



Agenda

Housing Committee

Wednesday, 21 December 2022 at 7.00 pm

Council Chamber, Town Hall, Ingrave Road, Brentwood, Essex CM15
8AY

Membership (Quorum – 3)

Cllrs White (Chair), Mrs Pearson (Vice-Chair), McLaren, S Cloke, Mrs N Cuthbert, Mrs Davies,
Mrs Hones, Kendall and Slade

Substitute Members

Cllrs Fryd, Lewis, Hossack, Mrs Murphy and Poppy

Agenda

Item	Item	Wards(s) Affected	Page No
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Live broadcast

[Live broadcast to start at 7pm and available for repeat viewing.](#)

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10.	Damp & Mould Update To follow.	
11.	Rent Setting Policy 2023-2024	159 - 170
12.	Fees & Charges	171 - 182
13.	Axis extra over inflation increase request This item is exempt from the press and public.	
14.	Landlord Offer Harewood Road Regeneration This item is exempt from the press and public.	
15.	Strategic Housing Delivery Plan (SHDP) This item is exempt from the press and public.	
16.	Urgent Business	



Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
13.12.2022

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate, If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

these activities, in their opinion, are disrupting proceedings at the meeting.

 **Private Session**

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 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.



Minutes

Housing Committee Tuesday, 11th October, 2022

Attendance

Cllr White (Chair)	Cllr Kendall
Cllr Mrs Pearson (Chair)	Cllr McLaren
Cllr Cuthbert	Cllr Slade
Cllr Mrs Davies	
Cllr Mrs Hones	

Apologies

Cllr S Cloke

Substitute Present

Cllr Lewis

Also Present

Cllr Barber
Cllr Sankey

Officers Present

Angela Abbott	- Corporate Manager - Housing Needs and Independent Living
Niamh Butler	- Governance and Member Support Officer
Nicola Marsh	- Corporate Manager - Housing Estates
Paulette McAllister	- Programme Lead - Strategic Housing Development Programme
Claire Mayhew	- Corporate Manager (Democratic Services) and Deputy Monitoring Officer
Julian Higson	- Interim Director of Housing
Danny Hughes	- Surveying Director - Hamson Barron Smith

192. Apologies for absence

Apologies were received from Cllr Cloke, with Cllr Lewis substituting.

193. Minutes of Previous Meeting

The minutes of the Housing Committee held on the 27th June 2022 were approved as a true record.

194. Variation of the agenda

Cllr White proposed to vary the agenda and take Items 10, 11 and 12 ahead of Item 9 which was to be discussed in private session. This was approved by members.

195. Chairs Update

The report began on page 9 which highlighted the work the Housing Department have done.

Cllr White welcomed Julian Higson, the new Interim Director of Housing to the team as well as Carol Burton, the new Interim Corporate Manger – Technical Services.

196. Harewood Regeneration

A presentation was given by Danny Hughes from Hamson Barron Smith alongside Paulette McAllister detailing the Harewood Regeneration Project to committee members.

197. Key Performance Indicators

Key Performance indicators are collected across all services in the Housing Department and help monitor how they are performing across a set list of key areas.

The report presented these Key Performance Indicators to Members of the Housing Committee with a commentary for each one which details why they are under performing and noting where a high level of performance has been achieved.

This item was for information only and no vote was required.

198. Policy Schedule

The report is for members to note and presents the Policy Review Schedule to ensure that the Housing Department has the relevant Strategies and Policies in place in order to provide a clear framework of its responsibilities.

This item was for information only and no vote was required.

199. Aids and Adaptation Policy

The report presented the Aids & Adaptations Policy (2022-2027) which covers the Aids and Adaptations placed into the Council's Housing Revenue Account (HRA) properties.

The policy replaces the Aids & Adaptations Policy, which was approved by the Community, Health & Housing Committee on the 5th March 2018.

The policy provides a clear framework to manage adaptations within its Housing Stock to ensure that properties already adapted for disabled needs are utilised before further adaptations are completed.

A motion was **MOVED** by Cllr White and **SECONDED** by Cllr Pearson to agree the recommendation to this report.

Following a full discussion, it was **RESOLVED UNANIMOUSLY** that:

Members are asked to:

R1. To approve the Aids & Adaptations Policy included in Appendix A.

Reasons for Recommendation

To ensure our current policy is transparent and covers our aims and objectives.

200. Succession Policy

The report presented the Succession Policy (2022-2027) to the Committee for approval.

The policy provides a clear framework for when considering applications for Statutory succession of tenancy in accordance with the Housing Act 1985 and the amendments in the Localism Act 2011 and where a Statutory Succession has already taken place consideration under the Local Policy to ensure that the Council is transparent in its processes and procedures.

A motion was **MOVED** by Cllr White and **SECONDED** by Cllr Pearson to agree the recommendation in the report.

Following a full discussion, it was **RESOLVED UNANIMOUSLY** that:

Members are asked to:

R1. To approve the Succession policy included in Appendix A.

Reasons for Recommendation

To ensure that the Housing Department has a policy covering the way that applications for Succession are managed and how tenants/applicants will be treated.

As agreed earlier in the meeting, the agenda was varied to address Item's 10, 11 and 12 ahead of Item 9.

201. Member estate visits

The report presented the Member Estate Inspection Schedule.

A motion to amend the recommendations was **MOVED** by Cllr White and **SECONDED** by Cllr Pearson to remove R2 and amend R1 to read as follows:

R1. To approve a member estate inspection schedule to be maintained on an ongoing basis

Following a full discussion, it was **RESOLVED UNANIMOUSLY** that:

Members are asked to:

R1. To approve a member estate inspection schedule to be maintained on an ongoing basis by officers.

R3. Members are requested to approve the setting up of a Cross Party Working group to review overall outcomes of Estate Inspections to be presented at future committees.

Reasons for Recommendation

To provide members with a clear overview of the condition of our estates and progress of the Strategic Housing Delivery Programme.

Cllr White moved standing orders to continue for thirty minutes, this was agreed by committee members.

202. Strategic Housing Development Programme

The report summarised progress of the development of a pipeline of new affordable homes through the development and regeneration of various Housing Revenue Account (HRA) owned sites. As a reminder, this Strategic Housing Delivery Programme (SHDP) is made up of two distinct elements, 1) the regeneration of Brookfield Close and Courage Court, Hutton to develop 62 zero carbon homes alongside the Harewood Regeneration Project consisting of around 40 new zero carbon homes, and 2) the development of a range of smaller HRA sites to deliver a further 80 Zero Carbon homes on a further 8 council owned sites.

The Council's Corporate Strategy 'Brentwood 2025' commits to Introducing "innovative Carbon reduction and absorption schemes", "identify opportunities for low emission and green developments" and using "brownfield sites efficiently, such as council owned garage sites, to provide affordable homes...".

This item was for information only and no vote was required.

203. Urgent Business

There were no items of urgent business to be discussed.

204. Exclusion of the press and public

Cllr white **MOVED** and Cllr Pearson **SECONDED** that the public were excluded from Item 9 on the grounds that it may disclose exempt information as defined in schedule 12A of the Local Government Act 1972. This was approved by committee members.

205. Balcony Project Contract Approval

The Council is responsible for the management and maintenance of its housing stock and members may be aware of the significant maintenance requirement to the timber balconies at Whittington Road and Colet Road. The report seeks the committee's approval to seek tenders for the works as set out in this report.

Cllr White **MOVED** and Cllr Pearson **SECONDED** that the wording of the recommendation was changed from "to issue" to "select and award". This was agreed by all committee members.

Following a full discussion, it was **RESOLVED UNANIMOUSLY** that:

Members are asked to agree:

R.1. That delegated authority is given to the Strategic Director and, Section 151 officer acting in consultation with the Housing Committee to seek the Council's approval to select and award the tender for the replacement balconies Capital project as set out in this report.

Reasons for Recommendation

The balconies form part of the amenity space for each flat and part of their leasing arrangements and so the Council are required to make the necessary repair or replacements to fulfil its obligations.

The meeting concluded at 9:11pm.

Committee: Housing Committee	Date: 12 th December 2022
Subject: Chairs Update	Wards Affected: All
	For Information

Resident Engagement

Officers have recently re-designed Resident Engagement in line with the Regulatory changes coming into effect in April 2023.

The housing team is aware that not every resident will have time or want to get involved therefore the new resident menu of involvement has something for everyone. This could be as simple as receiving a quarterly Housing Bulletin and occasional digital survey, through to sitting on one of the new resident panels.

Full information and sign-up forms can be found on the Council Housing 'How to get Involved' page.

In December Housing will also be opening our first 'Resident Living Room' in the newly renovated community room at Gibraltar House.

Created not just for Tenants and Leaseholders but available to any resident of the borough, the aim is to provide a warm, welcoming and safe space for residents to talk.

Working with external partners, we are looking to introduce workshops on a variety of prevalent topics as well as being able to invite Tenants and Leaseholders in to complete income and expenditure forms, discuss their Tenancy or simply request help where needed.

Currently open Wednesday's 10am until 1pm, we are hoping to increase these hours over the next few months as officers have more of a presence on estates.

Ordinary Council – Member questions

A number of members raised questions to the Chair of Housing at the Ordinary Council held on 2nd November which it was suggested in response either were or could be matters to be covered at Housing Committee on 12th December. For completeness, and for the benefit of members not attending the Committee, summaries of the questions and answers are provided below:

Reviewing Contract Performance – 2 questions

Cllr Davies noted that there were high satisfaction rates for the Capital replacement programme for kitchens and bathrooms and the work has been completed to a good standard.

However, there are high number of reports of poor performance and response times for emergency repairs but noted that when issued are raised with Officers they are immediately reviewed. Has there been a review of the emergency repairs performance.

Cllr Aspinall noted that Pilgrims Hatch have an overwhelming example of bad practice and workmanship from the repairs contractor and is not sure whether that is from direct employees themselves or from subcontractors they may employ but it is getting worse and some of them are very serious incidences. Would it be helpful to have a review of the Repairs contract.

Performance of all workstreams within the strategic asset management contract, including repairs, is monitored. In addition to this, an annual review of the contract is completed. We are reviewing the key performance indicators to improve what information is brought to this Committee and there is a report on tonight's agenda.

Contractor Behaviours – 1 question

Cllr Laplain raised that he had been approached by residents at The Gables which is a Sheltered Housing Complex regarding the recent planned works that were undertaken at the Block which included installation of communal doors and other maintenance works, particularly around the insensitive way Contractors were maintaining the areas such as dust across corridors which are very narrow. Is there a Policy in place around the support that is provided to residents.

Prior to any planned works commencing, our partnering contractor, Axis Europe, must provide risk assessments and method statements (RAMS). RAMS are an important health and safety document that is completed by the contractor to identify the steps to be undertaken to carry out a specific activity or task in a safe manner. The RAMS are utilised in conjunction with the risk assessment process. Risk assessments are used to record hazards identified for the project, assess the likelihood and severity of risks and to plan adequate control measures to eliminate or reduce those risks. For this project all cutting equipment used is fitted with dust shrouds to limit the release of dust when cutting the architrave on site. The works required do not generally cause an extensive amount of dust.

There is also a site management team which comprises of a Site Manager who visits site daily and a Resident Liaison Officer (RLO), for residents to contact throughout the working day if they have any concerns. In addition to the site management team, the specialist FRA Third Party Accredited subcontractor also have a building works supervisor, who attends the site every day. Periodic work in progress inspections are also carried out on a regular basis by the Cyclical Projects Co-ordinator.

Cllr Kendall – When will the sprinklers in Drake House and Chichester House be completed?

The sprinkler installation at Drake House is due to be completed before the end of this financial year. The design of the sprinkler system for Chichester House is being prepared. Once this is completed the project will be tendered with the aim to commence works early in the new financial year.

Fire Risk assessment capital programme

Drake House - Phase 2 of Drake House is now underway to install a sprinkler system throughout the block which has been approved by the Fire Service. Tenders have been returned and are being reviewed to ensure value for money is achieved. At present there is not sufficient money in the budget to complete this project in the current financial year due to the increase in costs across the construction industry this year. It will be included in next year's programme.

Chichester House – As with Drake House, a sprinkler system installation has been recommended for this block which has been approved by the Fire Service. A full design of the of the sprinkler system has now been commissioned to provide a revised specification of works. This will go out to tender once the the design and specification are completed.

St Georges Court/Elizabeth House – The flat entrance fire door replacement programme has now been agreed following negotiation with Axis to use an alternative manufacturer who can manufacture and install their own door-sets to avoid delays in lead time for doors that had previously been experienced in Phase 1 of the FRA (Fire Risk Assessment) project. Currently the programme of work is being prepared by Axis. An issue has been identified at Elizabeth House where asbestos insulation board (AIB) has been detected within the panels of the suspended ceilings. These will need to be removed before any FRA works including the flat entrance fire doors can be completed.

Scooter Stores – Sheltered Schemes – Following the implementation of the Mobility Scooter Policy, and in consultation with the Council's Fire engineer to construct scooter stores within five of the sheltered blocks across the borough the Council's FRA technical Consultant has been commissioned to provide the design/specification together with pre-tender estimates for this work to be carried out in the next financial year.

Commercial Heating Major refurbishment works Capital Programme

St Georges Court - Works are nearing completion with the project completion expected by the end of December 2022.

Victoria Court – Works are progressing well, with the commercial heating refurbishment due to be completed in February 2023. The boiler house roof replacement is scheduled to be undertaken by Axis in April 2023.

Kitchen & Bathroom Capital Replacement Programme

The Council's kitchen and bathroom programme which commenced on the 11 April 2022 will see 215 homes received a kitchen and/or bathroom improvement. Resident satisfaction remains high. This year's programme is expected to be completed by the end of January 2023.

Service issues

We were notified of an equipment failure of our Tunstall Careline equipment which had affected 35 Sheltered Housing Properties in Danbury Close, Georges Drive and Ongar Road on 17 November 2022. The Housing team were on site for much of the day to reassure and discuss any individual concerns residents had and to carry out safety checks to the property. Tunstall Engineers were also on site and had managed to reinstate the supply to Danbury Close overnight, but unfortunately the system failed again the following morning. Engineers continued to try to detect the cause of the fault, which the indications are that it could be due to the heavy rain we have experienced which may have caused defects to the underwired cabling. As a precautionary measure due to the uncertainty as to whether we can fully reinstate the supply ahead of the weekend, the Housing Team along with Axis visited every affected property to check the secondary hard wired smoke detectors and where necessary have been fitting additional alarms where there is no 2nd alarm. All residents were also offered a disbursed alarm to be installed as a short-term measure until the hard-wired system is operational, however all residents have currently refused this option. There were a small number of residents that we could not carry out the additional checks due to them being away or on holiday and letters were hand delivered to these properties to advise them of the issue and asking them to contact us on their return.

As a wider precautionary measure, the Housing Team had also been carrying out further pull cord checks on Sheltered Properties in the Pilgrims Hatch area to check that no additional properties were affected by the issue which has confirmed that the issue is limited only to the 35 properties above.

Tunstall Engineers remained on site that day however, we are advised that it unlikely that they will be able to fully reinstate the equipment until next week. Our sheltered Housing Duty Officer was aware of the situation should there be any further difficulties over the weekend.

Access was required to a specific property in Danbury Close to enable the fault to be rectified. Arrangements were made with the resident for Tuesday 29 November and Tunstall replaced cabling from Danbury Close to Ongar Road. Checks were completed on the system in Danbury Close, Ongar Road and Georges Drive which confirmed the system was working.

Housing Needs update

Congratulations to the Housing Options Team who were part of a team that won an award at the Essex Housing Awards 2022 in November for their partnership working with the Mid Essex Rough Sleepers Initiative Outreach service which includes Essex County Council, Essex Partnership Foundation and nine District Councils, including Brentwood, Braintree, Castle Point, Chelmsford, Epping Forest, Harlow, Rochford, Tendring and Uttlesford District Councils. The aim and objective of the Partnership is to solve rough sleeping and single homelessness within its boundaries, providing interventions that build positive relationships with new and entrenched rough sleepers and hand hold them off the streets and into sustained accommodation. The service also links rough sleepers to support services and provides employment and training support.



Raingardens

Essex County Council will be putting in Raingardens at Cherry Avenue and the Thrift wood estate. They have identified the area as a persistent flood risk and following successful schemes elsewhere they are rolling it out.

A raingarden is a series of specially designed verges that will alleviate the flooding of roads and houses and reduce pressure on local drains and water sources.

They are aware that at Cherry Avenue there is already concrete verges for parking and they will be upgrading these to be permeable and allow for a greater capture of water.

Two consultations were held on Thursday 10th November.

The intention is for works to begin in March 2023 and last for around 2 to 3 months. The full consultation pack for these works is available at Appendix 1.

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Cherry Avenue Raingardens

CONSULTATION PACK
ESSEX COUNTY COUNCIL

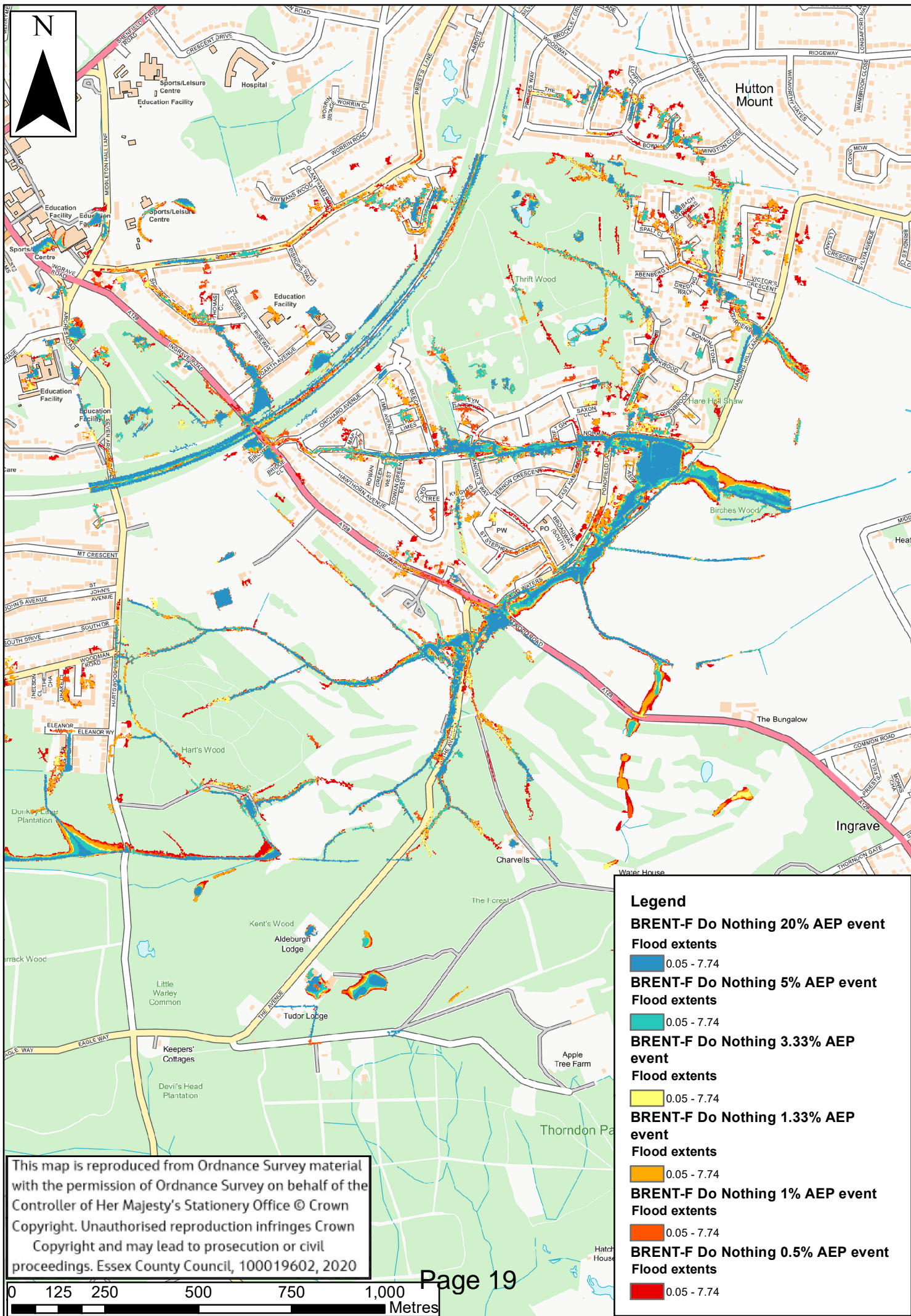
If you have any comments or questions please email
floods@essex.gov.uk

The Modelled Flood Risk

- On the next page you will see the recently modelled surface water flood risk for the Cherry Avenue / Thrift Green / Pondfield Lane area for a 'Do Nothing scenario'.
- Essex County Council has undertaken detailed surface water modelling for a range of different rainfall events to show the effects these extreme storms will have on the local area.
- This modelling shows that due to the fall and topography of Cherry Avenue, many properties further downstream are at risk of surface water flooding. This is exacerbated when the road drainage become full, as there is less interception, and the impermeable road will increase the speed in which the surface water flows downstream.
- This modelling therefore helps us when assessing options to help alleviate this flooding.

Cherry Avenue Raingardens

- A suite of options were modelled and 'Phase 1' of the flood alleviation scheme is to upgrade the Highway verges along the northern extent of Cherry Avenue into biodiverse, multifunctional raingardens.
- These are essentially sunken biodiverse mini gardens which will retain water during times of high rainfall.
- They will alleviate the flooding of roads and houses and reduce pressure on local drains and water sources. This will reduce flood risk in the area as well as helping to protect other properties further down the water catchment area.
- Where there is existing parking, this will also be upgraded whereby the material used is more permeable. This will allow for a greater capture of water.
- The southern verges will additionally be improved by further planting of trees and vegetation.
- The following pages show some visualisations for the rain gardens as well as some indicative plans.



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Legend

BRENT-F Do Nothing 20% AEP event
Flood extents
0.05 - 7.74

BRENT-F Do Nothing 5% AEP event
Flood extents
0.05 - 7.74

BRENT-F Do Nothing 3.33% AEP event
Flood extents
0.05 - 7.74

BRENT-F Do Nothing 1.33% AEP event
Flood extents
0.05 - 7.74

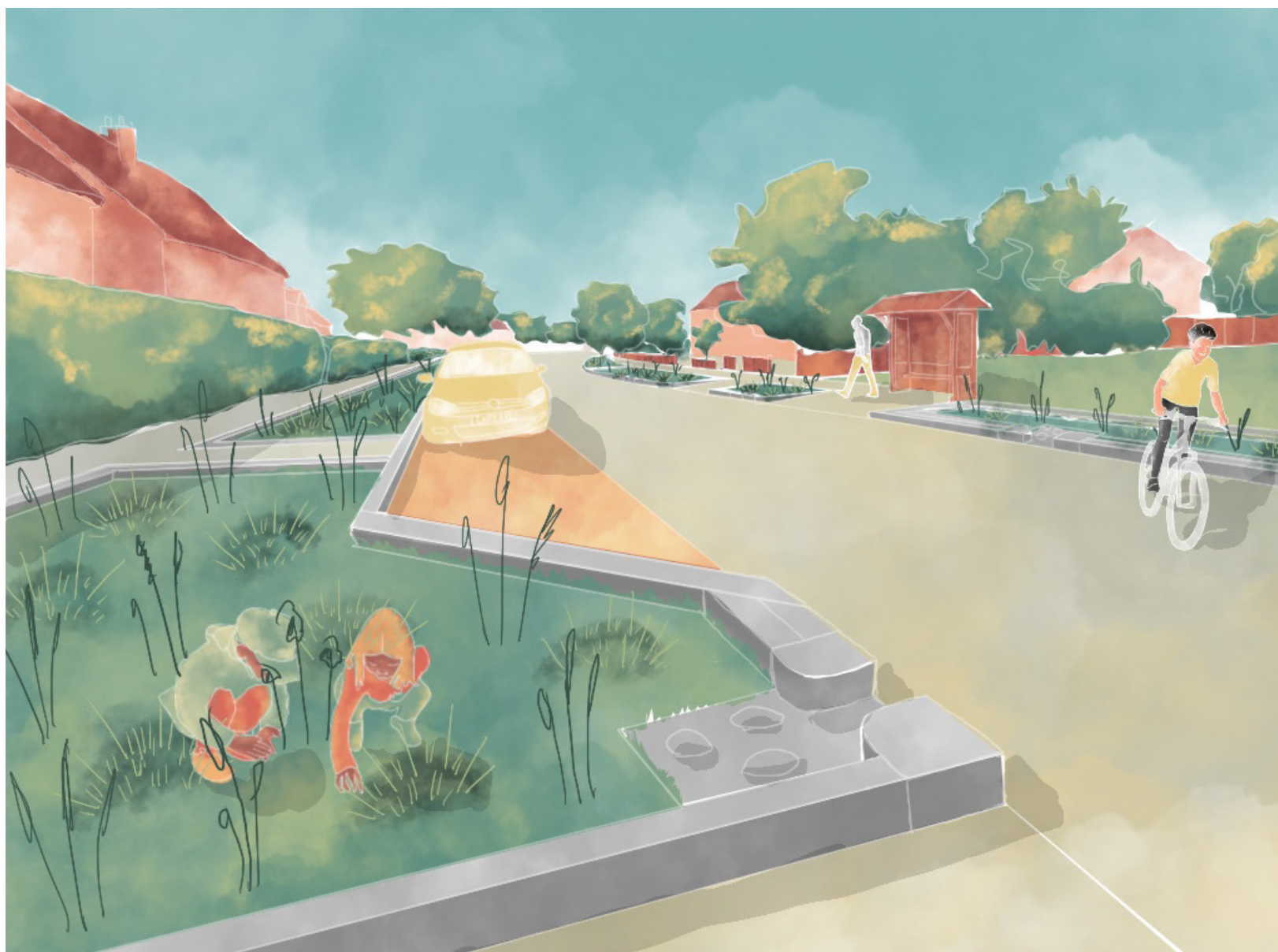
BRENT-F Do Nothing 1% AEP event
Flood extents
0.05 - 7.74

BRENT-F Do Nothing 0.5% AEP event
Flood extents
0.05 - 7.74

Thrift Green Rain Gardens



Cherry Avenue Street Layout: Before



Cherry Avenue Street Layout: After With Rain Gardens and Permeable Parking Bays

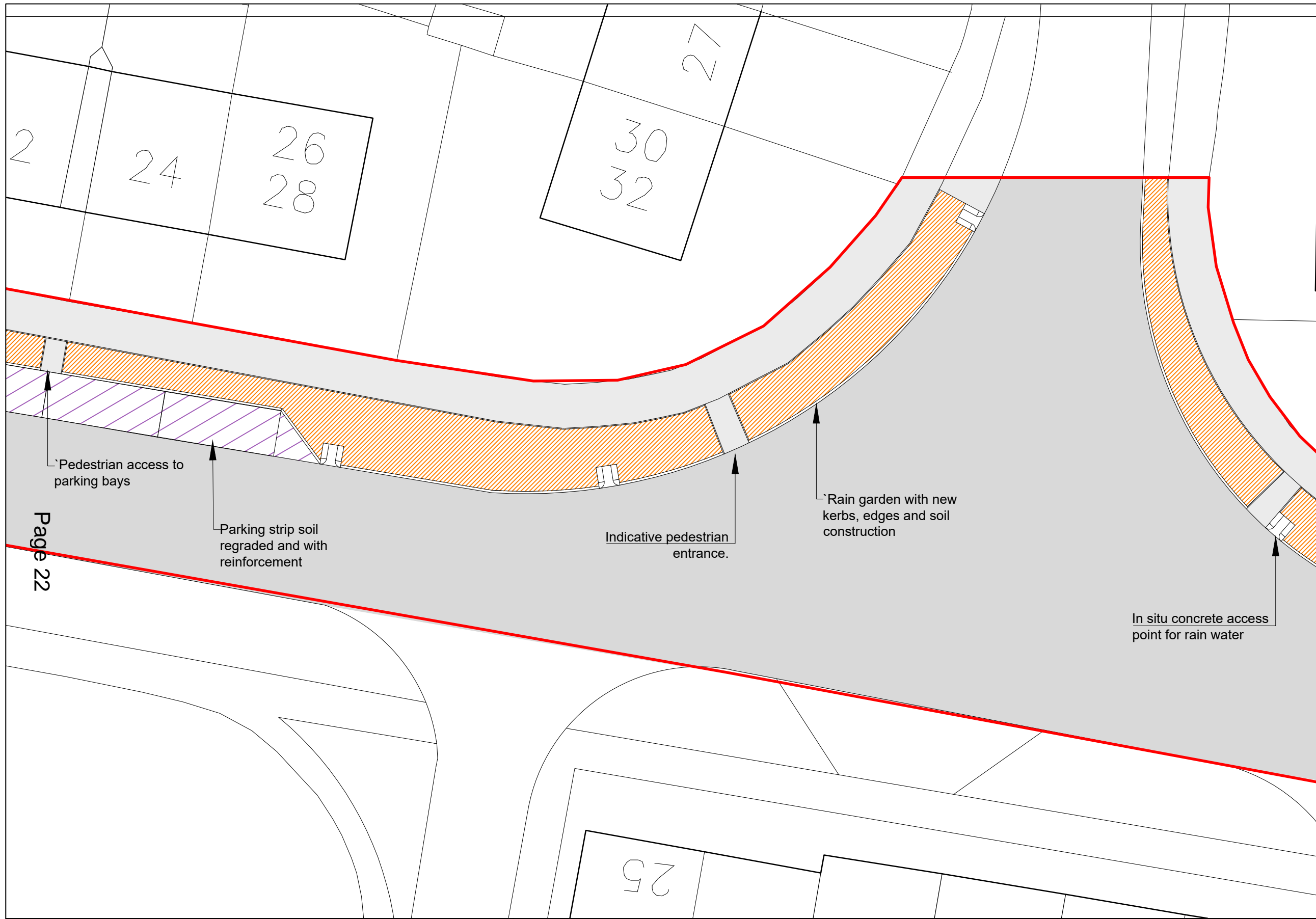
Thrift Green Rain Gardens








Cherry Avenue Houses: Before



Cherry Avenue Houses: After With Rain Gardens



Legend	
	Indicative Site Boundary
	Rain garden
	Permeable parking
	Pedestrian Path: Tarmac
	Road: Tarmac

NOTES:

No raingarden construction within root protection area of mature trees.

Manhole covers etc must be fully embedded within paths or in positions within rain gardens to be hidden by planting. They must not interrupt the edges of paths, raingardens or parking bays. All edges must be clean and tidy.

Raingarden inlets to correspond with level falls in the road, to collect maximum amount of water.

Pedestrian access to parking bays

Parking strip soil regraded and with reinforcement

Indicative pedestrian entrance.

