



Executive Director/Director Non-Key Executive Decision Report

Author/Lead Officer of Report: Owen Roe,
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Standards

Tel: 07767 206536

Report to: *Director of Housing & Neighbourhoods*

Date of Decision: *18th November 2021*

Subject: *Payment of Additional Waking Watch Relief Fund Grant*

Which Executive Member Portfolio does this relate to? *Executive Member for Housing, Roads and Waste Management*

Which Scrutiny and Policy Development Committee does this relate to? *Safer and Stronger Communities*

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? *912*

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."

Purpose of Report:

This report seeks approval for the Council to administer payment of additional grant funding of £25,350 to two of the successful applicants to the Waking Watch Relief Fund (WWRF), following the decision by the Department of Levelling Up, Housing & Communities (DLUHC) (formerly the Ministry of Housing, Communities & Local Government) that these payments should be made.

Recommendations:

It is recommended that the Director of Housing and Neighbourhood Services:

- Exercises the delegated authority provided to them under the Individual Member report from March 2021 ‘..to approve applications to this fund, enter into grant agreements and make grant payments to successful third party applicants up to the Council’s allocation of up to £1m’ and approves the issuing of and entering into variations to existing grant funding agreements relating to Royal Plaza (£9,922) and Mandale House (£15,428) to allow for the payment of additional WWRF grant as outlined in this report.

Background Papers:

[Administration of the Waking Watch Relief Fund](#) - Executive Report, 21st March 2021

Exercise of Delegated Authority to Enter into Grant Funding Agreements with Successful Applicants to the Waking Watch Relief Fund – Executive Report, 20th April 2021

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: M.Wassell
	Legal: <i>Gemma Day</i>
	Equalities: <i>Louise Nunn</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	Lead Officer Name: <i>Owen Roe</i>
	Job Title: <i>Project Officer</i>
Date: <i>17/11/2021</i>	

1. PROPOSAL

- 1.1 In December 2020 the government announced a £30 million fund to help end the scandal of excessive Waking Watch costs passed on to leaseholders, as part of a move to support thousands of residents in high-rise buildings. The then MHCLG (now DLUHC) made an initial WWRF grant allocation of £0.5m with the message that further funding (to be determined) would be provided on a case by case basis. In response to this DLUHC position and to manage future funding allocations, the Council agreed to approve the acceptance of up to £1m of grant (including the £0.5m already paid). In addition, a separate New Burdens Administration Grant of £31k was also issued so that the Council can administer the funding directly to those blocks that meet the criteria as set out by the previous Ministry of Housing and Local Government. The WWRF was intended to pay for the installation of fire alarm systems in high-rise buildings with cladding issues, removing, or reducing the need for costly interim safety measures such as Waking Watch
- 1.2 Work has now taken place to install the fire alarm systems in the high-rise blocks in question, as set out in the funding agreements already issued. In two of the blocks, the installation contractors have reported that additional works, not included in the original quotes, are necessary to complete the full installation to the required standard.
- 1.3 These additional works bring additional costs, and the two applicants made requests to the DLUHC for additional WWRF grant to cover these new costs. DLUHC have agreed to these requests, meaning the Council is now able to issue variations to the original grant funding agreements to allow payment of the additional grant.
- 1.4 The Executive Report to approve issuing of the original funding agreements (see background papers) stated:
“There is the potential that unforeseen costs could be incurred by applicants following the issuing of GFAs, such as complications arising in the alarm installation process. If these extra costs are eligible for WWRF funding, additional grant may be paid out as part of the Council implementing the WWRF”.
- 1.5 The additional grant it is proposed should be paid is as follows:
- Mandale House - £15,428 (*in addition to the original/previous grant payment of £79,895*)
 - Royal Plaza - £9,922 (*in addition to the original/previous grant payment of £160,645*).
- 1.6 The total WWRF grant to be paid to all applicants, including the proposed additional funding outlined above does not, to date, exceed the £1m approval made by the Council. The total proposed WWRF grant to be

paid out is £532,539, with £467,222.00 of this sum paid out to date.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 As stated in the background papers, Sheffield is clear that it wants to support leaseholders, and to work with building managers and agents to improve fire safety in high risk, high rise blocks across the city, and the additional WWRF grant will remove the financial burden of these fire safety measures from leaseholders, and deliver better long term safety systems in these buildings.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 This is a Central Government funding stream which the Council are being tasked to deliver in Sheffield.
- 3.2 Extensive consultation has been undertaken by Central Government and this is the 3rd funding scheme announced to help address the issues in the private sector relating to unsafe cladding on high risk, high rise blocks.
- 3.3 As a Local Authority we created a web page for applicants which provided details of the scheme and set out the eligibility criteria, who could apply and how.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

- 4.1 Equality of Opportunity Implications
- 4.1.1 An EIA has been produced and approved for the Council's role in administering the WWRF, reference 912
- 4.2 Financial and Commercial Implications
- 4.2.1 The new grant payments: Mandale House (£15,428) and Royal Plaza (£9,922) will be paid in accordance with the terms and conditions of the former MHCLG's (now DLUHC) Memorandum of Understanding and also the financial implications outlined in previous SCC Waking Watch Fund reports. These new grant payments will be evidenced to /claimed from the funder in line with previous payment processes.
- 4.2.2 The Grant Manager will need to read, understand, and comply with all of the MOU / grant terms and conditions as detailed previously.
- 4.3 Legal Implications
- 4.3.1 The Council has a general power under Section 1 of the Localism Act 2011 to do anything that an individual may generally do provided it is not prohibited by other legislation and the power is exercised in accordance with the limitations specified in the Act which enables the Council to

administer the fund on behalf of the DLUHC and enter into the variations to the grant agreements with successful applicants.

- 4.3.2 The Regulatory Reform (Fire Safety) Order 2005 is the legislation which details the fire safety standards required. By the Council supporting the DLUHC to administer this fund in Sheffield, they are assisting the Responsible Person of these eligible buildings to ensure that their building meets the safety standards required. The responsibility for the fire safety of a building always remains with the Responsible Person under the duties conferred on them by the above order.
- 4.3.3 Grant agreements were issued to and signed by the two grant recipients which were based on a template agreement provided by MHCLG.
- 4.3.4 If a decision is made to approve the additional funding to these grant recipients, then variations will be issued to the grant agreements to include the additional funding. This will be a change to the total funding amount, that the additional funding can only be spent on the Permitted Activities and the payment terms for the additional funding.
- 4.3.5 The Council must comply with all applicable legislation and regulations including but not limited to UK GDPR, the Data Protection Act 2018 and Subsidy Control.

4.4 Other Implications

- 4.4.1 None

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 This is Government funding, and there is no alternative Council funding available for this work.
- 5.2 Doing nothing would mean either the alarm systems for these buildings could not be completed to the required specification, or the additional costs would be passed on to leaseholders.

6. REASONS FOR RECOMMENDATIONS

- 6.1 Fire safety is a high priority for Sheffield and nationally. The approval to make these variations will mean the Council can provide funds for the full installation of appropriate fire alarms for these two developments, ensuring the immediate fire safety of over 270 dwellings, and remove the costly burden of Waking Watch from leaseholders.