

## EAST SUSSEX FIRE AUTHORITY

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| <b>Meeting</b>         | Scrutiny and Audit Panel                            |
| <b>Date</b>            | 12 May 2022   |
| <b>Title of Report</b> | Building Risk Review Project Closedown              |
| <b>By</b>              | Mark Matthews, Assistant Chief Fire Officer         |
| <b>Lead Officer</b>    | Matthew Lloyd, Assistant Director Safer Communities |

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| <b>Background Papers</b> | <ol style="list-style-type: none"><li>1) SLT Report – Building Risk Review Programme (initial report 21 July 2020)</li><li>2) SLT Report – Building Risk Review Programme (interim report 16 September 2021)</li><li>3) Building Risk Review Appendix A – Technical Guidance</li></ol> |
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| <b>Appendices</b> | None |
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### Implications

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| <b>CORPORATE RISK</b>             | ✓ | <b>LEGAL</b>                  | ✓ |
| <b>ENVIRONMENTAL</b>              |   | <b>POLICY</b>                 | ✓ |
| <b>FINANCIAL</b>                  | ✓ | <b>POLITICAL</b>              | ✓ |
| <b>HEALTH &amp; SAFETY</b>        | ✓ | <b>OTHER (please specify)</b> |   |
| <b>HUMAN RESOURCES</b>            |   | <b>CORE BRIEF</b>             |   |
| <b>EQUALITY IMPACT ASSESSMENT</b> |   |                               |   |

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| <b>PURPOSE OF REPORT</b> | To outline the achievements of the Building Risk Review project and provide assurance of the completion of the project's key objectives. |
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| <b>EXECUTIVE SUMMARY</b> | Following the Grenfell Tower Fire in 2017 there has been a shift in the focus on building safety and fire protection across the UK. This report assurance of completion of the Building Risk Review (BRR) programme. |
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A key piece of work for the national Protection Board is the BRR Phase 2 which is designed to increase the pace of inspection activity across high rise residential buildings (HRRBs) and to support this work the Authority was provided with specific grant funding.

Data collected from the BRR phase 2 will support future work with the Building Safety Regulator (BSR), delivery of the proposed Safety Case regime and associated risk-based inspection program (RBIP) to be established by the BSR.

The Senior Leadership Team committed to use the BRR grant funding to establish a special project team July 2020, to deliver the BRR programme, with the team based at Hove fire station.

To fulfil the grant funding conditions, all in scope buildings are to be assessed on a building-by-building basis, triaged by a competent Fire Safety Regulator (FSR), and a minimum question set returned through the NFCC Tymly Data Portal by 31 December 2021.

Due to the limited information held by the Service on a large proportion of buildings identified as in scope of the project, an early decision was made by the team to physically inspect all buildings in scope, providing each building with a relative risk score to enable transfer to the Service RBIP.

The team surpassed the original target of 344 returns entered in the NFCC Tymly data portal in September 2021 and completed the assessment of 451 buildings prior to the 31 December 2021 deadline.

The team have established a “Building Register”, to record additional information collected on HRRBs through the triage process to inform decisions, and better understand the hazards and associated risks in the built environment within the Authority’s area.

It has now become clear that the new BSR will not be in place until mid-2023 at the earliest, resulting in the Service having to continue manage the legacy workloads created by the BRR project through 2022 and on into 2023. This will be achieved through our business as usual processes.

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## **RECOMMENDATIONS**

That the Scrutiny and Audit Panel:

- a) Note the completion of the Building Risk Review project.
  - b) Acknowledge the achievement of the BRR team in delivering the project objectives, within target timelines and meeting the grant funding conditions.
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## **1. INTRODUCTION**

- 1.1 In March 2020, the Fire Protection Board's first Building Risk Review (BRR Phase 1) exercise focusing on ACM buildings, was successfully completed by Fire and Rescue Services (FRSs).
- 1.2 The Fire Protection Board established the "Building Risk Review" (BRR Phase 2) to meet the ambition set by the Secretary of State for Housing, Communities and Local Government, to increase the pace of inspection activity across the estimated 11,000 high rise residential buildings (HRRBs) over 18m in height (or more than six floors) by December 2021.
- 1.3 On 2nd June 2020, the Prime Minister wrote to the Chair of the Grenfell Tower Inquiry, Sir Martin Moore-Bick, outlining the intent that all HRRBs 18m or above in height should be inspected or reviewed by the end of 2021 supported by government funding.
- 1.4 The Authority as a result used the BRR grant funding to establish a specialist project team 1 July 2020, to deliver the requirements the Protection BRR phase 2.

