

**THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

<b>Title of meeting:</b>	Cabinet Member for Housing and Tackling Homelessness
<b>Date of meeting:</b>	16 <sup>th</sup> October 2024
<b>Subject:</b>	Ladywood House - Building Safety Case
<b>Cabinet Member:</b>	Councillor Darren Sanders - Cabinet Member for Housing and Tackling Homelessness
<b>Report by:</b>	James Hill - Director of Housing, Neighbourhood and Building Services
<b>Report Authors:</b>	Adam Hardwick - Assistant Director Building Services Amy Holmes - HRA Building Safety Manager
<b>Wards affected:</b>	Charles Dickens

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## **1. Purpose**

- 1.1. The purpose of the report is to provide the Cabinet Member for Housing and Tackling Homelessness with an update on the Ladywood House, Building Assessment Certificate which includes the Building Safety Case.
- 1.2. The report will outline background to the Building Safety Act 2022, details of what a Building Assessment Certificate consists of, the key points of the Building Safety Case, Resident Engagement Strategy and the Mandatory Occurrence Reporting System and the next steps that will be taken.
- 1.3. The report will outline to the Cabinet Member for Housing and Tackling Homelessness how Building Safety works are being undertaken and how the Building Safety Case for Ladywood House helps to demonstrate compliance with aspects of The Regulator for Social Housing - Consumer Standards.
- 1.4. The report will update the Cabinet Member for Housing and Tackling Homelessness of resident engagement activities undertaken to date and future planned engagement, alongside how residents can access relevant Building Safety documents as detailed in section 5 and 7 of the report.

## **2. Background - Building Safety Act 2022**

- 2.1. Following the tragic Grenfell Tower fire, the Building Safety Regulator was introduced to give residents and homeowners more rights, powers and protections to ensure homes are safer.

- 2.2. There is specific legislation that requires owners of taller buildings / high-rise buildings to understand and mitigate or manage risks associated with Building Safety to ensure the safety of residents and to promote better communication with residents and demonstrate that concerns are listened to with information provided to residents in a transparent way.
- 2.3. Under the act, Building Safety is categorised as risks around the spread of fire or structural failure to a building.
- 2.4. The Building Safety Regulator was established as part of the Health and Safety Executive, to drive improvement to safety and cultural change in the building industry and act as the regulatory body in relation to Building Safety, with specific regard to high-rise buildings.
- 2.5. The Building Safety Act 2022 introduced new responsibilities and legal duties on Portsmouth City Council as the Principal Accountable Person (PAP) for our occupied residential high-rise buildings, defined as a building with at least two residential units which is at least 18 metres in height or has at least 7 storeys.
- 2.6. The main duties placed upon Council as Principal Accountable Person include;
  - Ensuring all high-rise buildings are registered with the Building Safety Regulator
  - Assess and manage Building Safety risks
  - Develop resident engagement strategies to inform residents about their building and how they can contribute to building safety decisions
  - Establish a system to report to the Building Safety Regulator where incidents or risks with potential to cause significant impact are identified, known as a Mandatory Occurrence Reporting System
  - Prepare individual Building Safety Case reports to demonstrate how Building Safety risks are managed
- 2.7. Within 5 years of building registration, the Building Safety Regulator will request the Council as the PAP to apply for a Building Assessment Centre. This requires the Council to submit the Building Safety Case Report along with the Resident Engagement Strategy and Mandatory Occurrence reporting system to allow the Building Safety Regulator to review and ensure that we are meeting our legal duties.
- 2.8. Subject to satisfactory review, a Building Assessment Centre will be issued that is valid for up to 5 years. This must be displayed within the block and available to residents.
- 2.9. The Council have 22 high-rise buildings within the Housing Revenue Account that have been registered with the Building Safety Regulator, with Ladywood House being the second block that the Building Safety Regulator has directed for a Building Assessment Certificate application.

### **3. Ladywood House - Background**

- 3.1. Ladywood House (LWH) is a 24-storey block of flats owned and managed by the Council, located within the Charles Dickens Ward. It was registered as a high-rise building with the Building Safety Regulator on 19<sup>th</sup> September 2023.
- 3.2. The Council received a written request on 12<sup>th</sup> August 2024 from the Building Safety Regulator to apply for a Building Assessment Certificate within 28 days of the request. The application was submitted on the 6<sup>th</sup> September 2024.
- 3.3. We have received confirmation from the Building Safety Regulator that they have received the required documents and is currently under review.

