


LONDON BOROUGH OF CAMDEN	WARDS: ALL
REPORT TITLE: Building Safety Act 2022: Implementation	
REPORT OF DIRECTOR OF PROPERTY MANAGEMENT	
FOR SUBMISSION TO: Housing & Fire Safety Advisory Panel	DATE 17 April 2024
<p>SUMMARY OF REPORT:</p> <p>The Council is committed to the highest standards of resident safety as part of its ambition to ensure that Camden has decent, safe, warm, and family-friendly housing to support its communities. This report sets out how the Council is meeting the requirements of the Building Safety Act 2022 as detailed regulations are published by the Government and come into force. The report also describes the changes and investment the Council has made in relation to fire and building safety.</p> <p>Local Government Act 1972 – Access to Information The following documents have been used in the preparation of this report:</p> <p>No documents that require listing have been used in the preparation of this report.</p> <p>Contact Officer: Melissa Dillon, Resident Safety Engagement & Governance Lead.</p> <p>Email: melissa.dillon@camden.gov.uk Tel: 0207 974 3100</p>	
<p>RECOMMENDATIONS</p> <p>The Panel is asked to note the progress to date.</p>	

Signed: 

Director of Property Management

Date: 5th April 2024

1. PURPOSE OF REPORT

- 1.1 The Building Safety Act received Royal Assent in 2022 with detailed provisions to be confirmed by the issue of secondary legislation by government during a transitional period. All the provisions of the Act are in force now, the report advises the Panel of progress in implementing the Act and the Council's compliance against its main requirements.

2. BACKGROUND

- 2.1 Following the publication of her *Independent Review of Building Regulations and Fire Safety* Dame Judith Hackett urged residential building owners and landlords not to wait for legislation to take action to deal with the fire and building safety issues she identified. The Council has taken Dame Judith's advice and since 2017 has been developing and implementing its resident and fire and building safety programmes, adapting and expanding them as Government published legislation, advice, guidance and secondary regulations during a transitional period which concludes this month.
- 2.2 At the time of writing all remaining secondary legislation for the implementation of the Building Safety Act should have been published by Government and/or the Building Safety Regulator; however key outstanding regulatory requirements are currently:

- **Emergency Evacuation Information Sharing**, Government response to 2022 public consultation and confirmation of any guidance or regulations and the buildings that they may apply to.
- **Assessment of Building Safety Risks**. Guidance on what constitutes/satisfies a requirement to 'take all reasonable steps' to assess and manage building safety risk.
- **Building Control Gateway Approval for High-Rise Buildings**
Publication of Gateway 2 & 3 construction & handover stage regulations and how these will apply to works to existing building and new buildings. The Building Safety Regulator must approve construction whilst on site to ensure in line with planning permission & approved fire strategy and approve completed buildings before their handover or occupation.
- **Construction Product Regulation**
The Government has also set up a separate Regulator for Construction products and is due to publish details of the new construction product approval regime and the relationship to building control regulations at some point in 2024.

Links to the Regulation of Social Housing Act 2023

- 2.3 The Housing and Regeneration Act 2008 established consumers standards for the regulation of social housing. These were recently updated by the Social Housing (Regulation) Act 2023 and now include the **Safety and Quality Standard** – which requires landlords to provide safe and good quality homes and landlord services to tenants. The standard has four elements:

2.4 **Stock quality.** Landlord must have accurate, up to date & evidenced understanding of the condition of their homes.

Repairs, maintenance & planned improvements. provide effective, efficient & timely repairs, maintenance & planned improvements service for homes & communal areas.

Decency: Ensure tenants' homes meet the Decent Homes standard.

Health & Safety: Take all reasonable steps to ensure the health & safety of tenants in their homes & associated communal areas.

Adaptations: must assist tenants seeking housing adaptations to access appropriate services.

2.5 In response to the above, and as part of its usual processes, the Council carried out a 100% external and 10% internal stock condition survey in 2023/24. This will help the Council prepare a new asset management strategy in 2024/25 which will set out the Council's approach to meeting this standard.

3.0 MEETING THE REQUIREMENTS OF THE BUILDING SAFETY ACT

3.1 The Council has allocated £4.7m per annum to implement the new safety regulations, in addition to a dedicated budget of £0.515m for the development of a Golden Thread IT platform for the collation and management of building safety information. Since 2017 the Council has allocated over £215m of its own capital funding towards fire safety work. In addition to this £92.2m has been secured to date for cladding remediation across the Chalcots, Cromer and Birkenhead estates.