## **2. BUILDING RISK REVIEW PHASE 2**

- 2.1 To fulfil the requirements of the BRR phase 2, all HRRBs (buildings over 18m or more than six floors) are to be assessed on a building-by-building basis, triaged by a competent Fire Safety Regulator (FSR), and a minimum question set returned.
- 2.2 The Fire Protection Board are required to report to the Minister of State for Fire on the BRR phase 2 and break this down to individual FRS level.
- 2.3 Data collected from the BRR phase 2 will support future work with the Building Safety Regulator (BSR), and delivery of the proposed Safety Case regime and associated risk-based inspection program (RBIP) to be established by the BSR.

## **3. GRANT FUNDING CONDITIONS**

- 3.1 To fulfil the grant funding conditions, all HRRBs identified by the team have been assessed on a building-by-building basis, triaged by a competent Fire Safety Regulator (FSR), and a minimum question set returned through the NFCC Tymly Data Portal by the 31 December 2021 deadline.

## **4. TRIAGE PROCESS**

- 4.1 It was acknowledged that there was insufficient capacity within Service's across the UK to ensure that all HRRBs were audited/inspected by a competent FSR, by 31 December 2021.
- 4.2 Therefore, for all in scope HRRBs to be assessed within the timeframe of the BRR programme, a triage process was established by the Protection Board.
- 4.3 To deliver the triage process, if relevant information is not already held, a physical inspection was required to take place. This triage process was designed, to enable

the utilisation of station-based personnel with no prior fire safety knowledge, and with only minimal support from FSRs.

- 4.4 Where station-based personnel were used to carry out data gathering, the information collected was subject to a desktop assessment carried out by an FSR.
- 4.5 Due to the incomplete information held by the Service on a proportion of buildings identified as in scope of the project, an early ambitious decision was made by the BRR team to inspect all buildings in scope, with the Pandemic creating immediate issues with the deployment of operational staff to assist in undertaking this task.
- 4.6 The Protection Board advised that a suitable quality assurance process be included in any triage process which would include a random sample 5-10% of the lower risk building stock triaged by the Service and where it had been initially determined that no audit/inspection is required.
- 4.7 The decision by the BRR team to inspect all buildings in scope removed the need for the deployment of operational crews and the additional assurance process, including the associated reporting to the Protection Board.

## **5. PROJECT SCOPE**

- 5.1 For a HRRB to be considered triaged for the purposes of the BRR data return, it required the BRR team to provide the following:
  - The minimum question set was completed and returned in Tymly data portal
  - Use of discretion was used to move directly to a full fire safety audit/inspection
  - HRRBs identified as “High Risk”, were subject to full fire safety audit/inspection
- 5.2 Although the Service’s own local data collection and recording is very important, national dataset standards were required to enable analysis by Government departments overseeing the programme.
- 5.3 This process gave Government and residents, the knowledge that HRRBs have been visited or triaged by the Service, and helped ensure priorities for remediation and regulatory work were better informed towards a safer built environment.

## **6. DATA SET**

- 6.1 It is acknowledged that the dataset provided by the Protection Board was incomplete, however, it was the most complete data set available and a tangible benefit of the Programme is improving on this data.
- 6.2 Through further local analysis the BRR team initially identified large numbers of the buildings included within the Protection Board data were out of scope, however there were also corresponding numbers of HRRBs not included in the building data provided.
- 6.3 The data initially provided to the Service in June 2020 identified 357 buildings in scope of the project, with the final total revised down to 344 buildings following further data cleansing by the Protection Board.

6.4 Through the triage process the BRR team have identify a total of 144 buildings being out of scope of the original 344 buildings, with the remaining 200 premises targeted for physical inspection by the team, with this process starting in January 2021:

- Brighton & Hove – 148 buildings
- Eastbourne – 1 building
- Hastings – 33 building
- Rother – 17 buildings
- Lewes – 1 building
- Wealden – 0 buildings

Total – 200 buildings in scope

6.5 The BRR team using further local analysis of data held by the Service (CRM, SSRI, Geoplace, and Mobilising data), discussions with our local authority partners, combined with simple search tools such as google maps and ultimately targeted searches on foot, with this review identifying 107 additional buildings in scope of the project:

- Brighton & Hove – 42 buildings
- Eastbourne – 55 building
- Hastings – 4 building
- Rother – 3 buildings
- Lewes – 3 buildings
- Wealden – 0 buildings

