

Agenda item:

[No.]

Cabinet

On 20 April 2010

Report Title. Fire safety update – Funding for fire prevention works as Statutorily Mandated to all Council properties.	
Report of Niall Bolger, Director of Urban Environment	
Signed :	
Contact Officer : Martin Hctor, Repairs Client Manager, Homes for Haringey (020 8489 1048)	
Wards(s) affected: Hornsey, Noel Park, St Ann's, Stroud Green and West Green wards.	Report for: Key decision
<p>1. Purpose of the report (That is, the decision required)</p> <p>1.1 To update Cabinet on fire safety in Haringey Council owned stock following an earlier report in September 2009.</p> <p>1.2 To enable the release of resources for work identified as necessary in September 2009.</p>	
<p>2. Introduction by Cabinet Member.</p> <p>2.1 This report covers the funding of a range of fire protection and prevention works to Council Properties as a consequence of recent Fire Risk Assessments carried out by HfH in compliance with the Regulatory Reform (Fire Safety) Order 2005.</p> <p>2.2 These mandatory works will go a long way towards preventing any occurrence of recent tragic events in some neighbouring London Boroughs and assuring Haringey Residents that their safety and well being remains a high priority with their Council.</p>	

3. State link(s) with Council Plan Priorities and actions and /or other Strategies.

3.1. Homes for Haringey have in place an Asset Management Strategy and Environmental Sustainability Strategy which not only provide a strategic framework for delivery of the Decent Homes and associated Environmental Improvements programme, but also ensures that following the September report, which approved the release of resources to fund works at Broadwater Farm and Campsbourne Estate, Homes for Haringey has progressed the design work to improve fire safety on those two estates and reviewed the remainder of the stock to identify any other blocks with “scissor” construction. The objectives of these strategies are not only closely linked to the Council’s Greenest Borough Strategy, the Sustainable Procurement Strategy, Regeneration Strategy and Asset Management Plan, but above all seek to place the continued safety and well being of its Housing Tenants and residents at the centre of all these strategies.

4. Recommendations

4.1 Members are requested to note the findings of the surveys at Chettle Court, Edgocot Grove and the Sandlings

4.2 Members are asked to release additional funding to allow the work recommended in September 2009 to proceed to completion.

5. Reason for recommendation(s)

5.1. To ensure the safety of residents living in Haringey Council owned housing stock.

5.2. Members are not being asked to approve tenders in this report; the specific scheme reports have already been or will be submitted to Procurement Committee.

6. Other options considered

6.1. See summary.

7. Summary

7.1 Background

In September 2009, a report to the Council’s Cabinet identified nine maisonette blocks at Broadwater Farm and two at Campsbourne Estate in which the upper storey crosses over the common internal corridor; and sought up to £2.0m for works to improve safety.

The Council approved the release of the first £0.5m of £2.0m, subject to a further report on whether there were any other blocks of a similar construction.

Work is currently on site at Campsbourne and, subject to the approval of this report, the Council's Procurement Committee approved the work at Broadwater Farm in mid-February. Costs are contained within budget estimates.

7.2 The review of the remainder of the stock

Homes for Haringey has not identified any other blocks which conform to the general description of scissor construction, but there are three estates where the staircase in one property runs directly above the stairs in another:

- a) at Chettle Court and Edgecot Grove, there is a small area in adjacent properties where one staircase overlaps another which requires further assessment as to its fire integrity, and officers are waiting for a suitable property to come void in order to carry out destructive investigations. This is not considered a high risk.
- b) At The Sandlings, there is a requirement to ensure adequate smoke dispersal around the entrance lobbies to some individual dwellings. Homes for Haringey is looking at options to address this deficiency with colleagues from Building Control.

7.3. Progress at Broadwater Farm and Campsbourne

7.3.1 Works at Koblenz and Rhein House on the Campsbourne estate commenced on 1st February and are now complete. The works at Broadwater Farm have been divided into two projects: the internal works commenced on the 1st March and the communal works are programmed to commence mid March after the expiry of the statutory leaseholder consultation period on 24 February; and are due for completion in August and October 2010 respectively. Virtually all the costs will fall within 2010/11.

The nine blocks at Broadwater Farm are: Croydon, Debden, Lympe, Hawkinge, Hornchurch, Manston, Martlesham, Rochford and Stapleford.

The scope of the proposed work at Campsbourne and Broadwater Farm, and the budget costs were as follows:

Element	Unit costs (£s)	Number of units	Total cost (£000's)
Under-stairs fire protection	400	418	168
Replacement of fire doors	3,000	378	1,134
Smoke/heat detectors	600	378	227
Fire stopping ducts			146
Smoke dispersal			Uncosted
Contract management			325
		Total	2,000

Tenders were reported to Procurement Committee in February and, at £1,740,273, were below the budgeted £2m value; in addition to releasing the £1,240,273 in line with the procurement, it would be prudent to retain the balance of £259,727 within the HRA working balances in case of further fire safety requirements.

7.3.2 Leaseholders

With regard to the works inside leasehold flats, leaseholders have been advised that they will be responsible for the works and provided with a time frame of three months in which to arrange for the works to be completed. They will also be provided with the option to arrange for our constructor to carry out the works.

