

BIRMINGHAM CITY COUNCIL

HOUSING AND NEIGHBOURHOODS OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY, 17 DECEMBER 2020 AT 14:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 - 12

4 ACTION NOTES AND ACTION TRACKER

To agree the action notes of the meeting held on 19 November 2020 and note the action tracker.

13 - 46

5 HOUSING IN TOWER BLOCKS

Julie Griffin, Acting AD, Housing, and John Jamieson, Head of Service for Housing Management, in attendance.
The Cabinet report on Fire Safety in High Rise Buildings (considered on 13 October 2020) is attached.

47 - 48

6 HMOS - PLANNING ENFORCEMENT

James Fox, Senior Enforcement Officer, in attendance.

7 **WORK PROGRAMME**

For discussion.

8 **DATE AND TIME OF NEXT MEETING**

The next meeting is scheduled to take place on Thursday 21 January 2021 at 1400 hours via an online meeting.

9 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**

To consider any request for call in/councillor call for action/petitions (if received).

10 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

11 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL**HOUSING AND NEIGHBOURHOODS O&S COMMITTEE –
PUBLIC MEETING****1400 hours on Thursday 19 November 2020, Online meeting**

Present:

Councillor Penny Holbrook (Chair)

Councillors Deirdre Alden, Marje Bridle, Roger Harmer, Mahmood Hussain, Shabrana Hussain, Mary Locke and Ken Wood

Also Present:

Cllr John Cotton, Chair of the Birmingham Community Safety Partnership/Cabinet Member for Social Inclusion, Community Safety and Equalities

Chief Superintendent Steve Graham, Vice-Chair of the Birmingham Community Safety Partnership

Waqar Ahmed, AD, Community Safety and Resilience

Mira Gola, Head of Business Improvement and Support, Neighbourhoods Directorate

Julie Griffin, Acting AD, Housing

Gary Messenger, Interim Head of Housing Options and Private Rented Sector

Stephen Philpott, Strategic Lead – Rough Sleepers

Pamela Powis, Safer Neighbourhood Manager

David Watson, Trident Reach

Les Williams, Depot Manager

Jayne Bowles, Scrutiny Officer

Emma Williamson, Head of Scrutiny

1. NOTICE OF RECORDING/WEBCAST

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2. APOLOGIES

None.

3. DECLARATIONS OF INTERESTS

None.

4. ACTION NOTES AND ACTION TRACKER

(See documents 1 and 2)

RESOLVED:

- The action notes of the meeting held on 30 July 2020 were agreed.
- The action tracker was noted.

5. PERFORMANCE MONITORING

(See document 3)

Mira Gola, Head of Business Improvement and Support, Neighbourhoods Directorate, Julie Griffin, Acting AD, Housing, and Les Williams, Depot Manager, attended for this item.

In the course of the discussion, and in response to Members' questions, the following were amongst the main points raised:

- It was acknowledged that there has been previous dialogue about the wording of the missed collections measure and the title has been amended, however Members remain concerned that the this measure only captures *reported* missed collections. It was agreed that this would be taken back to the Cabinet Member and AD for further discussion;
- The "slab in the cab" is being re-introduced with better technology with live reporting if a collection is missed and the reason why;
- It was queried whether the recycling figures (excluding bottom ash) include green waste;
- Improved cleanliness is often the top of the list of priorities for residents and Members asked whether any benchmarking had been done with other LAs and if so what the comparisons are for last year;
- In response to a question about the purchase of new waste vehicles, Members were told that it is predominantly recycling where problems are being experienced and so those vehicles will be replaced first;
- The fleet now being ordered are slightly different in size, with more alleycats and narrow track vehicles being purchased;
- Reference was made to the Tyseley shutdown and more detail was requested on waste diverted to other disposal facilities during that period (ie what went where);

- This year, household waste has increased and created excess waste, and the service is looking at how to tackle that. It may be that bigger bins are needed or that more education is needed on recycling and there is a new campaign on recycling about to be launched;
- Members were told about discussions taking place with Keir on some joined-up working to schedule deep cleaning on streets where they are carrying out work and it was agreed that a report would be brought to O&S on how that progresses when the time is right;
- With regard to housing repairs, the report refers to Contractor A, B, C & D and Members asked that in future reports the contractors are identified by name;
- Members also asked whether the quarterly performance report which goes to the City HLB could be shared with O&S and officers undertook to look into this;
- With regard to the number of properties improved in PRS, a breakdown of issues and interventions was requested;
- It was pointed out that Co-ordinating O&S Committee is undertaking a piece of work on Exempt Accommodation;
- Concern was expressed about the length of time some people are spending in temporary accommodation, due to there being more homeless presentations than housing available. Demand is rising and it is difficult to move people out of temporary accommodation, one of the reasons being the amount of properties being lost with Right to Buy. However, work is being done with partners and there are many initiatives to address this issue;
- It was agreed that performance reports would be scheduled quarterly from now on.

RESOLVED:

- Responses to be provided to the following requests:
 1. Contractor information to be included in performance reports;
 2. Wording for missed collections to be taken back to Cabinet Member and AD (currently only captures *reported* missed collections);
 3. Improved cleanliness – has there been any benchmarking with other LAs and if so, what are the comparisons for last year;
 4. Recycling figures excluding bottom ash – do they include green waste;
 5. Can the quarterly reports to the City HLB be shared with committee;
 6. Breakdown of the issues and interventions with regard to properties improved in PRS;
 7. More detail on waste diverted to other disposal facilities during the Tyseley shutdown;
 8. Future report to committee on joined-up working with Keir to schedule deep cleaning on streets where they are carrying out work;
 9. Performance reports to be scheduled quarterly from now on.
- The report was noted.

6. ANNUAL REPORT OF THE BIRMINGHAM COMMUNITY SAFETY PARTNERSHIP

(See document 4)

Cllr John Cotton, Chair of the Birmingham Community Safety Partnership/Cabinet Member for Social Inclusion, Community Safety and Equalities, Chief Superintendent Steve Graham, Vice-Chair of the Birmingham Community Safety Partnership, and officers, attended for this item, and also for the Update on PSPOs.

The following points were highlighted:

- This was an annual report “plus”, with more recent updates in response to Covid, and thanks were expressed to all the partners who have contributed;
- This had been a joint endeavour, with strengthened and widened membership;
- There had been challenges, with new ways of working adopted during Covid and fortnightly meetings to respond quickly;
- Covid had had an impact on patterns of crime – with some types of crime decreasing and others, for example domestic violence and hate crime, increasing;
- Targets and outcomes had been reviewed and Local Partnership Delivery Groups re-instated;
- A key focus for the Police is on violent crime;
- The size and complexity of the council poses challenges and opportunities but it was noted that adversity in some ways had helped strengthen relationships;

In the course of the discussion, and in response to Members’ questions, the following were amongst the main points raised:

- It is good to know that the Local Delivery Partnership Groups are attended by councillors and a request was made for membership details to be circulated;
- With regard to the Connecting Communities Project, the Eastern European champions are sustainable and although the project will finish, the outcomes should have longevity;
- In response to a question about the use of deployable CCTV cameras, Members were told they have been making use of these and conversations are taking place with the Cabinet Member for Street Scene and Parks regarding other opportunities.

RESOLVED:

- List of members of the six Local Partnership Delivery Groups to be circulated;
- The report was noted.

7. UPDATE ON PUBLIC SPACE PROTECTION ORDERS

(See document 5)

Cllr Cotton highlighted the following points:

- This was an opportunity to update the committee on the use of PSPOs and the development of the policy;
- He was grateful for the work the committee had undertaken previously and the recommendations made, which had been taken fully on board, and they had looked at best practice elsewhere;
- PSPOs are one of a number of powers and tools to tackle anti-social behaviour and their use will continue to be evidence-led and in partnership;
- It is important to use the right tool and there are valid concerns from homelessness sector partners and a better approach has been co-designed;
- David Watson from Trident Reach and Stephen Philpott, Strategic Lead – Rough Sleepers were also in attendance for this discussion.

In the course of the discussion, and in response to Members' questions, the following were amongst the main points raised:

- New commissioning brought in Trident Reach and 10 more partners and there are weekly conversations to determine whether everything that can be done to provide support has been done before taking action;
- They have worked hard on the tasking element, building up relationships with the Police and Enforcement and are at the point of respecting each other's decisions;
- Tasking meetings are held daily, in addition to the weekly meetings;
- In the last week, 20-30 people have been discussed and only three or four were homeless;
- Cllr Alden was concerned that the PSPO in North Edgbaston had come to an end, but there are problems with beggars, often at traffic lights, and the Police have advised that other things can be done to deal with these issues other than PSPOs;
- The key thing is that PSPOs are not automatically renewable; they have to be evidence-based, and Cllr Cotton said he would like to have a conversation about North Edgbaston to see what else can be done;
- Concerns around traffic light begging were noted and understood but there is limited legislation for tackling this;
- They do engage with individuals and offer support, eg referring to outreach services, and some may have accommodation but other vulnerabilities;
- They will only enforce if all avenues have been exhausted and anti-social behaviour a problem;
- There is a review being undertaken at the moment on the impact and outcomes of PSPOs and it was agreed a report will be brought back to O&S on this when it is completed;
- Currently, there are five live PSPOs (with one on Ladypool Road sent back for further investigation) and it was agreed that a list of pending PSPOs would be circulated to members;

- It was suggested that committee should ask for a separate report on street/traffic light begging, numbers and approach (including PSPOs, neighbourhood policing, etc).

RESOLVED:

- Report to be brought back to O&S on the review of impact/outcomes of PSPOs, when completed;
- List of pending PSPOs to be circulated and regular updates to be provided;
- Separate item to be programmed on street/traffic light begging, numbers and approach (including PSPOs, neighbourhood policing, etc);
- The report was noted.

8. WORK PROGRAMME

(See document 6)

The Chair referred to the cancellation of the last meeting and confirmed that should a similar situation arise in the future, the meeting will go ahead with a Chair being chosen from the floor.

The work programme was discussed and the following agreed:

- Fly-tipping – date(s) to be circulated for informal session with the Cabinet Member to discuss the draft report and recommendations;
- December meeting – Housing in Tower Blocks and Planning Enforcement in relation to HMOs;
- Co-ordinating O&S Committee work on Exempt Accommodation – committee members to be kept updated and input welcomed;
- Performance Reports to be scheduled on a quarterly basis;
- Suggestions for future work programme items:
 - Street/traffic light begging, numbers and approach (including PSPOs, neighbourhood policing, etc);
 - Update on Localisation;
 - Housing Repairs and Maintenance Contracts.

RESOLVED:

- The work programme was noted.

9. DATE OF NEXT MEETING

Noted.

10. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)

None.

11. OTHER URGENT BUSINESS

None.

12. AUTHORITY TO CHAIRMAN AND OFFICERS

RESOLVED:

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 1634 hours.

HOUSING & NEIGHBOURHOODS O&S COMMITTEE
ACTION TRACKER 2020/21

Date	Agenda Item	Action	Notes
19-Nov-20	Performance Monitoring	<ul style="list-style-type: none"> Contractor information to be included in performance reports Wording for missed collections to be re-visited – only captures <i>reported</i> missed collections Improved cleanliness – has there been any benchmarking with other LAs and if so what are the comparisons for last year? Recycling figures excluding bottom ash – is green waste included? Can the quarterly report to the City HLB be shared with O&S? Properties improved in PRS – breakdown of issues and interventions More detail on waste diverted to other disposal facilities during the Tyseley shutdown Future report to O&S on progress with joined-up working with Keir to schedule deep cleaning to coincide with street works Future quarterly performance reports to be scheduled 	ONGOING – currently scheduled for January and April 2021
	BCSP Annual Report	<ul style="list-style-type: none"> List of members on the six Local Partnership Delivery Groups to be circulated 	COMPLETED – emailed to Members 25/11/20
	Update on PSPOs	<ul style="list-style-type: none"> Review of impact/outcomes of PSPOs – report back to O&S when completed List of pending PSPOs to be circulated and regular updates to be provided 	

HOUSING & NEIGHBOURHOODS O&S COMMITTEE

ACTION TRACKER 2020/21

[illegible]



Birmingham City Council

Report to Cabinet

13 October 2020

Subject: Update on Fire Safety in High Rise Buildings – Council Stock

Report of: Acting Director - Neighbourhoods

Relevant Cabinet Member: Councillor Sharon Thompson, Cabinet Member for Homes and Neighbourhoods

Relevant O & S Chair(s): Councillor Penny Holbrook - Chair of Housing and Neighbourhoods Overview & Scrutiny Committee

Report author: Martin Tolley
Head of Capital Investment and Repairs
Tel: 0121 303 3974

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007937/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 To provide an overview of Birmingham City Council's response following Grenfell and Dame Judith Hackitt's subsequent report 'Building a safer future' and the Grenfell Tower Inquiry Phase 1 report.

2 Recommendation

- 2.1 Cabinet are recommended to note the report content and endorse the approach being taken to respond to the findings of these fire safety reports.

