

FSPS 02

Ymchwiliad i ddiogelwch tân mewn tyrau
o fflatiau yng Nghymru (sector preifat)
Inquiry into fire safety in high rise blocks
in Wales (private sector)

Ymateb gan: CRM preswyl

Response from: CRM residential

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

A review of the external construction of all buildings under management was undertaken, with reference to the Operating Manual applicable for each building. More generally a review of the fire safety measures within each building also took place. Occupiers and owners were written to, to provide re-assurance and to re-iterate the relevant fire strategy applicable to the buildings.

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

In our experience the general management of the fire safety equipment and fire safety regimes within buildings is a good standard. This is because managing agents will arrange for risk assessments to be carried out and for all fire safety equipment present to be serviced and maintained to the required standard.

More substantive issues are likely to arise from the design and construction phase of a building where either design or poor workmanship may lead to fire safety deficiencies.

Our current understanding is that there are no formal arrangements in place to cover costs. Leaseholders are dependent upon the developer and or construction company taking responsibility and having the means to rectify fire safety deficiencies arising from the original construction, or that a Build Warranty may encompass the necessary repairs that may be required.

Failing the above, the costs of any repair works will fall to Leaseholders and there are currently no provisions in place for grants or loans to be issued to them. The nature of the repairs required will of course dictate the quantum of the repair bill and as has been reported in the National press, this could involve vast sums of money being required to affect a repair. The average Leasehold owner is unlikely to have this level of disposable income to contribute towards the repair bill. A grant or loan system may therefore be necessary in order to ensure that there is a safe housing stock.

2. How are Leaseholders/ residents in Wales being informed about recent developments and reassured about fire safety measures in their block?

Leaseholders and residents are reliant upon their Managing Agents and or Landlords to update them and re-assure them in respect of fire safety measures.

Updates are posted onto the building website and notification and update letters are issued when there is anything relevant to report.

We have also notified Leaseholders and occupiers that the Fire Authority can carry out free home safety checks of properties.

3. More broadly , to what extent are residents' views about fire safety being listened to and addressed

Leaseholders and residents expect to be able to rely upon the expertise of the designers, constructors and inspectors of residential premises in order that their residential homes comply with relevant Approved Codes of Practice. They expect that the Codes of Practice will provide solid guidelines to ensure that fire safety standards remain high and that rigorous inspections will ensure that these safety standards are being followed.

Private sector Leaseholders are less likely to be publicly forthcoming about fire safety issues because they do not want their investments and homes to be blighted.

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

We know from the Cityscape Croydon tribunal that the costs of the repair work to replace the cladding, under the terms of the lease, would have fallen to the Leaseholders via the service charge. It is very likely that the majority of other Leasehold properties across the country would also be in a similar position if major works were required. Fortunately for Cityscape residents the original construction company has stepped in to carry out the repair work required. Government and Local Authorities could actively reward responsible developers and builders who act in this way by having an approved list of developers and builders who would be eligible to receive planning permission for future developments and penalise others who do not by excluding them from this list. Hopefully this will also result in more due care and diligence in future builds.

In the eventuality that Leaseholders are faced with a large repair bill, it may not be possible for them to obtain additional funding via loans or a mortgage. If the development is in a position where there is likely to be a large repair bill, the property may not be mortgageable and therefore unsellable. Meanwhile the repairs cannot be undertaken because there is no financial means to pay for it. UK Government have already expressed their view that Leaseholders should not have to pay for the mistakes made in the construction, in respect of the ACM panelling, but have not provided any practical support for the private sector. A loan or a grant option could greatly alleviate the situation and advance any necessary remedial work.

Reliance upon inspections by third parties unconnected with the construction company play a significant role in satisfying Leaseholders and managers of buildings, that the construction has indeed been completed to the relevant British safety standards. This vital and important role cannot be underestimated and many Leaseholders and managers feel that there needs to be more accountability arising from the inspections and that a more rigorous inspection regime needs to be implemented.

With high rise buildings and for larger scale residential construction, perhaps a more centralised form of Building Control via the Welsh Assembly could be considered.

Finally there should be a more joined up approach to the implementation and inspection of issues affecting Fire safety in residential developments. The Fire authorities do not currently have the authority to encompass the external façade within their inspections and reviews and this position should change.