### **4. Ladywood House - Building Safety Case Report**

- 4.1. The Safety Case Report demonstrates a robust approach to managing building safety at Ladywood House, which ensures that building safety risks are kept 'as low as reasonably practicable'.
- 4.2. The Building Safety team within Building Services, have worked with services from across the HNB directorate and our external fire consultants FR Consultants Ltd to form the Building Safety Case Report for Ladywood House.
- 4.3. Work has been completed to develop a Building Management System specific to Ladywood House alongside commissioning a range of surveys and technical reports to inform our knowledge of the block and inform the Building Safety Case.
- 4.4. The Building Management System outlines the planning, organisation, control and monitoring in place to manage safety risks in the building. This includes how the elements of the building are maintained but also policies and procedures around how the building is managed and used. It takes into account;
  - 4.4.1. Resources in place to manage building safety including Building Services, Housing Management, Estate Services and Resident Engagement.
  - 4.4.2. Ongoing engagement with Hampshire and Isle of Wight Fire and Rescue Service and other external stakeholders.
  - 4.4.3. Contractor management and procurement for servicing, maintenance, compliance and planned maintenance.
  - 4.4.4. A clearly defined matrix identifying roles and responsibilities in relation to building management.
  - 4.4.5. Surveys and technical reports undertaken to identify and understand the risks present and any recommendations to reduce the risks.

- 4.4.6. Servicing and compliance items that are undertaken to ensure building elements are functioning as required.
  - 4.4.7. Processes for supporting residents and building users.
  - 4.4.8. Information gained from the undertaking of regular Tenancy Update Visits to understand our residents and any specific risks identified in relation Building Safety.
  - 4.4.9. Estate Services block checks, fire equipment checks and enforcement of the zero-tolerance policy within the communal areas.
- 4.5. We have undertaken a range of technical surveys to identify risk factors and building safety issues, that have informed recommendations for improvements. Below is a summary of the key surveys undertaken and their outcomes;
- 4.5.1. Structural survey - This confirmed that the overall structural condition was deemed good with recommendations for ongoing investigation and maintenance.
  - 4.5.2. Fire Risk Assessment Type 4 including compartmentation survey - This identified a number of recommendations both related to works and management of the block. The key recommendations relate to replacement fire doors and compartmentation works. The management actions include continuing to remind residents about fire safety and continuing to undertake inspections of firefighting equipment.
  - 4.5.3. Fire Risk Appraisal External Wall (FRAEW) - This confirmed that there were no combustible materials present on the external walls, with no actions necessary.
  - 4.5.4. Fire Door Survey (Property Entrance Door and Communal) - This assessed the condition of property and communal fire doors within the block and recommended repairs and replacement.
  - 4.5.5. Fire Strategy - This confirmed that a stay put policy is suitable to remain for the block.
- 4.6. A review of relevant compliance activities was undertaken such as servicing of fire-fighting equipment, electric and gas safety. All compliance activities for the building are in date, with 100% compliance being achieved at the point of submission, other than 1no. electrical test and 1no. gas safety inspection within the residential properties where there are access issues.
- 4.7. The recommendations that have been made by the technical reports have been reviewed in conjunction with the building management system in place to establish the priority of the actions.

- 4.8. As we complete the safety cases across the 22no. high-rise buildings we will review and prioritise works accordingly to ensure that the highest priority works are undertaken first.
- 4.9. Specifically with regard to Ladywood House, due to the height of the building and presence of a single escape stair, we have prioritised replacing the fire doors throughout the building and the undertaking compartmentation remediation works. Work to commence the evaluation of a scheme is underway with it anticipated to commence in 2025/2026.
- 4.10. Funding for the works has been allocated within the March 2024 Budget report "Council Housing Maintenance and Improvements and Non-Dwelling Capital 2024/2025" approved by the Cabinet Member for Housing and Tackling Homelessness on 20th March 2024.
- 4.11. Ahead of the capital scheme, we have reviewed the Building Safety Case and given consideration to interim measures to maintain resident safety. Key aspects that mitigate risk ahead of a scheme include;
  - The block has a sprinkler system installed and evacuation alert system
  - We will continue to undertake Tenancy Update Visits to all residents, to identify any specific issues and put in place Personal Emergency Evacuation Plans where necessary.
  - We will ensure that ongoing repairs are undertaken as necessary to any fire door alongside general block maintenance and compliance activities.

## **5. Ladywood House - Resident Engagement**

- 5.1. As part of the Building Assessment, it is necessary to ensure that residents are adequately and sufficiently consulted, engaged and communicated with about building safety matters in relation to the block that they live in.
- 5.2. Resident consultation took place between 13<sup>th</sup> July 2023 and 10<sup>th</sup> August 2023, this included a drop-in session for residents to meet the HRA Building Safety Manager and a questionnaire to understand what matters to residents and how and if they want to get involved.
- 5.3. Our overarching Building Safety Engagement Strategy was brought to the Cabinet Member for Housing and Tackling Homelessness meeting on 22<sup>nd</sup> February 2024. This strategy was informed by consultation with residents across all the high-rise buildings.
- 5.4. A block specific resident engagement strategy was prepared for the Building Assessment Certificate application that included the overarching resident engagement strategy, made reference to the consultation and engagement that has been undertaken to date and the future engagement that we intend to undertake with residents.
- 5.5. A bespoke abridged building safety engagement strategy leaflet has been created for Ladywood House residents following feedback received from residents. The leaflet

sets out the shared responsibilities to keep the building safe, gives clear contact points for concerns to be raised and signposts to the full building safety engagement strategy.

