



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

# Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a  
Chymunedau](#)

[The Equality, Local Government and  
Communities Committee](#)

13/07/2017

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle y mae cyfranwyr wedi darparu cywiriadau i'w tystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

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Gareth Bennett <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	UKIP Cymru UKIP Wales
John Griffiths <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Sian Gwenllian <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Plaid Cymru The Party of Wales
Bethan Jenkins <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Plaid Cymru The Party of Wales
David Melding <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Ceidwadwyr Cymreig (yn dirprwyo ar ran Janet Finch–Saunders) Welsh Conservatives (substitute for Janet Finch– Saunders)
Jenny Rathbone <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Llafur Labour
Joyce Watson <a href="#">Bywgraffiad</a>   <a href="#">Biography</a>	Llafur Labour

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Iwan Cray	Rheolwr Ardal, Gwasanaeth Tân ac Achub Canolbarth a Gorllewin Cymru Area Manager, Mid and West Wales Fire and Rescue Service
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Ceri Doyle	Prif Weithredwr, Cartrefi Dinas Casnewydd Chief Executive, Newport City Homes

Gareth John	Cadeirydd Sefydliad Siartredig Adeiladu Cymru Chair of the Chartered Institute of Building Wales
Tony Jones	Rheolwr Tîm Gwaith Cyfalaf, Cyngor Sir y Fflint Capital Works Team Manager, Flintshire County Council
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Mike Owen	Prif Weithredwr, Cartrefi Cymoedd Merthyr Chief Executive, Merthyr Valleys Homes
Stuart Ropke	Prif Weithredwr, Cartrefi Cymunedol Cymru Chief Executive, Community Housing Cymru
Steve Rossiter	Rheolwr Ardal/T, Gwasanaeth Tân ac Achub De Cymru T/Area Manager, South Wales Fire and Rescue Service
David Wilton	Cyfarwyddwr, TPAS Director, TPAS

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Chloë Davies	Dirprwy Glerc Deputy Clerk
Naomi Stocks	Clerc Clerk

*Dechreuodd y cyfarfod am 09:06.  
The meeting began at 09:06.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau  
Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **John Griffiths:** Welcome, everyone, to this meeting of the Equality, Local Government and Communities Committee. Today, we are holding a one-day inquiry into fire safety in high-rise residential buildings in Wales. Item 1 is introductions, apologies, substitutions and declarations of interest. We have one substitution: David Melding, Assembly Member, is substituting for Janet Finch-Saunders. Are there any declarations of interest? No.

09:06

**Ymchwiliad i Ddiogelwch Tân Mewn Tyrau o Fflatiau yng Nghymru:  
Sesiwn Dystiolaeth 1  
Inquiry into Fire Safety in High-rise Blocks in Wales:  
Evidence Session 1**

[2] **John Griffiths:** We will move on to item 2 on our agenda today—our first evidence-taking session in relation to this inquiry, which obviously comes in the wake of the terrible disaster of Grenfell Tower in London, which we all watched with horror on our television screens. The purpose of our one-day inquiry is to get a picture of the position in Wales in terms of fire safety in our high-rise residential blocks. I'm very pleased to welcome representatives of our fire and rescue services in Wales to our committee this morning. Could you introduce yourselves for the record, please, perhaps starting with Iwan?

[3] **Mr Cray:** Bore da. My name is Iwan Cray. I'm the area manager in Mid and West Wales Fire and Rescue Service, and corporate head of resources, and I'm representing the service here today.

[4] **Mr Millington:** Bore da. My name's Stuart Millington, and I'm the senior fire safety manager with North Wales Fire and Rescue Service.

[5] **Mr Rossiter:** Bore da. My name's Steve Rossiter, area manager, South Wales Fire and Rescue Service, and I'm responsible for operational risk

management.

[6] **John Griffiths:** Okay. Well, bore da, bawb, and thank you very much for coming along to help the committee with its inquiry this morning. If I might begin with our questions, first of all, what is the role of the fire and rescue services in relation to fire safety in high-rise residential blocks? Could you set that out briefly for the committee, please? Stuart.

[7] **Mr Millington:** Okay. The legislation that we enforce is the Regulatory Reform (Fire Safety) Order 2005. It only applies to means of escape—communal areas within high-rise properties. Anything beyond the door of the individual flats is under the Housing Act 2004 and enforced by local authority housing. So, our influence during build stage is around consultation with building control or approved inspectors, and then once that building is occupied it's around enforcing means of escape in communal areas only.

[8] **John Griffiths:** I see. Okay. None of you would have anything to add to that, would you?

[9] **Mr Rossiter:** No.

[10] **John Griffiths:** Okay. Oh, Iwan.

[11] **Mr Cray:** I think I was just going to add that whilst the jurisdiction is, as Stuart has laid out there, from a community safety element, we would undertake, where possible, safe and well or home fire safety checks within the domestic areas of these buildings.

[12] **John Griffiths:** Okay. Secondly, what lessons would you say fire and rescue services have learned from previous fires in high-rise residential blocks, such as some of the ones we've seen in London, for example—not recently but previously? Would there be any main major lessons that you would cite in terms of different practice and procedures following that?

[13] **Mr Cray:** Yes, certainly from lessons that are learnt from serious incidents across the UK, there is a communication process through what was a chief fire officers' letter, which we circulated across the whole of the UK in terms of fire and rescue services. In particular, in one more recent one and the one that's most applicable, maybe—Lakanal House—there were five recommendations that came from the coroner's report following that

incident, which would have been circulated across the UK and each fire and rescue service would have initiated a response to those recommendations.

[14] **Mr Millington:** It's fair to say that, following that particular incident, there was a significant level of additional training that was undertaken in relation to high-rise incidents and operational response to those, a significant increase in information gathering that we keep and provide to all our operational crews when they attend such incidents, and they're available on a data terminal within the cab of vehicles so that there's no confusion in relation to the layout of the building, and issues in relation to what fixed installations may be in that building and how to access and all of that kind of thing. There were also significant amounts of training in relation to incident command and communication to ensure that there was a standard procedure adopted across the UK in order to tackle high-rise building fires safely.

