

Item No. 20.	Classification: Open	Date: 13 September 2022	Meeting Name: Cabinet
Report title:		Marie Curie – Safety works and resident rehousing offers	
Ward(s) or groups affected:		St Giles	
Cabinet Member:		Councillor Darren Merrill, Council Homes and Homelessness	

FOREWORD - COUNCILLOR DARREN MERRILL, CABINET MEMBER FOR COUNCIL HOMES AND HOMELESSNESS

Keeping our residents safe in their homes is of paramount importance to us as a landlord and where we fall short of this commitment we need to act to rectify this immediately.

Last year, Cabinet received a report highlighting fire safety issues found at the Marie Curie housing block on Sceaux Gardens Estate in Camberwell. This report updates Cabinet Members on the latest position in respect of resident engagement, rehousing residents and the works that are proposed to be undertaken.

As part of the response to the fire safety issues found at Marie Curie the Leader of the Council and Cabinet Member for Housing requested that an independent review be undertaken to identify how this situation had arisen and the lessons that need to be learnt. A specialist firm was chosen by residents to undertake this work. The independent report from this review is attached as an appendix to this report.

Whilst the review recognises the progress Southwark Council has made in improving fire safety across our homes over recent years, it also finds that in 2009/10 some fire safety work at Marie Curie was either incorrect or not done and that this work was inadequately scrutinised at the time. I apologise to residents that the council did not get this right in the first place, and for the anxiety and disruption this has caused for them.

This report sets out how the council has acted to ensure Marie Curie is safe, working with the fire service. As well as the changes we have already made and that we will make to ensure all fire safety works are done correctly in future.

The council's cabinet is being recommended to require an update on progress against these recommendations in six months.

I want to thank the members of the Resident Project Group, the Sceaux Gardens Tenants and Residents Association, the St Giles ward councillors and Harriet Harman MP who are supporting residents and advocating on their behalf.

RECOMMENDATIONS

That cabinet:

1. Notes the detailed ongoing resident engagement to date and thanks the Marie Curie Resident Project Group (comprising resident volunteers that meets at key stages) for their continued work to date.
2. Notes the outcome of the independent review of fire safety at Marie Curie.
3. Notes the progress on the rehousing of the tenants within Southwark.
4. Notes the progress on the programme of works to be undertaken.
5. Instructs officers to report in March 2023 on the progress on the works to Marie Curie house, delivering the recommendations of the independent review and reviewing the works undertaken at Lakanal to review whether any additional works to Marie Curie house are required at Lakanal.

BACKGROUND INFORMATION

6. Cabinet received a report at its meeting on 14 September 2021 on the safety works and resident rehousing offers at Marie Curie. This report seeks to update Cabinet Members on the progress with finalising the specification of works and the progress on the rehousing of residents.
7. Marie Curie is a 16 storey block of 98 two bedroomed maisonettes built in or around 1958 by the London County Council. It is a sister block to Lakanal. Both blocks are part of the Sceaux Gardens estate that transferred to the Greater London Council in 1965 and then to Southwark Council in 1982. Of the 98 properties, 11 have been sold on a leasehold basis.
8. The block is described as a scissor block, which means that instead of the internal floors of a maisonette property being directly above each other, the floors cross under the communal access corridor that runs through the block and as a result one floor is on one side of the block and the other floor is on the other side of the block.
9. As the building is above six storeys it is subject to an annual fire risk assessment (FRA). On consideration of the FRA, which showed that there was a possibility of the compartmentalisation of the homes being breached, a 24 hour waking watch was introduced in the block on 27 November 2020. A more intrusive void survey that included removing floating floors, penetrating solid walls, removing partition walls & fixtures and fittings such as kitchen units and bathroom components was received, and recommendations agreed by officers in May 2021.
10. The overall works required to the building are extensive in terms of disruption to residents. These will be delivered in two phases to minimise as far as possible disruption to residents. Phase 1 can be reasonably carried out with

residents in occupation as is similar in nature to the type of work normally delivered through major works programmes. Phase 2 includes more intrusive works and cannot be reasonably delivered with residents in situ.

