

17 November 2020		ITEM: 10
Housing Overview and Scrutiny Committee		
Automatic Gates		
Wards and communities affected: Aveley and Uplands, Belhus, Chadwell St Mary, Grays Riverside South Ockendon, Tilbury Riverside and Thurrock Park, West Thurrock and South Stifford	Key Decision: N/A	
Report of: Susan Murray, Asset Delivery Manager		
Accountable Assistant Director: Carol Hinvest, Assistant Director for housing		
Accountable Director: Roger Harris, Corporate Director of Adults, Housing and Health		
This report is Public		

Executive Summary

This report is to provide an updated position in relation to the automatic gates in the Housing stock. There are currently gates at six Sheltered Housing complexes and four high rise blocks.

The report advises on the works required and associated costs to ensure these gates meet new regulations. The report outlines the planned resident consultation and, if gates are to be retained, the proposed implementation of a service charge for those benefitting from this provision, in order to cover refurbishment costs and ongoing service and maintenance.

1. Recommendation(s)

Housing Overview and Scrutiny Committee are asked to note the proposals to:

- 1.1 Consult with residents regarding the ongoing requirement of automated gates on applicable sites and, if the consensus is that the gates remain, the subsequent implementation of a service charge.**

- 1.2 Remove gates which are situated at several high rise sites where new parking restrictions no longer require gates to control parking.**
- 1.3 Remove gates at specified Sheltered Housing complexes which do not provide additional security or parking deterrent benefits due to style and location if residents do not support keeping them.**
- 1.4 The final decision to be made by the Corporate Director, Adults, Housing and Health in conjunction with the Portfolio Holder for Housing.**

2 Introduction and Background

- 2.1 The safety and function of all automatic gates and doors is governed by the Machinery Directive 2009/127/EC. Guidance for compliance with the directive for gates is also delivered by BS EN 12453:2017. There was an update to the guide to the application of the Machinery Directive in November 2018. This guidance specifically highlights the need for “state of the art” technology to be used in guaranteeing the safe operation of all automation.

As an example, if a gate had been installed five years ago with safety sensors that were not monitored but the gate operated correctly, it would have been compliant. However, if those sensors failed (in a certain way), the gate might still operate, but unsafely. Since then, there have been significant improvements in safety technology and today sensors are monitored, so if one fails in any way the gate will not operate and will be safe. This approach uses “state of the art” technology to improve safety.

In the above example, if the gate did not have the sensors and/or other hardware upgraded, then it would no longer comply with the directive.

It is also not accepted within the directive or the standard to assume that a machine was safe at the time of incorporation and therefore does not need to be upgraded.

- 2.2 All the automated gates on Housing sites are between 15 to 20 years of age, and as a result of the new legislation and consideration to the age of these gates, a full review has been undertaken.

There are currently six sheltered housing complexes with automated gates out of a total of 29 complex within the Housing stock, and four automated gates situated at the high rise blocks out of a total of 15 high rise blocks.

Each site has been inspected against a set of specific principles in order to make appropriate recommendations for each gate. Details of each site is listed in the table below.

The principles used in the inspections considered:

- the area in which gates are located, for example if they are on an estate, at the end of a road, close to schools, or close to train station

- any parking restrictions in the area
- any ASB in the area
- whether a secondary form of door entry security is in place
- the type of front doors on the properties and level of security these provide
- any CCTV on site

3 Issues, Options and Analysis of Options

3.1 The reviews undertaken have demonstrated that all automated gates require significant investment to meet the current legislation. The total investment required is £207,000 for all automated gates. There are a number of gates which have been taken out of service as they require significant repair works or total replacement to ensure they are compliant. The decision to take these gates out of service is a direct response to the changing legislation in order to ensure safety.

3.2 There have been a number of options considered for each gate which has been reviewed. These options are:

- to remove the gates completely
- to repair or replace the gates in order for them to be compliant
- to implement parking restrictions
- to install alternative fencing options to mitigate residents' security concerns
- to implement a service charge in order for the council to recover the costs

3.3 The below table sets out the recommendations made for each site after consideration had been given to each of the options and the outcome for the resident consultation which has taken place at the Sheltered Housing sites.

