

**Corporate Asset Management Plan 2024/25**

**1.0 Introduction**

1.1 The plan details the main types of land and property assets that the Council owns and includes:

- land and properties used to deliver a direct service to the community including parks and openspaces and public car parks;
- properties that support service delivery such as the main offices and depot; and
- 'non-operational' assets which are not used to support service delivery and are held for investment, including commercial properties

The plan does not include other Council assets such as vehicles, plant, equipment, IT, street furniture and fixtures and fittings.

The asset management aims and objectives listed below are identified through the service planning process and are linked to the Council's Corporate Objectives:

- ensure that the Council's land and property assets are managed and maintained efficiently, effectively, are fit for purpose, provide access for all and comply with statutory and regulatory requirements;
- deliver efficiency savings through reducing property running costs;
- undertake a rolling programme of condition surveys for all Council properties to provide information on required maintenance and associated costs;
- deliver the planned maintenance programme for the Council's properties to improve the overall condition of the asset base and maximise its value;
- carry out annual inspections of tenanted properties to ensure tenants compliance with their leasehold obligations for managing maintenance and repairs;
- establish an ongoing collection of property data to assist with the Council's asset management arrangements and inform strategic decisions on the use of land and property assets;
- put in place a programme of land and property reviews and where applicable to challenge the need to retain these assets;

- ensure that Council's properties are operated in a sustainable way, to reduce carbon emissions and to improve energy efficiency where appropriate, in accordance with the Council's ambitions to improve its carbon footprint, which is monitored annually; and
- consult with partners, service users, tenants and staff on the use of the Council's land and property assets.

## 2.0 **Roles & Responsibilities**

### 2.1 **Finance & Assets Committee**

The Council's Finance and Asset Committee is responsible for overseeing the Council's asset management function, which includes an annual review of the Corporate Asset Management Plan, monitoring performance of the Council's land and property assets, and making key strategic decisions regarding the purchase of new land and property, large scale refurbishment projects and the disposal of existing land and property.

### 2.2 **Open Spaces & Facilities**

The Council's Open Spaces and Facilities Manager and the Asset Manager are responsible for the management and development of the Council's asset management arrangements. This includes the day-to-day management of assets, planning and overseeing maintenance work and where appropriate, liaison with staff and tenants on day-to-day asset management issues, including health and safety requirements.

### 2.3 **Legal and Financial Services**

Legal Services draft lease and licence agreements, assist with the sale and purchase of land and property and provide advice on legal property matters and Section 106 agreements. Legal Services also ensure that contract obligations are met and will take action relating to any default in payments to recover rent, insurance and service charges from the Council's tenants to include civil litigation if required.

Financial Services collect rent, insurance and service charges from the Council's tenants. Financial Services also arrange for annual impairment valuations to be carried out on the Council's land and property assets as part of the end of year accounting arrangements.

## 3.0 **Statutory and Regulatory Framework**

The Council has a duty to ensure that land and property under its control complies with relevant statutory and regulatory standards, which includes a wide range of health and safety responsibilities that fall on property owners or occupiers. To meet these obligations the Council must ensure that regular

checks are carried out and that control measures are in place and recorded to ensure compliance. The Council must also ensure that appropriate periodic inspections and testing of systems and equipment is in place in accordance with relevant legislation, approved codes of practice and/or British Standards.

Other statutory and regulatory requirements relevant to asset management are set out below:

### **3.1 Air-Conditioning Systems**

Under the Energy Performance of Buildings Directive, all air-conditioning systems with a combined rated output of more than 12 kW should be inspected by an energy assessor at regular intervals, which must not exceed 5 years. The inspection will highlight measures which, if undertaken, will help to save energy and operating costs.

The Council has arrangements in place for air conditioning inspections to be carried out where required and an annual maintenance schedule for all air-conditioning units within Council premises.

### **3.2 Asbestos**

The 'Control of Asbestos Regulations 2012' places a statutory duty on the Council to manage asbestos in non-domestic premises owned or leased by the Council, in order to protect those who work in such premises, or use them in other ways, from the risks of ill-health that the exposure to asbestos causes.

The Council must also ensure that information is provided on the location and condition of the asbestos to anyone liable to work on or disturb any asbestos containing material.