7.3.3 As a result of applications made under the Right to Buy legislation, there are **82** leaseholders living in the properties affected by the works described in this report. The number of leaseholder dwellings where the Section 125 Notice is within the 5 year period is **23** while the number outside the period is **59**.

7.3.4 Under the terms of their lease the lessee is required to make a contribution towards the cost of maintaining in good condition the main structure, the common parts and common services of the building. Such contributions are recovered by the freeholder through the lessees service charge account. A proportionate part of the cost of works to the common parts of the buildings (i.e. works other than to the inside of flats) will be recovered from leaseholders in accordance with the terms of their leases.

7.3.5 In accordance with The Service Charges Regulations 2003, under schedule 3, notice was issued on **26th January 2010** to expire on **24th February 2010**.

7.3.6 The notice gave a description of the proposed works to communal parts and provided details for the estimated costs of the works. The statutory consultation commenced **26th January 2010**.

7.3.7 The total amount estimated to be recovered from the **82** leaseholders is **£29,149.73**. This is broken down as follows:

- Leaseholders within the 5 year Section 125 period total estimated recoverable charges **£0.00**.
- Leaseholders outside of the 5 year Section 125 period total estimated recoverable charges **£29,149.73**.

7.3.8 The charges to all **82** leaseholders are limited to the estimates contained in their Offer Notices. Each invoice will be calculated on the basis of the stage payments and other costs incurred in respect of the contract during the year. The invoice will be payable interest free over a period of up to three years. For longer periods interest is chargeable, currently at 7.5%.

7.3.9 No works will commence on site until completion of the notice period or if there is an outstanding leasehold enquiry as a result of the notice.

7.4. On going Fire Risk Assessments

7.4.1 All blocks of five or more storeys have now been assessed; high rise buildings are being re-assessed around their anniversary dates and all buildings in which major works have been carried out are re-assessed following practical completion. At present, initial assessments are focussed upon medium rise buildings (3/4 storeys).

7.4.2 There is a detailed programme to complete assessments for 400 locations by June 2010, and an outline programme to complete assessments for all buildings with common parts by March 2012 has been discussed with the Fire Authority.

8. Chief Financial Officer Comments

8.1 The total cost of Fire Protection works is now estimated at **£1,742,296.22**, an improvement from the original estimate of £2m that was included within the HRA Medium Term Financial Strategy. **£500,000** has already been allocated from HRA balances and is included with the projected balances figure of more than £7m at the end of the financial year.

8.2 Thus the additional expenditure of **£1,242,296** can be approved whilst still allowing HRA balances to remain well above the target figure of £5m.

9. Head of Legal Services Comments

9.1 The Head of Legal Services is satisfied that the requirements of the Service Charges (Consultation Requirements) (England) Regulations 2003 have been met and that Haringey will be able to recover a proportionate part of the cost of the works to communal parts of Broadwater Farm Estate from leaseholders.

9.2 Leaseholders are responsible for work inside their flats and have been advised of a 3 month time frame for completing these and also of an option to arrange for the Council to carry them out.

9.3 The Head of Legal Services was requested to comment on the report submitted to the Cabinet on the 8th September 2009, which approved the release of initial allocation of funds from the HRA general balance for the works and noted that officers would be developing a comprehensive programme which is the subject of consideration in this report.

9.4 The Head of Legal Services has been consulted in the preparation of this report, and advises that in view of the confirmation given in the report to Cabinet of the 8th September 2009, that the ongoing preferred remedial option will continue to meet current building control Regulations, there are no other specific legal implications arising out of this report.

10. Head of Procurement Comments

n/a

11. Equalities and Community Cohesion Comments

11.1 Homes for Haringey's Asset Management Strategy, 2007/2017, covers all investment in the Councils housing stock, including the works contained within this report. In drawing up the Strategy, an Equalities Impact Assessment was undertaken. The findings have been incorporated into Homes for Haringey's planning processes for delivering decent homes. This includes ensuring that all residents receive the same standard of work, and consideration of specific language and other needs are identified and addressed when drawing up programmes of work.

12. Consultation

12.1 Due to the limited work required at Koblenz and Rhein House, a letter was sent to residents informing of the works required. Consultation at Broadwater Farm involved an open day on 1st February 2010.

13. Service Financial Comments.

13.1 Cabinet received a report on 8th September 2009 concerning fire safety works at blocks in Haringey that were built with a construction style described as scissor blocks. Cabinet noted the report and the estimated cost of £2 million to carry out fire precaution works at the affected blocks. An initial release of £500,000 from the Housing Revenue Account (HRA) balances for the works in 2009/10 was approved. Further estimated expenditure of £1.5 million has been incorporated in the draft HRA Medium Term Financial Strategy for 2010/11.

13.2 The total cost of works at Broadwater Farm proposed in this report is **£1,470,273.42**. Other works in Hornsey and South Tottenham are estimated to be £272,022.80, (Hornsey £28,298.06 and South Tottenham £243,724.74), which can also be funded from HRA reserves. The total cost of the works at both sites amounts to £1,742,296.22.

13.2 Value for money has been achieved in the project through approved framework agreement as set out in paragraph 3.2. There is also an agreed maximum price for the works.

14. Use of appendices /Tables and photographs

n/a

15. Local Government (Access to Information) Act 1985

- a. Cabinet report 17 8 September 2009