Rain garden with new kerbs, edges and soil construction

In situ concrete access point for rain water

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LEGEND

REVISION NOTES			
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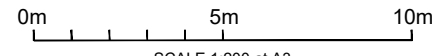
NOTES

MEASUREMENTS IN METRES UNLESS OTHERWISE STATED



Groundwork East
 Mill Green, Hatfield
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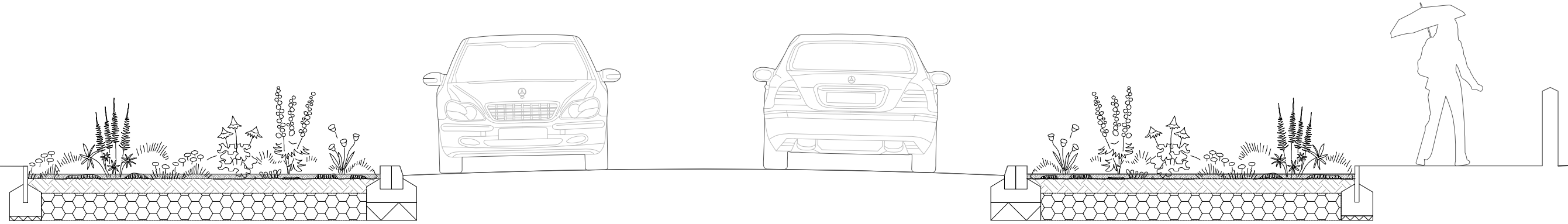
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CLIENT
Essex County Council

PROJECT ADDRESS
Cherry Avenue, Brentwood CM13 2EJ

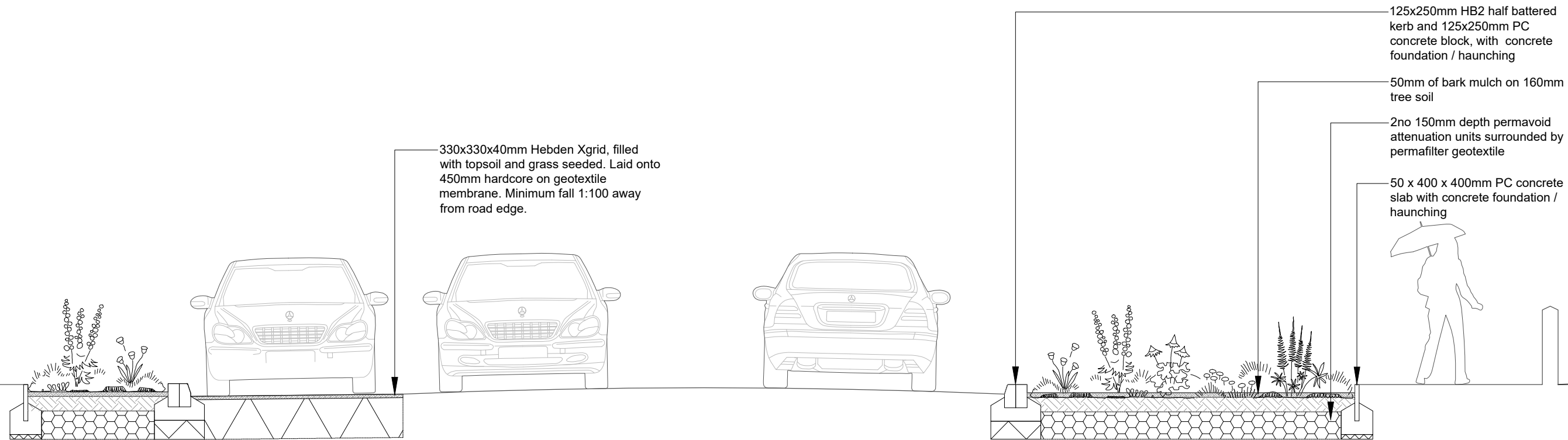
PROJECT TITLE Thrift Green Raingardens		
DRAWING NAME Indicative Plan		
DRAWING NUMBER 70069-V01-001		
DATE 10/2022	SCALE 1:200@A3	
DRAWN BY CB	CHECKED JW	REVISION

Section 1



Section 2

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Footpath

Rain Garden

Permeable Parking

Existing Tarmac Road

Rain Garden

Footpath

LEGEND

REVISION NOTES

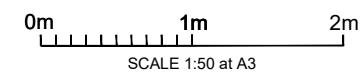
NOTES

MEASUREMENTS IN METRES UNLESS OTHERWISE STATED



Groundwork East
 Mill Green, Hatfield
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 hertfordshire@groundwork.org.uk

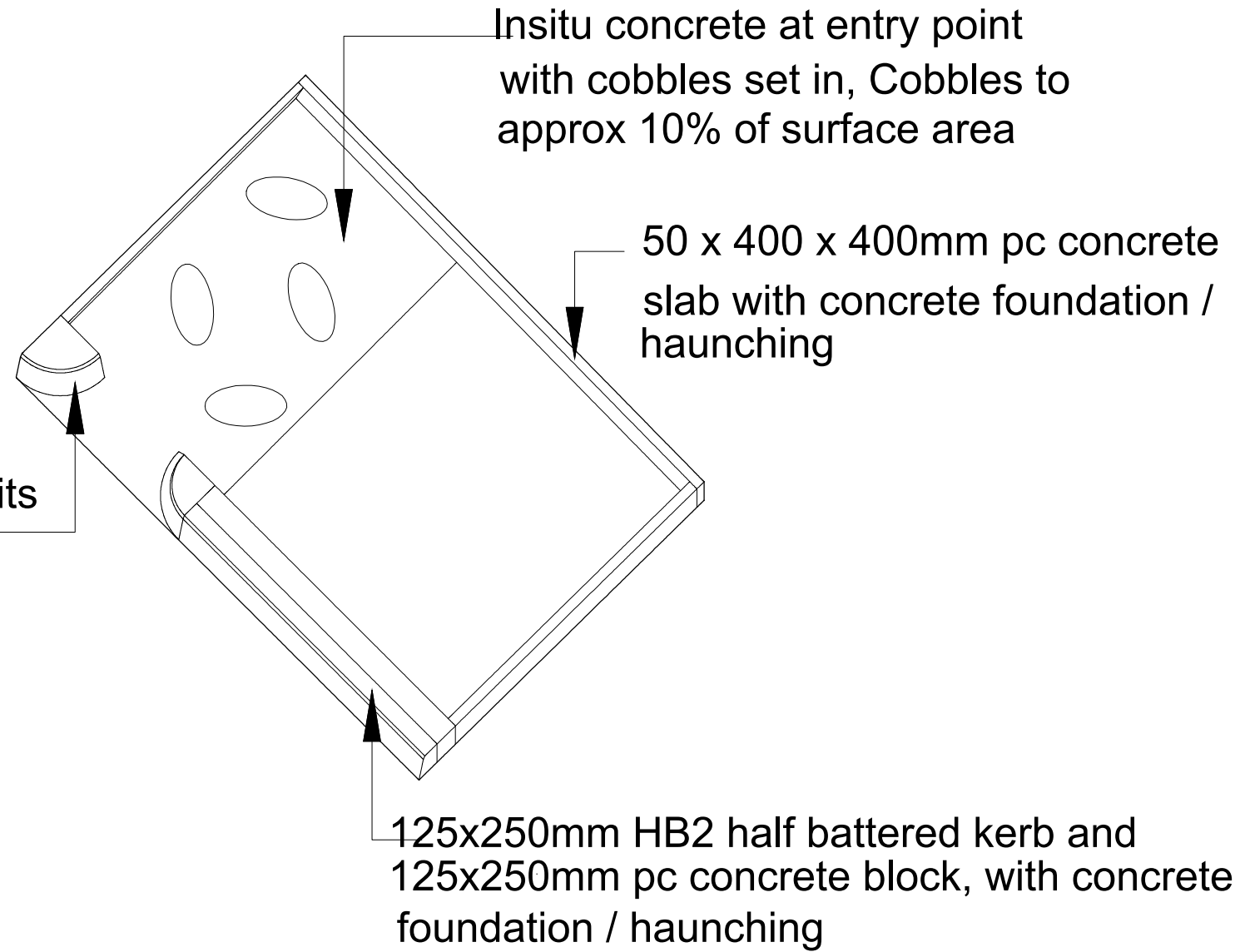
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PROJECT TITLE Thrift Green Raingardens		
DRAWING NAME Indicative Cross Sections		
DRAWING NUMBER 70069-V01-002		
DATE 08/2022	SCALE 1:200@A3	
DRAWN BY CB	CHECKED JW	REVISION

Cobbles to be Highland
cobbles by CED. 200-400mm
sizes



LEGEND	REVISION NOTES	 Groundwork East Mill Green, Hatfield Hertfordshire, AL9 5PE TEL: 01707 260129 hertfordshire@groundwork.org.uk	PROJECT TITLE Thrift Green Raingardens	
	NOTES MEASUREMENTS IN METRES UNLESS OTHERWISE STATED		DRAWING NAME Axonometric Detail DRAWING NUMBER 70069-V01-001	
		CLIENT Essex County Council	DATE 08/2022	SCALE 1:200@A3
		PROJECT ADDRESS Cherry Avenue, Brentwood CM13 2EJ	DRAWN BY CB	CHECKED JW
				REVISION

Case Study - Park Avenue





Committee(s): Housing Committee	Date: 12 December 2022
Subject: Key Performance Indicators	Wards Affected: All
Report of: Steve Summers, Strategic Director	Public
Report Author/s: Name: Nicola Marsh, Corporate Manager – Housing Estates Telephone: 01277 312981 E-mail: nicola.marsh@brentwood.gov.uk	For Information

Summary

Key Performance indicators are collected across all services in the Housing Department and help monitor how we are performing across a set list of key areas.

This report presents the proposed set Key Performance Indicators that officers intend to present at all future Housing committees.

Recommendation(s)

Members are asked to:

R1. Agree the recommended set of Key Performance Indicators be used as a basis for monitoring the Housing service and be presented at all future committees.

R2. Agree that any amendments to the Key Performance Indicators presented, will be done in consultation with the Chair and Vice Chair of the Housing Committee and the Director of Housing

Main Report


Introduction and Background

1. Previously, Housing have presented a small number of Key Performance Indicators (KPI's) to the committee which gave a very high-level overview of the service.
2. During the course of various meetings, additional KPI's have been requested by members as it was felt that there was not a balanced overview of the service.

3. Officers have been working to develop a larger suite of KPI's across the full Housing Service and we are now proposing to bring 28 of these to the Committee.
4. The chosen KPI's give a balanced overview of how the Housing Service is currently performing and are compiled through direct information that we gather as an authority as well as information provided to us by our Repairs and Maintenance contractor, Axis.

Issue, Options and Analysis of Options

5. The table contained within Appendix A details our proposed list of 28 KPI's for the Committee to consider.
6. We have chosen a mix of outcome based and tenant perception measures to create a balanced set of measures across the whole of Housing Services.
7. At present, a small number of the proposed KPI's are new and we therefore do not collect the information at present. As we begin to gather the information, if it is not viable to collect, we may substitute these for a similar measure recorded and measured in a more productive and manageable way.
8. The table below identifies how we will monitor progress against the previous months KPI's.

Key	
	Current performance is below target
	Current performance is below target but is improving
	Current target has been met or exceeded.
	No target.
NMTP	Not measured this period.
	Performance for the quarter or year to date is improving (up) or deteriorating (down) compared to previous quarter or across the year.

9. HRA financials are reported to Policy, Resources, Economic and Development Committee and a copy of the 2022 – 2023 estimated out turns, is attached at Appendix B for HRA Revenue and Appendix C for HRA Capital Works.

10. In addition to the KPI's, Housing also track progress against the wider Corporate Strategy Objectives.
11. These objectives and the most recent situational update are attached at Appendix D.

Consultation

12. Key Performance Indicators are reported to the Corporate Leadership Monthly
13. They are also reported quarterly to our Tenant Talkback panel.

References to Corporate Plan

14. Drive Continuous improvement of our Housing Services

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director of Assets and Investments
Tel/Email: 01277 312500/phoebe.barnes@brentwood.gov.uk

15. There are no direct financial implications. However, there are indirect implications such as reporting high level rent arrears which has been addressed within the report. The impact of rent arrears will financially impact the Housing Revenue Account that is reported to Policy, Resources and Economic Development Committee.

Legal Implications

Name & Title: Steve Summers, Strategic Director and Monitoring Officer
Tel & Email: 01277 312500/steve.summers@brentwood.gov.uk

16. Monitoring performance assists the Council in contract management and monitoring its statutory compliance.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning and Economy)
Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk

17. There are no direct economic implications. It is important that the council monitor outputs across all services to maintain and improve performance, which can be linked to wider economic benefits for the borough and more specific economic related key performance indicators.

Equality and Diversity Implications

Name/Title: Kim Anderson, Partnerships, Leisure & Funding Manager

Tel/Email: 01277 312500/kim.anderson@brentwood.gov.uk

18. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
 - a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

19. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

20. The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

Background Papers

None

Appendices to this report

Appendix A: KPI Reporting Template

Appendix B: Housing Corporate strategy objectives update

Appendix C - CAPITAL FINANCIAL DASHBOARD

Appendix D - Corporate Strategy Key Objectives 2022-23 – Update)

	Key Performance Indicator	Tenant Perception / Outcome based	Target	September	October	November	Comment	Progress against previous month
HO1	% Home with a Gas safety certificate	Outcome Based						
HO2	% of complaints resolved within timescale	Outcome Based						
HO3	% of tenants satisfied with landlord service in month	Tenant Perception						
HO4	Satisfaction that the landlord listens to tenant views and acts upon them	Tenant Perception						
HO5	Satisfaction with the landlord's approach to	Tenant Perception						
HO6	Number of Non Emergency Repairs completed within the month	Outcome Based						
HO7	% of repairs completed within target timescale	Outcome Based						
HO8	overall Satisfaction with repairs	Tenant Perception						

HO9	Percentage rent collected from current tenants as a percentage of rent due	Outcome Based
HO10	Rent arrears of current tenants as a percentage of rent due	Outcome Based
HO11	Rent arrears of former tenants as a percentage of rent due	Outcome Based
HO12	Number of Households living in temporary accommodation	Outcome Based
HO13	Average re-let times for homes	Outcome Based
HO14	Number of residents involved in formal/informal consultaton	Outcome Based
HO15	Dwellings let	Outcome
HO16	% of tenants satisfied with opportunities to be involved	Tenant Pereption
HO17	Leasehold Service Charge arrears	Outcome Based
HO18	Net Cost of Temporary Accomodation	Outcome Based

HO19	Discretionary Housing Payments Made £	Outcome Based
HO20	% of Annual Planned investment Programme	Outcome Based
HO21	Number of Homes EPC D and below	Outcome Based
HO22	% of Scheduled Tenant Visits carried out	Outcome Based
HO23	% of Estates Meetings Required at standard inspection	Outcome Based
HO24	% of Successful Homeless preventions	Outcome Based
HO25	Number of Households living in B&B in excess of 6 weeks	Outcome Based
HO26	Number of Moved in to Permanent social housing	Outcome Based
HO27	Number of moves into permanent private accommodation	Outcome Based
HO28	Number of New Council homes completed	Outcome Based

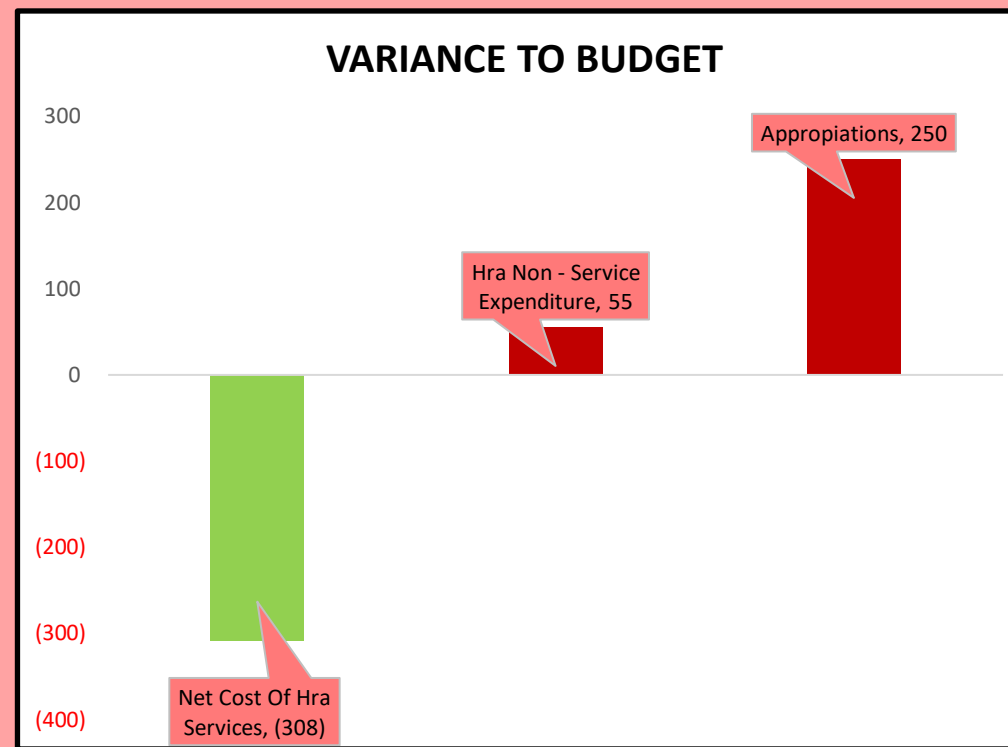




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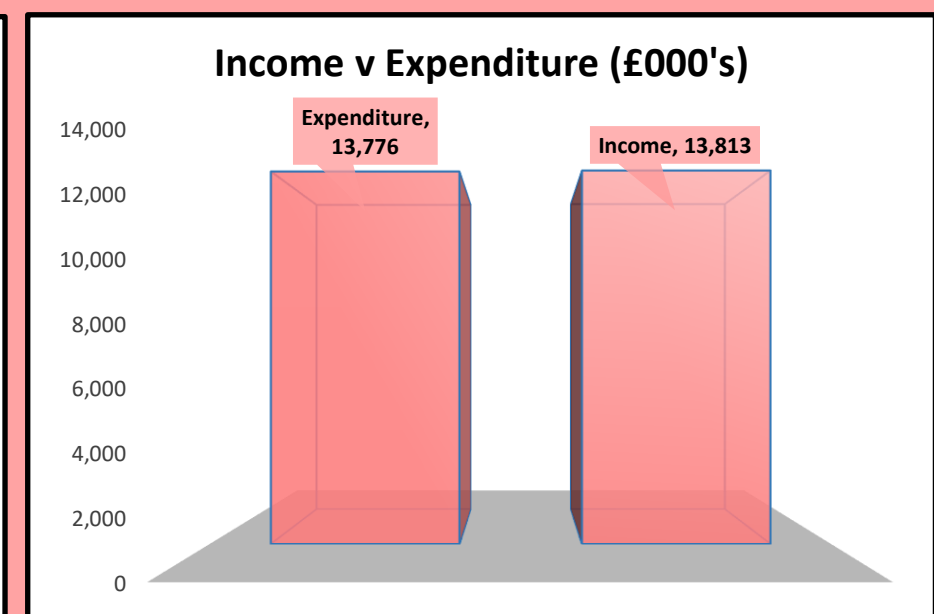
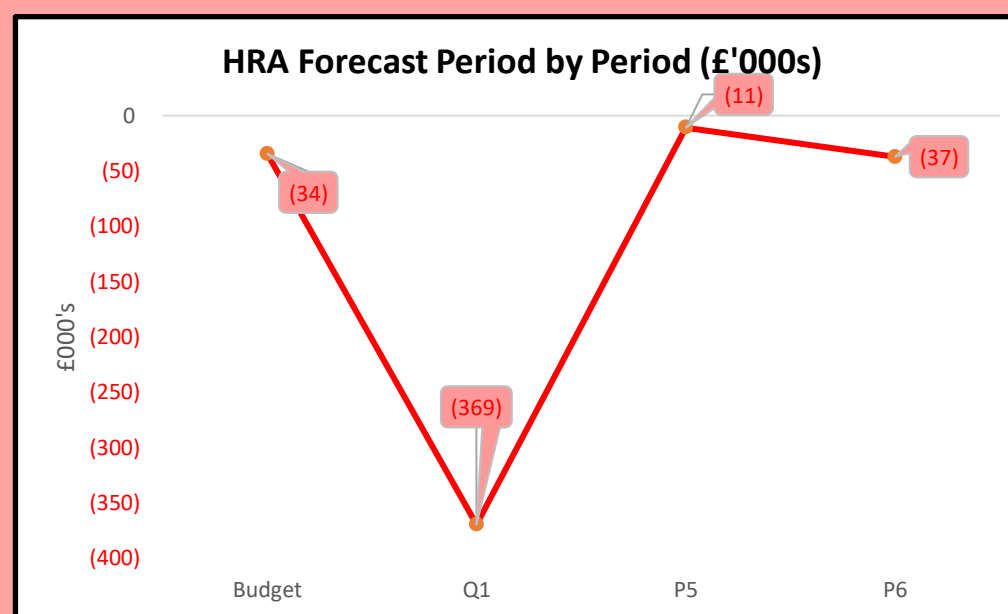
HRA FINANCIAL DASHBOARD

AREA	£'000s				% OVERSPENT
	BUDGET	P7	VARIANCE	21/22	
HRA TOTAL	(34)	(37)	(3)	(714)	
Net Cost Of Hra Services	(2,125)	(2,433)	(308)	(2,946)	14%
Repairs And Maintenance	3,316	3,419	103	3,063	3%
Supervision And Management	3,338	2,816	(522)	2,716	-16%
Special Services	1,365	1,398	33	1,163	2%
Rents, Rates & Other Charges	171	190	19	169	11%
Self Financing Payment	0	0	0	0	0%
Depreciation And Impairment	2,941	2,941	0	2,941	0%
Movement For Bad Debts	60	160	100	156	167%
Dwelling Rents	(12,396)	(12,445)	(49)	(12,205)	0%
Non Dwelling Rents	(327)	(251)	76	(265)	-23%
Cfs Leaseholders	(343)	(386)	(42)	(360)	12%
Cfs Tenants	(527)	(509)	18	(535)	-3%
Cfs Other Charges - Community	(3)	(0)	2	(1)	
Contributions To Expenditure	(3)	(57)	(55)	(31)	2199%
Reimbursement Of Costs	(65)	(60)	5	(65)	-8%
Hra Share Of Cdc	347	351	4	308	1%
Hra Non - Service Expenditure	2,163	2,218	55	2,132	
Interest Payable - Hra	2,071	2,071	0	2,016	0%
Hra Interest-Investment Income	(94)	(94)	0	(33)	0%
HRA Payments To Pension Fund	185	240	55	180	30%
Appropriations	(72)	178	250	100	1
Cont. To/From Reserves	(72)	178	250	100	100%
Contribution To Capital	0	0	0	0	0%



Total Variance per Cost Centre

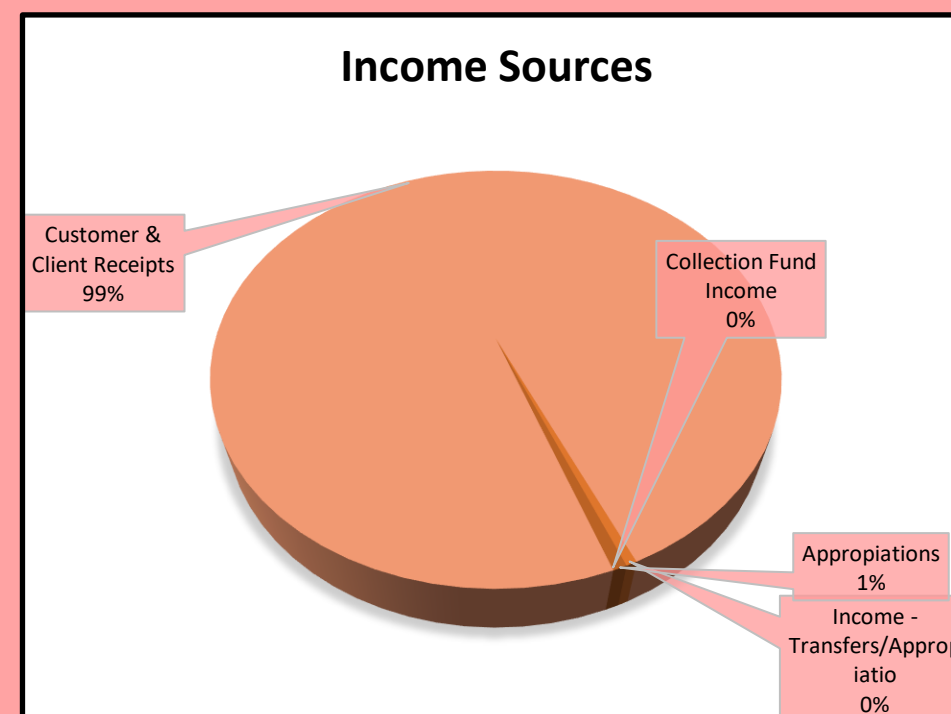
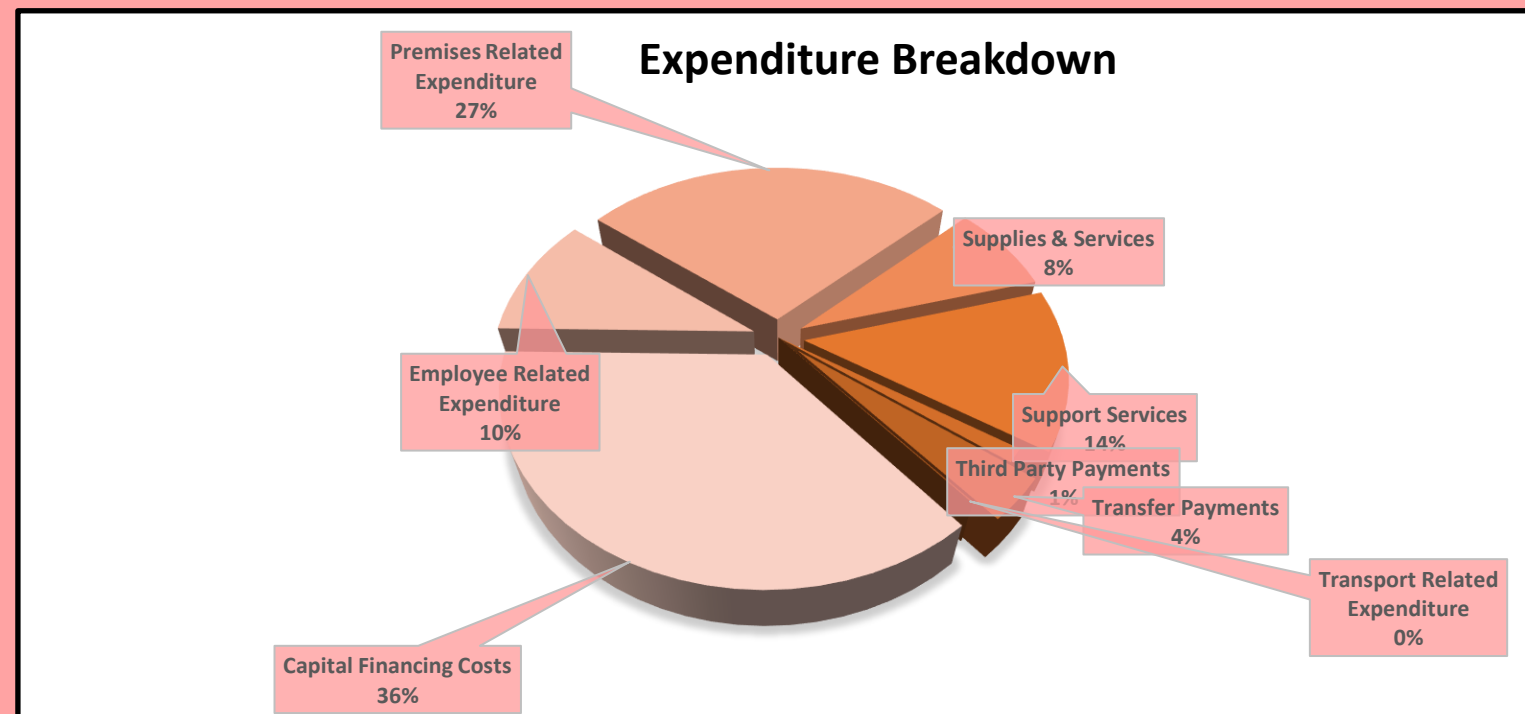
Rank	Director's area	Variance (£'000s)
1	Movement For Bad Debts	100
2	Repairs And Maintenance	103
3	Non Dwelling Rents	76
4	Special Services	33
5	Cfs Tenants	18
6	Hra Share Of Cdc	4
7	Reimbursement Of Costs	5
8	Cfs Other Charges - Community	2
9	Rents, Rates & Other Charges	19
10	Self Financing Payment	0
11	Depreciation And Impairment	0
12	Contributions To Expenditure	(55)
13	Dwelling Rents	(49)
14	Cfs Leaseholders	(42)
15	Supervision And Management	(522)



HRA Future Years budget Info

	21/22	22/23	23/24	24/25	Total (£'000s)
Net Cost Of Hra Services	1,978	(2,197)	(3,061)	(4,279)	(7,559)
Hra Non - Service Expenditure	2,130	2,163	2,577	2,834	9,704
Appropriations	(4,542)	0	0	983	(3,559)
HRA TOTAL	(434)	(34)	(484)	(462)	(1,414)

ACCOUNT CODE BREAKDOWN



Top 10 Account lines

Rank	Account code	Amount (£'000s)
1	Full permanent establishment costs	1,367
2	R&M Bldgs - Ppp	1,097
3	R&M Bldgs - General	477
4	R&M Fix & Fit - Gas Extra Ppp	302
5	Depot Service Hra Charge	282
6	Electricity	267
7	R&M Fix & Fit - Electrical	261
8	Gas	259
9	R&M Fix & Fit - Communal	210
10	Consultancy Fees	202

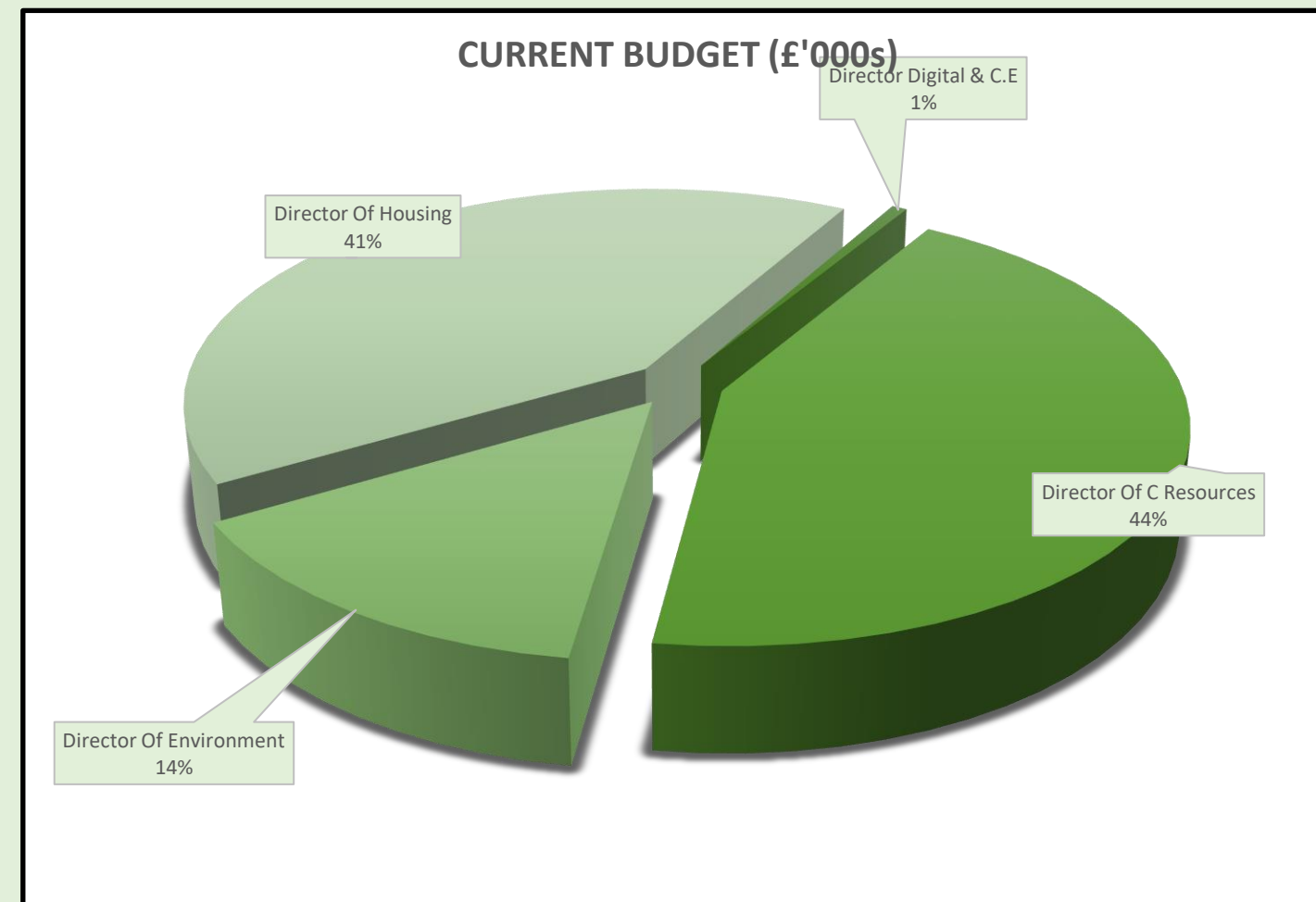
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CAPITAL FINANCIAL DASHBOARD

CODE	CAPITAL PROJECT	£'000s			PROPOSED SLIPPAGE for 22/23
		CURRENT BUDGET	P6 Est Outturn	Variance	
CAPPRO	CAPITAL PROGRAMME	59,008	18,929	(40,079)	34,722
	Director Digital & C.E	367	304	(63)	0
C103	Ict Strategy	100	65	(35)	0
C155	Software Licences	47	19	(28)	0
C203	Ict Hardware	220	220	0	0
	Director Of C Resources	25,727	824	(24,904)	22,755
C107	E-Financial	51	0	(51)	51
C110	Asset Management Strategy	323	323	0	0
C192	Asset Development	105	0	(105)	105
C217	Brentwood Leisure Centre	250	250	0	0
C218	Community Halls	98	1	(98)	0
C219	Strategic Prop Acquisitions	4,650	0	(4,650)	4,650
C223	Asset Compliance	250	250	0	0
C222	Regeneration Fund	20,000	0	(20,000)	18,000
	Director Of Environment	8,384	3,301	(5,083)	5,228
C125	Vehicle Replacement Programme	2,154	1,362	(792)	826
C226	Solar Smart Bin	12	12	0	0
C128	Play Area Refurbishments	300	50	(250)	0
C149	Home Repair Assistance Grants	5	0	(5)	0
C150	Disabled Facilities Grant	250	250	0	0
C190	Open Space - Site Security	25	25	0	0
C191	Cemetery Headstones	8	0	(8)	0
C193	Car Park Improvements	320	50	(270)	270
C200	Open Spaces Infrastructure	132	132	0	0
C201	Cemetery Infrastructure	44	44	0	0
C209	S106 114-122 Kings Road	31	31	0	0
C211	S106 Mountnessing Scrap Yard	9	9	(0)	0
C214	King George'S Redevelopment	708	1,300	592	0
C215	Football Hub Development	4,232	20	(4,212)	4,132
C220	Low Emissions Infrastructure	138	0	(138)	0
C225	S106 North Road Play Area	16	16	(0)	0
	Director Of Housing	24,530	14,501	(10,029)	6,739
CJA	HRA Decent Homes	12,158	10,868	(1,290)	0
CJB	HRA Affordable Housing	12,372	3,633	(8,739)	6,739