[15] **Mr Rossiter:** Just to add a few things to that, in relation to our policies and procedures, our standard operational procedures for high-rises were reviewed and amended accordingly. Also, additional equipment was identified for initial crews attending high-rise fires—the initial attack. So, we adhere to the advice given from the likes of Shirley Towers and Lakanal House, and we've amended our processes and training accordingly.

[16] **John Griffiths:** In terms of the equipment, I think it's the case, isn't it, that in the area I represent, Newport, the fire and rescue service vehicles' ladders are able to reach the top of the, I think, 11-storey tower blocks. Is that the case?

[17] **Mr Rossiter:** They vary in sizes—30m is my understanding.

[18] **Mr Millington:** The systems and the processes that we have in place are supported by high vehicles, such as aerial ladders, but the predominant process involves utilising internal staircases and taking equipment up and setting up what we refer to as a bridgehead, which is where we deploy our activities from a floor safe enough below the fire floor to operate safely. So, most of our activities would be undertaken utilising the internal staircases.

[19] **John Griffiths:** Okay, so that's the main operational issue for you, rather than having reach to the top of a tower block building.

[20] **Mr Rossiter:** Those buildings are built with firefighting facilities in them. So, wherever the staircase or the firefighting lift and shaft is, there are



dry risers, so we connect to the dry riser at ground-floor level. We charge the dry riser and then we go in the firefighting lift or the staircase to, as Stuart suggested, below the fire, and that's where we start firefighting operations, at a bridgehead.

[21] **John Griffiths:** Okay, thanks for that. Others may come in on these issues, but I just wanted to explore, briefly, issues in terms of social housing high-rise blocks on the one hand and private high-rise blocks on the other. Does either one present a greater fire risk in your opinion, and if so, why?

[22] **Mr Cray:** I think, essentially, if everything is in place from our point of view, if the management of the building is done in the way it should have been done, that the risk assessments are in place as they should be, that the fixed firefighting protection measures are in place as they should be, the only difference then is the possibility of the ignition of the fire in the first place, whether it's in social housing or in a private block, so to speak. So, there may be a higher possibility of a fire igniting in the first place, but if everything else is in place, there should be no spread beyond that original room compartmentation.

[23] **Mr Millington:** I would add to that that people have complex needs in both social housing and private housing, so the issues present themselves in both types of properties, but the relationship that we have with our local authority landlords is probably, more often than not, a stronger one than with private landlords. As a result, any control measures that are required to be put in place to make those people safer in their homes, and any advice that we give in relation to that, is acted upon very quickly with our local authority partners, and, as a result, the controls level the playing field, I would suppose, in terms of risk for people with complex needs.

[24] **John Griffiths:** Yes, I see.

09:15

[25] **Mr Rossiter:** There is a slight challenge as well with private landlords in that, from a fire safety perspective, very often a number of these flats are sublet and it's trying to establish who the responsible person is. So, when we're enforcing—if we need to enforce—in a private block of flats with a private landlord, it tends to be a little bit more complex, whereas with local authority social housing you know the responsible person and who to deal with.

[26] **John Griffiths:** I see.

[27] **David Melding:** Could I—?

[28] **John Griffiths:** Yes, David.

[29] **David Melding:** It's just this question of the incidence of fire events. Would you say, broadly, it's similar in a tower block to a similar sort of range of tenants living in a more conventional estate, then, of houses? Would the incidence be similar, or are tower blocks—inherently because of their design—more likely to have fire incidents?

[30] **Mr Cray:** I think that goes back to the original point, in terms of within your own domestic area, that risk is as it is in any domestic house, whether it's a social house in a terrace somewhere or whether it's in a block of flats—that risk beyond that front door.

[31] **David Melding:** I was interested, reading today's *Western Mail*, that Inspector Nick Thatcher of the Metropolitan Police, who I think was one of the first to arrive—. It said when he took the call from the fire brigade around midnight, he thought it, and I quote,

[32] 'concerning but not unusual'.

[33] Do you understand that sort of quote? Because I think, perhaps, some members of the public would think fire events are very rare at tower blocks, which, actually—. They have to be managed and there is a—. Whilst the incidence of fires is coming down generally, which is obviously in very many ways a great credit to your service, you still have to deal with quite a lot of incidents.

[34] **Mr Millington:** Yes, you do, and, as you say, numbers of incidents are coming down because of the prevention work that we undertake, but we do see areas that are densely populated and metropolitan areas, such as London and parts of Wales, are far more busy in terms of number of incidents than the norm, I would guess. But that would be the same in single domestic dwellings in those areas as well as high-rise buildings. The numbers of incidents aren't greater. It just happens to be that the density of numbers of families living within that area is greater, so it may appear so.

[35] **David Melding:** Thank you.

[36] **John Griffiths:** Okay. Could I, then, ask you about visits to high-rise residential blocks? How often would you visit, and are there specific plans in place for each individual building in the case of a fire?

[37] **Mr Millington:** We all have an agreed Wales strategy in relation to our business fire safety activities across Wales, and we prioritise based on risk and life risk. So, we would undertake our activities on a predetermined basis, and we visit regularly and review—revisit regularly also. So, in north Wales, I can speak for: our high-rise properties are few and far between, if I'm honest, but we do have arrangements in place where we revisit and any issues will be followed up quite quickly. In addition to the enforcement and inspection regime, we also have a series of activities in relation to training and maintaining the competence of our crews to respond to fires in high-rise buildings. So, we have training exercises regularly and we have a series of theoretical inputs, whether that be scenario-based exercises away from the scene, or at the scene itself.

[38] **John Griffiths:** I see, okay. And does the same apply—?

