



## DEBATE PACK

Number CDP 2020/0015, 24 January 2020

# Fire risk in flats and shared housing

A debate will be held in Westminster Hall at 9.30 am on Tuesday 28 January 2020 on fire risk in flats and shared housing. The debate will be opened by Matt Rodda MP.

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The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

# 1. Background

On 28 January 2020 at 9.30am Matt Rodda MP will open a Westminster Hall debate on fire risk in flats and shared housing. In a previous debate on the Grenfell Fire Public Inquiry on 21 January, Mr Rodda highlighted concern about fire safety risks in residential buildings that fall below the 18m level (the level initially covered by the work after Grenfell to identify high-risk buildings with ACM). He also noted, with regard to fire safety, “potentially dangerous houses in multiple occupation where terraced houses are divided up into maybe two or three flats.”<sup>1</sup>

## 1.1 Fire Safety and Building Regulations

Any new-build or refurbished building must comply with the [Building Regulations 2010](#) (as amended). The technical requirements for new construction that must be met under the regulations are set out in [Approved Documents](#). These provide practical guidance on how to comply with the requirements of the regulations, and also reference more detailed British Standards and other guidance. Approved Document B deals with fire safety.

Compliance with building regulations is monitored by either local authority building control or an independent inspector. Local Authorities are responsible for enforcement.

Fire safety law and responsibilities are governed by the [Regulatory Reform \(Fire Safety\) Order 2005](#). The 2005 Order applies to all non-domestic premises, including communal areas of flats. The Order designates those in control of premises as the responsible person for fire safety and this duty normally falls on landlords, building owners or building managers. They have a duty to ensure that a risk assessment is carried out to identify hazards and risks, and remove and reduce these as far as possible. The responsible person then ensures a set of appropriate measures are in place to achieve fire safety. Government [Guidance](#) sets out how fire risk can be assessed. The fire risk assessment may be affected by any new issues that arise during the building’s lifetime. The order is enforced by the local fire authority. Compliance with the fire safety order is ongoing whereas compliance with building regulations relates to new or refurbished buildings at the time of the work (or when approval was granted).

The Government intend to amend the [Regulatory Reform \(Fire Safety\) Order 2005](#) in the current session. Further information about this is set out in section 3 below.

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<sup>1</sup> [HC Deb 21 January 2019 c255](#)

## 2. Building Safety Programme

Following the Grenfell Tower fire in June 2017, the Government set up a Building Safety Programme under the then Department for Communities and Local Government.

The then Government (under Prime Minister May) appointed an expert panel, chaired by Sir Ken Knight, former London Fire Commissioner and former Government Chief Fire and Rescue Adviser, to advise the Government on immediate measures needed to ensure building safety and to help identify buildings of concern. The independent panel advised the government to undertake identification screening of residential buildings over 18 metres tall to identify the type of aluminium composite material (ACM) used. Testing was undertaken by the Buildings Research Establishment (BRE). The Expert Panel published a set of advice notes on the issues raised on this and wider building safety issues as they arose.

The Government has published [consolidated advice for building owners](#) (20 January 2020) using and updating these advice notes. A single set of advice had been an 'ask' from a number of MPs and those involved in building safety. The new set of guidance covers issues such the general approach building owners should be taking with regard to fire risk (including those under 18m), as well as specific advice on ACM cladding, High Pressure Laminate (HPL) panels, balconies and fire doors.

The Ministry of Housing, Communities and Local Government (MHCLG) releases a monthly Building Safety Programme bulletin which contains data on progress in identifying high-rise residential buildings with unsafe ACM cladding combinations. The January 2020 bulletin notes that, as at 31 December 2019:

- 135 high-rise residential and publicly-owned buildings in England have finished remediation works to remove ACM cladding systems (including 68 social sector residential buildings, 23 private sector residential buildings and 35 student residential buildings).
- 315 high-rise residential and publicly-owned buildings with ACM cladding systems unlikely to meet Building Regulations are yet to be remediated (including 91 social sector residential buildings, 174 private sector residential buildings, 18 student residential buildings, 25 hotels and 7 publicly owned buildings).
- In the social sector 77 of the 91 buildings have started remediation work. The release provides further detail on the progress of remediation and the local authority areas where the buildings are located.

The release also contains data on applicants to the private sector remediation fund.<sup>2</sup>

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<sup>2</sup> MHCLG, [Building Safety Programme: Monthly Data Release](#), 31 December 2019

## 2.1 Hackitt Review and Buildings Regulation Reform

The Library briefing paper [Building Regulations and Safety: Review and Reforms](#) (May 2019, but contains brief updates to December 2019) provides an overview of the interim and final Hackitt report (a review of building regulations and fire safety following the Grenfell fire), the Government's implementation plan, the related report from the Housing, Communities and Local Government Committee, changes to Approved Document B (on fire safety), the 'Cladding Ban' (combustible materials on external walls of buildings over 18m) and building safety related consultations.

