

REPORT TO COMMUNITIES COMMITTEE – 29 MARCH 2018

Consultation response to the Proposed Social Housing (Automatic Fire Suppression Systems) (Scotland) Bill

1 Recommendations

The Committee is recommended to:

- 1.1 **Approve the attached Aberdeenshire Council response to the consultation “Proposed Social Housing (Automatic Fire Suppression Systems) (Scotland) Bill.”**

2 Background / Discussion

- 2.1 In January 2018, David Stewart, MSP launched a consultation for a proposed Bill to required Scottish Social Housing to be fitted with Fire Suppression Systems.
- 2.2 The closing date for responses to the consultation is 16th April 2018. Details of the consultation can be found on line at http://www.parliament.scot/S5MembersBills/Fire_sprinklers_consultation_FIN_AL.pdf
- 2.3. The draft Bill proposes that all new affordable housing built for Social Rent be required to contain automatic fire suppression systems, such as sprinklers. Communities Committee reviewed proposals for Aberdeenshire Council’s housing revenue account business plan at its meeting on 21 February 2018. These included consideration of sprinkler systems with a commitment made by officers to report back on this and other areas of future investment.
- 2.4 The consultation consists of 11 wide-ranging questions, which may be relevant to the Council, as well as partners across Aberdeenshire. The questions and responses are listed in Appendix 1. Views were collated following consideration by officers responsible for delivery of Aberdeenshire Council’s new build affordable housing, including technical input from Property officers.
- 2.5 Aberdeenshire Council’s proposed response has been circulated to the Health & Social Care Partnership, Scottish Fire & Rescue Service and Registered Social Landlords operating in Aberdeenshire.
- 2.6 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The committee is able to take a decision on this item in terms of part 2A, section D, 4.2 of the List of Committee Powers in Part 2A of the Scheme of Governance to approve a Council response to any external consultation on any policy matter falling within the delegation of the committee.

4 Implications and Risk

- 4.1 An equality impact assessment is not required because the report is to inform Communities Committee on a consultation process and there will be no differential impact, as a result of the report, on people with protected characteristics.
- 4.2 There are no specific staffing or financial implications arising from this report. There are resource implications arising from the installation of sprinklers in new affordable housing. These are explained in the consultation response in appendix 1.
- 4.3 The following Risks have been identified as relevant to this matter on a Strategic Level as noted in the Corporate Risk Register:
- ACORP001 – Budget Pressures. Increased pressure will be applied on the viability of new build developments.
 - ACORP003 – Workforce. Period of time required for a local market to be established.
 - ACORP009 – Operational Risk Management (including health and safety).
- 4.4 Any Town Centre First Impact Assessments will be carried out in due course on a case by case basis.

Stephen Archer
Director of Infrastructure Services

Report prepared by Laumon Dougall – Affordable Housing Officer
Date 01 March 2018

Appendix 1

**QUESTIONS
ABOUT YOU**

1. Are you responding as:

- an individual – in which case go to Q2A
 on behalf of an organisation? – in which case go to Q2B

2A. Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose “Member of the public”.)

- Politician (MSP/MP/peer/MEP/Councillor)
 Professional with experience in a relevant subject
 Academic with expertise in a relevant subject
 Member of the public

2B. Please select the category which best describes your organisation:

- Public sector body (Scottish/UK Government or agency, local authority, NDPB)
 Commercial organisation (company, business)
 Representative organisation (trade union, professional association)
 Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)
 Other (e.g. clubs, local groups, groups of individuals, etc.)

3. Please choose one of the following:

- I am content for this response to be attributed to me or my organisation

Please provide your name or the name of your organisation as you wish it to be published:

Name:

- I would like this response to be anonymous (the response may be published, but no name)
 I would like this response to be confidential (no part of the response to be published)

4. Please provide details of a way in which we can contact you if there are queries regarding your response. (Email is preferred but you can also provide a postal address or phone number. We will not publish these details.)

Contact details:

YOUR VIEWS ON THE PROPOSAL

Aim and approach

- *1. Which of the following best expresses your view of requiring fire suppression systems (i.e. fire sprinklers) to be fitted in new-build social housing?**

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response, including what you see as the advantages or disadvantages.

An advantage of Fire Suppression Systems (FSS) will provide additional protection of both occupier and of the physical asset.

A disadvantage may be the additional cost and the impact on the ability to maintain deliver of the existing number of new affordable homes.

- *2. Which of the following best expresses your view of requiring fire sprinklers to be retrofitted into housing owned by social landlords which is located in high-rise buildings built prior to 2005?**

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response, including what you see as the advantages or disadvantages.

We are supportive due to the advantages noted in question 1, however as Aberdeenshire Council does not own and high-rise buildings, we don't anticipate requirement for retrofitting to affect us.

- 3. Do you think that there are other steps which could be taken (either instead of, or in addition to legislation) to achieve the aims of the proposal?**

- Yes
- No
- Unsure

Please explain the reasons for your response.

Aberdeenshire Council is taking additional steps to promote fire safety, including providing education to occupiers.

