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Title: Fire, Resilience and Emergency Planning Committee – Review of Ban on Use of Combustible Materials in and on External Walls - MCHLG Consultation Response

Executive Summary

At its Annual Meeting on 1 May 2013, the Assembly agreed to delegate a general authority to Chairs of all ordinary committees and sub-committees to respond on the relevant committee or sub-committee's behalf, following consultation with the lead Members of the party Groups on the committee or sub-committee, where it is consulted on issues by organisations and there is insufficient time to consider the consultation at a committee meeting.

Following consultation with the Deputy Chair and party Group Lead member, the Chair of the Committee, Andrew Dismore AM, agreed a response to the Ministry of Housing, Communities & Local Government's Review of the ban on the use of combustible materials in and on the external walls of buildings.

A copy of the response to the consultation is included in **Appendix 1**.

Decision

That the Chair, in consultation with the Deputy Chair and party Group Lead Members, agree a response to the Ministry of Housing, Communities & Local Government's Review of the ban on the use of combustible materials in and on the external walls of buildings.

Assembly Member

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature

Date 22/05/2020 by e-mail



Printed Name Andrew Dismore AM (Chair, Fire, Resilience and Emergency Planning Committee)

Decision by an Assembly Member under Delegated Authority

Notes:

1. The Lead Officer should prepare this form for signature by relevant Members of the Assembly to record any instance where the Member proposes to take action under a specific delegated authority. The purpose of the form is to record the advice received from officers, and the decision made.
2. **The 'background' section (below) should be used to include an indication as to whether the information contained in / referred to in this Form should be considered as exempt under the Freedom of Information Act 2000 (FoIA), or the Environmental Information Regulations 2004 (EIR). If so, the specimen Annexe (attached below) should be used. If this form does deal with exempt information, you must submit both parts of this form for approval together.**

Background and proposed next steps:

At its Annual Meeting on 1 May 2013, the Assembly agreed to delegate a general authority to Chairs of all ordinary committees and sub-committees to respond on the relevant committee or sub-committee's behalf, following consultation with the lead Members of the party Groups on the committee or sub-committee, where it is consulted on issues by organisations and there is insufficient time to consider the consultation at a committee meeting.

The consultation for the Ministry of Housing, Communities & Local Government's review of the ban on the use of combustible materials in and on the external walls of buildings closes on 25 May 2020. The Fire, Resilience and Emergency Planning Committee is not due to meet again before the deadline for this consultation has passed.

Following consultation with the Deputy Chair and party Group Lead member, the Chair of the Committee, Andrew Dinsmore AM, agreed a response to this consultation from the Committee under the general delegation agreed by the Assembly at its Annual Meeting. The submission will be reported back to the Committee's first meeting of the 2020/21 year. A copy of the response to the consultation is included in Appendix 1.

Confirmation that appropriate delegated authority exists for this decision

Signed by Committee Services

Date 22/05/20



Print Name: Diane Richards

Tel: Pending

**Financial implications
NOT REQUIRED**

Signed by Finance

N/A

Date

N/a

Print Name

N/A

Tel:

N/a

Legal implications

The Chair of the Fire, Resilience and Emergency Planning Committee has the power to make the decision set out in this report.

Signed by Legal

Date 18/05/2020
BY EMAIL

Print Name

Emma Strain, Monitoring Officer

Tel: X 4399

Additional information should be provided supported by background papers. These could include for example the business case, a project report or the results of procurement evaluation.

Supporting detail/List of Consultees:

Susan Hall AM (Deputy Chair)
David Kurten AM.

Public Access to Information

Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** this form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 – Deferral**Is the publication of Part 1 of this approval to be deferred?** No

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form - No**Lead Officer/Author**

Signed

Date 22/05/20
By Email

Print Name

Janette Roker

Tel: x. 6562

Job Title

Policy Advisor

Countersigned by
Director

.....*E. Williams*.....

Date 22.05.2020
By Email

Print Name

Ed Williams

Tel: x. 4399



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Andrew Dismore AM

Chair of the Fire, Resilience and Emergency Planning Committee

25 May 2020

ADBconsultation@communities.gov.uk

London Assembly Fire, Resilience and Emergency Planning Committee – response to MHCLG consultation: Review of the ban on the use of combustibile materials in and on the external walls of buildings

The London Assembly Fire, Resilience and Emergency Planning (FREP) Committee welcomes the opportunity to respond to the Ministry of Housing, Communities and Local Government's (MHCLG) consultation on the ban of the use of combustibile materials on the external walls of buildings. We wish to make the points in this letter by way of response to the consultation.