Location	Ward	Recommendation	Consultation Outcome
The Sycamores	Aveley & Uplands	<p>It is recommended upgrading and maintaining the two gates at the front entrance on Dacre Avenue and removing the gates at Elm Road</p> <p>The gates on Elm Road are not security gates - these are a barrier style and also used by 4 private houses as access into their rear gardens</p>	<p>6 residents voted in favour of the gates remaining in situ and pay the service charge</p> <p>25 residents voted for the gates to be removed</p> <p>Outcome</p> <p>Gates to be removed</p>

Location	Ward	Recommendation	Consultation Outcome
New Maltings	Aveley & Uplands	It is recommended these gates are maintained due to the locality	<p>10 residents voted in favour of the gates remaining in situ and pay the service charge</p> <p>6 residents voted for the gates to be removed</p> <p>Outcome</p> <p>Gates to remain and service charge applied</p>
Helford Court	Belhus	It is recommended these gates are maintained due to the locality of the site and no secondary security	<p>14 residents voted in favour of the gates remaining in situ and pay the service charge</p> <p>8 residents voted for the gates to be removed</p> <p>Outcome</p> <p>Gates to remain and service charge applied</p>
Benyon Court	Ockendon	It is recommended that these gates are removed. Initial feedback demonstrated the only issue was some reports of children riding their bikes through the complex.	<p>Consultation is due to take place in the next week</p>
Rookery Court	West Thurrock & South Stifford	It is recommended these gates are removed as there are no current issues within the location and they have secondary security by way of door entry systems.	<p>26 residents voted in favour of the gates remaining in situ and pay the service charge</p> <p>7 residents voted for the gates to be removed</p> <p>Outcome</p> <p>Gates to remain and service charge applied</p>

Location	Ward	Recommendation	Consultation Outcome
Alexandra Road	Tilbury & Riverside	It is recommended these gates are removed as they have been out of commission for a long period of time. These gates are also a barrier style and do not prevent access into the site.	No Consultation has taken place due to the gates being ineffective.
Poole House	Chadwell	It is recommended these gates are removed when Controlled parking zones are implemented.	
George Crookes House	Grays Riverside	It is recommended these gates are removed when Controlled parking zones are implemented.	
Davall House	Grays Riverside	It is recommended these gates are removed when Controlled parking zones are implemented.	
Freemantle House	Tilbury Riverside & Thurrock Park	It is recommended these are maintained for the present as the gates are in full working order. If CPZ is considered for this site then it will need to be a consideration to remove gates in line with all tower block gates.	

3.4 However the proposal is that the decision on whether to retain or to remove the gates facility on the sheltered sites should be subject to resident consultation and if residents did opt to retain, a service charge would need to be applied.

4 Financial Considerations

4.1 Should the consensus of the residents of the sites benefitting from the gates be to keep them and therefore invest in the required improvements, the

proposal is to implement an additional service charge of £1.55 per week for those sheltered sites. This new charge would cover the servicing, annual maintenance and the renewal of the gates. The charge will only be applied to the sites where the gates are to remain so only the residents who benefit from this additional service will pay for it.

- 4.2 The average cost for the servicing and maintenance for the gates at each site is £420 a year.
- 4.3 If all the five sheltered sites decide they would prefer to retain the gates the total cost for the replacements will be to £113,000.
- 4.4 The service charge has been calculated to cover the annual service and maintenance costs and recovery of the investment made to replace the gates. The recovery of the replacement costs has been considered to spread the costs over a 10 to 15 year period.
- 4.5 If all sites opt to keep the gates the annual service charge debit from the 140 properties benefiting would be £11,284. This amount would adjust accordingly depending on the number of sites opting to retain the facility.
- 4.6 See table below for the example if all sites opt to retain the gates:

Number of Properties Benefitting across the 5 Sites	140
Total Annual Service Charge Income @1.55 per week	£11,284
Annual cost of service and maintenance across 5 sites @ £420 per site	£2,100
Annual recovery of replacement costs	£9,184
Number of years to recover the replacement costs of £113,000	12.3 years

- 4.7 The income the HRA receives in relation to this service charge will be ring-fenced and will only be used to fund costs associated directly to automatic gates. This will ensure that the cost of the service is not subsidised by all of the

housing tenants and the additional income raised is only used to pay for the cost of the service.

