

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.

REPORT OF THE EXECUTIVE DIRECTOR PLACE

SPRINKLER INSTALLATION PROGRAMME 2021/22

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of, and to seek approval for, the installation of sprinkler systems to Albion, Buckley, Britannia Houses respectively, and four Independent Living Schemes within the Council's portfolio of properties.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- i. Approves the procurement and installation of sprinkler systems to the seven blocks of flats within the Council's portfolio of properties and release the necessary resources as detailed in this report; and**
- ii. Authorises the appointment of a suitable specialist contractor following the outcome of a procurement exercise and containment of costs within the approved sum.**

3. INTRODUCTION

- 3.1 On the 14th of June 2017, the tragedy at Grenfell Tower changed the way that the Council's housing stock, particularly blocks of flats, are viewed from the perspective of the Council as social landlord and of Berneslai Homes as management agent, with regards to the ever present need to keep tenants safe in their homes.
- 3.2 Berneslai Homes continue to ensure that the properties it manages on behalf of the Council, comply with the Regulatory Reform (Fire Safety) Order 2005 as well as any recommendations coming out of the Hackitt Report and Phase 1 Report - Grenfell Tower Inquiry. Phase 2 of the report has now commenced, and Berneslai Homes will ensure the recommendations from this will be implemented, where required.
- 3.3 The introduction of the draft Fire Safety Bill 2020 will change the way Berneslai Homes and all other housing providers work with regards to regulatory compliance. The draft Fire Safety Bill proposes changes to general building safety rules:
- New competency requirements for building contractors and designers, and new duties to ensure building regulations compliance;
 - Automatic lapsing of building approvals after three years; and
 - New safety liabilities for corporate directors.

- 3.4 There will also be a statutory requirement for the accountable person to provide a Safety Case Report for all Higher Risk Buildings and submit this to the new Building Safety Regulator.
- 3.5 In addition, the Government's White Paper on Social Housing that was released in November 2020 has elements in respect of additional, statutory requirements to be placed on landlords in respect of fire safety.
- 3.6 A number of initiatives have been successfully implemented over the past few years which have improved fire safety and have contributed to the tenants and residents living in these schemes feeling safer in their homes. For example, sprinkler systems have already been installed at a number of the Council's independent living schemes including Churchfield Close. Over the years, Berneslai Homes has built an excellent working relationship with South Yorkshire Fire & Rescue who work collaboratively together for the overall safety of the residents living in our homes.

4. PROPOSAL AND JUSTIFICATION

- 4.1 Cabinet have previously approved funding for sprinkler systems to be installed in Albion, Buckley and Britannia Houses as part of the budget process for 2019/20 (Cab.9.1.2019/11 refers). However, following a competitive tender process via Efficiency North, there was no interest from any of the framework contractors. This report is seeking approval to once again approach the market with a package of work, but this time including both the three blocks of high rise flats plus four remaining independent living schemes within the one work package. It is hoped that the value of this work will make a more appealing package to tenderers.
- 4.2 It is proposed to continue the work that has been done so far by installing sprinklers into the three blocks which will fall into the scope of the Draft Building Safety Bill (as High Rise Residential Buildings) within the Council's portfolio of properties, and four other high-risk independent living schemes within the borough.
- 4.4 This will ensure that our tenants feel safe in their homes in relation to fire safety and satisfy requirements for building assurance certification from the new Health and Safety Regulator, once introduced.
- 4.5 The properties that have been identified are as follows:

Property	Description	Type
Albion House - Union St, Barnsley	A seven-storey block of 56 flats, ten of which are leaseholder flats	Block
Buckley House – Union Street Barnsley	A seven-storey block of 55 flats, five of which are leaseholder flats	Block
Britannia House – Duke Crescent, Barnsley.	A seven-storey block of 55 flats, fifteen of which are leaseholder flats	Block
Heather Court, Carrfield Lane, Bolton on Dearne	A two-storey sheltered accommodation with 35, one-bed Flats, a Scheme Manager's bedsit, Guest Room, Laundry, Communal Lounge, and various ancillary spaces	Independent Living

Property	Description	Type
Glebe Court, Westwood New Road, Tankersley	A two-storey sheltered accommodation with 35, one-bed Flats, a three-bed Flat, Guest Room, Laundry, Communal Lounge, and various ancillary spaces	Independent Living
Woodhall Flats, Barnsley Road, Darfield	A two-storey sheltered accommodation with 1 Accessible bedsit, 13, one-bed Flats, 16, bed-sit Flats, a three-bed Scheme Manager's accommodation, Guest Room, Laundry, Communal Lounge, and various ancillary spaces	Independent Living
Willowcroft, South Drive, Bolton on Dearne	A two-storey sheltered accommodation with 34, one-bed Flats, a Scheme Manager's three-bed maisonette, Guest Room, Laundry, Communal Lounge, Kitchen and various ancillary spaces	Independent Living

4.6 More and more demands are being placed on Local Authorities as a direct result of the tragic events in Grenfell in 2017. The Social Housing Green Paper published (14 August 2018) – aims to rebalance the relationship between residents and landlords, tackle stigma and ensure that social housing is both safe and decent and that residents have a stronger voice in respect of fire safety. The Social Housing White Paper published (17 November 2020) is introducing a new charter for social housing residents which sets out what every social housing resident should be able to expect: To be safe in your home.

