

TITLE OF REPORT: Building Safety Compliance Update January 2022

Purpose of Summary

1. To provide an update on the current position of building safety and compliance within the Council property portfolio. This report will contain information for both domestic and non-domestic buildings.

Background

2. Gateshead Council own and operate over 350 non-domestic buildings and 19,100 domestic properties across the Borough. This includes social housing, schools, tied accommodation, residential, public, and commercial buildings.
3. The Council has a duty to identify and manage hazards within its buildings, and to ensure specific levels of health and safety are maintained, usually met through risk assessment, and planned maintenance programmes, as well as reactive repairs and timely remedial actions.
4. Domestic properties are subject to reactive inspections by the Regulator of Social Housing at least once every four years, with Gateshead likely to be audited within two years after the lifting of the Regulator notice in November 2021. A similar inspection regime is expected after the Building Safety Bill is enacted for those buildings within scope of the Act.
5. This report should be read in conjunction with the detailed action plan report for domestic buildings. In time there will be a similar report for non-domestic buildings. A compliance overview for the non-domestic properties is at table 1 and 2 of this report as an interim guide.

Current Position - Domestic Buildings

Key Risks

6. Legionella risk assessments have not resumed.
7. Lack of internal resource to complete remedials from risk assessments and inspections.
8. Crowhall Towers safety programme impeded by asbestos.
9. Management of specialist contractors failing to meet programme dates
10. Strain on budgets from statutory fire structural surveys and fire strategies.

11. Fire safety plan at Redheugh and Eslington not fully implemented.
12. Active 'headhunting' of staff.

Fire Safety

13. Fire risk assessments are up to date.
14. The December target for high rise block remedials was not met. 6 of 12 are now targeted to be completed in January and an update awaited on the remainder.
15. AECO "gateway links" for detection systems within individual flats at Redheugh and Eslington Courts have been installed as a key part of the fire safety action plan required by Tyne and Wear Fire and Rescue Service. Carecall are not now able to provide a call handling service for alarm activations. This has been escalated to directors for resolution.
16. Flat fire door inspections are on hold until the Northgate risk assessment module enhancements are completed. This is currently delayed due to a module fault.
17. The Tyne & Wear Fire & Rescue Service/Gateshead Council high-rise action group is now in place and meeting quarterly.
18. Fire strategies are now subject to review for award to external contractors following the resignation of inhouse resource. Budget implications for the high rise strategies of £117,000k are expected, and mid rise block strategies £126k. These require sign off by an accredited fire engineer which we will no longer have in house and cannot compete with other local housing providers to recruit. Advice is being sought as to whether our Building Safety Manager and Senior Building Safety Officer (Fire) can complete these by referring to the external wall survey as a separate and accredited document.
19. The overall cost of the loss of the Building Safety Team inhouse fire engineer resource, considering point 21 below, will be up to £383k. Local housing providers are now recruiting to Building Safety roles at far higher salaries than the Council is able to offer and with significantly better conditions. There is a risk of losing other key members of the team in the near future.

Building Safety

20. High rise block external wall surveys are to be contracted to Hydrock for completion this financial year. Expected cost is £160k for high rise blocks.
21. Mid-rise block external wall surveys will be sub-contracted after the loss of internal resource. Budget implications of £140k are expected.
22. Fire evacuation strategies are still planned to be completed by inhouse staff following completion of the structural surveys and overarching strategies which require an accredited fire engineer.
23. The Building Safety Manager and the Business, Performance and Customer Services Manager are leading on a resident engagement strategy and a high rise block Residents Influence Panel comprised of residents from all areas of council housing stock.

24. The team has created a partnership with Leeds City Council to share information, policy, and procedures.
25. Team members are now part of a national group reviewing emerging legislation and how different organisations are planning to meet these requirements. The group are informing government policy via the Building Regulations Advisory Committee – the statutory advisory body that the Secretary of State will consult on proposals to make or change building regulations.

Asbestos

26. The programme to monitor known asbestos containing materials is on target.
27. 13 of 419 'butterfly' roof properties have had their loft hatches sealed to restrict access to potentially high risk asbestos insulation within the loft spaces. Discussions are ongoing due to a lack of internal resource to complete the remaining remedial works.
28. Significant amounts of damaged asbestos at Crowhall Towers has prevented implementation of water safety work and flat decommissioning. Risk assessments will be conducted for risks to remaining occupants and to the demolition plan.

Electrical Safety

29. The fixed wire testing programme is on target. This is year 3 of 5.
30. All remedial works are now subcontracted and working within target completion dates.
31. 80.4% of properties have had an electrical inspection within the last 5 years.