DIRECTORATE	CURRENT BUDGET (£'000s)	Outturn (£'000s)	PROPOSED SLIPPAGE for 22/23 (£'000s)
Director Digital & C.E	367	304	0
Director Of C Resources	25,727	824	22,755
Director Of Environment	8,384	3,301	5,228
Director Of Housing	24,530	14,501	6,739
Total	59,008	18,929	34,722



TOP 5 Biggest Projects		
Rank	PROJECT	BUDGET (£'000s)
1	Regeneration Fund	20,000
2	HRA Affordable Housing	12,372
3	HRA Decent Homes	12,158
4	Strategic Prop Acquisitions	4,650
5	Football Hub Development	4,232

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Corporate Strategy Key Objectives 2022-23 - Update

RAG	Status
R	Action in progress needs intervention
A	Action in progress needs attention
G	Action in progress no issues
B	Action completed
	Action not started/on hold

Improving housing			
No	Key objective	Progress to date	RAG
1	Carry out an independent review of the housing service against the Regulator of Social Housing's Standards (as set out in the new Social Housing Regulation Bill).	Desktop review and action plan completed Q1. Independent assessment against regulatory standards involving employees, members and residents at procurement stage.	G
2	Implement a comprehensive engagement and communications strategy to build a relationship of respect and trust with our residents. We will listen to our residents, co-design services and use customer feedback to drive continuous improvement.	Menu of involvement options to be launched for customers in November 22. Independent survey of resident priorities to be completed Q4. New resident "living rooms" and local surgeries to commence Dec 22.	G
3	Ensure our homes are safe, well-maintained and energy efficient. Introduce active asset management principles to make sure that our stock investment programmes take a planned approach that delivers value for money. Improve customer satisfaction with responsive and planned maintenance.	Monthly meetings with partnering contractor review KPIs and customer satisfaction. Programme Plan to introduce active asset management agreed. Planned and responsive cost benchmarking statistics available via Housemark.	A
4	Ensure building safety compliance across the housing stock: fire safety; gas servicing; asbestos; electrical safety; mechanical & electrical; and water quality.	Monthly compliance monitoring established with main partnering contractor. New compliance dashboard for senior management team to be in place by Jan 23.	G
5	Continue to develop low carbon energy efficient solutions for our homes to tackle climate change and reduce household energy bills.	Social Housing Development Programme features homes that are zero carbon in use. Ten council properties retrofitted via LAD2 scheme. Social Housing Decarbonisation Fund (SHDF) bid for 152 homes to be submitted November 22.	G
6	Maximise the number of homeless preventions, thus reducing the burden on existing housing stock. Minimise the use of nightly paid temporary accommodation (TA).	Current performance (end Q2) 40% prevention of all cases. Only six households accommodated in nightly lets (end Oct). Homeless demand is increasing nationally and locally.	A

7	Deliver the council housing development programme 22/23 milestones. Evaluate further opportunities to increase the pipeline of new homes.	Crescent Road scheme completed Oct 22. Decant progressing at Brookfield/Courage site (start on site expected early 2023). Harewood site planning application submitted Sept 22. Viability hurdles to be updated by Dec 22.	G
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Delivering an efficient and effective council			
No	Key objective	Progress to date	RAG
1	Identify further opportunities to optimise the partnership with Rochford District Council to identify shared services to deliver an alternative service model.	OneTeam transformation programme is progressing. <ul style="list-style-type: none"> - A new Pay Policy Statement was adopted in June 2022 - Senior leadership restructure & recruitment - Section 113 agreement complete - Key Change Champions have been appointed and trained - Human Resources team has been unified - Service reviews commenced Oct 2022 	G
2	To complete a local electoral review of Brentwood with the Boundary Commission	Draft recommendations received from the Boundary Commission 4 th October 2022. Public consultation now runs until 12 th December 2022.	G
3	To deliver savings identified of £1.3m within the Medium-Term Financial Strategy	On track, as per budget reporting	G
4	Submit planning applications for the phase 1 redevelopment of the Baytree Shopping Centre and part of the Childerditch Industrial estate	Comprehensive pre-apps complete. Aiming to submit to planning November 2022. Report being submitted to Ordinary Council on 2November 2022.	G
5	Act as the lead authority for the Association of South East Local Authorities for the procurement of the full fibre project to link 192 public sector community facilities	Work has commenced, on behalf of ASELA, between IT & Procurement	G
6	Implement Peer Review Action Plan, following recommendations received during the Corporate Peer Challenge in November 2021	Report to PRED November 2022???	A

Agenda Item 5

Committee(s): Housing Committee	Date: 12 December 2022
Subject: Policy Schedule	Wards Affected: All
Report of: Julian Higson – Interim Director of Housing	Public
Report Author/s: Name: Angela Abbott, Corporate Manager (Housing Needs and Delivery) Telephone: 01277 312500 E-mail: angela.abbott@brentwood.gov.uk	For Information

Summary

This report is an update for members to note and presents the Policy Review Schedule to ensure that the Housing Department has the relevant Strategies and Policies in place in order to provide a clear framework of its responsibilities.

Main Report

Introduction and Background

1. In 2021 the Housing Service undertook a full review of its current Statutory and Local Strategy and Policies that were in place and to identify additional Policy documents that were required.
2. Following this internal review, a full schedule of Strategy and Policy documents was drafted for implementation of various policies between 2021 – 2023.
3. Since 2021, we have been implementing additional Policy documents to ensure that we can demonstrate a clear and transparent framework that the housing department work to across all of the services.
4. To-date we have implemented a total of 20 new or revised Policies and plan to provide a further 4 Policies in December 2022 and 9 Policies between March and July 2023 with a rolling review of all policies up to 2027.
5. We have currently put on hold the review for both the Income Management Policy and Recharge Policy whilst we work with Mobysoft on best practice contacting processes.
6. Mobysoft provide us with a digital platform of analysing payment patterns to recommend which accounts we look at. They have access to many local authority

figures and methods of chasing rental arrears so are well placed to assist us with the review of the two policies mentioned above.

Consultation

7. None

References to Corporate Plan

8. Drive continuous improvement of our housing services.
9. Continue a service improvement programme to ensure our services are delivered efficiently.

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director of Assets and Investments

Tel/Email: 01277 312500/phoebe.barnes@brentwood.gov.uk

10. There are no direct financial implications arising from this report.
11. The work with Mobysoft should assist the authority in reducing its rental arrears which in turn will financially benefit the HRA by reducing the provision against bad debt

Legal Implications

Name & Title: Steve Summers, Strategic Director and Monitoring Officer

Tel & Email: 01277 31500 steve.summers@brentwood.gov.uk

12. The Council is required to have in place appropriate policies in order to deliver its Housing Services in accordance with relevant legislation.

Economic Implications

Name/Title: Phil Drane, Director Place

Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk

13. There are no direct economic implications arising from this report.

Background Papers

None

Appendices to this report

- Appendix A: Policy Review Schedule

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No. of Strategies/Policies Approved 2015-2022

2022

- Homeless & Rough sleeping Strategy
- Resident Engagement Policy
- Leasehold Payment Options Policy
- Mobility Scooter Policy
- Management Move Policy
- Damp, Mold & Condensation Policy
- Succession Policy
- Aids & Adaptations Policy

2015

Recharge Policy

2016

2017

2018

Fire Safety Policy

Aids & Adaptations Policy

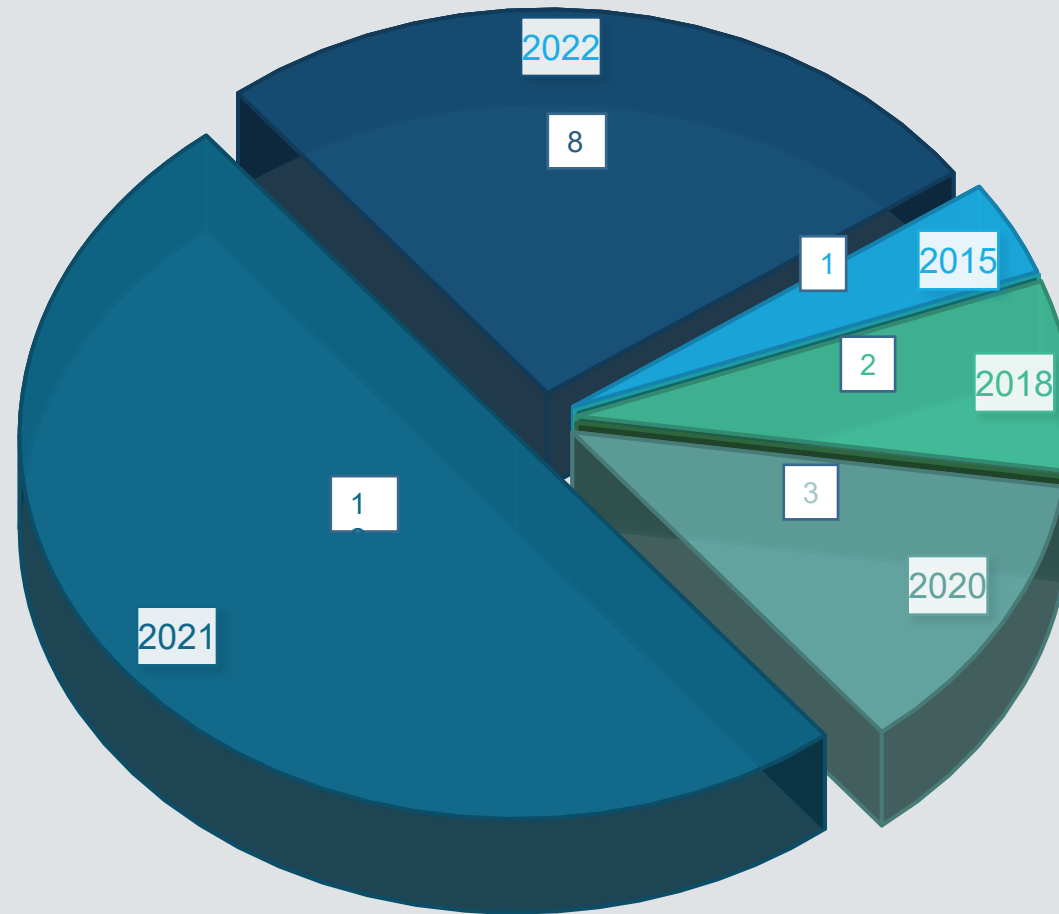
2019

2020

Placement Policy

Water Hygiene Policy

Asbestos Policy



Page 49
2021

- Housing Strategy
- Allocations Policy
- Gas Safety & Servicing Policy
- Tenancy Strategy
- Discharge of Duty into Private Sector
- End of Fixed Term Tenancy Policy
- Electrical Safety Policy
- Meanwhile Offer
- Decant Policy
- Non-cooperation Policy
- Pets Policy
- Rent Setting Policy

Appendix A

No. of Strategies/Policies Pending Committee Approval 2022-2023

2023

- Tenancy Changes Policy
- Community Cohesion & Resilience Strategy
- Billing Policy
- Tenancy Sustainment Policy
- Hoarding Policy
- Water Hygiene Policy
- Asset Management Policy
- Income Management Policy
- Recharge Policy

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2023

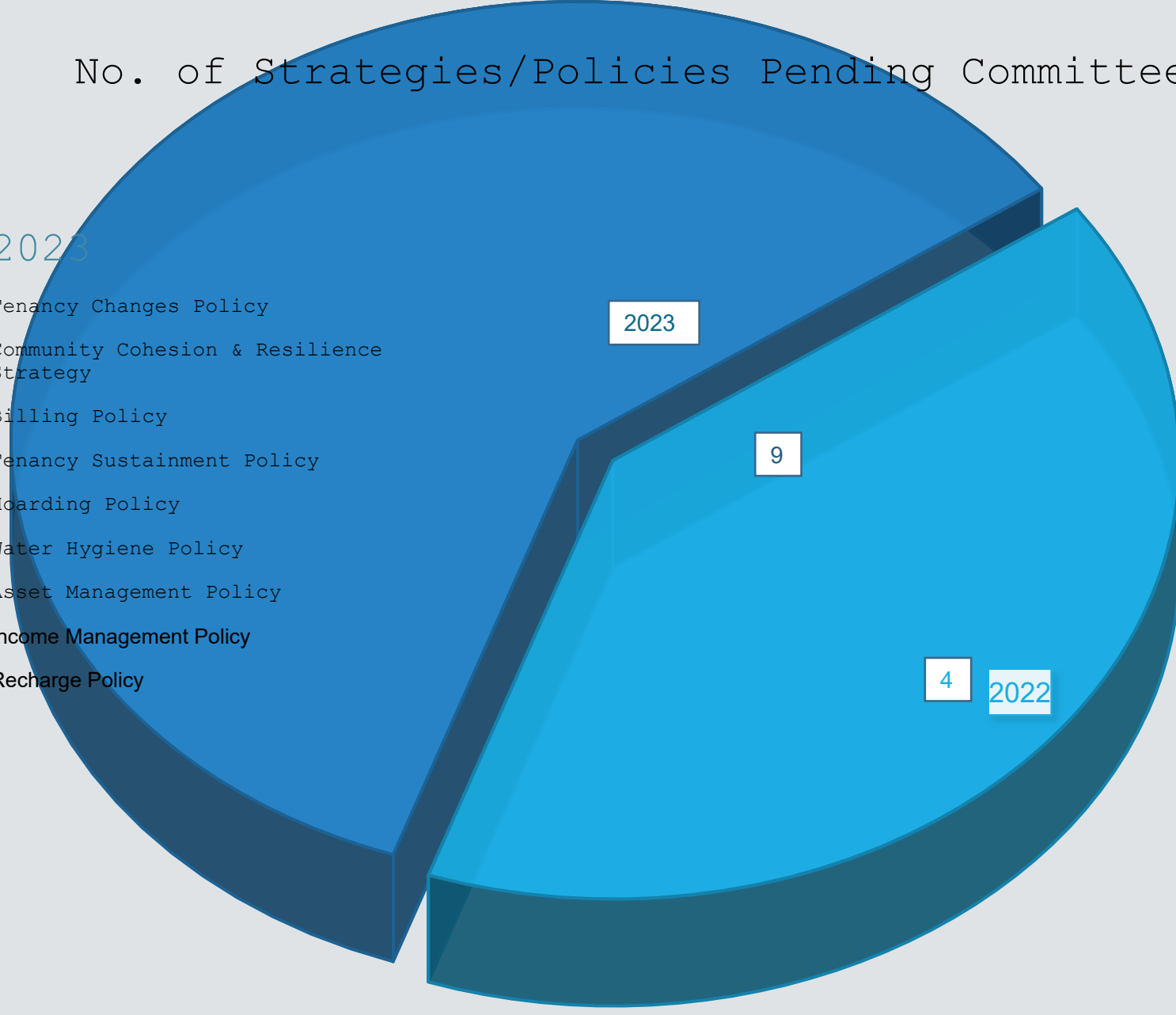
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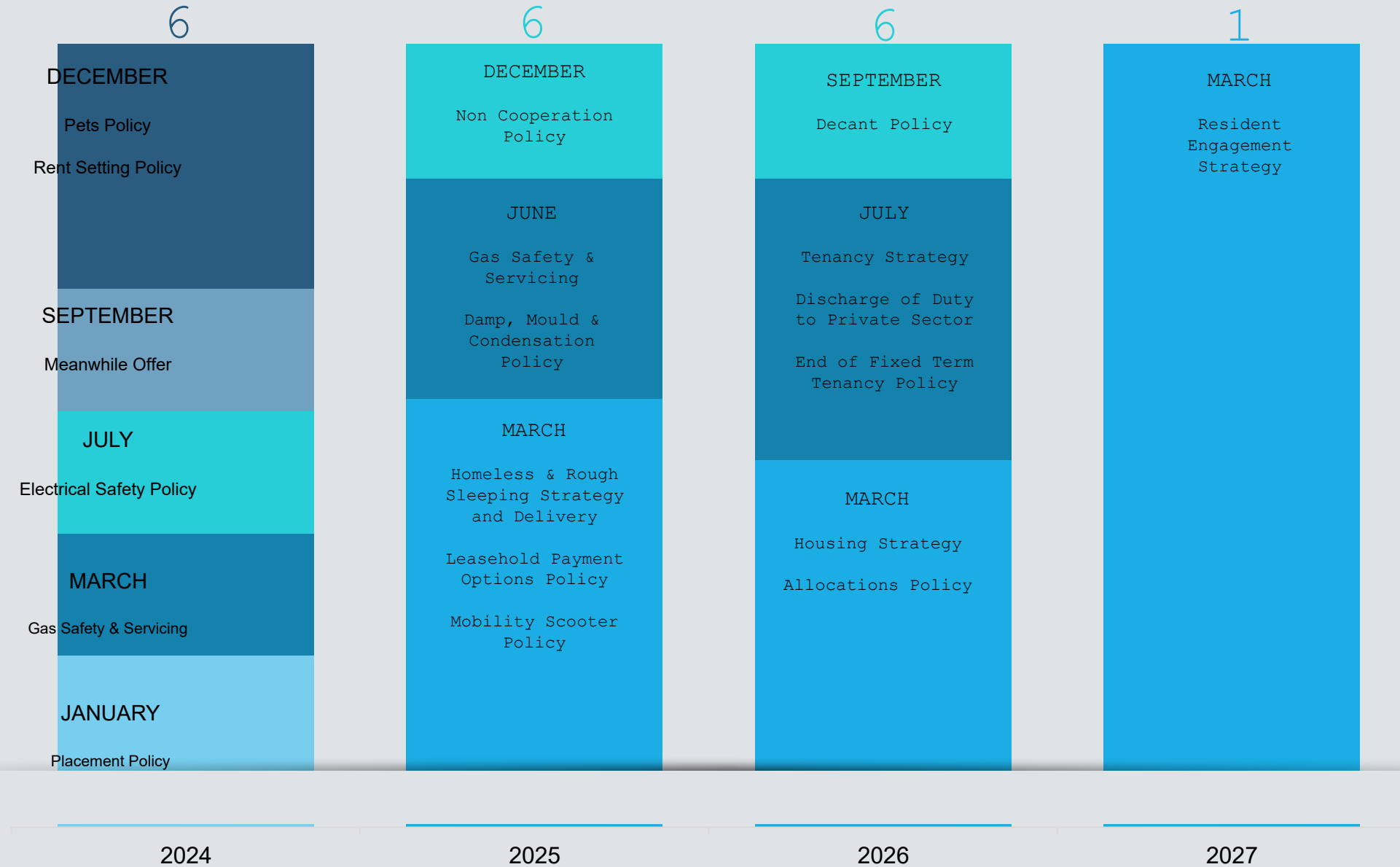
2022

2022

- Lift Policy
- Solid Fuel Policy
- Fire Safety Policy
- Asbestos Policy



No. of Strategies/Policy Reviews for Committee Approval 2024-2027



Strategic Development

Policy & Strategy Information Table

Strategy Schedule	Document date	Committee	Approval date	Review date	Committee	Latest committee date for approval
Housing Services						
Housing Strategy	2021-2026	E, E & H	Mar-21	2025	HSG	Mar-26
Seven Year Affordable Homes Development Strategy	2021-2028	HSG	Jul-21	2027	HSG	July 27
Tenancy Strategy	2021-2026	E, E & H	Jul-21	2025	HSG	Jul-26
Community, Cohesion & Resilience Strategy	New Strategy	n/a	n/a	n/a	HSG	July - 23
Asset Management Strategy	New Strategy	n/a	n/a	n/a	HSG	Feb 23
Homeless & Roughsleeping Strategy and Delivery Plan	2020-2025	E, E & H	Mar-22	2024	HSG	Mar-25
Resident Engagement Strategy	2022-2027	HSG	Mar- 22	2026	HSG	Mar 27
Policy Schedule						
Housing Needs & Delivery						
Allocations Policy	2021-2026	E, E & H	Mar-21	2025	HSG	Mar-26
Tenancy Sustainment Policy	New Policy	n/a	n/a	n/a	HSG	Jul-23
Non Cooperation Policy	2020-2025	E, E & H	Dec-21	2024	HSG	Dec-25
End of Fixed Term tenancy Policy	2021-2026	E, E & H	Jul-21	2025	HSG	Jul-26
Discharge of Duty into Private Sector	2021-2026	E, E & H	Jul-21	2025	HSG	Jul-26
Meanwhile Offer	2021-2024	E, E & H	Sep-21	2023	HSG	Sep-24
Placement Policy	2020-2024	E, E & H	Jan-20	2023	HSG	Jan-24
Tenancy Changes Policy	New Strategy	n/a	n/a	n/a	HSG	Feb-23
Succession Policy	2022-2026	HSG	Sept 22	2025	HSG	Sep 26
Estates						
Billing Policy	New Policy	n/a	n/a	n/a	HSG	Mar-23
Decant Policy	2022-2026	E, E & H	Sep-21	2025	HSG	Sep-26
Management Move Policy	2022-2025	HSG	Jun-22	2024	HSG	Jun-25
Recharge Policy	2015-2018	E, E & H	Sep-15	2022	HSG	Dec-22
Hoarding Policy	New Policy	HSG	n/a	n/a	HSG	Jul 23
Income Management Policy	2014	HSG	n/a	2022	HSG	Dec-22
Pets Policy	2021-2024	E, E & H	Dec-21	2023	HSG	Dec-24
Rent Setting Policy	2022-2024	E, E & H	Dec-21	2023	HSG	Dec-24
Leasehold Payment Options Policy	2022-2025	E, E & H	Mar-22	2024	HSG	Mar-25
Repairs - Compliance						
Damp, Mould & Condensation Policy	2022-2025	HSG	Jun-22	2024	HSG	Jun-25
Asbestos Policy	2020-2023	E, E & H	Dec-20	2022	HSG	Dec-22
Aids & Adaptations Policy	2022-2027	HSG	Sept 22	2026	HSG	Sep 27
Water Hygiene Policy	2020-2023	E, E & H	Mar-20	2022	HSG	Feb-23
Fire Safety Policy	2019-2022	C, H & H	Jul-18	2021	HSG	Dec-22
Lift Policy	New Policy	n/a	n/a	n/a	HSG	Dec-22
Gas Safety & Servicing Policy	2021-2024	E, E & H	Mar-21	2023	HSG	Mar-24
Solid Fuel Policy	New Policy	n/a	n/a	n/a	HSG	Dec-22
Electrical Safety Policy	2021-2024	E, E & H	Jul-21	2023	HSG	Jul-24
Mobility Scooter Policy	2022-2025	E, E & H	Mar-22	2024	HSG	Mar-25

Agenda Item 6

Committee(s): Housing Committee	Date: 12 December 2022
Subject: Asbestos Management Policy	Wards Affected: All
Report of: Julian Higson, Interim Director of Housing	Public
Report Author: Name: Johanna Batchelor-Lamey, Compliance Manager Telephone: 01277 312 500 E-mail: johanna.batchelor-lamey@brentwood.gov.uk	For Decision

Summary

This report summarises progress since the last report to Committee on the 8th December 2020.

The updated Asbestos Policy, includes four new appendices which determines the urgency of remedial work actions following an Asbestos Management survey, or an Asbestos Refurbishment & Demolition survey and will be prioritised based on the material assessment score. This scoring matrix determines a priority order which summaries how the Council manages the risk and clarifies if an air monitoring test is required after remedial works are completed.

Recommendation(s)

Members are asked to:

R1. To approve the Asbestos Policy

Main Report

Introduction and Background

1. The current policy was approved at the Environment, Enforcement & Housing Committee on 8th December 2020 (minute no: 614).
2. The policy outlines how Brentwood Council where reasonably practicable can prevent the exposure to asbestos fibres of any employee, tenant, or contractor through the use of effective control measures and work methods supported by training of employees, control and manage risks due to asbestos. We will control and reduce exposure to fibres by undertaking assessments of our housing stock and will either monitor if undisturbed, remove or encapsulate asbestos where the assessment indicates this is necessary via our licensed and unlicensed asbestos contractor's.
3. The policy also covers the Control of Asbestos Regulations 2012 in which we appoint Duty Holders and set out their roles and responsibilities under this duty to ensure reasonable steps are taken by nominated persons to determine by survey, the location and condition of materials likely to contain asbestos, develop and keep up to date records of the location and condition of asbestos containing materials (ACMs), assess the risk of anyone being exposed and monitor and review the condition of ACMs.
4. There have been no legislative changes since this policy was approved but following a review of the policy it was identified that some changes were required.
5. The main changes to the policy are;
 - The policy has been made clearer in respect of third-party contractor responsibilities (3.15)
 - Additional appendices have been added to the policy (appendices 8 –11)
6. Appendices 8 – 10 defines when works are to be undertaken considering what type of asbestos material it is and priority, how quickly the matter should be dealt with. The current regime is based solely on the type of asbestos material.
7. Appendix 11 is an updated re-inspection schedule that will assist in identifying when the re-inspections should take place.

Issue, Options and Analysis of Options

8. In order to effectively manage Asbestos Management the policy ensures the Council complies with the requirements of the Control of Asbestos Regulations 2012.

9. It can be underpinned with procedures which can be changed and is a published approved document which can be made available to the public.

Reasons for Recommendation

10. To ensure that the Housing Department has documentation to support the delivery of their Asbestos Management responsibilities, processes, and procedures and to comply with Control of Asbestos Regulations 2012.

Consultation

11. Consultation has taken place with the Tenant Liaison Group (Tenant Talkback). All feedback from the consultation has been incorporated into the draft policies.

References to Corporate Plan

12. Drive continuous improvement of our housing services
13. Continue a service improvement programme to ensure our services are delivered efficiently.

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director of Assets and Investments
Tel/Email: 01277 312500 / phoebe.barnes@brentwood.gov.uk

There are no direct financial implications arising from this report. The Housing Revenue Account allocates budgets for its asbestos works, the prioritisation of remedial works is support by the current budgets within the HRA Business Plan.

Legal Implications

Name & Title: Steve Summers, Strategic Director and Monitoring Officer
Tel & Email: 01277 312500 / steve.summers@brentwood.gov.uk

The Council acknowledges it has a statutory duty under the Control of Asbestos at Work 2012 (CAR 2012) to manage Asbestos Containing Material's (ACM's) within its premises. The policy attached details how the Council will discharge its duties.

The Council will prevent its employees, building users and any person to whom it owes a duty of care from respiratory exposure to asbestos fibres from ACM's) within its premises so far as reasonably practicable.

By adopting the policy the Council also mitigates its risk of challenge.

Economic Implications

Name/Title: Phil Drane, Director of Place

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There are no direct economic implications.



Brentwood Borough Council Housing Department Asbestos Management Policy

Version Control

Version	Date of change	Officer	Title
V1	20/11/2020	Johanna Batchelor-Lamey	Compliance Manager
V2	06/10/2021	Johanna Batchelor-Lamey	Compliance Manager
V3	November 2022	Johanna Batchelor-Lamey and David Wellings	Compliance Manager and Corporate Health & Safety Advisor

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1.0 Asbestos Management

1.1 Introduction

This Asbestos Management Policy is intended to make Duty Holders, Estate Management, Employees, Caretakers, Contractors, and Residents, aware of the risks from asbestos and to ensure that, Brentwood Council complies with the requirements the Health and Safety at Work etc. Act 1974, the Control of Asbestos Regulations 2012, the Approved Code of Practice L143 Managing and Working with Asbestos and HSG 264 Asbestos: The Survey Guide.

This document incorporates the asbestos management plan and lays down operating procedures, areas of responsibility and offers information and guidance to Duty Holders to assist them to control, monitor and minimise any risk of exposure to asbestos.

1.2 Policy Aims:

Brentwood Borough Council shall, as far as is reasonably practicable:

- Take reasonable steps to find out if there are materials containing asbestos in non-domestic premises, and if so, its quantity, location, and condition.
- Presume materials contain asbestos unless there is strong evidence that they do not
- Produce and keep up to date, a record of the location and condition of the asbestos-containing materials - or materials which are presumed to contain asbestos
- Assess the risk of anyone being exposed to fibres from the materials identified
- Prepare an Asbestos Management Plan that sets out in detail how the risks from these materials will be managed
- Ensure that employees and anyone carrying out work on its behalf must attend the mandatory asbestos awareness training as a minimum and records are retained. Also, sufficient information, instruction, and training is provided, so that all persons who have the potential to release asbestos fibres are aware of the precise risk and in relation to the nature and location of asbestos. This includes Brentwood Council employees, contractors, consultants, suppliers, and residents.
- Establish and maintain an Asbestos Register and ensure that it is fully maintained and updated with the location and analytical identification of the type and condition of asbestos, and details any asbestos removed on each site,

1.3 Policy Objectives

1.3.1 Monitor and maintain the condition of identified ACMs as assessed and recorded in the Asbestos Register.

1.3.2 Identify and categorise ACMs, assess risk to health using standard algorithm ratings and manage hazards accordingly.

- 1.3.3 Develop and prioritise a programme for the remediation of ACMs that (because of their location and/or condition), present an actual or perceived risk to health, this is to be in conjunction with major works.
- 1.3.4 Ensure all current employees undertake mandatory asbestos awareness training every 3 years and, update the training log register.
- 1.3.5 Incorporate a risk reduction programme through removing asbestos, as reasonably practicable, and managing remaining ACMs in a proactive manner.
- 1.3.6 This policy will be reviewed every 3 years unless there is a legislative or organisational change.

2.0 Regulations

2.1 Relevant legislation and documents

The main legislation and documents relating to this Asbestos Management Policy are listed below.

- **The Health and Safety at Work etc. Act 1974:**
This is the parent legislation providing the framework for all subsequent legislation for this policy
- **The Management of Health & Safety at Work Regulations 1999:**
These regulations address Health and Safety issues specifically in the workplace, affecting the workforce and third parties. This is where the requirement for risk assessment is set out.
- **The Control of Asbestos Regulations 2012:** These regulations are wider than just the workplace. They prescribe that organisations must have a management plan.
- **The Construction (Design & Management) Regulations 2015:**
These regulations are not specifically about asbestos but set out regulations about the management of construction projects on Council sites.
- **Approved Code of Practice L143 Work with Materials Containing Asbestos**
The Control of Asbestos Regulations 2012.
- **HSG 264 Asbestos: The Survey Guide** - Surveying, Sampling, and assessment of Asbestos Containing Materials. This guide details the surveying requirements and processes
- **Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) 2013**

3.0 Key Responsibilities

The heaviest exposure occurs especially where asbestos has not been identified or during repair, maintenance, or is being removed during renovations or demolitions. The following above regulations were brought in to reduce the exposure and risk where possible and, to further protect the health and safety of those most at risk. To comply with this policy, certain Brentwood Council employees, partnering contractors and residents/leaseholders will have key responsibilities.

These include:

- Brentwood Borough Council, is the Duty Holder and owner
- Chief Executive, is the Delegated Duty Holder
- Director of Housing, is the Deputy Delegated Duty Holder
- Housing Manager & Estates Management Team Leader
- Repairs & Maintenance Contracts Manager
- Compliance Manager
- Compliance Officer
- Data Administrator
- Technical Officers - Voids
- Estate Management Officers
- Caretakers
- Contractors – Axis, Surveys and Removals
- Council Tenants

Duties included in each role are as defined below:

3.1 Brentwood Borough Council (Duty Holder)

Brentwood Borough Council is a 'Duty Holder' as defined within Regulation 4 of the Control of Asbestos Regulations 2012 (CAR).

3.2 Chief Executive (Delegated Duty Holder)

The Chief Executive is the Delegated Duty Holder; Brentwood Council has responsibility to do the following:

- A competent person(s) or organisation is appointed to provide technical and professional support and advice.
- Sufficient funding is made available to discharge the responsibilities the BBC has under the Regulations
- The Asbestos Management Plan (AMP) is produced setting out the measures and arrangements the Council has in place to discharge its duties under the Control of Asbestos Regulations 2012.
- Roles and Responsibilities for Key Officers and Managers are set out in the AMP
- All persons having a defined role within the AMP or having responsibility for assisting the Council to discharge its duties received appropriate training and instruction.
- That clear procedures and protocols are in place to support the Council in discharging its duties.

- That breaches of its duties or written procedures are fully investigated and action taken to review procedures to prevent a recurrence.
- An annual review of the implementation of this policy will be undertaken, and a report provided for the 'duty holder' and Asbestos Steering Group.

3.3 Director of Housing (Deputy Delegated Duty Holder)

As Deputy Delegated Duty Holder, the Director of Housing and Community Safety has responsibility to do the following:

- Enable the implementation of the management plan to ensure that working arrangements and provisions of financial, technical, human, and other resources are suitable and sufficient to meet its requirements.
- All buildings, **managed by BBC**, and habited by staff, or tenants have been surveyed for the presence of asbestos and an Asbestos Register produced identifying, so far as reasonably practicable, the locations of ACMs and their risk status.
- The AMP will be periodically audited to ensure it is fully implemented and functioning effectively.
- Active monitoring of procedures and protocols will be undertaken as prescribed in the AMP.
- The AMP will be reviewed annually to ensure it tracks any legislative or organisational changes and remains fit-for-purpose.

