

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE EXECUTIVE

Decision Made: 23 November 2022

Council Fire & Building Safety Policy

Issue for Decision

This decision is on the adoption of a new policy that will inform how the Housing Service delivers the Council's obligations in relation to 'Fire and Building Safety'.

Decision Made

That the Fire & Building Safety Policy attached as Appendix 1 to the report be adopted.

Reasons for Decision

- 1.1 Following the Grenfell Fire Tragedy in 2017, the government set up a Public Inquiry into a range of matters relating to fire and building safety. As a result of the recommendations to date and on the government's own initiative, a range of regulatory and statutory changes have been introduced or in the process of being enacted.
- 1.2 The report sets out how these changes affect the delivery of the Council's Housing Service and the response required. The report does not cover other areas of the Council's services, such as Building Control and Planning, which will be dealt with separately.
- 1.3 As this is a specialist area of legislation, the Council has taken advice from Pinsent Masons law firm on the implications for the Council. For the purpose of this decision their advice covered Housing Legislation: including the Housing Health and Safety Rating System, the regulation of HMOs, interaction with the Fire and Rescue Service and the application of legislation to low, medium, and high-rise apartment blocks.
- 1.4 The report covers a number of areas but of particular note is that the Executive considered the proposal set out at Paragraph 3.7 in the report, which addresses how the Council will respond to serious dereliction of duty by property owners or managing agents. The suggested approach is in line with discussions had with the Department of Levelling Up, Homes and Communities specialist adviser team.

Alternatives considered and why rejected


Option 1. Adopt the Fire & Building Safety Policy

Option 2. Do not adopt the Fire & Building Safety Policy. This option was not taken as it is important for the Council to have an adopted policy to guide officers and residents on the approach the Council will take in relation to Fire & Building Safety by the Housing Service.

Background Papers

None

I have read and approved the above decision for the reasons (including possible alternative options rejected) as set out above.

Signed: _____  _____

Leader of the Council

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm 2 December 2022**