

# Compliance Report December 2023



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## HOUSING

Overall RAG Rated summary of the  
7 reported metrics

Direction of travel from  
previous month

0



1



6



## General Fund

Overall RAG Rated summary of the  
6 reported metrics

Direction of travel from  
previous month

0



0



7





# Performance Summary December 2023

Ref	Compliance	Target	YTD Result	
GD	Percentage of properties with valid gas certificate - Domestic	100.00%	100.00%	↑
GC	Percentage of properties with valid gas certificate—Communal	100.00%	100.00%	↔
ED	Percentage of properties with satisfactory EICR	100.00%	96.31%	↓
FS	Percentage of non domestic assets covered by valid FRA	100.00%	100.00%	↔
AND	Percentage of known asbestos locations re-inspected (communal areas)	100.00%	100.00%	↔
WH	Percentage of water installations covered by risk assessment	100.00%	100.00%	↔
LI	Percentage of communal lifts that require examination (LOLER)	100.00%	100.00%	↔
<b>Items of Additional Oversight</b>				
FRA	Number of Fire Remedial actions		1821	
AR	Number of Asbestos Remedial actions		0	

# Points for noting

Area of compliance	Comments
Building Safety	<ul style="list-style-type: none"> <li>The roof terrace remedial works at Kylna Court commenced in October with the non-compliant decking stripped and the scaffolding being removed in November. Preparation work has continued in December</li> <li>Recruitment for a Safe Homes Manager and Lead Officer - Fire Safety concluded in December with both successful candidates set to join the Council in January 2024</li> <li>Quarterly door inspections at buildings over 11m are being completed by the Compliance Team with all activity captured using the Propeller software. Flat Entrance Door inspections will commence in January 2024</li> <li>DLUHC have requested further information relating to buildings over 11 metres. All information for our 15 in scope buildings was submitted in advance of the deadline (31 December)</li> <li>3,129 FRA actions were completed in 2023, of which 779 were classed as a high risk</li> </ul>
Asbestos	<ul style="list-style-type: none"> <li>All non-domestic re-inspection surveys were complete by the end of December and the outcomes of these surveys and remedial actions are captured in the report. 1,074 of the required surveys have been completed since April with new re-inspection surveys commencing from January 2024</li> </ul>
EICR Programme	<ul style="list-style-type: none"> <li>The outstanding four no access properties continue to be the hardest to access and have numerous failed appointments. Three of the properties have been progressed to Legal proceedings as we continue to follow a robust six stage auditable access process to support legal applications. To date all applications for injunctions have been granted</li> <li>At the end of the year we have 373 properties that will have an out of target EICR within the next three months. Despite the best efforts of the team and contractors (<b>over 5,000 surveys completed in 2023</b>) we are left with the hard to access or non-engaging properties. The focus is as strong as ever with the access process continuing to produce positive outcomes</li> </ul>
Gas	<ul style="list-style-type: none"> <li>The Heating and Ventilation tender concluded in December with mobilisation commencing in January 2024 for an April 2024 start date. We will bring in agency cover to focus on this whilst permanent recruitment processes are completed</li> </ul>



### Percentage of properties with valid gas certificates

100%	Target
99.98%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>All domestic properties had an in date LGSR at the end of December</li> </ul>

### Percentage of properties with satisfactory EICR

100%	Target
99.65%	Previous period (Nov 23)
96.31%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>10,206 properties require an EICR and in December we have 4 dwellings without an electrical test</li> <li>We currently have <b>639 EICR's due in the next 12 months</b>. Of these 373 are either out of target or will be in the next three months, consequently our compliance figure has dropped</li> <li>December's access rates and contractor shutdown resulted in a poor month, but we are confident this will be recovered early in 2024</li> <li><b>5,101 EICR's were completed in 2023</b>, averaging at 425 per month. The resource and processes have worked to achieve such high figures and will remain in place to get us to our 100% target</li> </ul>



# No access EICR Properties

**Narrative**

- Safer Homes and Tenancy teams collaborate on no access properties to gain access.
- If the tenant misses a booked appointment then they will be referred back to the 6 stage Tenancy process, picking up at the last stage relative to the case.