- 4.8 The current weekly service charge for all sheltered sites is £10.00 per week, this is for the following services:

The provision of the intensive housing management service provided by the Sheltered Housing Staff and the communal facilities which includes all communal hall areas and communal blocks: laundry room, washing machine, tumble drier repairs and the replacement if required, kitchen, cooker and dishwasher repairs and replacement, utilities, contractor work/maintenance i.e. lifts, fire alarm checks, intruder alarm checks, water treatment checks, door entry systems, ongoing repairs, contract cleaner for communal hall areas, window cleaning and grounds maintenance.

5 Reasons for Recommendation

- 5.1 All the automated gates currently in place within the housing stock need considerable investment to ensure they are compliant.
- 5.2 The gates provide benefit to a very small selection of our residents, therefore if the consensus is to retain the gates the recommendation is for a service charge to be introduced. This will ensure that only the residents who are receiving this facility pay for it and the residents who do not benefit do not have to contribute to the refurbishment and ongoing costs associated with a service they do not receive.

6 Consultation (including Overview and Scrutiny, if applicable)

- 6.1 Meetings have been held with the Portfolio Holder for Housing and with Ward Councillors where the automatic gates are situated. Alternative solutions suggested by councillors during these discussions have been fully explored. These included the installation of fencing around the perimeter of one site (Benyon Court). However it was found that these works were a more expensive option than replacing the gates. The implementation of parking restrictions has also been explored and these are now being implemented at the high rise blocks in Grays and Chadwell.
- 6.2 The consultation with the residents at Rookery Court Sheltered Housing complex has been undertaken. Each resident received a letter explaining the situation and were able to vote on the option of either removing the gates completely or retaining the gates and paying a service charge of £1.55 per week. The residents at Rookery Court have now completed their consultation and submitted their preferences - the majority have opted for the gates to remain and to pay the service charge.
- 6.3 Consultation has now commenced at each of the other sites where automatic gates are situated. Depending on the outcome of these consultations gates will either be removed or made compliant with a service charge applicable.

7 Impact on corporate policies, priorities, performance and community impact

- 7.1 Any impact on the communities living in the identified areas will be mitigated through appropriate engagement and consultation activity as outlined in this report.
- 7.2 If it is determined that a new service charge for the ongoing maintenance and repair of automatic gates is to be implemented, this may need to be considered alongside and as part of the wider Housing Revenue Account fees and charges setting activity.

8 Implications

8.1 Financial

Implications verified by: **Mike Jones**
Strategic Lead – Corporate Finance

The introduction of a service charge will provide additional resources to allow the HRA to fund the maintenance and replacement of the electronic gates. These will be ring-fenced to the service and separately identified within the Housing Revenue Account.

8.2 Legal

Implications verified by: **Tim Hallam**
Deputy Head of Law and Monitoring Officer

Given that this is essentially an update report to the Overview and Scrutiny Committee, there aren't any direct legal implications arising from it. Specific relevant legal provisions are noted in the main body of the report.

8.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager - Community Development and Equalities

The possibility of Anti-Social Behaviour occurring as a result of the automatic gates not functioning or being removed has been considered. There is a very low risk of ASB at these sheltered housing complexes, it is considered that there is no additional risk of harm to vulnerable residents as a result. A full Community and Equalities Impact Assessment has been carried out as part of the delivery of the housing investment programme. This CEIA did not identify any negative impacts though will be monitored for any changes. Residents are being consulted on whether they would like the gates to be removed or remain and incur a service charge, the views of all responses to this

consultation will be considered when making the final decision – including any concerns raised around affordability of any additional service charges.

8.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

9 Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

10 Appendices to the report

None

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Housing