3 Background

- 3.1 Following the fire at Grenfell Tower the government commissioned an independent review of building regulations and fire safety which was led by Dame Judith Hackitt. This resulted in recommendations in regard to both the physical aspects of building safety and also in regard to how landlords work with their residents on fire safety matters.

- 3.2 The Cabinet report 'Grenfell One year on' 24th May 2018 (background report) provided an overview of the Council's immediate response and activity post Grenfell. The Cabinet report 'Fire Safety and High-Rise Buildings Update' 29th October 2019 provided a further update to Cabinet on actions taken during 2018/19.
- 3.3 The Regulator of Social Housing on 17th June 2019, issued regulatory notices to two local authorities in respect of compliance with the Home Standard (which is part of the Consumer standard that applies to local authorities) and specifically on a range of health and safety requirements. The standards require that providers will '*meet all applicable statutory requirements that provide for the health and safety of occupants in their homes*'. Birmingham City Council has reviewed and assessed the City Council's position against this report and its recommendations. The internal review has resulted in the updating of a central repository specifically in relation to HRRBs of all related health & safety policies and compliance procedures and as a result of this working practices are continually reviewed and improved. We are liaising with the Regulator of Social Housing for a quality inspection to be carried out.
- 3.4 All activity is being co-ordinated through the Fire Safety Steering Group, which is chaired by Head of Service Asset Management and Maintenance. The Chair of the FSSG is working in conjunction with the Ministry of Housing Communities and Local Government, Local Government Association and the National Housing Federation.
- 3.5 The Chair of the Fire Safety Steering Group has been in regular dialogue with Ministry of Housing Communities and Local Government regarding a range of issues including Large Panel System High Rise Residential Building (HRRBs) and Birmingham City Council's approach to its future management which is being used as an example for other local authorities to learn from. Birmingham's approach post Grenfell has also been showcased in conjunction with the Local Government Association and the National Housing Federation at their recent Building Safety Forum event.
- In June 2019, the Ministry of Housing Communities and Local Government commenced its long-awaited consultation, "Building a Safer Future" with proposals for reform of the building safety regulatory system. This consultation follows on from the government's Implementation Plan published in December 2018 which set out how the government intended to take forward the recommendations from Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety. Birmingham City Council facilitated resident feedback and the Fire Safety Steering Group provided technical feedback to the consultation, which closed in July 2019.
 - Birmingham City Council is also part of the Early Adopters group initiated by MHCLG that has made a commitment to placing building safety and the safety of residents at the heart of all organisations.
- 3.6 The Grenfell Tower Inquiry's Phase 1 Report was published on 30th October 2019. Hearings for Phase 2 have been suspended following the Prime Minister's guidelines around COVID-19 with plans to resume evidential hearings on July 6th 2020 with limited attendance.

- The Government plans to introduce two bills:
 - The Fire Safety Bill, which is currently progressing through parliament. This will implement the relevant legislative recommendations of the Grenfell Tower Public Inquiry Phase 1 Report and put beyond doubt that the Fire Safety Order will require building owners and managers of multi-occupied residential premises of any height to fully consider and mitigate the risks of any external wall systems and fire doors.
 - The Building Safety Bill will put in place new and enhanced regulatory regimes for building safety and construction products, and ensure residents have a stronger voice in the system. The Government aim to publish a draft of this bill before summer recess.

3.7 On 11th March 2020 the Government announced that it will provide £1 billion to fund the removal and replacement of unsafe non-ACM cladding systems. This is in addition to the £600 million made available for remediation of the highest risk ACM cladding. The prospectus for this fund was released on 26th May 2020 and registration opened from 1st June-31st July 2020 with the full application process opening at the end of July 2020. Birmingham City council are applying for this remediation funding for the HRRBs that are in scope.

3.8 The Government has established a Fire Protection Board chaired by the National Fire Chiefs Council (NFCC) which will lead a Building Risk Review Programme to ensure all High-Rise Residential Buildings (HRRBs) of 18m or above are inspected or reviewed by the end of 2021.

3.9 A 'Stay Put' steering group has been formed by MHCLG and the Home Office together with NFCC which includes technical specialists, academics, fire sector leads and employee group representatives. The steering group met for the first time on 18th December 2019. An initial evidence review has already been conducted and the home office will be commissioning a more detailed independent evidence assessment in the near future.

3.10 Robert Jenrick (Secretary of State for Communities and Local Government) has advised he will be bringing forward a Social Housing White Paper later this year that will set out further measures to empower tenants and support the continued supply of social homes. This will include measures to provide greater redress, better regulation and improve the quality of social housing

3.11 Update on Fire Safety and Assurance activity

3.11.1 Stay Put Policy

- Birmingham City Council is undertaking a review of the evacuation procedures in conjunction with WMFS for our HRRBs. A draft Fire Emergency Evacuation Plan (FEPP) has been produced and is being shared with WMFS, West Midlands Police, West Midlands Ambulance Service, Western Power and Cadent Gas for them to provide commentary. This will be presented to FSSG

3.11.2 Fire Awareness Visits

- The opportunity for our tenants to have Safe and Well visits from WMFS has been built into our new lettings and referrals practices and procedures

3.11.3 Fire Risk Assessments

- All Birmingham HRRBs have a current Type 1 Fire Risk Assessment, covering all communal areas. They are subject to a rolling 12-month programme of re-assessment. Type 1 Assessments do not include entry into individual flats and are non-destructive assessments.
- Birmingham City Council has its own in-house team of officers who are accredited Fire Risk Assessors, who carry out our HRRB Type 1 Fire Risk Assessments.
- Birmingham City council are currently piloting the introduction of Type 3 Fire Risk Assessments to communal parts and individual flats (which is a non-destructive inspection) in all dwellings in HRRBs. Carrying out Type 3 Fire Risk Assessments will provide assurances to the council and residents the continued fire safety of these buildings.

3.11.4 Building Safety Manager

- A key recommendation from the Building a Safer Future report is that a 'Building Safety Manager' (BSM) is to be appointed for HRRBs, and possibly other flatted accommodation with the responsibility for ensuring systems are in place that effectively manage building and fire safety; the Building Safety Manager will also be the conduit for the residents' voice in HRRBs. It is envisaged that the role of the BSM will include Type 3 Fire Risk Assessments, engagement with residents living in the HRRBs, carrying out monthly audits of HRRB inspections and dealing with issues identified through audits.
- Birmingham City Council have been piloting this role since November 2019, with the intention for it to be rolled out to all 211 HRRBs by 2021. The full competencies and requirements for the role will be published by Government in summer 2020.
- It has been identified through this pilot that to incorporate the BSM role will require a significant increase in FTE resources.

3.11.5 Retro fit sprinklers

The sprinkler programme is now in the last year of a 3-year installation programme however this has been affected by the Covid-19 pandemic. The installations continue to be delivered by our contractors across the city to all our HRRBs. Performance is monitored daily, weekly and monthly by AMMD. There are very high-levels of customer satisfaction and generally residents are welcoming the installation of this important life-saving equipment into their homes.

3.11.6 Fire Doors

- Following the events at Grenfell, it was highlighted that there was a requirement to test all of the previously fitted doors against the new more robust fire safety standard.
- MHCLG agreed on the composition of a Q Mark composite fire door scheme. Birmingham City Council will now be replacing all fire rated front doors and frames. It is estimated that there will be an additional cost in the region of circa £34m. Any required work will be carried out in conjunction with Shelforce who have now achieved the European standard accreditation for these doors.

3.11.7 Further Enhanced Fire Safety works

- The Capital Investment Team is undertaking further enhanced fire safety work on the exteriors of HRRBs. The blocks that require additional external upgrades have been identified through extensive joint working between the Fire Engineers from West Midlands Fire Service and Birmingham City Council's Capital Investment Team.
- This work will ensure that all HRRBs meet the new Limited Combustibility A2 fire safety standard, as recommended by the Fire Service and central government. Work is in progress with a planned completion date for all work by December 2021.

3.11.8 Resilience Testing

- Resilience exercises are co-ordinated between Birmingham City Council's Housing Service and West Midlands Fire Service. These exercises simulate a live fire safety situation. The exercises are also supported by West Midland Fire Service personnel using apparatus from a range of stations. Birmingham City Council Housing personnel are also involved in this important exercise along with colleagues from the Contact Centre and the city council's Resilience Team. The simulation focuses on the evacuation of volunteers and dummies from the block, as well as taking medical care of casualties and management of fatalities. It also provides West Midland Fire Service the opportunity to pilot new technology and monitor the oxygen equipment. Learning from the exercises can inform some minor changes and revision to the current resilience plan. Resilience exercises scheduled for 2020 have been put on hold due to Covid-19 and will be arranged for later in the year.

3.11.9 Private High-Rise Residential Buildings (HRRBs)

- MHCLG requested the local authority to facilitate the completion of surveys in relation to External Wall Insulation (EWI) systems regarding all HRRBs including those which are privately owned. All identified HRRBs within the Birmingham City Council Boundary have been surveyed and we are working closely with MHCLG to provide the required information.

3.11.10 Improved Resident Engagement

- Residents are being fully consulted in regard to all fire safety related works. Particular emphasis is on contacting vulnerable residents to ensure everyone is fully engaged. Consultation regarding fire safety works is completed by the Repairs Contractors prior to any major works commencing.
- The recruitment of block Champions/Inspectors has continued to be a priority, however this is currently on hold due to the Covid-19 pandemic. We currently have 50 tenants interested in working with the service, and training will be arranged once it is possible for group meetings to resume. A role profile has already been prepared, and is utilised in the recruitment processes, however we do need to be mindful that these are volunteer roles and therefore the level of tenant interest will always impact on the aim of having one block champion/inspector per block. The cabinet member has agreed for a full external review of tenant engagement to take place and the outcomes and recommendations from this review will build the tenant engagement strategy for the future.
- Daily block inspections of HRRBs are carried out daily (Mon to Fri) and confirmation that an inspection has been carried out is displayed on the block notice board each day.
- A review of the Conditions of Tenancy in regard to the council and resident responsibilities will be finalised once the detailed requirements from the Ministry of Housing, Communities and Local Government are fully known.
- The NFCC visited Birmingham City Councils Asset Management & Maintenance Division (AMMD) on 23rd October 2019 to discuss the relationship between Registered Social Landlords (RSLs) and Fire & Rescue Services (FRS) in terms of resident voice and resident engagement strategy, with particular reference to provision of information, redress and routes for escalation for fire safety concerns and resident responsibilities and duties. Dialogue has remained open between the NFCC and Birmingham City Council since this visit and the NFCC thanked us for providing them with invaluable insights and shared a summary of the day with their MHCLG colleagues.

3.11.11 HRRB Repository

- A key recommendation from the Building a Safer Future report is that a golden thread of core building safety information relating to HRRBs is held throughout the lifecycle of the building in a central repository. The review made clear that the new regulatory framework must be underpinned by robust record keeping, with a digital 'golden thread' of key building information running through all phases of design, construction and occupation.
- The Government is working to develop a consistent labelling and traceability system that supports the creation and maintenance of the golden thread of building information.
- The IT requirements for a HRRB repository, that will combine and hold all relevant information that relates to our HRRBs, has been specified. The solution will provide a single repository that will hold all relevant information and enable BCC staff as well as select external bodies such as emergency services to have access.
- Safety Case Files for each HRRB are currently being developed and will be held and updated on these repositories.

3.11.12 Waste Management

- Waste Management and Housing Services will continue to work together to ensure that the weekly schedule of bin collections will continue and ensure that there is no build-up of waste items in all HRRBs.

4 Options considered and Recommended Proposal

- 4.1 This project could have been outsourced to a third party consultancy, however it was felt that due to the time scales and the wide and varied approach required across the entirety of the service, an internal resource with in-depth knowledge of the service would be more efficient and cost effective. To address this, the Fire Safety Steering Group was formed and headed up by the Head of Capital Investment and Repairs and supported by other Heads of Service and operational staff from across the wider Housing Service.
- 4.2 Cabinet are recommended to note the report content and endorse the approach being taken to respond to the findings of the Building A Safer Future report, Grenfell Tower Inquiry Phase 1 report and the government's response to these.

5 Consultation

- 5.1 The ongoing activity in regard to fire safety and engagement as detailed in this report has been shared with tenants through the City Housing Liaison Board, Cabinet Member for Homes and Neighbourhoods, West Midlands Fire Service, Ministry of Housing Communities and Local Government and the Local Government Association. The joint working with West Midlands Fire Service since Grenfell is overseen by the Fire Safety Steering Group and an updated Project Plan is contained in Appendix 2.

6 Risk Management

6.1 See Appendix 1.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 Maintaining and improving the council owned housing stock directly contributes to the strategic outcomes of the Sustainable Community Strategy, the proposed Council Business Plan and Budget 2018+. Outcome 4 – Birmingham is a Great Place to Live - in particular under the theme of securing a high quality of life for residents.

7.2 Legal Implications

7.2.1 The proposed allocation of work is consistent with the effective management of the council's housing stock under Part II Housing Act 1985.

7.3 Financial Implications

7.3.1 To date Birmingham City Council has received no direct financial support from central government however it is acknowledged that Birmingham City Council has been allowed to extend prudential borrowing to fund the sprinkler programme.

