



## **CORPORATE HEALTH AND SAFETY COMMITTEE – 17<sup>TH</sup> FEBRUARY 2020**

**SUBJECT: STATUTORY MAINTENANCE OF COUNCIL BUILDINGS**

**REPORT BY: CORPORATE DIRECTOR - EDUCATION AND CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to present current statutory maintenance compliance data for the four highest risk elements, namely electricity, gas, legionella and fire, to Corporate Health and Safety Committee and to highlight progress made and areas of concern. The report encompasses all Authority buildings and housing together with external lighting and power installations where these are located on Authority owned land.

### **2. SUMMARY**

- 2.1 The report presents the current status of the statutory maintenance of the Council's built assets for the quarter as of 31<sup>st</sup> October 2019 with the exception of Fire Risk Assessment tasks which are as of 13<sup>th</sup> January 2020. In all cases the corresponding data for 31<sup>st</sup> July 2019 is included so that movement in period is clear. The report demonstrates the significant progress achieved.

### **3. RECOMMENDATIONS**

- 3.1 That the contents of this report are noted.

### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 To ensure that the Authority meets its statutory responsibilities under Health and Safety law with regard to premises.

### **5. THE REPORT**

- 5.1 Considerable effort continues to be focused on improving compliance and the safety of our buildings and installations. Statutory Maintenance Group Meetings continue and are chaired by the Interim Head of Property Services. Positive progress is being made in all areas and in all cases arrangements are in place to clear outstanding testing and remedials. Compliance data as of 31<sup>st</sup> October 2019 is presented below together with corresponding data for 31<sup>st</sup> July 2019.

## 5 1.2 Operational Buildings and Schools

Table 1 – Testing Compliance at 31st October 2019 (31<sup>st</sup> July 2019)

| Discipline                 | Total Number of Assets | Assets not Compliant | % in Compliance |
|----------------------------|------------------------|----------------------|-----------------|
| Gas                        | 277                    | 0 (1)                | 100%            |
| Periodic Electrical        | 415                    | 0 (1)                | 100%            |
| Legionella Risk Assessment | 427                    | 0 (0)                | 100%            |
| Fire Risk Assessment       | 377                    | 0 (0)                | 100%            |
| Fire Alarm Annual          | 314                    | 0 (0)                | 100%            |
| Emergency Lighting Annual  | 303                    | 1 <sup>1</sup> (0)   | 99%             |
| Fire Fighting Equipment    | 352                    | 2 <sup>2</sup> (0)   | 99%             |
| Kitchen Equipment Mtce     | 111                    | 0 (2)                | 100%            |
| Kitchen Canopy Mtce        | 111                    | 13 (0)               | 99%             |

<sup>1</sup> Emergency Lighting – Cwmcarn Outdoor Education Centre added to Contract

<sup>2</sup> Fire Fighting Equipment – 2 sites with access issues

<sup>3</sup> Kitchen Canopy – Islwyn Indoor Bowls – Booked for 25<sup>th</sup> Nov 2019

Table 2 - Overdue Remedials generally as of 31<sup>st</sup> November 2019 but FRA tasks as 13<sup>th</sup> January 2020 (31<sup>st</sup> July 2019)

| Discipline                        | Operational Buildings | Schools inc. Flying Start | Total                  |
|-----------------------------------|-----------------------|---------------------------|------------------------|
| Gas                               | 7 <sup>1</sup> (18)   | 14 <sup>1</sup> (14)      | 21 <sup>1</sup> (32)   |
| Electrical                        | 2 <sup>2</sup> (2)    | 0 (0)                     | 2 (2)                  |
| Legionella                        | 1 <sup>3</sup> (1)    | 6 <sup>3</sup> (50)       | 7 <sup>3</sup> (51)    |
| Fire Risk Assessment              | 23 <sup>4</sup> (45)  | 621 <sup>4</sup> (778)    | 644 <sup>4</sup> (825) |
| Fire Alarm Remedials              | 8 <sup>5</sup> (8)    | 34 <sup>5</sup> (10)      | 42 (18)                |
| Emergency Lighting Remedials      | 7 <sup>6</sup> (7)    | 23 <sup>6</sup> (20)      | 30 <sup>6</sup> (20)   |
| Fire Fighting equipment Remedials | 0 (0)                 | 0 (0)                     | 0 (0)                  |
| Lift Remedials                    | 0 (0)                 | 0 (0)                     | 0 (0)                  |

<sup>1</sup> Gas - 6 of the 21 tasks outstanding are linked to Building Consultancy Schemes. The remaining 15 tasks are all actioned and due for completion by 20<sup>th</sup> December 2019.