Gas Safety

32. 20 gas services are out of time. 19 are in the legal warrant process for access.
33. Gas servicing is currently 99.88% compliant across council domestic buildings.
34. Solid fuel servicing is up to date.

Domestic Lifts

35. Most of the lift service and inspection programmes are now behind schedule. This is due to a lack of resource within Construction Services who are now managing the various contracts, and complications with the Northgate system. This has been escalated to director level for resolution.
36. Planned use of the new Northgate Service and Inspection module is on hold with no dates for when it will be made fit for purpose.

Water Safety

37. The legionella risk assessment programme has not resumed as planned due to a lack of internal qualified resource.

38. A procurement exercise has been put on hold after initial prohibitive cost estimates. The original Plumbers plus option is being revisited.
39. The programme of works profiled on risk priorities and then archetype data collation is ready to go once resource is identified.

Non-Domestic Buildings Key Risks

40. Issues surrounding competency and control leading to inappropriate measures in place.
41. Lack of core IT system use and no 'single version of the truth'.
42. Lack of budgetary controls to manage buildings, budget constraints in general.
43. Lack of resource to honour service level agreements for legionella risk assessments and asbestos surveys, reviews and training.
44. Lack of controls for safe letting of surplus buildings.

Current Position

45. Table 1 gives an overview of the evidenced compliance position of Council owned buildings. These figures are affected by a lack of centralised records and no controls over the requirement for the various responsible persons to provide their compliance records.

Table 1 Council Owned Buildings

Type Category	Count	Gas	Electric	Asbestos Monitoring	Asbestos Management	Lifts Service	LOLER	Auto Door	Roller Shutter	Fire	Emergency Lighting	Lightening Protection	Portable Fire
School	75	54.39%	8.77%	35.09%	21.05%	10.53%	3.51%	3.51%	0.00%	61.40%	28.07%	38.60%	70.18%
Tied Accom	13	7.69%	7.69%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Residential	8	62.50%	0.00%	12.50%	25.00%	0.00%	0.00%	0.00%	0.00%	62.50%	62.50%	25.00%	87.50%
Public Building	162	24.07%	20.99%	11.73%	17.28%	2.47%	1.23%	1.23%	0.00%	54.94%	41.98%	19.14%	41.36%
Commercial	92	1.09%	29.35%	2.17%	4.35%	0.00%	0.00%	0.00%	0.00%	3.26%	4.35%	1.09%	2.17%
Bridge	1	0.00%	0.00%	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	0.00%
Empty	16	6.25%	18.75%	6.25%	12.50%	0.00%	0.00%	0.00%	0.00%	31.25%	18.75%	6.25%	6.25%

46. Table 2 gives the current position for fire risk assessments and legionella risk assessments.

Table 2 risk assessment buy backs

Type Category	Number	WHRA in date	FRA in date
School	75	34.67%	77.33%
(Schools in Buy back)	65	61.54%	N/K
(Schools not in Buy Back)	10	10.00%	N/K
Tied Accom	13	0.00%	0.00%
Residential	8	25.00%	75.00%

Public Building	162	23.60%	45.96%
Commercial	92	0.00%	2.22%
Bridge	1	0.00%	0.00%
Empty	16	0.00%	13.33%

47. Each non-domestic building will be reviewed, its compliance assessed, and any necessary actions detailed for escalation. Due to the lack of centralised records much of the review is a manual process.
48. Action plans for schools are not within Council budget control. A meeting with school responsible persons is planned to discuss the service to schools offer, and to emphasise the need for competent persons to control building safety and compliance.
49. Building Safety Team discussions with a concerning number of persons stating they have a Responsible Person role have found a lack of knowledge regarding what should be done in relation to keeping a building and occupants safe. This will be addressed as in point 49 above and via the Corporate Landlord function when implemented.
50. A review of service level agreement buy back delivery has found significant gaps in what has been provided against statutory requirements. Much of this has now come into the Building Safety Team remit where there is very limited resource. Rectification of this will be made as the various risk assessments are completed and subsequent action plans formed.
51. The Building Safety Team are actively delivering safety advice, site assurance visits and training across the non-domestic portfolio.
52. A process for safe letting of surplus or commercial buildings is being consulted on. This intends to put in place checks and measures to ensure no building is leased out in an unsafe manner, that new occupants understand their safety duty, all are given an option to buy into Council services and the physical lease correctly details the repairs and maintenance responsibilities.

Recommendation

53. The views of the Group are sought.