

**Report for:** **Cabinet** Date 16th July 2024

**Title:** Building Safety Strategy 2024/2028 Haringey Council Housing Stock

**Report authorised by:** David Joyce – Director of Placemaking & Housing.

**Lead Officer:** Scott Kay – Head of Residential Building Safety

**Ward(s) affected:** All

**Report for Key/  
Non-Key Decision:** Key Decision

## **1. Describe the issue under consideration.**

- 1.1 The Building Safety Strategy applies only to our Residential Housing stock. It sets out the Council's approach to managing fire and structural safety across its high-rise, higher risk residential buildings to ensure and improve the safety of residents and to comply with the requirements of the Building Safety Act 2022 and the Fire Safety (England) Regulations 2022, which supplements the duties imposed by the Regulatory Reform (Fire Safety) Order 2005. It sets out objectives and targets for how the Council intends to manage and deliver its Building Safety role and provides a framework against which it considers and formulates associated policies and processes on housing safety issues.
- 1.2 Robust strategies are widely recognised as essential to the delivery of Local Authorities' housing functions. This report gives an overview of the proposed new Building Safety Strategy, its context, and the processes through which it has been developed, focusing on the consultation carried out by the Council with Residents and the specific and targeted resident engagement that it seeks to deliver.

## **2. Cabinet Member Introduction**

Fairer housing is a key priority and commitment for us. That means building new great quality council homes and renovating the homes we have to make them safe, warm and sustainable.

Nothing is more important than protecting our residents from fire or structural risks. We've put in place a proactive Housing Improvement Plan for Haringey's council homes – a joined-up programme to tackle repairs, fire-proofing, insulation, security and other renovations.

As part of that we've developed this Building Safety Strategy, a plan that goes beyond what councils are required to do by government. We've collaborated with

local residents to write this strategy and made resident involvement in future decisions a core objective of it.

It's a five-year plan that focuses on high-risk and high-rise buildings. We're clear that to deliver and maintain improvements to our council homes, we need better information systems and consistent funding into the future. We need to build and develop our workforce too. We want a first-class housing service in Haringey and we are making the changes required to get there.

Every resident deserves a safe and secure home – this strategy is an essential step in achieving that aim.

### **3. Recommendations**

That Cabinet:

- 3.1 Adopt the Building Safety Strategy at Appendix 1 setting out the Council's vision and strategic approach to safety in high-rise, higher risk buildings for the period 23 July 2024 to 31 December 2028.
- 3.2 Delegate authority to the Director of Placemaking & Housing, following consultation with the Lead Member for Housing Services, Private Renters, and Planning, to amend the BSS in order to address future changes brought in through legislation or guidance.

### **4. Reasons for decision**

- 4.1 Robust strategies are widely recognised as essential to the delivery of local authorities' housing functions. This is the first Building Safety Strategy which has been developed to ensure the Council is fully compliant with the requirements of the Building Safety Act (2022), the Fire Safety Act (2021), and elements of the Social Housing (Regulation) Act 2023, and other legislative and regulatory changes introduced and proposed following the Grenfell tragedy in 2017.
- 4.2 The strategy details how we will ensure that buildings that are in the scope of the legislation are effectively managed, and our residents kept safe. It will be supported by several related individual policies and procedures, which are already in place, or are being developed and regularly updated. The strategy builds on the work already undertaken as part of the Haringey Managing Building Safety Programme, which, since 2021, has been implementing measures in response to, and in preparation for, the regulatory framework requirements.
- 4.3 The development of a Building Safety Strategy is a key Workstream in our Managing Building Safety Programme that was established in 2021 and has since been incorporated into and adopted as a key commitment of our Housing Improvement Plan 2023, which was approved by Cabinet in April 2023.

## **5. Alternative options considered.**

- 5.1 Whilst Local Authorities are not required to adopt a specific building safety strategy, this should not be considered as a viable option for two reasons. Firstly, the Council is committed to adopting a Building Safety Strategy having agreed a Housing Improvement Plan and then carried out consultation with residents and peer organisations, which showed strong support for its objectives. Secondly, given the prominence of the Building Safety agenda following the Grenfell Tragedy and the introduction of the Building Safety Act 2022, having a robust strategy demonstrates the Council's commitment to ensuring the safety of its residents.