3.2 Over the last 12 months the Council has implemented a range of new safety measures under the Building Safety Act (BSA) and has worked with the Regulator of Social Housing to address identified fire safety issues. In particular, Camden has agreed an action plan and entered into a Voluntary Undertaking with the Regulator to tackle all remaining overdue fire safety actions and update systems, governance and processes so that new actions are addressed within recommended timescales.

3.3 Council Contract Standing Orders have been updated to make it easier to appoint specialist contractors quickly and complete fire safety actions and other compliance works. There has been significant progress in completing outstanding high-risk FRA actions, these had been reduced from 400 in July 2023, to 5 in March 2024. Over the last 12 months a total of 11,360 FRA actions across all risk categories have been completed and closed.

3.4 The Council has set up increased governance and oversight of fire and building safety compliance with:

- a new cross-Council Regulatory Board
- an independent expert appointed as co-chair of this Panel.

- monthly reporting of status on fire risk assessments and actions to our Housing Scrutiny Committee, Social Housing Regulator and this panel with updates posted on the Camden website.

Building Safety Management

- 3.5 In response to the BSA Camden has recruited a team of Building Safety Managers (BSMs) for its 188 high-rise residential buildings (HRRBs). Each HRRB has been allocated to a BSM, the high rise building list can be viewed on the Council website [Registered high rise residential buildings in Camden - Camden Council](#). The BSMs are developing building safety case reports for high rise buildings and as part of this process they are working with residents of the individual blocks to set up a resident engagement process to keep them informed about safety management in their buildings.
- 3.6 Building Safety Case reports are required by the Regulator to document all relevant construction, management and maintenance information for all residential high-rise buildings and explain that the buildings they apply to are safe for residents to live. Information on this can be found on the Council's website ([Safety cases for high rise buildings - Camden Council](#)) and on the BSR website at [Building information - Building safety - HSE](#). The reports are technical documents which will be available to residents; however a more user friendly version of the reports including photographs, information about the building layout services and construction, building safety and testing certificates will also be provided to residents.
- 3.7 The BSR will issue Building Assessment Certificates for each block and they are expected to be valid for 5 years. Building Safety Cases must be kept up date, and re-submitted for assessment if the management, maintenance, use and occupation of a building or its construction or structure changes. The Council's safety cases will be submitted to the BSR in tranches over up to five years from this month, information to date on what the Regulator will require is set out in section 4 of the report.
- 3.8 The expected submission criteria for each tranche of building safety cases are based on the height of buildings and number of residential within the building , the expected criteria are provided in the table below:

	Number of dwellings	141+	74-140	54-73	49-53	26-48	11-25	2-10
Height of building (metres)	50+ m	1	1	1	1	1	1	5
	30-49 m	1	2	2	3	3	3	5
	18-29 m	1	2	3	3	4	5	5

- 3.9 Whilst the Council awaits confirmation that the five tranches will be as it expects, BSMs are not waiting to prepare building safety cases but working on them as quickly as possible sharing them with residents; the team will submit them to the Regulator when called upon to do so.

4. BUILDING SAFETY CASE SUBMISSION ARRANGEMENTS

4.1 At the beginning of March 2024 the Building Safety Regulator began to send out notifications that it would be calling in submission of Building Safety Cases and applications for their assessment for some of the Council's high-rise residential buildings. Applications must include the following:

- A Safety Case Report
- Information on the Mandatory Occurrence Reporting System for the building
- The Resident Engagement Strategy for the building
- A statement confirming that the Council has provided information to relevant persons

More information on the requirements is expected to be provided by the Regulator with the direction to apply.

4.2 The Regulator has said that in the first year of building safety case assessment they will call in buildings that are:

- over 50m tall with 11 or more residential units
- that are between 30-49.9m tall with more than 227 residential units
- buildings of any height that still have combustible Aluminium Composite Material (ACM) cladding and certain Large Panel System (LPS) buildings

4.3 The Regulator will send the Council a direction to apply for each individual building with directions to be issued between April and June 2024. The building safety cases will be submitted via an online application form, with a requirement to do so within 28 days of the direction to apply. The Council will not be able to submit an application until it has received the individual direction to apply for a particular building.