**No Access Process**

Stage 1 Phone call between 9am- 5pm and 1st tenancy review audit  
 Stage 2 Phone call after 6pm  
 Stage 3 Phone call between 9am - 5pm and 1st letter  
 Stage 4 Phone call after 6pm and 2nd tenancy review audit  
 Stage 5 Phone call between 9am - 5pm and 2nd letter  
 Stage 6 Phone call after 6pm, 3rd tenancy review audit and 3rd letter

**Legal proceedings**

	Current	Previous Month
Stage 1	352	10
Stage 2	0	1
Stage 3	0	0
Stage 4	1	5
Stage 5	1	2
Stage 6	5	3
Appointment Booked	6	6
Void	5	4
Follow On Works	0	0
Legal	6	4
Other *	1	0
To be progressed *	0	0
<b>Total</b>	<b>377</b>	<b>35</b>

- \* Hoarding or wider welfare issues that may require multi agency approach
- \* Three stage contractor process has been completed, now with Lead Officer to commence No Access process.

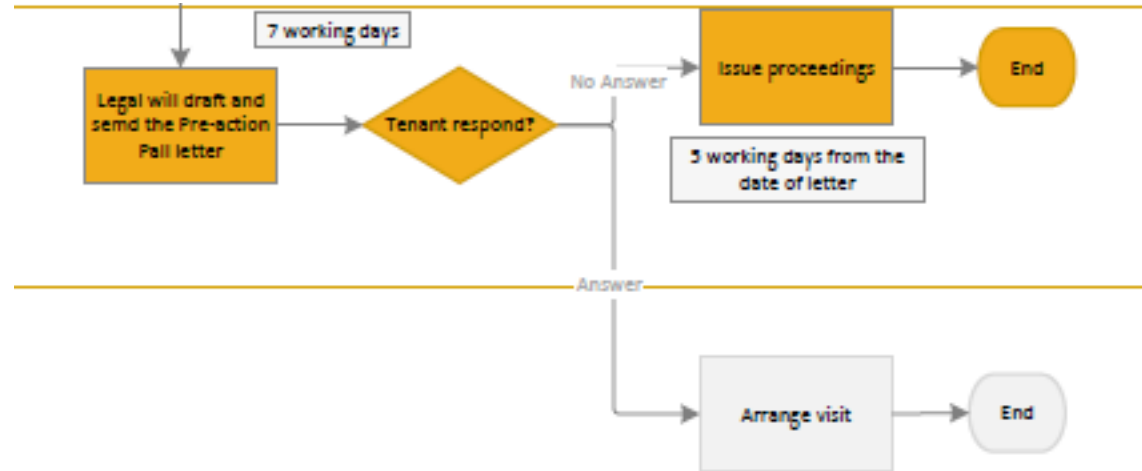
Legal Cases

**3 - Injunction secured**

0 - Court date agreed  
 3 - Court date pending

## No access Legal Process (Slide in development)

Legal Cases  
 3 - Injunction secured  
 0 - Court date agreed  
 3 - Court date pending



- **14 Quatermass Close** – An injunction was granted and access gained as a result. The property is completely hoarded. A clearance is currently taking place and the elderly tenant is being transferred to supported housing.
- **25 Rosebery Way** – Injunction obtained but no access gained. A NoSP will be served asap as a proportionate action. If access is still not gained we can take the case back to court for breach of the injunction (fine and/or prison).
- **78 Eastwick Row** – injunction obtained. Await its arrival in order to serve in person.
- **14 Candlefield Road** – Application sent to DBC legal 6/12/23.
- **58 Pescot Hill** – Application sent to DBC legal 03/01/24.
- **94 Westfield Road** – Application sent to DBC legal 03/01/24.

### Percentage of non domestic assets covered by valid FRA

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative	
<ul style="list-style-type: none"> <li>All buildings (1,102) have an in date FRA</li> </ul>	

### Percentage of known asbestos locations re-inspected (communal areas)

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative	
<ul style="list-style-type: none"> <li>All 1074 blocks received a non-domestic asbestos survey in 2023</li> </ul>	

### Percentage of water installations covered by risk assessment

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative	
<ul style="list-style-type: none"> <li>All 42 properties have an in date Water Hygiene Risk Assessment</li> <li>In the month of December 144 Planned Preventative Measures (PPM) were all completed within target</li> </ul>	