The London Assembly is the democratic voice of London, representing 14 constituencies and five political parties. The Assembly scrutinises the decisions and actions of the Mayor of London. For more information on the work of the Fire, Resilience and Emergency Planning Committee please do visit our website at <https://www.london.gov.uk/fire-resilience-emergency-planning>.

The FREP Committee has considered building safety on several occasions, notably July and October 2019, when the Committee heard from London Fire Brigade (LFB) specialists, as well as tenant and leaseholder representatives and the Royal Institute of Chartered Surveyors. Our response draws on evidence from these sessions and others.

While high-rise buildings are designed to resist fire, and contain it through compartmentation if a fire starts, the tragedy at Grenfell Tower, along with other similar fires in tall buildings around the world, has highlighted the importance of fire safety practice and effective building regulations. The Committee welcomes the amendment to Building Regulations banning the use of combustibile materials on the external walls of high-rise residential buildings, alongside a commitment to review the ban annually, and supports the ongoing engagement with experts to understand the impact of the ban. We note evidence at our committee sessions that adjustments to the cladding regime must be considered alongside other fire safety improvements – in particular, fitting sprinklers to new and existing buildings.

The Committee believes that all residents should have the right to feel safe in their homes and agrees that the additional building types, including hotels, hostels and boarding houses, should be covered in the scope of the ban. Further to this, as recommended in the Committee's response to the MHCLG's Building a Safer Future consultation last year, housing, care homes and places where vulnerable people sleep should also be considered.

The Committee supports the proposal to lower the height threshold of the ban. However, it also believes that the ban should align with risk, vulnerability and people's behaviours, rather than the height of a building alone. Height may increase risk, but it is far from the only factor to do so. The Committee has been told repeatedly that height is not a sufficient risk criteria, and operating as if it is, presents loopholes and inconsistencies that developers may exploit.

During the Committee's investigation on fire safety in tall buildings, the LFB reported that it is a "broader conversation" rather than just talking about tall buildings and that improvements to the whole regulator regime are needed. Prioritising the safety of residents is of great importance, and while the Committee agrees that the combustible cladding ban should be lowered to at least 11 metres, it urges the Government to extend the ban to all buildings, regardless of height or building tenure. Building on this, the Committee welcomes the proposal for a large research project to improve understanding of building risk in relation to height and other factors and urges the Government to progress this as a matter of urgency. This research should be done at pace, and the Committee is clear that awaiting this research – as we have awaited other Government studies in this field – must not delay the Building Safety Bill due this summer.

The London Fire Commissioner told the Committee that, based on what the LFB has learned since Grenfell, it is calling for urgent research on buildings that fail on fire safety, leaving 'stay put' advice no longer viable. The Committee fully supports the LFB in its call for Government changes to building regulations, including a complete ban on combustible cladding and a thorough review of fire safety in residential buildings.

The Committee agrees that the ban on the use of metal composite materials with a polyethylene core should be extended to all buildings, and that in addition, solar shading products should be included within the ban. Not only would this strengthen fire safety measures and reduce incidents of external wall fires, it would also provide reassurance to residents.

The Committee welcomes the Chancellor's announcement to provide an additional £1 billion to fund the removal and replacement of unsafe non-aluminium composite material (non-ACM) cladding systems installed on high-rise residential buildings in both the private and social housing sectors.¹ However, there are still too many buildings that are unlikely to meet Building Regulations and are yet to be remediated, let alone those where the cladding status is still to be confirmed.² This fund also leaves unresolved the 1,700 other buildings with unsafe cladding, and

¹ Ministry of Housing, Communities & Local Government, [Remediation of non-ACM buildings](#), Last updated 7 April 2020

² Ministry for Housing, Communities and Local Government, [Building Safety Programme: Monthly data Release](#), 29 February 2020

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the costs to leaseholders from interim fire safety measures. The Committee commends GLA officers who have worked to get recalcitrant building owners to apply and use the remediation funds so far. But action needs to be taken to address the wider problem now.

We hope that the points raised in this letter will help inform ongoing efforts to ensure fire safety is at the heart of building regulatory reform.

Yours sincerely,

A handwritten signature in blue ink that reads "Andrew Dismore". The signature is written in a cursive, slightly slanted style.

Andrew Dismore AM

Chair of the Fire, Resilience and Emergency Planning Committee