[39] **Mr Cray:** It is very much the same approach. It's a risk-based approach. There are properties that could be visited on an annual basis. There are properties that could be visited on a five-yearly basis. Since the incident at Grenfell, mid and west, we've visited every single high-rise within our area, jointly with the local authority, to review each of those buildings. It's been responsive to the Grenfell incident.

[40] **John Griffiths:** Is that the case for you as well, Stuart?

[41] **Mr Millington:** Yes. We've visited all of our properties within the last 12 months anyway, but we've ramped up those visits in a couple of the properties that we have in the Flint area, and we've had quite an extensive public reassurance campaign, where we've taken our compliance officers and our home safety support workers to those locations and delivered a variety of inputs, both in those people's homes and in communal areas of those buildings, to reassure people that the arrangements that are in place in that building are not the same as they were at the sad event in London.

[42] **John Griffiths:** I see. Okay. And for you as well, Steve, would that be—?

[43] **Mr Rossiter:** Yes, absolutely. Just last Monday, we had a day of action at the three blocks of flats in Newport. Our business fire safety department and our community safety department had a joint approach, whereby we were reassuring residents in relation to health and well-being visits and home safety and fire safety. Our fire safety officers were working with the local authority's responsible person in relation to the fire safety provisions for the communal areas. Also, through the all-Wales community risk reduction group, we have an objective there under the business safety group, where we're working with local landlords and estate agents, and we've managed through a partnership with Rent Smart Wales to provide training and a package for all landlords and agents in the social housing arena.

[44] **John Griffiths:** Okay. Joyce Watson.

[45] **Joyce Watson:** Just a question to Iwan. I'm really pleased to hear that you've visited all the high-rises. Just for clarification, is that both in the public sector and the social housing sector? As a consequence of having done that, have you issued any guidance back to the tenants in those areas?

[46] **Mr Cray:** Yes, absolutely. We've got 105 what we deem to be high-rise properties above six floors within the mid and west Wales area. Seventy-six of those are residential properties, mixed between local authority owned and privately owned. We have visited all 76 of the residential properties, be they private or local authority owned. And, yes, a number of these visits have been joint visits where the local authority, primarily the city of Swansea, have issued guidance to the occupants there. And we've held an event, similar to what south Wales have done in Newport.

[47] **Joyce Watson:** Thank you.

[48] **John Griffiths:** Okay, we'll move on then to some questions on the fire safety Order from Bethan Jenkins.

[49] **Bethan Jenkins:** I just wanted to carry on that point. I've got a note from the Cabinet Secretary with regard to the mid and west fire service. In that note, it says that mid and west have completed regulatory reform fire safety inspections for 28 of the 39 high-rise residential buildings of eight floors or above from across the six counties. So, is that different to what you've said in relation to visiting all of the high-rise flats in your area?

[50] **Mr Cray:** I'm sorry I didn't catch the detail there, but our data, as of

yesterday, before—

[51] **Bethan Jenkins:** This was 7 July this note was from.

[52] **Mr Cray:** Okay. So, that may have been updated since then. There are 76 properties that are over six floors and I think you referred to eight floors there—

[53] **Bethan Jenkins:** Eight floors, yes.

[54] **Mr Cray:** Over eight floors, I'd have to refer to my phone. I have got the detail if you want it now.

[55] **Bethan Jenkins:** If you want to send it to us, that's fine, if it will take time. I just want to make sure that we've got the figures correct and that everything's—

[56] **Mr Cray:** Yes, absolutely. I think I can reassure Members around the table that we have completed those joint visits at all 76 of those properties of six floors and above within our area, but I'll back that up for you, yes.

[57] **Bethan Jenkins:** Thanks. The first question I had was a more general point and something my colleague Llyr Huws Gruffydd raised yesterday in the Assembly. I just want to establish for the record whether, as a fire service, you have the capacity to be able to deal with any incident or any problems that you may face. I've had quite a lot of communication in the last week or so from the Fire Brigades Union stating that there have been cuts to the service across the board, and I want to be reassured by you here today that if there were to be an incident here in Wales, you would be able, with the capacity that you have, to deal with that efficiently. We know that shift patterns have changed. We know that there have been changes to the fire service here in Wales also. So, I just want to be reassured that you have that capacity in the system.

[58] **Mr Millington:** From a north Wales perspective, I can most certainly give that reassurance. We would have a predetermined attendance for any initial incident, and we have sufficient resources in all the areas around high-rise buildings to meet that predetermined attendance, and subsequent appliances and resources that would be required to be called upon would also be available.

[59] **Bethan Jenkins:** Is that true for—?

[60] **Mr Cray:** Similarly from the mid and west point, we've reduced our budget by 20 per cent since 2005 during times of austerity, and managed to do that without affecting front-line response. There've been changes in shifts and stuff on station that have not affected the way our appliances turn out, time wise. So, yes, that reassurance certainly is there for the public and yourselves that the fire service would respond as we have always responded.

[61] **Bethan Jenkins:** The same for south Wales.

[62] **Mr Rossiter:** Exactly the same. Our predetermined attendance, the location of our stations and resources are there to deal with large incidents like that. Thankfully, they are few and far between, and resources are there.

[63] **Bethan Jenkins:** Okay. I just wanted to make sure I had that noted. Can you just tell me, with regard to the legislation and the regulation, especially the latest one in 2005, the safety determination, do you think that that's appropriate, and do you think that's something that is strong enough for you to be able to enact?

[64] **Mr Rossiter:** It certainly provides us with enforcement powers. It's been in for nearly 11 years. It's fair to say that there are still a number of responsible persons out there who are not clear on their responsibilities, and very often when we enforce, very often their risk assessment and their understanding of their responsibilities to carry out a risk assessment are still a bit short. The legislation—

[65] **Bethan Jenkins:** Would you have figures, then, to show who is not conforming with that?

[66] **Mr Rossiter:** Yes, we've got an enforcement register that's on the internet and accessible to everybody. I don't have those figures, but with a great deal of confidence I can tell you that whenever we enforce or prohibit, almost 100 per cent of the time there's either a lack of a risk assessment or it's not suitable and sufficient, or they haven't dealt with the significant findings of that risk assessment. So, risk assessment is at the heart of the legislation, but it always seems to be the weak link.