7.3.2 The Sprinkler System Programme budget is £31.0m, of which £2.8m was spent in the financial year 2018/19 and £12m in the financial year 2019/20 on sprinkler installation. The budget for 2020/21 is £16.2m.

7.3.3 The overall capital Housing Investment Programme is being reviewed to reflect the high priority fire safety works in the Housing Revenue Account (HRA) HRRBs, such as the installation of fire doors and frames replacement of window and balcony infill panels, and other requirements from fire assessments. This review also takes into account the requirement to replace expired life cycle elements such as windows, roofs, kitchens, bathrooms, door entry systems, rewires, gas central heating in the overall HRA stock.

7.3.4 Funding of these competing priorities will be challenging and. An application has been made for remediation funding made available by the Government to assist with the programme of works in relation to cladding remediation. Updates on the programme in future years will be picked up in the budget process and reported to Cabinet accordingly.

7.3.5 The BSM role is not budgeted in the HRA. Savings will need to be identified in the HRA in order to fund the appropriate level of BSM resource required for the HRA high-rise stock -this could be a number of posts. The level of saving will be dependent on any additional finance that might be available from Central Government for this role. For non-HRA buildings, additional General Fund budget will be required for the BSM resource needed, i.e. Barry Jackson Tower.

7.4 Public Sector Equality Duty

7.4.1 Attached - Appendix 3 and Appendix 4

8 Background Documents/ Appendices

Appendix 1 – Risk Register Action Plan

Appendix 2 – Fire Safety Steering Group Project Plan V2

Appendix 3 – Equality Act 2010

Appendix 4 – Equality Impact Assessment

Risk Register and Action Plan for: Update on Fire Safety in High Rise Buildings						
Date produced: July 2020						
Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1.	Resident refusal to undertake essential fire safety works i.e. sprinkler installation	Robust communication and engagement process designed to alleviate resident concerns and encourage them to accept sprinkler systems.	Medium	Significant	High	
2.	Asset Management and Maintenance staffing resources reduced	It is vital that the Asset Management and Maintenance division restructure reflects the need for growth brought about with the increased requirements for Fire Risk safety management of our High/Low Rise residential buildings as a result of the Dame Judith Hackitt review.	High	Significant	High	
3.	Judith Hackitt Review/ Government Policy not being implemented	The Asset Management and Maintenance division has a dedicated fire safety steering group and project plan that is implementing any recommendations to ensure the continued fire safety risk management of our high and low rise residential buildings.	Low	Low	High	
Measures of likelihood/ Impact:						
Description	Likelihood Description	Impact Description				
High	Almost certain, is expected to occur in most circumstances. Greater than 80% chance.	Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period.				
Significant	Likely, will probably occur in most circumstances. 50% - 80% chance.	Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from.				
Medium	Possible, might occur at some time. 20% - 50% chance.	Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from.				
Low	Unlikely, but could occur at some time. Less than 20% chance.	Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect.				

Tower Block Fire Safety Action Tracker v2

Task No.	Action	In support of Hackitt Review Recommendations	Owner	start date	target date	completion date	overdue	Identified Resources	Dependencies	Comments 27/07/2020	Comments 06/07/2020	Comments 01/06/2020	Comments 09/03/2020	Comments 17/02/2020	Comments 22/01/2020	Comments 06/01/2020	Comments 04/11/19	Comments 02/10/2019
1	Cost analysis to be carried out of the impact of the new guidance and legislation		Martin Tolley	23/07/2018						A briefing note has been created for this and FSSG will confirm this action can be completed at the next meeting								
6.6	Consider fire procedure notices and information for low rise		Wendy Carroll		01/10/2020					This is on track to be completed by the end of September 2020			JF Chased this last week and these notices are available and Wendy is going to arrange these to go out to local teams this w/c 06/07/2020. Over the next two months these notices will be going up in the low rises with completion by the end September 2020	Await costs John F. arranging for a quote for the provision of sign which was agreed to be displayed in each low rise block.	FSSG agreed low rise procedure and WMFS approved the content. John Flaherty to chase printing to get costs for printing procedure which Local Teams can then display across low rise blocks.		Hopefully get decision on getting printed on 04/11/19. Escalation sent.	
1.3	Identify the cost of implementing Building Safety Managers		Martin Tolley		30/09/2020			BSM pilot group	Legislation (task 21)									
2	Review all decisions made at FSSG		Martin Tolley	23/07/2018	31/08/2018	28/11/2018												
2.3	Ensure the project plan falls in line with the Fire Safety Bill & Building Safety Bill currently and update as this progresses through parliament.		All		31/03/2021													
3	Governance		Martin Tolley		04/10/2018	28/01/2019												
4	Fire Risk Assessment		Martin Tolley	01/01/2018														
4.1	Fire Risk Assessment Proposals	3.4 a & b	Martin Tolley	01/01/2018	01/08/2020		Yes	Sarah Ager				This is included in the BSM proposal that is with the re-structure. In-house CWOs are undertaking HRRB FRAs			Comprehensive Training completed in November 2019 for CWO undertaking FRA Duties	CWOs are undertaking FRAs for all high rise. JF is arranging comprehensive training for additional CWO resources	Decision made at FSSG 04/11/19 that inhouse resources should be utilised to carry out FRA on all high rise blocks. Existing FRA through contractors should be used for low rise and this reviewed as more CWOs are trained on FRAs.	
4.9	Process for issues identified with FRAs		John Flaherty, Wendy Carrol									John Flaherty, Wendy Carrol & Carl Hides have a meeting in May around the issues identified with FRAs. John has a meeting tomorrow with the contractors who undertake these FRAs this week to go over how these should be filled in and where issues should be signposted.						
5	Compiling Safety Case for each block	3.2b	Ricky Jones															
5.3	Collate information for safety case file for all high rise blocks	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Ricky Jones		20/01/2020			BSM pilot group						Met with Sid and made a list of what is missing from the safety case file. This has since been chased for the missing information and we are still waiting for a couple pieces of information	Meeting booked with Sid on 23/01/2020 to look at the safety case files (where to get the information and any issues with getting it)	Ricky to progress with Sid re. the pilot 5 safety case files. These need to be completed by 20/01/20	Martin Tolley has advised that the CIT Admin staff will be compiling the safety case files with technical support from Geraldine Keane. These will be signed off by John Flaherty and Wendy Carroll. Ricky Jones will be managing the Admin Staff and providing updates at FSSG	
5.4	Define what needs to be included in the safety case file for low rise	4.2a, 4.3a	Ricky Jones		31/03/2020			BSM pilot group						This will not be determined until the above safety case files are finalised	This will not be determined until the above safety case files are finalised			
5.5	Safety Case Files - Block Profiles - hard copy in blocks		John Flaherty		30/06/2020							John Flaherty is going to look at the block profiles and if they are complete (It is believed they are) then John is going to arrange for hard copies of block profiles to be in each block. John will give a briefing note to Martin Tolley on 12/05/2020 to advise when and how this will happen. John will also be arranging for electronic copies to SSM's in Housing Management and AMMD. Martin Tolley will be taking these to DMT also.						
6	Low rise flat Project	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Sarah Ager															
6.3	Review FRA property list for low rise	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Carl Hides		31/06/2020					This is not an action for Carl Hides, the list I understand has gone from AMMD to the local housing teams and has been verified?		Sarah to action.	CH update - The list needs to be communicated to and reviewed by the local housing management teams.		Change owner as this is not Carl Hides. Martin Tolley owner. It has previously been confirmed that Sid Turner/Asset Management have photographs of all low rise blocks.	List to be run off Northgate to understand all on the programme that are required		
6.4	Scope how to collect images of all low rises	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Sarah Ager		30/10/2020					This is being carried out by the stock condition surveyors - they have completed 362 low rise block surveys as of 24/07/2020. Need to meet targets and milestones around these (6 per day between 4 surveyors)		CWOs are undertaking this through COVID19 capacity		PMS is carrying out this exercise		Ricky / Paul to do analysis of where there are missing images	Pictures have been obtained and they will be saved on BSU	Pictures are available for all low rise. Need to be added to low rise block folders
7	Fire Risk Management Assessment & Remediation	3.2a 3.2b	Martin Tolley															
12.1	Finalise policy for mobility scooters		Wendy Carroll		31/08/2020					JJ needs to take this to DMT (Date to be confirmed) WC will reforward to JJ and ask him for an update.				JJ requested WC prepare a briefing note to take to DMT. WC awaiting indicative costs for shed area conversion prior to submission.	WC forwarded to John Jamieson to go to DMT for agreement.		The scooter policy is completed. This will be re-vamped as a briefing note for cabinet	
7.4	Recently fitted fire doors need to be inspected to ensure they are up to Qmark standard. This needs to be independent testing to ensure the correct fitting has been carried out		John Flaherty		31/08/2020					A test was carried out at BJT independently - there were a few minor concerns and JF will confirm at the next FSSG that these have been rectified.		Update required		Commenced Testing Inspection in December 2019 in Barry Jackson Tower Blocks, All Test will be completed end of March 2020	Commenced Testing Inspection in December 2019 in Barry Jackson Tower Blocks, All Test will be completed end of March 2020	BJT audits have been carried out. (Cost of contractor). Remedial works will need to be carried out by contractors and satisfy audit team.		

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7.5	Training staff of fire risk awareness		John Flaherty		01/10/2020			fl		JF is looking to continue training in September - JF has sent the list of currently completed to CH and DP		John Flaherty has advised around 60% of estate-based staff have been trained. He is going to provide the details of who has been trained and the name of the training to Carl Flaherty and Dave Prosser.		Commenced on the 11 November 2019 Fire Risk Assessment Training for AMMD Staff and Housing Management,this Training is ongoing into July 2020	Commenced on the 11 November 2019 Fire Risk Assessment Training for AMMD Staff and Housing Management,this Training is ongoing into July 2020	Training ongoing	Fire awareness training set up from November - February for a range of staff. Day 1 Class Room The Regulatory Reform (Fire Safety) Order 2005 Alongside the Housing Act 2004, the Regulatory Reform (Fire Safety) Order 2005 (FSO) introduced duties in relation to fire safety in the common areas of HMOs flats, maisonettes and sheltered accommodation The duty is placed on the responsible person, who is required to carry out a fire risk assessments, Or those who manage Fire Risk The aims of the fire risk assessment are: •to identify the fire hazards; •to reduce the risk of those hazards causing harm •to decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start. Day 2 All delegates will be required to carry out on site FRA in the Morning, and in the afternoon period Delegates will be required to complete an exam. The above Training will commence 11 November 2019 for all Grades 4,5 in AMMD,HM. I am also arrange for Housing Grade 3 Staff half a day re Fire Risk Assessment/Keeping Tower Blocks Safe.	
7.8	Telecomms - prevention of third party of breaching firestopping		Wendy Carroll	06/01/2020	31/03/2020									WC attempted second contact with Wolverhampton Homes but no response. WC will contact Simon Heath to see if we can get this off the ground ourselves by contacting all key internet and telecom providers.	WC contacted Phil Reilly at Wolverhampton Homes after last meeting and await a response. WC to chase again 24/01/2020.	Need to get signage in blocks that no work should be carried out without written permission from BCC. Liaise with Wolverhampton for best practise and how to get memorandum of understanding. Briefing note for estate based staff that unauthorised work should be stopped. Also look at the satellite dish aspect.		
7.10	LACORS - Fire safety Guidance		John Flaherty	11/05/2020	30/06/2020						LACORS – fire safety related guidance – John Flaherty is going to provide an update on this at the next FSSG 01/06/2020							
8	Leaseholder Works	3.2b	Keith Harris		30/08/2020													
8.2	Doors at Manor Close		Keith Harris		30/08/2020													
9	Smoke Detectors		Regan Taylor		31/07/2019	02/10/2019												
10	Communication	4.1a,	Martin Tolley															
10.17	Continuity between contact centres		Geraldine Collins		30/09/2020					Geraldine needs to be invited to a future FSSG							MT advised we need to ensure we have continuity between our contact centres (careline)/ ooh contact centre/in hours contact centre to ensure they have relevant information and can provide it to emergency services	
10.18	Website - Communication and fire safety information on BCC website		John Flaherty / Ricky Jones / Maz Dad		30/09/2020					Good news story information was provided by Wates and passed onto Lauren Rainbow by JF. JF needs to check what has happened with this. New action 27/07/2020 Need to Look at current website and what can be added/created for a fire safety page - RJ/JF/MD				Good news story news brief has been created by Natalie Smith. MT is asking for any future good news stories to go through his team so a press esponse can be coordinated.	Sent info to Lauren Rainbow in December 2019		Stay put policy to be put on the website - WC to liaise with comms JF to obtain details for good news story at Coppice House fire and liaise with comms for website update and to brief cabinet. Need to look at regular bulletins and updates	
10.19	We need to ensure the Fire Kills Campaign is used as part of our fire safety communication/tenant engagement material		Al/BSM		01/10/2020													
11	Tenant Engagement	4.1/4.2/4.3	Louise Fletcher	01/08/2018	31/12/2020													
11.1	Develop block champions		Louise Fletcher	01/08/2018	Ongoing											We now have 50 block champions recruited across the city, and they are awaiting fire safety training which is being organised by JF	LF comments - Ongoing with LF/BSM Pilot group	
11.2	Develop a framework for ongoing tenant engagement		Louise Fletcher	01/08/2018	31/12/2020											Tenant Engagement report to be approved by Cabinet Member prior to external review.	LF Comment - target date unrealistic as report regarding tenant engagement currently with JG	
11.3	Respond to the Hackitt Report regarding tenant engagement		Louise Fletcher	01/08/2018	31/12/2020											Tenant Engagement report to be approved by Cabinet Member prior to external review. Government still to confirm legislative actions following Hackitt Report	LF Comment - target date unrealistic as report regarding tenant engagement currently with JG and also awaiting government guidance	
11.4	Work with current tenant movement structure		Louise Fletcher	01/08/2018	31/12/2020											Tenant Engagement report to be approved by Cabinet Member prior to external review.	LF Comment - target date unrealistic as report regarding tenant engagement currently with JG	
11.5	Understand the influence of housing green paper		Louise Fletcher	01/08/2018	31/12/2020											Tenant Engagement report to be approved by Cabinet Member prior to external review. Government still to confirm recommendations from Housing Green Paper	LF Comment - target date unrealistic as report regarding tenant engagement currently with JG and also awaiting government guidance	
5.1	Customer Access to Safety Case files	4.1a, 4.3 a	Ricky Jones		30/10/2020				Data repository	This is still in development - Owner to be changed to Ricky who is leading on this with ICTDS. Traget date is extended for a further 3 months.		Ricky to provide update						
12	Estate Management	3.2a	Wendy Carroll															
13	Resilience Management	3.2a 3.2c	Martin Tolley		31/03/2019	09/04/2019		Wendy Carroll, John Flaherty										
13.6	Resilience Emergency plan		John Flaherty		31/04/2020									Details have been revised by JF and this will be sent to Andrew Daw	Held Meeting with Michael Enderby Head of Resilience and Emergency Planning, and Adrew Daw on the 10 January 2020 to discuss Housing Emergency Plan,JF to revised some details of Housing Plan	Procedures written - F to get sign off by Gary Messenger and then will go to DMT. Gas supply info in block profile so will be onsite. Part of BCC major incident response	Review the resilience emergency plan and ensure that it is robust. Link in with audit of TMO procedures. Is gas supply isolation included in plan. Is the a process where technical support is onsite within 1 hour when there is a fire? Is there a way for family members to have access about survivors?	
14	Managing High Rise Living	3.2a	Maz Dad / John Jamieson															
14.1	Night Security Service Expansion		Maz Dad		31/07/2020		Yes			Final Draft to be sent to JJ by end of July 2020				Maz is awaiting information from West Midlands Police around criminal activity and Housing Benefit regarding receiving 100% benefit	Visit undertaken, to Legal Service by MD/WC, awaiting feedback. Email sent to NHS web-portal and notification. Follow-up email sent to Pip Mayo , with regards to home visits.		MD in process of finalising draft project scope document	Update from CH 26 9 10 - Maz Dad to produce report for MT consideration?
14.1.1	Scope project		Maz Dad / John Jamieson		31/07/2020		Yes			Final Draft to be sent to JJ by end of July 2020							MD in process of finalising draft project scope document	
14.1.2	Develop business case		Maz Dad / John Jamieson		31/07/2020		Yes			Final Draft to be sent to JJ by end of July 2020							MD in process of finalising draft project scope document	
14.1.3	Commission Service Birmingham		Maz Dad / Martin Tolley						14.1.2									
14.1.4	Specify requirements		Maz Dad / Martin Tolley						14.1.3									
14.1.5	Review options appraisal		Maz Dad / Martin Tolley						14.1.4									
14.1.6	Select preferred contractor (via Service Birmingham)		Maz Dad / Martin Tolley						14.1.5									