<sup>2</sup> Electrical - 1 Task in Tredomen linked to Data Centre (No Risk) to be completed 10<sup>th</sup> December.  
1 task in Llancaeath Fawr (Heritage Status issues) – Meeting planned for 26<sup>th</sup> November on site

<sup>3</sup> Legionella - All tasks in progress for completion by 20<sup>th</sup> December 2019.

<sup>4</sup> Fire Risk Assessment Tasks

Operational Buildings - Of the 23 tasks outstanding 16 are linked to a capital scheme at Abercarn Pavilion due to start in May 2020 when the pavilion is out of use.

The remaining 7 tasks will be completed by the end of January 2020.

Schools - For full breakdown see Appendix 1, summary below

Table 2A Status Summary FRA Tasks Schools

|   | At 13/1/20 | At 31/7/19 |
|---|------------|------------|
| <b>In hand</b>  | <b>481</b> | 236        |
| <b>On hold pending review</b>   | <b>33</b>  | 123        |
| <b>Action confirmed with school H&amp;S liaising to ensure progress</b> | <b>107</b> | 419        |
| <b>Total overdue tasks</b>  | <b>621</b> | 778        |

<sup>5</sup> Fire Alarms -

Operational Buildings - 8 tasks in progress for completion by 20<sup>th</sup> December 2019.

(These are tasks to the 8 outstanding at the last period).

Schools - 34 tasks in schools – 8 have been actioned by FM. The remaining 26 tasks are awaiting school instruction following quotes provided by FM

<sup>6</sup> Emergency Lighting

Operational Buildings - 6 tasks in progress for completion by 20<sup>th</sup> December 2019

Schools - 23 tasks outstanding – 8 have been actioned by FM. The remaining 15 tasks are awaiting school instruction following quotes provided by FM

5.1.3 Leased out Buildings – Third Party Responsibility

Table 3 Compliance at 31<sup>st</sup> October 2019 (31<sup>st</sup> July 2019)

| Discipline              | No of Assets | Assets not Compliant       | % Compliance     |
|-------------------------|--------------|----------------------------|------------------|
| <b>Electrical</b>       | <b>251</b>   | <b>12<sup>1</sup></b> (17) | <b>95%</b> (93%) |
| <b>Gas</b>              | <b>56</b>    | <b>4<sup>2</sup></b> (4)   | <b>93%</b> (93%) |
| <b>Asbestos Surveys</b> | <b>251</b>   | <b>6<sup>3</sup></b> (6)   | <b>98%</b> (98%) |

<sup>1</sup> Electrical – 12 Sites outstanding. 6 sites are vacant with the other 6 planned for testing by 20<sup>th</sup> December 2019.

<sup>2</sup> Gas – letters have been sent to all tenants asking for confirmation of Gas in use.

241 replies -

5 yet to reply – being chased (6 are vacant)

56 sites are using gas (of the 241 Replies)

20 of these are managed by CCBC

32 of the 36 managed by tenant have supplied certificates

4 outstanding certificates – being chased

<sup>3</sup> Asbestos – 6 units outstanding due to delayed access or contact with the tenant.

**Property Services Leased Out Portfolio - Testing Compliance (Mainly Tenants Responsibility)**

Table 4 – Testing Compliance at 31<sup>st</sup> October 2019 (31<sup>st</sup> July 2019)

| Discipline       | No of Assets | Assets not Compliant | % Compliance |
|------------------|--------------|----------------------|--------------|
| Electrical       | 117          | 12 <sup>1</sup> (13) | 90% (89%)    |
| Gas              | 103          | 20 <sup>2</sup> (25) | 81% (76%)    |
| Asbestos Surveys | 117          | 9 <sup>3</sup> (59)  | 92% (50%)    |

<sup>1</sup> Electrical – 2 in progress and 2 are vacant units. The remaining 8 sites are to be arranged with the tenant.

<sup>2</sup> Gas – 20 sites are showing as outstanding steps are being taken to establish if gas is present

<sup>3</sup> Asbestos survey – Following a review with Estates a large proportion of the leased out sites without Asbestos surveys are land only leases. Therefore, an Asbestos Survey is not required. However, we have identified 9 CCBC assets that are leased out and do require surveys. A programme has started and will be completed over the next 4-8 weeks.