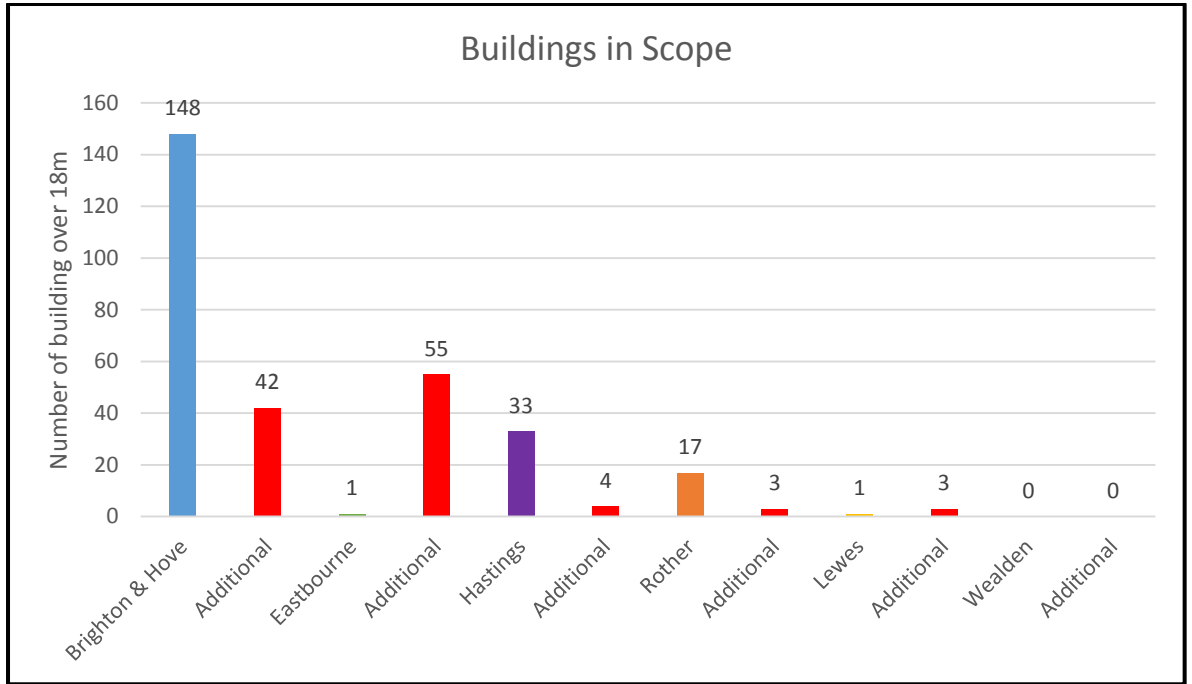
Total – 107 additional buildings in scope

6.6 The BRR team through the triage process have, therefore, identified a total 307 buildings being in scope of the project, all of which have been subject to physical inspection by the team:

- Brighton & Hove – 190 buildings
- Eastbourne – 56 building
- Hastings – 37 building
- Rother – 20 buildings
- Lewes – 4 building
- Wealden – 0 buildings

Total – 307 buildings in scope (over 18m or more than six floors)

