

Minister for Housing and Local Government

4 July 2019

Fire safety in high rise buildings

Dear Minister

I am writing following the publication of [A Road Map to Safer Buildings in Wales](#) (“the Roadmap”) and the two oral statements you made on the Welsh Government response to the Roadmap.

Firstly, in the statement on 21 May, you made a commitment to share the detailed project plan, but as far as we are aware, this has not yet been placed in the Assembly library, or circulated to Members. I understand it may have been shared with one Assembly Member, but as far as we are aware it has not been more widely circulated. I will be grateful for your advice as to when this will be made available to Members.

As you know, the Committee, and other Assembly Members wish to see fire safety pursued with pace and vigour by all the responsible partners, including the Welsh Government. As many of us said in Plenary, there is nothing more fundamental than your home being safe. There can be no complacency about this. We know that warnings from the Lakanal House tragedy were not heeded. Only last month there was another, thankfully non-fatal, fire in a block of flats in Barking.

It has been clear since Grenfell, that the Welsh Government is committed to tackling these complicated issues. We acknowledge that a considered and phased approach is needed, and it is complex, but we continue to have frustrations that the pace of implementation on some of these issues is just not quick enough.

When I asked you about this, you said that one of the issues is that there is not consensus across stakeholders and regulators around replacing the Fire Safety Order, and that some of these issues are more contentious than you might have



expected. Could you outline what these differences of opinions are, and how they could delay a final decision?

As you know, we as a Committee believe strongly that the replacement legislation for the Fire Safety Order should be introduced in the current Assembly; are you now in a better position to advise whether this is now likely to happen?

I note your comments from the most recent statement, that as it is likely to be uncontroversial, it should not be a piece of legislation that could be affected by the outcome of the 2021 election result. But our concern is that because it is such an important part of the fire safety framework, a delay into the next Assembly term (taking into account the dissolution period and any time taken to form a Government, establish Assembly committees, and then to start the process of legislative scrutiny) means we will be waiting too long for these legislative changes to be scrutinised, never mind, implemented

One of the main areas of concern for the Committee has been around fire doors, and whether they provide 30 minutes of protection. When your predecessor gave evidence to the Committee last year, she outlined the steps that were being taken to ensure that responsible persons had the right information about fire door safety. However, she also stated that the Welsh Government could not be expected to know which buildings had the doors which were causing concern.

We note that Inside Housing recently [reported](#) that thousands of non-compliant fire doors were still in place in council housing across England. This is clearly of concern, and we would like to seek some more information and assurances about the situation in Welsh high rise buildings. We note that you have previously said that fire doors are only one part of the solution, but they obviously play an important part in maintaining compartmentation and keeping people and buildings safe in the event of a fire.

The Committee, in our most recent report, also made recommendations around the feasibility of requiring level four invasive surveys for high rise residential buildings. You accepted these recommendations in principle, and said you would consider the need for such surveys and who could be best placed to deliver them. This issue was not covered in the Roadmap. Can you provide us with an update on these considerations and when you expect to make a decision?

In responding to our report, you also committed to providing us with an update on capacity for materials testing and any impact this may have had on high rise buildings in Wales. Could you update the Committee on this issue?



We would also like more detailed information on the steps that the Welsh Government is taking to encourage the retro-fitting of sprinklers, particularly in private sector buildings.

We are pleased that all the buildings in Wales with ACM cladding have been identified, and that the remedial work is not being funded by leaseholders or residents. Can you provide more details on when you expect all the remedial work to be completed?

In our report we recommended that regulation be established for managing agents of high rise residential buildings. In your initial response, you outlined how the suggestion we made about extending Rent Smart Wales remit was "impractical" in the "interim and short term" because it would need legislative changes. With the Leasehold Task and Finish Group due to report shortly, which we understand is closely linked with our recommendation, could you provide an update on whether you will be seeking to introduce such regulation?

Finally, moving onto the issue of building regulations. In responding to our report, you rejected our recommendation, at that time, to "urgently change the regulatory framework to allow local authority building control to act as the regulator for high-rise residential buildings of seven storeys or higher" but you also said that you would take account of the relevant capacity and specialist competence issues in relation to building control. In light of the Roadmap, have you reconsidered your response to our recommendation?

I look forward to receiving your response.

Yours sincerely



John Griffiths

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

