

MAYOR OF LONDON

Rt Hon Robert Jenrick MP

Secretary of State for Housing, Communities
and Local Government
Ministry of Housing, Communities and Local Government
2 Marsham Street
London SW1P 4DF

Date: 13 FEB 2020

Dear Robert,

Call for evidence on Fire safety: risk prioritisation in existing buildings

I welcome the Government's commitment to review the process of assessing and prioritising the fire safety risk of existing buildings. Moving away from a purely height-based approach to managing risk is a positive step.

My view has always been that a range of factors must be considered in the round as part of any approach to assess the fire safety risk of existing buildings. The clear implication, laced throughout the call for evidence questions, is that the Government now considers a case-by-case approach to be more suitable to assess and prioritise risk than a threshold approach based on height. Undoubtedly, the height of a building is an important factor, but it must not be treated as an indication of a building's safety in isolation.

There have been several recent examples of fires in residential buildings that are below 18m and would not, therefore, have triggered a review of their fire safety credentials as a matter of priority. These include The Cube student hall of residence in Bolton, the fire at Samuel Garside in Barking, and the fire in Worcester Park.

I must confess concern about the Government's disjointed approach to addressing the systemic building safety issues brought to light by the fire at Grenfell Tower. The Government's recent separate announcement that it intends to reduce the building height threshold that governs the use of certain materials in new buildings from 18m to 11m risks creating inconsistency between regimes for new buildings, compared with the new case-by-case approach to prioritising risk in existing stock proposed through this consultation. The ban on the use of combustibile cladding should be extended to all buildings regardless of height, as a matter of urgency.

A case-by-case risk-based approach to the prioritisation of risk in existing buildings must take a balanced view of all the attributes that affect its safety. These include, but are not limited to:

- Building height;
- Construction materials and their coverage;
- The design of the building (including features such as balconies);
- The means of escape;

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- The accessibility of the building to fire-fighting services;
- The presence and effectiveness of fire prevention measures such as sprinklers;
- The presence of non-residential uses within the building (for example, whether there is car parking provision on the lower floors);
- The track record of the building owner or contractors known to have been involved in construction and management of the building; and
- Whether the occupiers of the building are likely to house a higher than average number of residents who need significant assistance with evacuation, for example due to their physical mobility.

It is also important that residents of buildings are provided an opportunity to contribute to the assessment of their building's safety risk. Residents often have knowledge of issues that may not otherwise be picked up, such as flaws that are relevant to safety or evacuation procedures.

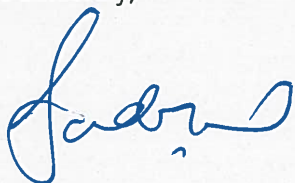
The Government should seek to understand and emulate successful approaches to fire risk assessment and prioritisation that have been progressed internationally, for example, by the regional Government of Victoria, Australia. Following a serious fire in an ACM clad residential building in Melbourne in which, fortunately, no lives were lost, a systematic assessment of all potentially at-risk buildings was undertaken, and a risk-based approach implemented to prioritising remedial works. Finally, I urge the Government to thoroughly engage with the London Fire Brigade throughout this review.

Any new approach that emerges from this review must be future-proofed and nimble enough to adapt to changing circumstances. Fire risks will inevitably change over time, as there are innovations in construction techniques and materials.

I also urge the Government to provide clarity on how remediation work will be funded. As I have long argued, this should include an expansion of the Private and Social Sector ACM Cladding Remediation Funds to cover interim measures and other types of unsafe material. Further additional funding may be needed to remediate other building safety risks such as compromised or faulty firestopping.

Finally, I strongly urge the Government to act responsibly by publishing the outcome of all non-ACM testing in full and developing a clear plan to mitigate any risks that might have been identified. It is unacceptable that repeated commitments to publish this information have not been met.

Yours sincerely,



Sadiq Khan
Mayor of London