## 3. Latest Government Position on Building Safety

In the Queen's Speech in December 2019 the Government announced that it intended to introduce a Building Safety Bill in this session that would "Put in place new and enhanced regulatory regimes for building safety and construction products, and ensure residents have a stronger voice in the system." A Fire Safety Bill was also announced that would "Implement the relevant legislative recommendations of the Grenfell Tower Public Inquiry Phase 1 Report" and "Put beyond doubt that the Fire Safety Order will require building owners and managers of multi-occupied residential premises of any height to fully consider and mitigate the risks of any external wall systems and fire doors." The [Government's background briefing notes](#) provide more detail. Neither Bill has been published to date, but on 20 January the Government indicated that the Fire Safety Bill would come forward 'very shortly'.<sup>3</sup>

On 20 January 2020 the Secretary of State for Housing, Communities and Local Government, Robert Jenrick, [made an oral statement to the House](#) on building safety highlighting:

- the establishment of a new building safety regulator,
- likely proposals to change sprinkler requirements,
- a consultation on lowering the level for banning combustible material on external walls,
- publishing updated and consolidated advice for building owners,
- clarified advice on ACM panels and fire doors,
- comments on the speed of remediation in high rise buildings with ACM and wider funding for cladding issues.

His statement as follows provided more detailed information:

With permission, Mr Speaker, I would like to update the House on the major package of reforms to the building safety system that I am announcing today.

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<sup>3</sup> [HC Deb 20 Jan 2020 c27](#)

The Government are committed to bringing about the biggest change in building safety for a generation. We took action to address the fire safety risks identified following the Grenfell Tower tragedy, and in the autumn we committed to adopting in full the recommendations of the Grenfell Tower inquiry phase 1 report. We will shortly publish our response to the phase 1 report, and a full debate is scheduled tomorrow for the House to discuss this important issue at length. The focus of this statement will be on the wider programme of building safety reforms and the work that I am leading to ensure that everyone is safe, and feels safe, in their own home.

The Government have already taken steps, including on aluminium composite material remediation, to tackle fire safety, but as that work continues, it becomes ever more evident that problems have developed over many decades, leading to serious incidents and the risk of further loss of life. This is completely unacceptable. It is clear that the problems will take many years to put right, but all of us—building owners, the construction industry, local authorities, the fire service and the Government—have an absolute duty to ensure that action continues to be taken as quickly as possible so that a tragedy such as the one at Grenfell Tower can never happen again.

There has been progress, but it has been unacceptably slow, so today I am setting out reforms that go further, and I intend to ensure that they do so faster. First, we will begin immediately to establish the new building safety regulator. This new regulator will be established within the Health and Safety Executive, which is an experienced regulator and is committed to introducing the new regulatory regime at pace. Ahead of legislation, the regulator will initially be in shadow form, and I am pleased to announce that Dame Judith Hackitt will chair a board to oversee the transition to this new regime. I expect the shadow regulator to be established within weeks, and we will be recruiting the first national chief inspector of buildings.

Secondly, our consultation on sprinklers and other measures for new build flats has now closed. I am carefully considering the responses and evidence received, but I can inform the House today that I am minded to lower the height threshold for sprinkler requirements in new buildings from 18 metres to 11 metres. Subject to further consideration, I will set out my detailed proposals in that respect in February.

Thirdly, we banned the use of combustible materials in the external walls of high-rise buildings in December 2018. My Department concluded a review into the ban's effectiveness, and today I am announcing a consultation on the ban, again going significantly further, including by lowering the 18 metre height threshold to at most 11 metres.

Fourthly, my Department, with support from the independent expert advisory panel, has provided advice for building owners on the steps they should be taking to address a range of safety risks. We have listened to feedback, and I am today publishing updated advice that will provide the further clarity they have sought. This advice brings together 22 separate advice notes into one consolidated document.

There is evidence that there has not been enough focus among building owners on buildings below 18 metres. The expert panel has decided to clarify that more action is needed to review the risks in buildings below 18 metres, and owners of those buildings

should review the advice and take action where needed. I want to be clear with the House that it has never been the case that, simply because a building is below 18 metres, owners are exempt from ensuring the safety of their residents. The requirement on building owners is to make sure buildings of any height are safe, and I expect all owners to be acting responsibly.

The panel's new advice makes clear that ACM cladding with an unmodified polyethylene core should not be used on buildings of any height. This reflects the evidence from the materials research programme, which to date has confirmed that ACM presents a much higher risk than any other materials tested when used on the external walls of buildings.

The consolidated advice note also clarifies the actions building owners should now take in relation to fire doors. I welcome the commitment from members of the Association of Composite Door Manufacturers to work with building owners to remediate their doors that have failed tests, and we will continue to monitor the situation closely.

Fifthly, I am today publishing a call for evidence seeking views on the assessment and prioritisation of risks associated with external wall systems, such as cladding, within existing buildings. For many years, we have relied on crude height limits with binary consequences, and it is clear to me that this approach to assessing risk does not reflect the complexity of the challenge at hand. I have concluded that we need a better, more sophisticated system to underpin our approach. Height will remain a significant and material factor, but it will sit alongside a broader range of risk factors. I am therefore today commissioning leading experts in the field to develop, as quickly as possible, a sophisticated matrix of risk that will replace the historic system and underpin our approach to future regulatory regimes.

Sixthly, while I welcome recent progress, remediation of unsafe ACM cladding, especially in the private sector, is still far too slow. This absolutely cannot continue, particularly when funding is now being provided by the taxpayer. Although all unsafe ACM cladding now has mitigation safety measures in place where required, I do not underestimate the concern of residents living in buildings where remediation has not even started.