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14.1.7	Develop implementation plan		Maz Dad / Martin Tolley						14.1.6											
14.1.8	Implement solution		Maz Dad / Martin Tolley						14.1.7											
14.2	Development of fire safety policy		Wendy Carroll John Flaherty		06/09/2020					Maz to present the RSH document which includes the fire safety policy in early September				Fire Safety Policy complete. MT requested meeting to discuss some aspects prior to submission to DMT. meeting planned for 05/03/2020	Fire Safety Policy Completed awaitinf DMT Approval	Due at DMT 14/01/20	Completed and sent to JF to go to DMT on 12/11/19			
15	Tenancy Management	4.6a	John Jamieson		31/12/2020															
15.1	Renew tenancy conditions	4.6a	John Jamieson		31/12/2020															
16	Waste Management Review	3.2a	Carl Hides	01/10/2018						Comments as previous; this is not overdue										
16.4	Management of refuse collection issues																			
17	Sprinkler Installation		Martin Tolley		31/03/2021					Daily Bin (DBPS - Daily Bin Position Statements) issues are sent to waste management and risk assessments are published by waste management. CH currently undertakes weekly site visits with waste management.										
17.4.5	Brief staff and provide training re. System operation to estate based, OOH and technical staff. Create user guide for staff. (include in block profiles)		John Flaherty		31/09/2020					Training is due to start up again in early September 2020						Create idiot guide	Training material to be obtained from the contractors and register produced of those who have had training			
17.4.6	Provide HSE pack including certificate of commissioning, sign off by third party auditor and all signed refusal packs		Ricky Jones		30/09/2020					Need to audit the process of Contractors providing HSE packs to ensure it is still being followed and we have relevant paperwork on any sprinkler refusals. Payment report needs to match Contractors completion sheets. CTMs to advise if the documentation is in place. RJ to provide current information on Northgate and get them to confirm numbers. Need to confirm with QS that final payment is not made without this										
18	Meetings		Martin Tolley		30/09/2020	28/09/2018														

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1	Cost analysis to be carried out of the impact of the new guidance and legislation		Martin Tolley	23/07/2018						A briefing note has been created for this and FSSG will confirm this action can be completed at the next meeting									Cost analysis is ongoing and will be determined once Hackitt review implementations are finalised
1.1	Initial cost review in relation to fire risk management works		Martin Tolley		01/09/2019	03/08/2018													
2	Review all decisions made at FSSG		Martin Tolley	23/07/2018	31/08/2018	28/11/2018													
2.1	in relation to AMMD		Martin Tolley		31/08/2018	09/08/2018													
2.2	in relation to Housing Management		Tracey Radford		31/08/2018	28/11/2018													
3	Governance		Martin Tolley		04/10/2018	28/01/2019													
3.1	Create briefing note for the fire risk management strategy and approach to date for CX / leader and cabinet member for their feedback		Martin Tolley		04/10/2018	28/01/2019													
4	Fire Risk Assessment		Martin Tolley	01/01/2018															
4.2	Devise FRA SOP	3.4 b	Sarah Ager	01/01/2018	30/09/2018	30/10/2018													
4.3	Develop Northgate to issue FRA and record all documentation on APEX	3.2 b	Sarah Ager	01/01/2018	30/09/2018	23/07/2018													
4.4	Training provision for new definition of competency for FRAs	3.4 a	John Flaherty	01/01/2018	31/01/2020	17/02/2020								All training has taken place for FRAs		Still on track for end of Jan. Inhouse FRA to be sent to WMFS Feb.	Interim solution of Type 1 is running alongside the BSM pilot of Type 3. The type 1s carried out by current FRA and a audit regime is in place. WMFS are auditing 20 of the HR Type 1 FRAs. 4 BCC trained FRA will audit the repairs as a result of the FRA in 50 blocks by the end of January.		Martin Tolley has signed off the training and this has been arranged for Mid October (4 days training for 8 members of staff)
4.5	Develop type 3 FRA inspection regime for all future voids	3.4 a & b	Martin Tolley	01/01/2018	31/08/2019	04/11/2019											This will be consumed by the FRA process when type 3 will be carried out		Smoke machine testing will not be taking place. Type 3 FRA's have been carried out on a sample of void properties and a decision needs to be made by Martin Tolley whether we do this for all high rise flats that become void.
4.7	Need to meet with Capital guys working on Shelley and Browning to work with them on their Type 3 FRA's and see if there are any gaps and ask them to carry out the assessment to our standard. Any additional costs will need to be met through Capital investment budget from the sprinkler and fire protection budgets.					04/11/2019											Won't be progressed - type 3 FRA to be carried out upon completion of works		
4.8	The current type 1 FRAs need to be carried out by internal trained staff. A process needs to be put into place for this to be managed internally		Martin Tolley		31/03/2020	06/01/2020										Links in with 4.1			
5	Compiling Safety Case for each block	3.2b	Ricky Jones																
11.6	Stay put policy video for high rise to be sent to COMMS for guidance around whether this should be on our site		BSM/BSC Pilot Group		30/11/2019	27/07/2020				Have not been able to find notes on whether this was confirmed or not. It has been agreed that we will not be putting this on the website currently following advice from Lauren Rainbow	RJ to check meeting notes to confirm it was agreed we would add this to our website.			Email exchange between Lauren Rainbow/WC. Comms not happy with certain aspects of video but request submitted anyway - no further communication from Comms regards request to insert video or make alteration to Housing fire safety pages to include further information going forward. WC seeks advice from FSSG for next step.					
5.2	Define what needs to be included in the safety case file for high rise	4.2a, 4.3a	Ricky Jones		30/08/2019	30/08/2019		BSM pilot group											
6	Low rise flat Project	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Sarah Ager																
6.1	Publish definition	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Sarah Ager		31/01/2020	27/07/2020				Definition is currently being used by Stock condition surveyors to create block profiles and are checking them as they do this								The briefing note was written Nov 2018 - should this go to DMT?	
6.2	Create business case with regard to additional financial and physical resource for renewed approach to managing low rise as a result of Hackitt Review	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Sarah Ager		31/01/2020	27/07/2020				The aspects of this action have been covered in the restructure requirements moving forward and can form part of the business case for the restructure of the division									
17.4.10	Review photographs of tanks/tank rooms that have been fitted for sprinklers and ensure they are fit for purpose. Specification of the tank rooms need to be reviewed to ensure it is up to standard		Ricky Jones		28/02/2020	01/03/2020								Tom has had costs from Wates but Phil is disputing it as it is different to costs that were originally given to him.	Keith has advised all of Fortem tanks are currently inside so do not require fencing. Tom is awaiting a cost for security fencing from Wates. (Albany & Brunswick is fenced in. Adelaide, Needwood & Rayleigh have not been fenced yet. No information has been provided for Engie as of yet	tank provisions to be photographed for all blocks - include in safety case file		Martin to review provided pictures and provide guidance on process.	Keith, Tom and Steve today (11/09/2019) need to get photographs of all tanks/tank rooms immediately
7	Fire Risk Management Assessment & Remediation	3.2a 3.2b	Martin Tolley																
7.1	Issue and Monitor all remedial works packages by block in relation to cladding		Martin Tolley		31/03/2019	23/05/2019												All work issued 25/05/19 - due for completion M	
7.6	Internal fire doors need to be post rechargeable.		John Flaherty		31/01/2020	17/02/2020								Internal fire doors are post rechargeable in the script	Awaiting updates from QMark after Shellforce ES Test	Repair - like for like. Change script to replace door and do re-charge post install. Do analysis on number of doors this will impact.	John is contacting Qmark for guidance. Scripting will need to be amended to have these repairs go through a post recharge process		
7.7	Firestopping work with contractors		John Flaherty	04/11/2019	31/03/2020	24/02/2020								Appointment booked with Contractors to look at this on 24/02/2020 24/02/2020 - training session took place at Kings Road. All Contractors in attendance. Fire Stopping training conducted by MFSS, with examples of tower blocks where fire stopping concerns. Confirmation contractors saving before and after fire stopping photos on Impact system. JF/MD		JF to find out what is happening - liaise with Ricky to ensure SOP is accurate and complete	Need to look at how Contractors are recording before and after fire stopping works. This needs to be a joint meeting and process with contractors & CTMs. We should have evidence of the state of fire stopping before and after work takes place. Check that any work related to windows (moving forward) has full fire stopping works. Sid to confirm with Steve Walker - check from minutes in the meeting re. detail		

