

## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

**REPORT OF: Executive Director - Growth and Sustainability**

**TITLE: High Rise Water Ingress Remediation Works**

<b>REPORT TO:</b>	<b>CABINET</b>
<b>Date of Meeting</b>	<b>21 September 2022</b>
<b>Cabinet Member Portfolio</b>	<b>Regeneration and Culture</b>
<b>Key Decision</b>	<b>Yes</b>
<b>Public or Private</b>	<b>Public</b>

### **Purpose of report**

- To inform Cabinet of, and seek approval for, the intended approach to remedy water ingress issues experienced by residents in the three high rise buildings, Albion House, Britannia House & Buckley House.
- To set out a clear programme of works and cost plan to ensure that compliance with the Regulator of Social Housing's Homes Standard is maintained.
- To approve funding to support the programme of works.

### **Council Plan priority**

Healthy, Growing, Learning & Sustainable Barnsley

### **Recommendations**

That Cabinet:-

- 1. Approve the project to carry out required remedial works through a tendered planned programme of works to be complete predominately within the 2023-24 financial year**
- 2. Approve the required HRA funding for the project up to the total estimated cost of £1.150M.**

## 1. INTRODUCTION

- 1.1 A resident at Albion House, located on the 5<sup>th</sup> floor of the building, initially raised concerns of damp patches appearing on their internal bedroom walls sited on the external elevations of the building following heavy rainfall and driving wind in a certain direction. These patches were intermittent in nature.

Each high-rise block is 7 storeys high comprising of 56 homes. The buildings have a concrete frame with external cavity masonry built off each floor level concrete slab.

- 1.2 Maintenance Surveyors investigated these issues and deemed the source of the water ingress to be from the external elevation during periods of wet weather that was tracking through the cavity and exposing itself on the internal plaster as damp patches and sulphates (white powder) when drying out.
- 1.3 Due to the specialist nature of the works required and design of these in scope buildings, Berneslai Homes commissioned MPA Building Pathologists, an industry leading Damp & Mould expert with RICS & CIOB accreditation, to undertake further investigative surveys to the external walls of the affected properties of Albion House.

Scaffolding was erected to the elevations affected. The outer brick leaf was exposed to a flat at Albion House which had been particularly badly affected by the water ingress. MPA concluded that ineffective cavity trays were the root cause of the ongoing issues the residents were experiencing.

- 1.4 MPA Building Pathologists recommendations in their report are summarised into 5 key points follows:

1. To supply and erect a safe working platform to all elevations of the 3 No. affected similarly constructed blocks, ready to undertake the remedial works recommended.
2. To replace the defective cavity trays with new impermeable formed Damp Proof Membrane material, incorporating an angle fillet to form a sloping profile, in support of the new cavity tray to drain by cavity from inner leaf to outer leaf.
3. To install weep tubes to the perpends (vertical layer of mortar between two bricks) of the outer leaf brickwork, at the base of the newly formed cavity tray, sitting on top of the concrete ring beams.
4. To access and further investigate balcony external door and balcony slab abutment detail, to determine for any on-going defects, together with any arising remedial recommended works required.
5. All works undertaken should be carried out in strict accordance with the Health & Safety at Work Etc. Act 1974.

- 1.5 Following receipt of this report in October 2021, BMBC commissioned Align Property Partners who have provided design support, development, and procurement for the project.

- 1.6 As part of this work, a RIBA Stage 2 Estimate of the works was produced to assist with obtaining approval of funds via this cabinet report to enable a tender to be put out for the works to be completed.
- 1.7 The Stage 2 Estimate proposes costs of £1.028M to carry out the recommended works highlighted in the MPA Building Pathology report, with a 48-week construction period, with 16 weeks work on each block.
- 1.8 Since this investigatory work commenced, to date, the same issues have occurred in other flats across all three high rise blocks.
- 1.9 To date, Berneslai Homes Housing Management Team have continued to liaise with residents, are keeping them updated on progress and are offering support where required.
- 1.10 Berneslai Homes have since supported the resident who was originally affected into a move to a bungalow, but the other residents are still living with the intermittent issues.

## **2. PROPOSAL**

- 2.1 Following the detailed MPA Building Pathology report highlighting the root cause of the issues residents are currently facing, and the Align Property Partners Stage 2 report detailing the scope, programme, and costings, it is proposed that HRA funding is agreed by Cabinet to allow this project to be put out to open tender, so that the necessary remedial works can be done as soon as reasonably practicable for the residents.
- 2.2 Also to note, these three in-scope buildings fall under the scope of the new Building Safety Bill which measures structural integrity and will be subject to a visit by the regulator to obtain building certification during 2023-24. It is therefore imperative that both from a customer and client perspective that these works are prioritised.