**TABLE 1 – BUILDING DATA – ALL BUILDINGS in SCOPE**

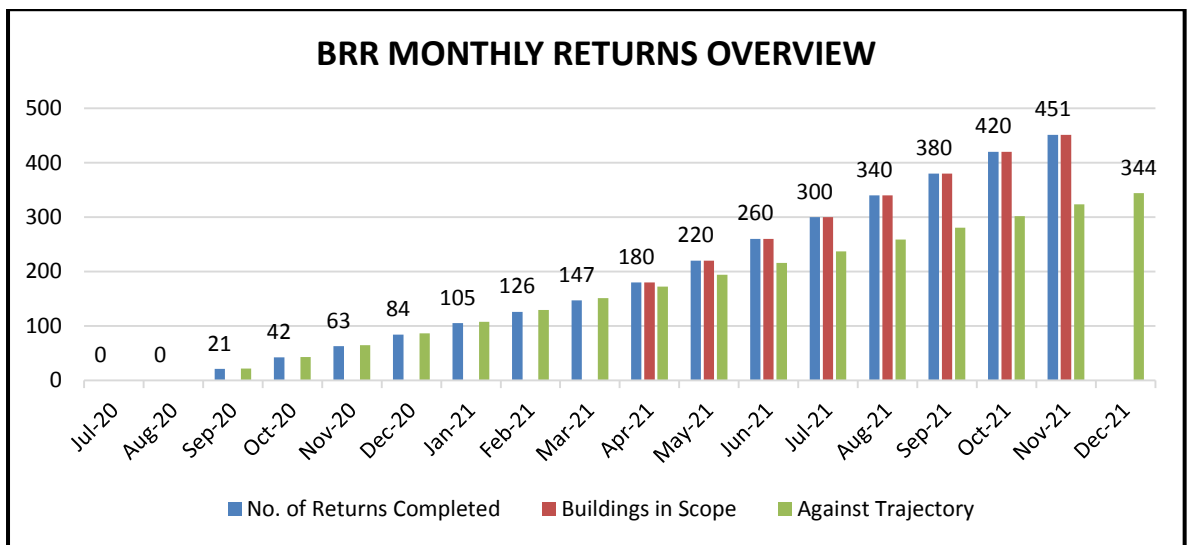


**7. REPORTING**

7.1 It quickly became clear that the initial trajectory provided to the Protection Board for the original 344 buildings was no longer reflective of the number of buildings required to be triaged, and therefore the trajectory was revised in April 2021 to capture the additional in-scope buildings being identified by the team.

7.2 The team have identified and triaged a total of 451 buildings, all of which have had a return completed through the NFCC Tymly Data Portal prior to the 31 December 2021 deadline.

**7.3 TABLE 2 – PROJECT TRAJECTORY – MONTHLY RETURNS**



## 8. PROTECTION BOARD BRR PHASE 2 – STRATEGIC OBJECTIVE

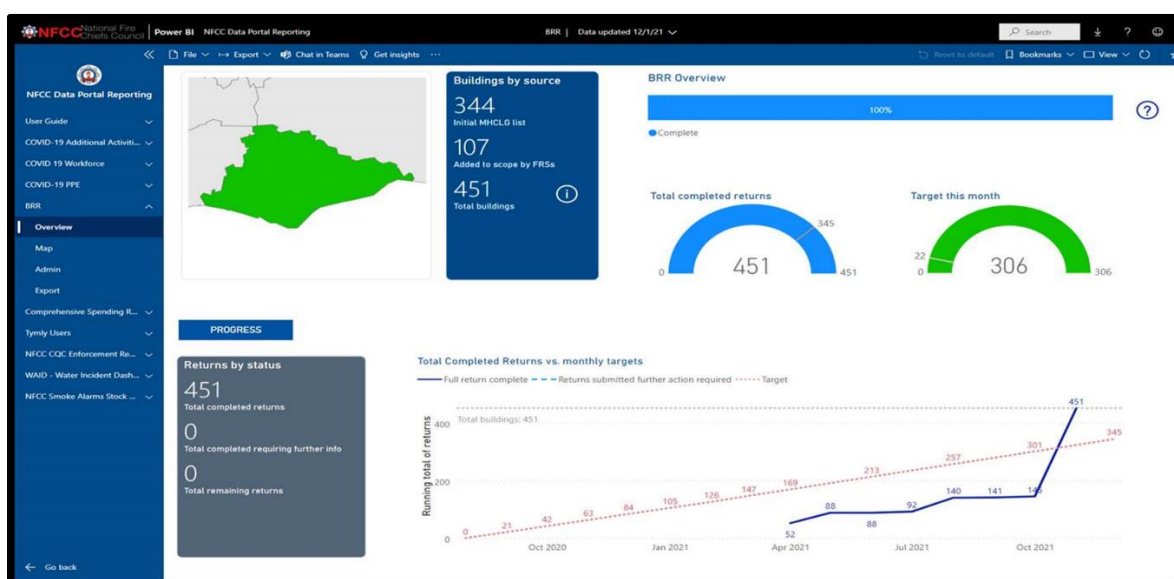
8.1 To measure delivery and determine when the BRR phase 2 has been completed, monthly data returns were provided by the BRR team, via the National Fire Chiefs Council (NFCC) Tymly data portal, meeting the reporting requirements below:

- Demonstrate that the portfolio of risk across c.11,000 HRRBs in England is understood by individual FRSs, targeting resources where risk may be greatest.
- Deliver on the Secretary of State's ambition.

8.2 Therefore, the national programme will be considered complete once all BRR responses have been received for a target of 11,000 HRRBs, confirming they have been triaged and the highest risk HRRBs have been audited/inspected.

8.3 The National Protection Board continue to monitor the data for trends on the number of in-scope buildings, with this data informing review points for the funding of the programme and will include analysis of the risk profile of the buildings informed by triage and audit/inspection outcomes.

