

CABINET

THURSDAY, 24 APRIL 2014

REPORT OF THE PORTFOLIO HOLDER FOR PUBLIC HOUSING AND VULNERABLE PEOPLE

SPRINKLER INSTALLATION TO HIGH RISE FLATS

EXEMPT INFORMATION NON CONFIDENTIAL

PURPOSE

- To update on the outcome of Leaseholder consultation in respect of sprinkler installations.
- To revise scope of project in light of the feedback arising from the consultation process.

RECOMMENDATIONS

It is recommended that:-

- Leaseholders wishes to opt out of the sprinkler installation be accepted
- Sprinklers are to be installed in all Council tenanted flats
- An option will be given to any leaseholder wishing to have sprinklers installed to buy into the installation contract, thus gaining the benefit of any economy of scale the Council achieves from its tender process.

EXECUTIVE SUMMARY

Cabinet approved the installation of fire sprinkler systems to the 6 town centre high rise blocks on 23rd January 2014. Following this approval the first stage of the formal consultation process with the block's Leaseholders commenced in accordance with the Commonhold and Leasehold Reform Act.

Letters outlining the proposals and inviting comments were sent to all 40 leaseholders, the consultation process allows Leaseholders 30 days to submit their views and comments on the proposals.

Of the 40 Leaseholders invited to comment 31 responded, all 31 were opposed to the installation of sprinklers within their flats citing a number of reasons for their objections.

In accordance with the Commonhold and Leasehold reform Act the Council as the Landlord is required to consider the merits of any comments or objections made by Leaseholders during the consultation period before making a decision as whether or not to proceed with the works.

Based on the overwhelming opposition to the installation of sprinklers technical advice was sought from the technical officer at Staffordshire Fire and Rescue, specifically they were asked to advise on the effectiveness of a sprinkler system where not every flat was protected. They advised that whilst it would impact on the fire protection for the individual flats without a sprinkler head it would have no overall

adverse affect on the rest of the block and that the flats where sprinkler heads were installed would still be protected. Staffs Fire And Rescue feel that the installation of sprinklers in as many flats as possible is a viable option and would enhance the overall protection to the blocks.

There are no technical or practical reasons to prevent the installation of a partial system; capacity will be built in to the system to allow leasehold flats to be added at a later stage should the Leaseholder decide to opt in to the project or to accommodate any future changes in legislation that may mandate the installation of sprinklers.

OPTIONS CONSIDERED

Cease installation completely – it was initially questioned whether or not it was worthwhile proceeding with only a partial installation of sprinklers. Following advice from the technical officer at Staffs Fire and Rescue the view is that partial installation still enhances fire safety in the block and will provide additional protection to those in the flats where sprinklers are installed. This still achieves the majority of the objective outlined in the original Cabinet report.

Require Leaseholders to have sprinklers installed – there is no specific provision within the leases that would allow the Council to require Leaseholders to have sprinklers installed. The only means of doing this would be to take the matter to the Residential Property Tribunal for a ruling. As there is no legislative requirement to install sprinklers there is no guarantee that the Tribunal would require Leaseholders to comply.

RESOURCE IMPLICATIONS

If sprinklers are not installed in the leasehold flats it will have the affect of reducing the overall project costs, however as the cost of installing sprinklers in Leasehold flats was to be recovered in full from leaseholders it will have no financial impact on the sums that will be paid by the council for works completed in flats still in council ownership.

LEGAL/RISK IMPLICATIONS BACKGROUND

There is no specific legal requirement at this time to install sprinkler systems in high rise blocks. Over the years the blocks have been maintained to a high standard with fire risks being addressed in co-operation with Staffs Fire and Rescue.

The installation of sprinklers in Council tenanted flats will enhance fire safety within those flats. Where sprinklers are not installed it will have no overall impact on the risk from its current position.

SUSTAINABILITY IMPLICATIONS

None identified.

BACKGROUND INFORMATION

This is a follow up report to the Cabinet Report approved on 23rd January 2014, and highlights the outcome of the formal Leaseholder consultation process.

REPORT AUTHOR

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LIST OF BACKGROUND PAPERS

APPENDICES