The latest data show that, out of 92 buildings in scope, 82 applications have been made to the private sector ACM cladding remediation fund, and that the 10 for which applications have not been made have exceptional circumstances, which I have reviewed. However, an application to the fund is not an end in itself; that can never be sufficient. Construction work to remediate these buildings should be proceeding as quickly as possible. We will therefore be appointing an independent construction expert to review remediation timescales and identify what can be done to increase the pace in the private sector.

Inaction must have consequences. From next month, I will name those responsible for buildings where remediation has not started and remove them from the public list only when it has. My Department will be working with the relevant local authorities to drive enforcement where necessary. The Home Secretary will deliver the fire safety Bill and associated regulatory changes in order to enable delivery of the recommendations of the Grenfell inquiry phase 1 report. The proposed Bill will place beyond doubt that external wall systems, including cladding and the fire doors to individual flats in multi-occupied residential blocks, fall within the

scope of the Regulatory Reform (Fire Safety) Order 2005. These changes will affirm the ability to enforce locally against building owners who have not remediated unsafe ACM buildings. Building owners and developers who have not already taken action must do so now. Further delay is not acceptable.

Finally, I am aware of the concerns of leaseholders about meeting the cost of remediation. As I do not want cost to be a barrier to remediation, I am considering, with Her Majesty's Treasury, options to support leaseholders. My right hon. Friend the Chancellor and I will set out further details in due course.

The safety of people in their homes is paramount. Through the reforms that I have outlined today, I want to make it clear that this Government will not falter in doing whatever it takes to ensure that all buildings and all residents are made safe. I commend this statement to the House.

## 4. News items

FT

### **New fire safety certificate to unlock UK high-rise flat market**

16 December 2019

<https://www.ft.com/content/a779bc6a-1ceb-11ea-9186-7348c2f183af>

Inside Housing

### **Fire service threatens to shut down 13 blocks over dangerous cladding**

11 December 2019

<https://www.insidehousing.co.uk/news/news/fire-service-threatens-to-shut-down-13-blocks-over-dangerous-cladding-64493>

BBC News Online [Scotland]

### **High-rise residents to get post-Grenfell fire safety advice**

4 December 2019

<https://www.bbc.co.uk/news/uk-scotland-50658393>

Inside Housing

### **More than 100,000 medium-rise buildings outside scope of fire safety measures, minutes reveal**

22 November 2019

<https://www.insidehousing.co.uk/news/news/more-than-100000-medium-rise-buildings-outside-scope-of-fire-safety-measures-minutes-reveal-64231>

Inside Housing

### **Timber fires spark calls for sprinklers to be installed in all new residential blocks**

13 September 2019

<https://www.insidehousing.co.uk/news/news/timber-fires-spark-calls-for-sprinklers-to-be-installed-in-all-new-residential-blocks-63124>

Times [subscription]

### **Post-Grenfell fire safety rules 'to cost tower owners billions'**

26 August 2019

<https://www.thetimes.co.uk/article/post-grenfell-fire-safety-rules-to-cost-tower-owners-billions-kd5c86pkm>

BBC News Online

**Housing association residents 'refused' fire assessments**

9 August 2019

<https://www.bbc.co.uk/news/uk-england-london-48584047>

## 5. Press releases

### **London Fire Brigade**

#### **Response to statement from Secretary of State for Housing, Communities and Local Government Robert Jenrick**

**21/01/2020**

Responding to the announcement made by the Secretary of State for Housing, Communities and Local Government, Robert Jenrick, in the Commons on Monday 20 January, London Fire Brigade's Assistant Commissioner for Fire Safety, Dan Daly, said:

London Fire Brigade welcomes the announcement on building safety made by the Secretary of State.

In our response to Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety, we called on the Government to design a new building safety regulatory system to prevent tragedies, rather than reacting to them.

The proposal to introduce sprinklers into new builds above a height of 11 metres, down from the current threshold of 30 metres, is a massive step in the right direction and something we called for and fully support.

It is also right that action is taken to name and shame building owners who are putting residents at risk by not removing dangerous cladding.

While the measures being taken are a step in the right direction, there is still much more detail needed before we are satisfied that the fundamental change required has been delivered.

### **Local Government Association**

#### **LGA responds to building safety announcements**

**20 Jan 2020**

*Lord Porter responds to the latest building safety announcements made by Communities Secretary Robert Jenrick*

Responding to building safety announcements by Communities Secretary Robert Jenrick today, the Local Government Association's building safety spokesman Lord Porter, said:

It is good that the Government is looking at lowering the height requirement at which combustible cladding is banned on new buildings and accepted our call to ensure that building safety reforms protect residents in all vulnerable buildings, such as hospitals, residential schools and care homes.

The LGA has long-warned about the need for building safety reforms to avoid creating a two-tier building safety system which leaves buildings under 18 metres vulnerable and unprotected. The height of a building does not provide any indication about the risk

to its safety, as has been proven by recent dangerous fires in buildings below 18 metres.

We are also pleased the Secretary of State has said he is minded to lower the height at which sprinklers are required in new buildings, which is currently too high at 30 metres, as this is something the LGA has also called for. Height alone should not determine whether sprinklers should be fitted, as some buildings, such as care homes, house particularly vulnerable people and we urge the Government to make this change as quick as possible and fund the retrofitting of sprinklers using a risk-based approach.