3.4 Housing Manager & Estates Management Team Leader

The Housing Manager & Estates Management Team Leader has responsibility to do the following:

- Ensuring suitable training is given to appropriate Council Housing employees.
- Enable, as far as reasonably practicable, all personnel within their control, including contractors, residents and visitors are fully informed of any potential asbestos hazards in the areas they live, work and visit.
- Identifying training requirements for all Council Housing employees under their control, to ensure that they are competent to fulfil the requirements of their roles and responsibilities.
- To assess the competence and qualifications of the Approved Asbestos Contractors to HSG264 regarding asbestos surveys and asbestos removal work is licenced by the HSE.
- Ensure any asbestos related works are communicated and co-ordinated with the Housing Data Administrator

3.5 Repairs & Maintenance Contracts Manager

The Repairs & Maintenance Contracts Manager has responsibility to do the following:

- Ensuring that all Council Housing employees within their control, including contractors, residents and visitors are fully informed of any potential asbestos hazards in the areas they live or work and visit.
- Assisting and advising staff, wherever possible, to enable them to meet their delegated responsibilities under this Asbestos Management Plan.

- Any analysis of asbestos is undertaken by a laboratory that has a current UKAS certificate.
- Ensure any asbestos related works are communicated and co-ordinated with the Housing Data Administrator

3.6 Compliance Manager

The Compliance Manager has responsibility to do the following:

- Day to day asbestos management in conjunction with the Compliance Officer.
- The implementation of the asbestos management plan
- Assisting and advising staff, wherever possible, to enable them to meet their delegated responsibilities under this Asbestos Management Plan.
- Ensuring the Asbestos Contractors are complying with all legislation and health and safety advice regarding all aspects of asbestos work, in conjunction with the Corporate Health & Safety Advisor.
- Monitoring surveying KPIs to ensure they are meeting targets.
- Ensure any asbestos related works are communicated and co-ordinated with the Housing Data Administrator

3.7 Compliance Officer

The Compliance Officer has responsibility to do the following:

- Reviewing risk assessments received by the Approved Asbestos Contractor and directing action according to recommendations of the asbestos survey.
- Ensuring all works have been completed and records are retained.
- Ensure any asbestos related works are communicated and co-ordinated with the Housing Data Administrator

3.8 Housing Data Administrator

The Data Administrator has responsibility to do the following:

- Creating and keeping up to date an asbestos register for all Brentwood Councils housing properties.
- Report to the Compliance Manager the survey targets.
- Ensuring that all housing properties and communal areas are surveyed on a regular basis.
- Ensuring upload of full records of asbestos removal works into the Asbestos Register
- Make readily available all relevant asbestos information to employees, contractors, to enable them to effectively manage the risk of asbestos exposure on the site under their control (contractors also have responsibility to access asbestos information).
- Ensure the Asbestos Register is kept fully up to date.

3.9 Technical Officers – Voids

The Technical Officers – Voids has responsibility to do the following:

- To follow the set protocol for managing asbestos within vacated housing accommodation to ensure the risk from asbestos containing materials is minimised. (Refer to the Asbestos Process for Void Housing Properties in the shared Y drive.)
- Ensure any asbestos related works are communicated and co-ordinated with the Housing Data Administrator

3.10 Estate Management Officers

The Estate Management Offices has responsibility to do the following:

- When undertaking estate inspections, or liaising with tenants in their accommodation, officers will be mindful of asbestos containing material and, will inform the housing Compliance Officer of any damaged or deteriorating asbestos containing materials.
- Ensure any asbestos related works are communicated and co-ordinated with the Housing Data Administrator

3.11 Caretakers

The caretakers have responsibility to do the following:

- When undertaking caretaking duties will be mindful of asbestos containing material and will inform their line manager and the housing Compliance Officer of any damaged, dumped or deteriorating ACMs.

3.12 Contractor – Axis (Non-licenced)

The Contractor – Axis has responsibility to do the following:

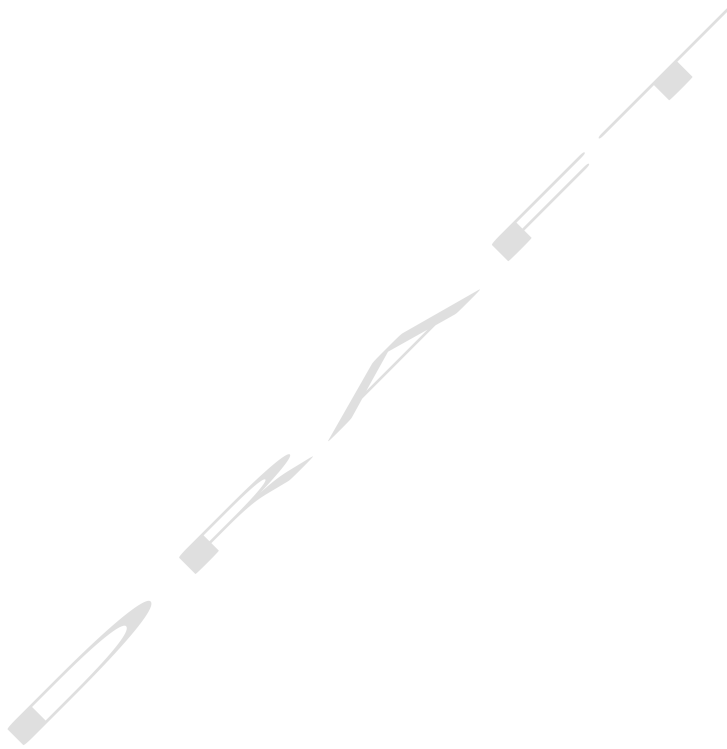
- Compliance with current legislation, associated Approved Codes of Practice (ACoPs) and Guidance, also adhering to the Council Asbestos Management Plan, and any other relevant procedures.
- Management and monitoring of the asbestos removal process, but to a level which would not fall to be licenced with the HSE.
- Identification of training requirements for all personnel under their control, to ensure that they are competent to fulfil the requirements of their roles and responsibilities, asbestos awareness training being a mandatory requirement and additional suitable and sufficient training for those working with asbestos containing materials.
- Fully communicating with all personnel who may be affected about the location of and risk associated with any Asbestos Containing Materials in the property in question.
- Immediate cessation of works if unsuspected Asbestos Containing Materials are discovered and reporting to the Council's Housing Compliance Manager for advice/action before proceeding.
- Attending site in advance of works with a designated Housing Council Officers to assess the asbestos remedial works specifications.
- Raising any issues to the Council's Housing Compliance Manager relating to the health and safety aspects or additional costs of the project.
- Ensuring that all asbestos removal works are carried out in strict accordance with the Control of Asbestos Regulations 2012 and its supporting ACoP L143 Work with Asbestos Materials and including any subsequent revisions to these documents.

- Provision of a plan of work to the Approved Asbestos Contractor and the Council's Compliance Manager, including details of project resources, timetable and agreed emergency procedure
- Provision of Statutory Notices to the relevant Statutory Authority (HSE) prior to commencing asbestos works, or, by agreement and at the request of the Approved Asbestos Contractor, applying for a waiver from the minimum notice.
- Regularly inspecting the work environment and reporting immediately any defects to the Council's Housing Compliance Manager, and where instructed rectifying the defect.
- Provision of copies of notification and consignment notes and other relevant documentation with a final account to the Council's Housing Data Administrator for recording under Keystone.

3.13 Contractor – Surveys

The Contractor – Surveys has responsibility to do the following:

- Take reasonable steps to locate and identify the presence of Asbestos Containing Materials in its assets. This role has been assigned to an Approved Asbestos Competent Contractor who will carry out surveys of properties according to a planned programme.
- Compliance with current legislation, associated Approved Codes of Practice (ACoPs) and Guidance, also adhering to the Council Asbestos Management Plan, and any other relevant procedures.
- Undertaking Management, and Refurbishment or Demolition asbestos surveys on Council stock, where necessary synchronised with planned programmes.
- Following HSG 264 guidance about displaying of floor plans within communal areas.
- Ensuring information about all identified Asbestos Containing Materials for all Council Housing properties is passed to the Council Housing Data Administrator for inclusion on the Asbestos Register database (Keystone System).
- Provision of advice to the Council about any potentially high-risk asbestos related products identified during the survey, via the quickest practicable means and followed up in writing.
- Inform Brentwood Council of any changes within the industry which may affect policy or practice.
- Identification of training requirements for all personnel under their control, to ensure that they are competent to fulfil the requirements of their roles and responsibilities, asbestos awareness training being a mandatory requirement for all staff and additional suitable and sufficient training for those working with Asbestos Containing Materials.
- Carrying out a risk assessment before commencing any work to establish the risk associated with potential Asbestos Containing Materials in the property.
- Asbestos Surveyors must be accredited by the United Kingdom Accreditation Service (UKAS) as complying with ISO17020 to undertake surveys for Asbestos Containing Materials
- Surveying organisations are required to have for the duration of the contract Public, Employer's, and Professional Indemnity insurance to appropriate levels of £10 million.
- Analysing and air sampling is carried out effectively by the chosen analyst prior to re-occupation of any area where works have been carried out.



3.14 Contractor – Removals (Licenced)

The Contractor – Removals (Licenced) has responsibility to do the following:

- Compliance with current legislation, associated Approved Codes of Practice (ACoPs) and Guidance, also adhering to the Council Asbestos Management Plan, and any other relevant procedures.
- Identification of training requirements for all personnel under their control, to ensure that they are competent to fulfil the requirements of their roles and responsibilities, asbestos awareness training being a mandatory requirement and additional suitable and sufficient training for those working with asbestos containing materials.
- Carrying out a risk assessment before commencing any work to establish the risk associated with potential Asbestos Containing Materials in the property.
- Where the above risk assessment indicates it is necessary to access the Asbestos Register (Keystone database) to view the relevant survey, or where there is no survey to require a refurbishment and demolition survey to be carried out before commencing work.
- Fully communicating with all personnel who may be affected about the location of and risk associated with any Asbestos Containing Materials in the property in question.
- Immediate cessation of works if unsuspected Asbestos Containing Materials are discovered and reporting to the Council's Housing Compliance Manager for advice/action before proceeding.
- Attending site complex asbestos removal in advance of works with a designated Housing Council Officer to assess with the asbestos remedial works specifications.
- Raising any issues to the Council's Housing Compliance Manager relating to the health and safety aspects or additional costs of the project.
- Ensuring that all asbestos removal works are carried out in strict accordance with the Control of Asbestos Regulations 2012 and its supporting ACoP L143 Work with Asbestos Materials and including any subsequent revisions to these documents.
- Carrying out enclosures and removal in accordance with HSG 247 - Asbestos: The Licensed Contractor's Guide.
- Provision of a plan of work to the Approved Asbestos Contractor and the Council's Compliance Manager, including details of project resources, timetable and agreed emergency procedure
- Provision of Statutory Notices to the relevant Statutory Authority (HSE) prior to commencing asbestos works, or, by agreement and at the request of the Approved Asbestos Contractor, applying for a waiver from the minimum notice.
- Regularly inspecting the work environment and reporting immediately any defects to the Council's Housing Compliance Manager, and where instructed rectifying the defect.
- Provision of copies of notification and consignment notes and other relevant documentation with final account to the Council's Data Administrator for recording under Keystone.

3.15 Contractor – 3rd party

Contractor 3rd part have responsibility to do the following:

- Compliance with current legislation, associated Approved Codes of Practice (ACoPs) and Guidance, also adhering to the Council Asbestos Management Plan, and any other relevant procedures.
- Undertake an asbestos refurbishment and demolition survey before undertaking any works to establish what asbestos risks will be inherent in the work undertaken.
- Carrying out a risk assessment before commencing any work to establish the risk associated with potential Asbestos Containing Materials in the property.
- Before undertaking any work, a risk assessment and method statement (RAMS) must be provided to the Contracts Manager for review and share with appropriate colleagues.
- Once the RAMS have been agreed, should the contractor need to change any element of the works, they will communicate in the first instance what those changes are and, undertake additional repair and maintenance asbestos surveys to ensure asbestos is not damaged, or disturbed during the revised works.
- Fully communicating with all personnel who may be affected about the location of and risk associated with any Asbestos Containing Materials in the property in question.
- Once works have been completed, ensure all respected documents are provided to the Council which will be uploaded to the Keystone database.

3.16 Council Tenants

Council Tenants have responsibility to do the following:

- The Council will endeavour to provide a diagram showing assumed potential asbestos containing materials in their accommodation.
- All Council Housing buildings, managed by BBC and habited by Council tenants are surveyed for the presence of asbestos, and an Asbestos Register produced identifying, so far as reasonably practicable, the locations of ACMS and their risk status.
- Immediate reporting to the Housing department any asbestos containing materials which are damaged or disturbed, or any suspect ACMs of any condition, any defects, or concerns, that may have related to asbestos or remedial works.
- Prevent from drilling into any of the walls, floors, or ceilings before undertaking any major works and to seek the Council's permission to do so.
- Information and awareness of asbestos is given to all Council Tenants through the Tenant Liaison Group

4. Monitoring, Auditing and Reporting

The Corporate Health & Safety Advisor and Housing Compliance Manager will audit the implementation of this policy on an annual basis.

All asbestos information is held on the Council's Keystone asset management system.

The implementation of this policy and any incidents will be monitored and audited annually by the Corporate Health & Safety Advisor and Housing Compliance Manager to ensure its compliance of this policy.

5. Asbestos Information and Training

All employees who are liable to disturb asbestos during their normal everyday work activities should be provided with adequate information, instruction, and training so that they can recognise asbestos containing materials. The training needs to be appropriate for the work and the roles undertaken by individual employees.

Asbestos awareness training is **mandatory** for all Council employees who may come into contact with or may disturb asbestos in the course of their job activity, manage buildings or who may influence how work is carried out. This should form part of the employee's induction training programme to enable them to carry out their daily work activities with minimal risk to their health and safety. Refresher training for employees will consist of an E-learning presentation biennially to enable employees to familiarise themselves again with the requirements of asbestos and their awareness in their role. This applies to current employees.

The Asbestos Awareness training aims to balance the technical aspects of asbestos with the practical management using "real life" scenarios in small groups to facilitate discussion and questions. It will cover the Control of Asbestos Regulations 2012 and our continued obligations as a landlord to inspect common parts & manage works safely and keep good records.

Additional Training

4.1 Employees whose work could foreseeably expose them to asbestos or who may be involved in managing asbestos programmes of work or any other asbestos related work will also be required to attend relevant additional training.

4.2 This will be the responsibility of Brentwood Borough Council to arrange P405 (Management of Asbestos in Buildings) training.

4.3 Brentwood Borough Council endeavours to have at least one member of the Repairs & Maintenance team that has attended this additional training and can advise others where necessary.

Figure 2: Health and Safety Executive

- Train staff
- Manage contractors
- Checked all work against plan/register
- Control of work itself:
- HSE *Asbestos essentials* used
- Compliance achieved

Appendix 2 – The identification of Asbestos Containing Materials

Asbestos is a naturally occurring fibrous mineral which has been used for its fire resistance, thermal insulation, and reinforcement properties. The main commercial types have been crocidolite (blue asbestos), amosite (brown asbestos) and chrysotile (white asbestos).

Since the discovery in the mid-Twentieth Century that asbestos can cause fatal lung conditions, the mining and use of asbestos has decreased, and has become closely regulated in most countries, with the UK banning the use of Crocidolite and Amosite in 1985 and Chrysotile in 1999.

It is the aim of the Council to minimise the risk of relevant persons exposure to asbestos fibres in any form, irrespective of the type of asbestos found.

Asbestos Containing Materials (ACMs) have been put to many uses over the past century. The commercial use of asbestos in the UK began around the end of the nineteenth century and increased gradually until World War II. Immediately after World War II, large quantities of asbestos were used, particularly for new 'system-built' buildings in the 1950s, 1960s and early 1970s. ACMs were routinely used in the refurbishment of older buildings.

The most common areas where asbestos can be found in buildings include:

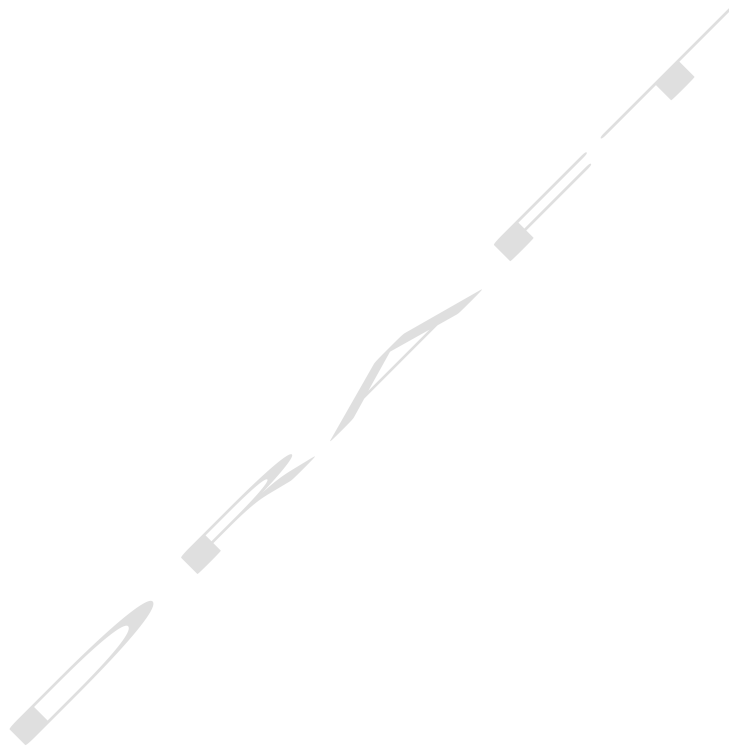
- loose packing between floors and in partition wall
- sprayed ('limpet') fire insulation on structural beams and girders
- lagging e.g. on pipework, boilers, calorifiers, heat exchangers, insulating jackets for cold water tanks, around ducts
- asbestos insulation board (AIB), e.g. ceiling tiles, partition walls, soffits, service duct covers, fire breaks, heater cupboards, door panels, lift shaft linings, fire surrounds
- asbestos cement (AC), e.g. roof sheeting, wall cladding, walls and ceilings, bath panels, boiler and incinerator flues, fire surrounds, gutters, rainwater pipes, water tanks
- other products, e.g. floor tiles, mastics, sealants, textured decorative coatings (such as Artex ceiling applications), rope seals, gaskets (e.g. pipework), millboards, paper products, fire doors, cloth (e.g. fire blankets), bituminous products (roofing felt, sink pads and flooring adhesive) and old plastic toilet cisterns and toilet seats.


A Health and Safety Executive (HSE) guide for employees and contractors with pictorial information on where asbestos containing material can be found, in business/industrial and residential premises, is available at this link <http://www.hse.gov.uk/asbestos/assets/docs/beware-asbestos-reference-cards.pdf>

Below are some examples of pictures of the types of products where asbestos can be found. This is not a complete picture and competent advice should always be sought if unclear.

Some Examples of Asbestos Products

Remember - The presence of asbestos in the workplace does not automatically mean that it must be removed. Risks to health will only arise when asbestos fibres are released i.e. disturbed/damaged into the atmosphere. Therefore, asbestos containing materials (ACM) that are undamaged can sometimes be left in place.



				
Fire Blanket	Asbestos Insulation Board (AIB)	Perforated AIB ceiling tiles damaged around the light fitting	Suspended AIB ceiling tiles in a corridor	
				
Asbestos containing floor tiles in a corridor	Asbestos cement downpipe, hopper and profile sheet	Pieces of AIB	Damaged asbestos panelling	
				
Asbestos cement roof (damaged exterior)	Torn asbestos pipe lagging	Damaged asbestos lagging on hot water pipes	Damaged asbestos pipe lagging and debris	
				
Pipe insulated using asbestos lagging and rope	Asbestos rope used as insulation on a pipe	Sprayed 'limpet' asbestos on the underside of an asbestos cement roof	Sprayed 'limpet' asbestos which has been partly removed	
			http://www.hse.gov.uk/asbestos/assets/imag	

How Asbestos Can Affect Your Health

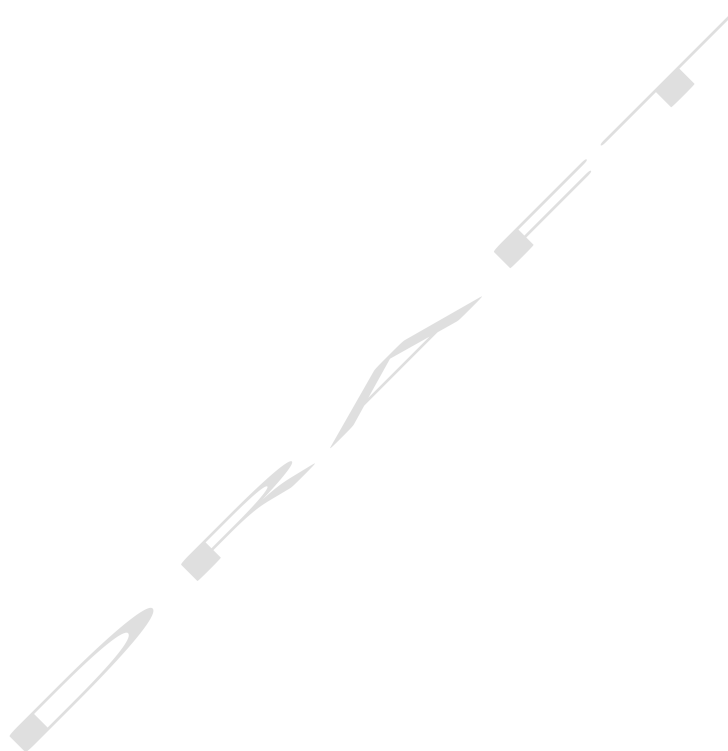
Breathing in air containing asbestos dust/fibres can lead to people developing one of three fatal asbestos-related diseases. In the UK asbestos fibres are present generally in the environment so that people are regularly exposed to very low levels of air borne fibres. However, a key factor in the risk of developing asbestos related diseases is in the total number of fibres inhaled so that working on or near damaged asbestos containing materials, or, inhaling high levels of asbestos fibres (which may be many hundreds of times that of environmental levels), during building works for instance, can cause serious diseases:

- Asbestosis – which is a scarring of the lung
- Lung cancer

- Mesothelioma – which is a cancer of the lining around the lungs and stomach.

These diseases can take from 15-60 years to develop, from first exposure – so you or your employees would not be aware of any sudden change in health after breathing in asbestos.

Asbestos fibres enter your body when you breathe. The body can get rid of the larger fibres, but microscopic fibres can pass into the lungs where they can cause disease.



Appendix 3 – Surveys

Following an initial asbestos survey being carried out, a management plan must be produced, and this would be arranged by either the contractor engaged to carry out the survey, or the respective Council point of contact above. The Asbestos Management Plan highlights specific areas of a premise where asbestos has been found and what type it is. It also confirms the recommendations for removal or managing the asbestos and may include any proposed costs to carry out the work. This plan will accompany completed survey documents. The engaging Service Area will need to ensure that copies of the survey documents produced are reviewed, actioned, and filed to the Keystone Database.

Duty Holders must also make themselves aware of any recommended asbestos works contained in the survey and management reports and to check with their council point of contact if they are unsure as to the level of works are required to remove asbestos from any contaminated areas.

Asbestos Surveys

An asbestos survey is required to be carried out on ALL Council owned properties that were built before the year 2000. This is to ascertain whether asbestos is present and if so, what course of action is required to manage the risk of exposure to asbestos fibres.

All asbestos surveys undertaken must be in accordance with HSE Guidance HSG 264 Asbestos: The Survey Guide.

There are two types of survey contained within HSG 264, a Management Survey and a Refurbishment and Demolition Survey:

Management Survey - are undertaken to help manage asbestos containing materials during the normal occupation and use of premises.

Refurbishment and Demolition Survey - are required where the premises, or part of them, need upgrading, refurbishing, or demolishing; or when any work is carried out that might disturb hidden asbestos that had not been previously identified.

Management Survey

A management survey is the standard survey; its purpose is to locate, as far as reasonably practicable, the presence and extent of any suspect ACMs in the building which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation, and to assess their condition. Management surveys will often involve minor intrusive work and some disturbance. The extent of intrusion will vary between premises and depend on what is reasonably practicable for individual properties and will usually involve sampling and analysis to confirm the presence or absence of ACMs. However, a management survey can also involve presuming the presence or absence of asbestos. Management surveys are only likely to involve the use of simple tools such as screwdrivers and chisels.

This is the most common form of asbestos survey commissioned by Brentwood Council; however, it is **not suitable for significant refurbishment or demolition works**. Refurbishment and Demolition surveys will be commissioned as required to ensure compliance.

The areas inspected as part of the management survey should include underfloor coverings, above false ceilings (ceiling voids), lofts, inside risers, service ducts and lift shafts, basements, cellars, underground rooms, this list is not exhaustive).

Please Note: Any areas not accessed or inspected within an asbestos survey must be presumed to contain asbestos unless there is strong evidence that it does not. Areas not accessed and presumed to contain asbestos must be clearly stated in the survey report and will have to be managed e.g. maintenance or other disturbance work should not be carried out in these areas until further investigations are carried out.

Refurbishment and Demolition Survey

To enable this level of identification the area must be fully accessible to the surveyor and appropriate investigation techniques and equipment be employed. Survey planning is essential, to allow the Surveyor to understand the scope of the intended works, for any exclusions to the survey to be agreed with the Council, and for arrangements to be made to clear, such as decontamination from hazardous substances if such contamination is likely, and isolation of services. HSG 264 emphasises the need for the survey area to be isolated from building occupants and that, ideally, reoccupation after survey is not planned. However, it recognises that this is not always achievable. Where the survey area is to be reoccupied assurance that it is acceptable for reuse must be obtained from the Surveyor.

Intrusive investigation works can be significant – making good after survey works is minimal unless requested otherwise. Suspect materials are sampled during the survey, and the extent of ACMs estimated. The condition of the ACM is generally not reported except where materials are damaged, if areas of asbestos debris may be expected, or if there will be a time delay between the survey and the intended refurbishment or demolition.

For a refurbishment or demolition survey to be successfully completed at least the following criteria must be met:

- area is unoccupied, with no intention to reoccupy after survey
- area is fully accessible – with fixings, furnishings, and heavy equipment removed, or at least easily movable
- area is fully accessible in terms of decontamination sign-offs and other relevant authorisations
- suitable survey techniques are employed – breaking through of partitions, opening of floor voids, use of access platforms for high level areas etc.

If the conditions above are not met the survey will not be considered comprehensive.

Limitations will be noted in the Survey Report and arrangements will need to be made to undertake further survey work when the site conditions area are appropriate.

The HSE recognise that unidentified ACMs may remain in the survey area, thus appropriate controls need to be in place for the actual refurbishment period, and certainly for any demolition works.

Re-Inspection Surveys

Each Duty Holder that has control of a premise(s), must ensure that an management asbestos survey is carried out at each premise built before the year 2000 to ascertain whether or not asbestos is present. If the survey of a premise has revealed the presence of or the presumed presence of asbestos, then a re-inspection of the premise must be carried out on an annual basis in accordance with the Approved Code of Practice L143 Managing and Working with Asbestos to ensure that any asbestos or presumed asbestos present is still undisturbed and undamaged and can be managed safely. A copy of the original survey report and any accompanying

documentation must be available on site, in the Contractor Management 5C's Folder, as confirmation for any contractor that asbestos **is** present in the building and whether their designated area of work is affected or not. If no asbestos is found, a copy of the original survey report and any accompanying documentation must be available on site as confirmation for any contractor that asbestos is not present in the premise and is not present in their designated work area. However, no further asbestos surveys will be required unless refurbishment/ demolition works will be carried out on site, in this case a refurbishment and demolition survey is required to be carried out prior to any works commencing on site. Duty Holders must make themselves aware as to where to locate current up to date asbestos surveys, register and management plans for their premises and contact the Council's Housing Data Administrator in respect of queries on available asbestos documents specific to their areas of responsibility. The same applies when re-inspections are required for premises containing ACMs that need to be managed.

ACMs in Equipment

ACMs have frequently been used in technical equipment. Asbestos fibres have a range of properties - insulating, electrically conductive, resistance to acid – which made them suitable for many uses. Packing, panels to the sides and doors of flammable cabinets, and electrical equipment. Asbestos may also be present in certain washers and gaskets.

It is the responsibility of the Duty Holder to have asbestos containing equipment, materials and apparatus clearly identified, appropriately recorded and managed. Items known to contain asbestos should be disposed of where possible through a licenced contractor, or if they are to be retained, be recorded on the Asbestos Register and their condition monitored for deterioration.

Appendix 4 – Asbestos Register

The asbestos register is produced as part of the completed asbestos survey report detailing the location, type, condition, and status of any asbestos discovered or known to exist in a building or area. This register is stored in an electronic format accessible to all employees which is managed by the Council's Housing Service Keystone Database.

The asbestos register exists to provide information to anyone working on Council housing buildings to make an assessment in order to minimise the potential risk of personal exposure to asbestos fibres if any exist in their designated work area, irrespective of whether they are engaged to carry out asbestos work or not.

Duty Holders must ensure that Housing employees or engaged third party contractors must be made aware as to the existence of any asbestos register appertaining to any residential property or properties that they are engaged to work in. Documentation must be held centrally by the Housing Service Repairs department to cover residential areas of properties to ensure information is cascaded down accordingly. Non-technical employees should not offer advice on whether to carry out asbestos work unless they have had the relevant training.

Although the control of asbestos regulations do not cover residential properties, the Council has a duty of care to ensure the health and safety of employees or authorised contractors working in residential properties where asbestos is found to be present and is taken into account.

The Register is updated by the Housing Data Administrator. Individuals, or organisations who affect data in the Register must supply relevant information to the Housing Data Administrator.

For example, where a Contractor is the Duty Holder (see “Duty Holders”), the Council Asbestos Register and its upkeep remains the responsibility of the Council. The Council will retain the Asbestos Register, which will be available for consultation on request. All asbestos related activities must be notified to the Council and undertaken only by Council-approved Licensed Asbestos Contractors, so that the Register can be updated.

Update may be required after:

- Identification of further ACMs
- Surveys
- Removal of ACMs
- Inspection/monitoring exercises
- Changes in building layout or area use.

At the “AMP Review” the Corporate Health & Safety, and Housing Compliance Manager will assess the range and quantity of amendments received.

Audit

Regular Register audits will be undertaken by the Corporate Health & Safety and the Housing Compliance Manager. This will include comparison of representative Asbestos Register entries against site inspections and records of asbestos remedial works. The audit report will be made available to all relevant parties and will form part of the AMP Review.

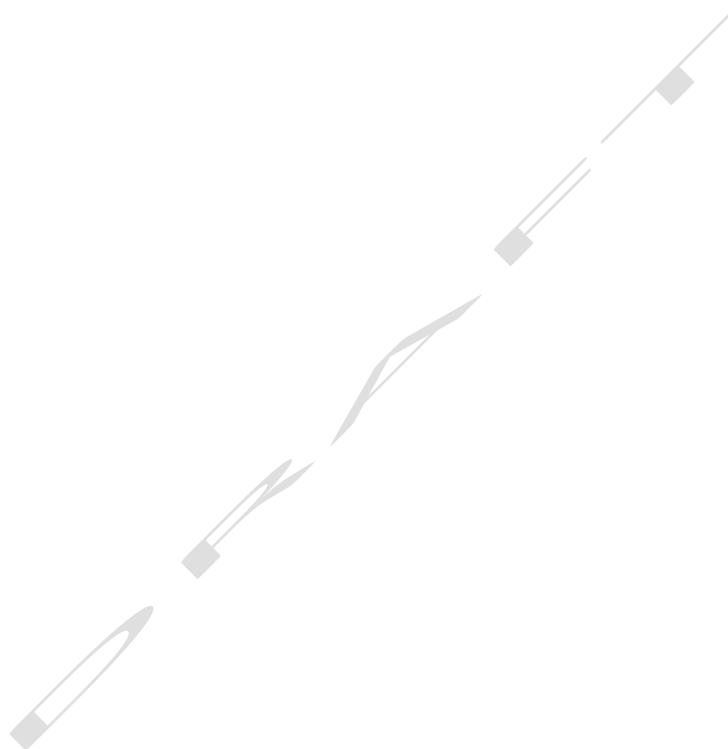
Appendix 5 – Exposure to Airborne Asbestos Fibres

If employees/contractors have been exposed to asbestos or suspected exposure to asbestos, please refer to the Accidental Exposure to Airborne Fibres Procedure which must always be followed (Appendix 3).

Health surveillance allows for early identification of ill health and helps identify any corrective action needed. Where an employee(s) has been inadvertently exposed to asbestos fibres the employee must follow the Emergency Procedure in Appendix 5, notify their Line Manager or Team leader and following decontamination procedures subsequently consult with their GP and ask for a note to be made on their health record detailing the incident.