4.4 The Council has 12 residential buildings which are 50+ metres in height and have more than 11 residential units and hence expects to submit building safety cases to the Regulator in 2024/25. At the time of writing the Council has received notifications that 5 of these buildings will be called in.

5. BUILDING SAFETY ACT COMPLIANCE STATUS

5.1 The key BSA regulatory requirements and Camden's Landlord and Accountable Person compliance status are set out in Appendix 1 of the report. Highlights include:

- Providing information about external wall design & construction of our residential buildings and setting up lift and fire safety equipment fault reporting to the London Fire Brigade
- Registering all 188 Council high-rise buildings with the Building Safety Regulator and submitting key building information to the Regulator
- 99% completion of our Carbon Monoxide detector programme
- Completion of the emergency way finding signage programme

- Completion of the installation of secure information boxes in in the Council's High Rise Buildings providing evacuation and firefighting information for emergency services
- Establishing an annual fire door flat front entrance door inspection regime and a quarterly communal fire door inspection regime for building 11+ metres in height
- Providing information about the importance of fire doors to residents of all Council homes
- Carrying out specialist Fire Risk Appraisal external wall façade checks to 54 buildings and incorporating additional fire safety measures where appropriate, most recently to four blocks on the Birkenhead Estate.

Engagement & Communication

- 5.3 In 2024 Camden will set up dedicated fire and building safety pages and resources via the Council website so that residents can find information, advice and support in one place. Residents of Council homes will be able to download fire risk assessments, assessment, safety certificates and, for high-rise blocks the Building Safety Case reports, for their buildings. In 2023 and 2024 British Safety Council Fire Warden Training has been run for TRA and community representatives.
- 5.4 New applications and systems are being developed to help residents who have sensory disabilities or whose first language is not English to access fire and building safety information about their homes and support from fire and building safety teams.
- 5.5 The annual report to residents of all Council homes on the five Fire & Building Safety Charter commitments provides measurable performance information on how Camden is performing against key safety compliance, inspection and testing targets and identifying areas where performance needs to improve.
- 5.6 Building Safety Managers are developing resident engagement strategies with residents of individual high-rise buildings, finding the best ways of keeping them informed and involved in the decisions that keep their homes safe. A survey of high-rise building residents launched in March 2024. The survey asks high-rise residents about how they would like to receive building and fire safety information about their homes, and to identify gaps and opportunities for sharing this information with them. This will allow residents to be engaged in decisions about how Camden shares information and support the delivery of the Building Safety high rise Resident Engagement Strategy.
- 5.7 Building and Fire Safety packs containing information on fire safety measures and fire safety advice for individual high-rise buildings will be delivered to all homes in HRRBs. Finally, appendix 2 summarises the fire and building safety communication the Council is required to carry out and provides an update on progress to date in 2024.

6. NEXT STEPS

6.1 The Council is fully focused on delivering the commitments in the Voluntary Undertaking agreed with the Regulator of Social Housing and completing remaining overdue fire actions in line with the agreed programme. This will include an increased focus on:

- implementing the communal areas policy and keeping shared areas safe
- finding solutions with residents for the removal of front door safety grilles
- gaining access for works for all statutory fire and building safety checks,
- co-ordinating actions across teams for gas safety, fire safety, electrical testing and water hygiene programmes.

Access for Safety Checks

6.2 Access to residents' homes is critical to ensuring the Council is implementing the provisions of fire and building safety legislation. Inspectors and contractors need to come into individual homes to carry out a range of statutory fire and building safety checks and complete any associated repair or capital works to keep people safe and ensure the Council is complying with legal requirements.

6.3 The scale of the access challenge is enormous for example;

- There are 13,306 individual homes where a Landlord Gas Safety check must be carried out each year.
- The Council must carry out Domestic Electrical Inspections to all tenanted housing stock every 5 years – about 23,000 homes or 4,600 homes a year.
- The Council must use its best endeavours to carry out annual inspections of about 16,000 individual flat front entrance doors.

6.4 To meet these inspection and maintenance challenges the Council has to make it as easy as possible for residents to let inspectors and contractors in at times that suit them, and that wherever possible multiple checks are carried out in a single appointment. However, Camden can't allow repeated access failure to put the residents of those properties and their neighbours at risk and to mean that the Council isn't complying with the law.

6.5 The Council continues to work on improving the access arrangements and the support provided to residents to be able to give access and also developing a streamlined request for access and legal action process to enable inspectors and contractors to enter homes and make sure everyone is kept safe.