People need to be able to sleep safely at night in their homes. Councils continue to do all they can to protect residents and ensure private landlords quickly act to make their buildings safe and the LGA is working with MHCLG to support council enforcement against those who fail to act through the Joint Inspection Team.

ACM is not the only cladding system that poses a risk to residents and the Government needs to come forward urgently with funding to support the removal of HPL (High Pressure Laminate) and other dangerous systems. It is also important that councils and fire and rescue services are given a leading role in ensuring any new building safety system works and we stand ready to work with the HSE and the Government to deliver the much-needed reform to ensure residents are safe and feel safe.

## **Ministry of Housing, Communities & Local Government**

### **New measures to improve building safety standards**

**20 January 2020**

Housing Secretary Robert Jenrick has announced new measures which go faster and further to improve building safety

- Government committed to delivering the biggest change in building safety for a generation
- Housing Secretary announces the new Building Safety Regulator within the Health and Safety Executive, to be established immediately
- Government sets out clarified and consolidated advice for building owners, proposal to extend cladding ban, update on fire sprinklers
- Response to Phase 1 of the Grenfell Tower Public Inquiry published
- Building owners who have not taken action to make their buildings safe will be named from next month

The slow pace of improving building safety standards will not be tolerated, the Housing Secretary Robert Jenrick warned today (20 January 2020), as he announced measures that go further and faster to ensure residents are safe in their homes.

To give effective oversight of the design, construction and occupation of high-risk buildings – a regulator will be at the heart of a new regime – and established as part of the Health and Safety Executive (HSE).

Building owners are responsible for ensuring their buildings are safe and where there is no clear plan for remediation, the government will work with local authorities to support them in their enforcement options.

Speaking in the House of Commons, Mr Jenrick also made clear that from next month he will start to name building owners where remediation has not started to remove unsafe Aluminium Composite Material (ACM) cladding from their buildings.

While government action in this area has led to considerable progress to remove unsafe cladding, there are still some building owners who have been too slow to act.

Mr Jenrick confirmed the government will consult on extending the ban on combustible materials to buildings below 18 metres and we will seek views on how risks are assessed within existing buildings to inform future policy.

The package comes as the Prime Minister has written to the chairman of the Grenfell Tower Public Inquiry, Sir Martin Moore-Bick, updating him on the government's response to Phase 1.

The Prime Minister and Housing Secretary also met with bereaved, survivors and residents of the Grenfell Tower fire in Downing Street last week.

Housing Secretary Rt Hon Robert Jenrick MP said:

The government is committed to bringing about the biggest change in building safety for a generation.

Progress on improving building safety needs to move significantly faster to ensure people are safe in their homes and building owners are held to account.

That's why today I'm announcing a major package of reforms, including establishing the Building Safety Regulator within the Health and Safety Executive to oversee the new regime and publishing consolidated guidance for building owners.

Unless swift progress is seen in the coming weeks, I will publicly name building owners where action to remediate unsafe ACM cladding has not started. There can be no more excuses for delay, I'm demanding immediate action.

Today's package of measures includes:

#### *Building Safety Regulator*

The Health and Safety Executive (HSE) will quickly begin to establish the new regulator in shadow form immediately, ahead of it being fully established, following legislation.

It will raise building safety and performance standards, including overseeing a new, more stringent regime for higher-risk buildings.

With a strong track record of working with industry and other regulators to improve safety, they will draw on experience and the

capabilities of other regulators to implement the new regime. Dame Judith Hackitt will chair a Board to oversee the transition.

Chair of the Health and Safety Executive, Martin Temple said:

We are proud the government has asked HSE to establish the new Building Safety Regulator.

HSE's vast experience of working in partnership with industry and others to improve lives will ensure people are confident the creation of the new regulator is in good hands.

#### *Advice on building safety for multi-storey, multi-occupied buildings*

Recent high-rise fires, including that in a block of student flats in Bolton in November 2019, have highlighted that many building owners have still not taken sufficient measures to ensure the safety of residents in buildings at all heights.

The government appointed independent expert advisory panel (IEAP) has clarified and updated advice to building owners on actions they should take to ensure their buildings are safe, with a focus on their external wall systems, commonly referred to as cladding.

This [consolidated advice](#) simplifies the language, consolidates previous advice into one place, and – vitally – makes clear that building owners need to do more to address safety issues on residential buildings under 18 metres.

It additionally reflects the independent panel view that cladding material comprised of ACM (and other metal composites) with an unmodified polyethylene core should not be on residential buildings of any height and should be removed.

A [call for evidence](#) will also be published, seeking views on the assessment of risks within existing buildings. This important step will help to gather ideas and lead to research which will provide a firm evidence base to guide decisions for both existing buildings and future regulatory regimes.

#### *Fire doors*

The consolidated advice also makes clear the actions building owners should take in relation to fire doors.

The government welcomes the commitment by the Association of Composite Door Manufacturers to work with building owners to remediate their doors which failed tests.

We will continue to monitor the situation closely to ensure that this commitment is followed through.

#### *Remediation of buildings with ACM cladding*

To speed up remediation, we will be appointing a construction expert to review remediation timescales and identify what can be done to improve pace in the private sector.

To ensure cost is not a barrier to remediation, the government is considering different options to support the remediation of buildings.