7.9	Confirm if we have any fireman lifts in any of our high rise blocks		Wendy Carroll			28/01/2020								Initially it was though that BJT may have had a fire lift installed however WC has had confirmation from WMFS that we do not have any fireman lifts in any of our high rise blocks however we do have fireman switches which allow the fire service to take control of a lift to use and bring them to the ground floor.					
8	Leaseholder Works	3.2b	Keith Harris		30/08/2020														
8.1	Define which leaseholders have had what works and which are still outstanding for completion. Link in with refusal process for sprinklers as to further actions		Keith Harris		31/08/2018	01/05/2018												CH comments - The electronic messaging system from blocks to Careline is not in place.	
9	Smoke Detectors		Regan Taylor		31/07/2019	02/10/2019													
9.1	Cross reference smoke detectors exist on all low rise flats and high rise.		Regan Taylor		31/07/2019	02/10/2019												Validation has been carried out using CP12 data as well as Off Gas inspections to create a priority list of replacement	Regan needs to advise whether a smoke detector replacement program has been created. Email sent to Regan 11/09/2019 to provide this.
9.2	Deliver programme to install smoke detectors where needed in HR blocks		Regan Taylor		31/07/2019	02/10/2019												Data has been loaded to Apex for Regan to put together a replacement program annually. This will fall under BAU	Regan needs to advise whether a smoke detector replacement program has been created. Email sent to Regan 11/09/2019 to provide this.
10	Communication	4.1a,	Martin Tolley																
10.1	Communication Strategy		Martin Tolley		14/09/2018	14/09/2018													
10.2	To draft messaging that permeates through all content material creation		Stephen Arnold	09/08/2018	13/08/2018	20/09/2018													
10.3	Create required material incl video, printed literature, storyboards, infographic that sets out safety steps which are already in place (to align with delivery plan for Adelaide/staff briefing).		Sarah Ager / Wendy Carroll	09/08/2018	30/10/2018	28/11/2018													
10.4	Manage city-wide messaging that will cover: reconfirming the commitment to the programme of works, outline the rollout schedule, joint messaging with WMFS and, our commitment to tenants. Activity will incl. Full Council marketplace, associated briefings and media relations activity		Stephen Arnold / Martin Tolley	09/08/2018	28/11/2018	28/01/2019													
10.5	Draft introductory joint letter between BCC, WMFS and contractors incl. messaging around ways tenants can get involved and stay informed.		Sarah Ager	09/08/2018	01/10/2018	01/10/2018													
10.6	To co-ordinate with web team for creation of relevant information on website incl. FAQs, online rollout scheme etc, process map.		Sarah Ager	09/08/2018	01/10/2018	01/10/2018													
10.7	List of tenants who have or are likely to raise concerns and begin direct engagement		Tracey Radford	20/08/2018	30/03/2020	09/04/2019													
10.8	ID block champions and start engagement		Louise Fletcher Dave Prosser	20/08/2018	30/03/2020	02/10/2019												LF Comment - Recruitment of block inspectors has started, and this is an ongoing process. This action is a repeat of 11.1	
10.9	Develop staff briefing incl. session for CS team. Messaging includes myth tackling/issues (all tenants want this, installation in communal areas, domestic equipment will affect system, sequencing of programme, flooding, our own councillors opposed the installation, possibility of flooding)		Tracey Radford	09/08/2018	27/09/2018	30/10/2018													
10.10	Broader tenant engagement incl. initial briefing and visit to see an installation		Tracey Radford		31/10/2018	28/01/2019													
10.11	Define role of TLO		Martin Tolley	09/08/2018	31/08/2018	20/09/2018													
10.12	Ensure all groups have been communicated to:		Stephen Arnold	09/08/2018		09/04/2019													
10.12.1	Customers		Tracey Radford	09/08/2018	01/10/2018	01/10/2018													
10.12.2	Leaseholders		Louise Fletcher	09/08/2018	01/10/2018	01/10/2018												LF Comment - Leaseholders are the responsibility of Guy Chaundy	
10.12.3	TMOs		Colin Hanno	09/08/2018	01/10/2018	23/10/2018													
10.12.5	Elected Members / MPs		Martin Tolley	09/08/2018	01/10/2018	11/10/2018													
10.12.6	Local teams - estate based staff		Tracey Radford	09/08/2018	01/10/2018	01/10/2018													
10.12.7	Contact Centre		Martin Tolley	09/08/2018	27/09/2018	27/09/2018													
10.12.8	Complaints Team		Martin Tolley	09/08/2018	27/09/2018	27/09/2018													
10.12.9	Voids and lettings team		Martin Tolley	09/08/2018	27/09/2018	27/09/2018													
10.12.10	SMT / DMT		Martin Tolley / Tracey Radford	09/08/2018	14/09/2018	27/09/2018													
10.12.11	Existing engagement structures e.g. CHLB, block champions		Tracey Radford	09/08/2018	01/10/2018	25/09/2018													
10.12.12	Temporary Accommodation		Martin Tolley	09/08/2018	27/09/2018	27/09/2018													
10.13	Liaise with Careline regarding fire activation process		John Flaherty	09/08/2018	31/12/2019	17/02/2020								This has been completed and tested and is working	Held Meeting with Tracey Lee Careline Manager on the 11 November 2019 re Sprinkler Activation process,no issues raised			There are several blocks fully commissioned with careline connected currently. John Flaherty will carry out a trial run/sample once 6 blocks are commissioned.	Tom to provide update on this
10.14	Launch event (CX, Leader of Council and Cabinet Member)		Martin Tolley	09/08/2018	30/10/2018	30/10/2018													
10.15	Develop process regarding missing letter plates		Martin Tolley		31/12/2018	28/11/2018													
10.16	Creation of admit units for concierge office/ sluice rooms to add to fire alarm testing program and provide training to estate based staff		John Flaherty		31/12/2019	17/02/2020								Complete	Now on Repairs Maintenance Programme	Admin units created and added to the sundry programme			
11	Tenant Engagement	4.1/4.2/4.3	Louise Fletcher	01/08/2018	31/12/2020														
12	Estate Management	3.2a	Wendy Carroll																
1.2	Identify the cost of this project including resources and a budget allocation specifically around remedial works		Martin Tolley		31/03/2020	27/07/2020													

13	Resilience Management	3.2a 3.2c	Martin Tolley		31/03/2019	09/04/2019		Wendy Carroll, John Flaherty											
13.1	Resilience Planning		John Flaherty	02/01/2019	31/03/2019	09/04/2019													
13.2	Training Exercise with WMFS		John Flaherty	11/07/2018	31/12/2018	05/01/2019													
13.3	Training Package agreed		John Flaherty	02/11/2018	30/11/2018	24/01/2019													
13.4	Practical testing of evacuation procedure		John Flaherty	13/02/2019	30/11/2018	13/02/2019													
13.5	Strengthened SLA to ensure structural engineer on site		John Flaherty	04/11/2019		06/01/2020										OOH structural engineer from Acivico available			
14	Managing High Rise Living	3.2a	Maz Dad / John Jamieson																CH comments 5 9 19 - Needs to be changed to Martin Tolley/John Jamieson
15	Tenancy Management	4.6a	John Jamieson		31/12/2020														
16	Waste Management Review	3.2a	Carl Hides	01/10/2018						Comments as previous; this is not overdue									
16.1	Review lessons learnt from refuse collection strike		Carl Hides	01/10/2018	31/03/2020	11/09/2019				This is not feasible and FSSG are not in a position to look at a high rise only efuse collection system		CH - Please include previous comments					CH comments - HM provide WM with a Daily Bin Position Statement of issues at flatted accommodation relating to refuse collection issues; JJ and CH have performance meetings with WM to raise/problem solve ongoing refuse collection issues; The WM service is subject to a review. CH comments 26 9 19 same as previous comments.	CH comments - HM provide WM with a Daily Bin Position Statement of issues at flatted accommodation relating to refuse collection issues; JJ and CH have performance meetings with WM to raise/problem solve ongoing refuse collection issues; The WM service is subject to a review.	
16.2	Undertake feasibility study of new high rise refuse collection system		Carl Hides		31/03/2020	27/07/2020				This is not feasible and FSSG are not in a position to look at a high rise only efuse collection system		CH - Please include previous comments	CH comments - Not feasible presently - this would require collaboration of HM/AMMD/WM. I am not aware of any proposals. Does Martin want to convene a related meeting with WM ?				CH comments - Not feasible presently - this would require collaboration of HM/AMMD/WM. CH coments 26 9 19 as previous. This requires collaboration of WM HMMD and HM. I am not aware of any proposals.	CH comments - Not feasible presently - this would require collaboration of HM/AMMD/WM	
16.3	Develop new tenant approach to high rise waste disposal and recycling		Carl Hides		31/03/2020	27/07/2020				see previous comments		CH - Please include previous comments	CH comments - Not feasible presently - this would require collaboration of HM/AMMD/WM. Does Martin want to convene a related meeting with WM?				CH comments - Not feasible presently - this would require collaboration of HM/AMMD/WM. CH comments 26 9 19 - as previous not feasible presently and requires collaboration of AMMD WM and HM	CH comments - Not feasible presently - this would require collaboration of HM/AMMD/WM	
17	Sprinkler Installation		Martin Tolley		31/03/2021														
17.1	Documentation		Martin Tolley		07/11/2019	17/02/2020													
17.1.1	Cabinet Sign off		Martin Tolley			23/05/2018													
17.1.2	Specification Sign off		Alla	23/05/2018	30/08/2018	31/07/2018													
17.1.3	Develop SOP (including customer engagement, non access, refusal, contractors)		Sarah Ager	21/06/2018	30/08/2018	03/10/2018													
17.1.4	Contract variation for repairs under PPP		Alla		30/09/2018	29/08/2018													
17.1.5	Agree specification and cost for servicing		Alla		07/11/2019	17/02/2020						Complete				Confirmation required that this is all agreed - emailed Alla 06/01/2020		Alla needs to provide an update following the meeting in August. Email sent to chase 11/09/2019	
17.1.6	Pre-contract mobilisation		Alla		27/09/2018	25/01/2019													
17.1.6.1	Pre-contract stages to be developed including defects liability process		Alla		31/08/2018	31/08/2018													
17.2	Sprinkler Programme		Sarah Ager	23/07/2018	16/07/2018	14/06/2018													
17.2.1	Prioritisation		Sarah Ager	01/01/2018	21/06/2018	14/06/2018													
17.2.2	Programme Issued		Sarah Ager	23/07/2018	16/07/2018	14/06/2018			17.4.1										
17.3	Sprinkler System Build		Sarah Ager	01/07/2018	30/09/2018	18/10/2018													
17.3.1	Northgate Build		Sarah Ager	01/01/2018	01/04/2018	21/06/2018													
17.3.2	APEX Build - work packages		Sarah Ager	01/01/2018	01/04/2018	21/06/2018													
17.3.3	Omfax Script		Sarah Ager	01/07/2018	30/09/2018	18/10/2018			CIT, CC	17.1.4									
17.3.4	Build the servicing mechanism		Alla	21/06/2018	05/08/2019	07/11/2019				17.1.5									Alla needs to provide an update following the meeting in August. Email sent to chase 11/09/2019
17.3.5	Include work package in payment reports		Ricky Jones	21/06/2018	01/11/2018	28/11/2018			Capita										
17.3.6	Include work package in KPI reports		Ricky Jones	21/06/2018	30/09/2019	02/10/2019			Capita										Reports with SOR codes have now been built. Need to confirm a go live date to include in performance
17.4	Sprinkler Operational Activity		Alla	02/07/2018	31/08/2018	28/11/2018													
17.4.1	Launch meetings with contractors		Alla	01/07/2018	15/07/2018	20/07/2018													
17.4.2	Issue SOP 112		Ricky Jones	21/06/2018	31/08/2018	28/11/2018				1.3, 4.6, 4.7									
17.4.2.1	Develop No access process		Ricky Jones	02/07/2018	31/08/2018	28/11/2018			Landlord Services										
17.4.2.2	Develop refusal process		Ricky Jones	02/07/2018	31/08/2018	28/11/2018			Landlord Services										
17.4.3	Issue works orders		Sarah Ager	31/08/2018	30/06/2018	23/07/2018				17.2.2									
17.4.4	Identify voids to create show flats		Contractor s	08/08/2018	31/03/2020	09/04/2019				17.4.3									
16.4	Link in with the study on the Poet Blocks		Carl Hides		31/03/2020	27/07/2020				MT clarify what this means		CH - Please include previous comments	CH comments 26 9 19 - what does this actually mean?				CH comments 26 9 19 - what does this actually mean?	CH comments - what does this actually mean?	
17.4.7	Create user guide for customers		Contractor s		11/10/2018	28/11/2018													
17.4.8	BCC to liaise with planning regarding the application for planning for pump houses		Alla		15/09/2019	02/10/2019													
17.4.9	Feasibility study for additional fire escape (staircase) or additional measures to protect the staircase		Paul McGrath		05/08/2019	06/01/2020										cost prohibitive - look at future project		It has been determined that it is not feasible to create additional staircase. Martin to confirm that there are no other feasible measures for additional staircase protection.	
18	Meetings		Martin Tolley		30/09/2020	28/09/2018													
18.1	Ongoing Fire Safety Steering Group scheduled and set up		Martin Tolley		28/09/2018	28/09/2018			All										
18.2	Review group membership		Martin Tolley	08/08/2018	09/08/2018	20/09/2018													

18.3	Operational review meetings with contractors, landlord service and TLO		Keith Harris /Steve Veraca / Tom Taplin		30/09/2020	28/09/2018												
19	Contractor auditing & management		Martin															
20	Develop BSM role		Martin Tolley		31/03/2020													
20.2	Define role of Building Safety Manager	3.1a. 3.1b. 3.1c.	Martin Tolley		09/03/2020	27/07/2020			Role of BSM has been completed and we have a draft person specification				Will be presented at FSSG on 9/03/2020					
21	Legislation		Martin Tolley		31/03/2020			Final report to be published 31st October 2019										
22	Private High Rise		Martin Tolley		31/03/2020													
22.1	MHCLG data collection for ACM cladding on private high rise blocks in Birmingham		Sarah Ager		31/12/2018	30/11/2018												
23	LPS blocks		Martin Tolley		31/12/2019													
24	IT Development		Sarah Ager		31/03/2020													
25	Evacuation process to be developed to alert all residents when fire in block		Maz Dad	04/11/2019					MFSS currently working on draft plan and will present at FSSG Aug 2020							Soft market testing to be undertaken to see what options are available. Look at door entry systems provision where available		