To ensure compliance, the Council has had asbestos surveys completed for all Council properties. The surveys have located and recorded, as far as is reasonably practicable, the areas where asbestos is present, the extent and types of asbestos products present, and determined the risk of anyone being exposed to fibres from the asbestos products found.

Where asbestos has been found the Council has prepared a plan that sets out in detail how the risks from these materials will be managed and records the location and condition of the asbestos-containing material. All identified asbestos-containing materials have been labelled and arrangements are in place for the condition of the material to be monitored annually.

### **3.3 Car Parking and Pedestrian/Vehicle Segregation**

The 'Workplace (Health, Safety and Welfare) Regulations 1992' covers the layout of traffic routes, traffic management systems and the provision of

adequate signage.

To ensure the safety of people who use the Council's car parks, risk assessments are carried out and regularly reviewed to assess the traffic movement within the car park, pedestrian/vehicle segregation and whether routes are adequately signed.

### **3.4 Control of Substances Hazardous to Health (COSHH)**

The 'Control of Substances Hazardous to Health Regulations 2002' place a duty on employers to control the risks to employees and others, which arise from exposure to substances hazardous to their health that are associated with the employers' work activities.

The Council will ensure that it identifies, assesses and where possible prevents or adequately controls the risks to health from hazardous substances used in or created by workplace activities so as to prevent ill health.

### **3.5 Construction, Design and Management Regulations (CDM)**

Construction, Design and Management Regulations applies to all commercial construction work that involves projects that last more than 30 days or involve 500-person days of construction work. The regulations place a legal duty on virtually all involved in the work, including the client, designer, principal contractor, other contractors and workers who are known as 'duty holders'. All of the duty holders have specific roles and responsibilities during the project.

### **3.6 Equalities Act 2010**

Under the legislation, the Council is required to make reasonable adjustments to its premises to overcome physical barriers to access and ensure that, as far as possible, a disabled person is treated in the same way as a non-disabled person. The Council works closely with the Access Group to ensure that proposed changes meet the most up to date requirements.

The Council also supports the National Key Scheme run by RADAR the Disability Network that offers disabled people independent access to locked public conveniences by providing RADAR keys to use the Council's disabled public conveniences.

### **3.7 Fixed Electrical Installations**

The 'Electricity at Work Regulations 1989' state that all electrical systems and equipment used in the working environment should be in a safe condition and maintained to prevent danger. The Health and Safety Executive recommends that to comply with the regulations, an appropriate

system of periodic visual inspection and testing by a competent person should be implemented at all places of work and is likely to include all Council commercial and residential premises, unless responsibility has been accepted by the tenant through the terms of the signed lease or tenancy agreement.

The Council has a programme of formal inspections, testing and routine checks in place for the electrical installations for all relevant properties. The frequency of inspection and testing is determined taking into account:

- the type of installation;
- its use and operation;
- the frequency and quality of maintenance; and
- the external influences to which it is subjected.

The frequency is further guided by the Council's electrical contractor's judgment based on the findings of their inspection and also with reference to the inspection and testing guidance notes contained within the IEE Wiring Regulations 18<sup>th</sup> Edition.

Where tenants have responsibility for fixed installation inspection and testing the Council will record the date that the inspection and testing is due and the tenant will be required to provide a test certificate to show that the installation has passed as satisfactory.

### **3.8 Portable Appliance Testing**

The 'Provision and Use of Work Equipment Regulation 1998' (PUWER) covers the safe provision and use of all work equipment including portable electrical appliances.

The Council keeps an inventory of all portable appliances and will carry out the inspection and testing of this equipment based on the code of practice issued by The Institution of Engineering and Technology.

### **3.9 Fall Arrest Systems**

The 'Working at Height Regulations 2005' requires the Council to ensure that equipment for work at height is properly inspected and maintained.

The Council has a fall arrest system installed at its E-space North property to provide for safe roof access. A service contract is in place for the fall arrest system to be inspected and serviced annually.

### **3.10 Lighting Protection**

Protection against lightning falls within the responsibilities of the 'Health and

Safety at Work Act 1974'.

In accordance with the British Standard Code of Practice for 'BSEN 62305:2011 'Lighting Standard Protection' lightning protection is required where:

- large numbers of people congregate;
- essential public services are concerned;
- the area is one in which lightning is prevalent;
- there are very tall or isolated structures;
- there are structures of historic or cultural importance; and
- there are structures with explosive or flammable contents.