We are examining options to mitigate costs for individuals or provide alternative financing routes.

#### *Combustible cladding ban*

The government has also launched a [consultation into the current combustible cladding ban](#), including proposals to lower the 18 metre height threshold to at least 11 metres.

#### *Sprinklers*

The government's [consultation on sprinklers and other measures for new build flats](#) concluded on 28 November 2019.

We have proposed lowering the height threshold for sprinkler requirements in new buildings and will set out detailed proposals on how the government will deliver the technical review of fire guidance in February.

#### *Fire Safety Bill*

The government has also set out further details of the upcoming Fire Safety Bill being introduced to Parliament, which we set out in more detail in our response to the Public Inquiry Phase 1 recommendations.

This will clarify the Regulatory Reform (Fire Safety) Order 2005 – ‘the Fire Safety Order’ - requiring residential building owners to fully consider and mitigate the risks of any external wall systems and front doors to individual flats.

The changes will make it easier to enforce where building owners have not remediated unsafe ACM by complementing the powers under the Housing Act.

## **Ministry of Housing, Communities & Local Government**

### **Sprinkler review for high-rise homes**

#### **5 September 2019**

*Proposals would ensure more sprinklers in new high-rise blocks of flats.*

Thousands of residents will benefit from safer homes under proposals that would see sprinklers installed in new high-rise blocks of flats, the government announced today (5 September 2019).

The proposals are an important step forward in the government's commitment to ensuring residents are safe in their homes.

The government is consulting on reducing the building height for when sprinklers are required from the current 30 metres (approximately 10 floors) and above to 18 metres (approximately 6 floors) or other relevant thresholds.

And a new Protection Board is being set-up immediately with the Home Office and National Fire Chiefs Council to provide further reassurance to

residents of high-risk residential blocks that any risks are identified and acted upon.

The Communities Secretary has made up to £10 million a year of funding available to support the Board who will provide expert, tailored building checks and inspections, if necessary, on all high-risk residential buildings in England by 2021.

The Board will operate until a new building safety regulator is established to oversee the new regulatory regime for buildings and legislation on a new building safety regime is introduced.

Their work will ensure building owners are acting on the latest safety advice and keeping residents updated and that interim measures are in place in all buildings with unsafe aluminium composite material (ACM) cladding.

This work will be informed by current data collection work of local authorities to identify types of cladding on high-rise residential buildings, for which government is providing an additional £4 million funding.

As of 12 September, the government is opening the application process for the £200 million fund to accelerate the pace of the removal and replacement of unsafe ACM from privately-owned buildings.

The Secretary of State for Housing, Rt Hon Robert Jenrick MP said:

Residents' safety is our utmost priority and we are making vital improvements to ensure buildings are safe.

I have listened to concerns on sprinklers from residents and building owners and our proposals are an important step forward in shaping the future building safety standards.

The new Protection Board will make sure building owners don't flout the rules, as well as ensuring fire safety risks in other buildings are being addressed.

Speaking on the £200 million of funding for private building owners to remove unsafe cladding the Secretary of State said:

Government funds are available for private building owners to remove and replace unsafe ACM cladding, and let me be clear, inaction will have consequences and I will name and shame those who do not act during the course of the autumn.

There is no excuse for further delay – and for building owners to fail to take action now would be frankly disgraceful.

The 12-week fire safety consultation on sprinklers and other measures forms part of the first proposed changes to building regulations in England covering fire safety within and around buildings.

It also seeks views to introduce an emergency evacuation alert system for use by fire and rescue services, alongside other fire safety measures.

Building Safety Minister Lord Younger said:

I'm determined to ensure buildings across the country are safe for residents and the opening of our private sector fund and commitment to new building safety legislation is an important step in driving that forward.

This government is acting and I'm calling on all building owners and developers to step up and make any changes needed to ensure their buildings are safe.

### *Approved Document B consultation*

In December 2018, the government issued a call for evidence on the technical review of Approved Document B of the building regulations. A [summary of the responses](#) to the call for evidence has been published alongside this consultation.

See details of the [consultation](#)

This consultation will run from 5 September 2019 to 28 November 2019.

## **Home Office**

### **Home Office launches call for evidence on fire safety**

**6 June 2019**

The government is seeking views on the Regulatory Reform (Fire Safety) Order 2005, which underpins fire safety in non-domestic premises.

Employers and business owners are being asked for their views on fire safety in workplaces in England as part of a Home Office call for evidence launched today.

The Home Office is seeking feedback on the Regulatory Reform (Fire Safety) Order 2005, which underpins fire safety in business premises, such as offices, warehouses, shops and commercial venues, to ensure it is fit for purpose.

The call for evidence follows publication last year of Dame Judith Hackitt's Independent Review on Building Regulation and Fire Safety, which was commissioned by the government after the Grenfell Tower fire.

The order places legal duties on those responsible for the safety of people using business premises. This is typically an employer or business owner, who must carry out fire risk assessments and ensure the safety of staff and others.

Minister for Policing and the Fire Service Nick Hurd said:

The Grenfell Tower fire was an unimaginable tragedy and we are determined to do everything we can to stop it ever happening again.

The government is making good progress on improving the safety of high-rise flats, but we must also look at the wider building safety landscape, including the places where we all work.