11. Tenants have been able to choose to either move permanently to a new home or move temporarily in order to move back to Marie Curie when the works are complete. Leaseholders have similarly had the same choice to move either permanently or temporarily. The permanent move option for leaseholders is that we offer to buy back their properties for them to find a property elsewhere to buy. For leaseholders that want to be housed temporarily whilst we carry out the works, they want to know what the costs of the works will be before making a decision.
12. The summary offer to tenants and leaseholders were reported to Cabinet at their meeting on 14 September 2021.
13. A team of two resident services officers (RSO) were seconded to the Ledbury Team to support the Marie Curie residents. Following the successful rehousing of half of the residents, this is now down to one RSO. The surgeries for Marie Curie residents at the Sceaux Gardens TRA Hall continue to be held on Tuesdays between 10am and 2pm. In addition residents of Marie Curie can speak to Officers using the 24/7 facility of the Ledbury Team.
14. Since 4 June 2021, a weekly newsletter has been produced for Marie Curie residents.
15. Open Communities were appointed to the major works project (QHIP – quality homes improvement project) in early 2020 to provide residents with independent advice and support. Open Communities have been working with the wider estate since 2014 when the Lakanal refurbishment works began. This service includes organising and chairing the monthly resident project group (RPG) meetings. This work continues and they are available for Marie Curie residents.

KEY ISSUES FOR CONSIDERATION

Resident Rehousing

16. As of 2 September 2022, of the 98 properties; 34 are tenanted, seven are leasehold and 57 are now empty. Of the 34 remaining tenants, three tenants are in the process of moving to their new homes and seven are awaiting a viewing, following successful bids.
17. The director of Ledbury continues to chair a fortnightly meeting with representatives from Residents Services team to discuss the rehousing needs of each resident and the level of support required to bid for alternative accommodation.

18. Of the seven leasehold properties, three are non-resident leaseholders and four are resident leaseholders. All leaseholders have requested a valuation and so far all but one valuation has been completed. Four leasehold properties have been acquired with the council reaching an agreement by negotiation to date to acquire a further four leasehold interests. Officers are working to effect completion of the legal agreements on these four properties.
19. A number of leaseholders are awaiting the outcome of the work being undertaken to specify the works that are required to the block and the decision as to what works will be recharged to leaseholders before they make a decision on whether they want to be rehoused temporarily whilst the works are undertaken, or move permanently and sell their property to the council.

Works to be undertaken

20. The estimated programme for works is for phase 1 to commence in 2023 with phase two starting when the block is fully empty.
21. Phase 1 - External refurbishment works to some of the communal areas, including the external envelope (all scaffold dependent works):
 - Under window panel renewals
 - Balcony balustrading renewals
 - Roofing renewal
 - External and some communal decorations;
 - Concrete repairs, brickwork and pointing
 - Asphalt repairs
 - Asbestos removal (where required)
 - Fire Risk Assessment (FRA) works (including but not limited to refuse chute hopper upgrade/renewal; communal door renewals window panel renewal; ventilation to communal corridors.
22. Phase 2 – works subject to the final specification could include in properties and communal
 - Door renewals including front entrance doors ; secondary means of escape doors and internal doors
 - Communal decorations
 - Internal refurbishment works to properties including compartmentation and fire safety works
 - FRA works (including communal corridors)
 - Asbestos removal where required to carry out works
 - Landlords electrics
 - Services (renewal of services and risers within block / properties.
 - Heating works
 - Replacement of communal ventilation system with individual ventilation (this will also require the replacement of one bedroom window in each property
 - Removal of gas supply from block

- Installing an automated fire suppression system – Options appraisal to be provided for consideration on sprinklers or misting systems.
- Installing firefighting / evacuation lifts
- Options appraisal on upgrade works to under-croft for non-residential accommodation.