#### 5.1.4 Floodlighting On Sports Facilities

Table 5 – Testing Compliance at 31<sup>st</sup> October 2019 (31<sup>st</sup> July 2019)

| Discipline  | No of Assets | Assets not Compliant | % Compliance |
|---|--------------|----------------------|--------------|
| Floodlights owned and maintained by CCBC (Schools, Leisure etc.)  | 22           | 0 (0)                | 100%         |
| Floodlights on CCBC land but leased to 3rd party who are responsible for maintenance (rugby clubs etc.) | 25           | 0 (1)                | 100%         |

#### 5.1.5 Sheltered Housing

Table 6 – Testing Compliance at 22<sup>nd</sup> November 2019 (27<sup>th</sup> August 2019)

| Discipline                | No of Assets | Assets not Compliant | % Compliance |
|---------------------------|--------------|----------------------|--------------|
| Gas                       | 34           | 0 (0)                | 100%         |
| Periodic Electrical       | 34           | 0 (0)                | 100%         |
| Legionella 6 monthly      | 34           | 0 (0)                | 100%         |
| Lift 6 monthly            | 10           | 0 (0)                | 100%         |
| Fire Alarm Annual         | 34           | 0 (0)                | 100%         |
| Emergency Lighting Annual | 34           | 0 (0)                | 100%         |
| Fire Fighting Equipment   | 34           | 0 (0)                | 100%         |

Table 7 – Overdue Remedial Tasks at 22<sup>nd</sup> November 2019 (28<sup>th</sup> August 2019)

| Discipline | Total | Of which over 3 months old |
|------------|-------|----------------------------|
|------------|-------|----------------------------|

|                                   |               |               |
|-----------------------------------|---------------|---------------|
| <b>Gas</b>                        | <b>0 (0)</b>  | <b>0</b>      |
| <b>Periodic Electrical</b>        | <b>0 (0)</b>  | <b>0</b>      |
| <b>Legionella Risk Assessment</b> | <b>0 (27)</b> | <b>0 (26)</b> |
| <b>Fire Risk Assessment</b>       | <b>0 (0)</b>  | <b>0</b>      |

#### 4.1.6 General Housing

Table 8 Testing Compliance at 22<sup>nd</sup> November 2019 (27<sup>th</sup> August 2019)

| <b>Discipline</b>          | <b>No of Assets</b>    | <b>Assets not Compliant</b>    | <b>% Compliance</b>    |
|----------------------------|------------------------|--------------------------------|------------------------|
| <b>Gas</b>                 | <b>10,676 (10,726)</b> | <b>2<sup>1</sup> (13)</b>      | <b>99.98% (99.88%)</b> |
| <b>Periodic Electrical</b> | <b>10,676 (10,726)</b> | <b>896<sup>2</sup> (1,044)</b> | <b>91.61% (90.27%)</b> |

<sup>1</sup> Gas - 2 properties are due to no access with forced entry continuing to be implemented. Both assets are in the "No Access" process and are different to the 13 non-compliant assets from the report in August 2019. On 6<sup>th</sup> November the Heating Team confirmed that 100% compliance was reached, the first time this has happened.

<sup>2</sup> Electrical Periodic - Note these tests are not a statutory requirement but rather recommended best practice.

A programme of retesting is in place that will ensure houses with current certification are retested after 5 years or after 10 years where a full rewire has been completed.

In line with WHQS electrical completions, survey data and periodic testing this will improve certification figures in order to ensure full compliance by the WHQS completion deadline of December 2020. It should be noted that the 896 currently showing as without a certificate, may well be compliant, but have not yet been surveyed or where they have been surveyed and works identified, these will be undertaken as part of our main WHQS programme as this includes electrical upgrades and rewires during 2019/20.