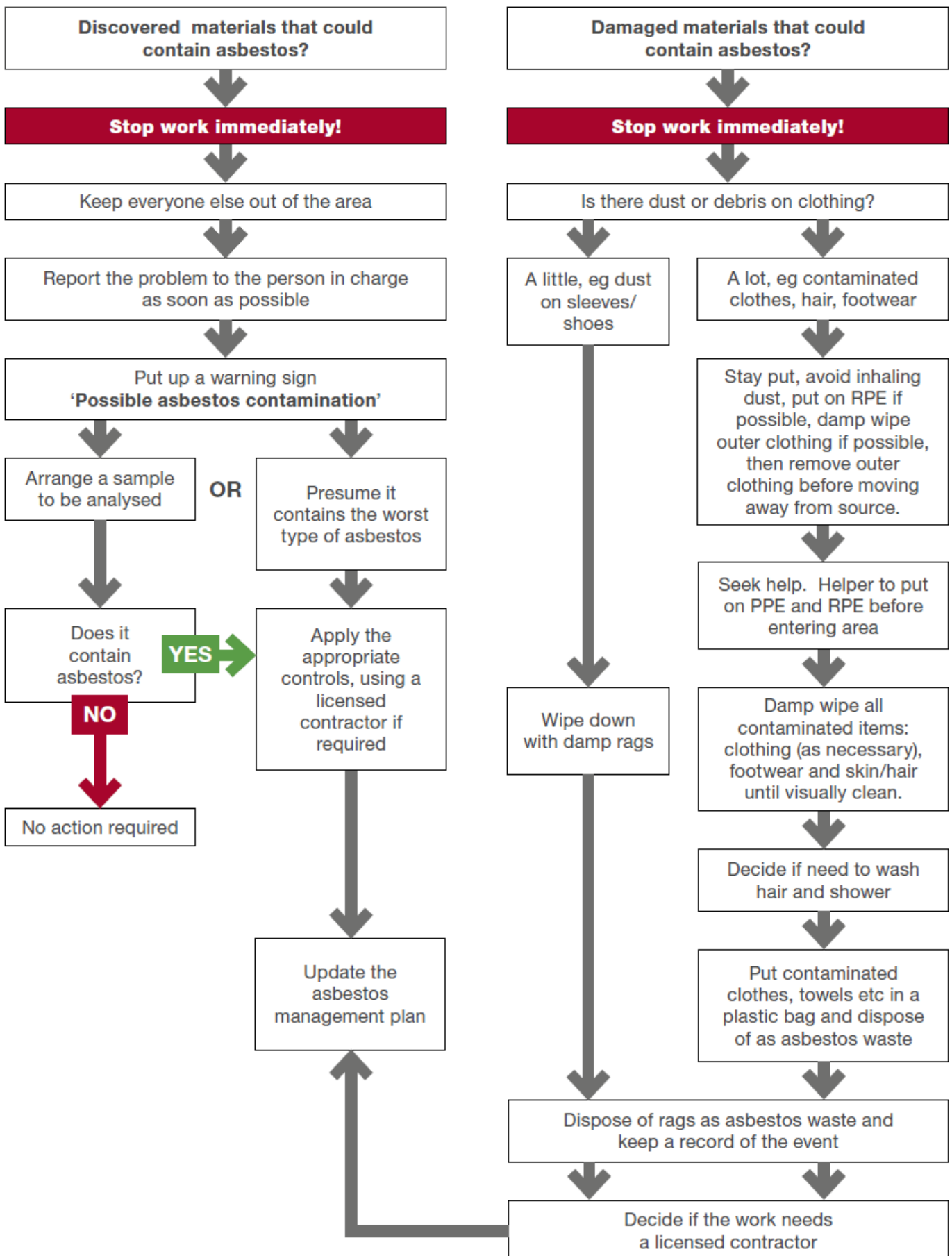
If employees/contractors have been exposed to asbestos or suspected exposure to asbestos, please refer to the Accidental Exposure to Airborne Fibres Procedure which must always be followed (Appendix 6).

A health record must be kept for all employees by HR under health surveillance. Health records, or a copy, should be kept for at least 40 years from the date of last entry because often there is a long period between exposure and onset of ill health.



Accidental Asbestos Release

Flow chart



Accidental Exposure to Airborne Asbestos Fibres Procedure

These procedures should be followed in the event of an unexpected exposure or suspected danger of exposure to asbestos containing materials (ACMs) and applies to all buildings, structures or assets owned, managed, or utilised by Brentwood Council.

Asbestos fibres may be released into the atmosphere when employees and/or contractors disturb such materials or asbestos containing materials have been damaged.

If employees or contractors discover damaged or suspect asbestos containing materials on site, the following steps should be taken:

1. Stop work immediately and evacuate persons from the area
2. Isolate the area i.e. closing the windows and doors and switching off any ventilation which could carry asbestos dust or fibres to other parts of the premises.
3. Secure the area to prevent any other persons accessing the area and put up warning notices. Ensure that persons who would normally access this area are instructed to keep away e.g., contractors, staff, cleaners, tenants, or visitors etc.
4. Contact person(s) with overall responsibility for the premises immediately.
5. Check the site asbestos survey/register for information concerning the affected area/material.
 - If the asbestos survey/register clearly identifies the area/material as asbestos containing materials, contact the appropriate Council asbestos points of contact (listed below) immediately and follow section 6(b)
 - If no survey/record exists, or is incomplete, or the area concerned is not specifically mentioned as being asbestos free, assume that asbestos is present and contact the appropriate Council asbestos points of contact (listed below) immediately to engage a licensed analyst to undertake a survey and risk assessment of the area, to include bulk samples and reassurance air testing.
 - If the area/material concerned is clearly identified as non-asbestos, notify the premises manager he/she may re-open the area. If there is any doubt, treat it as if asbestos is present.

Appropriate Council asbestos points of contact include:

Relevant contact details for BBC will be provided to all contractors undertaking work on site, so that any unexpected asbestos containing materials discovered during any works can be reported to the appropriate Responsible Persons or Duty holder.

The Asbestos Surveying Consultant and Asbestos Removals Contractor can be accessed via dedicated telephone numbers provided below:

- **Asbestos Surveying Contractor:** Thames Labs
- **Asbestos Removal Contractor:** Duct Clean & SAF
- **Brentwood Council Responsible Persons (RP):**

Housing: Housing Manager, Estates Management Team Leader, Compliance Manager and Technical Officer for Voids - Telephone 01277 312500
Out of Hours Emergencies: CCTV Department Telephone: 01277 312500

6. If the analysis proves:

a. the area/material has been confirmed by the licensed analyst to be non- asbestos then work can resume, and the area can be reopened.

b. the area/material has been confirmed by asbestos survey/licensed analyst to contain asbestos therefore appropriate action will be required to be taken i.e. encapsulate and manage asbestos or remove from the premise, by a licensed asbestos removal company. The licensed asbestos contractor and analyst should thoroughly clean and check the area respectively, in accordance with current legislation and the **Managing and working with asbestos: Control of Asbestos Regulations 2012: Approved Code of Practice and guidance**, before the area can be reopened. The following actions must be undertaken:

- The area should remain closed until the asbestos works are complete and the licensed analyst has issued the relevant clearance certificates.
- Any clothing or personal protective equipment being worn at the time of exposure should be put into disposal bags, which should then be double bagged and conspicuously marked asbestos and should be disposed of as asbestos waste.
- Contact your asbestos points of contact listed above who can arrange for a licensed asbestos removal company to remove contaminated clothing and PPE off site. The asbestos removal contractor will submit notification to the HSE where appropriate in discussion with the Council's Corporate Health and Safety Service.

7. If employee(s) have been exposed or suspect to have been exposed to asbestos containing materials then employees should follow the procedure in Appendix 5 and consult their GP follow this procedure.

A note that the exposure has occurred must be made on the employee's health record or personal record. A copy of the note must also be given to the employee who should be told to keep the record indefinitely. This is because there is a significant delay between exposure and the development of asbestos related diseases, and the health effects may not occur until many years later.

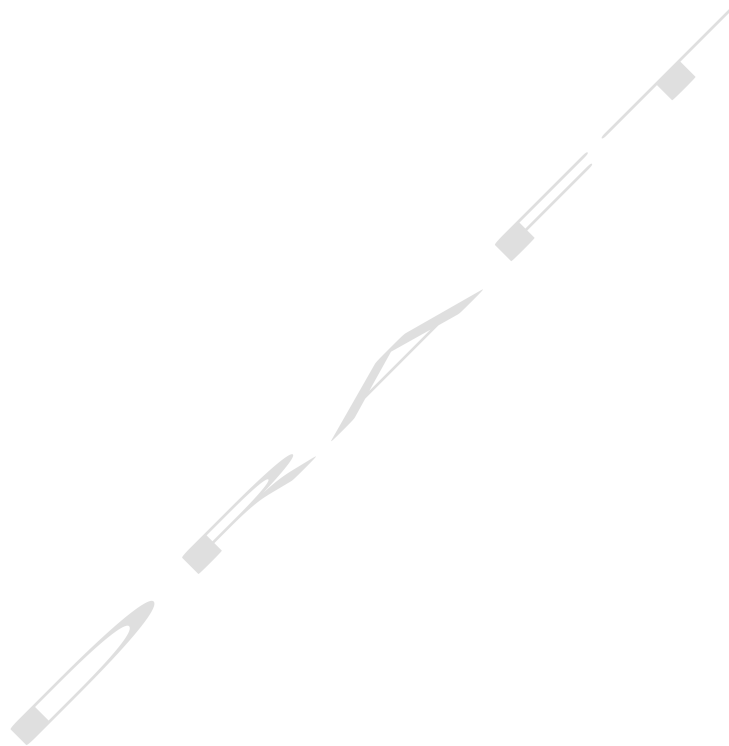
8. Exposure to asbestos is reportable under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) as a Dangerous Occurrence therefore if an employee is found to have been exposed to asbestos at work it must be reported to the HSE and this would be classed as 'accidental release of any substance that may damage health'. All details of the incident must also be recorded on the Council's Online Health and Safety Incident Report Form and submitted. The Corporate Health and Safety Service must also be contacted immediately. (Please refer to the Councils H&S Incident Reporting Standard for further information).

9. The Asbestos Steering Group and Corporate Health and Safety Advisor must be informed of any asbestos release. Once the emergency procedure has concluded, a full investigation is to be undertaken by the Duty Holder, to establish its cause, effect, and aid in preventing any further

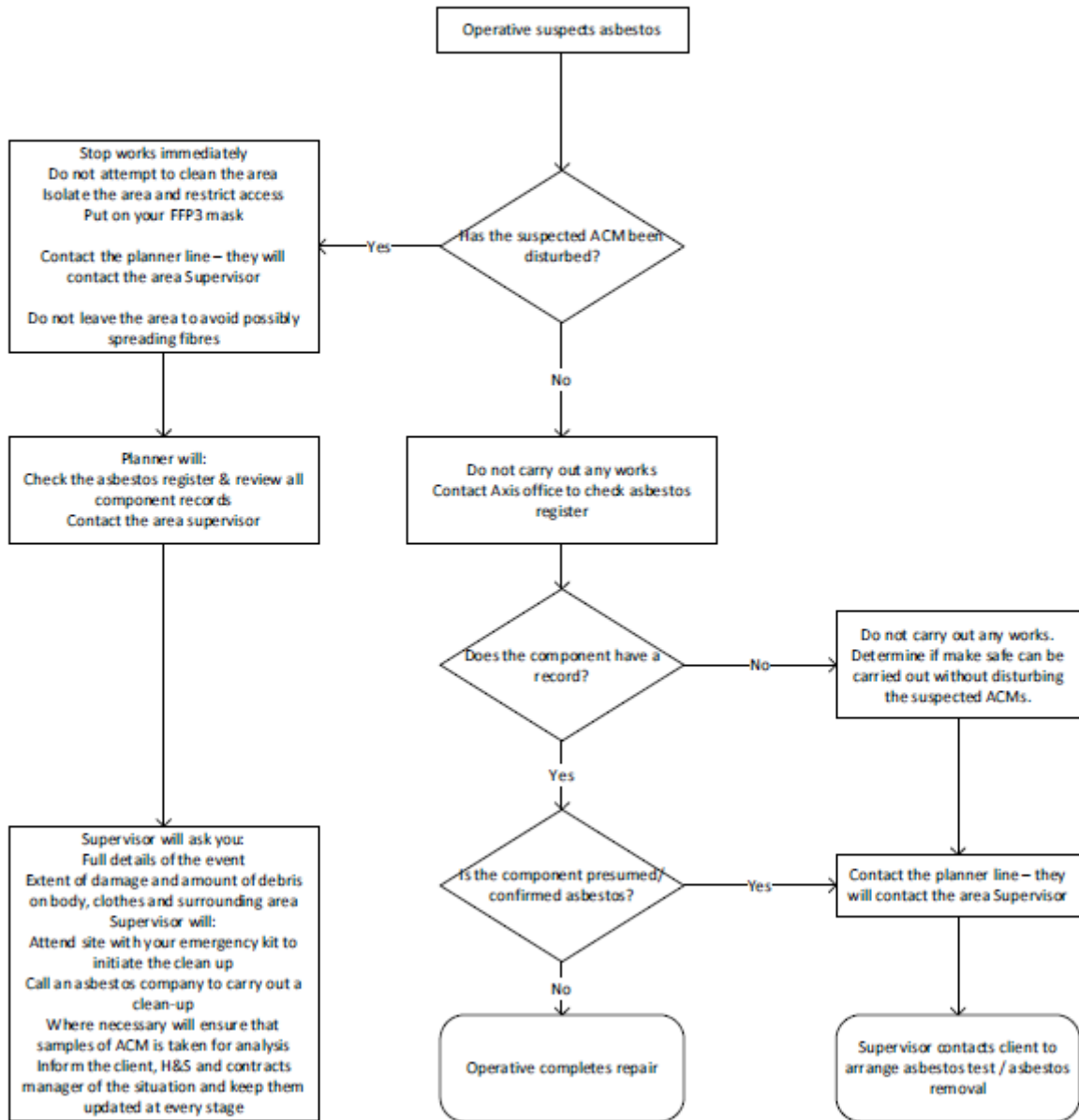
similar occurrences in the future. Any such occurrences and their outcomes shall be documented and reported to the Asbestos Steering Group for periodic review

10. Decontamination Procedure

The following has been replicated from the HSE Asbestos Essentials document 'em1' called 'What to do if you uncover or damage materials that may contain asbestos' and if followed should ensure compliance with the law.



Asbestos Procedure



Appendix 7 - Reporting of Asbestos Incidents

If an employee is found to have been exposed to asbestos at work i.e. if work activities are carried out without suitable controls, or the precautions fail to control exposure it must be reported under Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) as a Dangerous Occurrence and this should be classed as 'accidental release of any substance that may damage health'. This must also be reported to the Asbestos Steering Group.

Fly-Tipped Asbestos Waste

Where asbestos containing materials (ACMs) are discovered (or suspected) on Council land, the following should be carried out by the appropriate teams:

- Enforcement Team – report immediately to the Enforcement Officer who will investigate the area to locate any evidence identifying who it may have been dumped by.
- Housing Estate Officer/Caretaker – report immediately to the Housing Compliance Officer who will arrange for a licensed asbestos removal contractor to remove the asbestos off site and clear the area.

Once the licensed asbestos removal contractor has removed the asbestos off site, copies of the Waste Consignment Notes should be provided to the Housing Data Administrator and copies should be held on file.

The Enforcement Team may initiate an investigation to try and ascertain the identity of the originator of the fly tip, if this is carried out then mandatory disposable face masks FFP3 or half masks P3 must be worn including appropriate Personal Protective Equipment.

The following respiratory protective equipment and suitable personal protective equipment should be worn prior to investigating a fly tip that contains (or is suspected to contain) asbestos:

- Respiratory Protective Equipment (RPE) either disposable masks or half masks **must** always be worn which is **FFP3/P3 rated**. A face fit test should be carried out to make sure that the selected face piece is the right size and can correctly fit the wearer.
- Disposable overalls fitted with a hood - Type 5 (BS EN ISO 13982-1) should be supplied and worn as required
- Protective gloves - single-use disposable gloves should be supplied and worn as required.
- Boots without laces (laced boots are hard to decontaminate) should be supplied and worn as required

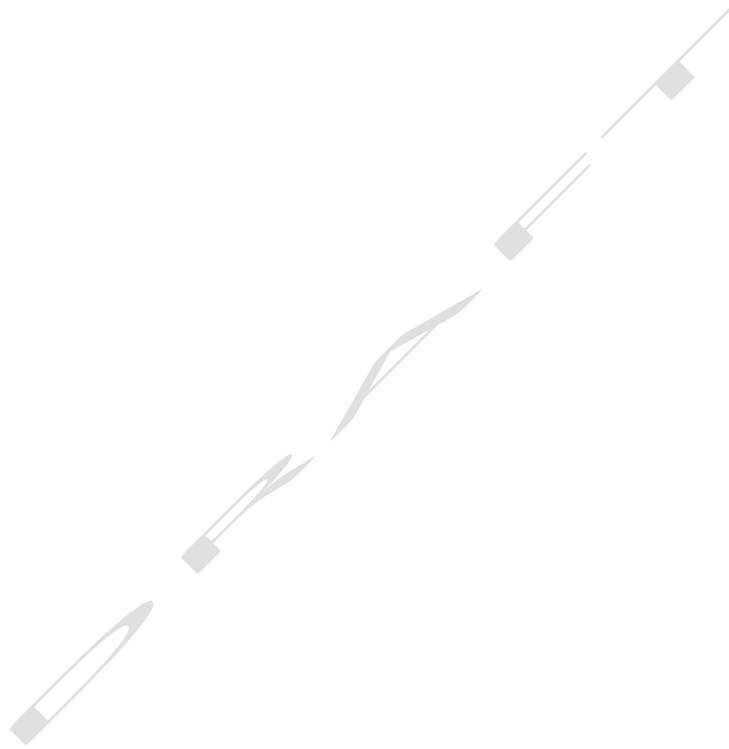
Please Note: Once RPE/PPE has been used, disposable RPE, filters and protective clothing should not be reused and be disposed of as asbestos waste after use if it (the offending material) was found to contain or suspected to contain asbestos.

Face Fit Testing

Fit testing will ensure that the respiratory protection equipment selected is suitable for the wearer. Respiratory protective equipment cannot protect the wearer if it leaks and therefore relies on a good seal to be effective. Facial hair (stubble and beards) can prevent a good seal of the mask to the face which will cause leakage of contaminated air around the edges of the mask and into the operative lungs.

Respiratory protective equipment fit testing should be conducted by a competent person who is appropriately trained, qualified and experienced, and is provided with appropriate information to undertake each task.

A copy of the manufacturer's user instructions should be made available to the wearer as this will give information on simple fit checks, such as those involving blocking filters and inhaling to create suction inside the mask so any leakage can be detected. A record of fit testing, inspection, examination, maintenance, and any defects that are repaired must be kept available on site for five years for inspection.



Appendix 8 – Reactive Works – Asbestos Dwelling Works Matrix

Reactive Works - Asbestos Dwellings Works Matrix

Product Type	Material Assessment Score	Priority	Materials Within Property	Material In Outbuildings (sheds/garages)	External Materials Low Level	External Material High Level	<p>Removal works must be carried out by Licensed Asbestos Removal Contractor</p> <p>Assessment must be carried out in conjunction with support of Safety Team Retained asbestos must be communicated to the occupant</p> <p>No Intrusive Works Can Be Carried Out Without a Valid Refurbishment and Demolition Survey</p>	Air-Monitoring Requirements
<p>POB 87</p> <p>All Debris / High Damaged Asbestos</p>	10-12	1	Remove	Remove	Remove	Remove	<p>Damaged asbestos or asbestos debris is a risk and cannot be managed in situ. High damage is where there is significant breakage, visible debris and/or the item is no longer fit for the original purpose (for example, a redundant flue pipe loose within a roof void)</p>	4-Stage Clearance
Sprayed Coating / Pipe Insulation / Loose Insulation	10-12	1	Remove	Remove	Remove	Remove	All asbestos sprayed coating and insulating products must be removed whilst the property is void.	4-Stage Clearance
Insulating Board / Millboard - Within scope of planned works	9-11	1	Remove	Remove	Remove	Remove	All asbestos insulating board within a work area (kitchen or bathroom, for example) must be removed. Items include riser panels, boxings, door lining panels and understairs panels.	4-Stage Clearance
Insulating Board / Millboard - Good Condition - Outside of scope of planned works	4-6	2	Manage and Monitor	Manage and Monitor	Manage and Monitor	Manage and Monitor	Where the material is outside the scope of where work planned and is not at risk of disturbance, the material can be retained and managed. Occupant must be informed.	4-Stage Clearance
Insulating Board / Millboard - Low Damage - Outside of scope of planned works	5-7	2	Assess	Assess	Assess	Manage and Monitor	The material is to be assessed for a) What is the likelihood of the condition of the material to further deteriorate and b) What action is required to make safe. If retained Occupant must be informed.	4-Stage Clearance

Insulating Board / Millboard - Medium/ High Damage - Outside of scope of planned works	8-11	1	Remove	Remove	Remove	Remove	To prevent further damage to the material, the material must be removed.	4-Stage Clearance
Asbestos Rope	4-8	3	Remove	Remove	Remove	Remove	Asbestos rope products where identified must be removed.	4-Stage Clearance
Paper Lined Flooring Materials	3-9	3	Remove	Remove			Asbestos paper-lined flooring where identified must be removed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Good Condition - Within scope of planned works	2-5	3	Assess	Assess	Assess	Assess	Asbestos cement materials within the scope of the planned works must assessed for the likelihood of the works to damage the material and	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Good Condition - Outside of scope of planned works	2-5	4	Manage and Monitor	Manage and Monitor	Manage and Monitor	Manage and Monitor	Where the material is located outside of the scope of planned works and is in good condition , the material can be retained and managed and the occupant of the building informed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Low Damage - Outside of the scope of the planned works	3-6	3	Assess	Assess	Assess	Assess	Material is to be assessed for likelihood of further disturbance. Where the material is not at risk of further disturbance by day to day occupation of the property and removal would involve deconstruction of elements of the property where work is not planned, the material can be retained and managed and the occupant of the building informed. If not, the material must be removed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Medium/ High Damage - Outside of the scope of the planned works	4-7	2	Remove	Remove	Remove	Remove	To prevent further damage to the material, the material must be removed.	Visual Assessment of Work Area Upon Completion of Works &

								Reassurance Air-Test
Decorative Coating - Within scope of planned works	2-5	3	Assess Work	Assess Work			An assessment must be carried out of the likelihood of the planned works disturbing the asbestos material and if it is likely, action must be taken. If the works are minor (fixing and attaching to, removal of ceiling rose etc) then works must be carried out as per current policy. The occupant must be informed of any material retained.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating - Good Condition - Outside of the scope of the planned works	2-4	4	Manage and Monitor	Manage and Monitor			Where asbestos decorative coating is in good condition and there are no planned works for this area, the material is to be retained and managed, and the occupant of the building informed.	N/A
Decorative Coating - Medium Damage - Outside of the scope of the planned works	5-6	2	Remove	Remove			Asbestos decorative coating assessed to be of a medium or high damage must be removed and the substrate made good or replaced.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating Area >4m² - Low Damage - Outside of the scope of the planned works	4-6	2	Assess	Assess			Large areas of asbestos decorative coating with low damage - small cracks, for example - can be repaired, though this may not be aesthetically suitable for areas of high occupation such as living rooms. Stains from water damage can be painted over, though consideration must be given to the condition of the substrate and the likelihood of worsening damage. The occupant must be informed of any material retained.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating Area <4m² - Low Damage - Outside of the scope of the planned works	4-6	2	Assess	Assess			Small areas of asbestos decorative coating with low damage - small cracks, for example - to smaller ceilings may not be easily repaired and removal be more suitable and cost-effective.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test

Composite Floor Materials - Within scope of planned works	1-4	3	Assess	Assess			Where asbestos composite floor materials are identified, an assessment must be made as to the likelihood of the works to disturb the material. No asbestos floor materials are to be covered over by new flooring.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Composite Floor Materials - Outside of the scope of the planned works	1-4	4	Assess	Assess			Where asbestos composite floor materials are identified, all floor tiles are to be removed.	Visual Assessment of Work Area Upon Completion of Works
Bitumen Adhesive - Within scope of planned works	2-5	3	Encapsulate	Encapsulate			Any asbestos containing bitumen adhesive can be encapsulated and covered over with modern flooring or carpet and the occupant informed. This work is to be carried out by the competent asbestos contractor.	Visual Assessment of Work Area Upon Completion of Works
For any material or situation/ circumstances not covered must by the above, please seek advice before taking action.								

Action Score Key
 1 - Encapsulate within 21 calendar days to make safe. Follow up with notification for removal
 2 - Planned removal with 3 months
 3 - Deal with during planned works
 4 - Monitor condition for deterioration (Common Areas 12 Months)
 5 - Monitor condition for deterioration (Dwellings 24 Months)

Appendix 9 – Reactive Works – Asbestos Communal Area Works Matrix

Reactive Works - Asbestos Communal Areas Works Matrix								
Product Type	Material Assessment Score	Priority	Materials Within Property	Material In Outbuildings (sheds/garages)	External Materials Low Level	External Material High Level	Removal works must be carried out by Licensed Asbestos Removal Contractor Assessment must be carried out in conjunction with support of Safety Team Retained asbestos must be communicated to the occupant No Intrusive Works Can Be Carried Out Without a Valid Refurbishment and Demolition Survey	Air-Monitoring Requirements
Page 9 All Debris / High Damaged Asbestos	10-12	1	Remove	Remove	Remove	Remove	Damaged asbestos or asbestos debris is a risk and cannot be managed in situ. High damage is where there is significant breakage, visible debris and/or the item is no longer fit for the original purpose (for example, a redundant flue pipe loose within a roof void)	4-Stage Clearance
Sprayed Coating / Pipe Insulation / Loose Insulation	10-12	1	Remove	Remove	Remove	Remove	All asbestos sprayed coating and insulating products must be removed whilst the property is void.	4-Stage Clearance
Insulating Board / Millboard - Within scope of planned works	9-11	1	Remove	Remove	Remove	Remove	All asbestos insulating board within a work area, stairway. Lift shaft etc must be removed. Items include riser panels, boxings, door lining panels and understairs panels.	4-Stage Clearance
Insulating Board / Millboard - Good Condition - Outside of scope of planned works	4-6	2	Remove	Remove	Remove	Remove	To be removed as part of the Boroughs risk reduction strategy	4-Stage Clearance

Insulating Board / Millboard - Low Damage - Outside of scope of planned works	5-7	1	Remove	Remove	Remove	Remove	To be removed as part of the Boroughs risk reduction strategy and to prevent further damage and exposure	4-Stage Clearance
Insulating Board / Millboard - Medium/ High Damage - Outside of scope of planned works	8-11	1	Remove	Remove	Remove	Remove	To be removed as part of the Boroughs risk reduction strategy and to prevent further damage and exposure	4-Stage Clearance
Asbestos Rope	4-8	1	Remove	Remove	Remove	Remove	Asbestos rope products where identified must be removed.	4-Stage Clearance
Paper Lined Flooring Materials	3-9	1	Remove	Remove			Asbestos paper-lined flooring where identified must be removed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Good Condition - Within scope of planned works	2-5	3	Assess	Assess	Assess	Assess	Asbestos cement materials within the scope of the planned works must be assessed for the likelihood of the works to damage the material	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Good Condition - Outside of scope of planned works	2-5	4	Manage and Monitor	Manage and Monitor	Manage and Monitor	Manage and Monitor	Where the material is located outside of the scope of planned works and is in good condition, the material can be retained and managed and the occupant of the building informed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Low Damage - Outside of the scope of the planned works	3-6	4	Assess	Assess	Assess	Assess	Material is to be assessed for likelihood of further disturbance. Where the material is not at risk of further disturbance by day to day occupation of the property and removal would involve deconstruction of elements of the property where work is not planned, the material can be retained and managed and the occupant of the building informed. If not, the material must be removed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test

Cement - Medium/ High Damage - Outside of the scope of the planned works	4-7	1	Remove	Remove	Remove	Remove	To prevent further damage to the material, the material must be removed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating - Within scope of planned works	2-5	4	Assess Work	Assess Work			An assessment must be carried out of the likelihood of the planned works disturbing the asbestos material and if it is likely, action must be taken. If the works are minor (fixing and attaching to, removal of ceiling rose etc) then works must be carried out as per policy	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating - Good Condition - Outside of the scope of the planned works	2-4	4	Manage and Monitor	Manage and Monitor			Where asbestos decorative coating is in good condition and there are no planned works for this area, the material is to be retained and managed, and the occupant of the building informed.	N/A
Decorative Coating - Medium Damage - Outside of the scope of the planned works	5-6	1	Remove	Remove			Asbestos decorative coating assessed to be of a medium or high damage must be removed and the substrate made good or replaced.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating Area >4m² - Low Damage - Outside of the scope of the planned works	4-6	2	Assess	Assess			Large areas of asbestos decorative coating with low damage - small cracks, for example - can be repaired, though this may not be aesthetically suitable for areas of high occupation such as living rooms. Stains from water damage can be painted over, though consideration must be given to the condition of the substrate and the likelihood of worsening damage. The occupant must be informed of any material retained.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating Area <4m² - Low Damage - Outside of the scope of the planned works	4-6	1	Remove	Remove			Small areas of asbestos decorative coating with low damage - small cracks, for example - to smaller ceilings may not be easily repaired and removal be more suitable and cost-effective.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test

Composite Floor Materials - Within scope of planned works	1-4	2	Assess	Assess			Where asbestos composite floor materials are identified, an assessment must be made as to the likelihood of the works to disturb the material.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Composite Floor Materials - Outside of the scope of the planned works	1-4	4	Assess	Assess			Where asbestos composite floor materials are identified, all floor tiles are to be removed.	Visual Assessment of Work Area Upon Completion of Works
Bitumen Adhesive - Within scope of planned works	2-5	4	Encapsulate	Encapsulate			Any asbestos containing bitumen adhesive can be encapsulated and covered over with modern flooring or carpet and the occupant informed. This work is to be carried out by the competent asbestos contractor.	Visual Assessment of Work Area Upon Completion of Works

For any material or situation/ circumstances not covered must by the above, please seek advice before taking action.