Parameters and principles of a new regulatory framework			BCC Comment
1	1.1	The new regulatory framework should apply to residential properties which are 10 or more storeys high in the first instance. New HRRBs should be identified by the Local Planning Authority and notified to the regulator. Existing buildings in scope should be identified through other means, learning from the MHCLG Building Safety Programme experience.	There are elements of Hackitt Review in Green Paper that BCC are responding to individually. We await further guidance to the building regs and the RRO.
2	1.2	The government should set up a 'Joint Competent Authority'. This should comprise Local Authority Building Standards, fire and rescue authorities and the Health and Safety Executive, working together to maximise the focus on building safety within HRRBs across their entire life cycle. The optimum model for ensuring effective joint working should be discussed with all relevant parties, but should draw on the model set out above. The JCA should design and operate a full cost recovery model.	Who is leading on this for Building Consultancy? Need an update.
3	1.3	The regulatory framework should treat the building as a single entity (a system encompassing sub-systems) and a new over-arching Approved Document should be published describing the system and the holistic analyses that must be completed when undertaking building work. This should define the requirement to understand the interactions of the system and its comprising subsystems in both normal operation and outside normal conditions.	Richard Cymler to provide feedback on how implemented in Birmingham.
4	1.4	a. A system of mandatory occurrence reporting to the JCA similar to that employed by the Civil Aviation Authority should be set up for HRRBs. The requirement to report should be for key identified dutyholders on a no-blame basis. The outputs of these reports (and statistical analysis of this data) should be publicly available. Non-reporting should be regarded as non-compliance and sanctions applied appropriately.	Richard Cymler to provide feedback on how implemented in Birmingham.
		b. It would be appropriate for the JCA to be a prescribed person under PIDA.	Richard Cymler to provide feedback on how implemented in Birmingham.
		c. For all other buildings the current CROSS scheme should be extended and strengthened to cover all engineering safety concerns and should be subject to formal review and reporting at least annually.	Richard Cymler to provide feedback on how implemented in Birmingham.
Design, construction and refurbishment			BCC Comment
5	2.1	Government should specify the key roles that will ensure that the procurement, design and construction process results in HRRBs that are safe. These should be, as a minimum, those identified in Table 1 above. The definition of these roles should reflect those in the CDM Regulations to avoid unnecessary confusion.	John Flaherty to brief AMMD once updated CDM regs released and to provide audit framework against all future HRRB refurbishment projects. Structural Investment checklist to be designed.
6	2.2	Government should allocate broad responsibilities to Clients, Principal Designers and Principal Contractors responsible for HRRBs as set out in Table 2 above.	See above checklist
7	2.3	Government should make the creation, maintenance and handover of relevant information an integral part of the legal responsibilities on Clients, Principal Designers and Principal Contractors undertaking building work on HRRBs. The four information products (the digital record, the Fire and Emergency File, Full Plans and Construction Control Plan) represent a minimum requirement.	Tom Taplin and John Flaherty to work with Steve Walker to identify which high rise blocks have adequate O&M manuals for and which we don't. Consider legal action against Carillion. O&M checklist should inform the payment decision - review payment SOP.
8	2.4	Government should consider applying the key roles and responsibilities and information product recommendations to other multi-occupancy residential buildings and to institutional residential buildings whilst bearing in mind necessary adjustments to keep the requirements proportionate.	No action
9	2.5	The LPA should be required in law to undertake a consultation with the JCA where it identifies that a building is a HRRB. This process should also apply where planning permission for another building in the near vicinity is sought (where such a building might impact on fire service access to a HRRB). This is the first Gateway Point.	Richard Cymler to provide feedback on how implemented in Birmingham.
10	2.6	Government should ensure that there is thorough assessment by the JCA of detailed design plans for HRRBs and sufficient assurance that dutyholders are in place and relevant responsibilities are being met in order to give permission for building work to legally commence. This should be in line with paragraphs 2.29-2.32. This 'Full Plans Approval' is the second Gateway Point.	Richard Cymler to provide feedback on how implemented in Birmingham.
11	2.7	Government should ensure that:	
		a. the JCA undertakes a thorough test of the dutyholders' as-built construction of HRRBs, supported by clear documentary evidence from the Principal Contractor that the design intent has been delivered as proposed (and any changes are documented and justifiable) and that handover of key golden thread information has occurred. This should be as set out in paragraphs 2.33-2.35 above; and	Tom Taplin, Alla, John Flaherty to build JCA gateways into payment and completion process.
		b. the building owner must have completed a pre-occupation Fire Risk Assessment and resident engagement strategy. All of this must be signed off by the JCA (and a safety case review cycle established) to enable occupation to commence. This 'Completion Certificate' process is the third Gateway Point.	Tom Taplin, Alla, John Flaherty to build JCA gateways into payment and completion process. Include in BSM role.
12	2.8	Government should consider also applying Gateway Points 2 and 3 to other multi-occupancy residential buildings and to institutional residential buildings.	No action

13	2.9	a. there should be a clearer, statutory change control process that places requirements on the relevant dutyholder to notify the regulators of significant changes post-Full Plans sign-off. Within that context, two types of changes should be defined – ‘major’ and ‘minor’. ‘Major’ changes would be a limited list of significant changes for example (a) changes in use, changes in number of storeys, changes in number of units or (b) changes which could impact on previously signed-off building safety plans. Major changes would require an update from the dutyholder to the JCA (for reconsideration) before such work is commenced. ‘Minor’ changes (i.e. all other changes) would need to be recorded and identifiable at the completion of the work for dutyholders to demonstrate that Building Regulations are still satisfied.	Richard Cymler to provide feedback on how implemented in Birmingham.
		b. Government should consider also applying this change control process to other multi-occupancy residential buildings and to institutional residential buildings.	Richard Cymler to provide feedback on how implemented in Birmingham.
14	2.10	In HRRBs, building work that is carried out by ‘persons in a competent person’s scheme’ should be subject to full oversight by the JCA to enable it to fully discharge its duties in line with paragraph 2.38-2.39 above.	Richard Cymler to provide feedback on how implemented in Birmingham.
15	2.11	a. It should not be possible for a client to choose their own regulator or for a regulator to be unable to apply sanctions against a dutyholder where such action is warranted.	Richard Cymler to provide feedback on how implemented in Birmingham.
		b. As part of the JCA oversight of HRRBs there should be a single, streamlined, regulatory route for the provision of building control as set out in paragraphs 2.43-2.45 above with oversight solely provided through Local Authority Building Control	Richard Cymler to provide feedback on how implemented in Birmingham.
		c. The Approved Inspector regime should be utilised such that it can: • provide accredited verification and consultancy services to dutyholders; and also • expand LABCs’ expertise/capacity (whilst always operating under LABCs rules and standards)	Richard Cymler to provide feedback on how implemented in Birmingham.
		d. But no AI can be used to provide both functions in respect of the same building work (i.e. where regulatory oversight is provided the AI must be completely independent of dutyholders).	Richard Cymler to provide feedback on how implemented in Birmingham.
		e. This avoidance of conflict of interest should apply to all actors in the regulatory system – so no fire and rescue authority should be able to support the JCA in its oversight of a particular building if it (i.e. the individual or the company) has provided professional design services in respect of that building through its commercial arm.	Richard Cymler to provide feedback on how implemented in Birmingham.
		f. Recommendations a.,b. and c. should also apply to all other multi-occupancy residential buildings and to institutional residential buildings. Recommendation d. and e. should apply to all building work.	Richard Cymler to provide feedback on how implemented in Birmingham.
		g. Local Authority Building Control should be re-named the Local Authority Building	Richard Cymler to provide feedback on how implemented in Birmingham.
16	2.12	a. As part of the establishment of the JCA, the fire and rescue authorities need to be engaged in a more consistent manner with a robust dispute resolution mechanism established for use by the organisations within it (as per paragraph 2.46).	Richard Cymler to provide feedback on how implemented in Birmingham.
		b. Comparable processes should also be adopted for other multi-occupancy residential buildings and to institutional residential buildings where Local Authority Building Standards and fire and rescue authority will also need to interact to ensure Building Regulation requirements are met.	Richard Cymler to provide feedback on how implemented in Birmingham.
17	2.13	The sanctions and enforcement regime should be reinforced so that penalties are an effective deterrent against non-compliance. These stronger enforcement tools should generally look to replicate and align with the approach in the Health and Safety at Work Act. More specifically:	Richard Cymler to provide feedback on how implemented in Birmingham.
		a. the JCA/Local Authority Building Standards should have additional powers to issue formal Improvement and Prohibition (or ‘Stop’) Notices to dutyholders where there is a sufficient concern about, for example, the degree of oversight of the work; accurate record-keeping; or the likelihood of meeting Building Regulations requirements;	Richard Cymler to provide feedback on how implemented in Birmingham.
		b. the JCA/Local Authority Building Standards should have the clear power to require changes to work that fail to meet the Building Regulations requirements alongside any broader penalties sought;	Richard Cymler to provide feedback on how implemented in Birmingham.
		c. time limits for bringing prosecutions against dutyholders should be increased to five or six years for ‘major’ deficiencies in building requirements identified at a later date;	Richard Cymler to provide feedback on how implemented in Birmingham.
		d. the JCA cost recovery model should be weighed appropriately to create a fund for enforcement action to be taken where needed; and	Richard Cymler to provide feedback on how implemented in Birmingham.
		e. the new powers should be available, wherever appropriate, to support either the JCA or Local Authority Building Standards in respect of all non-compliant building work.	Richard Cymler to provide feedback on how implemented in Birmingham.
18	2.14	Where a HRRB has not yet had its first safety case review and seeks to carry out refurbishment work then this should trigger a full safety case review as set out in paragraphs 2.58-2.59 above. Once the safety case review cycle is established then further major refurbishments may also bring forward the next safety case review.	Richard Cymler to brief AMMD on how they can meet requirements moving forward on structural projects.
Occupation and maintenance			BCC Comment
19	3.1	a. Government should specify that responsibility for the safety of all parts of a HRRB must be held by a clear, senior dutyholder which should be the building owner or superior landlord.	FSSG building BSM role.
		b. The JCA and residents must be kept notified of the name and UK-based contact information of the dutyholder (whether that is an entity or a named person).	FSSG building BSM role.

		c. The dutyholder must nominate a named 'building safety manager' with relevant skills, knowledge and expertise to be responsible for the day-to-day management of the building and act as a point of contact for residents. The building safety manager's name and contact information must be notified to the JCA and to residents and should be displayed in the building.	FSSG building BSM role.
20	3.2	Government should allocate clear responsibilities to dutyholders of HRRBs to:	
		a. take such safety precautions as may reasonably be required to ensure building safety risk is reduced so far as is reasonably practicable;	FSSG building BSM role. Consider TMOs.
		b. ensure that information management systems are in place in order to maintain relevant documentation and compile and maintain a safety case file (see paragraph 3.34);	FSSG building BSM role. Consider TMOs. FSSG Developing IT solution to hold safety case.
		c. ensure that there is a resident engagement strategy and that residents receive information on fire safety in an accessible manner; and	FSSG building BSM role. Block champion campaign in conjunction with WMFS. General communication and training - engagement strategy being developed
		d. handover all of the relevant information to a new dutyholder when a building changes hands.	FSSG building BSM role.
21	3.3	The dutyholder for a HRRB should proactively demonstrate to the JCA through a safety case at regular intervals (as determined by level of risk) that they are discharging their responsibilities. The safety case must identify the hazards and risks, describe how risks are controlled, and describe the safety management system in place.	Richard Cymler to help design response to this element.
22	3.4	a. The dutyholder for a HRRB should demonstrate that the fire risk assessment for the whole building has been undertaken by someone with relevant skills, knowledge and experience and reviewed regularly (dependent on risk and as agreed with the regulator) so as to keep it up to date and particularly if: <ul style="list-style-type: none"> • there is a reason to suspect it is no longer valid; • they have received a notice from a regulator; or • there has been a significant change to the premises. 	FSSG to sign off approach and report once linked to BSM role.
		b. The dutyholder should ensure that any recommendations/requirements outlined in the fire risk assessment are undertaken and completed in a timely manner. Fire risk assessments should be reviewed at least annually until a first safety case review has been completed, where this applies.	FSSG to sign off approach and report once linked to BSM role.
		c. The government should consider applying this requirement to other multi-occupancy residential buildings.	FSSG to sign off approach and report once linked to BSM role.
23	3.5	a. For HRRBs, residents should have clearer obligations in relation to maintaining safety of flats and should cooperate with the dutyholder (or building safety manager) to the extent necessary to enable them to fulfil their duty to keep the building safe for all those living there.	Block champion campaign Review of tenancy conditions Update website
13		b. The dutyholder should educate, influence and inspect to ensure residents meet these obligations and the JCA should be able to intervene where there is any immediate risks to persons.	Block champion campaign Review of tenancy conditions Update website
14		c. The government should consider applying this good practice on rights and responsibilities to other multi-occupancy residential buildings.	Sarah to distribute the low rise blocks to Traceys team to sense check list. Image of low rise blocks to be considered to include on Northgate
24	3.6	The JCA should be empowered to regulate across all parts of a HRRB, be clearly identifiable to dutyholders and residents, and should have the following roles in the occupation and maintenance phase:	
		a. hold a register of dutyholders;	Richard Cymler to provide feedback on how implemented in Birmingham.
		b. ensure that dutyholders meet their responsibilities through effective inspection, assessment and enforcement; and	Richard Cymler to provide feedback on how implemented in Birmingham.
		c. deal with immediate risk – the JCA should have powers of access to inspect the whole building and take action where necessary	Richard Cymler to provide feedback on how implemented in Birmingham.
25	3.7	a. For HRRBs, Environmental Health Officers should raise any fire and structural safety concerns to the JCA.	Update from Jim Crawshaw required in relation to PRS
		b. For other multi-occupancy residential buildings, local authorities and fire and rescue authorities should work more closely to ensure that the fire safety of the whole building is assessed and regulated effectively.	Update required from Housing Strategy on how legislation will affect housing and how it will be communicated
26	3.8	For HRRBs there should be robust sanctions and strong incentives in place to drive compliance by dutyholders during occupation. The JCA should use a staged approach comprising education, statutory notices, fines and ultimately criminal sanctions.	Richard Cymler to provide feedback on how implemented in Birmingham.
Residents ' voice			BCC Comment
27	4.1	a. The dutyholder for a HRRB should have a statutory duty to proactively provide residents with a set of information that supports residents to understand the layers of protection in place to keep their building safe.	FSSG building BSM role. Consider TMOs. FSSG Developing IT solution in order to provide block tenant summary reports.
		b. The government should consider applying this requirement to other multi-occupancy residential buildings.	FSSG building BSM role. Consider TMOs. FSSG Developing IT solution in order to provide block tenant summary reports.
28	4.2	The government should consider applying this requirement to	