Independent Review

23. Significant works to Lakanal were undertaken in 2016/17 while the building remained empty. Works requiring residents in Marie Curie to move out of their homes are similar in nature and this has led to questions as to why the works were not undertaken at Marie Curie at the same time.
24. Residents were invited to take part in the procurement and selection process for an independent specialist fire safety organisation to undertake a review of what had happened. Through the resident participation group, residents selected Frankham Risk Management Services Ltd.
25. The independent review from Frankham was commissioned and completed in August 2022. The review is attached as appendix one to this report.
26. The report acknowledges the scale of the challenge for Southwark council, which is London's largest council housing landlord, and acknowledges the willingness of the council to rectify and manage fire safety issues at Marie Curie.
27. The report also highlights gaps in the council's review process for fire risk assessments, giving an example of bathroom ventilation works that were specified but omitted from fire safety work. The report noted similar work had been undertaken at Lakanal.
28. The report found that some compartmentation work at Marie Curie was either incorrect or not done in 2009/10 and inadequately scrutinised at the time.
29. The report notes that although opportunities were missed at the time, the council is continuing to make progress.
30. Perhaps most importantly the report looks to the future with regards to learning lessons from past mistakes to answer the question, what can the council do to ensure it doesn't make these mistakes in future?
31. The recommendations from the review are broken down into seven recommendations for Marie Curie and 11 recommendations for the council housing generally.
32. The seven recommendations from the review and the responses to the recommendations for Marie Curie are set out below:
33. The council's cabinet is being recommended to require an update on

progress against each independent recommendation in a year's time.

Recommendation from the Review		Council Response	Statutory & Professional Bodies
1	A suitably competent person should review the fire risk assessments and compartmentation surveys for Marie Curie and write a fire strategy for the building.	<p>The Council is currently undertaking a Qualitative Design Review (QDR) for Marie Curie.</p> <p>A QDR brings together a range of different stakeholders (such as fire engineers, contractors, consultants and clients) to determine the works that may be needed to bring the fire risk for the building at an acceptable level.</p>	Building Control, London Fire Brigade
2	Fire safety works to Marie Curie should be undertaken in line with the fire strategy written.	<p>As discussed above, the QDR will determine the fire safety works that need to be undertaken, these will be in line with the Fire Strategy, which will also be an output of the QDR.</p> <p>An output of the QDR will result in an appropriate Fire Strategy for Marie Curie being in place.</p>	London Fire Brigade
3	Third-party accredited contractors should be used to carry out the fire safety works at Marie Curie noted in the fire strategy.	Formally appointed and competent third-party accredited contractors will conduct the relevant works. The Employers Requirements (which outline what the Council requires of the consultants and contractors) will stipulate this.	United Kingdom Accreditation Service (UKAS)
4	Adequate oversight of the fire safety works at Marie Curie should be in place.	The Council will assign a Clerk of Works to add an additional level of supervision for these works, which will give assurance that the specification and best practice are being followed.	Building Control & UKAS
5	Going forward, the fire strategy should be available to anyone undertaking works to Marie Curie that may affect fire safety measures.	This is needed to ensure no material change will affect fire strategy and will be managed as part of our building safety team, and the implementation of 'Authority to Proceed' process	Fire Safety Order (FSO 2005) Fire Safety Act 2021 (FSA)

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
6	Future works at Marie Curie House should include fire safety considerations, provided by a suitably competent person and informed by the fire strategy.	The project team is evaluated at the point of the feasibility (scope of works) to ensure the relevant engagement of competent persons are employed to deliver the works.	Competent Persons
7	Future fire risk assessments at Marie Curie House should be undertaken by a suitably competent individual and informed by the fire strategy. The scope of the fire risk assessments should include fire safety measures within flats where they can be expected to affect occupants of other flats. Future fire risk assessments should also include inspection of all communal areas of the building, including ceiling voids.	<p>FRAs are undertaken by suitably qualified/competent Fire Safety Surveyors. We are currently upskilling surveyors as part of our competency programme around new legislation.</p> <p>As part of the Building & Fire Safety Process a monthly Interdepartmental Meetings is undertaken with key stakeholders (Resident Services, Building Safety Managers, Repairs Surveyors and Major Works Project Managers) to review FRA Tasks and HHSRS reporting to ensure any potential issues identified within a property are raised.</p> <p>For the assessment of risk within the flats, the Council will be using HHSRS (Housing Health and Safety Rating System). HHSRS is a scoring system used to measure hazards within a flat. It looks at 29 different hazards including fire. The Council has set up a new Fire Safety meeting which is attended by officers from the across Housing and Modernisation Department. When Council officers go within flats (this could be for a range of reasons, including conducting a repair or a tenancy visit), they may find an HHSRS hazard. The new Fire Safety meeting will allow officers to report these hazards, so that the appropriate actions can be taken to address them.</p>	Fire Safety Order (FSO 2005) Fire Safety Act 2021 (FSA)

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
		Future FRAs at Marie Curie will consider the fire strategy and they will look at all the communal areas of the building, including ceiling voids.	

