

<b>Report title</b>	<b>Building Safety Act Preparation</b>
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<b>Department</b>	Housing
<b>Exempt?</b>	No
<b>Exemption type</b>	
<b>Reasons for exemption</b>	

**Purpose of report:**

**To evidence to Housing Committee members the preparedness of the Runnymede Borough Council Housing Service for the requirements of the Building Safety Act 2022.**

**Synopsis of report:**

**In June 2023 a report was prepared for Housing Committee outlining the requirements of the Building Safety Act 2022 and the work the service is undertaking to ensure the requirements of the act are met.**

**The report highlighted the need to prepare a Building Safety Case for the building in scope of the act (Surrey Towers) and registered to the new Building Safety Regulator by 1<sup>st</sup> October 2023.**

**Alongside this a Tenant Engagement Strategy relating to building/fire safety for Surrey Towers will also be submitted to the regulator.**

**Recommendation(s):**

**It is recommended that Housing Committee note the work done to prepare the Building Safety Case for Surrey Towers and delegate authority to the Corporate Head of Housing to approve and authorise submission of the case to the regulator.**

**1. Context and background of report**

- 1.1 In June 2023 a report was prepared for Housing Committee highlighting the requirements of the Building Safety Act 2022.
- 1.2 The report identified the need to prepare a Building Safety Case for in scope dwellings by 1<sup>st</sup> October 2023 and register the report to the new Building Safety Regulator.
- 1.3 Alongside the Building Safety Case the Housing Service will also submit a Tenant Engagement Strategy for building/fire safety matters.

1.4 Currently Runnymede Borough Council's Housing Service has one dwelling in scope of the act – Surrey Towers in Addlestone which is over 18 meters in height.

## **2. Report**

2.1 A summary of the Building Safety Case for Surrey Towers is provided in appendix 1 of this report.

2.2 The Building Safety Case highlights the fire safety measures within the building, supported by a Fire Strategy – developed in conjunction with Frankham RMS Consultancy our Fire Safety Advisors and Fire Risk Assessor provider.

2.3 The Building Safety Case also details work undertaken within the building to ensure the Fire Strategy can operate effectively. This includes the recent compartmentalization work and replacement of fire doors and side panels.

2.4 A Fire Risk Assessment is completed for the building annually (this is based on RBC's Fire Safety Policy). An assessment was completed in July 2023. This identified.

- 1 High Risk
- 5 Medium Risk
- 17 Low Risk

2.5 The high-risk action was in relation to an abandoned shopping trolley, and sofa found within the communal passageway at the time of the survey. It was however mentioned that housing keeping within the block is good. These items were immediately removed.

2.6 In context to the actions highlighted above, timescales attached are –



## Risk Assessment Ratings

### ACTIONS / RECOMMENDATIONS

Definition of priorities (where applicable):

Urgent	<b>Very High (P1X)</b>	Reserved exclusively for issues that present an immediate, clear and present danger to occupants in the premises. Item considered to be very likely to occur and to have a very high impact to a single person or people onsite if not immediately resolved. The client must be made aware of the nature of the issue whilst the assessor remains onsite. All practical means and measures should be implemented to resolve the issue with immediate effect.	Target completion 24 hours
Very Strongly Recommended	<b>High (P1)</b>	Immediate actions required or if it is not feasibly practical to immediately resolve the issue, it is strongly recommended that a written program be put in place for resolving the issue and remedial measures put in place to control risk in the meantime. Considerable resources should be provided to resolve this.	Target completion 3 months
Strongly recommended	<b>Medium (P2)</b>	It is essential that efforts are made to reduce the risk in the short/medium term. Risk reduction measures, which should take cost into account, should be implemented within a defined time period.	Target completion 12 months
Recommended	<b>Low (P3)</b>	Action required in the longer term, some resources allocated and a program put in place	Target completion 18 months
Advisory	<b>Advisory (P4)</b>	Advisory, or no immediate action necessary. However, this will be best practice, so the item should be addressed when time or resources allow.	

### 3. Policy framework implications

- 3.1 The Housing Service Area Plan 2023/24 identifies that work is required by the team to prepare for the implementation of the Building Safety Act 2022.

H001	Legislative/ Regulatory Change	Housing Maintenance and Technical Services	Building safety act fund
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- 3.2 A briefing was given to the Housing and Enabling Member working group in September 2022 on the requirements of the new legislation.
- 3.3 Runnymede Borough Council's Housing Service also have a suite of policy documents which relate to the requirements of the act; including a Health and Safety Policy, Fire Safety Policy, and Tenant Engagement Strategy.

### 4 Resource implications/Value for Money

- 4.1 Compiling the Building Safety Case and Tenant Engagement Strategy for Surrey Towers has had a small impact on existing budgets. To register the building is £251.00 and no further costs are anticipated at this stage.

### 5. Legal implications

- 5.1 As mentioned in previous reports, the Building Safety Act 2022 (the "Act") has amended Part 4 of the Building Act 1984 and has brought in new duties for

landlords, especially for landlords of buildings deemed “higher risk”. Surrey Towers comes under this definition and its Landlord therefore is required to comply with the legislation. Section 65 defines a “higher-risk building” and section 72 the “Accountable Person” who will be responsible under the Act to actively manage building safety risks. Section 78 requires Higher Risk Buildings to be registered ; section 83 requires an assessment of the building safety risks of the building followed by the production of a safety case report (sections 85 & 86) to be sent to the Regulator (the Health & Safety Executive), which this report deals with.

- 5.2 Breach of the duties is an offence, enforced by the Regulator under section 98. Following breaches, Compliance Notices can be served on the Accountable Person, requiring remedial of the breach; breach of a Compliance Notice is an offence which can be tried either in the Magistrates’ Court or the Crown Court and includes imprisonment at both levels, showing the importance put on compliance.
- 5.3 As the Building Control Authority, the Council and all its departments should be showing the way and should be comply with the new legislation as soon as it is possible.

## **6. Equality implications**

- 6.1 The Building Safety Case has no equality implications as it relates to the fire safety measures within Surrey Towers.
- 6.2 An Equality Impact Assessment will be completed for the Tenant Engagement Strategy. The strategy seeks to ensure effective communication with all residents of the building on fire safety. Consultation with residents has been conducted to ensure this happens in the way residents prefer.

## **7. Environmental/Sustainability/Biodiversity implications**

- 7.1 The Building Safety Act requires landlords of qualifying dwellings to demonstrate that effective fire safety measures are in place and that they are being protected and enhanced over the lifetime of the building.
- 7.2 Ensuring protection is in place protects the environment that residents of Surrey Towers live in.

## **8. Other implications**

- 8.1 **Risk Management:** this report is designed to identify and limit the ‘health and safety’ risk to residents.
- 8.2 A risk within the Housing Service Area Plan has been identified in relation to health and safety.
- 8.3 Measures within this report will serve to mitigate this risk.
- 8.4 **Consultation:** residents at Surrey Towers have been consulted on the proposed Tenant Engagement Strategy around building/fire safety – see June 2023 report.
- 8.5 Additional measures have been put in place to communicate the ‘stay put evacuation’ strategy to residents.

## **9. Timetable for Implementation**

9.1 Building Safety Cases must be logged to the Building Safety Regulator by 31 September 2023.

**10. Background papers**

- Report to Housing Committee on preparations for the Building Safety Act - [DRAFT AGENDA REPORT COVER SHEET \(runnymede.gov.uk\)](https://runnymede.gov.uk)

**11. Appendices**

- Draft Building Safety Case for Surrey Towers.