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Action Score Key
 1 - Encapsulate within 21 calendar days to make safe. Follow up with notification for removal
 2 - Planned removal with 3 months
 3 - Deal with during planned works
 4 - Monitor condition for deterioration (Common Areas 12 Months)
 5 - Monitor condition for deterioration (Dwellings 24 Months)

Appendix 10 – Void Asbestos Works Matrix

Void Asbestos Works Matrix

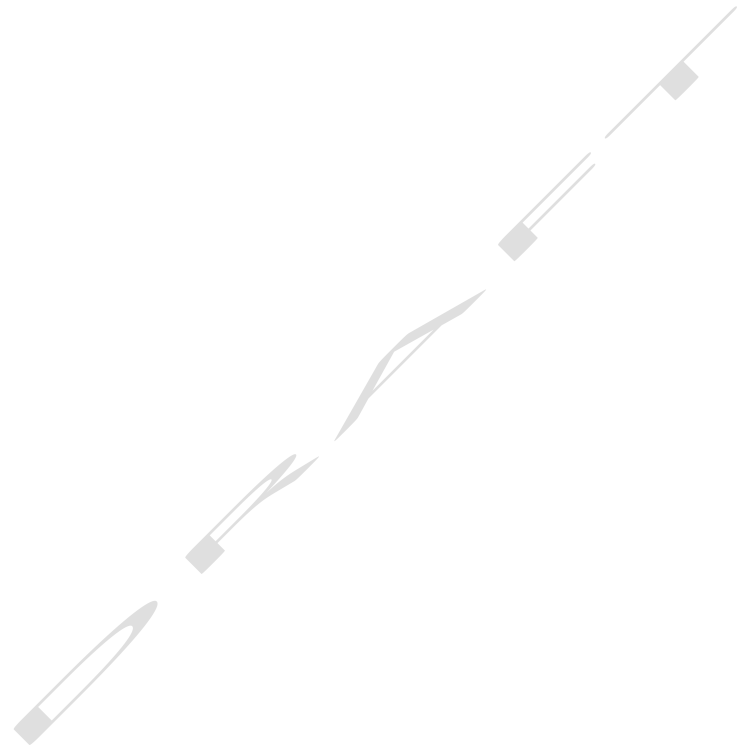
Product Type	Material Assessment Score	Priority	Material In Outbuildings (sheds/garages)	External Materials Low Level	External Material High Level	<p>Removal works must be carried out by Licensed Asbestos Removal Contractor</p> <p>Assessment must be carried out in conjunction with support of Safety Team</p> <p>Retained asbestos must be communicated to the occupant</p> <p>No Intrusive Works Can Be Carried Out Without a Valid Refurbishment and Demolition Survey</p>	Air-Monitoring Requirements
<p>Page 95</p> <p>All Debris / High Damaged Asbestos</p>	10-12	1	Remove	Remove	Remove	<p>Damaged asbestos or asbestos debris is a risk and cannot be managed in situ. High damage is where there is significant breakage, visible debris and/or the item is no longer fit for the original purpose (for example, a redundant flue pipe loose within a roof void)</p>	4-Stage Clearance
Sprayed Coating / Pipe Insulation / Loose Insulation	10-12	1	Remove	Remove	Remove	All asbestos sprayed coating and insulating products must be removed whilst the property is void.	4-Stage Clearance
Insulating Board / Millboard - Good Condition - Readily accessible by resident or planned works	9-11	1	Remove	Remove		All asbestos insulating board that is readily accessible by the resident or can be removed without complication whilst void. Items include riser panels, boxings, door lining panels and understairs panels.	4-Stage Clearance
Insulating Board / Millboard - Good Condition - Not readily accessible by resident or planned works	4-6	2	Manage and Monitor	Manage and Monitor		Where the material is not at risk of disturbance by day to day occupation of the property and removal would involve deconstruction of elements of the property where work is not planned, the material can be retained and managed. Occupant must be informed.	4-Stage Clearance
Insulating Board / Millboard - Low Damage	5-7	1	Remove	Remove	Manage and Monitor	To prevent further damage to the material, the material must be removed/encapsulated. If retained (external-high level only) Occupant must be informed.	4-Stage Clearance

Insulating Board / Millboard - Medium/ High Damage	8-11	1	Remove	Remove	Remove	To prevent further damage to the material, the material must be removed.	4-Stage Clearance
Asbestos Rope	4-8	1	Remove	Remove	Remove	Asbestos rope products where identified must be removed.	4-Stage Clearance
Paper Lined Flooring Materials	3-9	1	Remove			Asbestos paper-lined flooring where identified must be removed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Good Condition - Readily accessible by resident	2-5	1	Remove	Remove		Asbestos cement materials that are readily accessible by the resident or that can be removed without complication must be removed. This would include riser panels, lining panels to staircases and ceiling panels, but would not include waste pipes, working flue pipes, water tanks etc.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Good Condition - Not readily accessible by resident	2-5	4	Assess	Assess	Assess	Where the material is not at risk of disturbance by day to day occupation of the property and removal would involve deconstruction of elements of the property where work is not planned, the material can be retained and managed and the occupant of the building informed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Low Damage	3-6	4	Assess	Assess	Assess	Material is to be assessed for likelihood of further disturbance. Where the material is not at risk of further disturbance by day to day occupation of the property and removal would involve deconstruction of elements of the property where work is not planned, the material can be retained and managed and the occupant of the building informed.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Cement - Medium/ High Damage	4-7	1	Remove	Remove	Remove	To prevent further damage to the material, the material must be removed.	Visual Assessment of Work Area Upon Completion of Works &

							Reassurance Air-Test
Decorative Coating - Good Condition -No works planned	2-5	4	Manage and Monitor			Where asbestos decorative coating is in good condition and there are no planned works for this area, the material is to be retained and managed, and the occupant of the building informed.	N/A
Decorative Coating - Good Condition - Works Planned	2-4	4	Assess Work			An assessment must be carried out of the likelihood of the planned works disturbing the asbestos material and if it is likely, action must be taken. If the works are minor (fixing and attaching to, removal of ceiling rose etc) then works must be carried out as per current policy. The occupant must be informed of any material retained.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating - Medium Damage	5-6	1	Remove			Asbestos decorative coating assessed to be of a medium or high damage must be removed and the substrate made good or replaced.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating Area >4m2 - Low Damage	4-6	4	Assess			Large areas of asbestos decorative coating with low damage - small cracks, for example - can be repaired, though this may not be aesthetically suitable for areas of high occupation such as living rooms. Stains from water damage can be painted over, though consideration must be given to the condition of the substrate and the likelihood of worsening damage. The occupant must be informed of any material retained.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Decorative Coating Area <4m2- Low Damage	4-6	4	Assess			Small areas of asbestos decorative coating with low damage - small cracks, for example - to smaller ceilings may not be easily repaired and removal be more suitable and cost-effective.	Visual Assessment of Work Area Upon Completion of Works & Reassurance Air-Test
Composite Floor Materials	1-4	2	Remove			Where asbestos composite floor materials are identified, any damaged floor tiles are to be removed.	Visual Assessment of Work Area Upon Completion of Works

Bitumen Adhesive	1-4	4	Encapsulate			Any asbestos containing bitumen adhesive can be encapsulated and covered over with modern flooring or carpet and the occupant informed. This work is to be carried out by a competent asbestos contractor.	Visual Assessment of Work Area Upon Completion of Works
For any material or situation/ circumstances not covered must by the above, please seek advice before taking action.							

Action Score Key
 1 - Encapsulate within 21 calendar days to make safe. Follow up with notification for removal
 2 - Planned removal with 3 months
 3 - Deal with during planned works
 4 - Monitor condition for deterioration (Common Areas 12 Months)
 5 - Monitor condition for deterioration (Dwellings 24 Months)



Appendix 11 – Re-Inspection Schedule

Re-Inspection Schedule

Product Type	Material Assessment Score	Re-Inspection Frequency Common Areas	Re-Inspection Frequency Dwellings
All Debris / High Damaged Asbestos	10-12	Area sealed, no entry signage displayed with contact details provided and arrange for prompt removal	Once discovered, contact BBC Compliance Manager/Contract Manager, ensure area is secured, provide instructions to resident, and arrange for prompt removal.
Sprayed Coating / Pipe Insulation / Loose Insulation	10-12	Encapsulate within 21 calendar days to make safe. Follow up with notification for removal	Encapsulate within 21 calendar days to make safe. Follow up with notification for removal
Insulating Board / Millboard - Good Condition -	4-6	12 months	12 months
Insulating Board / Millboard - with Damage	5-7	12 months	12 months
Insulating Board / Millboard - Medium/ High Damage	8-11	Area sealed, no entry signage displayed with contact details provided and arrange for prompt removal	Once discovered, contact BBC Compliance Manager/Contract Manager, ensure area is secured, provide instructions to resident, and arrange for prompt removal.
Asbestos Rope	4-8	12 months	12 months

Paper Lined Flooring Materials	3-9	12 months	12 months
Cement - Good Condition - Within scope of planned works	2-5	24 months	24 months
Cement - Good Condition - Outside of scope of planned works	2-5	12 months	12 months
Cement - Low Damage - Outside of the scope of the planned Works	3-6	12 months	12 months
Cement - Medium/ High Damage - Outside of the scope of the planned works	4-7	12 months	12 months
Decorative Coating	2-5	12 months	12 months
Composite Floor Materials - Within scope of planned works	1-4	24 months	24 months
Bitumen Adhesive - Within scope of planned works	2-5	24 months	24 months

Agenda Item 7

Committee(s): Housing Committee	Date: 12 December 2022
Subject: Fire Management Policy	Wards Affected: All
Report of: Julian Higson, Interim Director of Housing	Public
Report Author/s: Name: Johanna Batchelor-Lamey, Compliance Manager Telephone: 01277 312 500 E-mail: johanna.batchelor-lamey@brentwood.gov.uk	For Decision

Summary

The current policy which was approved at Community, Health & Housing committee on 3 July 2018 (minute no.60) set out the proposals for a new Fire Safety Policy to be implemented within the Housing Department.

The Policy has been reviewed and updated to ensure the Council meets all of its statutory requirements including recent legislative changes which saw the creation of The Building Safety Bill and The Fire Safety (England) Regulations 2022.

Building Safety Bill has now received Royal Assent (28 April 2022). Following this, the various provisions are expected to come into force within two to 18 months after Royal Assent, dependent on the level of work involved.

The Fire Safety (England) Regulations 2022 legislation which is relevant only to multi-occupied residential buildings which are high rise buildings, buildings over 11 meters in height. This legislation will come into force on 23 January 2023.

Recommendation(s)

Members are asked to:

R1. Approve the Housing Fire Management Policy

Main Report

Introduction and Background

1. Following the Grenfell Tower disaster in June 2017, the Council embarked on a review of its Fire Safety within residential blocks and introduced a Fire Management Policy.
2. The Housing department continued to engage the services of Rowan's Fire Consultancy who work closely with the Housing department to confirm that we have a clear action plan to ensure the safety of all our residential blocks.
3. As part of the ongoing work by Rowans Fire Consultancy, we have reviewed the existing policy and updated it to reflect the new legislative changes.
4. The Policy sets out the duties we must undertake as a landlord, defines our approach to fire evacuation in our buildings and the information we provide to our residents, how we manage the communal areas, training requirements and the frequency of Fire Risk Assessments on tower blocks and smaller blocks to ensure that the Council is compliant in storing and acting upon the findings.
5. The Policy states the roles and responsibilities of the responsible people and clearly states the point of contact should a fire occur.

Issue, Options and Analysis of Options

6. As it is a Statutory requirement for the Council to have a Fire Management Policy, failure to have one does not exclude anyone from the responsibilities of their employed position.
7. Failure to have the Policy may result in a more in-depth investigation into the Council's fire management procedures to see if there are any other shortfalls should a fire occur.

Reasons for Recommendation

8. It is a statutory requirement for the Council to have a Fire Management Policy. Failure to have one will leave the Council in a vulnerable position should a fire occur.

Consultation

9. Consultations have taken place with the Tenant Liaison Group (Tenant Talkback). All feedback from the consultation has been incorporated

into the draft policies.

References to Corporate Plan

10. Drive continuous improvement of our housing services
11. Delivering an efficient and effective council

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director of Assets and Investments Tel & Email: 01277 312500 / phoebe.barnes@brentwood.gov.uk

12. There are no direct financial implications arising from this report. The HRA Business Plan continues to allocate funds to ensure the Council continues to manage and discharge its statutory duties.

Legal Implications

**Name & Title: Steve Summers, Strategic Director and Monitoring Officer
Tel & Email: 01277 312500 / steve.summers@brentwood.gov.uk**

13. The amendment to this policy will assist the Council in managing and discharging its statutory duties in the capacity of a landlord. The failure to comply with these duties could result in formal prosecution being brought against the Council, the adoption of this policy will ensure the risks can be mitigated. There are no other legal implications arising from the recommendation within this report.

Economic Implications

**Name/Title: Phil Drane, Director of Planning and Economy
Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk**

14. There are no direct economic implications.

Appendices

- Appendix A: Brentwood Borough Council Housing Fire Management Policy 2022 DRAFT

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Brentwood Borough Council
Housing Department
Fire Management Policy

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Version Control

Version	Date of change	Officer	Title
V1	20/01/2022	Judith Evans	Rowans Fire Ltd
V2	13/07/2022	Johanna Batchelor-Lamey	Compliance Manager
V3	24/08/2022	David Wellings	Corporate H&S Advisor
V4	15/11/2022	Johanna Batchelor-Lamey and David Wellings	Compliance Manager and Corporate H&S Advisor

1. Introduction

As a landlord, Brentwood Borough Council (BBC) considers the safety of everyone living, working in, or visiting our properties as a priority.

Under the Regulatory Reform (Fire Safety) Order 2005, we have a responsibility to ensure fire safety standards within our properties are met and complied with. This policy will outline our approach to managing fire safety in all housing properties which are owned or managed by BBC. Other legal requirements such as the Housing Act 2004, Fire Safety Act 2021 and the Building Regulations 2010 must also be adhered to.

2. Overall Aims

The aims of this policy are:

Ensure the safety of all people living, working in, or visiting properties owned by BBC

Ensure compliance with current legislation and government policy on fire safety in all our owned properties; and

Provide an overview of our approach to ensuring fire safety within our properties.

3. Policy Statements

We ensure that all required properties have a fire risk assessment carried out at the appropriate intervals (see section 08)

We will carry out all servicing and required maintenance on equipment related to fire safety in all housing blocks under BBC management (see sections 13 and 14 for user and contractor inspections)

We will ensure all housing blocks adhere to the appropriate levels of fire safety in communal areas (see section 10 CAMP)

We will ensure all housing blocks under BBC management have appropriate evacuation strategies and notices displayed for occupants. (see sections 9 and 16 for evacuation strategies and occupant information)

At present, there is no legal requirement for Personal Emergency Evacuation Plan (PEEP) in domestic accommodation.

We will ensure we provide the appropriate level of information to all employees, tenants, leaseholders, or users of our properties (see section 16 for occupant information)

We ensure that employees are trained to the required levels for the tasks they carry out (see section 12 training)

We will liaise regularly with Essex County Fire and Rescue Service to ensure communication relating to building works, procedures, and other fire safety matters are shared (see section 18 consultation with authorities)

We will ensure all roles and responsibilities for fire safety in our properties are properly detailed (see section 5 management and responsibilities)

This is a continuous process which can be affected by things such as legislation changes, building management changes, organisational arrangements, and equipment breakages.

4. Fire safety policy structure

The first part of the policy sets out the level of compliance BBC is aiming to achieve.

The second part of the policy sets out how we will work towards attaining compliance. Not all sections will be relevant to all employees or their job roles. They set out the component parts to ensure all areas of fire safety are covered for buildings, occupants, and processes.

This policy and the related sections give guidance and advice on how BBC as an organisation, and the employees within BBC, are in compliance with the Fire Safety Order and all associated legislation. It also covers occupants of BBC buildings and all relevant persons using them.

5. Management and Responsibilities

The Council recognises its responsibility to implement in full its duties in respect of the fire safety of its estate and to ensure that all its employees understand their role regarding fire prevention and fire safety management.

The Chief Executive is the Responsible Person under the Fire Safety Order.

To assist the Chief Executive in managing fire safety within the Borough, Council Officers will provide day to day assistance by performing certain roles. These officers include, but are not limited to:

- Director of Housing
- Corporate Manager – Housing Estates
- Estates Management Team Leader
- Housing Support Team Leader
- Compliance Manager
- Housing Data Administrator
- Housing Support Offices (Sheltered Housing)
- Estate Officers (Estates Management)
- Caretakers
- Specialist Fire Risk Assessor

- External consultants
- Corporate H&S

Director of Housing shall ensure the following:

- That the Fire Safety Policy is implemented in buildings under the control of the Housing Service.
- The appointment of nominated persons in those buildings to carry out the statutory fire safety checks/tests and the recordings of all such actions in the Fire Safety Logbook.
- That nominated persons undertake any training deemed necessary to ensure they are competent to carry out their duties regarding fire safety.
- The correct implementation and monitoring of the fire safety management system for those buildings, including the Fire Risk Assessments and Fire Action Plans.
- The appointment of nominated persons in each building and to ensure that staff know and understand their duties in relation to fire safety.
- That Housing staff are trained and competent to carry out their duties regarding fire safety.

Corporate Manager – Housing Estates

- Implement the fire safety management system and ensure its effectiveness.
- Advise on the implementation of fire safety legislation and other guidance relevant to premises and building management.
- Ensure that notices and advice issued by the Fire Brigade are complied with in a timely manner.
- Ensure that staff under their control are adequately trained and competent to carry out their duties regarding fire safety.
- Co-ordinate such work with the Scheme Managers/Caretakers or other authorised person
- Liaise with the Fire Service on repair and maintenance matters relevant to fire safety.
- Seek advice from the Specialist Fire Risk Assessor or other competent persons.
- Receive reports from contractors and consultants and report the significant findings of such to relevant persons.
- Advise on the implementation of fire safety legislation and other guidance relevant to premises and building maintenance issues.
- Co-ordinate the maintenance of the fire safety logbooks for all relevant buildings.

Estates Management Team Leader

- Ensure that staff under their control are trained and competent to carry out their duties regarding fire safety.

Housing Support Team Leader

- Monitor the statutory fire safety checks, tests, and logbooks on a 3 monthly basis and report deviations to the Compliance Manager.
- Ensure that staff under their control are trained and competent to carry out their duties regarding fire safety.
- Enable Housing Officers to undertake monitoring of CAMP (see section 10) and follow up actions as required, to maintain compliance with Council policies and procedures, and statutory duties.

Compliance Manager

- Reviewing risk assessments received from the Specialist Fire Risk Assessor and ensuring the actions have been recorded, updated on the master tracker held on Microsoft Teams
- Ensuring any faults found with fire safety equipment is rectified and documented on Keystone
- Ensuring areas of non-compliance are investigated, rectified and implement a process preventing non-compliance failures

Housing Data Administrator

- Ensuring Keystone is updated with current Fire Risk Assessments
- Monitor that fire risk assessment actions are being completed and updating these actions on the master tracker held on Microsoft Teams
- Provide statistics of compliance to the Compliance Manager and use these to report on at the Fire Safety Actions meeting

Housing Support Officers (Sheltered Housing)

- Ensure that fire safety devices and systems are in place and that all the statutory safety checks are carried out and recorded in the Fire Safety Logbook.
- Carry out fire safety checks and tests and record the results in the Fire Safety Logbook on a weekly basis and ensure that any deviations are dealt with in the appropriate manner.

Estate Officer (Estates Management)

- Monitor the outside and surrounding areas of Housing properties as well as communal areas for fire safety issues and inform the Estates Management Team Leader of any arising issues.

Caretakers

- Monitor the outside and surrounding areas of Housing properties as well as communal areas for fire safety issues and inform the Estates Management Team Leader of any arising issues.

Specialist Fire Risk Assessor

- Carry out periodic fire safety checks on all communal areas. Ensure that all fire safety devices and equipment is in place and is fully operational, carry out statutory tests within the communal areas and record information in the fire safety logbook.
- Report faults with fire safety equipment to the Housing Manager (Who is the Housing Manager? Report cases of non-compliance to the Housing Manager.

Competent advice

- An external consultant will be used to provide fire safety advice and guidance for managers where expert advice is required beyond their knowledge level.

6. Governance

The Landlord, as owner of the premises, is responsible for compliance with all statutory health and safety requirements regarding fire. This landlord *responsibility* cannot be delegated and rests with the Local Authority.

This is because under legislation, the legal person or entity that has control of the premises for the purposes of a business or undertaking (such as social housing) is responsible for fire safety. In law they are known as the Responsible Person.

Specifically, BBC will ensure:

- Clearly defined managerial responsibilities for fire safety exist within the Authority
- That nominated persons have the necessary skills and training to undertake their duties competently.
- The provision of compulsory training for all employees, relevant to their fire safety duties.
- The provision of adequate fire warning systems means of escape, and fire-fighting equipment (together with good housekeeping practices) to minimise the risk of fire.
- That all fire safety equipment and systems are tested in accordance with statutory and applicable standards.
- That sufficient records are kept and audited at appropriate intervals.
- That a system is in place for assessing structural, fire protection and management of needs in premises, determining fire safety priorities, and that funds are allocated for the completion of any such works identified.

The main piece of legislation is the Regulatory Reform (Fire Safety) Order 2006 with additional requirements under the Housing Act 2004. These pieces of legislation are supported by British Standards which identify how fire safety equipment is installed and maintained. There is other guidance in the HM Governments Fire Safety Guidance to purpose built blocks of flats.

All buildings have to comply with Building Regulations 2010 and for fire safety specifically document B, but also accessibility which is document M.

Leaseholders

The Lease agreement will always take precedent over this policy unless there is an over-riding legal or regulatory requirement.

7. Building Categories-for Fire Risk Assessment

Caveat – there are a number of cross-over buildings where residential buildings fall under Corporate management, and a number of smaller non-residential buildings which fall under Housing.

The Housing stock comprises of a mix of buildings spilt into four main categories.

Category 01) Individual dwellings where access is directly from the outside

Category 02) Low rise flat blocks of under four storeys where access to the dwellings is via a shared common area

Category 03) High rise blocks of over four storeys where access is via a shared common area

Category 04) Sheltered housing, where there is a mix of types of dwellings, but communal facilities are provided and a higher level of staff provision

8. Fire Risk Assessments (FRA)

All buildings where people work, even briefly, must have a fire risk assessment. This includes all common areas of residential buildings where cleaners or service engineers work.

Individual dwellings are not generally fire risk assessed but have compliance checks under the Housing Act to ensure the appropriate housing standards are provided for tenants.

Low rise blocks of under four storeys are fire risk assessed on a two yearly cycle to ensure the safety of the block and common areas.

High rise blocks of over four storeys are fire risk assessed on an annual basis to ensure the safety of the block and common areas.

Sheltered Housing sites are risk assessed on an annual basis.

A number of dwellings in low rise and high rise blocks, as well as sheltered housing, will have an intrusive fire inspection known as a type 4 FRA, where service penetrations and compartmentation will be checked. This will be on an ad hoc basis when dwellings are available or when hazards are identified.

Caveat: There are a number of low rise blocks that will be risk assessed on an annual basis until building works are completed on them.

Competency of FRA assessors

There are several different associations such as the IFE or the IFSM where the competency of fire risk assessors is checked, involving looking at continual professional development, existing skills and knowledge, and level of expertise. BBC will ensure suitable FRA assessors are employed either internally or using an external consultancy.

FRA methodology

All FRAs will consist of the following elements which must be of specific relevance to the building to which the assessment refers:

- Identification of fire hazards
- Identification of those at risk, especially young, elderly, disabled, visitors
- Consideration of current controls including – Building construction material (including any cladding), compartmentalisation, fire door construction, fire detection and warning systems; means of escape; means of fighting fire; maintenance and testing procedures; information, instruction, and training for staff etc.
- Evaluation of risk posed, and further control measures needed, if appropriate.
- Recording of findings
- Preparation and implementation of an action plan based on the risk rating and prioritisation, if appropriate
- Review and revision arrangements

Additional FRAs or reviews will be carried out:

- Following a fire, near miss, or threat of arson.
- Following any changes which may impact upon fire risks (for example in housing, a resident loses mobility, or a new disabled resident joins a scheme).
- Whenever there has been any structural or material changes to the building or its use.

Within housing premises risk assessed, a certain number of different archetype dwellings will be subject to a type 4 intrusive FRA to ensure compartmentation between dwelling and common area.

Where major building work is carried out on a premise, this constitutes a significant change.

All FRA documents will contain an action plan of items to improve the fire safety of occupants within the premises, or the building structure. These will be listed with a RAG rating based on the danger to life or breach of duties under the Fire Safety Order.

Management of FRA findings

All actions identified will be taken seriously with the allocation of every action to a named person within BBC, except where specialist expertise is required. These actions will be allocated to the respective contractors or consultants working with BBC.

High priority actions will be those focussed on first based on their severity.

There will be timescales allocated to the respective actions for first evaluation depending on the type of action. This may be a simple repair, installation of a sign, or require project planning and large investment. Once first evaluation has been carried out, the timescale for an action can be adjusted.

The initial timescales for evaluation will be 3 months for a high priority action, six months for a medium priority action, and nine months for a low priority action.

The actions will be tracked and checked on a monthly basis to ensure that none are missed, leaving occupants in danger.

Risk Grading

As set out above, some properties have a greater risk than others, and the risk assessment programme will take this into account.

However, occupancy and building use are also essential factors which need to be considered in the risk grading of a property. These include but are not limited to:

- External wall system construction
- Poor compartmentation within the building
- Major structural failings within the building
- Occupants with limited mobility
- History of anti-social behaviour and fire setting in the area
- High interest buildings (for example listed buildings or where the public gather)

Where one or more of these factors is identified in any of the above properties, or another factor is identified which affects the risk of the building, it may be necessary to upgrade the risk level or downgrade the cause. Should the Fire Risk Assessor think this is necessary, this should be considered when making the decision.

9. Fire evacuation procedures – stay or leave

Stay safe, or Stay put, defend in place (different terms used for the same method)

Based on the building regulations, all flat blocks are designed for residents to be safe to stay in their dwellings if a fire occurs in another part of the building. The construction of these buildings is such, a fire will not spread through the structure. This is an initial evacuation procedure and once the Fire and Rescue Service are on site, they take over the site and can decide whether this is suitable, or they need to decant the building.

A Stay Put procedure is one where the occupants of the room or dwelling on fire evacuate and raise the alarm, but the occupants of all other dwellings stay in place unless they feel in danger, or until they are told otherwise.

There will be circumstances based on the fire risk assessment where a stay put procedure is not suitable and provision will be put in place for simultaneous evacuation or phased evacuation from a building. This will be identified on evacuation notices in the building as required, as well given individually to residents in that building.

Where a Stay Put evacuation strategy has been introduced, this must be communicated clearly with the residents and their representatives to ensure they understand this advice in the event of an emergency.

10. Communal Area Management Procedure

There is currently a separate Communal Area Management Procedure which sets out management arrangements for the monitoring of common areas of blocks of flats and sheltered housing ensuring they are clear of objects and items that not permitted.

Following the tragic Grenfell Tower disaster, the inquiry found one of the contributing factors tenants were unable to evacuate the building safely, was due to obstructions in the communal areas where contractors had left materials, which impeded evacuation of the building. It must be ensured that communal areas that enable evacuation from the building, are not obstructed with objects, door mats, furniture, household equipment or used as additional storage areas. Also, tenants and other relevant persons **MUST NOT** prop open or block fire doors in communal areas.

11. Fire extinguisher provision

Current guidance regarding fire safety in purpose built blocks of flats including sheltered housing schemes discusses the need for fire extinguishing equipment. It states there is no longer a need for equipment to be provided for residents in these areas as it can endanger their lives – resident leaves a burning flat to get a fire extinguisher the Council has not provided training on and re-enters the flat on fire. The Fire and Rescue Service are also not happy

with this potential situation. Fire extinguishing equipment is provided for the use of housing officers and other employees of Brentwood Borough Council or the Fire and Rescue Service on attendance.

No general needs blocks of flats will have any fire extinguishers installed the building.

Sheltered Schemes

After discussions with Essex Fire and Rescue Service, reviewing the guidance on Purpose Built Blocks of Flats, and reviewing the British Standard relating to positioning and installation of Fire extinguishing equipment BS5306 part 8:2012 the following decisions have been made on locations requiring fire extinguishing equipment and the types required. There was also input from the Fire Risk Assessment.

Communal halls and entrance foyers – 9 or 6 litre Water, Water additive or Foam, 2kg Carbon Dioxide where electrical equipment is prominent

Kitchens – Fire Blanket and 2kg Carbon Dioxide

No dry powders are to be in kitchens or laundry rooms due to the hazards of the contents to the residents. If Foams are currently installed, they can stay until the extended service then are to be changed to carbon dioxide

Plant rooms and areas of specific hazard – Appropriate fire extinguishers for the hazards, generally 6 or 9kg Dry Powder or 6 or 9 litre Foam, electrical plant rooms to have 2kg Carbon Dioxide or occasionally 5kg dependant on the hazard; fire extinguishing equipment for plant rooms must be inside the plant room rather than located outside

Laundry – 2kg Carbon Dioxide

Housing Support Officers Office – Dependant on size, some require 2kg Co₂ and some additionally require 6 or 9 litre water or foam. Where staff are rarely on site no fire extinguishing equipment will be installed.

Residential communal corridors and individual residential block areas – All extinguishing equipment to be removed from these areas including brackets and signage.

12. Training

All employees, as identified as appropriate must be provided with suitable Fire Awareness training on a three-year rolling basis. Where employees are responsible for premises, such as those with responsibility for the management of Sheltered Housing Schemes, additional Fire marshal/Fire Extinguisher training must be provided.

The Responsible Person must provide employees, contractors or other person working in or on a premise with comprehensible and relevant information for:

- The risks to them identified by the risk assessment
- The preventive and protective measures
- The emergency / evacuation procedures; and
- The risks from other parties using the same premises

The above information must be provided to all persons and consideration given to any needs that people may have, for example: - Hearing impairment, visual impairment, learning difficulties and those that English is not their first language.

This information also needs to be provided to contractors, either by providing information cards which can be given when they sign into a premise or by a verbal induction to the premise.

Where a child (some not over compulsory school age) is to be employed (this is generally a work experience student) the above must be communicated to the parent/guardian of the child. Close supervision must be given always, and they will be advised of the Fire Evacuation procedure.

13. User inspections (BBC led)

To safeguard all persons on a premise it is essential that all equipment and devices that are provided are fully maintained and tested according to the manufacturer's instructions. This is generally a contracted annual service visit from the suppliers of the firefighting equipment, fire detection/alarm systems and emergency lighting systems. In addition to the servicing visits, the Responsible Person must arrange regular inspections to ensure the equipment and devices are in good working order.

Weekly communal housing checks must be carried out in all sheltered schemes, documented and include:

- Fire routes are clear
- Emergency lighting indicator checked
- Fire extinguisher in place (where applicable)
- Fire alarm panel *
- Fire alarm test
- Smoke detector test

* Daily checks for fault lights should be carried out

Monthly communal housing checks must be carried out in all sheltered housing schemes and general needs premises, documented and where they are installed:

- Smoke control systems i.e. Automatic Opening Ventilation (AOVs) where installed
- Emergency lighting flick test
- Fire door assemblies secure and in working order

Where garages are used for storage under the management of the Estates Management Team, these will be inspected for fire safety as part of the general estate inspections on a regular basis.

14. Contractor inspections

Following on from user inspections, the same applies for equipment maintained and serviced by contractors. The following equipment checks are completed for specific fire safety items:

- Fire alarm six monthly checks
- Fire extinguisher annual checks
- Emergency lighting annual three hour drain down and monthly flick test
- Smoke control systems (AOVs) annual service
- Dry riser maintenance (visual checked six monthly and wet test annually)
- Sprinkler systems
- Fire shutters and curtains

All records will be sent to BBC and recorded on the data management system Keystone.

15. Mobility Scooters

There is a mobility scooter policy relating to storage and charging of scooters but needs organisational Housing arrangements to enable the Policy to be implemented. In common areas of blocks including sheltered schemes which applies in partnership to this fire safety policy.

16. Information for residents

We will publicise the importance of fire safety to all tenants on a regular basis, regardless of tenure, but generally, the responsibility for safety in individual private domestic properties that are not sheltered housing falls on the individual Tenant or Leaseholder, rather than the Council, including carrying out regular tests of their individual fire detection system (smoke alarms).

We will ensure that all buildings have an evacuation procedure notice relevant and site specific for the building, which will be communicated to all residents by a letter and installed, and updated when required, within each block.

We are responsible for fire safety in sheltered housing properties, and for communal areas in all tenures. However, sheltered residents must ensure they behave responsibly and, follow all the points below that all other residents are expected to comply with.

The actions of residents may affect the fire safety of a building. For Example.

- Some residents will have stored oxygen in their properties for medical reasons. Oxygen aids combustion, therefore, sources of heat or open flames in the vicinity should be minimised. It is the responsibility of the tenant or leaseholder to inform sheltered housing or an estate officer of the presence of oxygen equipment in their property.
- Where we are aware that oxygen is stored at the property, and where a tenant or leaseholder has not already done so, we will notify the fire authority of the presence of stored oxygen. Where appropriate, stickers or signs posting a warning against smoking or other high-risk activities in the area can be used.
- Residents' goods left in communal areas can be a source of ignition and support combustion, as well as potentially blocking escape routes. For this reason, there is a separate Communal Area Management Procedure –in place, which needs to be read in conjunction with this document.
- Barbeques (including gas barbeques) are 'open fires' and in accordance with Fire Brigade advice, and Council Policy, are not permitted inside any of our properties including on any balcony areas, which are extensions of properties. Barbeques pose an unacceptable fire risk when used on balconies because they can easily burn out of control and cause combustible materials in the area to ignite, which can spread inside the property. Using a barbeque in an enclosed space will also pose a risk of carbon monoxide poisoning.
- Tenants and Leaseholders should not fit metal security gates to their homes without seeking permission from the Council first. As gates of this type can often hinder entry to and exit from the premises for purposes of evacuation and firefighting, permission will not normally be given for these to be fitted.
- Where tenants and leaseholders have already fitted metal security gates, and these have been identified as an unacceptable fire risk in the fire risk assessment, we will request for them to be removed. If necessary, we will act in line with the tenancy agreement/lease to ensure they are removed.

We will not permit exceptions to the application of the above policy and where a tenant or leaseholder refuses to comply, will consider taking enforcement action in line with the tenancy agreement/lease.

17. Auditing and Review

BBC will check fire safety compliance against current standards and legislation and identify what improvements could be made. It is likely this will be through some form of plan, do, check, act system, such as is laid out in BS9997:2019.

Because this is such a high-risk area, we will carry out an audit every two years as a minimum. We monitor and test compliance against procedures.

We will manage compliance and keep accurate records.

BBC's Housing Contracts Manager and Compliance Manager has responsibility to ensure that contractors are compliant with all the relevant health and safety legislation.

Annual reviews of contractor health and safety procedures as well as regular review of the contractor compliance and performance will be carried out.

This policy is reviewed every three years and updated whenever legislation, regulation, or the Council's organisational arrangements changes.

We will retain written records of the risk assessment for at least five years or until one year after a new assessment has been completed and any fire precautions put in place to address the risks identified.

We expect all our contractors to behave and operate in line with our Contractor Code of Conduct.

Quality of works undertaken by contractors are generally assessed by:

- Assessment of a percentage of works by a suitably experienced and qualified officer or consultant
- Self-assessment and quality assurance by the contractor
- Resident feedback and satisfaction surveys

The Responsible Person will delegate monitoring of all health & safety including fire arrangements to other officers within the organisation as covered in section five. This monitoring will be part of an overall audit of health & safety systems and any actions required from the audit will be prioritised on a risk basis.

18. Consultation with Authorities and other Groups

BBC will meet quarterly with representatives of the local Fire Service, to discuss projects, incidents, and any other relevant information.

When projects are undertaken, plans will be submitted to Building Control and the Fire Service for comment and approval as required.

BBC will meet with the Residents Liaison Group to consultate and inform of changes to conform with legislation.

19. Building Safety Bill

The Building Safety Bill has now received Royal Assent (28 April 2022). Following this, the various provisions are expected to come into force within two to 18 months after Royal Assent, dependent on the level of work involved. BBC will nominate a responsible person for all buildings in line with guidance relating to building work, controlled service, and controlled fitting.

BBC will put suitable arrangements in place to ensure that the design work and the building work can be completed in accordance with building regulations. In practice, this means appointing the right people, with the right competencies (the skills, knowledge, experience and behaviours or organisational capability) for the work and ensuring those they appoint have systems in place to ensure compliance with building regulations.

The responsible person in this case may be a group of people or specific named people for each building.