34. The 11 recommendations from the review and the responses to the recommendations for the Council are:

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
1	Implement the requirements of the Fire Safety Policy, including a strategy for the department, protocols for the tasks carried out and an audit system.	<p>The Council is currently reviewing its Fire Safety Policy to incorporate new legislation guidance in response to the new requirements to include PAP (Principle Accountable Person), AP (Accountable Person) and RP (Responsible Person), which are the named person(s) that will be accountable for Building and Fire Safety.</p> <p>Lawyers Trowers and Hamblins are currently reviewing an amended Building and Fire Safety Policy which will form a new Building & Fire Safety Policy.</p> <p>Frankhams have recommended that the Council incorporates the Fire Management System BS9997 (A Fire Management System allows an organisation to manage its processes and procedures relating to the reducing fire risks).</p> <p>The Council's Building Safety Management System will follow BS9997 and other statutory requirements. This management system will be applied across the Council's stock and it will include protocols for tasks carried out, an audit system, and management review process.</p>	British Standards (BS997), Fire Safety Order 2005, Fire Safety Act 2021, Building Safety Act 2022

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
2	Implement a fire risk management system within the Council; consider BS 9997 or a similar system	<p>The Council's Building Safety Management System will follow BS9997 and other statutory requirements. This management system will be applied across the Council's stock and it will include protocols for tasks carried out, an audit system, and management review process.</p> <p>APEX (the Council's database for managing its assets, including housing stock) is also being upgraded. This should also help the Council to implement the new management system.</p>	British Standards (BS997)
3	Review the fire risk assessment template, with a view to having a central document which contains building information, thereby simplifying the fire risk assessment report. The template should be relevant to the type of premises being assessed.	A review of the template has been conducted and the template is currently being re-written, it will meet the requirements of the Fire Safety Act and the recommendations from the report.	PAS 79, Fire Safety Order 2005, Fire Safety Act 2021,
4	Complete the skills matrix for the Fire Safety Team and ensure that there is a clear skills gap analysis undertaken by someone suitably competent to do so – this should then be used to create a training plan.	<p>The Council has used a competent and qualified consultant to write a competency framework for the Fire Safety Surveyors. This framework uses a skills matrix to outline and measure the skills needed and levels of competence required by individuals to conduct Fire Risk Assessments for different buildings types.</p> <p>This framework follows the industry best guidance and has been agreed by the Council. Each Fire Safety Surveyor will complete questionnaires and interviews with an independent fire safety specialist. The results from these reviews will determine the skills and competence</p>	Chartered Association Building Engineers, (CABE)

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
		<p>level of each member of the team. It will also determine where the team has skills gaps. These gaps will be addressed by personalised training plans for each member of the team.</p> <p>The consultant is also developing training for the members of the Fire Safety Team who are not surveyors.</p> <p>Additional competency and training being developed with Chartered Association of Building Engineers (CABE).</p>	
5	<p>Fire risk assessors should have access to more expert advice from a fire engineer. Identify how the Fire Safety Team will access sufficiently competent advice to assist them with queries and to review assessments. Given the current levels of competence (recommendation is for 100% of assessments).</p>	<p>The Fire Safety Surveyors have access to a database BSI (British Standards Institute) which provides them with the technical guidance.</p> <p>The Fire Safety Surveyors have an internal peer review before Fire Risk Assessments are released.</p> <p>The Fire Safety Team have access to an external and independent Fire Engineer as and when required.</p> <p>Under the Council's Building Safety Management system, appropriate and risk-based audits will be conducted, this will include reviews of Fire Risk Assessments and competencies.</p>	British Standards Institute
6	<p>Review the job specification for the roles of Fire Safety Surveyor, Senior Fire Safety Surveyor and Fire Safety Manager, particularly in terms of skill levels, qualifications and third party accreditations. Our recommendation is that a Level 4 qualification would be a minimum for</p>	<p>The level of qualifications and experience for these roles will be included within the competency framework review, produced by the external consultant.</p>	Competent Persons (Fire Training Consultancy)