The following Council's properties have lightning protection systems in place and these are inspected and tested at fixed intervals;

- E-space Business Centres; and
- The Maltings.

### 3.11 Fire

The 'Regulatory Reform (Fire Safety) Order 2005' places general fire safety duties on the Council where the premises are under its control or the person who has control of the premises as occupier, to ensure that the workplace contains adequate fire precautions, as determined by completion of a fire safety risk assessment.

The Council has recorded its fire and evacuation plans and procedures and this information is detailed in a Fire Logbook held at each Council property. These plans and procedures are reviewed regularly as part of the Council's fire safety arrangements and include annual fire risk assessments, training for Fire Wardens, fire drills and the inspection, testing and maintenance of fire protection equipment.

The Council will expect its tenants to comply with the 'Regulatory Reform (Fire Safety) Order 2005' and ensure that the premises they occupy are equipped with appropriate fire-fighting equipment, fire detectors and alarms and that these are adequately maintained. All tenants are also required to provide the Council with a copy of their completed fire risk assessments.

The fire alarm systems at the following Council properties are linked to an alarm-receiving centre that will contact the Fire and Rescue Services if an alarm is triggered. This ensures that the Fire and Rescue Services will be able to respond immediately when the alarm is triggered:

- The Grange;
- Ely Museum;
- Oliver Cromwell House;
- Portley Hill Depot; and
- E-space Business Centres

### **3.12 Emergency lighting**

Emergency lighting should be installed in a building to provide a degree of illumination in the event that normal lighting fails. In terms of fire safety, the most important component of emergency lighting is the 'escape lighting', which is provided to illuminate escape routes to an extent sufficient to enable occupants to evacuate the building in safety.

The Council has arrangements in place for the inspection and testing of emergency lighting, this is carried out on a monthly, six monthly and annual basis in accordance with current guidelines.

### **3.13 Fuel Oil Storage**

The 'Control of Pollution (Oil Storage) Regulations 2001' covers the storage of oil at industrial and commercial premises where the amount stored is more than 200 litres and it is stored outside and above ground level.

The Council has a diesel storage tank, and a heating oil storage tank at its Portley Hill Depot site. These tanks, bunds and associated pipework are checked for signs of damage on a regular basis with a more detailed annual inspection and service carried out by qualified inspectors to ensure that any potential defects are found and rectified.

### **3.14 Gas Safety**

The 'Gas Safety (Installation and Use) Regulations 1998' place a duty on the Council to ensure any gas appliance, associated pipe work and flues in the work places are maintained in a safe condition.

The Council has arrangements in place to ensure that periodic routine maintenance is carried out on gas appliances, pipe work and flues by a 'Gas Safe' registered engineer.

### **3.15 Lifts and Hoists**

Under the 'Lifting Operations and Lifting Equipment Regulations 1998' (LOLER) the Council has a legal responsibility to ensure that any lifts and hoists on their premises are thoroughly examined and safe to use.

The following Council properties have lifts and/or hoists;

- E-space North Business Centre;
- The Maltings;
- Ely Museum and
- The Grange

The Council has arrangements in place to ensure that a qualified lift engineer

examines all lifts every six months in Councils Operated buildings and in addition, the Council's insurers also carry out six monthly inspections of all Council owned lifts and hoists.

### **3.16 Play Equipment**

Playground equipment carries a high risk and is covered by the following British Standards:

- playground equipment (BS 5696),
- play surfaces (BS 7188 and 7044); and
- outside play areas (BS5696).

The Council carries out weekly inspections of all its play areas and the Council's insurers also carry out six monthly inspections.

### **3.17 Structural Streetlight Column Testing- Technical Requirement 22 (TR22)**

The TR22 is a technical requirement of all street lighting owners whereby they need to ensure that there are regular visual inspections by a competent person of their columns to ensure that any defects are noted and addressed.

### **3.18 Tree Safety**

As well as responsibilities under the 'Health and Safety at Work Act 1974', the Council as an occupier of land where a tree stands has responsibilities under the 'Occupiers Liability Act 1957 and 1984'. An occupier of land on which a tree stands will normally be liable for any personal injury or other damages caused by a tree breaking or falling where a tree is hazardous, because of decay or structural weakness and shows external signs of being in such a condition.

