

## **CORPORATE COMMITTEE**

**30<sup>th</sup> JANUARY 2019**

### **REPORT OF DIRECTOR FOR GROWTH AND REGENERATION**

#### **FIRE SAFETY AND MOBILITY SCOOTER POLICY**

##### **1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide the Committee members with an update on the actions taken so far for managing fire risk in Council owned residential properties with communal areas and propose the approval of two policies:
- Fire Safety Policy - covering all council owned properties
  - Mobility Scooter Policy - for council owned residential blocks with communal areas

##### **2.0 RECOMMENDATIONS**

- 2.1 **To note the risks and actions being put in place related to fire safety in Council owned residential properties with communal areas.**
- 2.2 **To approve the Fire Safety Policy covering all Council owned properties as attached at Appendix A.**

**To delegate authority to the Director for Growth and Regeneration in consultation with the Leader to make amendments to the Fire Safety Policy following recommendations from the Leicestershire Fire and Rescue Services.**

- 2.3 **To approve in principle the Mobility Scooter Policy as attached in Appendix B and subject to consultation with those potentially affected, delegate authority to the Director for Growth and Regeneration in consultation with the Leader to approve the final version.**
- 2.4 **To approve an increase to the permanent establishment for the creation of a full time compliance Officer to oversee the delivery of the Council's responsibilities including in relation to fire safety, gas safety and electrical safety. The funding to be met from within the HRA budget.**

##### **3.0 KEY ISSUES**

- 3.1 The Regulatory Reform (Fire Safety) Order 2005 places a responsibility on building owners to ensure that residential buildings fully comply with these regulations ensuring the safety of any resident in the unfortunate event a fire occurs within the building. It is considered best practice for the Council to have a fire safety management policy in order to provide clear guidance and allocate responsibilities for managing fire safety within the Council owned properties. The current fire safety policy for the Council dates back to July 2012 and needs refreshing in response to recent changes to fire safety guidance.
- 3.2 Key high risk areas within the Council's property portfolio are sheltered housing schemes and the residential housing blocks with communal areas. The Council is in a process of actively reviewing all the fire safety arrangements with formal surveys with a view to take actions where required. A vigorous regime of Fire Risk Assessments (FRA) has been adopted and thorough assessments (Type 3-4) are being carried out in the light of the new testing regime post Grenfell.

- 3.3 Alongside the Council's own enhanced fire risk assessment programme, Fire Protection Officers (FPO) from Leicestershire Fire and Rescue Service (LFRS) have recently carried out three spot check examinations and the Council has been issued three informal enforcement notices with an action plan for three of our blocks at Chapel Street, New Street and Mapperley House within St John's Court. LFRS have assured us that no evacuation is required due to the findings of the works. The action plans are agreed with the FPO and identified works are being actioned with immediate effect. There is identified budget within the Housing Revenue Account (HRA) for implementing actions to address the issues raised in the notice as well as the wider surveys for the rest of the blocks. The Council's Senior Leadership Team is exercising regular oversight and monitoring of progress and similarly lead members, committee chairs and TFEC are being regularly briefed on the actions planned and undertaken. This work is anticipated to be completed by early April.
- 3.4 The tenants in the above mentioned blocks have been kept informed through letters, notices in the communal areas and face to face communication. Until the improvement works are complete on site to the satisfaction of the LFRS, the above mentioned three blocks will operate outside the proposed Fire Safety Management Policy as the advice to residents is temporarily changed from 'stay put' to evacuation in the event of fire, until such time that LFRS has signed off the action plan.
- 3.5 The communal meeting room in Mapperley House has currently been closed off until further notice due to a risk highlighted through the FRA regarding the size of the exit hallway which is not capable to facilitate the exit of all the people that can be accommodated within that room. Another consideration is the materials in the room (i.e. furnishings and carpets) are not labelled as being fire retardant to current standards. The Council will carry out a full refurbishment of the room including wider/ alternative exit arrangements. All tenants and residents have been informed of this change. Alternative locations for tenants meetings will be arranged in liaison with TFEC.

### **3.6 Fire Safety Management Policy**

The Fire Safety Management Policy of Melton Borough Council sets out the Council's commitment to ensuring the health, safety and welfare of all users of council-owned properties.

It sets out the responsibilities for fire safety management, how these are allocated to specific employees and all other employees. It also sets out the responsibilities of tenants, residents and visitors to these premises.

A requirement of the proposed Policy is that it be reviewed on an annual basis. In view of the agreed changes to the Council's governance structures, the next report will be provided to the Cabinet in January 2019.

The Policy is set out at appendix A.

### **3.6 Mobility Scooter Policy**

The recent fire risk assessments have highlighted the risk of storing mobility scooters within the communal areas of residential schemes due to the combustible nature of the materials, batteries and the potential of scooters blocking safe access routes out of the building in case of fire. The Mobility Scooter Policy is prepared to provide guidance to the Council as well as tenants on the use and storage of mobility scooters within communal properties. The proposed policy aims to achieve a balance between the accessibility needs of the

Council tenants, the duty to manage fire risk and the practicality of providing appropriate storage facilities. This Policy applies primarily to the storage of scooters in supported schemes and general needs properties.

Through recent inspections, a small number of scooters have been found being stored in communal areas currently which will need to be moved to a safe place. This could have an adverse impact on the lifestyle choices made by the users of these scooters. The Council will engage with individual owners and consider alternative arrangements where physically possible for storing the scooters. Where an appropriate solution cannot be found, it will be necessary to remove the scooters from the communal areas to ensure fire safety standards are met. This will be actioned with full consultation with the tenant and full consideration of the subsequent impact will be taken. As a long term solution to this, the Council will consider making physical changes to the premises where possible, to accommodate the need of all users.