## **6. Background information**

- 6.1 Due to the introduction of the Building Safety Act in 2022, this is the first Building Safety Strategy which has been developed to ensure the Council is fully compliant with the requirements of the Building Safety Act (2022), the Fire Safety Act (2021), the Social Housing (Regulation) Act 2023, and other legislative and regulatory changes introduced and proposed following the Grenfell tragedy in 2017.
- 6.2 The strategy confirms how, in compliance with the Acts, we will manage fire and structural safety in our residential buildings that are more than 7 storeys, or 18m in height. While the strategy does not apply to all buildings, the Council manages safety in all residential properties, irrespective of height, by ensuring compliance with all applicable regulations as reported through monthly key performance reporting. A separate compliance strategy is in development and will provide more detail on this.
- 6.3 As set out in this strategy, the Council has put in place and is developing several measures to meet the requirements of the Building Safety Act (2022), the Fire Safety Act (2021) and their subsequent regulations that continue to be rolled out. These measures are being delivered through the Council's Managing Building Safety Programme and incorporated into and monitored under the Housing Improvement Plan delivery.
- 6.4 The strategy sets out 3 key objectives which are.
- To ensure the safety of residents living in the Council's High Rise Residential Buildings (HRRBs).
  - To ensure full compliance with existing and emerging building safety legislation and regulation; and
  - To ensure residents in HRRBs are involved in the decisions concerning the safety (fire and structural) of their homes.
- 6.5 Delivery of those objectives will be primarily through the following 6 key workstreams:
- property data and information management,

- how we manage and report on compliance for areas such as gas and fire safety, etc.
  - people & culture
  - resident engagement & communications
  - developing and maintaining building safety cases
  - the Golden Thread of information
- 6.6 Having robust electronic data management systems, data flow processes and change controls will ensure Haringey can track properties from acquisition/handover, through to disposal/regeneration. During the use and occupation of buildings Haringey has several statutory duties to inspect, risk assess and maintain mechanical & electrical services. This strategy sets out how we will improve such management through moving from spreadsheets and manual data handling to a more modern and robust software solution.
- 6.7 Staff competencies and culture, as well as the residents' voice and resident engagement are key areas of the Building Safety Act 2022 and the Social Housing (Regulation) Act 2023. Culture change through equipping staff with skills and abilities to effectively manage and deliver safety programmes is fundamental to the success of the strategy, as is the creation of Resident Engagement strategies. Both Acts place legal obligations on Landlords and the Principal Accountable Person<sup>1</sup> to ensure residents are involved in the decisions that concern the safety of their building.
- 6.8 The Resident Core Group (now the Resident Voice Board) was consulted on the development of this strategy in 2023 and their views regarding clarity of responsibilities have been incorporated.
- 6.9 The strategy also confirms our commitment to meeting the specific regulatory requirements to produce Building Safety Cases and critical to those, is the Golden Thread of information. Our strategy will ensure that our data is kept digitally, securely, is a building's single source of truth, is available to people who need the information to do a job, is available when the person needs the information, and is presented in a way that can be easily used.
- 6.10 Key to the successful delivery of any strategy is its funding and resourcing. The strategy sets out how its capital elements will be funded within the HRA, through the existing Medium Term Financial plan and incorporate into the Asset Management strategy. The 5-year plan incorporates c£35m for fire safety works and other aspects of capital expenditure.
- 6.11 Since the development of the 5-year plan, there have been additional regulations that place further financial demand on the Councils financial plan. These have to date been funded through existing budgets during 2023/24. Where projects set out in Table 1.6B of the strategy require additional funding or budget virement, this will be subject to suitable business cases and approvals, and therefore, does NOT commit the Council to additional as-yet unbudgeted funding.

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<sup>1</sup> See Legal Comments for definition

6.12 The strategy confirms how we will incorporate and consider procurement and supply chain competencies when procuring contractors and consultants for building safety critical works as well as acknowledging the recently introduced requirements of the Fire Safety (England) Regulations 2022. It also sets out clear roles and responsibilities for those required to ensure suitable and sufficient resources are available, through to those delivering the strategy on a building-by-building basis.

## **7. Contribution to strategic outcomes**

7.1 This project will help to theme 5 of the Corporate delivery Plan A borough where everyone has a safe, sustainable, stable and affordable home.

## **8. Carbon and Climate Change**

8.1 The Climate Change Action Plan sets out how the borough will become net zero carbon by 2041. The proposed Building Safety Strategy supports that objective, through commitments to improve building and fire safety of our 44 high-rise and higher risk blocks. There are potential synergies between our retrofit projects both being about the climate outcomes but also enhancing resident safety, for example through the move to air-source heat pumps and other electric driven technologies, that will help to remove gas supplies and combustion appliance from buildings.

8.2 By doing so we will improve the sustainability, suitability and continued use of those buildings as safe and sustainable homes for residents. This in turn reduces the carbon emissions produced by them, and/or the need for re-development of them, and the carbon emissions that produces.

## **9.0 Statutory Officer Comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)**

### **9.1 Finance**

9.1.1 There are no specific financial implications arising from this report on its own. However, the implementation of this strategy may have some financial implications.

9.1.2 The building safety strategy is aligned with the Housing Revenue Accounts (HRA) approved budget and MTFs. The recent update of the HRA 30-year financial plan recognises in it the resources required to drive this strategy.

9.1.3 Any Investment decisions arising as a result of this strategy will be considered within the parameters of the resources set out in the HRA Financial Plan/Medium Term Financial Strategy.