[67] **Bethan Jenkins:** And how do you go about then—? If you take enforcement action, what happens then? Obviously they need to change what

they're doing. How does that apply in a practical way?

[68] **Mr Rossiter:** The enforcement policy—there are different levels of enforcement. A satisfactory inspection means you're doing quite well and your fire safety provisions are as we would expect. Then we have what we call an informal notification of deficiencies, where there are minor issues, and we give them some guidance on what they need to do. Very often they're so minor we don't necessarily follow those up, but where they do involve things such as fire alarm systems, then we would. Sometimes we sit down with the responsible person and agree an action plan. That's another level of enforcement.

[69] Then you get to formal enforcement, which is the enforcement notice. We serve the enforcement notice. We have the regulatory form, an audit form that looks at all aspects of means of escape, and when there are deficiencies in any of the articles of the fire safety Order, then we explain to them what the deficiency is and we explain to them what they must do, and very often we give them a time frame based on the severity of it, and the likely economic impact on the business or the person as well. We definitely follow up enforcement notices. Generally, halfway through the period of time, we'll give them a call or go and visit to say, 'How are you getting on with that?' The week before we follow up as well, just to make sure, and then the day after we go there and we either withdraw the enforcement notice or we consider taking it further as it's an offence, and potential prosecution.

[70] **Bethan Jenkins:** Okay.

[71] **Mr Millington:** At the extreme end of any kind of incident we would prohibit part of the building or all of the building, in partnership with our colleagues in housing, if it was of that nature. But what I would say in general terms in relation to the legislation is that the previous enforcement regime under the Fire Precautions Act 1971 was very much one where we told people exactly what to do and where to do things. The new Regulatory Reform (Fire Safety) Order 2005 relies very much on a responsible person knowing their responsibilities and implementing a suitable and sufficient risk assessment, and the control measures that come out of that risk assessment—putting action in place to mitigate those issues—are fundamental. Following on from that, obviously the management and implementation of those control measures are required in order to make the whole system work. The limitation from my perspective is that of the person considered to be a responsible person. There is no specific qualification, accreditation or level of

skill or knowledge defined in the legislation for that person.

09:30

[72] **Bethan Jenkins:** Do you think that that would need to be changed then, to have that person responsible from the get-go, as opposed to anybody being able to do it?

[73] **Mr Millington:** We experience a variety of people who are on the market as fire risk assessors who will go in to a building and provide advice to the owner of that building, and the owner of that building, in good faith, thinks that they're doing all that they need to do. And, on occasions, once we have a look at that risk assessment, from a fire and rescue service perspective, we have a slightly different view. And in that regime around the regulation of people who are responsible people, or people who are selling their skills as responsible people, possibly there's a gap, I would say.

[74] **Mr Cray:** I guess the only thing to add to what my colleagues have said there, in terms of if you're thinking specifically about the high-rise, is that the fire safety Order, as we mentioned at the start of the meeting, provides us with the power, the jurisdiction, to look at the common areas. Beyond the front door of the individual flats, the local authorities are the ones that have that power to regulate within those areas under the Housing Act 2004.

[75] **Bethan Jenkins:** So, it wouldn't be for you to—. You can only enforce so far is what you're saying, within your powers.

[76] **Mr Cray:** Absolutely, yes.

[77] **Bethan Jenkins:** Because my question now is going to be—. When I've raised this with the Cabinet Secretary before, obviously he doesn't want to take the stick approach at the moment; he wants to be able to encourage people to do the testing and put fire safety regulations in place. But, then, I've said to him, 'Well, if they don't do these checks, then what will you do?' So, he was saying, obviously, he can use the enforcement powers that you have, but also those under the Housing Act 2004. So, you would say, if there was going to be any action, really, it would need to come from there, not from what you can do as a fire service.

[78] **Mr Cray:** Given our reaction since Grenfell, and the fact that we have visited all our properties, we are comfortable now that we know what we've



got there in terms of the common areas that we have that regulatory power over, and that we will address any issues that are coming from there, albeit there are no major issues being highlighted within our area, I'm pleased to say. But beyond that front door, it has to sit with the local authority, because we have no power.

[79] **Bethan Jenkins:** Okay. Thanks.

[80] **John Griffiths:** So, in terms of enforcement and high-rise residential blocks in Wales, over a period of time, have there been any particular issues in terms of enforcement action that stand out?

[81] **Mr Cray:** I think just to carry on, and just finishing off that previous point there, the front door to the flat generally comes up quite often in terms of enforcement issues, the fire resistance of that door—doors have been changed and not been put back with what they should have—and the compartmentation between floors. Whilst we are able to check to a degree on the common areas, we can't see what individuals have done between floors within their flats, and the standard of workmanship that's gone on within that area. Again, it comes back to local authorities.

[82] **John Griffiths:** And would you have a view in terms of how well local authorities have discharged that responsibility in terms of the compartmentalisation between floors in high-rise residential blocks, or is that purely a matter for them?

[83] **Mr Cray:** Yes. They deal with it as a standalone. I'm not aware of what their inspections within those areas are actually telling them.

[84] **John Griffiths:** Okay.

[85] **Mr Millington:** I would say that when the buildings are built, new build, and before you put people into these buildings, and all the things that they bring with them, they're built in accordance with building control regulations and they are safe buildings. And then you introduce people and the things that they bring with them, and as the building gets older, then the changes that are made internally within those units can compromise the compartmentalisation between flats. In addition to that, in a bid to introduce new technologies to make the building safer, for example, installing sprinkler systems in a retrofit way, can actually compromise the compartmentalisation, as you're drilling holes through walls and putting pipes through those holes,

and they need to be fitted by professional installers in order to make sure that those compartments remain and can prevent the spread of heat and smoke through from room to room. So, as a building gets older, changes happen to that building that may be, on the face of it, with the best will to try to improve safety within that building, but they can, if not done properly, compromise safety.

