £1.5m
- Spandrel Panels – £600k
- Asbestos Removal Wombwell and Royston - £600k.

The building safety budgets formed part of the 2023-28 Housing Revenue Account Budget and Investment Proposal report which was presented Cabinet on 8th February 2023 (Cab.8.2.2023/7) and approved by Full Council on 23rd February 2023.

Council Plan priority

Healthy, Growing, Learning & Sustainable Barnsley

Recommendations

That Cabinet: -

1. Approves the HRA 2023/24 Fire Safety Budget – High Rise in scope buildings
2. Approves the HRA 2023/24 Spandrel Panels Budget
3. Approves the HRA 2023/24 Asbestos removal Wombwell and Royston Budget

1. INTRODUCTION

- 1.1 This paper sets out the proposed programme for capital works relating to Building Safety in our council stock. The works are required safety works resulting from Fire Risk Assessments and Asbestos surveys to ensure

ongoing resident safety.

- 1.2 **It should be noted that any urgent works identified as part of Fire and Asbestos surveys are completed immediately. These identified works relate to larger capital investments to be completed as part of a planned programme and/or are being proactively completed in response to new legislative requirements or recent surveys.** As part of the building safety programme, Berneslai Homes has recently installed a number of fire safety measures to the Council's high rise accommodation and independent living schemes (3x block of flat Albion, Britannia and Buckley House in the Town Centre and 4 ILS) which includes new fire doors to the individual flats entrances, riser cupboard doors and sprinkler systems. Additionally, in-depth surveys are being carried out to identify works required to all council owned housing blocks, with a communal area, to ensure continued full compliance with new Building and Fire Safety regulations.

Legislation:

- 1.3 Members will have noted the update provided on 12th July 2023 (to add once we have a Cab. Reference) which sets out the Council's accountability as landlord of 18,000 housing stock under the new Building Safety and Fire Acts. As landlord, Barnsley Council has responsibilities under Fire Safety and Building Safety legislation and must ensure that our buildings remain safe and that we include our tenants in ensuring the health and safety of their homes and communal areas:

- The Building Safety Act 2022 received Royal Assent on 28th of April 2022 and is now legislation. The Act creates a Building Safety Regulator (BSR), responsible for the regulation of ALL buildings, with new statutory roles for landlords, designers, and contractors on all projects. It also outlines the landlord's and leaseholders' responsibility under this legislation, to provide evidence that the 'In Scope' buildings they manage are safe to occupy.

The BSR formally came into full operation in April 2023 for building owners (or leaseholders with the responsibility for repair and maintenance of the building's structure and external walls), who will be liable for a criminal offence if they fail to register occupied 'higher-risk buildings' in England between 12 April and 30 September 2023. This includes our 3 high-rise.

- The Fire Safety Act 2021 brought in new legislation to ensure that the external wall systems of buildings (regardless of height) were assessed for fire risk and replaced (where necessary). This includes Spandrel Panels (these are used as a separating wall to replace the need for a masonry wall and require fire separation to prevent fire from entering or exiting the property).
- On 23rd of January 2023, a further legal requirement for the Responsible Person (landlord) for multi-occupied buildings over 11 meters was introduced to: carry out quarterly checks of all fire doors in communal areas and annual checks on all flat entrance doors. There is also a requirement for the landlord to hold certification relating to the fitting and specification of these doors. These changes have resulted in an increase to the number of fire doors which

will require replacement across our stock due to the current door either being the original 'as built' door with no test evidence certification available or there being no proof of how the door has been fitted. It should be noted that replacement is required due to a lack of certification, which will be required as part of the preparation of building safety cases, rather than the doors being substandard or ineffective.

- The ongoing landlord responsibilities for the Regulatory Reform Fire Safety Order 2005 which states that significant findings from the Fire Risk Assessments must be actioned in a timely manner. It is thus essential that delivery of these planned programmes is carried out in line with set timeframes. The table below details planned works within the 2023/24 programme.

<p>Fire Safety Budget</p>	<p>£1.5M</p>	<p><u>High Rise Compartmentation Works</u></p> <p>Albion, Buckley and Britannia Houses require a building Health Check to identify the extent of compartmentation works required. Surveys to the 3 High Rise will cost approximately £4,440 each (based on quotes received). A full costed programme of works will be determined once the surveys have been undertaken.</p> <p><u>High Rise Bin Storage area improvement works</u></p> <p>All three blocks require extended bin storage areas at an approximate cost of £3,300 each (based on quotes received).</p> <p><u>Highrise Flat Entrance Fire door replacement for 30 Leaseholder Doors</u></p> <p>Further to the Fire Safety Regulations 2022 (which came into force on 23rd January 2023) regarding the requirement to have test certification for all fire doors, and to protect our own stock, it is proposed that any leaseholder doors for which no evidence can be obtained ensure compliance, will be replaced.</p> <p>Each door will cost approximately £1,400 (based on previous costing).</p> <p><u>High Rise Fire Safety Strategies</u></p> <p>The creation of fire safety strategies to the three high rise in scope buildings will include the following information:</p> <ul style="list-style-type: none"> • Means of warning. • Means of escape.
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- Passive fire protection.
- Protection against external fire spread.
- Fire and rescue services access and facilities.
- Fire safety management measures.