7. ENVIRONMENTAL IMPLICATIONS

7.1 There are no specific environmental implications arising from the implementation of the Building Safety Act, however the cladding remediation work at the Chalcots, Cromer and Birkenhead estates will bring insulation up to the latest standards and improve the thermal performance of the blocks receiving works.

8. FINANCE COMMENTS OF THE EXECUTIVE DIRECTOR CORPORATE SERVICES

8.1 Contents of the report are noted and the financial figures in paragraph 3.1 have been agreed to both revenue and capital budgets as well as the funding streams.

9. LEGAL COMMENTS OF THE BOROUGH SOLICITOR

9.1 The comments of the Borough Solicitor are incorporated in the report.

10. APPENDICES

10.1 Appendix 1 – Building Safety Act Compliance Status

10.2 Appendix 2 – Communication and Information Requirements

REPORT ENDS

APPENDIX 1: BUILDING SAFETY ACT COMPLIANCE STATUS

Building Safety Act Requirement	In force	LBC Compliance Status
<p>Carbon Monoxide Alarm installation & Safety checks/testing</p> <ul style="list-style-type: none"> Installation Programme for all homes with gas assets – 13,706 required to have alarms. 	Oct 22	<p>99.9% of CO alarms installed.</p> <p>11 homes outstanding and being pursued through access process with legal action.</p>
<p>Smoke Alarm installation & safety checks testing</p> <p>Installation programme for 23,450 homes required to have alarms/testing regime</p>	Jan 23	<p>87% of Smoke alarms installed 2,764 outstanding of which 53% are in a completion programme and 47% being pursued through access process may lead to legal action</p>
<p>Install emergency services wayfinding signage in all 18+m blocks.</p> <p>Installation of wayfinding signage in all relevant buildings. *Originally 150 buildings increased to 188 following changes to methodology for measurement of building height & 2023 stock condition survey assessment.</p>	Jan 23	<p>Installation complete in original 150 blocks April 2023. *All additional blocks completed March 2024</p>
<p>Secure Information Boxes (SIBs) located in 18+ m blocks for access by London Fire Brigade (LFB).</p> <p>Hard copy floor plans for block to be placed in SIBs . Digital copy to be provided to LFB</p>	Jan 23	<p>SIBS Installation programme complete March 2024</p>
<p>The flat and floor number of homes where residents who would need assistance evacuating in an emergency are included in Secure Information Boxes</p>	Jan 23	<p>Basic address & floor location information required for inclusion in SIB boxes in high-rise buildings. Building Safety Managers are liaising with Neighbourhood Teams and contacting residents to ensure correct information is in the boxes</p>
<p>Emergency Evacuation Information Sharing Regulations</p> <p>Share additional information with emergency services about residents who need assistance to evacuate in an emergency.</p>	To be confirmed	<p>Subject to Government publication of response to EEIS consultation & decision on any additional secondary legislation.</p>
<p>External wall & design & construction materials information for 18+m</p>	Jan 23	<p>Completed 30 June 2023. Info included in LFB portal registrations.</p>