## Percentage of communal lifts that require examination (LOLER)

<b>100%</b>	<b>Target</b>
<b>100%</b>	<b>Previous period (Nov 23)</b>
<b>100%</b>	<b>Current</b>
	<b>YTD trend</b>

### Narrative

- 41 passenger lifts were serviced on schedule
- One lift at Gade Tower is currently being replaced





## Asbestos Non-Domestic Survey Status

Pre 2000 Non-domestic assets	Completed Compliance Surveys	Compliance Surveys Outstanding	Access Issues
1,074	1,074	0	0

Total number of actions to date	High Risk Actions	Medium Risk Actions	Low Risk Actions	Very Low Risk Actions
2,519	0	0	758	1761

### Narrative

- All 1074 blocks received a non-domestic asbestos survey in 2023
- To date we have only identified 21 remedial actions, 19 of which have been completed. There are two outstanding actions (high level AIB soffit and cement flue in loft space) and we are currently working with our consultant and contractor to work up a cost effective solution. The ACM's are not located in habitable parts of the building and therefore pose no direct risk to residents, but still require remediation. These low numbers are really positive and provide assurance that our processes are robust and that the buildings are managed well
- The 2,519 actions are classed as low or very low risk, meaning the Asbestos Containing Materials (ACM) can remain in situ as long as it is monitored and managed, which is what the annual re-inspection programme achieves

## Number of Fire remedial actions

Priority High	Dec	Nov	Timescale to complete
For Review	10	0	1 Month
In Progress	45	60	3 Months
Planned	17	23	12 Months
Deferred / Further Investigation	0	0	3 Months
<b>Total</b>	<b>72</b>	<b>83</b>	

### Narrative

#### 1821 live actions within the system:

- 204 In Progress (issued to contractor)
- 22 Open (to be reviewed/issued)
- 1595 Planned (planned programme)
- 0 To be Planned (further investigation required)
- 0 Deferred

#### Of the live actions 72 are classed as high priority:

- 45 In Progress (issued to contractor)
- 10 Open (to be reviewed/issued)
- 17 Planned (planned programme)
- 0 Deferred/To Be Planned

## Narrative

### Building Classification:

- Category 1 - High rise residential buildings and large supported housing schemes
- Category 2 - Medium rise buildings and dispersed supported housing schemes
- Category 3 - Low rise buildings
- Category 4 - Buildings with no common parts

Buildings with no common parts do not require an FRA under the Regulatory Reform (Fire Safety) Order 2005

### Number of buildings per category

Building Priority	Number	Fire Risk Assessment Frequency
Category 1	44	Annual
Category 2	427	Every three years
Category 3	321	Every five years
Category 4	310	No requirement
<b>Total</b>	<b>1102</b>	

### High Priority Actions by building classification

Building Classification	Open	In Progress	Planned
Category 1	10	14	10
Category 2	0	31	7
Category 3	0	0	0
<b>Total</b>	<b>10</b>	<b>45</b>	<b>17</b>



## Number of FRA Actions Completed

Completed in November	High	Medium	Low	On-going	Total
Category 1	5	14	2	3	24
Category 2	33	212	11	35	291
Category 3	0	1	0	1	2
<b>Total</b>	<b>38</b>	<b>227</b>	<b>13</b>	<b>39</b>	<b>317</b>

	Jobs Raised	Jobs Completed
Sep	154	225
Oct	114	393
Nov	121	542
Dec	150	317
<b>Total</b>	<b>539</b>	<b>1477</b>

### FRA Actions

- On average we would expect to see approximately 100/150 FRA actions per month with the number of actions completed in month to be greater than the number created
- We are undertaking some closer analytical work of the outstanding actions in partnership with Manifest Consultants. This will allow us to better track and progress the medium risk actions
- SLT approved an additional programme to tackle historical actions that will commence in January 2024 - further information on next slide

## Fire Remedial Assurance



### Narrative

- In November SLT approved a short term FRA action remediation plan designed to target our oldest outstanding actions. This is in addition to the existing planned works programme that manages high risk actions as early as possible.
- Following SLT approval the Safe Homes Team have developed a remediation programme that focuses on moderate actions dating back to 2020 and have engaged Wates, who are the number one ranked contractor on our FRA framework, to undertake the work.
- 39 medium and low rise blocks have been targeted where there are approximately 200 actions. We are in the process of undertaking site visits with Wates to agree the full scope of works before agreeing prices and releasing orders. We have allocated an initial £500k of capital funds to the project. Finance colleagues have approved the capitalisation rationale and funds have been secured to deliver the project.
- Purchase orders have been issued to Wates in December so that materials can be ordered with a planned project start date of January 2024.
- Pilot door replacements will commence in January 2024 in line with our Asbestos Management Plan.
- Wates have recently successfully completed works at Douglas Gardens and Lagley House and are competently managing the remediation work at Kylna Court.