Financial implications

4. Taking account of both costs and potential savings, what financial impact would you expect a requirement to include fire sprinklers in new-build social housing to have on:

(a) Government and the public sector

- | | |
|-------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> | Significant increase in cost |
| <input type="checkbox"/> | Some increase in cost |
| <input type="checkbox"/> | Broadly cost-neutral |
| <input type="checkbox"/> | Some reduction in cost |
| <input type="checkbox"/> | Significant reduction in cost |
| <input type="checkbox"/> | Unsure |

The increase in costs will be significant in assessing viability of new build social housing developments. Increasing costs associated with Building Standards, Housing for Varying Needs, etc all combine to put financial pressure on the deliverability of new developments

(b) Businesses

- | | |
|-------------------------------------|-------------------------------|
| <input type="checkbox"/> | Significant increase in cost |
| <input type="checkbox"/> | Some increase in cost |
| <input checked="" type="checkbox"/> | Broadly cost-neutral |
| <input type="checkbox"/> | Some reduction in cost |
| <input type="checkbox"/> | Significant reduction in cost |
| <input type="checkbox"/> | Unsure |

It is anticipated that Contractors will pass on any costs associated with the legislation to the client (social housing provider).

(c) Individuals

- | | |
|-------------------------------------|-------------------------------|
| <input type="checkbox"/> | Significant increase in cost |
| <input checked="" type="checkbox"/> | Some increase in cost |
| <input type="checkbox"/> | Broadly cost-neutral |
| <input type="checkbox"/> | Some reduction in cost |
| <input type="checkbox"/> | Significant reduction in cost |
| <input type="checkbox"/> | Unsure |

Please explain the reasons for your response.

It may be that provision of the additional FSS equipment may increase rental charges to tenants/occupiers.

5. Taking account of both costs and potential savings, what financial impact would you expect a requirement to retrofit fire sprinklers in housing owned by social landlords which is located in high-rise buildings built prior to 2005?

(a) Government and the public sector

- Significant increase in cost
- Some increase in cost
- Broadly cost-neutral
- Some reduction in cost
- Significant reduction in cost
- Unsure

The increase in costs will be significant as FSS will not have been considered in the original building design which may make FSS installations complex.

(b) Businesses

- Significant increase in cost
- Some increase in cost
- Broadly cost-neutral
- Some reduction in cost
- Significant reduction in cost
- Unsure

It is anticipated that Contractors will pass on any costs associated with the legislation to the client (social housing provider).

(c) Individuals

- Significant increase in cost
- Some increase in cost
- Broadly cost-neutral
- Some reduction in cost
- Significant reduction in cost
- Unsure

Please explain the reasons for your response.

It may be that provision of the additional FSS equipment may increase rental charges to tenants/occupiers.

6. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

- Yes
- No
- Unsure

Please explain the reasons for your response.

Could MIST SYSTEMS be installed as a more cost effective solution to sprinklers?

Equalities

7. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected groups (under the Equality Act 2010): race, disability, sex, gender re-assignment, age, religion and belief, sexual orientation, marriage and civil partnership, pregnancy and maternity?

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Positive |
| <input type="checkbox"/> | Slightly positive |
| <input type="checkbox"/> | Neutral (neither positive or negative) |
| <input type="checkbox"/> | Slightly negative |
| <input type="checkbox"/> | Negative |
| <input type="checkbox"/> | Unsure |

Please explain the reasons for your response.

FSSs may allowing some tenants, with a high degree of need, to remain in their home for a longer period. It may be the case that FSS reduces risk levels and requirement for assistance for evacuation procedures. Moving to a sheltered or care accommodation may therefore no longer be required in some cases.

8. In what ways could any negative impact of the Bill on equality be minimised or avoided?

The negative financial impact could be minimised by provision of additional funding to Social Housing providers to neutralise the additional cost of installing/maintaining FSS.

Sustainability

9. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

- | | |
|-------------------------------------|--------|
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No |
| <input checked="" type="checkbox"/> | Unsure |

Please explain the reasons for your response.

It will be sustainable in that assets will be better protected and accommodation will remain suitable to a wider range of occupier/needs. However, the negative financial implication may be unsustainable and have a detrimental impact on the overall new build social housing completions.

General

10. Do you have any other comments or suggestions in relation to a requirement for fire sprinklers to be fitted in new-build social housing?

- Delivery and affordability in **North East region** are likely to be considerations. It may therefore be beneficial to take steps to encourage small/medium contractors to enter the market for provision of FSS.
- In respect of the timescale for implementation of legislation, cognisance should be given to the period of time required to allow a local market to be established. Prior to that point, installation and maintenance services and cost are likely to be below optimal levels.
- Water pressure in specific locations including rural settlements may impact on the deliverability of FSS. For example, pumping systems may be required in some areas – something that will increase costs. Has the Scottish Government consulted with Scottish Water on the implications of legislation to the current water infrastructure?

11. Do you have any other comments or suggestions in relation to a requirement to retrofit sprinklers into housing owned by social landlords which is located in high-rise buildings built prior to 2005?

- Whilst not a specific issue to Aberdeenshire Council (as there are no high-rise stock), requirements to retrofit FSS could present complications where buildings have a mix of public/private ownership. Reaching agreement on installation and cost with owners, who may not be obliged to cooperate may be problematic.
- It may be beneficial to consider if steps required by legislation are classed as 'improvements' which therefore need 100% of occupiers in a block to agree on any communal works.
- Clarification that high rise = over 18m.
- Have the Government consulted with the Insurance sector to establish if existence of FSS in home will be reflected in reduced insurance premiums and excess in respect of both building and contents insurance?