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
	Surveyors, with additional specific knowledge required dependent on the type of building (e.g., purpose-built block of flats, converted house etc).		
7	Refocus the management KPIs away from throughput towards skills levels of staff, quality of assessments and adherence to Fire Safety policy. Audits will need to be undertaken by someone with suitable technical competencies.	<p>London Borough of Southwark currently have two KPIs relating the performance outputs of FRAs undertaken: -</p> <ol style="list-style-type: none"> 1. Based on volume of FRAs completed against Target 2. FRA Tasks Allocations <p>The implementation of additional quality control reviews of Fire Safety Surveyors Reports and increased competency training within the FRA Team will further support the Council commitment to excellence.</p> <p>The newly appointed Fire Safety Manager (August 2022) is delivering these recommendations throughout the FRA team.</p>	London Borough of Southwark Process
8	Ensure that competent technical advice is involved in assessing whether contractors are competent to undertake particular types of fire safety work.	<p>The Council uses contractors from various conforming bodies: -</p> <p>(Timber Research & Development Association (TRADA)</p> <p>International Fire Consultant (IFC)</p> <p>British Approval Fire Equipment (BAFE)</p> <p>Therefore, the Council can be assured that these contractors are competent.</p>	Independent Professional Bodies

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
9	<p>Ensure that a suitably competent Engineer has technical strategic oversight over fire safety within the buildings assessed by the Fire Safety Team. Ensure that there is similar in-house engineer involvement in Major Work's projects and with the new Building Safety Team. Review where this individual sits within the organisation and to whom they should report.</p>	<p>The Council uses an external fire engineer to advise the Fire Safety Team, Investment Team (which delivers Major Works), and the Building Safety Team.</p> <p>The Council has a Building Safety Manager who manages the relationship with the external Fire Engineer. The work that is reviewed by the Fire Engineer is determined by risked priorities for the services discussed above. The outputs from the Fire Engineer are reviewed and approved by the Head of Engineering, the Head of Investment, the Head of Building Safety, and Assistant Director for Building Safety.</p>	<p>London Borough of Southwark Process</p>
10	<p>Create a more robust platform for the Council and tenants and residents to communicate more effectively.</p>	<p>The Council will achieve this through the following:</p> <p>A) Estate Days to engage with residents around fire safety, repairs and other matters. The Council will work with the LFB to deliver these.</p> <p>B) The new Building Safety Team has dedicated resources for this (Building Safety Relations Manager, Senior Resident Liaison Officer, Resident Liaison Officers). This will add to the existing resource and teams across the Council that deliver communications to residents.</p> <p>C) The Council will deliver significant communication and engagement for the Priority Surveying Programme. This will include letters, FAQs, Q&A events, a video to explain more about the surveys, phone calls to arrange survey appointments. The Council will work with TMOs (Tenant Management Organisations) and</p>	<p>London Borough of Southwark Process</p>

	Recommendation from the Review	Council Response	Statutory & Professional Bodies
		<p>TRAs (Tenant and Resident Associations).</p> <p>D) Set up a new panel for Council tenants and leaseholders, which is dedicated to discussing Building and Fire Safety matters. This will include a review of whether the Council can provide training to residents.</p> <p>E) Review the Council's complaints systems and processes, so that these are compliant with the requirements of the Building Safety Act.</p> <p>F) With Marie Curie, the Director of the Ledbury Estate is delivering communications to residents to explain the steps being taken for this building and will continue to do this when the Council has further updates, including those from the QDR discussed above.</p>	
11	<p>The Council's Fire Safety Policy was independently reviewed by FRMS in February 2022. Going forward, Southwark Council are reminded to continue to undertake this process on a regular, ongoing basis. (Note: Included here as a reminder only).</p>	<p>In addition the building and fire safety policy has been issued to our lawyers (Trowers & Hamblins LLP) and is currently in review in respect to accountable person AP/ principle accountable person PAP- and responsible person RP.</p>	<p>Ext Lawyers / London Borough of Southwark</p>

Policy framework implications

Rehousing

35. The existing housing allocations scheme takes into considerations circumstances where residents are required to move to enable essential works to be completed within the property. This entitles tenants to the highest priority band 1 and has been applied to Marie Curie residents. Households would generally be rehoused into new properties based on their bed need, however in order to facilitate moves, we have agreed

households who are under occupying can bid for the same size property. Where a household decides to downsize, we will offer the incentive payment in addition to any other payment to residents set out in the previous report.