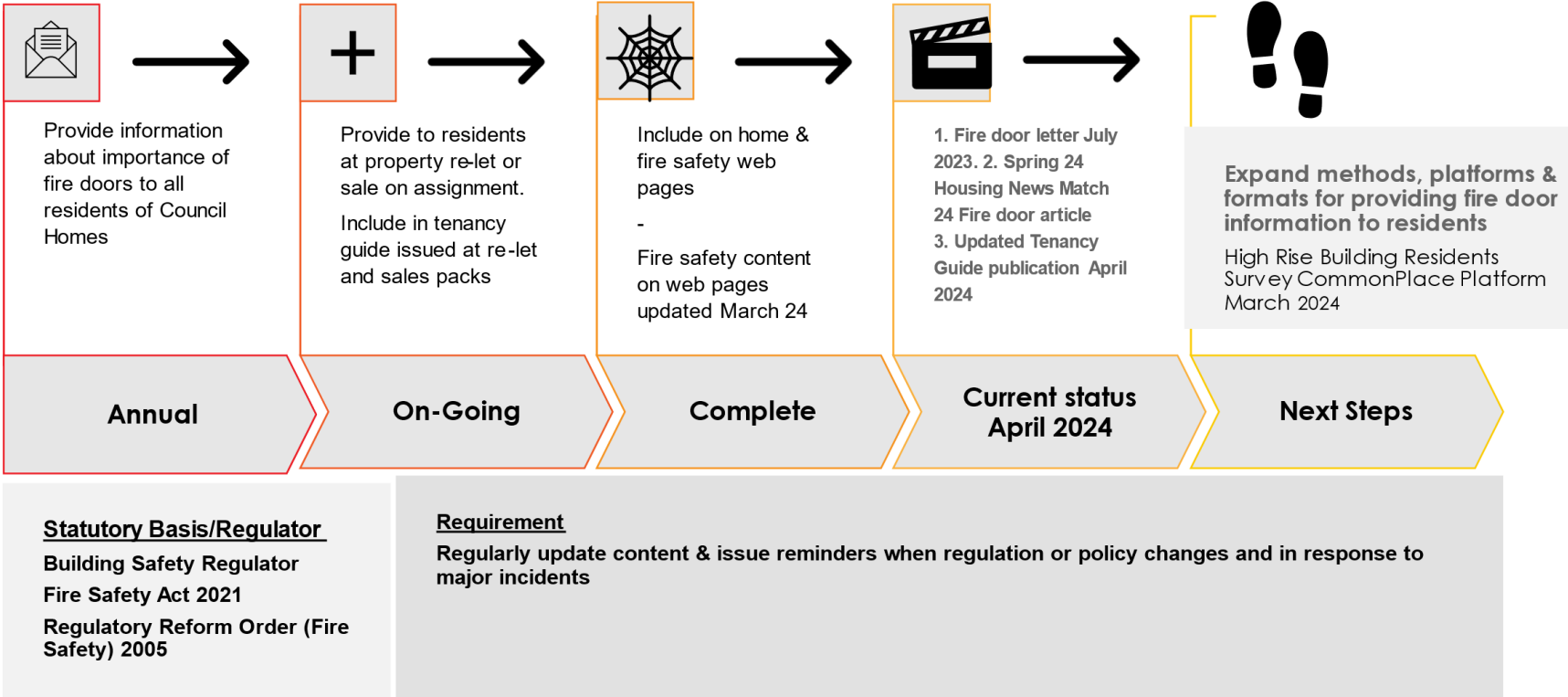
<p>blocks .External wall information to be provided to London Fire Brigade (LFB)</p>		<p>NB. In 2022 & 2023 a total of 58 external wall façade surveys were carried out to ensure that necessary information available.</p>
<p>Fire Door Inspections Annual inspections for c. 16,000 flat front entrance doors (required on a ‘best endeavours’ basis). Quarterly inspections for communal fire doors</p>	<p>Jan 23</p>	<p>Quarterly and annual inspection cycle established with quarterly performance reporting . At time of writing awaiting publication by Building Safety Regulator of guidance on what <i>all reasonable steps</i> looks like in common situations. Next steps to review operational practice in line with any additional Regulator guidance.</p>
<p>Fault reporting for firefighting equipment & lifts in 18+m blocks Landlords must report equipment/lift out of order for 24+hours to London Fire Brigade (LFB).</p>	<p>Jan 2023</p>	<p>All sites/equipment registered on London Fire Brigade Portal. Building Safety Team providing out of order reports to LFB.</p>
<p>Provision of Fire Doors information to residents Minimum annual provision of information to residents about importance of Fire Doors.</p>	<p>Jan 2023</p>	<p>Initial detailed fire doors letter to all Council homes delivered July 2023. March 24</p> <ul style="list-style-type: none"> • Spring Housing Newsletter to all Council Homes provides fire doors and communal areas reminder. • Communal area leaflets also delivered to all Council homes . • Updated Tenancy Guide with fire doors/fire safety information published on-line April, with hard copies provided for new tenancy sign-up.
<p>Assessment of Building Safety Risks Accountable Persons to assess the building safety risks for their buildings. Standards in existing buildings may be different to new build. APs not expected to bring every HRB to modern standards. BUT APs have to demonstrate have taken <i>all reasonable steps</i> to manage building safety risks. What that means will vary depending on the building age/construction/layout.</p>	<p>Oct 2023</p>	<ul style="list-style-type: none"> • Building Safety Cases in preparation by Building Safety Managers. • Cyclical Fire Risk Assessments undertaken • Cladding/external wall assessments undertaken. <p>During construction/investment projects current compliance with Construction Design Management Regulations. At time of writing awaiting publication by Building Safety Regulator of guidance on <i>all reasonable steps</i>.</p> <p>Next steps to review operational practice in line with any additional Regulator guidance.</p>