## Fire Safety Remediation Surveys - DLUHC letter ([Appendix 1](#))

### Narrative

- The Department for Levelling Up, Housing and Communities (DLUHC) the Regulator of Social Housing are seeking assurance from all registered providers (RP's) and Local Authorities (LA) that all buildings over 11 metres have the following:
  - ◆ All relevant parts of the building have been risk assessed in line with the Fire Safety (Regulatory) Order 2005
  - ◆ Where there are risks the RP/LA understands how they should be addressed, particularly in relation to cladding
  - ◆ Where life critical safety fire risks have been identified the RP/LA has plans in place to remediate them in a timely manner
- In order to capture this information DBC are required to complete a Fire Safety Remediation Survey for all buildings in scope
- In total this relates to 15 Council owned buildings where we are the landlord; five of those buildings are over 18 metres
- The submission portal launched on 1 December with a deadline of the 31 December.
- All required information was uploaded to the DLUHC portal on 28 December

The outcome of the exercise confirmed that of our 15 in scope buildings we have identified further remedial work at 8 buildings; table as listed in the below

Category	Building(s)	Works	Planned Date
Works Complete - Awaiting BC Sign Off	Gade Tower	Internal FRA Works	Complete
Works Started	Kylna Court	Combustible Decking Replacement	On site
Plans in Place	Pelham Court x 2 Eastwick Row x 2 Fennycroft Road	Internal FRA Works Internal FRA Works Roof Level HPL & Window Panel Replacement	24/25 Feb 24 24/25
Plans Unclear/ Incomplete	The Elms	HPL Cladding Remediation	TBC

## TA Compliance Figures

	Gas Domestic
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (122 assets)
	YTD trend

	Gas Communal
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (7 assets)
	YTD trend

	FRA's
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (8 assets)
	YTD trend

	Asbestos Surveys
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (6 assets)
	YTD trend

	Water Hygiene RA
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (2 assets)
	YTD trend

	Domestic EICR's
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (129 assets)
	YTD trend

	Communal EICR's
<b>100%</b>	Previous period (Nov 23)
<b>100%</b>	Current (8 Assets)
	YTD trend

Narrative	
•	A strong compliance performance across all areas achieved by collaborative cross-departmental working



## Damp and Mould Update

	Pre-2023	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Total
<b>Cases Reported</b>	93	45	73	194	119	75	52	51	43	26	82	123	117	1093
<b>No of Inspections Carried Out</b>	29	14	20	56	59	79	134	172	112	59	77	130	107	1048
<b>Open Cases</b>	0 (0)	0 (0)	8 (12)	75 (82)	44 (46)	22 (27)	30 (33)	30 (30)	32 (34)	25 (25)	70 (72)	111 (121)	117	564

### Narrative

- The number of cases are starting to significantly increase as expected as we move into the winter period,, although there were slightly fewer cases than the previous month due to the festive period
- 465 Jobs have been completed in the period
- Monthly performance meetings are now taking place with B&D Civil Engineering to monitor the progress of all damp and mould works
- All new reports of damp and mould continue to have Inspections carried out within 7 days of being reported (unless customer is not available)
- A further 100 have been reported following inspections as part of the stock condition surveys, and we are continuing to review and appointments starting to be booked now the surveying resource is available
- Recruitment has commenced for 2 x permanent Damp and Mould Surveyors and interviews should be taking place in mid Janaury





## Reinforced Autoclaved Aerated Concrete (RAAC) Update

	Pre-2023	Jan 23	Feb 23	Total
<b>Properties Identified</b>	49—61 Pheasant Close	1—29 Hilltop Road	33 –51 Hilltop road	<b>3</b>
<b>Remediation Works Timescales*</b>	7 working days	7 working days	7 working days	
<b>Remediation Works Complete</b>	31 January 2024	19 March 2024	28 February 2024	

