

Fire Safety – Government Consultation

NFA response

9th October 2020

About the NFA

The National Federation of ALMOs represents all 29 ALMOs which manage just under 400,000 council homes across England stretching from Cornwall to Newcastle. ALMOs were first established in April 2002 to provide housing management services on behalf of local authorities. They are not-for-profit organisations, wholly owned by local authorities, used to manage council housing. ALMOs are led by an independent board usually made up of a third tenants, a third council representatives and a third independents, around two thirds of ALMOs have a tenant board chair and/or vice chair.

ALMOs provide tenants with local, tenant-focused and cost-effective housing management services. The organisations allow local authorities to separate out the day-to-day operations of housing management from the wider strategic role of local authorities. They have been responsible for delivering the vast majority of the government's Decent Homes programme and have an excellent track record of delivering new council housing, building over 7,000 new homes in the last five years.

All our members manage existing buildings which fall under the requirements of the Fire Safety Order and the proposed changes.

Introduction

The NFA welcomes the government's actions in legislating to amend the FSO and this consultation. The proposals to clarify the scope of the FSO are very helpful and we agree should lead to better identification, assessment and enforcement against fire risks in multi-occupied residential buildings. The clarification that the FSO applies to the structure, external walls (including cladding and balconies) and individual flat entrance doors between domestic premises and the non-domestic parts is welcome.

Fire Safety is an area on which we have worked closely with our members and MHLCCG over the years and are pleased with the government's work in this area. Our members are responding to the consultation in detail so rather than answering the individual questions we have summarised the key points from our member's comments to us for your information.

Issues for ALMOs

Responsible Persons

Some of our members believe that the proposals as set out do not encourage sufficient co-operation between the Fire Authorities and building managers and believe that joint working is important to keeping the building safe.

Others have suggested a change of terminology to prevent confusion between the FSO and the Responsible Person and the draft Building Safety Bill and the Accountable Person, so everyone is talking about one person/job title.

Flat Entrance Fire Doors

We understand and support the principle behind these proposed measures but still have concerns about the practicality of the frequency of checks proposed, particularly for members with large numbers of high-rise tower blocks. Most of our members are either already doing or plan to do most of the proposed checks as often as possible given their resources. However, some are concerned about the level of access residents will allow them to carry out the full checks twice a year on the tallest buildings. This worry is particularly acute in cities like London where many of the flats are leasehold and then privately rented out with frequent movement among the population making residents difficult to engage with. If kept at the current proposed frequency this is going to be challenging for many large city landlords and we would ask that it is kept under review if not changed.

Other members have asked that where additional fire safety measures have been installed, such as sprinklers, could this requirement be mitigated, and the frequency of checks be lowered so that the response is more risk based.

London members with high numbers of leasehold flats are also concerned about their ability to enforce leaseholders to install a fire door and maintain it. A significant amount of re-education and communication will be needed to convey the new requirements and enforcement is likely to be required at least initially. As the proposals point out the draft Building Safety Bill sets out new duties to be placed on residents and provides the accountable person with more powers to ensure compliance. We believe the term “relevant resident’s item” covers the items our members would be concerned about including flat entrance doors and welcome that improvement.

We wholeheartedly agree that there should also be a requirement to notify the RP of any proposed changes that may compromise compartmentation such as changing a flat entrance door but not replacing it with a suitably fire-resisting and self-closing door or by making alterations that are detrimental to fire safety such as a penetration between flats or between a flat and the non-domestic premises as these sorts of works are reported to happen frequently in blocks of flats and sometimes even after work has been carried out to rectify previous breaches of compartmentation.

Personal Emergency Evacuation Plans

Given the practical challenges to operating this system with large numbers of tower blocks and vulnerable residents we are pleased to see that the onus has been placed on the resident to self-refer and request a PEEP. However, we are still concerned that the information landlords have may go out of date relatively quickly and that the information may not be good enough to be useful in planning evacuations when required in an emergency.

Again, this is most pertinent in London and other large cities because of the transient nature of parts of the population due to private renting or short term lets in leasehold properties. It is also likely that known health conditions and vulnerabilities will change over time, get worse, emerge suddenly or get better without residents remembering to inform their landlord

in case of a fire. Unless you have that accurate flow of information from residents, you cannot have a useful Personal Emergency Evacuation Plan. RPs are unlikely to know about other members of household, especially if they are just visiting temporarily and it will not be easy to manage and refresh that information. For landlords with large numbers of buildings in scope this is a vast and potentially onerous task on the responsible person which needs to be properly funded and resourced.

Many members are also concerned about the personal and confidential nature of this information and the risk of it falling into the wrong hands. We are therefore calling for a more proportionate and reasonable approach to PEEPs.

Premises Information Boxes

We have serious security concerns with these boxes in some areas and the number of people who will have access to them with high levels of anti-social behaviour, drug dealing and cuckooing of vulnerable residents around some tower blocks. There is also the issue of how much paper information they can hold, meaning more than one could be required. Many members have suggested that moving to a completely electronic system would be better and more secure but if that is not feasible not then other ways of ensuring security need to be found and prioritised by everyone accessing the box.

Information to Residents

We need to be mindful of potential language barriers and providing this information in different languages could become unmanageable in some areas. A suggestion has been made that we could provide information pictorially in a nationwide agreed format which we believe should be explored.