### 8.4 DIAGRAM 1 – TYMLY DATA PORTAL – 1 DECEMBER 2021



8.5 The NFCC Protection Board have confirmed that all English FRS met the 31 December 2021 deadline set by the Secretary of State, with the NFCC now analysing the data collected which they plan to share in due course.

8.6 The NFCC recognise this immense achievement by FRSs which has also been noted by partners in Government, including the Fire Minister, Lord Greenhalgh, and this will give us firm standing from which to advocate for further investment in FRS Protection duties.

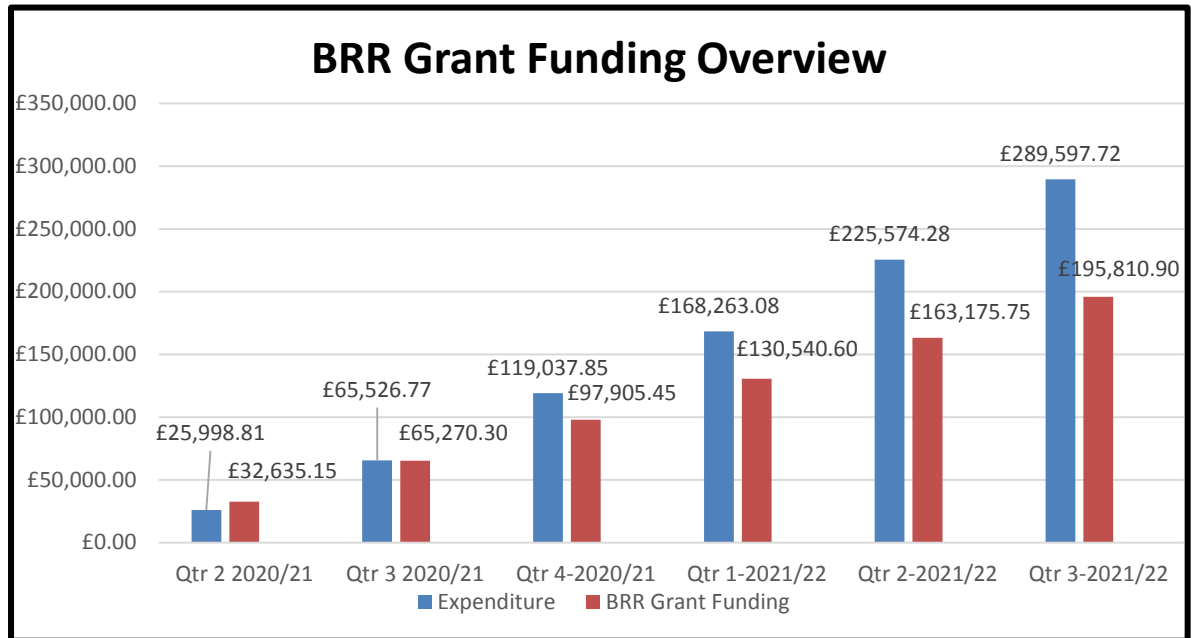
## 9. FINANCIAL REPORT

9.1 To enable the Authority to deliver the Protection Board BRR Programme, the Authority was provided additional grant funding totalling £195,810.90. This grant

funding is ring-fenced to expenditure directly incurred in resourcing and delivering the BRR programme.

9.2 The original budget plan for the project was established at £281,478.70 with a contingency of £48,757, this provided a total budget commitment of £330,236.41, with the additional funding being drawn from the Protection uplift grant.

9.3 **TABLE 3 – BUDGET PLAN**



9.4 Whilst the allocation of costs between the various Protection Surge funding grants has been revised due to the restrictions placed on the BRR grant, the overall expenditure for the BRR project remains within budget at £289,597.72.

