

Report to: Audit and Governance Committee



Date of Meeting 27 July 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## Housing – Property and Asset Compliance Position Statement

### Report summary:

An assurance report was requested at the previous Audit & Governance Committee Meeting on 23<sup>rd</sup> March 2023, this report is to provide assurance to the Committee on our position with Compliance for the Council Housing Stock which is managed by the Property & Asset team.

### Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### Recommendation:

For the committee to note the current position with Compliance for the Council's Housing Stock

### Reason for recommendation:

To note compliance

Officer: Michelle Davidson – Compliance & Cyclical Servicing Manager

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Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Democracy, Transparency and Communications
- ☐ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☒ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk**

**Links to background information**

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ Better homes and communities for all
  - ☐ A greener East Devon
  - ☐ A resilient economy
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## Report in full

1. East Devon District Council currently has a housing stock of 4176 properties, which are managed by Housing's Property & Asset team. The properties are a mixture of sheltered & general needs across the East Devon District.
2. The Compliance & Cyclical Servicing team are responsible for ensuring the Council's Housing stock is compliant with statutory legislation & ensuring we deliver better homes & communities for all.
3. Following a restructure & the increase in demands in relation to statutory compliance & cyclical servicing The Housing Review Board in 2021 approved four new positions into the Compliance team to enable the efficient delivery of compliance & cyclical service work streams across our Housing stock. These four posts were approved & recruitment into these posts were filled in Spring 2023 following a recruitment campaign.
4. The Compliance & Cyclical Servicing team currently consists of –
  - Compliance & Cyclical Servicing Manager
  - Compliance Surveyor (Heating)
  - Compliance Surveyor (Asbestos & Radon) – Vacant
  - Compliance Surveyor (Services)
  - Compliance Surveyor (Building Safety)
  - Compliance & Asset Management Technician
  - Compliance Administrator
5. The Council has appointed a number of contractors to carry out compliance & servicing works on our behalf. Each contract is effectively managed by the team to ensure compliance.
6. We have reviewed our approach to monitoring compliance & to ensure a high level of Governance we have implemented a newly defined compliance dashboard. The dashboard is presented to leadership & The Housing Review Board who have full oversight.

### **Asbestos**

7. To comply with The Control of Asbestos Regulations 2015 the Council has to undertake yearly inspections of all its communal areas which comprise of, blocks of flats, district offices & community centres. There are 143 communal areas which are inspected yearly by our appointed asbestos surveying company Gully Howard & we are fully compliant with all the necessary inspections. Gully Howard also carry out asbestos surveys on our housing stock.
8. In a recent audit undertaken by SWAP, there were a number of actions raised with regards to the quality of data held with our Housing Systems. Following a data cleanse, these issues have now been addressed & our records updated accordingly. We are working to address the other priorities within the audit report & are on target to complete these within the defined timescales.

## **Electrical Testing**

9. On review of electrical testing, the five-year periodic testing regime had not been re-procured in a timely manner & there is currently a root cause analysis being carried out by the Assistant Director of Housing to investigate the failings & to ensure measures are in place to provide greater assurance going forward. This has unfortunately led to a delay in the re-testing of our stock. A contract with our previous contractor The Dodd Group, was quickly re-procured & testing has now recommenced on site with a recovery programme in place to ensure full compliance with five-year periodic testing by the end of September 2023 (albeit no access issues).
10. Following a thorough review of the electrical testing, a volume of repairs were identified & these have been issued to another contractor to undertake the work to ensure The Dodd Group are able to focus on the testing programme. These repairs are due to be completed by December 2023.
11. Compliance with our communal areas will be achieved by end of July 2023 with any remedials completed no later than end of August 2023.

## **Fire**

12. In compliance with the Regulatory Reform (Fire Safety) Order 2005 & The Fire Safety Act 2021 we undertake Fire Risk Assessments across all of our stock that require them. Our contractor FCS Live carry out these assessments on our behalf. We have all the necessary assessments in place however we annually review/renew our assessments & as such have commenced a new programme of fire risk assessments across the stock. Naturally items are highlighted in the assessment & these are addressed by our Compliance Surveyor – Building Safety along with assistance from Housing Repairs or the Planned Works team.
13. The Compliance team have a good working relationship with Devon & Somerset Fire & Rescue who regularly review our buildings & compliance.
14. Following the Grenfell Tower Inquiry the Government introduced the Fire Safety (England) Regulations 2022 which came into force in Spring 2023. These regulations stipulate that any buildings above 11m should have quarterly checks of the fire doors in common parts & the flat entrance doors checked annually. We have one building which is deemed in scope & we are fully compliant with these checks.
15. We recognise the importance of the role fire doors play in stopping the spread of fire & have rolled the programme of fire door checks (flat front entrance fire doors & communal doors) across all our stock. Our contractor DR Jones are an accredited BM Trada inspector/installer.

## **Gas**

16. Liberty Gas carry out our gas servicing on our behalf across our stock & we are fully compliant with all Landlords Gas Safety Checks in line with The Gas Safety (Installation & Use) Regulations 1998. As part of the service Liberty Gas test the smoke & carbon monoxide alarms within the properties & if required, replace where necessary.

## **Lifts**

17. We have seven passenger lifts within our ownership & these are tested in accordance with the Lifting Operations & Lifting Equipment Regulations 1998 (LOLER). These are fully compliant.

### **Legionella**

18. There are 21 high-risk buildings whereby we carrying out weekly flushing, monthly testing & have Legionella Risk Assessments for. These are all compliant in line with the Health & Safety Executives Approved Code of Practice L8 & HSG274.
19. Overall, the increased monitoring of compliance will ensure that our contractors are adhering to statutory testing/servicing regimes. With the higher level monitoring of the electrical recovery plan this will ensure the Council regains full compliance with this area in the time frame set out in this report.

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### **Financial implications:**

There are no additional funding requests arising from this report. The works outlined in the report are budgeted for within the Housing Revenue Account.

### **Legal implications:**

The Council is required to comply with its legal obligations in relation to tenant health and safety. Oversight of these key performance indicators enables the Committee to oversee and evaluate the Council's compliance with those statutory requirements.