20. Fire Safety (England) Regulations 2022

The legislation is relevant only to multi-occupied residential buildings which are high rise buildings, buildings over 11 metres in height.

The Responsible Person has a list of duties including passing on fire safety instruction and information to residents relating to the importance of fire doors.

Additionally, building plans must be provided to the local Fire and Rescue Service both electronically and as a hard copy. Monthly inspections of fire fighting lifts must be undertaken (currently none in the Borough managed by BBC). External Wall System construction information to be provided to the Fire and Rescue Service.

There are other requirements under this legislation that are covered in other sections of this policy.

ENDS.

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Agenda Item 8

Committee(s): Housing Committee	Date: 12 December 2022
Subject: Lift and Lifting Equipment Policy	Wards Affected: All
Report of: Julian Higson, Interim Director of Housing	Public
Report Author/s: Name: Johanna Batchelor-Lamey, Compliance Manager Telephone: 01277 312 500 E-mail: johanna.batchelor-lamey@brentwood.gov.uk	For Decision

Summary

This report sets out the proposals for a new Lift and Lifting Equipment Policy to be implemented within the Housing Department. The Policy provides the council with the ability to effectively manage Lift and Lifting Equipment within all its residential blocks and individual properties where lifting equipment is present. The Policy also meets the Council's statutory requirement to have a Lift and Lifting Equipment Policy.

Recommendation(s)

Members are asked to:

R1. Approve the Lift and Lifting Equipment Policy.

Main Report

Introduction and Background

1. This is a new policy which outlines our approach to managing the risks involved in using lift and lifting equipment, ensuring the health, safety and wellbeing of people living in our properties and their visitors where these appliances are installed. It also sets out the approach to monitoring and carrying out servicing visits to ensure compliance with all relevant legislation.
2. It is a statutory requirement for the Council to have a Lift and Lifting Equipment Policy. Failure to have one will leave the Council in a vulnerable position should an incident occur.
3. The Policy outlines the frequency of the Council's Insurance company LOLER (Lifting Operations and Lifting Equipment Regulations) inspections on any lift and lifting equipment and will ensure the Council is compliant in storing and acting upon the findings.
4. The Policy sets out the roles and responsibilities and clearly states what each job role is required to undertake.

Issue, Options and Analysis of Options

5. As it is a Legal requirement for the Council to have a Lift and Lifting Equipment Policy, failure to have one does not exclude anyone from the responsibilities of their employed position.

Reasons for Recommendation

6. To ensure that the Housing Department has documentation to support the delivery of their Lift and Lifting Equipment responsibilities, processes, and procedures.
7. To ensure the Council complies with their legal obligations under LOLER and PUWER (Provision and Use of Work Equipment Regulations 1998).

Consultation

8. Consultations have taken place with the Tenant Liaison Group (Tenant Talkback). All feedback has been incorporated into the policy.

References to Corporate Plan

9. Drive continuous improvement of our housing services

10. Delivering an efficient and effective council.

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director of Assets and Investments

Tel/Email: 01277 312500/phoebe.barnes@brentwood.gov.uk

11. There are no direct financial implications arising from this report.

Legal Implications

Name & Title: Steve Summers, Strategic Director and Monitoring Officer

Tel & Email: 01277 312500 / steve.summers@brentwood.gov.uk

12. The Council is meeting its statutory requirement to have a Lift and Lifting Equipment Policy, minimising it's risk as a Landlord should an incident occur.

Economic Implications

Name/Title: Phil Drane, Director of Place

Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk

13. There are no direct economic implications.

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Lifts and Lifting Equipment Policy

**Housing Department
Brentwood Borough Council**

Version Control

Version	Date of change	Officer	Title
V1	November 2022	Johanna Batchelor-Lamey D. Wellings	Compliance Manager Corporate Health and Safety Advisor

Approved at the relevant Committee on:

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1. Introduction

The Council owns and manages properties which contain passenger lift installations and other lifting equipment to support mobility of persons. These range from hydraulic/electric passenger lifts, platform lifts, scissor lifts, stair lifts and hoists that belong to the Council in communal areas and Council owned accommodation. However, lifting equipment used by leaseholders in their own domestic accommodation is their responsibility in conjunction with Social Care to ensure the continued safe use of the equipment.

The Council has a statutory duty to comply with legislation to ensure that lifting equipment is kept and maintained to a safe standard for use by its residents and employees, the public and lift maintenance personnel.

This policy sets out how the Council will enable, as far as is reasonably practicable, lifts and lifting equipment to be correctly maintained and periodically examined in line with current legislation, including new or refurbished lifts.

2. Legal Requirements

The main legal requirements regarding Lifting Operations and Lifting Equipment are defined under Health and Safety law, and principally are the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and Provision and Use of Work Equipment Regulations 1998 (PUWER). Other legal requirements are applicable dependent on the actions being taken, and this are referred to in section 14 of this document.

2.1 Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

Lifting Operations and Lifting Equipment Regulations 1998 – legislation places duties on people and companies who own, operate, or have control over work equipment.

Brentwood Council's Housing Department will endeavour to ensure any Council owned property (where the Council has a legal responsibility) where a lift or lifting equipment has been installed must be serviced and maintained as part of our contractual arrangements with our partnering repairs & maintenance contractor. In addition, there will be a bi-annual inspection from the Council's insurance company on the lift and lifting equipment.

2.2 Provision and Use of Work Equipment Regulations 1998 (PUWER)

Provision and Use of Work Equipment Regulations 1998 – legislation places duties on people and companies who own, operate, or have control over work equipment. PUWER also places responsibilities on businesses and organisations whose employees use work equipment whether owned by them or not.

PUWER requires that equipment provided for use at work is:

- suitable for the intended use
- safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate
- used only by people who have received adequate information, instruction, and training
- accompanied by suitable health and safety measures, such as protective devices and controls. These will normally include guarding, emergency stop devices, adequate means of isolation from sources of energy, clearly visible markings, and warning devices
- used in accordance with specific requirements, for mobile work equipment and power presses

3. Definitions

Defined below are any technical terms, jargon or abbreviations used throughout this lift and lifting equipment policy:

3.1 What is a Lifting Operation?

Regulation 8(2) of LOLER defines a lifting operation as “an operation concerned with the lifting or lowering of a load”.

3.2 What is Lifting Equipment?

'Lifting equipment' means work equipment for lifting and lowering loads and includes its attachments used for anchoring, fixing, or supporting the equipment. This includes cranes, goods and passenger lifts, stair lifts, hoists, elevating access or work platforms, vehicle tail lifts; and the "lifting accessories" such as ropes/cables, chains, slings, eye bolts, etc.

3.3 SAFed

The Safety Assessment Federation (SAFed) is a trade association, which represents the independent engineering inspection and certification industry in UK and Ireland.

SAFed members carry out in service inspections of workplace equipment to ensure continued safe operation and use. It covers all industry sectors, construction, manufacture, leisure, utilities, petrochemical, healthcare, quarries, communications, catering, logistics and service industries as well as local government, offshore installations, ports, airports, and offices.

3.4 British Standards

British Standards are produced by the BSI group and is formally designated as the national standards body (NSB) for the UK. British Standards are used to set a good standard to implement or aspire to and are used in approved codes of practice for industry for legal interpretation.

3.5 Lift & Escalator Industry Association (LEIA)

LEIA, the Lift and Escalator Industry Association, is the advisory body for the UK lift and escalator industry, drawing upon a wide range of expertise so as to ensure the provision of sound advice, in particular on health, safety and standards matters. Members include companies who manufacture, install, maintain and repair lifts and escalators and those who supply component parts for such equipment.

4. Responsibility Structure

The Council has a hierarchy of officers responsible for the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998. The table below lists those responsible and their respective positions:

Brentwood Borough Council – Duty Holder
Chief Executive – Delegated Duty Holder
Director of Housing – Senior Duty Holder
Estate Management Team Leader – Operating Duty Holder
Contracts Manager / Compliance Manager – Delivery Duty Holders
Housing Officers
Data Keystone Administrator
Contractor Responsibilities
Social Care Team Responsibilities
Competent Persons Responsibilities
Tenant Responsibilities
Leaseholder Responsibilities

4.1 Delegated Duty Holder

- Brentwood Borough Council is a 'Duty Holder' as defined within Lifting Operations and Lifting Equipment Regulations (LOLER) 1998 and the Provision and Use of Work Equipment Regulations (PUWER) 1998.

4.2 Statutory Duty Holder

- The Chief Executive Officer is a Statutory Duty Holder and, as the senior person responsible, has overall accountabilities for all aspects of the management of health and safety in Brentwood Borough Council.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

4.3 Senior Duty Holder

- The Senior Duty Holder has a responsibility to support this policy by ensuring the allocation of resources including an adequate budget, suitable procurement, suitable and sufficient equipment, personnel, time, and training.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

4.4 Operating Duty Holder

- Will support gaining access into properties where access is proving difficult and use tenancy contractual arrangements.
- They will also facilitate the legal process to gain access as necessary.
- Any break in a lift's service has a disproportionate impact on people with families, older people, and people with a disability. We will aim to resume the lift operation as quickly as possible where these groups are affected.
- If a lift is out of service for an extended period, we will consider temporarily decanting residents if a move is required because of medical conditions which rely on the lift and which are documented.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

4.5 Delivery Duty Holders

- To enable any new lifting equipment, once installed, is notified to the Council's Insurance Officer to be included in the LOLER inspection schedule.
- To ensure that all activity required for compliance within this policy is carried out.
- Enabling all lifting equipment to be serviced in line with manufacturer's recommendations and instructions.
- Acting promptly to remedy any defects and ensuring that any documentation complies with regulations.
- The LOLER inspection report will provide a list of defects and observations.
- Where defects are found which affect safety, or are highlighted as requiring immediate rectification, this will be implemented or taken out of use, after liaising with the competent person.
- Any other defects identified, which have not been given a specified time will be completed as soon as possible or by the next service visit, but within six months of notification.
- Any recommendations identified in the LOLER inspection report as observations will be carried out as part of a planned works programme.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

4.6 Housing Officers

- Will aid and support the Operating Duty Holder and Delivery Duty Holders to gain access into Council owned communal areas and tenanted dwellings. This will enable the contractor to carry out their inspection/servicing/maintenance on the lifting equipment, and authorised persons to carry out their legal duties under LOLER.

- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

4.7 Data Keystone Administrator Responsibilities

- Keeping records of compliance for lifting equipment.
- Responsible for retaining testing, servicing, maintenance records and LOLER inspections records.
- Making relevant documentation available to the Delivery Duty Holders.
- All staff within departments must comply with this Policy and the associated arrangements, instructions, and guidance.

4.8 Competent Persons Responsibilities (usually the Insurance Company)

- A company, either employed by Brentwood Borough Council or contractor, possessing proficient technical knowledge, and having received appropriate training, appointed by the Duty Holder in writing to take responsibility for the implementation of policy and procedures as specified of a specific area of H&S legislation.
- The main legal requirement under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) is for inspection and maintenance of lifting equipment. People carrying lifts or lifting equipment should be inspected by a 'Competent Person' at no longer than six monthly intervals, and runway beams at no longer than a 12-month interval. In doing so a report is produced, which identifies the current condition of the lifting and lifting equipment which is split into 3 categories:
 - A) Defects which require corrective action before further use or before a specified date
 - B) Defects requiring corrective action as soon as reasonably practicable
 - C) Observations

The Council will address the report actions as set out in section 4.5, delivery duty holders.
- The 'Competent Person' (as defined as the Council's insurance company or independent engineering company), will be responsible for any supplementary tests required above and beyond the maintenance provision offered, under the lift maintenance contractor's maintenance regime. Supplementary tests are requested when concerns about the condition of the lift equipment are identified during the inspection. They are regarded as best practice and would normally satisfy legal requirements.
- The Competent Person may also identify observations that indicate BS EN 81-80:2019 to reflect the age or condition of a passenger lift and consideration for improving the lift to state of the art standard.

4.9 Contractor and Sub-Contractor Responsibilities

Ensuring the responsibilities of the Operatives are carried out in line with statutory and industry best practice requirements and that all contractual obligations are met by:

- Ensuring only competent and experienced operatives undertake work for which they have the appropriate skills to carry out
- Ensure the safety of all lifts and lifting equipment, identifying, or pre-empting potential actions or failings which are reported to the Delivery Duty Holders for actioning.
- If someone becomes trapped in a lift, the lift maintenance contractor will attend within one hour. Following an incident where a person(s) becomes trapped in the lift, the lift contractor must submit a copy of their attendance report identifying the cause of the lift failure.
- Ensure the safe use of operating training is provided to the end user following an installation of new lifting equipment.

4.10 Social Care Team arrangements

- A member of staff from the Social Care Service will contact the tenant (Query and cross reference to Section 5) to make arrangements to assess their requirements. Due to the nature of the works, if a joint visit is required this will be arranged by the Social Care Representative (usually an Occupational Therapist)
- For all works requiring a Social Care Assessment, the Occupational Therapist will send an assessment/referral for works to the Council. This information will include a recommendation as to the works and materials required as well as a score to identify an individual's priority (i.e., fast track, urgent or routine)
- This is reviewed by the Aids and Adaptations Panel.
- Where adaptations are already in place and they have aged or require persistent repairs, the Council will liaise with the Occupational Therapist to check that the adaptation is still required.

4.11 Tenant Responsibilities

- Tenants are responsible for contacting the Council's Repair and Maintenance Department if the lifting equipment fails to work. Contact 01277 312500.
- Under the tenancy agreement section 4.7, it states that access must be given to allow employees, agents, and contractors access to the Property to inspect the condition of, or to carry out repairs or improvements or other works to the Property, the installations, fixtures and fittings, the communal areas or adjoining property.
- For all adaptations installed by the tenant or household member at their own expense, **the tenant must obtain written permission from the Council before carrying out any works.**
- For all adaptations (including lifts and lifting equipment) required to enable the tenant to maintain independent living, the tenant will contact Adult Social Care Services and arrange for an Occupational Therapist (OT) to undertake a risk assessment of the tenants needs. The written request received from the OT Social Care Services to the Council's Estates Housing Services department, will need to state

the works and adaptations (including lifts and lifting equipment) the tenant requires and include a floor plan.

Please refer to the Aids and Adaptations Procedure which defines the decision-making process once the OT written request is obtained.

The Council will only refuse permission with good reason, such as if the work:

- Would interfere with any maintenance to the property
- May cause a potential health and safety risk; or
- Would breach any regulatory requirements.

Where any lifting equipment is no longer required, e.g., the tenant specified for the equipment has deceased, or the tenants move out and the property becomes void, the Council will liaise with OT Social Care Services department to verify the circumstances. This may lead the equipment to be removed.

To report any defects with passenger lifts or lifting equipment to the Council via the Repairs & Maintenance contractor by calling 01277 312 500.

4.12 Leaseholder Responsibilities

- To report any defects with passenger lifts to the Council via the Repairs & Maintenance contractor by calling 01277 312 500.
- For all adaptations installed by the leaseholder at their own expense, the responsibility for inspection and maintenance is solely their responsibility.

5. Stair Lift, Hoists and Platforms

The Council will maintain tenant's own lifting equipment. Usually these are fitted as an aid and adaptation, and the Council then takes over the maintenance, but sometimes they are fitted by the resident, but not maintained. For all adaptations installed by the tenant or household member at their own expense, **the tenant must obtain written permission from the Council before carrying out any works. If the tenant does not inform the Council before carrying out any works, the Council will not be held responsible or liable.**

The Council will provide maintenance in both cases, providing the above is followed, to ensure compliance with LOLER and PUWER, which will enable residents to remain mobile within their homes.

6. Removing Adaptations

Any adaptations fitted by the tenant, at their own expense, are to be removed unless agreed otherwise by the Council.

Where adaptations have been carried out to a property designated for an elderly or a person with a disability, these will normally not be removed, for example where a bath has been replaced with a level access shower. However, any lifting or lifting equipment will need to be removed.

7. Lift Maintenance

The Senior Duty Holder will put in place adequate maintenance provisions and ensure that a competent lift maintenance contractor is appointed.

Any new lifts or lifting equipment installed, BS EN 13015 states the lift shall be maintained and kept in good working order as detailed in the original installer's instructions or maintenance manuals for the lift or lifting platform.

The lift maintenance contractor will provide a generic risk assessment for each lift installation. This must be kept on site in the lift control cupboard along with the lift maintenance contractor's logbook. A copy will be kept in the Council's document retention system.

In the event of any major lift components failing, all lifts are fitted with fail-safe mechanisms to prevent injury.

The frequency of service visits is based on the contract schedule procured. In the event of an incident this will be reviewed.

Contractor maintenance regime:

Passenger Lifts are serviced bi-monthly based on a rotation of electrical and mechanical items, in the table below.

A	B	C
MOTOR GEAR UNIT SELECTOR AND TAPE ROPES OR CHAINS CONTROL PANEL GENERATOR	DIVERTORS AND PULLEYS GOVERNOR CAR TOP EQUIPMENT TANK HOSE AND RAM DOOR EQUIPMENT LUBRICATION	SHAFT AND CAR SWITCHES UNDERSIDE OF LIFT CAR INTERIOR OF LIFT CAR LIFT PIT EQUIPMENT CONTROL PANEL CHECK OVER RUNS
D	E	F
TANK HOSE AND RAM GENERATOR DOOR EQUIPMENT ROPES OR CHAINS LUBRICATION	DIVERTORS AND PULLEYS GOVERNOR CAR TOP EQUIPMENT MOTOR GEAR UNIT CONTROL PANEL COUNTERWEIGHT	GUIDE AND BRACKET FIXINGS SHAFT AND CAR SWITCHES TANK HOSE AND RAM DOOR EQUIPMENT LUBRICATION CHECK OVER RUNS

Lifting Equipment is inspected bi-annually, and any recommendations and remedial works are actioned by the Delivery Duty Holder in section 4.5.

The following checks are carried out by the appointed lift maintenance contractor:

- Lift alarm and auto dialler is connected to a remote Alarm Receiving Centre.
- Housekeeping and condition of the lift machine room and that it is kept clean and tidy.
- The lift logs are updated and document that regular maintenance visits are being carried out.
- The risk assessment is retained and updated if there is any change to the lift installation during the period of the maintenance contract.
- Copies of the latest insurance reports carried out by the 'Competent Person' are forwarded to the lift maintenance contractor for retention.
- Written confirmation that any works highlighted in the reports are completed and signed off.

8. Record Keeping

To demonstrate compliance with relevant Regulations and provide evidence to enforcing authorities, it is Brentwood Borough Council's requirement all records pertaining to lifts and lifting equipment must be retained centrally on Keystone for the period in that current year, and at least 6 years afterwards (refer to section 11 lift incidents).

Brentwood Borough Council has a robust process in place for the management of any follow-up works required following the completion of routine maintenance inspections and the completion of inspection by the organisation's insurers. This includes contractual arrangements, specified time frames, monitoring of follow-on works required and retention of records.

9. Lift Incidents

In the event of an incident, this should be reported on the Council's Health & Safety Incident Report Form on the day of the incident. This will then be investigated in conjunction with relevant persons.

Where an incident is defined by the HSE, a Reporting of Injuries, Diseases and Dangerous Occurrence Regulation (RIDDOR) form will be completed and sent to the Health & Safety Executive (HSE) by the Corporate Health & Safety Advisor.

Any faults with the lift should be reported to the Council and the relevant contact number is placed in each block where there is a lift.

If someone becomes trapped in a lift, the lift maintenance contractor will attend within one hour. Following an incident where a person(s) becomes trapped in the lift, the lift contractor must submit a copy of their attendance report identifying the cause of the lift failure.

10. Training

The Council will provide appropriate training for the 'Delivery Duty Holder'. These persons will receive appropriate training to fulfil the requirements of their job role.

The lift maintenance contractor will be required to confirm that its operatives are fully trained and hold relevant certification of competence to carry out maintenance on lifts and lifting equipment.

Training, by the installation contractor, in the form of information, instruction, and demonstration, is required to be given for personalised lifting equipment, to tenants in BBC owned properties to ensure safe use of the equipment.

11. Monitoring, Auditing and Reporting

All lift asset information is held on the Council's Keystone asset management system.

The implementation of this policy and any incidents will be monitored and audited annually by the Corporate Health & Safety Advisor and Housing Compliance Manager to ensure its compliance of this policy.

An audit of all passenger lift log cards will be undertaken every 3 months by the Housing Compliance Manager to ensure accurate record keeping is being completed by the maintenance contractor. Information gathered will be cross referenced, with copies of the service log sheets the maintenance contractor supplies, to ensure accurate service visits are being recorded in line with their maintenance regime. Any discrepancies or inaccurate lift log cards will be raised with the maintenance contractor, to identify which service was completed and ensure the information is changed to reflect the service undertaken.

12. Legislation, Standards and Regulations

Lifts and lifting equipment shall as a minimum conform to the following where applicable together with any amendments or updates:

- Health and Safety at Work etc. Act 1974.
- Lift Regulations 2016
- The Workplace (Health Safety and Welfare) Regulations 1992
- Construction (Design and Management) Regulations 2015
- Equality Act 2010
- Housing Act 2004
- Landlord and Tenant Act 1985

- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Supply of Machinery (Safety) Regulations 2008, as amended by the Supply of Machinery (Safety) (Amendment) Regulations 2011
- Building Regulations 2010 (including Part M).
- SAFed Guidelines on the supplementary tests in service lifts 2006.
- Management of Health & Safety at Work Regulation 1999.
- Lifting Operations & Lifting Equipment Regulations 1998 (LOLER).
- The Provision and Use of Work Equipment Regulations 1998. (PUWER)
- BS 7255:2012 Code of Practice for safe Working on lifts encourages the owners of lifts, built before 1999, to undertake a programme of improvements in accordance with current standards.
- BS EN 81-80:2019 Safety rules for the construction and installation of lifts. Existing lifts. Rules for the improvement of safety of existing passenger and goods passenger lifts
- BS EN 81-28:2018, 81-20:2020 & 81-50:2020 Safety rules for the construction and installation of lifts
- LEIA Safety Information Sheet Safety at Lift Landings

All the above will be assessed and considered when lifts are being modernised, installed, or maintained.

13. Policy Review

This policy shall be reviewed every three years unless there is a legislative or Council organisational change.

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Agenda Item 9

Committee(s): Housing Committee	Date: 12 December 2022
Subject: Oil and Solid Fuel Policy	Wards Affected: All
Report of: Julian Higson, Interim Director of Housing	Public
Report Author/s: Name: Johanna Batchelor-Lamey, Compliance Manager Telephone: 01277 312 500 E-mail: johanna.batchelor-lamey@brentwood.gov.uk	For Decision

Summary

The report sets out the proposals for a new Oil and Solid Fuel Policy to be implemented within the Housing Department. The Policy provides the council with the ability to effectively manage Oil and Solid Fuel in its five tenanted properties. The Policy also meets the Council's statutory requirement to have an Oil and Solid Fuel Policy.

Recommendation(s)

Members are asked to:

R1. Approve the Oil and Solid Fuel Policy.

Main Report

Introduction and Background

1. This is a new policy which outlines our approach to managing the risks involved in using existing oil and solid fuel appliances, ensuring the health, safety and wellbeing of people living in our properties and their visitors where these appliances are installed. It also sets out the approach to monitoring and carrying out servicing visits to ensure compliance with all relevant legislation.
2. The five Oil and Solid Fuel properties were incorporated within the gas property servicing and maintenance regime and are clearly defined within our Partnering Contract Term Brief.

Issue, Options and Analysis of Options

3. Failure to have the Policy may put tenants at risk if their appliances are not operating correctly and could result in a more in-depth investigation into the Council's Oil and Solid Fuel procedures.

Reasons for Recommendation

4. The Council must ensure it complies with all relevant legislation as a landlord. The policy and supporting procedures show the Council's commitment to fulfilling its duties to protect tenants and their visitors to its properties and physical assets by ensuring servicing and maintenance regimes are in place and comply with OFTEC (Oil Firing Technical Association) and HETAS (Heating Equipment Testing and Approvals Scheme) governing schemes.

Consultation

5. Consultation has taken place with the Tenant Liaison Group (Tenant Talkback). All feedback from the consultation has been incorporated into the draft policies.

References to Corporate Plan

6. Drive continuous improvement of our housing services
7. Delivering an efficient and effective council

Implications

Financial Implications

**Name/Title: Phoebe Barnes, Director of Assets and Investments Tel/Email:
01277 312500/phoebe.barnes@brentwood.gov.uk**

8. There are no direct financial implications, the cost of servicing and maintaining the properties in questions is already captured within the existing budgets.

Legal Implications

**Name & Title: Steve Summers, Strategic Director and Monitoring Officer
Tel & Email: 01277 312500 / steve.summers@brentwood.gov.uk**

9. The policy enables the Council to fulfill its duties as a landlord under the relevant legislation and this policy minimises the its risks.

Economic Implications

**Name/Title: Phil Drane, Director of Place
Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk**

10. There are no direct economic implications.

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Oil and Solid Fuel Servicing Policy

**Housing Department
Brentwood Borough Council**

Version Control

Version	Date of change	Officer	Title
V1	18/08/2022	Johanna Batchelor-Lamey & D.Wellings	Compliance Manager and Corporate H&S Advisor

Approved at the relevant Committee on:

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1. Introduction

The purpose of this Policy is to inform and guide staff, contractors, and tenants of the steps to be taken by Brentwood Borough Council to fulfil its statutory obligation to ensure that all Council owned oil and solid fuel appliances are safe and in good working order.

2. Aims and Objectives

- Brentwood Borough Council is committed to ensuring that it carries out its duties in respect of Oil and Solid Fuel to protect its tenants, visitors to its properties and its physical assets.
- Repair and maintain pipework, flues, and appliances in a safe condition.
- Ensure an appliance safety check is undertaken on each appliance and flue within the timeframes contained within The Health & Safety at Work etc. Act 1974.
- Supply a copy of the certificate to existing tenants within 28 days of the check being carried out and before occupation to new tenants.
- Ensure Gas Safe registration is maintained and its engineers and that engineers are suitably qualified when undertaking work on oil and solid fuel appliances, fittings, and flues.

3. Introducing Oil

Apart from Gas there are other sources of heating the Council supplies to properties that are not on the mains gas network. These are: liquid fuel heating such as oil and solid fuel such as wood.

3.1 Oil

Heating oil is normally used in a ‘wet’ heating system, where an oil-fired boiler heats water, then provides central heating via radiators and hot water to the taps in your home.

4. Introducing Solid Fuel

Solid fuels such as coal and wood can be an alternative to gas or oil for heating the home. Renewable fuels such as wood are a resourceful alternative to fossil fuels.

Solid fuel (mostly coal) used to be the most popular form of heating for homes in the UK, but from the 1960s natural gas central heating grew in popularity and is now used by many commercial and domestic users.

Burning solid fuels can pollute the air and many cities used to suffer heavy, sooty smogs. In response to these problems the Government passed the first Clean Air Act in 1956, which regulated the use of household solid fuels. Many urban local authorities established Smoke Control Areas under the Clean Air Act 1968: these are areas where special provisions apply if people wish to burn solid fuels.

When living in a Smoke Control Area there are restrictions in the fuels that can be burnt, for example it is not legally permitted to burn high sulphur coals or any form of wood in open fireplace.

Stoves and boilers burn solid fuels far more efficiently than open fires. Stoves can provide heat for a single room, while boilers can heat several radiators and an entire home. If you live in a Smoke Control Area an 'exempt appliance' allows legal burn of dry fuels such as wood logs and pellets.

Where the home heating choice is for solid fuels, it must be ensured that both your appliance and chimney are regularly maintained to keep the household safe. It is also important to make sure it is within the law when a stove or solid fuel appliance is fitted and comply with any conditions of the Clean Air Act that apply.

The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 have recently come into effect from May 2021 and requires solid fuel to be certified before purchase. For further information please visit <https://www.hetas.co.uk/ready-to-burn-a-look-at-the-regulations-in-more-detail/>

4.1 Fuels

There are many fuels available for solid fuel appliances. If you intend to burn wood logs it is important that you obtain well-seasoned logs, the drier the log, the more efficient the appliance will be as heat will not be lost burning off moisture. High moisture fuel can also form a creosote like substance within the flue or chimney system, which should be avoided. It's very important to choose a fuel that both suits your needs and is suitable for the appliance.

In May 2021, new legislation in England was introduced to restrict the sale of wood, manufactured solid fuels and bituminous coal intended to be burned at domestic premises (including houseboats). These must now come with the 'Ready to Burn' logo and a certificate issued by an approved manufactured solid fuel certification body. More information is available on their website (<https://www.readytoburn.org/>).

You should also check to see if your property is sited within a smoke control area, which will restrict your choice of fuel. More advice on smoke control areas can be obtained from your local authority.

4.2 Storing Fuels

Storing your fuel in a secure, dry, and well-ventilated location is important to maximise its lifespan and to stop leaves and other rubbish mixing with it. If you intend to burn seasoned wood logs you should consider a purpose-built log store, which will keep rain off, whilst providing maximum ventilation.

The size and location of your fuel store should be considered and calculated based upon minimum delivery volumes and the amount of fuel to be burned over a given time. The location of your fuel storage needs to be considered and not positioned near combustible sources e.g. electrical or other flammable sources.

5. Responsibility Structure

The Council has a hierarchy of officers responsible for the Gas Safety, Oil and Solid Fuel in its properties. The table below lists those responsible and their respective positions:

Brentwood Borough Council – Duty Holder
Chief Executive – Delegated Duty Holder
Director of Housing – Senior Duty Holder
Estate Management Team Leader – Operating Duty Holder
Contracts Manager / Compliance Manager – Delivery Duty Holders
Housing Officers
Contractor Responsibilities
Gas Auditor Responsibilities
Tenant Responsibilities

5.1 Duty Holder

Brentwood Borough Council is a 'Duty Holder' as defined within Gas Safety (Installation and Use) Regulations 1998.

5.2. Delegated Duty Holder

The Chief Executive is a Delegated Duty Holder and responsible for:

- effective operation of Gas Safety Management for all council housing stock,
- adequate resources are made available to ensure a structure which fully meet gas safety responsibilities,
- allow responsibilities for gas safety to be delegated appropriately throughout the management structure.

5.3. Senior Duty Holder

The Director of Housing is a Senior Duty Holder and responsible for:

- ensuring arrangements are in place to implement this policy,
- ensuring the policy is continually reviewed for its adequacy.
- provisions of adequate financial and human resources to ensure, so far as is reasonably practicable, that gas systems are installed and maintained in compliance with the Gas Safety (Installation and Use) Regulations (GSIUR) 1998, Approved Code of Practice and Guidance, the Health and safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999.

5.4. Operating Duty Holder

The Estate Management Team Leader is an Operating Duty Holder and responsible for the following:

- aware of the importance of their role in the gas safety process
- aware of where the gas safety management procedures are stored on Teams and what their part is in the process
- follow the procedures and processes to try to identify any problematic access/safety issues as soon as possible.
- appropriately and accurately record what action they have taken at each step of the process as per the procedures
- to report/escalate any issues in connection with the gas safety, oil, or solid fuel process to their line manager as soon as possible and other competent managers as required
- report decisions/all dangerous and potentially dangerous incidents relating to oil or solid fuel safety to the Housing Compliance Manager and Corporate Health & Safety Advisor.

5.5. Delivery Duty Holder – Contracts Manager

The Contracts Manager is a Delivery Duty Holder and responsible for:

- adequate resources made available in each area to manage gas, oil, or solid fuel safety
- demonstrating commitment to continuous safety improvement,
- identifying specific responsibilities to the Compliance Manager and their team,
- report decisions/all dangerous and potentially dangerous incidents relating to gas, oil, or solid fuel safety to the Housing Compliance Manager and Corporate Health & Safety Advisor.
- contractual arrangements made with contractors to carry out gas installations servicing, safety inspections and repairs comply with current legislation and good practice; and
- ensuring all records are maintained on Keystone database
- compliance with the Gas Safety (Installation and Use) Regulations (GSIUR)1998 in all work that has an impact on gas oil, or solid fuel, safety maintenance contracts.

5.6. Delivery Duty Holder – Compliance Manager

The Compliance Manager is a Delivery Duty Holder and responsible for:

- aware of the importance of their role in the gas, oil, or solid fuel safety process
- aware of where the gas safety management procedures are stored on Teams and what their part is in the process.
- follow the procedures and processes to try to identify any problematic access/safety issues as soon as possible.
- appropriately and accurately record what action they have taken at each step of the process as per the procedures.
- to report/escalate any issues in connection with the gas safety process to their line manager as soon as is possible and other competent managers as required.
- Gas Safety Policy is kept up to date as per legislative or good practice changes.
- all changes are communicated to all staff involved in the gas, oil, or solid fuel process, providing information, or training where necessary.
- report decisions/all dangerous and potentially dangerous incidents relating to gas, oil, or solid fuel safety to the line manager and Corporate Health & Safety Advisor
- each property is maintained and has an oil and solid fuel boiler service carried out every 12 months, as far as reasonably practicable.
- a competent and appropriately qualified independent gas auditor carries out quality monitoring work of contractors who implement the gas, oil, or solid fuel servicing, safety and repairs and provides a report to the Housing Compliance Manager.
- any new gas, oil, or solid fuel installations comply with all current legislation and mandatory guidance.