**10. BRR BUILDING REGISTER**

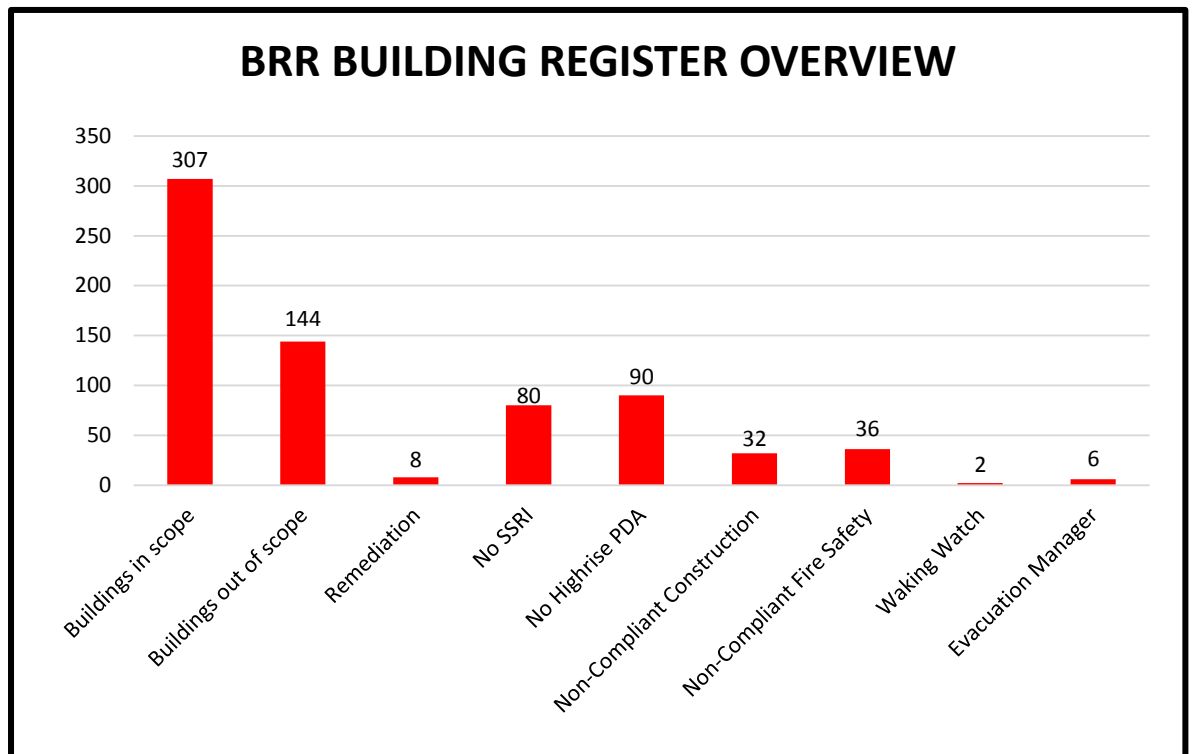
10.1 The team have established a “Building Register”, to collect a wide range of additional information to inform decisions, and better understand the hazards and associated risks in the built environment within the Authority’s area.

10.2 The project has further enhanced our knowledge of the built environment, leading to a number of HRRBs attracting a SSRI (Firefighter risk information) for the first time, with others being updated and a number attracting an alteration to their pre-determined attendance (PDA).

10.3 Buildings identified with additional hazards or presenting an enhanced level of risk are provided with an enhanced PDA and additional firefighter risk information through the creation of an SSRI, or a review of the existing SSRI if already in place.



10.4 **TABLE 3 – BRR BUILDING REGISTER**



10.5 The team have produced a number key supporting documents including maintaining a live spread sheet of non-compliant buildings, which is accessible by all staff on the intranet, ensuring update risk information is available.

10.6 The team have worked closely with Operational Planning and Policy, and Workforce Development on the delivery of the Grenfell Tower Phase 1 outcomes, and the opportunities to deliver key areas of the local action plan.