Cost for the Strategies will be £8,550 (quote received from Pennington Choices Consultation).

Cross corridor and storage cupboard replacement to 164 fire doors

Building Safety checklist information (that will be required to help form the Building Safety cases for the 3 High Rise blocks) will include cross-corridor doors, stair entrance doors and store doors requiring. It is thus proposed that these are replaced where test evidence is not available in line with the new Fire Safety Regulations 2022. This includes:

- Stair entrance doors x 42
- Cross corridor doors x 72
- Balcony doors x 30
- Store cupboard door x 13
- Single storeroom x 6
- Small cupboard door x 1

Each door highlighted above will cost approximately £2,012 (based on received quotations), apart from store cupboard doors and small cupboard doors costing approximately £1,937(based on received quotations.)

This will be the same cost for the independent living schemes requiring cross-corridor doors, stair entrance doors, and store doors.

A full inspection is being undertaken on each of the 11 blocks to determine the numbers of doors that will require changing.

High Rise – Void Property Type 4 FRA actions

Various items which will be common in each block / every flat:

- Asbestos encapsulation in every flat and service riser
- Dead end pipe work removal
- 2 x fire rated extractor fans for each flat
- Fire Stopping to copper pipework from within the flats
- UPVC drains require intumescent pipe wraps

Compartmentation works at all other blocks of flats including Independent Living Schemes

All blocks with communal areas are to have a building health check carried out which will identify what compartmentation works is required. Surveys to the 11 Independent Living Schemes will cost approximately £4,490 each (based on quote received). Costing for works will be determined once the surveys have been undertaken.

Flat Entrance Fire door replacement schemes at 11 Independent Living Scheme

After undertaking inspections, it has identified 318 flat entrance doors that will require changing due to not having the test evidence place which form part of the new Fire Safety Regulations 2022 (which came into place in January 2023).

Each door will cost approximately £1,400 (based on previous costing)

Fire door replacement schemes at all medium/ low blocks of flats

59 blocks have been identified as part of fire risk assessments which will require replacement fire doors. A survey has been undertaken which has identified that the following doors require replacing:

- Flat entrance doors x 19
- Store doors x 249

Each door will cost approximately £1400 (if ordered in bulk)

Additional in-depth surveys will be carried out on all other remaining blocks to identify if a new FD30 fire door will be required.

Bin storage areas at 26 blocks of flats

At an approximate cost of £3300 each = £79,200.

Smoke / Heat alarm upgrades to blocks of flats – 71 individual flats

		<p>At an approximate cost of £250 to each individual flat for a hard-wired system to be fitted (cost is based on a 1 bedroom).</p> <p><u>Smoke ventilation in blocks of flats</u></p> <p>It has been identified on the fire risk assessments, that 10 blocks of flats require smoke ventilation to internal stair ways (without windows). Vents will be required in the roof directly above the stairway. Survey and costs are currently being collated for this work.</p>
Spandrel Panels	£0.6M	<p><u>56 blocks of flats, removal of Spandrel panels.</u></p> <p>In line with new legislation, The Fire Safety Act 2021 makes it clear that the Fire Safety Order now applies to the external walls of residential buildings regardless of their height, including cladding and balconies. Non-Compliant wall coverings have been identified on 56 blocks of flats. Panels will be replaced with fire rated alternatives. All surveys have been completed by an external surveyor.</p>
Asbestos Removal Aldham House Lane and Royston	£0.6M	<ul style="list-style-type: none"> • Clearing 58 Lofts on the Aldham House Lane estate (Wates) • Clearing 20 BISF lofts in the Wombwell/Darfield area (Wates) • Clearing 40 BISF lofts in the Royston area (Construction Services) • Decant resident where necessary
Address list available, if required		

2. PROPOSAL

- 2.1 For Cabinet to approve the planned fire and building safety works as detailed in the report. For Cabinet to note the changes to fire and building safety regulations which place additional responsibilities on the Council to ensure the safety of our buildings, and to hold sufficient documentation relating to both specification and installation methods.
- 2.2 The proposed Building Safety works for 2023/24 will be managed by Berneslai Homes Building Safety Team and delivered within the PRIP contract or use of specialist contractors (where required), procured in line with the Council's Contract Procedure Rules.
- 2.3 The Building Safety works will be undertaken using a risk based approach to ensure the appropriate mitigation measures are in place in accordance with the level of risk associated with each building.

