

21st SEPTEMBER 2020

CLADDING REMEDIATION OF HIGH RISE BUILDINGS

Purpose of Report

To consider progress since the Grenfell Disaster in replacing unsafe cladding on high rise buildings in the Sheffield City Region, and discuss actions to ensure that the necessary building safety improvements continue.

Thematic Priority

To secure investment in infrastructure where it will do most to support growth.

Freedom of Information and Schedule 12A of the Local Government Act 1972

This paper will be available under the Combined Authority Publication Scheme

Recommendations

It is recommended that Members:

- Note the Mayor's pledge to ensure necessary building safety improvements to high rise blocks continues at pace;
- Note the positive and rapid actions already undertaken by Local Authorities in the Sheffield City Region to deliver safety improvements to high rise blocks; and
- Discuss ongoing issues experienced in tackling cladding remediation, and further actions that need to be taken to continue addressing the ongoing safety issues, including any supportive actions by the Mayor.

1. Introduction

- 1.1** On the 15th April 2020, Mayor Dan Jarvis and other Mayors met with the Rt Hon Robert Jenrick (Secretary of State for Housing, Communities and Local Government) to discuss progress with the remediation of high-rise buildings following the Grenfell Tower disaster in 2017.
- 1.2** The Secretary of State sought support from Mayors to help ensure the progression of cladding remediation work in a safe and appropriate way continues through the current difficult Covid-19 period and beyond. At the time, many construction sites had paused operations due to the Pandemic to minimise spreading the virus.
- 1.3** The outcome of this discussion was the publication of a joint Pledge by English Mayors and the Secretary of State in April 2020 to support the progression of recladding works in a safe manner. The Pledge is set out in Appendix 1.

2. Proposal and justification

Progress in Replacing Cladding

- 2.1 All the SCR Local Authorities began work immediately after the Grenfell Tower Block disaster in June 2017 to identify potential tower blocks with similar style aluminium composite material (ACM) cladding system that may pose a health and safety risk. This is the cladding system that had been widely used in the UK but had failed the Government's new test on combustibility. The test also though included investigating the whole cladding 'system' including fixings, insulation and external cladding fascia.
- 2.2 The initial assessments by both Barnsley and Rotherham Councils indicated that there were understood to be no tower blocks of local authority/public sector or private ownership in either of their districts which had ACM cladding.
- 2.3 St Leger Homes Doncaster (SLHD) manages the Council owned housing stock in the Borough on behalf of Doncaster Council. Only one high rise block of a total of nine owned by the Authority, was found to have part ACM cladding and part High Pressure Laminate (HPL) cladding. All the cladding was replaced within six months and so there are no further issues with ACM or HPL on the high rise blocks in Doncaster managed by SLHD. The costs of the removal was funded by the contractor and the Government's Cladding Remediation Fund (CRF). There are no other high rise blocks in the Borough.
- 2.4 Although nationally there have been some HPL incidences, MCHLG have not instructed local authorities to check HPL, but this and a number of other cladding solutions may well be the subject of future legislation and combustibility testing.
- 2.5 Based on their experience, Sheffield City Council (SCC) has been working closely with MCHLG on the improvements required to regulate high rise and high risk buildings in the UK, and attends MCHLG Groups and is a pilot local authority for resident involvement.
- 2.6 Sheffield has around 100 high rise buildings over 18m and following the Grenfell fire, SCC carried out a robust check of all of these with the South Yorkshire Fire and Rescue Service (SYFRS), collating data to ensure that tower blocks and their residents were safe. SCC established a Post Grenfell Fire Safety Board with the SYFRS and representatives from key regulatory services to improve the regulation of buildings and owner responsibilities.
- 2.7 SCC owns and manages 24 of these blocks and used the Government's testing regime to test whether the cladding materials met the Government's criteria. They also appointed their own testing specialist for the remaining blocks, testing both the insulation and the cladding materials, and reported results to all residents living in the SCC owned buildings. One tower block was found to have an ACM cladding system which failed the Government's new test, and following consultation with residents and securing CRF funding, the cladding was replaced.
- 2.8 In total, there were seven tower blocks in Sheffield that had ACM material (including a hotel and a non-residential building). An exercise was undertaken with SYFRS and building owners of the six blocks in private ownership to ensure that their Fire Risk Assessments and short-term risk mitigations for the ACM cladding were in place for each building until the longer term solution to remove the cladding was carried out. The ACM on some of these blocks has now been replaced and plans are in place with building owners for the remaining blocks. However, progress has been slow mainly due to the complexity of removing the defective material, affordability, consulting with leasehold owners and arranging the finance for the removal and replacement. SCC is continuing dialogue with the private owners through its statutory regulation powers and working with MCHLG to enable them to access the Government funding that is available