<p>Building Safety Regulator (BSR) acting as building control authority for all 18+m buildings. Gateway 2 & 3 construction & handover stage regulations. Building Safety Regulator must approve construction whilst on site to ensure in line with planning permission & approved fire strategy. Regulator must approve completed building before handover or occupation.</p>	<p>Oct 23</p>	<p>Subject to publication by Building Safety Regulator/DLUHC of gateway 2 & 3 regulations & guidance.</p>
<p>Registration requirements for Building Control Approvers and Building Inspectors. 1st April 2024 deadline for registration. Building Control Approvers/Building Control Inspectors must be registered. Professional Conduct Rules in force. Criminal offence to operate without registration</p>	<p>Oct 23</p>	<p>LB Camden Building Control Team Registration application to Building Safety Regulator and for validation testing complete by April 24 deadline.</p>
<p>Building Safety Case (BSC) submission to BSR for all 18+m buildings. Duty to submit to Regulator & apply for Building Assessment certificate</p>	<p>April 24</p>	<p>12 Tranche 1 BSCs in preparation by Building Safety Managers will meet April - June call in deadlines.</p>
<p>Golden Thread of Information required for each 18+m building. Publicly accessible record of design, construction & management arrangements to evidence building is safe for occupation</p>	<p>April 24</p>	<p>Part 1 Golden Thread Platform in place & BSC reports being loaded as completed, will be shared with residents. Part 2 Building Safety data/evidence to be loaded on data platform due to be completed by the end of March 2024</p>
<p>Mandatory Occurrence Reporting (MOR) System required for all 18+ m buildings.</p>	<p>Jan 24</p>	<p>HSE published Mandatory Occurrence reporting guidance 31st January 2024. Current MOR arrangements under review & will be submitted with BSCs.</p>
<p>Competence Requirements for construction client, principal designers & contractors, and for management of buildings. Applies to building owners/managers & those who commission building work & who participate in the design & construction process. Including clients, designers & contractors.</p>	<p>April 24</p>	<p>Current compliance with Construction Design Management Regulations. Construction teams reviewing government's Built Environment Competence Programme PAS 8671:2022 Principal Designers, PAS 8672:2022 Principal Contractors, PAS 8673:2022 Competence requirements for management of safety in residential buildings Updating procurement & contract management practice</p>