The Council's Tree Officers will carry out an overall assessment of risks from trees on Council land, which helps to identify whether further checks or inspections are required.

### **3.19 Use of Contractors**

Contractors who are required to undertake work on Council's land and/or property will be appointed in accordance with the Council's procurement procedures.

Where appropriate the Council will use 'Constructionline', the government national database of assessed contractors and consultants, when appointing construction suppliers. 'Constructionline' provides a comprehensive database of accredited suppliers along with pre-qualification information to ensure that suppliers comply with relevant national standards.

Where necessary the Council will check that contractors have the appropriate qualifications and registrations including 'Gas Safe' or the National Inspection Council for Electrical Installation Contractors (NICIEC) for work in connection with gas and electrical installations.

Health and safety requirements will be included in contracts and when awarding contracts consideration will also be given to the health and safety performance of contractors along with risk assessments and accident records. The Council will ensure that contractors have a current health and safety policy where they have 5 or more employees and also that they have public and employer's liability insurance in place.

The Council will provide contractors with appropriate health and safety information so that work can be done safely. This will include information about the workplace, specific hazards, precautions and details of the Council's health and safety arrangements.

### **3.20 Waste Management**

The 'Construction Products Regulations 1991' dictate that oil separators are fitted to surface water drainage systems where there is a risk of oil contamination to protect the environment from pollution.

The Council has oil separators installed in a number of its public car parks and Traveller's sites and has arrangements in place to ensure that these are emptied on an annual basis.

To comply with the 'Hazardous Waste Regulations 2005' the Council is registered as a producer of hazardous/special waste to dispose of waste from oil separators.

### **3.21 Water Hygiene and Safety**

Under the 'Control of Substances Hazardous to Health Regulations 2002' (COSHH) pathogenic bacteria, including Legionella are deemed to be "substance hazardous to health". The Council has a duty to identify and assess the sources of risk, prepare a course of action for preventing or controlling the risk and implementing and managing the scheme.

The Council has carried out risk assessments to determine if the water systems including the equipment associated with the systems such as pumps and showers are likely to create a risk.

## **4.0 Environmental Performance**

The Council is committed to managing its land and properties in an environmentally sustainable way and to improving the energy efficiency of all its properties.

The Council has implemented a number of energy saving measures, including the following:

- purchase of green electricity produced from sources that produce a minimal negative impact upon the environment;
- installation of photovoltaic solar panels in some public conveniences to provide hot water;
- fitting low volume spray taps on hand basins and water saving devices to WC's;
- use of solar control film to reduce solar heat gain;
- fitting photocells to switch off interior lights when daylight is adequate;
- fitting passive infra-red presence detectors to allow automatic control in areas that are not in permanent use;
- installing time controllers to allow heating and water to be turned off or down during unoccupied periods;
- installation of thermostatic radiator valves;

When air conditioning or heating systems are replaced the Council will use energy efficient systems to provide a more cost effective and environmentally friendly solution to save on energy costs and reduce its carbon footprint.

The Council also has an Environmental Policy aimed at adopting environmentally friendly working practices as part of the management and maintenance of its land.

#### **4.1 Energy Performance Certificates**

Energy Performance Certificates have been introduced to help improve the energy efficiency of buildings. They are required when a building is built, sold or rented out and the Council must provide a copy to prospective tenants before any tenancy agreement is signed.

The certificate is valid for ten years and provides 'A' to 'G' ratings for the building with 'A' being the most energy efficient and 'G' being the least, with average now being 'D'.

The certificate also includes recommended measures that could improve a building's energy performance and the Council intends to implement these where possible.

#### **4.2 Display Energy Certificates**

Display Energy Certificates are required to raise public awareness of energy use and to inform visitors to public buildings about the energy use of a building.

Display Energy Certificates are required for buildings with a gross floor area over 500 m<sup>2</sup> and are valid for 10 years.

Display Energy Certificates for buildings with a gross floor area over 1000m<sup>2</sup> are valid for one year and need to be updated annually.

The Council's main offices had an energy rating of 'D' in 2021

## 5.0 **Land and Property Management Information**

### 5.1 **Asset Register**

To comply with financial reporting requirements the Council's Financial Services team maintain an asset register that includes details on vehicles, plant, equipment, IT, street furniture, fixtures and fittings, as well as land and property assets.