To help keep people safe, we want to ensure the Fire Safety Order is fit for purpose. To do this, we need to understand how it is working on the ground and make informed decisions in the future.

The order covers all non-domestic premises, as well as the parts of residential buildings used in common, such as corridors and stairwells.

Under the order, those responsible for fire safety in regulated premises include employers, business owners, landlords, occupiers and anyone else in control of the premises, such as building and facilities managers.

The order also applies to anyone with paying guests, including those who run bed and breakfasts, guesthouses or let self-catering properties, as well as hotels.

All of these 'responsible persons' are being urged to respond to the call for evidence.

Their responsibilities include:

- carrying out a fire risk assessment of the premises and reviewing it regularly
- telling staff or their representatives about the risks identified
- putting in place and maintaining appropriate fire safety measures
- planning for an emergency
- providing staff information, fire safety instruction and training

The call for evidence will run for eight weeks until 31 July 2019, and an analysis of responses will be published and inform the government's next steps later this year.

It complements the government's consultation, Building a Safer Future, which is also launched today. Led by the Ministry for Housing, communities and local government, the consultation outlines how the government proposes to take forward meaningful legislative reform in the building safety regulatory system.

See more information on the [call for evidence here](#) and on the [Building a Safer Future consultation here](#).

## 6. Parliamentary material

### Debates

**Commons debate: Grenfell Tower Inquiry: Phase 1 Report**

**HC Deb 21 January 2020 | Vol 670 c221-**

<http://bit.ly/30F7mOu>

**Lords debate: Grenfell Tower Inquiry: Phase 1 Report**

**HL Deb 31 October 2019 | Volume 800 c1034-**

<http://bit.ly/2Nh6N8j>

**Commons debate: Grenfell Tower Inquiry**

**HC Deb 30 October 2019 | Volume 667 c376-**

<http://bit.ly/2WBkiTy>

### Statement

**Statement followed by questions: [Building Safety](#)**

**HC Deb 20 January 2020 | Vol 670 cc23-5**

<http://bit.ly/36eo48D>

### PQs

[Flats. Fire Prevention](#)

**Asked by: Lucas, Caroline**

To ask the Secretary of State for Housing, Communities and Local Government, with reference to the Government's Advice Note on Balconies on Residential Buildings published on 24 June 2019, what steps his Department has taken to ensure that housing providers have (a) made the necessary assessments of their housing stock on combustible material, (b) taken steps to mitigate risks and (c) adequate financial resources to improve standards.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

Building safety is the responsibility of the building owner, and they must remedy any safety risks uncovered. Government have published advice, including on balconies, for building owners on how to ensure safety of

buildings here: <https://www.gov.uk/guidance/building-safety-programme#advice-notes>. Building owners should consider all routes to meet costs, protecting residents where they can – for example through warranties and recovering costs from contractors for incorrect or poor work.

Local authorities and housing associations should contact MHCLG or the Regulator of Social Housing respectively, if carrying out essential fire safety works would affect their financial viability.

**HC Deb 24 January 2020 | PQ 4326**

[Flats: Standards](#)

**Asked by: Doughty, Stephen**

To ask the Secretary of State for Housing, Communities and Local Government, what recent discussions he has had with the devolved Administrations on the (a) fire safety, (b) building quality and (c) integrity of apartment complexes constructed in the UK since 1995.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

The Department is in regular contact with the devolved administration on the subject of Building Regulations including fire safety and building quality.

The devolved administrations are routinely invited and regularly attend meetings of the Building Regulation Advisory Committee where matters in relating to the Building Regulations in England and the United Kingdom are discussed.

**HC Deb 23 January 2020 | PQ 5434**

[Buildings: Safety](#)

**Asked by: Healey, John**

To ask the Secretary of State for Housing, Communities and Local Government, when he plans to publish the Building Safety Bill.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

The Government is committed to bringing forward a Building Safety Bill that delivers meaningful and lasting change as soon as practicable. Resident safety is paramount and we owe it to them to get this right.

The Government will also introduce a Fire Safety Bill in the coming weeks to put beyond doubt that building owners and managers of multi-occupied residential premises of any height are required to fully consider and mitigate the risks of any external wall systems and front doors to individual flats.

**HC Deb 23 January 2020 | PQ 5331**

[Flats: Fire Prevention](#)

**Asked by: Reed, Steve**

To ask the Secretary of State for Housing, Communities and Local Government, pursuant to the Answer of 14 January 2020 to Question 1749, on Flats: Fire Prevention, what information his Department holds on the (a) number and (b) proportion of privately owned apartment blocks where remedial fire safety works other than the remediation of aluminium composite material cladding are being undertaken as a result of safety checks following the Grenfell Tower fire.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

The Department does not hold this data. Building safety is the responsibility of the building owner, and they must remedy any safety risks uncovered.