5.7. Housing Officers

The Housing Officers are responsible for:

- aware of the importance of their role in the oil and solid fuel process.
- aware of where the gas, oil and solid fuel management procedures are stored on Teams and what their part is in the process.
- follow the procedures and processes to try to identify any problematic access/safety issues as soon as possible.
- appropriately and accurately record what action they have taken at each step of the process as per the procedures.
- report decisions/all dangerous and potentially dangerous incidents relating to gas safety to the Housing Compliance Manager and Corporate Health & Safety Advisor.

5.8. Contractor

The Oil and Solid Fuel Contractor is responsible for:

- aware of the importance of their role in the oil, and solid fuel safety process
- aware of where the Gas, Oil and Solid Fuel management procedures are stored on Teams and what their part is in the process.

- follow the procedures and processes to try to identify any problematic access/safety issues as soon as possible.
- appropriately and accurately record what action they have taken at each step of the process as per procedures.
- report/escalate any issues in connection with the oil and solid fuel safety process to their line manager as soon as is possible.
- ensuring all Oil and Solid Fuel Engineers are competent and registered with Gas Safe Register and quality monitoring and training reviews are undertaken by the contractor.

5.9. Gas Auditor

The Independent Utility Compliance Auditor is responsible for:

- competent and appropriately qualified independent external auditor carries out a quality monitoring work of contractors, who implement the gas, oil and solid fuel servicing, safety, and repairs, and provides a report for the Housing Compliance Manager.
- undertake 10% audit of total stock monthly and report their findings to the Housing Compliance Manager to identify any trends or areas of concern.

5.10. Tenant

The Tenant is responsible for:

- facilitate access to the property on the due date, to enable the oil or solid fuel servicing of Council owned appliances to be completed.
- ensure the correct home contents insurance is purchased, informing the insurance company that the property heating supply is an oil or solid fuel appliance.
- notify concerns regarding the safety or functioning of the Council owned oil or solid fuel appliance to the Council's contact centre on 01277 312500.

6. Legal Requirements

The Council employs a contractor who is registered under the Gas Safe Register, to carry out the appropriate checks (service, maintenance, and installations) to ensure oil and solid fuel safety.

Gas Safe Register is the official gas registration body of gas businesses and engineers in the United Kingdom. By law, all gas businesses must be on the Gas Safe Register.

An oil and solid fuel engineer can only be aligned to a registered business and be issued with a licence to undertake gas work on behalf of a registered business if they hold a valid and current qualification. This evidence of competence relates only to matters of gas/oil and solid fuel safety and is

obtained by every engineer through a recognised route of training and assessment.

The Council also engages a fully qualified utility compliance auditor to ensure the oil and solid fuel servicing contractor is meeting its contractual obligations and oil and solid fuel systems are safe.

The Council has several legal obligations it must adhere to and although not exhaustive the Council will comply with all relevant legislation and associated regulations, including:

- Gas Safety (Installation and Use) Regulations 1998
- Environmental Protection Act 1990
- The Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015
- Building Regulations 2010 - Part J (Combustion Appliance and Fuel Storage Systems) and Part L (Conservation of Fuel and Power)
- TI/133D domestic oil storage tank spillage and fire risk assessment
- The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

Legislation and Regulations describe specific responsibilities in terms of gas, supply, installation, servicing, and gas safety.

6.1 Tenant's legal requirements:

6.1.2 Domestic Oil Spills

Over the past few years there have been several serious domestic oil pollution incidents.

Incidents of oil pollution can, by their nature, cause serious environmental damage, through the pollution of rivers and groundwater, threatening drinking water supplies, fish, and other aquatic life, not to mention potentially harming health and property. The investigation and clean-up costs can be more than £20,000.

The majority of residents who have domestic oil tanks assume that their home insurance policy would cover the clean-up costs following a spill. However, this is not always the case. The Council recommends that households check with their insurance companies, to ensure that both the immediate aftermath of an oil leak and the costs of any subsequent site investigations and clean-up are covered.

To help reduce the risk of oil leaks and spills the tenant/householder are advised to:

- regularly check your oil tank, boiler and pipes for leaks or corrosion
- if you notice a sudden increase in the amount of oil you are using, check for leaks. Even a minor leak can add up to a large loss of fuel over time.
- carefully check your current fuel stock before re-ordering and if possible, supervise deliveries
- ensure your boiler is regularly serviced by an Oil Firing Technical Association (OFTEC) registered engineer.

6.1.3 Identifying an oil leak

There are several warning signs that you may have an oil leak.

These include:

- a strong smell of solvent, petrol, or oil inside or outside your home or in your cupboards
- black stains and dead plants or grass around your tank
- a sudden increase in the amount of fuel you use.

6.1.4 If you suspect an oil leak, you should follow these steps:

- if you do have an oil leak or spill at home, try to stop it at the source and use absorbing material such as sand to contain the oil and prevent it from entering drains and waterways.
- try to find out where the leak is coming from switch off your oil supply at the tank and arrange to have it emptied (if needed)
- arrange for an engineer to repair or replace your tank or pipework.
- if the leak could affect a stream, pond or other water supply call the Council immediately on 01277 312500.
- never use detergents or a hose to wash the spill away.
- prevent the spill from entering drains by blocking its flow using earth, sand or commercial products that absorb oil.
- keep your home well-ventilated by opening windows and doors.
- call your household insurance company or landlord and make them aware of the leak.
- if there is a strong smell of oil in your home, call the Council immediately.
- do not put off acting or assume the problem will go away.

You are strongly urged to contact your council, who will offer advice on the steps necessary to address the issue. Failure to properly address a significant oil spill could lead to one or more of the following:

- major liabilities to compensate other adjacent landowners.
- significant loss of value of your property
- determination of the land as "contaminated land" under the Environmental Protection Act 1990

6.2 Installers/maintenance legal requirements

Must be competent, have completed an industry recognised training course and is registered with Gas Safe. They have a duty to ensure that nothing about an

appliance or its installation (and associated fittings and flues and source of ventilation) can cause danger whilst the appliance is in use.

6.3 Landlord's legal requirements

Have a duty to ensure that gas appliances and flues provided for tenants' use in residential property are installed and maintained in a safe condition. They are required to perform an annual safety check which must be undertaken by a Gas Safe registered engineer on each appliance or flue.

Site new fuel tanks away from property boundaries, building openings, drains, streams, and ponds. For further advice regarding tank locations contact the Building Control team at the council.

All non-domestic oil storage tanks over 200 litres need to be bunded.

For domestic premises you need to carry out an oil storage risk assessment (this can be obtained from OFTEC - form TI/133D). In brief a Bund is required in domestic situations if...

- You are storing over 2500 litres.
- Your tank is near an open drain or loose fitting manhole.
- Your tank is within 10m of controlled water such as a river, stream etc.
- Your tank is located where any spillage could travel over hard ground to reach controlled water.
- Your tank is located within 50m of a borehole, spring or well.
- Your tank vent is not visible from the fill point. (Such as an extended fill point)
- Your oil use is for a building other than a single family dwelling.
- Any other unique hazards to your site.
- Please refer to <https://www.oftec.org>

7. Solid Fuel Servicing Schedule

The following works will be undertaken by the Council's contractor.

All work to be carried out in accordance with BS EN 15287-1:2007+A1:2010 (Chimneys. Design, installation, and commissioning of chimneys. Chimneys for non-room sealed heating appliances) and HETAS, or relevant European Standard. Resident to be instructed on how to operate the appliance.

All properties will have a carbon monoxide detector (performing to British standard BS EN 50291) fitted in the same room as any heating appliance (such as a boiler or stove), which is inside a building (including non-habitable areas) and is not designed solely for cooking purposes. (Properties may have more than one smoke detector fitted in other rooms, but this is for smoke and not carbon monoxide. These are not part of the solid fuel servicing schedule. These are part of the 5 yearly EICR inspection.)

High risk appliances (wood burning fire/stove or oiled fuelled external boiler) shall be checked every 6 months.

Sweep chimneys for all appliances with BS wire centred brush of appropriate size and strength for the chimney and fuel burnt. Brushes to be in a good state of repair with full bristle. This will be undertaken by the Council's contractor.

Include for all equipment, seals, lubricants and making necessary adjustments to appliance(s) to ensure safe and correct operation. All system checks including expansion tank, pipework, radiators, valves, and controls should be carried out as per the main specification within this document.

Where appropriate carry out the following:

Open Fire

- Check operation and clean damper assembly on top of appliance
- Scrape and clean firebox
- Check if ashpit cover is airtight
- Confirm operation of any air control and any recommendations
- Check fire front is secured to hearth
- Check seal between fire front and fireplace opening and hearth
- Confirm adequate ventilation
- Carry out Smoke Draw Test on completion.

Room Heater

- Check operation and clean damper assembly on top of appliance
- Check flue connection is secure and sealed correctly
- Scrape and clean firebox
- Check operation of damper mechanism
- Check and clean internal flueways
- Check seals between the appliance & hearth / fire surround
- Check ashpit cover for airtight seal – repair as necessary
- Check operation of any air control and that all seals are intact to ensure only air via the air control enters the firebox
- Check convection chamber to flue seals are intact, replace as necessary
- Check all parts in contact with the fire bars, fire bricks, damper mechanism and de-ashing mechanism
- Check, using feeler gauge fire door & ash pit seals with metal to metal contact against manufacturer's instructions
- Fire doors and ash pit cover door with rope seals to be checked by rubbing coloured chalk on the knife-edge and observing contact
- Check fire door alignment. Report all findings and correct as necessary
- Check any fan for correct operation and wear
- Check for adequate ventilation and make any recommendations to the Client if required
- Carry out Smoke Draw Test on completion.

Independent Boiler

- Check for debris at the base of the chimney flue
- Check and clean all internal flueways

- Check operation of flue draft stabiliser and lubricate with appropriate high temperature grease
- Clean and scrape firebox
- On gravity feed boiler scrape and clean hopper, paint with suitable anti- rust treatment
- Check movable grate or de-clinkering mechanism for correct operation
- Check access doors for airtight fit
- Check any secondary air ducts are clean and free from debris
- Check fuel regulator plates (if fitted) for correct installation and suitable for the fuel being used. Confirm plates are not bowed
- Check operation and calibration of thermostat
- Check operation and condition of fan and air regulator (if fitted), check for wear
- Confirm adequate ventilation and make any recommendations to the Client if required
- Carry out Smoke Draw Test on completion.

8. Links to other Policies and Procedures

This document should be read in conjunction with:

- Brentwood Borough Council Gas Safety and Servicing Policy

9. Review of Policy

This policy will be reviewed every three years unless legislative or organisational changes occur.

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Committee(s): Environment, Enforcement & Housing	Date: 12 December 2022
Subject: Rent Setting 2023/24	Wards Affected: All
Report of: Julian Higson, Interim Director of Housing	Public
Report Author/s: Name: Nicola Marsh Corporate Manager Housing Estates Telephone: 01277 312981 E-mail: Nicola.marsh@brentwood.gov.uk Name: Phoebe Barnes Director of Assets and Investment Telephone: 01277 312500 E-mail: phoebe.barnes@brentwood.gov.uk	For Decision

Summary

This report seeks the recommendations of the committee on the proposed rent and service charge levels for 2023/2024.

The recommendations will be considered by Policy, Resources & Economic Development Committee when the final recommendation will be made as part of the budget setting process. The final decision will be made by Ordinary Council on 1st March 2023.

Recommendation(s)

Members are asked to:

R1. Increase rent in line with the national rent cap of 7% for Social and Affordable Housing Properties

R2. Increase Shared Ownership and General Fund Property Rents in line with the national rent cap of 7%

R3. To apply formula rent to all new tenancies from April 2023

R4. To apply a 11.1% (CPI+1%) increase to all non-council tenant garage rents

R5. To apply a 7% increase to all council tenant garage rents

R6. To note that service charges have been reconciled and charges have been increased or decreased so they are brought in line with actual costs and that no increase will exceed CPI plus 1%.

Main Report

Introduction and Background

1. In the summer budget of 2015, Government announced that rents in the social housing sector would reduce by 1% every year, for the next four years from 2016/17.
2. This came to an end in 2020 following a government proposal in 2018, to allow Councils to increase rents by CPI + 1% for 5 years.
3. However, in September 2022 CPI hit 10.1% which would put many residents under financial strain at an already difficult time.
4. The Government recognised this financial burden and after consultation with the sector, has capped rent increases at 7%
5. During the autumn statement the government announced an increase to benefit payments of 10.1%. This means that Tenants who receive full Housing Benefit or the Housing Element of Universal Credit, will not be severely impacted by such a rent increase.
6. The Council currently has 15 Shared Ownership Properties of which the Council owns 50% of the property on 13 properties, 30% on 1 property and 40% on another property. There are 9 properties that are in the General Fund and are rented on tenancies. The rents on these properties are not set by Government Guidelines as the properties are not for Social Housing Purposes.
7. For background information the average rent increases have been:
 - 2015/16 2.20%
 - 2016/17 -1.00%
 - 2017/18 -1.00%
 - 2018/19 -1.00%
 - 2019/20 -1.00%
 - 2020/21 2.70%
 - 2021/22 1.50%
 - 2022/23 4.1%

Issue, Options and Analysis of Options

Rents

8. During the Government's autumn statement 2022, it was announced that in order to protect social housing tenants, rents will be capped at 7%.
9. This was following a large consultation which closed on October 2022.
10. The increase is to be applied to current rents charged and is capped at the calculated Formula Rent.
11. Formula rents are calculated using a pre-set formula which incorporates local housing values, local earnings of resident's average rents and the number of bedrooms to each property and are to be increased by the rent cap of 7%.
12. Landlords are encouraged to re-let vacant properties at the formula rent. Formula Rent is to increase by CPI plus 1%. Landlords have the added option of being able to charge a 5% margin (10% for sheltered housing) above formula rent and remain within the guidelines – but only on new tenancies. This is detailed within the Rent Setting Policy.
13. Each year the government release Rent Standard Guidance to assist in the rent setting process. To date, the guidance for 2023 – 2024 rents has not been released and therefore this report assumes the calculation for Formula rent will increase by the same as standard rents as has been the case for previous years.
14. When guidance is released, Housing in conjunction with finance, will clarify all figures against the Rents Standard Guidance in calculating the actual rents to tenants.
15. As of April 2021, The Bank of England's CPI target for future years was 2% therefore the assumption built into the future rental forecasts was that rents will increase by 3% per annum from April 2021.
16. We now know that CPI has vastly increased over the expected value to 10.1% and with rents capped at a 7% increase, this will create a pressure on the HRA not just for the coming financial year but over the full 30-year business plan.

17. Appendix A set out the current overall average rent with the 7% increase applied from April 2023 and provides some examples of rent levels for properties of different sizes.
18. Officers are aware that a 7% increase is a significant increase in current financial climates. However, the HRA is a ring-fenced account and therefore the rental income maintains the whole housing stock and services available to its tenants. RPI for September was 12.6% therefore any costs that are subject to RPI-based inflation will increase faster than rents, increasing the pressure on the HRA budgets. Therefore, to maintain the pace of works within the HRA and to ensure the HRA remains sustainable for the future officers are content that the rents must rise as per government guidelines.
19. Of a total of circa 2400 current tenants, 747 are in receipt of full housing benefit meaning they should not be impacted by the rent increase, 373 are on partial housing benefit and 390 are on Universal credit. As we do not hold full information on the universal credit accounts, we must assume that they along with the partial benefit receivers, must pay a small proportion of their rents.
20. Whilst benefits are increasing, wages are also rising at a similar rate although we recognise that households will still be struggling.
21. Officers will work with any tenants that raise concerns around their rent increase and financial capabilities will look at ensure tenants are signposted to the relevant departments to ensure they receive any support available to them.
22. As a Council, we are also seeing costs increasing, particularly in the construction industry where costs have increased by;
 - 21% increase in tender prices over the period 2021-26 (source: RICS)
 - 28% increase in materials costs for repairs and maintenance
 - 35% increase for all construction and maintenance activity
23. These increases impact the level of works we can complete each financial year and by only increasing rents by the cap of 7% we are already hit with an immediate 4% rental loss of £506,401 for next financial year. This is a cost gap that the Council Housing Department will have to fund by cutting back on non emergency and health and safety works.
24. The table below shows the rental incomes if we didn't increase rents, for the 7% rent cap and what we could have see if the full 11.1% was imposed.

25. It also identifies what each percentage totals in rental losses and the impact over a 30 year period.

	0% Rent Increase	7% Rent Increase	11.1% Rent Increase
Expected Rental Income	£12,570,914	£13,450,895	£13,957,296
Anticipated Rental Loss year 1	£1,386,382	£506,401	£0
Total anticipated Rental Loss over 30 years	£65,957,700	£24,092,238	£0

26. The gross annual rental income is as follows:

Rental Types	Gross Forecast 2022 - 2023 £
Shared Ownership	32,779
Affordable Rents	512,782
Social Rents	12,905,334
Total	13,450,895

Service Charges

27. The current Service Charge Policy ensures that services supplied are cost recoverable. Any increases to current Service Charges, will be capped at CPI plus 1% as recommended in the Governments guidance. Tenants will be informed in due course regarding charges made to their current service charges. The financial impact of any Service Charge increases will be built into the final budget setting process for the HRA

Garage Rents

28. Currently the HRA has 1,037 number of garages in ownership. 462 are currently void, of which 176 are in a lettable condition. An element of this high void is subject to sites allocated in the small sites development programme and so are purposefully kept void.

29. Garage sites that are to let or have low demand are being reviewed as part of a wider scheme in the development of housing in the borough.
30. All applicants on the garage waiting list have recently been written too, to advise of changes to the Garage Allocations policy with the final wave of letters being sent in November 2022.
31. Residents have been asked to re-apply for garages in their locality, being their ward, only to help manage the waiting lists and allocate garages fairly.
32. From December, officers will be letting garages on sites that need very little work first and then assessing the remaining garages to see if it is economical to repair them and then subsequently relet.
33. This will be an ongoing process which is assisted by the re-generation team looking at uses of garage sites also.

Reasons for Recommendation

34. The recommendation is to follow government guidelines which proposes to increase rents by 7%, for 2023/24.
35. This increase to rents is a welcomed one for residents, however it will create a pressure on the HRA Business Plan.
36. The proposed increase will contribute to funding the current services provided as well supporting the development of the capital programme and housing development plans.
37. When considering the rent setting the following assumptions have been considered:
 - The financial viability of the HRA business plan
 - Provision for the repairs & maintenance capital programme
 - Development for new homes in the borough
 - Affordability for tenants
 - Investing in services to the tenant receives the best service delivery.

Consultation

38. The proposed increases highlighted are to be reported to Tenants.

References to Corporate Plan

39. The Council has a legal obligation to produce a balanced HRA budget and to set the rent levels for 2023/24.

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director of Assets and Investments Tel & Email: 01277 312500 / phoebe.barnes@brentwood.gov.uk

40. The impact of the changes to the rent levels are outlined in report.
41. With a strong agenda to improve services currently delivered and invest in it's housing stock and drive a redevelopment agenda, the HRA needs to take the opportunity to increase revenue to support the costs in achieving these priorities.
42. The assumptions outlined in the report and forecast income figures will be included in the final budget position for the HRA that will be considered at Policy, Resources and Economic Development committee, to be agreed at Ordinary Council.

Legal Implications

**Name & Title: Steve Summers, Strategic Director and Monitoring Officer
Tel & Email: 01277 312500/ steve.summers@brentwood.gov.uk**

43. The Council is required by the Local Government Housing Act (LGHA) 1989 to have a separate Housing Revenue Account. The Council is required to comply with the Direction on the Rent Standard 2019. The Secretary of State set Direction in exercise of the powers conferred by section 197 of the Housing and Regeneration Act 2008. The Council is required to comply with the Ministry of Housing, Communities and Local Government Policy statement on rents for social housing February 2019.

Economic Implications

**Name/Title: Phil Drane, Director of Place
Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk**

44. There are no direct economic implications arising from this report. Maintaining a healthy housing stock across tenures in the borough can have indirect benefits that contribute to economic growth.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

Background Papers

None

Appendices to this report

- Appendix A: Rent Setting Analysis
- Appendix B: Garage Rent Charges

Appendix A

HRA Properties

The rent increase applied to HRA properties is capped at 7%. This results in an average weekly rent of £105.29 and an average weekly increase of £6.89

FLATS

No. of Bedrooms	Average rent (£)	Average Increase (£)	No of properties
0	73.39	4.80	63
1	89.66	5.87	506
2	98.53	6.45	471
3	109.01	7.13	54
Overall average increase	93.5	6.12	1094

Houses/Bungalows

No. of Bedrooms	Average rent (£)	Average Increase (£)	No of properties
0	81.42	5.33	28
1	97.43	6.37	232
2	112.74	7.38	380
3	125.43	8.21	607
4	150.26	9.83	15
Overall average increase	116.07	7.59	1257

Shared Ownership

The rent increase applied to Shared ownership is capped at 7%. This results in an average weekly rent of £45.79 and an average weekly increase of £3.00

FLATS

No. of Bedrooms	Average rent (£)	Average Increase (£)	No of properties
1	42.15	2.76	6
2	51.57	3.37	3
Overall average increase	45.29	2.96	9

Houses

No. of Bedrooms	Average rent (£)	Average Increase (£)	No of properties
1	45.21	2.96	4
2	51.96	3.4	1
Overall average increase	46.9	3.07	5

Affordable rents

The rent increase applied to affordable rents is capped at 7%. This results in an average weekly rent of £209.81 and an average weekly increase of £13.73

FLATS

No. of Bedrooms	Average rent (£)	Average Increase (£)	No of properties
1	133.93	8.76	3
2	194.56	12.73	10
3	250.45	16.39	2
Overall average increase	189.89	12.42	15

Houses/Bungalows

No. of Bedrooms	Average rent (£)	Average Increase (£)	No of properties
1	168.20	11.01	4
2	205.23	13.43	9
3	235.98	15.44	17
4	240.68	15.74	2
Overall average increase	219.15	14.34	32

HOUSING
FEES & CHARGES SCHEDULE FROM 1 APRIL 2023

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2022-March 2023		CHARGES April 2023-March 2024	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: HOUSING REVENUE ACCOUNT
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CHARGING AREA: ESTATES

Garage Rental Fees Per Week

Car spaces & Car Ports

Car Space Council Tenant	O	D	1.95	1.95	2.09	2.09
Car Space Private (NCT)	O	D	2.65	2.65	2.94	2.94
Car Space Leaseholder	O	D	2.25	2.25	2.50	2.50

Garages

Garage Council Tenant	O	D	9.10	9.10	9.74	9.74
Garage Private (NCT)	O	D	12.25	12.25	13.61	13.61
Garage Charities	O	D	12.25	12.25	13.61	13.61
Garage Leasehold	E	D	10.60	10.60	11.78	11.78
Garage Commercial	O	D	22.58	27.10	25.09	25.09

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Committee(s): Housing Committee	Date: 12 December 2022
Subject: Fees & Charges	Wards Affected: All
Report of: Julian Higson – Director of Housing (Interim)	Public
Report Author/s: Name: Angela Abbott, Corporate Manager – Housing Needs & Delivery Telephone: 01277 312500 E-mail: angela.abbott@brentwood.gov.uk	For Decision

Summary

Fees and charges made by the Council for various services are reviewed on an annual basis by the relevant Committees relating to the services provided. Recommended amendments to the fees and charges are incorporated into the budget setting process to take effect from the following financial year.

Recommendation(s)

Members are asked to:

R1. Agree to the proposed charges for 2022/23 as attached in Appendix A-D, subject to the annual budget setting process.

Main Report

Introduction and Background

1. The Council has a number of fees and charges relating to the services it provides. As part of the budget setting process, these charges are reviewed on an annual basis. Whilst some of the fees and charges are statutory, and therefore determined through legislation, the Council must also review its charges for discretionary services to ensure that they reflect the current costs of service provision.
2. The individual charges that are being proposed are set out in Appendix A-K of this report

Issue, Options and Analysis of Options

3. The proposed fees are based on a calculation of the costs involved in administering the various areas of work, apart from where there is statutory charge or where the fees are set by Government.
4. The Council where possible will adopt a full cost recovery of fees and charges.
5. Due to the economic climate there has been no set minimum increase to Fees and Charges, instead services have been asked to review their fees and charges and to determine any proposed increase to ensure services remain cost recoverable to maintain the services. Managers are able to increase fees and charges as long as the change can be justified within the supporting covering sheet to the appendix.
6. Within each appendix a covering sheet explains the following
 - Objectives and rationale behind the fees and charges
 - The proposed change in fee
 - Justification for this revision
 - Any benchmarking undertaken to aid in informing the level of charge
 - Whether any consultation needs to be considered
 - Expected income from the proposed fees and charges.
7. The fees and charges with proposed changes are:

Homelessness

- Charges are to remain the same as 2022/23 prices.

HRA Estates

- Fees based on services provided by contractors have been increased in accordance with contracted inflation rates.
- Some charges have been increased by 11.1% and garage rents for Council tenants have been increased by 7%.
- Garage rents for Non-Council tenants, Commercial tenants, Leasehold tenants and Charities have increased by 11.1%.
- Non-return of gas/electric keys and cards increased by 7%

HRA Repairs

- Charges have been set based on contractor costs.

- Full Cost recovery 2023/24 - Other repairs deemed re-chargeable reflect the charging Environment and Housing Committee approved on 23rd September 2015. The purpose of this pricing mechanism was to reduce the amount the Council is subsidizing by 5% per annum until Full cost recovery is reached and encouraging tenants to be more aware and responsible for their property.

HRA Special Services

- Charges have been increased by 1.9% and rounded to the nearest pound or fifty pence.

8. Proposed changes identified are explained within each covering sheet appendix

Consultation

9. None required

References to Corporate Plan

10. To ensure the provision of efficient and effective services of our residents

Implications

Financial Implications

Name/Title: Phoebe Barnes, Director Assets and Investments

Tel/Email: 01277 312500/phoebe.barnes@brentwood.gov.uk

11. Financial implications are set out within the report and appendices

Legal Implications

Name & Title: Steve Summers, Strategic Director and Monitoring Officer

Tel & Email: 01277 312500/steve.summers@brentwood.gov.uk

12. The Council is able under the relevant legislation to recover costs for services it provides. The Council can charge for discretionary services under the Local Government Act 2003 section 93 and the Localism Act 2011 general power of competence and is able to review the fees and charges in line with these provisions.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning and Economy)

Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk

13. There are no direct economic implications as a result of setting these fees and charges. Certain services provided by the Council where fees and charges are applicable provide specific economic benefits to the borough.

Equality and Diversity Implications

**Name/Title: Kim Anderson, Corporate Manager, Community, Leisure and Health
Tel/Email: 01277 312500/kim.anderson@brentwood.gov.uk**

The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

The proposals in this report will not have a disproportionate adverse impact on any people with a particular characteristic.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

Background Papers

None

Appendices to this report

- Appendix A – Proposed Fees & Charges – Homelessness
- Appendix B – Proposed Fees & Charges – HRA Estates
- Appendix C – Proposed Fees & Charges – Repairs
- Appendix D – Proposed Fees & Charges – Special Services

Appendix A

HOUSING							
FEES & CHARGES SCHEDULE FROM 1 APRIL 2023							

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2022-March 2023		CHARGES April 2023-March 2024	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: HOMELESSNESS

CHARGING AREA: RECHARGES TO TENANTS
--

Recharges to Tenants

Daily Bed and Breakfast Room Charge	(Cost price)	O	D	£35 - £90	£35 - £90	£35 - £90	£35 - £90
	(Access to Shared kitchen for cooking, No Breakfast	O	S	3.50	3.50	3.50	3.50
Amenity charge - 1 person Household per day		O	S	0.57	0.57	0.57	0.57
Additional persons per person - per day		O	S	0.51	0.51	0.51	0.51
Amenity charge - 1 person Household per day	(Breakfast only)	O	S	3.44	3.44	3.44	3.44
Additional persons per person - per day		O	S	0.51	0.51	0.51	0.51
Amenity charge - 1 person Household per day	(Access to Shared kitchen for cooking and Breakfast)	O	S	4.01	4.01	4.01	4.01
Additional persons per person - per day		O	S	1.08	1.08	1.08	1.08
Removals	Minimum	S	D	Cost Price	Cost Price	Cost Price	Cost Price
Furniture		S	D	Cost Price	Cost Price	Cost Price	Cost Price
Storage - Homeless	per square foot	S	D	Cost Price	Cost Price	Cost Price	Cost Price

* Amenity Charges based on 21/22 Housing Benefit Ineligible charges

Heating/Hot Water - £2.93 per day

Shared kitchen/cooking facilities - .57p per day

Breakfast - .51p per day

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FEES & CHARGES SCHEDULE AND CHARGING DIRECTORIES FROM 2023/24 ONWARDS

Committee:
Service Area:

Objectives/rationale of the fee/charge (e.g. Full cost recovery)

The primary objective of the charge is cost recovery. The level of charge also helps maintain the high level of service provision for the Borough.

Proposed change in fee/charge from previous year (%)

It is proposed that our fees & charges are increased in-line with CPI + 1%

Justification for revised charge (compared to previous year)

The increase to the registration of charge fee is to create uniformity across the registration of notice fee type. Fees are similar or higher than our neighbouring authority, Basildon, who provided their fees for the same to aid benchmarking.

What benchmarking has been undertaken to inform level of fee/charge (when and frequency)?

Fees have been benchmarked against the following local authorities; Basildon Council. The proposed Fees and charges are deemed average or above within the benchmarking exercise.

If significant change in charge, what consultation was undertaken with the general public?

Not Required

Expected budgeted income

Minimal affect on current income. Is reliant on level of enquiry. Enquiry level is insubstantial.

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Appendix C

HOUSING FEES & CHARGES SCHEDULE FROM 1 APRIL 2023

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2022-March 2023		CHARGES April 2023-March 2024	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: HOUSING REVENUE ACCOUNT

CHARGING AREA: REPAIRS

Note: Pricing Mechanism: Cost Price - 10% rounded to the nearest £5 the % reduction will reduce by 5% each year until the full cost is recovered (2022 - 2023)

Rechargeable Repairs

Replacement Key/Key Fob	S	D	12.08	14.50	Cost price	Cost price
Lock Change - Dwelling:Gain Access – 1 Door ref: 396001	S		62.50	75.00	Cost price	Cost price
Lock:Full Lock Change – Front Door ref: 390929	S	D	110.00	132.00	Cost price	Cost price
Opening:Board Up With 12mm Sterling or Plywood ref: 397001	S		32.50	39.00	Cost price	Cost price
Single Glaze 6mm Window Replacement upto 1 Square Metre ref: 515013	S	D	120.83	145.00	Cost price	Cost price
Single Glaze 6mm Window Replacement over 1 Square Metre ref: 515015	S	D	128.33	154.00	Cost price	Cost price
Double Glazed Window Replacement upto 1 Square Metre ref: 556005	S	D	205.00	246.00	Cost price	Cost price
Double Glazed Window Replacement over 1 Square Metre ref: 556007	S	D	210.00	252.00	Cost price	Cost price
Internal Fire door Replacement 1/2hr (less stops or frame) ref: 330013	S	D	179.17	215.00	Cost price	Cost price
External Timber Door Replacement Panelled or Glazed Front Door ref: 321107	S	D	679.17	815.00	Cost price	Cost price
Renew Internal Ply Flush Door Ref: 330001			146.67	176.00	Cost price	Cost price
Paint Pack Dulux - 2 bed	S	D	230.00	276.00	Cost price	Cost price
Correction of Unauthorised Alterations (Where Tenants have conducted works without the permission of the Council and retrospective permission can not be granted)	S	D	Cost Price	Cost Price	Cost price	Cost price
			Cost Price	Cost Price		
Any other repair deemed re-chargeable	S	D	Less 5%	Less 5%	Cost price	Cost price
Drain:Jet Blockage (per hour) ref: 039004	S	D	80.00	96.00	Cost price	Cost price
Drain:Rod Blockage ref: 039006	S	D	30.83	37.00	Cost price	Cost price
Burst:Repair Burst Pipe ne 28MM ref: 640001	S	D	60.83	73.00	Cost price	Cost price

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FEES & CHARGES SCHEDULE AND CHARGING DIRECTORIES FROM 2023/24 ONWARDS

Committee:
Service Area:

Objectives/rationale of the fee/charge (e.g. Full cost recovery)

The primary objective of the charge is full cost recovery. The level of charge also helps maintain the high level of service provision for the Borough.

Proposed change in fee/charge from previous year (%)

The Charges have increased by CPI + 1% where appropriate

Justification for revised charge (compared to previous year)

Increase reflects the increase to costs for supplying the service

What benchmarking has been undertaken to inform level of fee/charge (when and frequency)?

Fees have been benchmarked against the following local authorities Basildon. The proposed Fees and charges are deemed average within the benchmarking exercise

If significant change in charge, what consultation was undertaken with the general public?

Expected budgeted income

EX

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Terms of Reference Housing Committee

The functions within the remit of the Housing Committee are set out below:

- 1) Affordable housing
- 2) Housing strategy and investment programme where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee.
- 3) The Housing Revenue Account Business Plan where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee
- 4) Housing standards, homelessness, homelessness prevention and advice
- 5) Housing needs assessment
- 6) Housing benefit - welfare aspects
- 7) Private sector housing and administration of housing grants
- 8) Tenancy Management and landlord functions
- 9) To make recommendations to Policy, Resources and Economic Development Committee on the setting of rents for Council homes.

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.