		a. Residents of HRRBs should have the right to access fire risk assessments, safety case documentation and information on maintenance and asset management that relates to the safety of their homes.	FSSG building BSM role. Consider TMOs. FSSG Developing IT solution in order to provide block tenant summary reports.
		b. The government should consider applying this requirement to other multi-occupancy residential buildings.	FSSG building BSM role. Consider TMOs. FSSG Developing IT solution in order to provide block tenant summary reports.
29	4.3	a. The dutyholder for a HRRB should have a resident engagement strategy in place to support the principles of transparency of information and partnership with residents. The strategy should outline how the dutyholder will share information with residents, how they inform them of their rights and responsibilities, and how they involve residents in decision-making on changes to the building that could impact on safety.	Engagement strategy being developed. Tenancy conditions, campaigns, block champions. BSM role
		b. The government should consider applying this requirement to other multi-occupancy residential buildings.	Engagement strategy being developed. Tenancy conditions, campaigns, block champions. BSM role
30	4.4	a. Government should provide funding for organisations working at both local and national level to provide advice, guidance and support to residents, landlords and building owners on effective resident involvement and engagement in order to develop a national culture of engagement for residents of all tenures.	Clarification required from MHCLG
		b. This recommendation should not be limited to the residents of HRRBs – culture change for the residents of these buildings will only happen as part of a wider process of change across the sector.	Clarification required from MHCLG
31	4.5	a. After internal processes have been exhausted, if residents still have safety concerns about their homes, there should be a clear and quick escalation and redress route available for residents of all tenures to an independent body with access to appropriate knowledge, resources and enforcement powers.	When developing BSM role ensure processes are in place to respond accordingly
		b. This route of redress should be open to all residents of all tenures, and not limited to those living in HRRBs.	
32	4.6	a. The dutyholder for a HRRB should provide residents with clear information about their obligations in relation to building and fire safety, and residents should meet their obligations to ensure their own safety and that of their neighbours.	BCC are renewing tenancy conditions and BSM will be responsible for enforcing
		b. The government should consider applying this requirement to other multi-occupancy residential buildings.	BCC are renewing tenancy conditions and BSM will be responsible for enforcing
Competence			BCC Comment
33	5.1	The construction sector and fire safety sector should:	
		a. demonstrate more effective leadership in relation to developing a responsible approach to delivering building safety and integrity;	No action - await feedback from industry
		b. work with other sectors to learn and translate good practice and implement it within the sector; and	No action - await feedback from industry
		c. develop continuous improvement approaches to competence levels.	No action - await feedback from industry
34	5.2	a. The professional and accreditation bodies working within the construction and fire safety sectors should continue the work started in response to the interim report and present a coherent proposal to government within one year. As a minimum, this proposal should cover the role and remit of an overarching body to provide oversight of competence requirements and support the delivery of competent people working on HRRBs, including: <ul style="list-style-type: none"> the professional bodies, professions and disciplines in scope; its membership and governance; its role in receiving, agreeing and monitoring the individual competence frameworks for those bodies, professions and disciplines in scope for individuals within their membership or on their register, and/or whether a single competence framework for professional bodies in scope should be established; its role in agreeing and monitoring accreditation and reaccreditation, and the period within which the competence of individuals should be reassessed and reaccredited; its role in establishing a method for demonstrating or proving competence; how the correct balance between construction sector skills and fire safety skills should be balanced; and whether the competence requirements for those working on HRRBs should also be extended to cover other multi-occupancy residential buildings and to institutional residential buildings. 	No action - await feedback from industry
		b. Progress should be monitored by government, with the professional and accreditation bodies providing government with quarterly progress reports.	No action - await feedback from industry
		Progress should be monitored by government, with the professional and accreditation bodies providing government with quarterly progress reports.	No action - await feedback from industry
		c. If government does not consider that the proposed approach provides the necessary assurance to the JCA, or there is evidence that the fragmented approach to the oversight of competence will continue, then government should mandate a body to establish the competence levels required and oversee its implementation.	No action - await feedback from industry
35	5.3	Relevant parties, along with the relevant professional bodies, should:	
		a. Continue to work together to develop a new common approach and competence framework which meets the requirements of the new regulatory framework and the new skills required of Building Standards Inspectors when working on HRRBs, and those offering consultancy and verification services to dutyholders.	No action - await feedback from industry

		b. This framework should apply to all Building Standards Inspectors whether they are LABS Inspectors and part of the JCA or Als offering their services to Building Standards or to dutyholders.	No action - await feedback from industry
		c. Consider whether these competence requirements for Building Standards Inspectors working on HRRBs, and Als, should also be extended to cover those working on other multi-occupancy residential buildings and institutional	No action - await feedback from industry
36	5.4	Relevant parties should work together, along with the relevant professional bodies, to develop and define a robust, comprehensive and coherent system for:	
		a. the competence requirements for the role of building safety manager of HRRBs; and	MHCLG working with social housing providers to get ideas. MT and TR to get clarity at meeting 21/11/18
		b. the remit of this role in introducing and overseeing the process by which residents in HRRBs would be able to access fire safety awareness training.	Role of BSM in conjunction with WMFS
Guidance and monitoring to support building safety			BCC Comment
37	6.1	a. Government should work towards a long term aim that guidance on how to meet the building regulations is to be owned by industry, while government sets out regulatory requirements and provides oversight of the regulatory system.	No action
		b. Government should reserve the right to create guidance if industry has not proven that it is able or is deemed unable to produce suitable guidance.	No action
38	6.2	a. The government should create a new structure to validate and assure guidance, oversee the performance of the built environment sector and provide expert advice.	No action
		b. There should be a periodic review (at least every five years) of the effectiveness of the overall system of building regulation including accountabilities, responsibilities, guidance, and the effectiveness of the regulator.	No action
39	6.3	The Government should take forward the recommendations made by the Expert Group included at Appendix F. To summarise these are:	No action
		a. clear user friendly language and formatting of the guidance (including Approved Document B);	No action
		b. multiple points of entry for different users to the document set, to provide clear advice for different types of building work;	No action
		c. facilitating the prioritisation of fire and structural safety while encouraging a holistic approach that considers all building safety objectives; and	No action
		d. a building regulation manual to explain the role of the Approved Documents.	No action
Products			BCC Comment
40	7.1	a. A clearer, more transparent and more effective specification and testing regime of construction products must be developed. This should include products as they are put together as part of a system.	No action
		b. Clear statements on what systems products can and cannot be used for should be developed and their use made essential. This should ensure significantly reduced scope for substitution of any products used in a system without further full testing. Until such time, manufacturers should ensure that they adhere to the current limitations set out in classification reports in the current regime.	No action
		c. The scope of testing, the application of products in systems, and the resulting implications must be more clearly communicated in plain, consistent, non-technical language.	No action
41	7.2	a. Manufacturers must retest products that are critical to the safety of HRRBs at least every three years. Manufacturers should consider the need to test more frequently, focusing especially on the testing of products as they operate in systems rather than individual elements.	No action
		b. The testing of products that are critical to the safety of HRRBs should be subject to independent third party certification.	No action
		c. The introduction of the JCA should drive the introduction of reactive testing when particular issues of concern arise regarding products installed that are critical to the safety of HRRBs.	No action
		d. Additional test houses should be established and certified.	No action
		e. All test houses should produce an annual report providing summary details of tests carried out and the number of passes and failures reported.	No action
42	7.3	A simpler, more streamlined set of standards relating to the testing of products used in HRRBs, and the health and safety of people in and around those buildings, needs to be developed. This should ensure that where new standards are required, these are identified quickly and in the case of conflicting standards, that these are identified and reviewed.	No action
43	7.4	Test methods and standards should be maintained under a periodic review process in order to drive continuous improvement and higher performance through the development of new test methods, and encourage innovative product and system design under better quality control.	No action
44	7.5	a. The construction products industry should work together to develop and agree a consistent labelling and traceability system, making use of the digital technologies that are already available and learning from other sectors.	No action

		b. The dutyholder for any given HRRB should ensure that the documentation that supports the performance claims for products and systems incorporated within the HRRB should be maintained throughout the life cycle of a building through the golden thread of building information (see Chapter 8).	No action
45	7.6	a. Government should ensure that there is a more effective enforcement, complaint investigation and market surveillance regime with national oversight to cover construction product safety.	No action
		b. Government should consider whether this could be achieved by extending the remit of the Office for Product Safety and Standards.	No action
		c. The introduction of national level market surveillance should drive the introduction of risk-based testing of products that are critical to the safety of HRRBs.	No action
Golden thread of building information			BCC Comment
46	8.1	a. Government should mandate a digital (by default) standard of record-keeping for the design, construction and during the occupation of new HRRBs. This is to include any subsequent refurbishments within those buildings.	Role of BSM in conjunction with WMFS Develop the IT solution to feed in to Government
		b. Digital records are to be in a format which is appropriately open and non-proprietary with proportionate security controls.	Await for Government to define format
47	8.2	Government should work with industry to agree what information must be held in the digital record for new HRRBs.	Await for Government to define format
48	8.3	a. Government should work with industry to agree the type of information to be collected and maintained digitally (by default) to enable the safe building management of existing HRRBs.	Await for Government to define format
		b. Dutyholders must identify and record where gaps in the above information exist and the strategy for updating that relevant information.	Await for Government to define format
49	8.4	a. Dutyholders must hold, transfer and update information throughout the life cycle of the HRRB.	Await for Government to define format
		b. Information from this record is to be provided to the JCA in the event that this may be required	Await for Government to define format
Procurement and supply			BCC Comment
50	9.1	a. For higher risk residential buildings (HRRBs), principal contractors and clients should devise contracts that specifically state that safety requirements must not be compromised for cost reduction.	Await for Government to define format
		b. The government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.	Await for Government to define format
51	9.2	a. For HRRBs, tenders should set out how the solution that is proposed will produce safe building outcomes, approaching the building as a system. Those procuring should use the tender review process to test whether this is the case.	Await for Government to define format
		b. The government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.	Await for Government to define format
52	9.3	For HRRBs the information in the contracting documentation relating to the safety aspects should be included in the digital record set out in Chapter 8.	Await for Government to define format
International examples			BCC Comment
53	10.1	The government should re-join the Inter-jurisdictional Regulatory Collaboration Committee (IRCC).	Richard Cymmler to provide an update

APPENDIX 3

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) Marriage & civil partnership (b) Age (c) Disability (d) Gender reassignment (e) Pregnancy and maternity (f) Race (g) Religion or belief (h) Sex (i) Sexual orientation

APPENDIX 4

Title of proposed EIA	Post Grenfell 3 Years On
Reference No	EQUA552
EA is in support of	Amended Function
Review Frequency	Annually
Date of first review	16/08/2020
Directorate	Neighbourhoods
Division	Asset Management and Maintenance
Service Area	Capital Investment Team
Responsible Officer(s)	 Lorraine Long
Quality Control Officer(s)	 Leroy Pearce
Accountable Officer(s)	 Martin Tolley
Purpose of proposal	Update Cabinet on Post Grenfell Fire Safety Developments and Dame Judith Hackett Implementation Plan
Data sources	Consultation Results; relevant reports/strategies; relevant research; Other (please specify)
Please include any other sources of data	West Midlands Fire Service
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community
Age details:	All residents are impacted. However it must be noted significant support arrangements are in place to support residents of all ages.
Protected characteristic: Disability	Service Users / Stakeholders; Wider Community
Disability details:	All aspects of disability are relevant. Significant support arrangements are in place to support our Disabled Citizens.
Protected characteristic: Gender	Service Users / Stakeholders; Wider Community
Gender details:	The service provides support as required or when specified in order to ensure no discrimination takes place.