[86] **John Griffiths:** And you would have a limited role then in overseeing that work and those changes, given the different responsibilities that you've described this morning.

[87] **Mr Millington:** We would very much have involvement in the communal areas of the building and we may liaise and consult with our colleagues in local authority housing, but, in terms of powers, then, as we've already said, that would fall to local authority housing.

[88] **John Griffiths:** Would you have a view in terms of the purchase of leases by residents in high-rise blocks and whether that's a factor in terms of changes made and problems occurring from those changes?

[89] **Mr Millington:** I think that would affect the ability to easily identify the responsible person for each unit, and the sub-letting arrangements and tenancy arrangements would potentially lead to complications in implementing any controls that we identify as part of our audit.

[90] **Mr Rossiter:** Very often, the tenancy agreement or the lease doesn't have specific information in it to suggest who's the responsible person, and very often we have a challenge identifying that from the landlord to the resident or the lessee. But if a tenancy agreement or a lease is robust and has got all the requirements and responsibilities in there, then it's straightforward who is responsible for what and what additional authorities they need before they can carry out certain works, such as changing your front door. That's a particular issue in private blocks of flats: it's somebody's home and they don't like the fire door on the front door, so they change it to something more aesthetically pleasing, not understanding that a fire in that particular flat would penetrate the door and it would compromise the means of escape for other people who need to evacuate that building. So, that is a challenge and the tenancy agreement and lease is a lever for us to establish who the responsible person is.

[91] **John Griffiths:** Okay, thank you for that. Jenny.

[92] **Jenny Rathbone:** I think that might be a useful way in which we might want to pursue how we're going to tighten up the registration regulations. You don't think the Rent Smart Wales arrangements have enabled you to see who the registered landlord is. Do you not think that the way in which the responsibilities of landlords and tenants were framed in that legislation—? That didn't clarify it sufficiently for you.

[93] **Mr Rossiter:** No. The Rent Smart Wales initiative, which is in its infancy, to be quite honest with you—. It's only earlier this year we started, where we, with housing associations and social housing landlords, developed a training package for landlords and agents in terms of what their responsibilities are and how to make sure that they maintain the fire safety provisions of the premises. Due to the overlap between the regulators—ourselves and housing—it's quite challenging in that particular instance.

[94] **Jenny Rathbone:** All right. We'll come back to that another day. I just want to go back to your role in enforcing the building regulations when buildings are being constructed. Could you just describe to us who you actually liaise with? Because in the old days, the architect was in charge from start to finish and they would chair the construction site meetings and it was obvious who had overall responsibility. But with the fragmentation of building regulations, it's more difficult for us to understand who's responsible at every step of the way. I just wondered if you could tell me at what point the fire service is involved. Do you, for example, get to comment on the detailed planning application for a high-rise building?

[95] **Mr Rossiter:** Sometimes we get the opportunity, but in terms of the building regulations, our initial involvement is through consultation with either the local authority building control department or the approved inspector. Very often, it's too late in the day because the drawings have been done and we haven't had any involvement or ability to give some advice. So, the plans are done; they serve the plans on us and we've got teams within the three services that deal purely with plans. I think, in south Wales, we have roughly 1,500 building regulation consultations a year. Some of them are small extensions, the fitting of—

[96] **Jenny Rathbone:** Let's stick with high-rise.

[97] **Mr Rossiter:** With high-rise—no. The first consultation we generally have is through the building regulations with the local authority or approved

inspectors. For the larger projects—I'll utilise St David's 2 in Cardiff, the big development there—on top of there you've got high-rise blocks of private flats. The fire service, because of the complexity of that development and that project, were involved prior to the original buildings being knocked down, and we were able to consult and very often get our thoughts across in terms of the design and what we were looking for. So, it depends on the size of the project, but, very often, we can be involved earlier.

[98] **Jenny Rathbone:** Okay. Well, I represent Cardiff Central, so I'm particularly concerned about the high number of private residential accommodation in the city centre. Obviously, you had good practice in the development of St David's 2. Are you saying that on other large-scale developments that may have occurred in the city centre you wouldn't necessarily have had involvement prior to approval of the detailed planning permission?

[99] **Mr Rossiter:** The proposed plans. That's generally our first introduction, yes.

[100] **Jenny Rathbone:** After they've already been approved, which means the local authority then has fewer levers—

[101] **Mr Rossiter:** No, they haven't been approved at that point. The plans have been furnished to the local authority building control or approved inspectors. They have a duty to consult with the fire and rescue service. We have a 15-day turnaround time to give our comments at that stage.

[102] **Jenny Rathbone:** Okay. So, you can get the plans amended if you don't like what you see at that stage.

[103] **Mr Rossiter:** Well, again, through the building regulations, we can consult on the means of escape and the access for fire service and water supplies. It's a very limited remit on what we can actually consult on.

[104] **Jenny Rathbone:** You can't consult on the type of construction, then, and the materials to be used.

[105] **Mr Rossiter:** No.

[106] **Jenny Rathbone:** Okay. So, you have an initial conversation prior to the approval of the plans to make sure that the fire escapes and the communal

areas are as they should be, in line with your requirements. So, what further contact do you have, then, with the construction of a building? Because I suppose one of the big issues is who is inspecting as to whether what was in the drawings that were approved is actually what gets built.

[107] **Mr Rossiter:** Historically, what happens is that the person responsible from our department, with the approved inspector or the building control officer, will have regular meetings throughout the construction of the premises, and there should be at the end a final joint inspection—it depends on the project and the size of the building. And when it's sign-off, our officer would go round with the building control officer to ensure that those things are in place.

[108] **Jenny Rathbone:** You're saying 'should be'. Does that mean that it sometimes doesn't happen?

[109] **Mr Rossiter:** Again, it depends on the size of—

[110] **Jenny Rathbone:** Okay, well, I'm thinking of high-rise buildings.