In addition to the asset register, the Council's Facilities Management Service are finalising comprehensive corporate asset management database and as part of this will collate and update on an ongoing basis, information on all Council land and property assets. The database will assist with day-to-day land and property management and detail information on use, sufficiency, suitability, condition and compliance with statutory regulations. The information will also be used to assist with the asset management programme, help identify potential efficiencies and inform decisions about investment and disposal of land and property.

The asset management information will also:

- identify costs associated with owning and maintaining each property;
- record land and property data including values, condition and maintenance requirements;
- record management information details including site and building layout plans, area photos and service contract details; and
- record lease agreement information to include length of term and termination notice period, any break clause rights, rent review arrangements, service charges and insurance payments.

### 5.2 **Property Terrier**

The Council records all of its land and property ownership interests on a 'Geographical Information System' (GIS) known as the 'Property Terrier'. The database contains both spatial and factual information relating to each individual ownership or lease.

### 5.3 **Registration of Land Holdings**

The Council has registration of all land holdings in its ownership with the Land Registry and this up-to-date information will be recorded on the Council's GIS Property Terrier system.

## 6.0 **Public Open Space**

### 6.1 **Section 106 Agreements**

Section 106 of the Town and Country Planning Act 1990 allows the Council to enter into a legally-binding agreements or planning obligations with landowners in association with the granting of planning permission. As part of the Section 106 agreement the landowner is required to provide contributions towards the provision of infrastructure and community facilities required as a result of the development taking place.

The expectation is that planning obligations will be focused on delivering affordable housing, on-site infrastructure required by a development scheme (including open space), on-going maintenance charges, and specific mitigation measures to enable particular developments to come forward. Financial contributions can also be provided to the Council in lieu of on-site open space provision for residential developments.

## **6.2 Adoption of Public Open Space**

As part of the Council's planning policy relating to new residential developments it will look to secure on-site provision of new informal open space and play areas. Where a site is too small for meaningful provision, the Council will seek a financial contribution in lieu of public open space.

Developers may make their own arrangements for the maintenance of open space or look to transfer ownership and future maintenance to the Council.

Where developers wish to transfer ownership and future management of public open space and/or play areas to the Council they will be required to pay a commuted sum based on a rate of charges, that is updated on an annual basis, to cover the cost of future maintenance costs.

These charges have recently been reviewed to ensure that they reflect the actual cost of maintaining public open space.

Given the costs associated with maintaining public open space, the Council may look to the developer to agree adoption and maintenance with the local Parish or Town Council, if possible, to keep revenue costs to a minimum. The developer may also give consideration to appointing a management company or alternatively it could establish a Trust comprised of residents/householders to manage the public open space. The Council would need to be assured of the long-term viability of this option.

Where the developer has gone into liquidation, and no enforcement action can be taken against the developer or their successors in title, the Council will consider the following matters before deciding whether to take ownership of the land:

- operational and cost implications
- existing provision of local open space and/or children's play space; and
- land value/development opportunities

### **6.3 Access/Rights of Way**

The Council may give an easement that grants permission to allow access and/or a right of way over its land. An easement creates an interest that runs with the land and passes to successors in title.

A licence may also be used to grant permission to allow access and/or a right of way over Council land. Unlike an easement, a licence does not create an interest in the land and can be terminated on terms and/or the agreed notice under that licence.

### **7.0 Lease and Licence Agreements**

Lease and license agreements will set out the length of term, rent, rent deposit (if any), appropriate service charges, insurance payments and any other outgoings that the tenant will be responsible for under the agreement.

Where applicable break clauses will also be included in lease and licence agreements to provide the Council with the opportunity to review existing terms such as rental levels.

Where rent review dates are in place, tenants will be contacted six months before the review date and advised accordingly.

Lease and license agreements will clearly state the tenants repairing obligations and these will be appropriate to the length of term and the condition of the premises.

The lease and license agreements will state that tenants are obliged to give the premises back at the end of the agreement in the same condition as it was on occupation. Tenants will be provided with a schedule of condition, to include photographic evidence to ensure that any liabilities for dilapidations can be determined at the end of the tenancy agreement. Six months before the termination date the Council will provide a schedule of dilapidations to enable tenants to carry out any works.

A list of the Council's assets is provided at Appendix A.