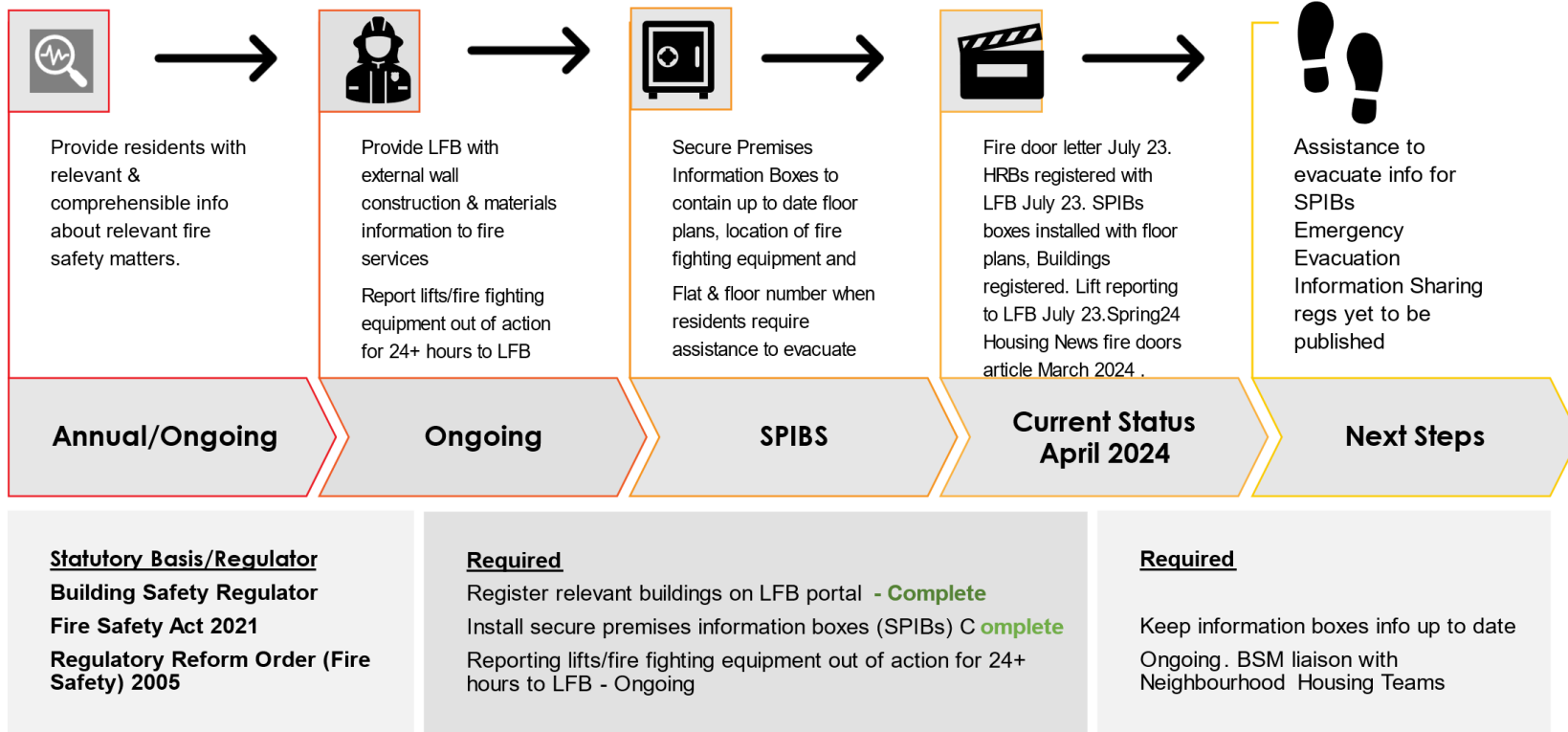
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APPENDIX 2 : COMMUNICATION & INFORMATION REQUIREMENTS