[111] **Mr Rossiter:** We would probably go to that. Definitely, yes. We would follow that up with the approved inspector.

[112] **Jenny Rathbone:** A local visit.

[113] **Mr Rossiter:** Yes.

[114] **Jenny Rathbone:** Okay. All right. Because you said earlier, in response to earlier questions, that it was more difficult to deal with private landlords than it was to deal with local authorities, because local authorities have got lines of command and you know who to go to. So, in relation to recommendations that have come from the coroner around Lakanal House, how have you been able to get private landlords to understand the importance of those recommendations? What role, if any, do you have in getting private landlords to ensure that they fully understand their obligations?

[115] **Mr Rossiter:** As I said earlier, that's the role—we're trying to establish greater networks with private landlords and through Rent Smart Wales and other initiatives. We've struck up partnerships with social housing groups—

[116] **Jenny Rathbone:** Forget the social housing, because I think I'm looking at private housing in particular. Because with social housing, the same as with local authority housing, there'll be a clear line of command, with a chief executive at the top, if you're not getting the answers you want. But with private landlords, could you tell us about the challenges you may have in identifying ultimately who's responsible?

09:45

[117] **Mr Rossiter:** It's certainly a challenge, because you have residents' groups as well, and there's leads of residents' groups, and you have managing agents that manage the fire alarm system and the emergency lighting system. It is a challenge, and it takes a considerable amount of our time to establish who the responsible person is. We're in the process of doing something similar in Cardiff at the minute, where we're chasing the removal of front doors to put fire-resistant doors on. It's causing us a lot of grief, because of that hierarchy of responsibility and the different people it involves—you know, residents' groups, management companies that are responsible for the maintenance of it, and somewhere there's an owner or a business that's running that. It causes us a huge amount of grief.

[118] **Jenny Rathbone:** So, is it right to assume, then, that the recommendations from the coroner on Lakanal House have no more been implemented here in Wales than they have in Kensington and Chelsea?

[119] **Mr Rossiter:** It's an ongoing challenge to get to the bottom of.

[120] **Jenny Rathbone:** Just looking—

[121] **John Griffiths:** I think Joyce wanted to come in on this.

[122] **Joyce Watson:** You carry on.

[123] **Jenny Rathbone:** I just wanted to pick up on looking to the future, because obviously we now have new building regulations here in Wales in relation to the installation of sprinklers in high-rise properties—indeed, in all properties built after January 2016. But nevertheless, it would appear that some developers have deposited plans for houses or flats in advance of the deadline in order to evade the regulations. I just wondered if that is a major concern, because I think we're potentially talking about quite a lot of future developments that won't come under the regulations.

[124] **Mr Rossiter:** It's a huge missed opportunity. The fire and rescue services up and down the country for years have been promoting sprinklers, and we've got the Measure in Wales, as you rightly said. It is concerning that the opportunity is there to install these at the build stage as opposed to retrofit, which is far more expensive and has more upheaval for the residents in those flats. So, it is concerning.

[125] **Jenny Rathbone:** Okay. So, that was a loophole that they all jumped through—well, not all, but some people jumped through it massively—that hopefully—

[126] **Mr Cray:** Can I just add there? I think that loophole that you referred to would have been specifically to do with single domestic dwellings. The regulation has always been there, via building regs, for high-rise buildings. So, this would have been for single houses.

[127] **Jenny Rathbone:** Well, always been there—that would be since 2013, is that right, for high-rise buildings?

[128] **Mr Cray:** Yes, it's not January 2016, it's prior to that.

[129] **Jenny Rathbone:** Yes, I understand that. I absolutely understand that. Thank you for rectifying that.

[130] **Mr Millington:** You're quite right in pointing this out. We saw a significant increase in numbers of people depositing those plans prior to that deadline. I think, whilst we didn't have the powers at the time to do anything about that, there is a significant moral question for developers to consider—where their moral compass lies and whether or not they should install sprinklers in these buildings now.

[131] **Jenny Rathbone:** Okay, but that stable door has been closed since 2013 for high-rise buildings.

[132] **Mr Millington:** Yes.

[133] **Jenny Rathbone:** So, all new high-rise buildings will have sprinklers. Okay. Thank you. I'll let Joyce come in.

[134] **Joyce Watson:** Just out of interest, when we're talking about your

responsibility and then the responsibility of people passing the planning applications through to build, which is obviously councillors, have you ever been invited in to give either cabinet members or certainly members of the planning committee advice on fire safety within applications?

[135] **Mr Millington:** We do have an ability to comment under the Town and Country Planning Act 1990 also, but that's a very limited consultation, and that's again in relation to access for fire appliances and water supplies. So, we are asked to comment on the planning stage, but with very limited information that we're able to provide.

[136] **Joyce Watson:** But you've never been invited in by any authority—

[137] **Mr Millington:** Personally, I have not, no.

[138] **Joyce Watson:** —as part of the training that councillors have to consider fire safety within their remit?

[139] **Mr Cray:** Not for councillors specifically, but I'm sure—

[140] **Joyce Watson:** Or housing associations.

[141] **Mr Cray:** —I speak on behalf of my colleagues as well that the relationship between the local authority building control and our building regulations teams is extremely good, and there is regular communication, regular meetings, between those groups to improve the way that we go about our business together.

[142] **Joyce Watson:** Is that the same for all of you?

[143] **Mr Rossiter:** Yes.

[144] **Mr Millington:** Our relationships with local authority building control are very good. We have, obviously, approved inspectors from various parts of the UK that, on occasion, don't fully understand some of the differences between England and Wales in terms of the regime around the sprinkler measure, for example. So, those, sometimes, are more challenging to build the types of relationships that you get when you're dealing with the same people day in day out in local authority building control.

[145] **Joyce Watson:** Can I come back to the material that exists in buildings,



because we're moving into, probably, a different phase of the types of houses that we might build in the future? So, has anybody consulted with you in terms of the more modern types of buildings that would be constructed, going forward? Because, at the moment, most houses are built from either brick or stone, but, moving forward, that won't be the case and, clearly, it was a material that caused the issues that have brought us all to the table now.