Protected characteristics: Gender Reassignment

Service Users / Stakeholders; Wider Community

Gender reassignment details:

The service provides support as required or when specified in order to ensure no discrimination takes place.

Protected characteristics: Marriage and Civil Partnership

Service Users/ Stakeholders; Wider Community

Marriage and civil partnership details:

The service provides support as required or when specified in order to ensure no discrimination takes place.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Wider Community

Pregnancy and maternity details:

The service provides support as required or when specified in order to ensure no discrimination takes place.

Protected characteristics: Race

Service Users / Stakeholders; Employees; Wider Community

Race details:

All contractors and BCC staff are bound by statute to ensure compliance.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders; Wider Community

Religion or beliefs details:

These improvements to residents' homes are being delivered in a sensitive and respectful manner. The contracts require that all operatives and staff are trained to ensure that no-one is discriminated against and that all needs are catered for respectfully and in compliance with statute.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders; Wider Community

Sexual orientation details:

The service is delivered sensitively to ensure no discrimination takes place.

Please indicate any actions arising from completing this screening exercise.

These improvements to residents' homes are being delivered in a sensitive and respectful manner. The contracts require that all operatives and staff are trained to ensure that no-one is discriminated against and that

all needs are catered for respectfully and in compliance with statute.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

Customer satisfaction rating confirms that there is a high level of satisfaction amongst all service users. When fire safety works are carried out to residents' homes, customer satisfaction feedback will be monitored.

Consultation analysis

Consultation is active and ongoing through the City Housing Liaison Board and local HLBs and residents group.

Local agencies regularly liaise with our service where people are identified as needing specific support. West Midlands Fire Service are also involved.

Adverse impact on any people with protected characteristics.

Every effort is made to ensure that no customer is adversely affected. Fire Safety Works are dealt with in compliance with statutory legislation and, where appropriate, in line with policies which have been consulted on with tenants and leaseholders.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

The primary objective is to respond to individual needs on a bespoke basis. Everyone has the right to be treated with respect and as an individual.

Therefore, although policies provide a useful guideline, the needs of individuals vary widely and every effort is made to cater for specific needs as they arise. i.e. the call centre offer language translation services.

How will the effect(s) of this policy/proposal on equality be monitored?

The approach will continue to be monitored based on customer feedback at all times.

What data is required in the future?


	Continued monitoring of complaints and customer satisfaction feedback to ensure we are meeting the needs of all protected characteristics.
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	All staff and contractors are bound by the Equality Act 2010. Therefore, every effort is made to support the needs of all service users and more specifically those with Protected Characteristics. There is no indication at present, through complaints data or customer satisfaction, that we are falling short of our statutory obligations. However, we recently received a challenge regarding the impact of repairs on Mental Health; therefore, a focussed piece of work will now be undertaken in this area.
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	Customer satisfaction ratings continue to be extremely high, based on high levels of returns. Ongoing consultations with residents/residents groups/contractors and West Midlands Fire Service will be carried out during the installation of these fire safety measures.
QUALITY CONTROL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	Equalities have been fully considered. I pass this to the Accountable Officer for final approval.
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	No
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	14/08/2020
Reasons for approval or rejection	
Please print and save a PDF copy for your records	Yes

Julie Bach

Person or Group

Content Type: Item

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Close

Housing and Neighbourhoods O&S Committee - Exempt Accommodation and HMOs

James Fox - Planning Enforcement

The City-wide Article 4 introduced on 8th June now means any new change of use from C3 family dwelling to C4 HMO will require planning permission.

The 'exempt accommodation' or RSLs that we are seeing in large numbers in certain parts of the City will not be caught by the Article 4 as these uses cannot be defined as HMOs in accordance with the definition of a HMO provided in Schedule 14 of the Housing Act 2004. In addition, these properties do not require a License.

In practice a lot of these properties function the same as any other HMO with no more than 6 people sharing a living area, kitchen, bathroom etc, receiving minimal support and each having their own bedroom. However, where they can differ is in the turnover of people and the demographic of the individuals being housed. Invariably because these properties provide housing for the homeless, migrants, substance abusers, those recently out of prison or other vulnerable people, this in turn brings about an ongoing concern at some of the properties regarding antisocial/criminal behaviour.

Case law directed us to the application of the 'single household test' and the scope of this examination has now been published on our website. This is the assessment we now undertake for every property of this nature. Intelligence including Council Tax, Benefits, Land Registry and Licensing record are gathered but our investigation is also limited by the fact we can't enter these properties due to current government guidelines around Covid-19, so we are relying on a paper trail to establish the facts. Work is ongoing as part of the Supported Housing Pilot Scheme to form an Operational Delivery Group across service areas to make the process of gathering information, assessing the properties and taking appropriate action as efficient as possible.

From a planning perspective a set of questions has been compiled which attempts to establish the status of each property, however we have been met with considerable barriers from the RSLs who for years have always considered the way they operate to be 'exempt' and not requiring planning permission, so obtaining information has not been easy.

Once all evidence is gathered, the Council's decision on whether the property is occupied as a single household will be a matter of fact and degree and planning permission will only be required for properties where any change of use is 'material' as per s55(1) of the Town and Country Planning Act, compared to the former or lawful use.

This will lead to one of three conclusions:

The property is considered to be:

1. Class C3 (b) not more than six people living together where care is provided
2. Class C3 (c) not more than six people living together as a single household where no care is provided.

In both these cases a planning application is not required

Or

3. Sui Generis if the evidence suggests the use fails the single household test and therefore if there is a material change, planning permission is required.

In the main, when a use is Sui Generis, planning permission is required, however as per s55(1) of the Town and Country Planning Act, planning permission can only be required for a **material** change of use of land or buildings. In other words, there must be something materially different regarding the proposed/new use in comparison to the current/former use for it to require planning permission.

As an example an RSL property could be operating for many years with no ASB issues prompting little reason to be concerned, however still potentially considered Sui Generis on the basis of the single household test. Suddenly the occupiers change and the new tenants cause considerable nuisance, resulting in disturbance to neighbours and contact with the Council. From a planning perspective has the situation at the property changed based on the behaviour of the new tenants?

What happens if the occupiers change again and no ASB is then reported and the negative impact of the property subsides? It would be like saying that a house occupied by a really noisy, anti-social, family would be viewed differently in planning terms from a similar house occupied by a nice family.

Having liaised with other Planning Departments at other Core Cities across the country, there is evidence that very few are taking our current position and generally consider these uses to be C3 (c), which in effect means a planning application is not required providing there is no more than 6 occupiers.

The number of complaints we are receiving regarding this type of accommodation is increasing significantly but is still only a small proportion of the total number of properties (c.7500) used for this purpose across the City and generally complaints are focused in areas with a high density of this type of accommodation, which would suggest a proportion of the properties continue to function without impacting on the local area.

We are also finding some of the properties may have been operating for many years without problems and it appears to be only when ASB occurs, which may be a result of the property being badly managed, do we receive enquires and the use comes under scrutiny.

If a property is brought to our attention we are investigating the use from a planning perspective, however for the reasons outlined above this is not a simple assessment and planning enforcement is not the platform to control any immediate concerns regarding ASB and crime.

Web Links

Assessment of Exempt Accommodation

https://www.birmingham.gov.uk/info/20054/local_plan_documents/1933/city-wide_article_4_direction_relating_to_houses_in_multiple_occupation_hmos/2

Planning Enforcement Online Complaints Form

https://www.birmingham.gov.uk/info/20160/planning_applications/23/planning_enforcement



Housing and Neighbourhoods O&S Committee: Work Programme 2020/21

Chair:	Councillor Penny Holbrook
Deputy Chair:	Councillor Mahmood Hussain
Committee Members:	Councillors Deirdre Alden, Marje Bridle, Roger Harmer, Shabrana Hussain, Mary Locke, Ken Wood
Officer Support:	Scrutiny Team: Emma Williamson (464 6870) and Jayne Bowles (303 4810) Committee Manager: Mandeep Marwaha (303 5950)

1 Meeting Schedule

Date	Item	Officer Contact / Attendees
25 June 2020 1400 hours Deadline for reports: 16 June	Impact of Covid-19 on: <ul style="list-style-type: none"> Parks Homelessness Bereavement Services 	Cllr John O'Shea, Cabinet Member for Street Scene and Parks/Darren Share, AD, Street Scene/Julie Griffin, Acting AD, Housing/Paul Lankester, Interim AD, Regulation and Enforcement
30 July 2020 1400 hours Deadline for reports: 21 July	Update on Article 4	Uyen-Phan Han, Planning Policy Manager
	Update on Unauthorised Encampments	Mark Croxford, Head of Environmental Health
24 September 2020 1400 hours Deadline for reports: 15 September *Meeting cancelled*		
22 October 2020 1400 hours Deadline for reports: 13 October *Meeting cancelled*	Annual Report of the Community Safety Partnership	Cllr John Cotton, Cabinet Member for Social Inclusion, Community Safety and Equalities/Marcia Wynter, Cabinet Support Officer
	Update on Public Space Protection Orders	
	Performance Monitoring	Mira Gola, Head of Business Improvement and Support



19 November 2020 1400 hours Deadline for reports: 10 November	Performance Monitoring	Mira Gola, Head of Business Improvement and Support
	Annual Report of the Community Safety Partnership	Cllr John Cotton, Cabinet Member for Social Inclusion, Community Safety and Equalities/Marcia Wynter, Cabinet Support Officer
	Update on Public Space Protection Orders	
17 December 2020 1400 hours Deadline for reports: 8 December	Housing in Tower Blocks	Julie Griffin, Acting AD, Housing
	HMOs – Planning Enforcement	James Wagstaff, Head of Enforcement
21 January 2021 1400 hours Deadline for reports: 12 January	Performance Monitoring	Mira Gola, Head of Business Improvement and Support
25 February 2021 1400 hours Deadline for reports: 16 February	TBC	
25 March 2021 1400 hours Deadline for reports: 16 March	TBC	
22 April 2021 1400 hours Deadline for reports: 13 April	Performance Monitoring	Mira Gola, Head of Business Improvement and Support

2 Items to be programmed

- 2.1 Begging (numbers, causes and effects)
- 2.2 Localisation Update
- 2.3 Housing Repairs and Maintenance Contracts
- 2.4 Housing Options Update

3 Outstanding Tracking

Inquiry	Outstanding Recommendations



4 Other Meetings

Inquiry – Reducing Fly-tipping

23 July 2020 – Informal evidence-gathering with Cabinet Member and Officers
10 August 2020 – Informal session with London Borough of Barking & Dagenham
29 September 2020 – Informal session with Nottingham City Council
5 November 2020 – Informal session to agree conclusions and recommendations
9 December 2020 – Informal session with Cabinet Member to discuss draft report and recommendations

Call in Meetings

None scheduled

Petitions

None scheduled

Councillor Call for Action requests

None scheduled

It is suggested that the Committee approves Thursday at 2.00pm as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.

5 Forward Plan for Cabinet Decisions

The following decisions, extracted from the Cabinet Office Forward Plan of Decisions, are likely to be relevant to the Housing and Neighbourhoods O&S Committee's remit.

Cabinet Member for Homes and Neighbourhoods		
007941/2020	Selective Licensing – Private Rented Sector	15 Dec 20
007109/2020	Using off-site Manufacture to Accelerate Housing Growth – BMHT Programme Report 2020-21	19 Jan 21
007282/2020	Working with Housing Associations to Accelerate Affordable Housing Delivery	19 Jan 21
007902/2020	Driving Housing Growth – Building New Homes on the Pool Farm Estate	19 Jan 21
007997/2020	Building Birmingham – BMHT Highgate Road Development	19 Jan 21
007291/2020	Housing Repairs and Maintenance Contracts – Procurement Preparation	09 Feb 21



Cabinet Member for Street Scene and Parks		
007349/2020	Waste Vehicle Replacement Programme	20 Apr 21
Leader		
008307/2021	Perry Barr Regeneration Scheme – Full Business Case Update	09 Feb 21
008294/2021	Building New Homes – Gressel Lane with energy saving technologies	16 Mar 21
Cabinet Member for Health and Social Care		
007924/2020	Rough Sleeping Addendum and Action Plan 2020-23, Homelessness Prevention Strategy – Consultation Outcome	15 Dec 20