**HC Deb 20 January 2020 | PQ 3761**

[Flats: Fire Prevention](#)

**Asked by: Reed, Mr Steve**

To ask the Secretary of State for Housing, Communities and Local Government, what information his department holds on the number and proportion of privately owned apartment blocks where remedial fire safety works are being undertaken following safety checks following the Grenfell Tower fire.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

The latest information on remediation progress in privately owned high-rise buildings with unsafe Aluminium Composite Material cladding can be found in the Building Safety Programme monthly data release. This can be found at: <https://www.gov.uk/government/publications/building-safety-programme-monthly-data-release-november-2019>

**HC Deb 14 January 2020 | PQ 1749**

[High Rise Flats: Safety](#)

**Asked by: Reed, Mr Steve**

To ask the Secretary of State for Housing, Communities and Local Government, pursuant to the Answer of 7 January 2020 to Question 117, on High Rise Flats: Safety, where the purpose of the Housing Checks inbox was first set out.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

As noted in the answer to Parliamentary Question 117 on 7 January 2020, following the Grenfell fire the Housing Checks mailbox was established to allow local authorities (LAs) and housing associations (HAs) to report their stock of buildings with unsafe Aluminium Composite Cladding. This mailbox and its purpose was first set out in a letter from our Permanent Secretary to LA Chief Executives and HA Chief Executives on 18 June 2017 which can be found [here](#) .

**HC Deb 14 January 2020 | PQ 1747**

[High Rise Flats: Safety](#)

**Asked by: Reed, Mr Steve**

To ask the Secretary of State for Housing, Communities and Local Government, pursuant to the Answer of 7 January 2020 to Question 117, on High Rise Flats: Safety, whether any other mailboxes were set up by the Building Safety Programme to enable residents to report fire safety concerns in respect of the tower blocks in which they live.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

As noted in the answer to Parliamentary Question 117 on 7 January, following the Grenfell fire the Housing Checks mailbox was established to allow local authorities (LAs) and housing associations (HAs) to report their stock of buildings with unsafe Aluminium Composite Cladding. It was advertised on Gov.UK and we are aware that other organisations and bodies have sent mail to this inbox on housing safety issues. Residents that wish to email the department with concerns on building safety should do so through the online portal:

<https://forms.communities.gov.uk>

**HC Deb 13 January 2020 | PQ 1430**

[High Rise Flats: Insulation](#)

**Asked by: Benn, Hilary**

To ask the Secretary of State for Housing, Communities and Local Government, what plans he has to give financial support to owners of housing blocks clad in HPL to enable the removal of that cladding.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

Government intervention does not remove responsibility for overall building safety from the building owner. We have issued advice (updated in December 2018) to building owners on non-Aluminium Composite Material (ACM) external wall systems and managing the safety of buildings of all heights. Building owners should consider all routes to meet costs, for example through warranties and recovering costs from contractors for incorrect or poor work. Government intervention to provide funding for the removal and replacement of unsafe ACM cladding is based on the unparalleled fire risk ACM poses.

**HC Deb 07 January 2020 | PQ 268**

[Buildings: Insulation](#)

**Asked by: Reed, Mr Steve**

To ask the Secretary of State for Housing, Communities and Local Government, with reference to the fires at Samuel Garside House in Barking Riverside, Beechmere retirement complex in Crewe and Sherbrooke Way in Worcester Park, if his Department will make an assessment of the potential merits of banning the use of timber cladding in residential buildings.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

On 29 November 2018, the Government introduced a ban of combustible materials in the external wall of buildings including blocks of flats, student accommodation and care homes with a storey more than 18 metres in height. The ban requires that all materials which become part of an external wall or specified attachment achieve European Class A2-s1, d0 or Class A1, other than those covered by exemptions. There are currently no timber cladding panels able to achieve this performance.

As stated in the explanatory memorandum the Department intends to review the ban annually through monitoring arrangements and advice from bodies such as Building Regulations Advisory Committee for England.

The Department is currently in the process of reviewing the scope of the ban and will report in due course.

**HC Deb 07 January 2020 | PQ 119**

[High Rise Flats: Safety](#)

**Asked by: Reed, Mr Steve**

To ask the Secretary of State for Housing, Communities and Local Government, how many emails were received by the email address set up to allow tower block residents to report safety fears following the Grenfell Tower fire in each month from its creation to the end of November 2019.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

Following the Grenfell fire the Housing Checks mailbox was established to allow local authorities (LAs) and housing associations (HAs) to report their stock of buildings with unsafe Aluminium Composite Cladding. The inbox was advertised on Gov.uk. We are aware that other organisations and bodies have sent mail to this inbox on housing safety issues. As of November 2019, there were in excess of 9000 emails in the Housing Checks mailbox dating back from June 2017.

We do not record the number of emails received each month from residents to the Housing Checks inbox. Residents with concerns should contact the department through the online portal:

<https://forms.communities.gov.uk>.

**HC Deb 07 January 2020 | PQ 117**

[High Rise Flats: Fire Prevention](#)

**Asked by: Lord Taylor of Warwick**

To ask Her Majesty's Government, following the report of the Public Inquiry into the fire at Grenfell Tower on 14 June 2017 Grenfell Tower Inquiry: Phase 1 Report, published on 30 October, when they plan to introduce new fire safety legislation.

**Answering member: Baroness Williams of Trafford | Department: Home Office**

The Government accepts, in principle, all the recommendations made of central Government in Grenfell Tower Public Inquiry's Phase One report and will work at pace to take these forward. This may include bringing forward legislation ahead of the Bill on building safety standards announced in the Queen's Speech if that would mean the Inquiry's recommendations can be implemented sooner.

We are currently analysing responses to our Call for Evidence on the Regulatory Reform (Fire Safety) Order 2005 and intend to publish a formal response after the General Election.