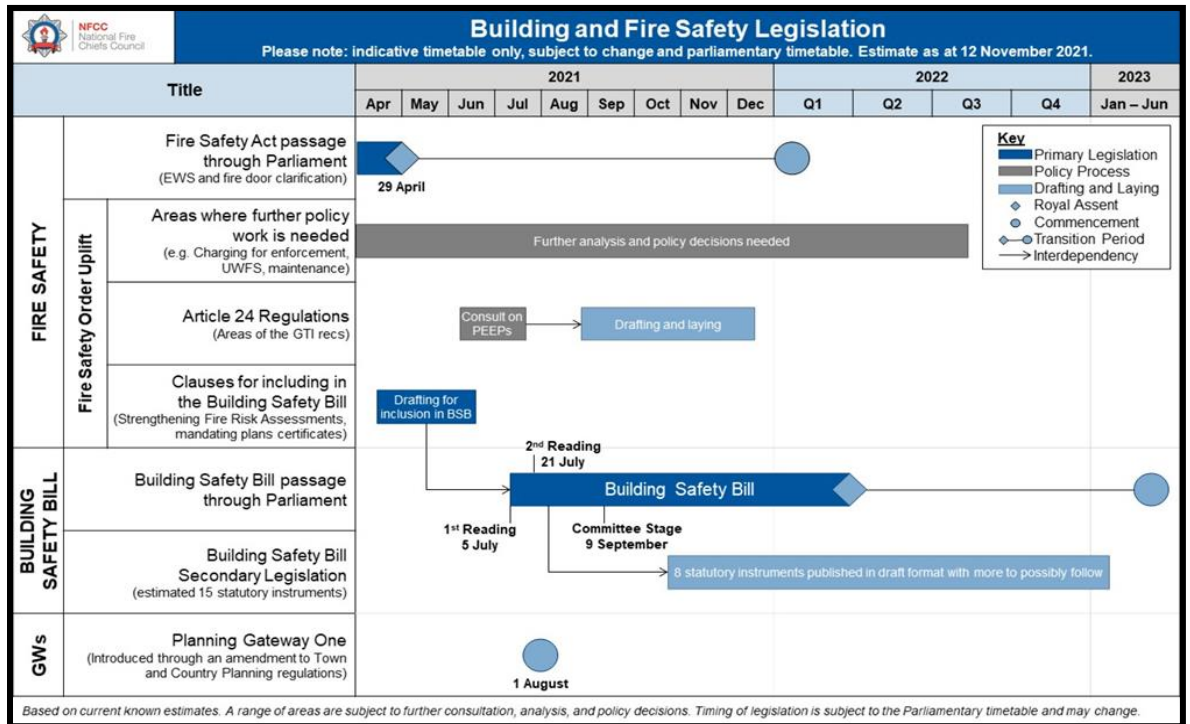
**11. LEGACY WORKLOADS**

11.1 On 5th September 2019, the Secretary of State for MHCLG stated '*I expect all high-rise buildings to have been inspected or assured by the time the new building safety regime is in place, or no later than 2021*'.

11.2 The original intent of the Protection Board and the BRR phase 2 programmes was to use the data collected through the triage process to inform the new Building Safety Regulator (BSR), Risk Based Inspection Programme (RBIP) and when it is fully operational help determine which buildings need to be prioritised for a 'safety case' under the new building safety regime.

11.3 However, it has now become clear that the new BSR will not be in place until mid-2023 at the earliest, resulting in the Service continuing to manage the workloads created by the BRR project through 2022 and on into 2023.

11.4 **TABLE 4 – LEGISLATION TIMEFRAME**



11.5 The current Protection work associated with the review of the RBIP and associated CRM enhancements (IT delivery system), will ensure that the data collected through the BRR project, will support the proposed revised RBIP established by the Service and the inclusion of HRRBs until the BSR is in place.

**12. BRR TRANSITION TO PROTECTION DEPARTMENT**

12.1 The Service has introduced a new RBIP that is based on relative risk as well as risk levels across six risk types. It will enable the Service to further refine the process for allocating resources to the highest risk.

12.2 All premises on our CRM database are now being 'Triaged' to allocate them risk levels for all six risk types and either a Relative Risk Level (using the outcome from a recent audit) or an Initial Risk Rating for premises that we have never audited.

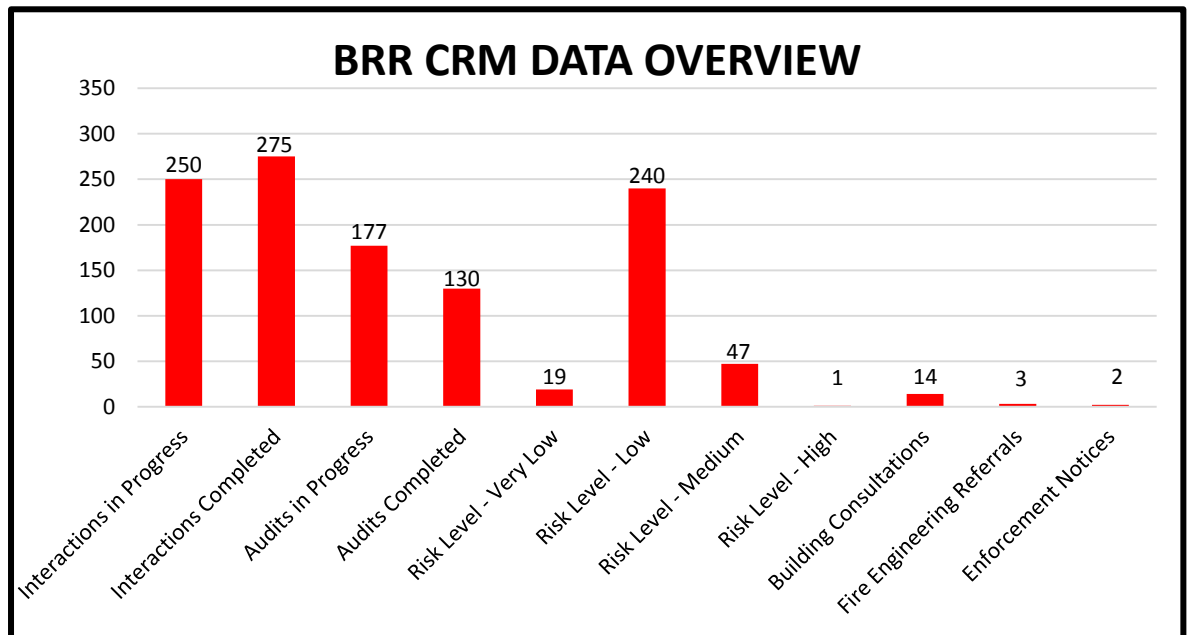
12.3 Whilst this further modification to our process is starting this year, it is acknowledged that the BRR project has been delivering a separate triage and audit process and therefore as the project is closed it is vital that we continue to blend the outstanding work into our current BAU and this integration and this is preceding very well.