36. Fire Safety

In November 2020, Council Officers and the LFB were called to flat 54 in Marie Curie House. The resident reported smoke present in the bathroom, which caused their domestic smoke detection to activate. Compartmentation surveys were undertaken in November 2020, as a result of the reported issues. Following the recommendations of the Compartmentation Report a Waking Watch was implemented in December 2020. In addition a communal fire alarm system was installed to support the Waking Watch. The Waking Watch is still in place as building has residents within the block.

Community, equalities (including socio-economic) and health impacts

Community impact statement

37. As well as the 98 homes at Marie Curie there are two community projects and the Sceaux Gardens TRA that are based in the block.
38. Understandably these are much valued community assets and the council is committed to working with the TRA, the Bike Project and Makerspace to keep the organisations going during the works. The works that have to be done to the block includes the pipework and wiring that run from the top to the bottom of the block and these probably run through the stilts that are in the community space areas. If they have to move, we will work with them to provide alternative space.

Equalities (including socio-economic) impact statement

39. Section 149 of the Equality Act, lays out the Public Sector Equality Duty (PSED) which requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council's Approach to Equality ("the approach") commits the council to ensuring that equality is an integral part of our day to day business.
40. As most of the residents have chosen to move, the main equalities issue centres on their rehousing opportunities. The council's allocations scheme was approved following detailed consideration of its impact on equalities, and all residents moving permanently will be rehoused through this scheme. However, some residents could be disadvantaged through a lack of access to IT, a lack of understanding of English or illiterate. The Marie

Curie team has an understanding of each resident's needs and are supporting those residents who could be disadvantaged because of these circumstances. Rehousing of residents should not have any negative impacts in relation to any of the protected characteristics under the Equality Act.

Health impact statement

41. The proposed works at Marie Curie are to address the health and safety issues identified by the fire risk assessment.
42. The opportunity to be rehoused on a permanent basis that the vast majority of Marie Curie residents have chosen, will enable those residents with health issues and those who are overcrowded to be rehoused in much more suitable homes. This will have a positive health impact on all these households.
43. For those residents who have opted to move on a temporary basis and return to a refurbished Marie Curie, they will benefit from homes with improved insulation, which will have a positive impact on health.

Climate change implications

44. On 18 June 2019, the council's Cabinet agreed the resolution passed by the council assembly on 27 March 2019 to "declare a Climate Emergency and do all it can to make the borough carbon neutral by 2030." The Cabinet noted "that there are considerable financial savings to be made by 'going green', whether it be more energy efficient lighting, smart meters at council properties, or piloting energy generation schemes such as installing solar panels on council properties".
45. The government estimates that residential buildings account for 27% of Southwark's carbon emissions. The Council's direct emissions account for 12% of the borough's emissions and council housing is the second largest contributor to carbon emissions at 14%. The council therefore plans to take targeted actions across energy supply and usage and to retrofit council buildings including council homes to make them greener.
46. In line with the council's climate emergency declaration and its climate action plan, the works to Marie Curie will include improved insulation to the existing homes (green retrofitting) and the removal of gas from the block (targeted action on energy supply), which will make the homes significantly more energy efficient and reduce carbon emissions.

Resource implications

47. Two temporary Resident Services Officer posts were created for 6 months to provide the necessary intensive resident engagement and support. This has been extended to 18 months for One Residents Services Officer. £90k has been budgeted for this.

48. There were 85 tenants to be rehoused. At an average of £10k per tenant which includes: the lump sum payment of £6,500; the cost of the removal company; reasonable costs related to soft furnishings such as curtains and carpets; the disconnection and connection of services such as phones, TV; and the redirection of post.

