



**HAMPSHIRE  
FIRE AND  
RESCUE  
AUTHORITY**

Purpose: Noted

Date: 12 July 2018

Title: **BUILDING A SAFER FUTURE – INDEPENDENT REVIEW OF BUILDING REGULATIONS AND FIRE SAFETY FINAL REPORT**

Report of Chief Fire Officer

### EXECUTIVE SUMMARY

1. This purpose of this paper is to give HFRA members an update on the independent review into building regulations and fire safety, which was led by Dame Judith Hackett and outline actions by the Service.
2. Dame Hackett published an interim report on 18<sup>th</sup> December 2017, with the final report being released on the 17<sup>th</sup> May 2018. The review was commissioned following the tragic Grenfell Tower fire.
3. The Grenfell inquiry began on the 4<sup>th</sup> June 2018, to examine the circumstances surrounding the fire at Grenfell Tower on 14<sup>th</sup> June 2017. This is not examined in this paper. Further papers will update members in due course.

### BACKGROUND

4. As a result of the Grenfell incident the Post Grenfell Working Group was established by HFRS to look at all actions and information published by National Fire Chiefs Council (NFCC) and Department for Communities and Local Government (DCLG).
5. This Group are managing the impacts of the independent review into fire safety following its publication. They will also continue to monitor impacts raised during the Grenfell inquiry as they emerge.

### OVERVIEW OF THE INDEPENDENT REVIEW INTO BUILDING REGULATIONS AND FIRE SAFETY FINAL REPORT

6. Dame Judith stated in her report that the current system - developed over many years and successive governments – is not fit for purpose.
7. She advocates major reform and a change of culture, with involvement of relevant authorities to manage the risks. She also seeks to set and enforce higher standards within the industry.

8. The report has 52 main recommendations, with other sub-recommendations. Some of the key areas recommendations are detailed in the following sections:

#### NEW REGULATORY FRAMEWORK

9. New Higher Risk Residential Building (HRRBs) which are described as Multi-occupancy higher risk residential buildings, those that are 10 storeys or more in height. These HRRBs are the primary focus of the new regulatory framework set out in this report.
10. The new regulatory framework should apply to HRRBs which should be identified by the Local Planning Authority and notified to the regulator. Existing buildings in scope should be identified through other means, learning from the Building Safety Programme experience. This is because the likelihood of fire is greater in blocks above 10 storeys and the risk of fatalities is higher.
11. There is also a stated ambition to widen this definition in due course to include buildings below 10 storeys where people sleep such as hospitals and care homes.

#### JOINT COMPETENT AUTHORITY

12. The government should set up a Joint Competent Authority (JCA). This should comprise of Local Authority Building Standards, Fire and Rescue Authorities and the Health and Safety Executive, working together to maximise the focus on building safety within HRRBs throughout the life of a building.
13. The FRAs will bring fire safety expertise to the JCA ensuring fire safety measures are properly considered, built in and maintained. It is proposed that FRAs would take a leading role, on behalf of the JCA, during the occupation and maintenance phase.

#### ACCOUNTABLE DUTY HOLDERS

14. A focus on clear and accountable duty holders, with stronger sanctions and a proposed fund to support enforcement action.

#### BUILT ENVIRONMENT

15. The report refers throughout to the application of the new principles and findings to the wider built environment. At this stage it is unclear which buildings may be included and how and when these will be prioritised.

#### COMPETENCY FRAMEWORKS

16. The report recommends strengthening the competence of all those involved in the life of a building. The NFCC have been given the responsibility of reviewing

and updating its own competency frameworks to ensure that fire and rescue staff have the right skills. HFRS are supporting this development work of the NFCC.

#### HFRS CURRENT ACTIONS

17. HFRS Fire Safety work following the Grenfell fire has been extensive and will continue to be so during the enquiry and following, as further findings and developments emerge.
18. A HFRS multi-disciplined Working Group is managing the Service actions and is led by the Head of Community Safety. This group has now prioritised the 52 recommendations and has plans to implement the actions required to ensure we achieve our mission to make life safer and be ahead of any changes in legislation.
19. The working group are also reacting to emerging information from the Grenfell enquiry. The group will continue to recommend and implement actions for HFRS as a result of this monitoring.

#### SUPPORTING OUR SERVICE PLAN AND PRIORITIES

20. Hampshire Fire and Rescue Service is committed to making life safer for the people who live, work in or visit Hampshire as well as reducing damage to property, the economy and the environment from the effects of fire. Our fire engineering consultation and fire safety strategy is to ensure buildings are safe and sustainable throughout the life cycle of the building for those who live and work in them and to enable the buildings to be used for many decades.

#### RESOURCE IMPLICATIONS

21. A new structure has been implemented within our Community Safety team, to allow oversight and enable the review and implementation of the findings from the post Grenfell working group. This is working within the current budget arrangements.
22. The Community Safety budget is to be reduced by March 2019 in line with the Service Delivery Redesign plans. We will continue to monitor the needs of our Fire Safety teams to ensure appropriate resources are available to continue this priority area of Operations.
23. Future resource requirements will continue to be monitored as the JCA proposals are considered by Government. We will seek to apportion resources to fulfil the priorities as proposals emerge.

## LEGAL IMPLICATIONS

24. All current Fire Safety work including audits inspections and consultations are carried out using the Regulatory Reform (Fire Safety) Order 2005.
25. The Local Government Associations Fire Safety in *purpose built blocks of flats* remains the most comprehensive guidance to ensuring fire safety in buildings for Local Authorities and private landlords to check their responsibilities.

## EQUALITY IMPACT ASSESSMENT

26. The proposals in this report must be considered compatible with the provisions of equality and human rights legislation.

## CONCLUSION

27. The independent review into building regulations and fire safety reports recommendations to HM Government regarding improvements to the system to make buildings safer. A new categorisation of buildings, those over 10 floors with sleeping accommodation (HRRB), are the focus due to the risk presented from fire.
28. HFRS continue to focus our fire safety work on those at most risk and have implemented a working group across the Service to consider the recommendations and information emerging from the Grenfell enquiry.
29. We also continue to consider the people within buildings who may be more vulnerable such as in sheltered, extra care and supported housing, care homes, student accommodation and hospitals.
30. We will remain dedicated to maintain the measured and targeted approach to Community Safety based on risk. We will continue to use our professional capability and experience to work with and support Local Authorities, Health and Education, building owners and other organisations throughout this developing period.

## RECOMMENDATION

31. That the Fire Authority note the establishment and work of the post Grenfell working group and the independent reviews and reports that have been produced since the Grenfell Tower fire.
32. That the Fire Authority note the work HFRS has completed to date and the work which will continue in reassuring the communities in Hampshire, mitigating any identified risks in building's by working with Local Authority and landlords, to ensure Fire Safety compliance.

## BACKGROUND PAPERS

- Legislation, Guidance and enforcing authorities relevant to the fire safety measures at Grenfell Tower
- Grenfell Tower: Phase 1 report
- Grenfell Tower Inquiry Phase 1 – Expert Report
- Grenfell Tower Fire Safety Investigation: Fire protection measures in place on the night of the fire.
- Grenfell Tower Fire Public enquiry Provisional Report.
- Building a Safer Future; Independent review into fire safety interim and final reports.

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