

Name of meeting: Overview and Scrutiny Management Committee

Date: 18 March 2021

Title of report: Request to establish Ad Hoc Scrutiny Panel

To consider a request to establish an Ad Hoc Scrutiny Panel to look at Residential Housing Stock – Health and Safety Compliance.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Not applicable
Date signed off by <u>Strategic Director</u> & name	David Shepherd
Is it also signed off by the Service Director for Finance?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Samantha Lawton, Head of Governance
Cabinet member portfolio	Housing and Democracy/Regeneration

Electoral wards affected: All

Ward councillors consulted: Not applicable.

Public or private: Public Report

Has GDPR been considered? Yes. The report does not include any personal data that identifies a living individual.

1. Summary

- 1.1 A report was submitted to Cabinet on 16th February 2021 which requested approval to commence consultation with the tenants of the high-rise residential blocks at Berry Brow, Buxton House and Harold Wilson Court. The consultation related to works to address fire safety issues which had been identified through the rigorous programme of Type 1 Fire Risk Assessments and a number of Type 4 FRA surveys to high rise blocks, undertaken alongside the ongoing weekly and monthly fire safety checks.
- 1.2 The Chair of Scrutiny and the Chair of the Economy and Neighbourhoods Scrutiny Panel were briefed by the Strategic Director – Growth and Regeneration and the Service Director for Homes and Neighbourhoods in relation to this specific issue, but also in relation to the wider implications of the Social Housing White Paper: The Charter for Social Housing Residents, the Fire Safety Bill 2019-21 and the Draft Building Safety Bill.
- 1.3 Further to this briefing it was agreed that scrutiny of the Authority's health and safety compliance for its residential housing stock should take place. A recommendation is therefore put to the Overview and Scrutiny Management Committee that an Ad Hoc Panel be established, at the earliest opportunity, in order to scrutinise the relevant issues.

2. Information required to take a decision

- 2.1 The Overview and Scrutiny Management Committee is asked to consider establishing an Ad Hoc Scrutiny Panel to scrutinise health and safety compliance for the Authority's residential housing stock.
- 2.2 The draft terms of reference are as set out below:

The Ad Hoc Scrutiny Panel will consider the Council's policies, procedures and arrangements for managing the health and safety of its tenants and its residential property portfolio, with a particular focus on high rise and multiple occupancy blocks.

The Panel will give consideration to:

- How the health and safety regime adopted by the Authority supports compliance with regulatory standards and puts appropriate risk mitigation strategies in place to ensure the health and safety of tenants.
- The six compliance areas: Fire; Gas; Electrical; Asbestos; Legionella; and LOLER (lifts) and the steps being taken to keep tenants safe.
- The impacts of the Social Housing White Paper, Draft Building Safety Bill and Fire Safety Bill 2019-21 for tenants.
- Progress in relation to the Ad Hoc Scrutiny Panel in respect of the Future Arrangements for the Council's Residential Housing Stock's recommendation that an Assurance Board be established focussing on housing compliance.
- Feedback from the Regulator and how that is being progressed.
- Governance and ensuring that a sustainable and adaptable system is in place to ensure that safety is embedded for the future.
- Engagement with, and provision of information for, tenants on health, safety and compliance issues.

- 2.3 The Committee will need to consider the composition of the Ad Hoc Panel, including political ratios and the inclusion of voluntary scrutiny co-optees. In line with the Council's political balance the current ratio for panels is 3:1:1. However previous practice in Kirklees has been to provide an opportunity for all main political groups to have representation on an Ad Hoc Scrutiny Panel. Article 6 of the Council's Articles of the Constitution states that the Overview and Scrutiny Management Committee may, subject to compliance with legal procedures, decide that the normal political balance requirements shall not apply. In that case the Management Committee may determine an alternative distribution of membership between political groups.
- 2.4 It is also suggested that, in this case, an independent specialist advisor be appointed to advise the Panel.

3 Implications for the Council

There are no specific implications for the Council at this point.

4 Consultees and their opinions

No consultation was appropriate in respect of the contents of this report.

5 Next steps and timelines

- 5.1 Subject to approval to establish an ad hoc panel, officers will contact Group Business Managers and agree a schedule of meetings for the work to begin as soon as possible.
- 5.2 Regular progress reports will be provided to the Overview and Scrutiny Management Committee.
- 5.3 Following consideration of all the evidence presented, the Ad Hoc Panel will produce a findings report, including recommendations, which will be considered by the Overview and Scrutiny Management Committee prior to submission to Cabinet.

6. Officer recommendations and reasons

- 6.1 That an Ad Hoc Scrutiny Panel be established with the Terms of Reference as set out in Paragraph 2.2 of this report.
- 6.2 The Committee is asked to confirm the ratio and membership details for the Panel and give consideration to the timelines for the work.

7. Cabinet Portfolio Holder's recommendations

Not applicable.

8. Contact officer

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9. Service Director responsible

Julie Muscroft, Service Director, Legal, Governance and Commissioning
Naz Parkar, Service Director, Homes and Neighbourhoods