**HC Deb 05 November 2019 | PQ HL569**

[High Rise Flats: Safety](#)

**Asked by: McCabe, Steve**

To ask the Secretary of State for Housing, Communities and Local Government, how much funding from the affordable homes budget has been allocated to tower block safety measures since the Grenfell fire.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

The government have committed £600 million for the remediation of buildings with unsafe Aluminium Composite Material (ACM) cladding. Of this, £400 million has been allocated from the current Affordable Housing Programme to fund Social Sector Cladding Remediation, and will be returned to the Affordable Housing Programme in 2021/22.

**HC Deb 04 November 2019 | PQ 4253**

[High Rise Flats: Fire Extinguishers](#)

**Asked by: Ali, Rushanara**

To ask the Secretary of State for Housing, Communities and Local Government, with reference to the Answer of 2 July 2019 to Question 270343 on Fire Extinguishers, whether his Department's report referenced in that Answer includes the cost of installing sprinkler systems in new buildings.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

Yes, the second paragraph from the executive summary states the following:

This Final work stream report describes the findings of the research for Work stream 5 – Sprinkler provisions. The guidance in Approved Document B (AD B) currently provides that most buildings over 30 m tall should have sprinkler protection with the exception of purpose groups: 2(a) – residential (institutional), 2(b) – residential (other) and 7(b) – (car parks). The principal aim of this work stream was to produce robust evidence and data to explore the options for fire sprinklers in tall buildings above 30 m not currently requiring sprinklers.

Please note that, since July the Department has published a consultation which outlines the government's intention to amend Approved Document B to reduce the trigger height at which sprinkler systems would be required in new high-rise blocks of flats and asks for views on the trigger height options. The consultation is available at the following and closes on 28 November 2019:

<https://www.gov.uk/government/consultations/sprinklers-and-other-fire-safety-measures-in-new-high-rise-blocks-of-flats>.

**HC Deb 29 October 2019 | PQ 2816**

[Buildings: Insulation](#)

**Asked by: Ali, Rushanara**

To ask the Secretary of State for Housing, Communities and Local Government, whether he plans to provide financial support to leaseholders of properties with flammable cladding that are under 18 metres in height.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

Government intervention to provide £600 million funding for the removal on unsafe Aluminium Composite Material (ACM) cladding on high-rise (over 18 metres) buildings is wholly exceptional. It is based on the unparalleled fire risk ACM poses, very real public safety concerns and the abject failure of many building owners to do the right thing by their residents.

We are focusing on buildings over 18 metres as they are subject to tougher buildings restrictions, as set out in Approved Document B, including restrictions on the types of material that can be used on external wall systems. The Department is currently reviewing Approved Document B, and this guidance is currently out for consultation.

Government intervention does not remove responsibility for overall building safety from the building owner and if fire safety risks are uncovered, they must remedy them.

**HC Deb 29 October 2019 | PQ 2810**

[High Rise Flats: Fire Prevention](#)

**Asked by: Reed, Mr Steve**

To ask the Secretary of State for Housing, Communities and Local Government, whether (a) social tenants and (b) leasehold tenants will be liable for the cost of remedial fire safety in a block of flats housing both groups which is owned by a Housing Association.

**Answering member: Esther McVey | Department: Ministry of Housing, Communities and Local Government**

The government has consistently made clear that building safety is the responsibility of the building owner. Government intervention to provide funding for the removal of unsafe Aluminium Composite Material (ACM) cladding is wholly exceptional, based on the unparalleled fire risk ACM poses.

Government intervention does not remove responsibility for overall building safety from the building owners, and if other fire safety risks are uncovered they must remedy them. Building owners should consider all routes to meet costs, protecting residents where they can – for example through warranties and recovering costs from contractors for incorrect or poor work. The government consulted between June and July on building safety reforms and sought views on ways in which remediation costs could be mitigated. We are considering responses currently and will set out our conclusions by the end of the year.

**HC Deb 25 October 2019 | PQ 2880**

[Buildings: Insulation](#)

**Asked by: Mahmood, Shabana**

To ask the Secretary of State for Housing, Communities and Local Government, whether his Department will be providing financial support to leaseholders replacing flammable cladding on buildings of less than 18 metres in height.

**Answering member: Kit Malthouse | Department: Ministry of Housing, Communities and Local Government**

The Government has committed to fully fund the replacement of unsafe Aluminium Composite Material (ACM) cladding on private sector high-rise (over 18 metres) residential buildings, except where a warranty claim has been accepted. Non-ACM cladding system costs or other structural works not directly related to the remediation of ACM cladding systems will not be part of the fund.

Government intervention to provide funding for the removal of unsafe ACM cladding on private sector high-rise residential buildings is wholly exceptional. It is based on the unparalleled fire risk ACM poses. Buildings over 18 meters tall are classified as high-rise and are subject to tougher building regulation restrictions as firefighting is more complex. This is why the Government has focused on these buildings.

Government intervention does not remove responsibility for overall building safety from the building owner and if fire safety risks are uncovered, they must remedy them, or potentially face enforcement action from the local authority. We have made it clear that building owners should protect leaseholders from bearing the costs of remediation, and that the clearest way to ensure safety is to remove unsafe materials.

**HC Deb 15 July 2019 | PQ 275172**

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