3 IMPLICATIONS OF THE DECISION

Financial

- 3.1 Consultations have taken place with representatives of the Director of Finance (S151 Officer).
- 3.2 The resources allocated as part of the HRA business plan totals £2.7M. The planned works profile is expected to be completed over a 2-year period as detailed in the Appendix A accompanying this report.
- 3.3 This report seeks approval to commence the tendering process to commission a suitable external specialist contractor to deliver the many Building Safety works as described within the body of this report.

Risk

- 3.4 The risks associated with non-delivery of these Building Safety works within an agreed timeframe include failure to comply with the Building Safety Act 2022, Fire Safety Act 2021, and Regulatory Reform Fire Safety Order. These risks, and progress within the works programme, will be managed and monitored by the Building Safety Project Board with project updates provided to the Services Agreement Core Group monthly. An operational project delivery group, consisting of staff from BPS, Berneslai Homes and key Contractors will also be established. The Building Safety Project Board and Core Group will monitor compliance, progress, costs, cash flow, performance, and customer satisfaction.
- 3.5 Financial risks will be monitored throughout the programme and contained with the resources allocated and detailed in this paper.

Legal

- 3.6 There are direct legal implications for the Council/ BH arising from this work. The Council, as landlord and Principal Accountable Person under the Building Safety Act, has a requirement to ensure that its properties meet the requirements of the Building Safety Act 2022, Fire Safety Act 2021, and Regulator Reform Fire Safety Order.
- 3.7 Works requiring external procurement will be done in line with Contract Procedure Rules and Public Contract Regulations where necessary by the signing of a standard form of building contract. Elements of the works which will be undertaken by the Property Repairs and Improvement Partnership (PRIP) contractors via a Guaranteed Maximum Price contract are covered by existing contractual arrangements.

Equality

- 4.1 The provision of a home that is safe and comfortable is a fundamental requirement of the Building Safety Act 2022, Fire Safety Act 2021, Fire Safety Regulations 2022, and Regulator Reform Fire Safety Order; promoting safe places to live. These works will form an essential part of ensuring that the

housing stock continues to meet all legislative requirements. A Full Equality Impact Assessment has been completed for the delivery of the wider Repairs and Maintenance works under PRIP.

5. Sustainability



- 5.1 The Building and Fire Safety works being undertaken form part of wider investment works under the HRA Capital Investment Programme. In delivering investments via the agreed HRA Budgets, the Sustainability Wheel shows a strong positive impact on homes, communities and creating quality neighbourhoods in line with the priorities of B2030 and thus scores green on all areas. The Sustainability Wheel shows a positive impact from the development/retrofit of quality of housing. Retrofit installation, and building new homes, does increase construction waste and pollution in the short-term; however, these should be offset by the reduction in the use of energy once works are completed and the reduced risk of fire/incident via the investment in the fabric of our buildings to ensure additional fire and building safety. The replacement of the Spandrel Panels and replacement of the loft installation will help to improve thermal and energy efficiency of the buildings.

6. Employee

- 6.1 There are no direct employee implications arising from the recommendations within this report.

7. Communications

- 7.1 All tenants and leaseholders involved will be fully consulted before works take place. The building safety team will conduct further engagement when on site alongside any contractors. It is important that members and tenants are clear that the identified building and fire safety works will enhance fire safety within their homes and ensure full compliance with new legislative requirements. **It is not the case that there are any immediate concerns for fire safety in**

any of the identified properties as any urgent works will always be completed as a priority.

8. CONSULTATION

8.1 South Yorkshire Fire and Rescue Service (SYFRS) and Pennington Choices will be consulted in relation to all the Building Safety works required to ensure full compliance with all regulatory requirements and to seek professional and best practice advice from key partners.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 This report sets out the fire and building safety works required to ensure that our council homes continue to be compliant as the requirements of the Building and Fire Safety Acts are fully rolled out.

10. REASONS FOR RECOMMENDATIONS

10.1 This paper sets out the proposed works for the Council's Building and Fire Safety Works. These investments will ensure that Berneslai Homes and Barnsley Council continue to maintain the highest standards of building and fire safety across the Council's housing stock - to requirements of the Building Safety Act 2022, Fire Safety Act 2021, Fire Safety Regulations 2022 and Regulator Reform Fire Safety Order.

11. GLOSSARY

N/A

12. LIST OF APPENDICES

Appendix A: Financial Implications

13. BACKGROUND PAPERS

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

14. REPORT SIGN OFF

Financial consultation & sign off	<i>See Appendix A.</i>
Legal consultation & sign off	Legal Services officer consulted and date <i>Kate Gothard 28/06/2023</i>

Report Author: Sarah Cartwright (in partnership with the Fire Safety and Asbestos Officer within Berneslai Homes)

Post: Head of Housing

Date: 23/06/2023