The Policy is set out at appendix B.

### **3.7 Fire Safety Management Working Group**

TFEC are to create an informal fire safety working group consisting of three members from TFEC, three councillors which will consist of one Member of each of the Policy Committees nominated by the relevant Chair and Council officers. The core objectives for this group will be:

- to support the Council in the implementation of the Fire Safety Management Policy as well as the Mobility Scooter Policy
- to support the Council in the implementation of actions arising from the Fire Risk Assessments
- to jointly prepare a tenants engagement plan to ensure awareness of fire risk as well as communicating relevant information to tenants at appropriate times.

3.8 Both policies require a vigorous regime of daily, weekly, monthly checks with annual monitoring process and intense liaison with tenants in housing assets. It is proposed to create a compliance officer role within the housing repairs and maintenance team to ensure compliance to the fire safety management policy at all times.

3.9 These policies will be made available to all interested parties on request and will be available on the Council's website. These policies will be shared with LFRS and any comments received will be considered leading to review and potential amendments of the policies.

3.10 Successful implementation of these policies will require extensive management of communal areas to ensure they remain clear all the times free of obstacles to safe access routes. Communal areas will be required to be kept clear of any items providing source of ignition or fuel for fire. Housing liaison officers, the new compliance officer and TFEC members will be key in communicating this message consistently and regularly to the tenants, visitors and users of these properties. A robust approach to management will be required to ensure the compliance of the policies.

## **4.0 POLICY AND CORPORATE IMPLICATIONS**

4.1 It is the Council's duty to ensure health and safety of the staff, tenants and visitors at all times and to ensure the properties are safe for people to live and visit.

## **5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

- 5.1 There is sufficient budget in the Housing Revenue Account to pay for the compliance officer post. The grade and pay-scale would be determined under our Job Evaluation scheme. The Director for Growth and Regeneration has delegated authority to approve resources from the HRA that are in support of the HAMP. Once the cost of this additional post is known this delegation will be exercised.

There is sufficient budget in the Housing Revenue Account to pay for the implementation of action plan arising from the fire risk assessments though the Council plans to undertake a full review of the HRA Business Plan to ensure any work to improve the quality and safety of council housing is fully accommodated in the Housing Asset Management Plan and long term stability of the account can be demonstrated.

## **6.0 LEGAL IMPLICATIONS/POWERS**

- 6.1 The Regulatory Reform (Fire Safety) Order 2005 requires the Council, as landlord, to take general fire precautions to ensure, as far as is reasonably practicable, the safety of the people on the premises and in the immediate vicinity. The duty requires fire risk assessments to be carried out in order to identify in communal areas any fire hazards, risks and actions required to remove or reduce those risks. The recommendation in this report will assist in meeting that duty and the common law duty of care to residents and persons lawfully in Council owned properties.
- 6.2 Consultation should be carried out with those persons who are most likely to be affected by the introduction of this policy to enable the Council to work with all persons affected to identify appropriate solutions to individual needs where necessary.
- 6.3 The Council will need to meet its Equality Act duties. An Equality Impact assessment has been completed and has identified a number of actions which are being taken forward. In particular, consultation should be carried out with those persons who are most likely to be affected by the introduction of this policy to enable the Council to work with all persons affected to identify appropriate solutions to individual needs where necessary. A further EIA will be completed following such consultation.

## **7.0 COMMUNITY SAFETY**

- 7.1 There are no direct Community Safety implications within the report, however, discussions with tenants relating to either the Mobility Scooter Policy or Fire Safety Policy may require input from associated case managers, ensuring tenants fully understand the requirements of the policies.

Many of the Supported Accommodation complexes and flats mentioned within the report are located within the Council's Priority Areas. Officer resource will be available to assist in the day to day application of these policies.

## **8.0 EQUALITIES**

- 8.1 Equalities Impact Assessments (EIA) have been carried out for each policy and are being considered by the check and challenge group. No significant changes are anticipated as a result of this work.

## 9.0 RISKS

### 9.1

L I K E L I H O O D	A	Very High				
	B	High				2
	C	Significant		3		
	D	Low		1		
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4
IMPACT						

Risk No	Risk Description
1	<p>FRS consultation may result in review and amendments to the policies.</p> <p>The policies have been developed in line with the Government guidance and discussions so far with the FRS. If there are any significant amendments to be made, the revised version of the policy will be presented to the Committee for approval.</p>
2	<p>Non-compliance of policies due to lack of resources.</p> <p>A new post is being created within the Housing assets team to ensure compliance of the policy.</p>
3	<p>Resistance from tenants/ users to comply with the policies due to adverse impact on other aspects of their lifestyle.</p> <p>Communication and engagement with the tenants through TFEC and the Fire Safety Management Working Group will be key to mitigate against this.</p>

## 10.0 CLIMATE CHANGE

### 10.1 NA

## **11.0 CONSULTATION**

11.1 The policy documents have been prepared by a multidisciplinary team of officers including representation from housing and commercial assets, legal, customer service, housing liaison and neighbourhood support teams. Both policy documents have been shared with TFECC. The tenants and residents of affected buildings where work is being carried out have been kept informed of the work planned and the relevant timescales. Also, tenants have been made aware where temporary changes have been made from 'stay put' to evacuation procedures.

## **12.0 WARDS AFFECTED**

12.1 All

Contact Officer

Pranali Parikh

Date:

17/01/2019

Appendices :           Appendix A – Fire Safety Management Policy  
                                  Appendix B- Mobility Scooter Policy

Background Papers:

Reference :