12.4 The new triage process considers historic poor management, history of fires, history of false alarms, size of building, number of occupants and a few other areas. This will enable us to give premises with greater risk a greater score that will place it higher up the RBIP list. The work completed by the BRR team within their own triage process will provide significant information to inform the new RBIP triage process.

12.5 We will now triage the BRR premises audits to determine their risk levels and risk ratings, which will allow these premises to be prioritised appropriately for future audits within our new RBIP. These premises should be lower risk as they will have

had completed audits that would have reduced the risk levels and therefore push these premises down our RBIP.

12.6 **TABLE 5 – CRM DATA**



12.7 All in-scope premises have been triaged and subject to a fire safety audit by a fire safety inspector. To reassure SLT it is worth pointing out that the RBIP triage process is such that premises such as non-compliant High Rise Residential Buildings will be towards the top of the list and will be visited as a priority.

12.8 It must be recognised that many of the buildings identified with non-compliant external wall systems, whilst currently having temporary interim risk mitigation measures in place, are only just starting on the road to remediation and compliance. The process of remediation is complex and can take several years to complete, throughout which the Service will have continuous input in the management of fire safety for the protection of relevant persons and firefighters.

12.9 Therefore, it is important that the knowledge, skills, and experience amassed by the team throughout the project, is transferred to the wider Protection department as part of the project closedown process.

**13. LOOK FORWARD**

13.1 The Building Safety Bill “Gateway One” came in to force 1 August 2021 with the Service already having received submissions for 11 in-scope higher risk multi-occupied residential buildings.

13.2 There are currently 33 additional in-scope buildings which have passed planning/under construction, with a number due to become occupied in the near future.

13.3 Brighton and Hove City Council have a clear residential high-rise development plan due to the pressures on land availability, including the scope to specifically extend existing high-rise residential building through the provision of roof top developments.

## **14. CONCLUSION**

- 14.1 In line with other FRS's, the Senior Leadership Team committed to use the BRR grant funding to establish a special project team to deliver the BRR programme, which has maximised the deployment of the grant funding.
- 14.2 To fulfil the grant funding conditions, all in scope buildings are to be assessed on a building-by-building basis, triaged by a competent Fire Safety Regulator (FSR), and a minimum question set returned through the NFCC Tymly Data Portal by 31 December 2021.
- 14.3 The Authority's proportion of the national building stock of HRRBs is significant when compared to our peers, with 307 buildings in scope within the Authority area, with a significant number currently planned or under construction (33), resulting in the Authority having the fifth highest number of HRRBs covered by an English FRS.
- 14.4 Due to the limited information held by the Service on a large proportion of buildings identified as in scope of the project, an early decision was made by the team to physically inspect all buildings in scope, providing each building with a relative risk score to enable transfer to the Service RBIP.
- 14.5 It is clear that the original intent of the Protection Board and the BRR phase 2 programmes was to use the data collected through the triage process to inform the new Building Safety Regulator (BSR), and when it is fully operational to help determine which buildings need to be prioritised for a 'safety case' under the new building safety regime
- 14.6 It is now planned that the new BSR will not be in place until mid-2023 at the earliest, meaning that the Service will have to continue to manage the workloads created by the BRR project through 2022 and on into 2023, when it is currently expected that the BSR will be in place to take over the regulation of the Service's significant high-rise-built environment.
- 14.7 The current Protection work associated with the review of the RBIP and associated CRM enhancements, will ensure that the data collected through the BRR project, will support the proposed revised RBIP being established by the Service, and the inclusion of HRRBs until the BSR is in place.