

ACTIONS FROM COUNCIL ON 28th MARCH 2017

1) QUESTIONS RAISED ON FIRE AUTHORITY ISSUES UNDER COUNCIL PROCEDURE RULE 9.1

Question from Councillor Simone Taylor to the Chairman of the Fire Authority

St Neots Fire Station had permission granted for a training building, attached drill tower, a gymnasium. This was granted December of last year. Would you know the date that this is going to commence?

Written Response

Councillor Taylor was sent the following e-mail response on 4th April.

Dear Cllr Taylor,

As the project sponsor within Cambridgeshire Fire and Rescue Service, I am happy to provide an answer to the question posed to Sir Peter Brown regarding St Neots Fire Station.

You are correct in that planning permission was granted for a training facility at St Neots Fire Station. These plans remain live and funding is in place to commence the building. However given the significant investment, it is only right that before we begin, we take a brief moment of pause to explore all potential options, ensuring the public money gives the best possible return on investment and use. To that end we are currently consulting with the other emergency services to see if there are any possible collaboration opportunities to improve services and provide better value for the community as a whole rather than just the Fire Services facilities.

This work is progressing very positively but is not complete meaning at this time, I am not able to provide a start date for the works. However I hope you appreciate this is to ensure we offer the best possible outcome to the community.

Regards

Callum Faint
Area Commander
Operational Support

Tel: 07780 663764

2) ACTION ARISING FROM ORAL QUESTIONS UNDER COUNCIL PROCEDURE RULE 9.1

Question from Councillor Paul Bullen

Councillor Bullen raised the following question to the Chairman of the Adults Committee:

“Bearing in mind the recent investigation and subsequent publishing of a report by the Homes and Communities Agency into the woeful failings of Luminus and the fact that it has been proven that they have broken the law by failing to comply with the Gas Safety (Installation and Use) Regulations and bearing in mind that I’ve put much evidence to this Council in the past and that the Health and Safety Executive is now also investigating Luminus for failing to comply

with current legislation, will the Chair of the Adults now consider launching an investigation into this registered social landlord who provide social housing for a large number of our elderly and vulnerable residents.

Written Response

The following response was sent to Councillor Bullen on 21st April:

Dear Councillor Bullen

"I am aware the Homes & Communities Agency (HCA) are responsible for regulating social housing providers to ensure they are well managed and financially secure. The HCA assesses housing providers against two criteria:

- Governance and
- Financial Viability Standard.

In February 2017, the HCA advised that it was investigating Luminus and on 1 March 2017 they published their findings and their re-assessment of Luminus' Governance and Financial Viability grades.

Prior to this Luminus was graded at G1 and V2.

Luminus owns approximately 7,500 properties. As part of a planned regulatory engagement using an In depth Assessment, the HCA learned that 25% of a small sample of properties did not have valid gas certificates.

Following a further full assessment it was found that more than 1,000 properties did not have valid gas certificates for at least part of the previous two years. (Most of the certificates had been overdue for a short period).

The Gas Safety (Installation and Use) Regulations 1998 state that gas checks should be undertaken annually by a gas safe engineer. Inadequate policies and systems had caused failure to schedule and book inspections in a timely manner and then problems gaining access to properties. The failure had not been reported to the regulator.

Luminus has assured the HCA that it has completed the outstanding gas safety checks and is adopting new gas safety policies and procedures. The regulator is working with Luminus as it addresses the issues and will consider what, if any, further action to take in relation to the breach of the Home Standard.

The HCA has downgraded Luminus from G1 to G3. G3 is non-compliant "The provider does not meet HCA governance requirements. There are issues of serious regulatory concern and in agreement with us the provider is working to improve its position".

Part of the reason for the downgrade to G3 is that the Board was receiving inadequate information and had not demonstrated that it was providing sufficient challenge" – there was a lack of effective oversight of performance of investment and the Board was not exercising its role with appropriate skill or diligence. There was not an effective system of risk management – basically the Board appears to have been woefully inadequate and not up to the task. Probably the only reason why they were not also downgraded on their viability was that Luminus has the financial capacity to deal with reasonable adverse scenarios.

Cllr Bullen asked me as the Chair of Adults to consider launching an investigation into Luminus because of the large number of elderly and vulnerable residents who have their social housing from that organisation. In his preamble to the question he also advised that the Health & Safety Executive are also launching an investigation into Luminus.

It is clear there the regulator's findings, provides some credibility to Councillor Bullen's concerns. The specific question posed about whether the Council should undertake an investigation needs to take into account the work already underway by the regulator. The specific issue in relation to Ringshill is whether Extra care sheltered housing provided by Luminus, might be an option for some current residents. My understanding is that this may be possible for one or two people, and I think the potential benefits for those individuals outweigh the concerns raised by Cllr. Bullen.

Outcome

Based on the information gleaned from officers and my own review of information available, I am reluctant to request a repeat of what is currently underway and that which been done already. As such, I have asked that those senior Officers responsible for Adult Care in Cambridgeshire review the findings, apply those the assessment of those issues to the involvement of this Council going forward, in any of its future dealings it has with Luminus, and, to also put stricter checks in place i.e. Check that all certification etc. is in place should we wish to put people into Luminus controlled properties.

I do understand the reasons for raising the issues and feel that the work of investigation has been done and is also ongoing in the case of the HSE and that CCC could work with this body to ensure all our residents are in no danger or could be harmed in any way.

As such I would expect meetings with Luminus to review the situation and understand their way forward and that we apply tighter scrutiny to our dealings with them for the foreseeable future.



Councillor Adrian Dent
Chair for Adults
Cambridgeshire County Council