Legal Implications

49. The comments of the Director of Law and Governance are set out in the supplementary advice section of this report.

Financial implications

50. The works necessary for Marie Curie have both revenue and capital implications. The revenue implications are estimated as follows:

Activity	Estimated cost
Waking watch service from November 2020 to June 2023	£1,610,000
Appointment of two temporary resident services officers for six months and eighteen months respectively to provide the necessary intensive resident engagement and support.	£90,000
Associated payments to 85 tenants requiring rehousing	£288,000
Total estimated cost	£1,988,000

51. As the dwellings will need to be empty during the works, there will be a loss of rent and services charges for the HRA. The amount lost will depend on the duration of the works, and as this is not yet fully determined, it is not possible to provide a definitive estimate at this stage. However, the annual loss in rent and service charges based on 2021-22 rent levels and service charge rates for Marie Curie is £489k.
52. Capital costs will be associated mainly with the cost of the works required and the cost of purchasing homes from leaseholders to facilitate those works.
53. These works include a lump sum and inconvenience payment of £6,500 per tenant which is capitalised, estimated to be £552k.
54. The project is at feasibility stage and the cost of works is estimated to be in the region of £12.2m excluding fees and other associated costs. Final work costs are due to be agreed in November 2022.
55. Marie Curie had 11 properties owned by leaseholders that the council may need to purchase. Four leaseholders have already sold their properties

back to the Council. The cost of acquiring all leasehold properties is estimated to be in the region of £3.4m.

Consultation

56. A Resident Project Group has been established for Marie Curie, separate from that of Sceaux Gardens, to ensure the Marie Curie issues are dealt with directly with Marie Curie residents. The Resident Project Group meets on a monthly basis.
57. All residents have had a one to one with a Resident Services Officer to discuss their particular needs, and to help decide whether they want to move on a permanent or temporary basis. The one to one conversations will continue with residents until they move.
58. A weekly newsletter is distributed to both the remaining residents of Marie Curie and those tenants who have moved and have the right to return, to keep residents up to date on the works programme and to address issues of concern raised by the Resident Project Group that can be shared with all residents.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

59. Cabinet endorsed the approach to the rehousing of council secure tenants and the acquisition of leasehold interests in properties at Marie Curie on 14 September 2021. The legal implications of this approach were provided in the report presented to cabinet at the time.

Strategic Director of Finance and Governance

60. The strategic director of finance and governance notes the contents of the report and the costs arising as outlined in the financial implications section above. The additional revenue cost and rental loss will continue to be met from contingency sums within the Housing Revenue Account and/or reserves as required. Capital costs arising will be met from a combination of existing QHIP and fire safety budgets and once we have further clarity around the total costs involved, the capital programme will be reviewed as necessary to accommodate these works. Given the scale of the resources needed, this may impact on the priority and delivery of projects within the existing programme.

REASONS FOR LATENESS

61. Following receipt of the Independent Report and engagement with local residents, the results of consultation with key stakeholders were received and coordinated after the deadline for publication of the report to ensure as many points of view could be heard and considered in taking this decision.

REASONS FOR URGENCY

62. This decision details the council's commitment to undertake fire safety work at Marie Curie House. The Independent Report contains a number of recommendations and notes the council's response. This report also demonstrates to residents, key stakeholders and those consulted that their comments have been taken into account in a timely and accessible manner. It is important that the Independent Report together with the council's response is disseminated as soon as possible after its publication given the significance of the issue.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet reports: Marie Curie – Safety works and resident rehousing offers. 14 September 2021	Constitutional Team, 160 Tooley Street, London SE1 2QH	Paula Thornton 020 7525 4395
Web link: http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7420 (Item 10)		

APPENDICES

No	Title
Appendix 1	Independent Review in respect of Fire Safety Issues relating to Marie Curie House

AUDIT TRAIL

Cabinet Member	Councillor Darren Merrill, Council Homes and Homelessness	
Lead Officer	Michael Scorer, Strategic Director of Housing and Modernisation	
Report Author	Mike Tyrrell, Director of Ledbury	
Version	Final	
Dated	7 September 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		7 September 2022