#### 4.1.6 External Lighting and Power – CCBC Responsibility

Table 9 – Testing Compliance in November 2019 (August 2019)

| <b>Asset</b>                                     | <b>Total No Assets</b> | <b>Assets not Compliant</b> | <b>% Compliance</b> |
|--|------------------------|-----------------------------|---------------------|
| <b>Market feeder Pillars</b>                     | <b>20</b>              | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Air quality and water flow feeder pillars</b> | <b>8</b>               | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Other Lighting Columns</b>                    | <b>247</b>             | <b>0 (0)</b>                | <b>100%</b>         |
| <b>CCTV</b>                                      | <b>32</b>              | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Barrier</b>                                   | <b>2</b>               | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Hook ups</b>                                  | <b>10</b>              | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Electric gates</b>                            | <b>3</b>               | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Pump station (water)</b>                      | <b>4</b>               | <b>0 (0)</b>                | <b>100%</b>         |
| <b>Pump station (fuel)</b>                       | <b>4</b>               | <b>1<sup>1</sup> (3)</b>    | <b>83%</b>          |

|                         |               |              |             |
|-------------------------|---------------|--------------|-------------|
| <b>Weather station</b>  | <b>3</b>      | <b>0 (0)</b> | <b>100%</b> |
| <b>Street Lights</b>    | <b>27,459</b> | <b>0 (0)</b> | <b>100%</b> |
| <b>Footfall counter</b> | <b>3</b>      | <b>0 (0)</b> | <b>100%</b> |
| <b>Water feature</b>    | <b>2</b>      | <b>0 (0)</b> | <b>100%</b> |

<sup>1</sup> Property Services have completed Fuel Pump testing on all live installations. Abercarn, Islywn Park and TYB Depots tested and satisfactory. Bedwas Depot tested but remedials on hold pending site upgrade. NB Rhymney Depot and Waunfawr Park previously isolated and no longer in required or in use

## 5.2 Conclusion

Whilst there are still areas requiring some improvement these areas have been identified and work is in progress to address. The report presents a position of continual improvement.

## 6. ASSUMPTIONS

- 6.1 No assumptions have been made regarding the information contained in this report.

## 7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 This report links to the Corporate Health and Safety Policy and all other CCBC Health and Safety Policies listed above.

### 7.2 Corporate Plan 2018-2023.

The report content contributes towards or impacts the Corporate Well-being Objectives:

Objective 1 - Improve education opportunities for all. Through affording Health and Safety training opportunities both for our employees and for others across the borough which will support with developing skills and improving employability.

Objective 2 - Enabling employment. Through ensuring that CCBC employees and others affected by our work activities are kept safe and healthy whilst at work and able to remain in employment.

Objective 5 - Creating a County Borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015. Through ensuring that the health risks associated with work are assessed, controlled and managed in accordance with the relevant health and safety policy and that health and safety training provided in schools ensures that Managers and employees are aware of the Health and Safety policies and practises that support good health and well-being.

Objective 6 - Support citizens to remain independent and improve their well-being. Through ensuring that our health and safety policies and practises promote good health and well-being.

## 8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 This report contributes to the Well-being Goals as set out in the Well-being of Future Generations (Wales) Act:-

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales

It is also consistent with the five ways of working as defined within the sustainable development principle in the Act in that we will seek to consider the long-term impact of Health and Safety policies, practices and training, we will seek to prevent any ongoing issues and ensure that Health and Safety training and

subsequent practise is integrated into good management. We will also ensure there is effective collaboration and involvement as required in order to meet our legal Health and Safety objectives in line with the act. This will assist in safeguarding the health and safety of our employees, residents, service users and visitors and ensure that the Council as a public body and social landlord meets its regulatory duties and corporate objectives.

## **9. EQUALITIES IMPLICATIONS**

9.1 There are no equalities implications

## **10. FINANCIAL IMPLICATIONS**

- 10.1 Operational buildings and schools – testing and associated remedial works are funded via building maintenance budgets held by Property Services or within individual services areas and schools. Clearing the backlog issues has put significant short term pressure on budgets.
- 10.2 Leased out buildings – the asbestos surveys will be funded by CCBC. The costs of other statutory testing and associated remedial works are the responsibility of the tenant and, where completed by the Authority, it is intended that the cost will be recovered. It is possible that newer tenants could dispute liability for faults that could have predated their occupancy and in that case CCBC may have to fund the works.

## **11. PERSONNEL IMPLICATIONS**

11.1 There are no personnel implications.

## **12. CONSULTATIONS**

12.1 All comments from consultees have been included in the report.

## **13. STATUTORY POWER**

13.1 The Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999. Regulatory Reform (Fire Safety) Order 2005

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## **APPENDIX 1 - EDUCATION FIRE RISK ASSESSMENT OUTSTANDING TASKS**