

FSPS 07

Ymchwiliad i ddiogelwch tân mewn tyrau
o fflatiau yng Nghymru (sector preifat)

Inquiry into fire safety in high rise blocks
in Wales (private sector)

Ymateb gan: RICS

Response from: RICS

Re: Committee Inquiry into fire safety in high rise blocks in Wales

RICS promotes and enforces the highest professional qualifications and standards in the development and management of land, real estate, construction and infrastructure. Our name promises the consistent delivery of standards – bringing confidence to the markets we serve.

We accredit 118,000 professionals worldwide and represent 4,000 professionals locally. Any individual or firm registered with RICS is subject to our quality assurance. As part of its Royal Charter, RICS has a commitment to provide impartial advice to the Government of the day and has an obligation to bear in mind the public interest as well as the interests of its professionals. RICS is therefore in a unique position to provide a balanced, apolitical perspective on issues of importance to key sectors.

RICS welcomes the opportunity to respond to the Committee Inquiry into fire safety in high rise blocks in Wales. The Grenfell tower tragedy focused global attention on the threat posed by failing fire safety standards. As the need for more high-rise structures increases, across residential and commercial use, the need for a harmonised approach to setting domestic and international standards in fire safety has never been greater.

RICS has engaged with local and international professional bodies and standards setting organisations committed to developing and supporting a shared set of standards for fire safety in buildings. The International Fire Safety Standards Coalition (IFSS) was launched at the United Nations earlier this year and has set about the work of developing high level principles in this area. The collaborative work undertaken by the coalition is expected to continue into 2019 and will be valuable for the Welsh Government upon publication.

Our response to the initial committee inquiry is as follows:

1. How has the private sector responded to concerns about fire safety in high rise residential blocks?

Following the tragedy at Grenfell tower in June 2017, private sector professionals have been engaged in a robust programme of work to assess the safety of individual blocks under their maintenance. This has involved engagement with tenants and statutory authorities to secure high-rise residential blocks, test a range of building materials, implement improvement works where necessary and reassure occupants about the safety of their homes.

Following initial assessments, where Aluminium Composite Material (ACM) cladding or combustible insulation is believed to be present, building owners and managers have submitted samples for testing to BRE in line with guidance from the Ministry for Housing, Communities and Local Government MHCLG. Where submitted materials have failed testing or raised concerns, owners, managers and landlords have sought professional advice on remediation work under the recommended interim fire safety measures developed by the UK Government.

RICS remains concerned that there is anecdotal evidence to suggest that over 14 months after Grenfell, there may still be high-rise buildings which have not yet been assessed. Generally, however, local authorities and Fire and Rescue Services have been thorough in identifying buildings with higher risk profiles.

In all high-rise buildings, regardless of testing results, owners and managers have been reassessing Fire Risk Assessments, ensuring that no recommendations have been overlooked and that sites are fully secure. This has been a significant body of work, however the timescale for full remediation remains a concern.

2. What is the extent of remedial work that needs to be done to meet fire safety standards in Wales, and what arrangements are in place to cover the costs?

Remedial works necessary to meet interim fire safety standards will vary building by building. In some cases, the improvement works will be significant and may include entirely stripping ACM cladding in addition to combustible insulation. This will come alongside other works such as installing new sprinkler systems, replacing fire doors etc.

In the public sector, the UK government has committed £400m for remedial works undertaken in England. An initial assessment of high-rise buildings in Wales found that fifteen used ACM cladding – three public sector and twelve private sector blocks. The Welsh Government has committed £3m to remove ACM cladding from those social housing blocks discovered in Newport which have also been refitted with sprinkler systems and fire alarms.

Establishing liability in the private sector has been a more difficult challenge. Given variation in tenancy arrangements, management contracts and disputes over communal areas, the situation has been complex. In a number of cases already heard by the First Tier Tribunal, the pattern of decisions has been to hold leaseholders responsible for costs. These costs can escalate up to £35K for an individual apartment and have become a significant barrier to advancing remedial works for landlords and owner occupiers.

3. How are leaseholders / residents in Wales being informed about recent developments and reassured about fire safety measures in their block? More broadly, to what extent are residents' views about fire safety being listened to and addressed.

Leaseholders and residents are likely to be informed about developments on a case by case basis, based on the information available to management agents.

There are concerns about the consistency of information and communication available to leaseholders and residents in high-rise blocks about testing, ongoing works and security of the site. Many management agents have taken a strong proactive position on communication but this has not been universal.

4. What, if any, additional practical or financial support is needed from the Welsh or UK Governments to help ensure high rise blocks are safe.

Funding from the Welsh Government to support the removal of ACM cladding and combustible insulation from social housing high-rise buildings in Newport has been a welcome resource. Similarly, the allocation of £400m from the UK Government for public sector work in England has allowed work to commence in earnest.

The primary challenge remains supporting remedial work in the private sector where leaseholders are struggling to raise the necessary finance to make units fire safe.

Consideration may be given to the introduction of a loan scheme to progress private sector work. The Australian state of Victoria announced plans for a Cladding Rectification Agreement Scheme last month which would make low-interest loans available to leaseholders to carry out remedial work. These loans are to be repaid through council rates over a minimum period of ten years and are transferrable to new owners if a property is sold in the interim period.

Any loan scheme will present its own challenges, particularly for those leaseholders on low incomes or with already high rates bills. If attached to the property for a significant period, there may be further issues with devaluation at the point of resale. Such a scheme would, however, allow work to be advanced more quickly without an immediate additional burden on leaseholders.

RICS remains engaged with the International Fire Safety Standards Coalition to develop high level principles to address these issues. That work will continue into 2019.

We would be happy to offer further assistance or clarification on any of the points raised in this submission. If you have any queries, please do not hesitate to contact me directly.