[146] **Mr Millington:** I would say that we consult with building control, however the materials and the testing of those materials is not something that is in our remit to provide advice and guidance on. There is a research industry around testing of materials, and building control look to those bodies, such as BRE, for advice and guidance in relation to how those materials perform in fire. Obviously, once they're satisfied, then they would approve, or otherwise, those buildings. So, no, we don't necessarily get involved with any consultation or advice in relation to materials.

[147] **Joyce Watson:** Do you think that would be something that would be useful?

[148] **Mr Millington:** The difficulty is, of course, that the fire and rescue service doesn't have the facilities to test materials themselves, or the expertise for that matter. There are specialist industries around testing of materials, which building control already call upon.

[149] **Joyce Watson:** Okay.

[150] **John Griffiths:** Could I ask whether it's your position that there should be retrofitting of sprinklers in all high-rise residential buildings that do not currently have sprinklers? Would that be your position or not?

[151] **Mr Millington:** I think that we would all, unanimously, in the UK fire and rescue service champion the use of sprinkler systems in all public buildings. Whilst we recognise limitations in relation to how efficient or effective that might be from an economical point of view, we would always strive to encourage developers or people who are considering retrofits to install sprinklers, most definitely.

[152] **John Griffiths:** Okay. Could I ask you, as well, in terms of cladding, what concerns you might have about the risk that cladding presents? Obviously, this has been a central issue in the recent disaster, and the initial

tests were on just the very thin, external layer of cladding, rather than the whole of the external panel, including the insulation, the gap and any firebreaks. Now there's further testing of the more comprehensive external panel system. Do you have a view on that, and concerns around that, and a view on what should be tested?

[153] **Mr Millington:** Most definitely. The concern, from my perspective, is trying to test any product in isolation from the rest of the system that's in place to install within the building, and we have had cases where residents who've been concerned have begun to undertake their own backyard tests on individual items of construction, and so we would encourage that those tests are undertaken with the full system in place. Cladding that is covered with a concrete-type render over the top behaves entirely differently to when you're just testing the insulation, for example. So, we would encourage people to wait and be patient in relation to how the entire system performs in fire, and act on that advice.

[154] **John Griffiths:** Is it your understanding, then, that the current tests that are being carried out are adequate, that they are testing that fuller external panel system?

[155] **Mr Millington:** There's a six-system test that's being undertaken currently through the BRE, and that will provide the advice that we require to ensure the continued safety of cladding systems across the UK.

[156] **John Griffiths:** Okay.

[157] **Mr Cray:** I think, from our point of view in mid and west, there was news of the towers in Swansea that were affected by the cladding, from the initial test that they apparently failed. Having gone through the BRE test with, as Stuart said, the section—the 9m section in whole—the cladding has passed its test. So, yes, I think there are questions around the actual process of the testing.

[158] **Mr Rossiter:** In relation to testing of the materials—. There's going to be cladding on the outside of our buildings, and if the BRE are testing these and they're applying the relevant British Standards tests to those and they're passing, that's probably with a current piece of cladding that's brand new and fit for the day. In a lot of these buildings, by their nature, the cladding's purpose is to withstand weather and, over time, it degrades, and, as Stuart has already said, over the years you have alterations to buildings—people put

Sky dishes on the side of buildings, or you drill through for various services and amendments to the building. Each of these, or every occurrence of this, presents an opportunity for that material to degrade or the opportunity for it to, yes, degrade.

[159] For me, it's about a robust sign-off of the material. I think it needs to be tested on a regular basis, and it's like everything else that you're reliant on to keep yourself safe—it needs regular maintenance and a robust management system over it. It's only an external cover of a building, but if you've got Sky engineers drilling holes into it to put Sky boxes at the side, all of a sudden it loses its integrity. So, we do have concerns about—. When it's a brand-new building and it's just gone up and the scaffold's come down, it's probably really good and it will stand, you know, the fire test that the BRE have done. Over time, with intervention, there's a potential that there could be weaknesses in the cladding.

[160] **John Griffiths:** I see. And, in terms of responsibility for that external cladding, as you say, communal areas is fire and rescue services', the individual units is the local authority, and the external cladding—.

[161] **Mr Millington:** In terms of enforcement, it would be the local authority.

[162] **John Griffiths:** Right. Yes. Would fire and rescue services have any role?

[163] **Mr Millington:** We can liaise and provide advice to our local authority partners, but that would be where our role finished.

[164] **John Griffiths:** Yes, okay. Thanks for that. Just one final question from me, and I'll bring Bethan Jenkins in, then. It has been said by some that it's entirely necessary to take an individual building approach to assessing fire safety, in terms of the external cladding panel systems and everything else. Is that a view you would endorse?

[165] **Mr Millington:** Most definitely. I think that, over the years, technology and engineered solutions have been installed in buildings to allow for different uses of those buildings—for example, allowing greater open-plan areas for foyers and the like in some of these buildings—but the engineered solutions that deal with smoke control and so on are such that they would support that use. I suppose the only concern I have in that type of circumstance is alterations that are made to those buildings in years to come that don't fully take account or understand those fire-engineered solutions

and can put things in place that detrimentally affect the ability of that building to respond as is designed in the event of fire.

[166] **John Griffiths:** And that can include the communal areas, as you've described.

[167] **Mr Millington:** Yes.

[168] **John Griffiths:** Okay. Bethan Jenkins.

[169] **Bethan Jenkins:** Yes, I just have two questions. I just wanted to understand if you had a view, therefore, whether the sampling testing was useful—i.e. obviously, with Swansea, they failed and now they've passed the whole—systems test. So, what do you think should be tested? Because, I think, you know—. Having visited Newport last week, I think there's a mixture of feelings about how people feel in relation to not understanding fully—if it fails one test and then passes another, what does that mean and what needs changing as a consequence?