## **6. Ladywood House - Mandatory Occurrence Reporting System.**

- 6.1. A mandatory occurrence reporting system has been created to enable any building safety concerns by residents, building users and stakeholders to be reported to the Building Safety Team.
- 6.2. The process ensures that any reported concerns are fully assessed by the Building Safety Team and relevant actions taken. Where concerns are valid and significant, these are required to be reported to the Building Safety Regulator.
- 6.3. The process also ensures that following review of the concern, feedback is given to the resident or the person reporting the concern, detailing the outcome. The mandatory occurrence log is regularly reviewed by the Building Safety Team and through governance structures to ensure actions have been adequately addressed and consideration given to any learning to improve Building Safety.

## **7. Future Works / Engagement**

- 7.1. Residents will be written to, informing them that the Building Assessment Certificate has been applied for and to give them the opportunity to request any documents on the building.
- 7.2. A further in person resident engagement drop-in session will be detailed within the letter to provide the opportunity for residents to ask any questions or raise concerns with the Building Safety Team.
- 7.3. Following issuing of the Building Assessment Certificate by the Building Safety Regulator, the certificate itself will be displayed within the communal area of the building.
- 7.4. The Building Projects Team will progress with the fire door replacement scheme and any necessary compartmentation works to Ladywood House. Where repairs to doors are identified in the interim these will be completed as required.
- 7.5. We will continue to undertake compliance, monitoring and inspection activities to ensure that the building safety risks are kept 'as low as reasonably practicable'.
- 7.6. We will continue to undertake regular tenancy update visits to ensure that we understand the residents of the building and hold up to date information.
- 7.7. The following additional engagement is planned at Ladywood House:
  - Issue the block specific building safety engagement strategy leaflet to residents.

- Issue the building safety leaflet pack to residents of LWH, this includes gas safety leaflet, living at height safely, fire door information leaflet, what to do in the event of a fire leaflet and charging safely leaflet.
- Undertake 6-monthly in-person engagement sessions with residents.
- Develop specific an engagement strategy for the door replacement and compartmentation scheme.

## **8. Regulator of Social Housing - Consumer Standards**

- 8.1. The Social Housing (Regulation) Act 2023 has introduced 4 new Consumer Standards that defines required outcomes and specific expectations that Landlords are required to meet.
- 8.2. The 4 Consumer Standards cover the areas of;
- Neighbourhood and Community Standard
  - Safety and Quality Standard
  - Tenancy Standard
  - Transparency, Influence and Accountability Standard
- 8.3 The application for the Building Assessment Certificate for Ladywood House along with the information held within the Building Safety Case, Resident Engagement Strategy and Mandatory Occurrence Reporting System, all support demonstration of conformance to multiple aspects of the standards.
- 8.4 Below are listed extracts from the Consumer Standards that are specifically demonstrated through the Building Safety work associated with Ladywood House;

### **Safety and Quality Standard**

#### **1.1 Stock quality**

*1.1.1 Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants.*

#### **1.2 Health and safety**

*1.3.1 When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.*

#### **1.3 Repairs, maintenance and planned improvements**

*1.4.1 Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.*



**Transparency, Influence and Accountability Standard**

**1.4 Engagement with tenants**

*1.3.1 Registered providers must take tenants’ views into account in their decision-making about how landlord services are delivered and communicate how tenants’ views have been considered.*

**1.5 Information about landlord services**

*1.4.1 Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.*

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Signed by: **James Hill-Director of Housing, Neighbourhood and Building Services**

**Appendices:** None.

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Building Safety Act 2022	<a href="https://legislation.gov.uk">Building Safety Act 2022 (legislation.gov.uk)</a>
The Social Housing (Regulation) Act 2023 - Consumer Standards	<a href="https://www.gov.uk">Regulatory standards for landlords - GOV.UK (www.gov.uk)</a>
Budget Report, Housing Cabinet Decision meeting, 20 <sup>th</sup> March 2024	<a href="https://portsmouth.gov.uk">Public Pack)Agenda Document for Cabinet Member for Housing and Tackling Homelessness, 20/03/2024 10:00 (portsmouth.gov.uk)</a>
Building Safety Engagement Strategy Report, Housing Cabinet Decision meeting, 22 <sup>nd</sup> February 2022	<a href="https://portsmouth.gov.uk">Public Pack)Agenda Document for Cabinet Member for Housing and Tackling Homelessness, 22/02/2024 10:00 (portsmouth.gov.uk)</a>

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Signed by: **Councillor Darren Sanders - Cabinet Member for Housing and Tackling Homelessness.**