- 9.1.4 Any expenditure required outside of existing budgets/plan, particularly regarding longer term investment will go through the appropriate assessment channels and would be subject to the Cabinet approval.
- 9.1.5 The proposed building safety strategy will constantly be reviewed as part of the annual budget refresh and where necessary updated to reflect the realities of internal and external environment.

## **9.2 Procurement**

- 9.2.1 Strategic Procurement note the contents of this report and confirm there are no procurement related matters preventing Cabinet approving the Recommendations stated in paragraph 3 above.
- 9.2.2 Strategic Procurement will work with the service to ensure value for money is achieved through the procurement activity, including delivery of social value aligned with the Procurement Strategy and the Council's priorities.

## **9.3 Assistant Director Legal and Governance**

- 9.3.1 The Assistant Director Legal and Governance has been consulted in the drafting of this report.
- 9.3.2 The Building Safety Act 2022, the Fire Safety Act 2021, the Social Housing (Regulation) Act 2023 ("the Acts") and regulations made under the Acts each impose significant new duties on the Council to maintain safety in its high-rise (7-storey/18m high respectively) residential buildings in the borough, in particular in relation to fire. While the Fire Safety (England) Regulations 2022 applies to all buildings in England that comprise two or more domestic premises (including the residential parts of mixed-use buildings), the proposed Building Safety Strategy is designed to apply to the Council's high rise residential buildings and not to other residential housing stock owned by the Council.
- 9.3.3 The new regulatory framework is set out in section 2 of the Strategy.
- 9.3.4 The framework includes provision for remediation orders to be made requiring remediation of relevant defences (which increase the risk of fire or building collapse), and limits recovery of the costs of remediation of relevant defects from leaseholders by way of service charge.
- 9.3.5 The duties under the Acts, the Fire Safety (England) Regulations 2022 and the Fire Safety Order are imposed on the Principal Accountable Person or the Responsible Person respectively, who is the person with an interest in possession of the structure and common parts of the relevant building – which, in the cases covered by the Strategy, is the Council.

- 9.3.6 Other legal implications are contained in the body of the report and the draft Strategy.
- 9.3.7 The Strategy does not form part of the Policy Framework and adoption does not require Full Council approval.
- 9.3.8 In deciding whether to adopt the Strategy, Cabinet must take into account the Equalities implications set out in the next section.
- 9.3.9 There is no legal reason why Cabinet should not adopt the draft Strategy in accordance with the recommendations.

## **9.4 Equality**

- 9.4.1 The Council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
  - Advance equality of opportunity between people who share protected characteristics and people who do not.
  - Foster good relations between people who share those characteristics and people who do not.
- 9.4.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 9.4.3 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 9.4.4 The decision is regarding the adoption of a new Strategy to set out the Council's vision and strategic approach to Building Safety in Haringey' high-rise, higher risk buildings spanning the next five financial years.
- 9.4.5 The Building Safety Strategy is a major housing related strategy which will impact mainly on those people living in our high-rise higher risk buildings in the borough. By seeking to improve conditions in these properties, the strategy will have a positive impact on BAME residents, older residents, and women, groups who are overrepresented in our tenant population, by ensuring those who have established homes and communities within these buildings and neighbourhoods are not required to re-locate or find alternative accommodation, that may not provide the same level of support and cultural identification.

- 9.4.6 By maintaining rented affordable housing, and therefore not requiring affordable home ownership due to the need for re-development, the strategy may have a negative impact on those who aspire to homeownership but are unable to access market housing, who are more likely to be younger. Affordable home ownership will however still be delivered in Haringey through the Housing Strategy, and a commitment for a 2024 intermediate housing policy for shared ownership that was added after consultation should help mitigate this impact.
- 9.4.7 People in housing need and those living in social housing are disproportionately disadvantaged across multiple areas and have more than one protected characteristic, in particular in terms of race, socio-economic status, sex, and disability. The Building Safety Strategy prioritises safety to maintain the housing needs of these groups and will therefore have a positive impact on those who share these protected characteristics.
- 9.4.8 Improving our landlord services regarding safety for our tenants, primarily in these buildings who are more likely to be BAME, Women, Older and of a low socioeconomic status. This will result in improvement works that many reduce the need for repairs and associated complaints. Additionally, this comes with a stronger commitment to improve the visibility of staff e.g., Building Safety Managers, and communications specific to the residents' need through Building Specific Resident Engagement Strategies to ensure residents are both safe and feel safe and can easily report any concerns or issues that may affect their safety.
- 9.4.9 It should be noted that this is a new strategy that brings together several workstreams that have been in place for approximately two years, and it aligns with new and forthcoming national regulation. Any works resulting from the strategy would be dealt with under a specific project business case or programme and would therefore be subject to their own in-depth equalities analysis.

## **10. Use of Appendices**

Appendix 1: draft Building Safety Strategy

## **11. Background Papers**

None