Ongoing Issues and Actions

- 2.9** Local Authorities are collating building data on all high rise blocks over 18m for submission to MCHLG by October 2020. This is providing an accurate understanding of materials used and installation details, but has highlighted a number of issues, concerns and barriers that may require Government intervention and support as the next stage in addressing the safety aspects of high rise blocks; including:
- **Costs:** There are still challenges in meeting costs associated with ACM cladding remediation both for public and private sector owned properties. Following the building data review, Government may recommend further actions to improve fire safety regulations including other forms of cladding. This could have significant cost implications for both the public and private sector owners which won't have been accounted for in financial plans. New regulations also require additional fire safety protection as recommended in the Dame Judith Hackitt review of Building Regulations and Fire Safety.
 - **Building Inspector Cooperation:** Following the de-regulation of building inspections, a common issue is being able to obtain information from developer appointed Approved Building Inspectors (ABI) at the planning stage, and which is the same for existing buildings. SCC have robustly addressed this issue and through direct working with MCHLG have provided examples of poor practice from a small number of ABI's that have seriously compromised the safety of private blocks and residents and a number of prohibition notices have been instigated. This has also identified additional ACM and evidence that some ABIs hadn't visited sites and / or had poor signing-off of work practices
 - **Engineering challenges:** Engineering challenges have been encountered when removing and replacing cladding as they were 'built to last.' Most cladding solutions were to remain on blocks for 30 years. This does mean a significant amount of work to remove the cladding system and this is time consuming for buildings and residents and also costly. Some of the other privately owned blocks in Sheffield are over 20 storeys high so may require more difficult and more expensive engineering solutions.
 - **Specialist equipment:** Although, as the Country went into lockdown in March/April, work on some sites stopped for a period of time, developers and contractors have now returned to work and are operating in a safe and socially distanced way. However, discussions contractors has indicated that some difficulties are being experienced in accessing specialist equipment to operate at height, and also the increasing costs of scaffolding.

Supporting Local Authorities

- 2.10** 'The Pledge' signed by Mayor Dan Jarvis in April 2020 set out a number of actions and outcomes for seeking to maintain rapid momentum on ensuring that high rise blocks, where relevant, are made safe for those living and working within them.
- 2.11** Local authorities across the SCR made rapid and significant progress in supporting the Government's recommendations including both in their review of Building Regulations and Fire Safety and in implementing measures to achieve higher levels of safety, particularly in the publicly owned high rise blocks. However, there remains further challenges ahead, some of which could be very significant and have significant financial costs, particularly, if the Government decides to extend the types of cladding that require replacing.
- 2.12** A further issue that is being overlooked is the significant cost of introducing additional fire safety precautions for existing buildings which is having a significant impact on local

authority Housing Revenue Accounts. No financial support is being provided for building owners so these costs are needing to be passed on in terms of higher rents and leasehold bills. There is also no financial support for local authorities for the extra resources internally who have to regulate this area through their Private Sector Housing Teams.

- 2.13** The Mayor recognises that Government grant funding should be provided to support additional improvements needed as a result of any enhanced safety requirements in the future and will lobby Government to this effect. The Mayor is also aware that local authority budgets have already been squeezed in responding to Covid-19 and there are also additional resource implications for monitoring and regulating the situation. Furthermore, private sector landlords may not have built any future costs into their financial planning and it would not be appropriate for vulnerable tenants, many of whom live in these properties, to 'foot the bill' through rent increases.
- 2.14** Similarly, it is recognised that further Government intervention is required to ensure Approved Building Inspectors release the details of previous building inspections requested by local authorities and the Fire Service.
- 2.15** However, the Mayor would welcome Leaders' views on further actions that need to be taken to address the ongoing safety issues, and any interventions and support the Mayor could provide in supporting SCR Authorities to do this.

3. Consideration of alternative approaches

- 3.1** This report is intended to elicit a discussion and draw out any areas in which the Mayor could usefully provide support to ensure necessary building safety improvements can continue and, therefore, no alternative approaches have been considered.

4. Implications

- 4.1 Financial**
None arising directly from this report
- 4.2 Legal**
None arising directly from this report
- 4.3 Risk Management**
None arising directly from this report
- 4.4 Equality, Diversity and Social Inclusion**
The issue of safe cladding and general high-rise building safety affects tenants living and working in high rise blocks. These include some of the most vulnerable residents in the SCR, who may not have other affordable housing options available to them and who won't be able to afford to contribute to remediating any problems identified.

5. Communications

- 5.1** None arising from this report.

6. Appendices/Annexes

- 6.1** Appendix 1: Pledge to Ensure Necessary Building Safety Improvements Can Continue

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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ.

Other sources and references: None