## **3. IMPLICATIONS OF THE DECISION**

### **Financial and Risk**

- 3.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 3.2 This report seeks approval to commence the tendering process to commission a suitable external specialist contractor to deliver the water ingress works as described within the body of this report.
- 3.3 Align Property Partners have provided indicative costings at this stage, which are estimated to total cost £1.150M, inclusive of the Council's internal professional fees.
- 3.4 Cabinet has previously approved resources totalling £0.150M for such works as part of the 2022/23 budget setting process [Cab.12.1.2022/6 refers].

- 3.5 The original estimate was highly indicative and since that time, the costs of the scheme have increased as a result of both the current inflationary climate and further clarity being obtained around the scope of works required.
- 3.6 It is proposed to fund the expected shortfall by a combination of identified underspends within the 2022/23 BHS Decency programme (£0.500M) and by 'top slicing' the 2023/24 BHS Decency Programme (£0.500M) as part of the 2023/24 budget setting process. This proposal represents good financial management in terms of ensuring that the total resources available for investment are not overcommitted.
- 3.7 Therefore, the overall resources proposed for this scheme are summarised in the table below:

	<b>£M</b>
2022/23 Original Estimate – Approved via HRA Budget Process	0.150
2022/23 BHS Programme – Reallocation of Current Resources	0.500
2023/24 BHS Programme – As Part of the 2023/24 Budget Setting Process	0.500
	<b>1.150</b>

- 3.8 Both Council and Berneslai Homes officers will continue to monitor the financial position across all of the housing capital programme to ensure that any pressures are mitigated accordingly. Should other significant pressures present themselves, a further reprioritisation exercise would be required.
- 3.9 The financial implications are summarised in the attached Appendix A.

### **Legal**

- 3.10 Section 198A of the Housing and Regeneration Act 2008 (as amended) states that the regulator's regulatory and enforcement powers may be used if a registered provider has failed to meet a consumer standard (which includes the Home Standard). In order to use regulatory or enforcement powers, as well as the failure to meet the standard, there should also be reasonable grounds to suspect that the failure has resulted in a serious detriment to the provider's tenants (or potential tenants) or that there is a significant risk that, if no action is taken by the regulator, the failure will result in a serious detriment to the provider's tenants (or potential tenants).

### **Equality**

- 3.11 An equality Impact Assessment will form part of the tender process.

### **Sustainability**

- 3.12 Decision-making wheel completed:



- 3.13 Dependant on sub-contractor, the project of works *could* be delivered locally potentially adding a positive impact to Local Spend.

These works will have a high impact in ensuring our residents homes are safe and of quality within the borough.

Naturally the works will result in an amount of waste being produced having a minimal low impact.

### **Employee**

- 3.14 There are no employee implications arising directly from this report.

### **Communications**

- 3.15 As part of the ongoing Communications Strategy, a meeting was held on Thursday 9<sup>th</sup> June 2022 with members of the Tenants Voice Panel and BH Communications Manager to agree how to communicate important changes to customers.

Key officers in the Contact Centre have been made aware of the imminent works to ensure that they can effectively communicate the importance of this work to customers.

#### **4. CONSULTATION**

- 4.1 Consultation has taken place with BMBC Director of Finance, Housing Service Director and the Head of Strategic Housing, Sustainability and Climate Change.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Options considered are whether works can be delivered to start on site within the 2022-23 financial year, or whether this should be captured within the 2023-24 financial year. Timeframes surrounding tenders have concluded this.

#### **6. REASONS FOR RECOMMENDATIONS**

- 6.1 The recommendations put forward in section 2 are to ensure we continue to effectively manage our housing stock in line with current regulatory requirements, and BMBC and Berneslai Homes priorities.

#### **7. GLOSSARY**

BMBC – Barnsley Metropolitan Borough Council  
HRA – Housing Revenue Account  
DPM – Damp Proof Membrane  
RIBA – Royal Institute of British Architects  
RICS - Royal Institute of Chartered Surveyors  
CIOB – Chartered Institute of Builders  
MPA – Michael Parrett Associates

#### **8. LIST OF APPENDICES**

Appendix A: Financial Implications

#### **9. BACKGROUND PAPERS**

Technical report available upon request.

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

#### **10. REPORT SIGN OFF**

<b>Financial consultation &amp; sign off</b>	<i>See Appendix A.</i>
<b>Legal consultation &amp; sign off</b>	Jason Field, Head of Legal Services 24/08/2022

**Report Author: Berneslai Homes**  
**Post: Head of Repairs Maintenance & Building Safety**  
**Date: 05/08/2022**