4.7 This proposal represents an opportunity to demonstrate clearly to the tenants and residents of Barnsley that the Government recommendations in relation to the Hackitt Report and Phase 1 Grenfell Tower Inquiry reports, are being treated with the upmost importance and that their safety in their home is a primary concern.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

5.1 The condition of all the blocks named above in respect of our legal obligation for fire safety as determined by the Regulatory Reform (Fire Safety) Order 2005 is already good. As a minimum, all schemes have regular Fire Safety Risk Assessments carried out on an annual basis and any fire related safety measures (Significant Findings) are dealt with swiftly and appropriately.

5.2 However, these buildings house some of the Council's most vulnerable tenants. The proposed works are an enhancement to what is already a good standard of fire safety measures and will help to reassure our tenants in terms of their overall fire safety in their homes.

5.3 Other than installing sprinklers, there are no real alternative approaches available as the Council are already meeting our legal obligations.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 The proposals in this report will ensure the continued and improved safety of vulnerable residents within our independent living schemes.

7. FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 7.2 This report seeks Cabinet approval to recommence the tendering process and commission an external suitable specialist contractor to design and install a sprinkler system for the properties identified at 4.5 of this report.
- 7.3 The total estimated costs of this scheme are unknown at this stage, pending the completion of the procurement process.
- 7.4 Cabinet have already approved funding in principle totaling £1.750M (Cab.9.1.2019/11 and Cab.13.01.2021/8 refers) as part of the budget processes for 2019/20 and 2021/22 respectively, funded from earmarked HRA reserves. Should the preferred tender price be in excess of these resources, then a subsequent report will be presented to Members to outline how the shortfall will be addressed.
- 7.5 The financial implications are summarised in the attached Appendix A.

8. EMPLOYEE IMPLICATIONS

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

9. LEGAL IMPLICATIONS

- 9.1 There are direct legal implications for the Council arising from this work in that this work will be undertaken following procurement under the Council's Contract Procedure Rules and the signing of a standard form of building contract endorsed by the Borough Secretary.

10. CUSTOMER AND DIGITAL IMPLICATIONS

- 10.1 Before and during the programme of works, tenants will receive dedicated tenant support from Project Liaison Officers as well as our Fire Safety Officer. These officers will explain what will be taking place, support them during the process and provide after care, as necessary. It is fully anticipated that disturbance in tenants' homes will be kept to an absolute minimum but on the rare occasions that a tenant's decoration may be affected, this will be addressed on a case by case basis.

11. COMMUNICATIONS IMPLICATIONS

- 11.1 All tenants involved will be consulted prior to works taking place about when they can expect the works, about preparation for the works, how long they will take and what they can expect during the works. All tenants will be invited to a meeting where they will be able to meet the installer as well as representatives from Berneslai Homes and South Yorkshire Fire & Rescue to discuss any concerns they may have. Part of this meeting will include a presentation and videos showing the benefits of sprinkler systems, how they work as well as information and myth busting.

12. CONSULTATIONS

12.1 Tenants will be consulted about the works as described in paragraph 11 above.

13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

13.1 The works proposed in this report will ensure the properties remain compliant with the Regulatory Reform (Fire Safety) Order 2005 and BS9251:2014 Fire Safety Sprinkler Systems For Domestic and Residential Occupancies which aligns Berneslai Homes Strategic Plan with the Council's Corporate Priorities.

14. TACKLING HEALTH INEQUALITIES

14.1 The provision of a home that is warm, safe and comfortable is a fundamental requirement of the Decency standard, promotes good health and wellbeing and is a fundamental component of basic human rights. These works will form an essential part of ensuring that Council housing stock meets these requirements.

15. RISK MANAGEMENT ISSUES

15.1 Contractual Risk - There are risks in the delivery of any building contract and working in occupied homes can involve additional risks. These risks will be managed and monitored by a contract Core Group consisting of staff from NPS, Berneslai Homes and the Contractor. The Core Group, who will meet on a regular basis throughout the duration of the scheme, will monitor progress, costs, cash flow, performance and customer satisfaction. This should result in timely interventions and/or value engineering to take place should the situation arise. All contractors involved in the works will be thoroughly checked using as required by Council procedures and be experienced contractors.

15.2 Financial risks will be monitored throughout the contract and the successful installer will have financial checks prior to engagement. Additional mitigation will be by payment in arrears following satisfactory completion of stages, retentions and bonds as appropriate.

16. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

16.1 The contract will be undertaken under the requirements of the Construction Design and Management Regulations 2015 which will be managed and monitored by NPS Barnsley on behalf of Berneslai Homes with regular site meetings and inspections. Contractors engaged will have to meet strict health and safety standards.

17. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

17.1 None arising from this report.

18. GLOSSARY

NPS – Norfolk Property Services (Barnsley)

19. LIST OF APPENDICES

Appendix 1 – Financial Implications

20. BACKGROUND PAPERS

- Regulatory Reform Fire Safety Order 2005
- The Hackitt Report – Building a Safer Future
- Fire Safety Bill
- The Social Housing White Paper
- BS9251:2014 Fire Safety Sprinkler Systems For Domestic and Residential Occupancies

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

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