### Narrative

- Precautionary works were completed 11 September, safety platforms have been installed in all blocks where RAAC has been identified
- Weekly inspection continue to be carried out to ensure there is no deterioration in the condition of the building
- Full programmes have been finalised and target completion date for remedial works have now been agreed and remain on target
- The Remediation works will be completed ahead of the wider estate improvement works which are scheduled for completion by 13 June 2024 and are currently subject to S20.
- Remediation works have been slightly delayed at 49-61 Pheasant Close due but will all sites will be completed by the target date

# The Elms



## **Narrative**








- Additional opening up of the façade has been completed and the subsequent report from the independent experts received.
- The results have been verified and the developers were subsequently written to by Bevan Brittan LLP in September confirming the defects. A proposal was received from the developers in October DBC appointed technical experts have subsequently reviewed and required additional clarity and depth of response to fully address the identified issues.
- Durkan submitted further information to Bevan Brittan on the 12 January which is subject to review and scrutiny by the DBC appointed experts. Bevan Brittan are maintaining oversight of this and will advise DBC as soon as possible on next steps.
- We have also instructed separate design engineers to refresh a previously supplied remediation design, using the latest technical reports. This will ensure we have an approved design to go out to market with quickly should the current approach with Durkan move to litigation.

## **Additional Information**

- As previously advised Durkan have requested to meet with DBC officers directly.
- As per the approach agreed with SLT this 'without prejudice' meeting will only take place once the Durkan submission has been approved by our appointed experts.

# General Fund Portfolio

## Performance

Area	Description	Target	Performance	Trend
<b>Fire</b>	Percentage of properties covered by valid FRA	100.00%	<b>100.00%</b>	
<b>Legionella</b>	Percentage of water installations covered by risk assessment	100.00%	<b>100.00%</b>	
<b>Asbestos</b>	Percentage of known asbestos locations re-inspected	100.00%	<b>100.00%</b>	
<b>Gas</b>	Percentage of properties with valid gas or combustion certificate	100.00%	<b>100.00%</b>	
<b>Electrical</b>	Percentage of properties with satisfactory EICR	100.00%	<b>100.00%</b>	
<b>Lifts</b>	Percentage of passenger lifts with current examination certificate	100.00%	<b>100.00%</b>	
<b>Heating</b>	Percentage of properties with current insurance inspection	100.00%	<b>100.00%</b>	

### Key Points

- Excellent performance across all areas of compliance.

**Commercial Portfolio FRA** - Total number of assets 149 — (106 Council maintained, 43 leaseholder responsibility)



100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>On-going process of reviews</li> </ul>

**Legionella Risk Assessments** Total number of assets 149— (109 Council maintained, 40 leaseholder responsibility)

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>On-going process of reviews</li> </ul>

**Asbestos Inspections** - Total number of assets 149 - (111 Council maintained, 38 leaseholder responsibility)

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>Annual re-inspection surveys on 43 properties completed. No significant findings, minor remediation tasks have been completed by Cablesheer.</li> </ul>

**Gas Safety** — Total number of assets 149— (123 Council maintained, 26 leaseholder responsibility)



100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>On-going process of servicing and inspections</li> </ul>

**Electrical Testing** Total number of assets 149— (107 Council maintained, 42 leaseholder responsibility)

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>We are developing a rolling programme of cyclical electrical inspections</li> </ul>

**Passenger Lifts** - Total number of assets 9, all Council maintained

100%	Target
100%	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>Direct contact is now being made with local HSB engineers, to ensure inspections are completed on time</li> </ul>

**Heating Systems Insurance Inspections** Total number of assets 11, all Council maintained

100%	Target
N / A	Previous period (Nov 23)
100%	Current
	YTD trend

Narrative
<ul style="list-style-type: none"> <li>Annual insurance-driven inspections are undertaken on large heating systems. This aspect has now been added to the compliance disciplines monitored.</li> <li>All assets reported are heating systems using water as a transmission medium</li> <li>A heating system may have a pressurisation unit, it does work under pressure, so might be termed a pressure vessel. The pressurised medium is water, usually pressurised up to 2 Bar / 29 Pounds per square inch. Water is effectively incompressible, so a break in the heating system would produce a leak rather than an explosion.</li> </ul>