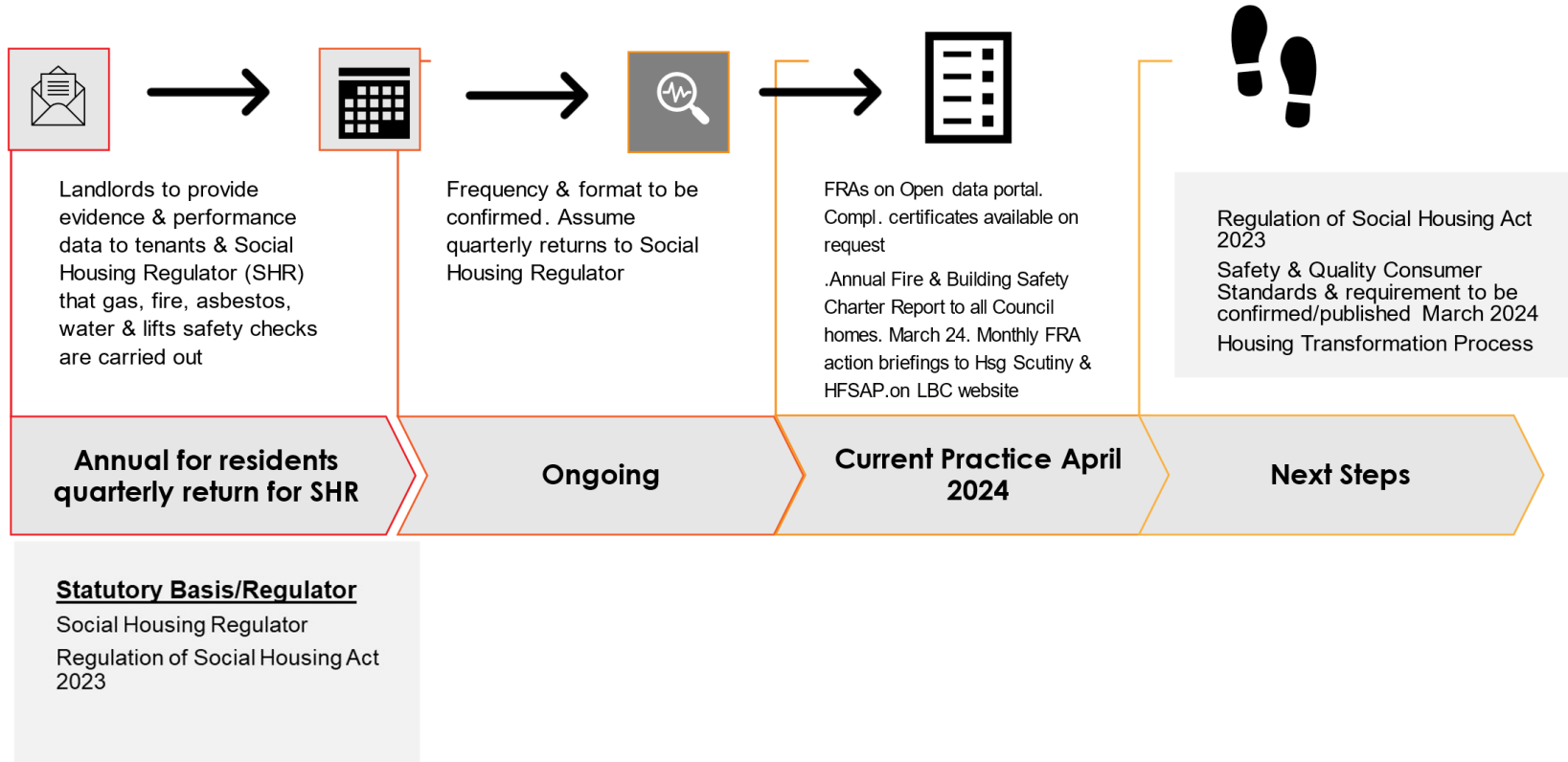
Fire Doors Information



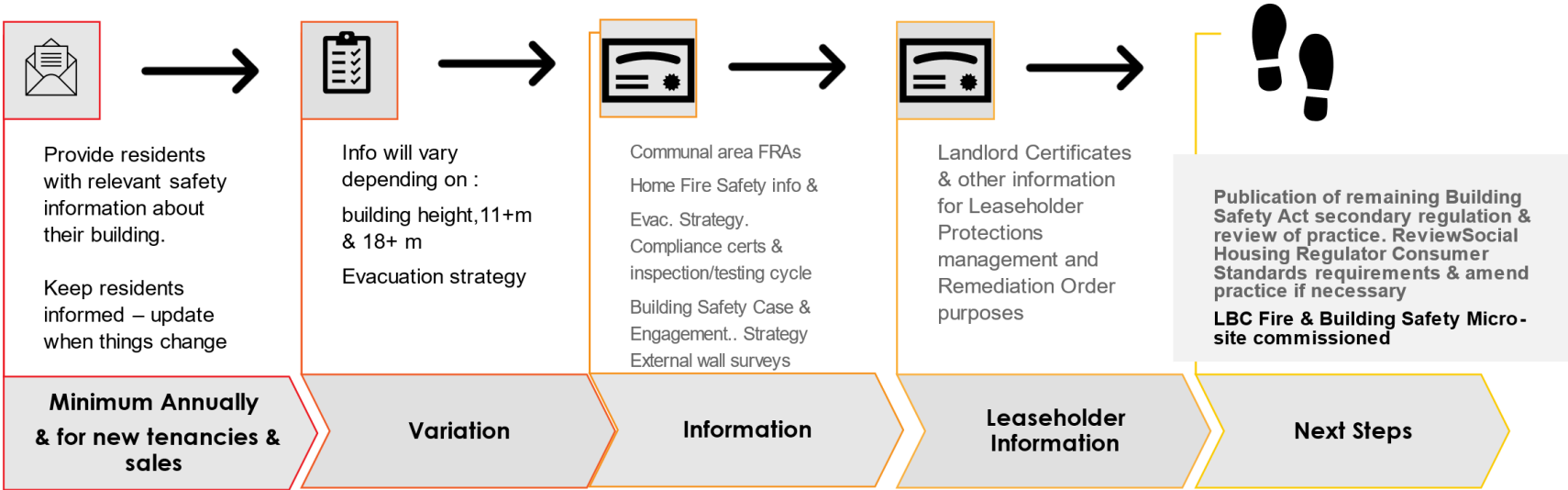
Fire Safety Information



Compliance Performance



Building Safety Information



Statutory Basis/Regulator
 Building Safety Act 2022
 Building Safety Regulator

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