[170] My second question is with regard to appliance safety. I've been speaking quite a lot to Electrical Fire Safety First, and they're saying that free checks need to be given to residents on their white goods, on electrical goods, because many of these incidents are caused by goods that they may have borrowed, may have bought second hand. There's no control over what they have in their flats. Do you think that more needs to be done in relation to that, so that we can try and have—? Not that you want to become a communist state where everybody has the same washing machine, but so that we understand that they are safe within that compartmentalised situation.

10:00

[171] **Mr Millington:** Shall I pick up the first point in relation to the tests? I think we've already mentioned, I suppose, that the tests have changed from single elements of a building to how they're actually used in construction. An example I'll give is that, if you have a panel and you put a blowtorch on it and it doesn't catch fire, then, wonderful, but put it side by side with another one with a gap behind it and airflow around it then it may well go. So, we have to test the materials in the way in which they're installed in buildings, and that would be—

[172] **Bethan Jenkins:** So, you say they've changed. So, they're not going to be doing the sampling now.

[173] **Mr Millington:** The BRE are now undertaking system tests rather than simply—

[174] **Bethan Jenkins:** Yes, yes, I understand that, but I'm just trying to understand why they did the smaller testing in the first place if, potentially, it wasn't going to lead to—. Like you've described, you need to be able to compare it with something else.

[175] **Mr Millington:** I think that, in the early stages, people were learning around how materials behave differently. Grenfell was a new set of circumstances for us all. I don't think anybody in the British fire and rescue service has seen a fire of that scale and magnitude and how it behaved, to gather pace in that way. I think we were all learning at that point, and the tests that have happened subsequently have continued for us to learn from and they've evolved to a point now where I think the tests are the right ones.

[176] **Bethan Jenkins:** And on the second point on appliances in houses and flats.

[177] **Mr Cray:** I think it's a very valid point, isn't it? But it's extremely difficult to manage that really in terms of an approach, particularly around second-hand appliances. Yes, we do get a number of electrical appliances catching fire. Fortunately, I think that, with more modern electrical wiring within premises, you get trips and residual current devices that activate more quickly than in older premises, which doesn't always help the situation. But I don't suppose I've got an answer for you particularly in terms of a response that we could do to manage white goods—the millions and millions of white goods that are out there—beyond what is in place already in terms of new appliances, that is.

[178] **Bethan Jenkins:** Okay.

[179] **Mr Millington:** I suppose I would call upon manufacturers, if they become aware of problems, to instigate product recall far more quickly than they currently do. Electrical Safety First is a great portal. It has a list of goods that are already subject to product recall and people can go into their website and put the details of an individual unit's serial number into the website to see whether that product is subject to a product recall. But, in my

opinion, those recalls aren't necessarily introduced as quickly as they could be when there are known problems with products.

[180] **John Griffiths:** Okay. Before we move on to questions in terms of advice to residents—and I'm afraid we don't have very much more time—I just wanted to ask a quick question, going back to the design of buildings and the extent to which you're able to influence whether there's a single staircase or not within a high-rise residential building and what concerns you might have around single staircases.

[181] **Mr Cray:** It's extremely difficult, as you can imagine, to influence anything on that kind of scale of design of older buildings—1960s and 1970s blocks here. I think a single staircase is fine as long as everything else is in place with it in terms of compartmentation, management and escape routes being in good condition, as we discussed through the meeting. I think the answer from me is sprinklers, which add to reducing that risk for the building as a whole.

[182] **Jenny Rathbone:** Does that mean the installation of a second fire escape if there are sufficiently large numbers of people and it's a sufficiently high-rise building, where there's only one single staircase? What powers would you have to recommend or insist on an exterior fire escape that would only be used for that purpose?

[183] **Mr Cray:** There wouldn't be any power that we'd be able to use to insist on that, but, as long as everything else is in place, through the fire safety Order and the local authority with the Housing Act, a single staircase is fine.

[184] **John Griffiths:** Okay. David Melding.

[185] **David Melding:** Thank you, Chair. I just want to pick up on a couple of points. I've read some newspaper accounts, so the basis of these—. I'm now asking for your professional opinion, which may question some of the reporting. Some have said that the zinc veneer on modern cladding makes fire control more difficult because they are so impenetrable to water. Is that an issue because, presumably, all cladding is, to an extent, waterproof? So, I've been a bit confused when I've read those reports. But from a fire control point of view, unfortunately when a fire has occurred, is that something you would recognise?

[186] **Mr Cray:** I think you tend to find that, in the unlikely event of cladding itself being on fire, it actually delaminates. So, the actual sheeting would come off.

[187] **David Melding:** Yes, I think it was more trying to get beyond the panel, then, and presumably into the void areas. I don't know. I'm at the edge of my expertise here, but I have noticed that several newspapers have raised this issue.

[188] **Mr Rossiter:** As you suggest, the external cladding face is to protect the building from weather, whether it's on the roof or on the side. Unfortunately, if you've ever had to fire-fight a thatched roof before, it's the most demoralising job you'll have to do because you're squirting water onto the roof and it's just running off through the gutters and onto the floor. Obviously, in the cavity, if the fire started and came out of the window and went into the cavity, and it's the insulation beyond the cladding that causes fire—that's still speculation, but there's a potential that that could have been the case—then, yes, it's virtually impossible unless you can get in there with a branch and get too close to the fire.

[189] **David Melding:** I just wanted to finish one line of Jenny Rathbone's questioning. In terms of building controls and the statutory obligation to consult you on access and then the fire points within the high-rise buildings, if you don't sign off those and you're not satisfied with the access agreements, presumably that does veto the planning application at that stage.

[190] **Mr Millington:** I would say that the things that we consult on in relation to means of escape will include things like emergency lighting; will include things like fire alarm systems, and any dry risers and so on. Developers are very well aware of those requirements now, and so the likelihood of us not being able to sign off those measures would be unlikely. The only thing would be the way that they've been installed in terms of workmanship.

[191] **David Melding:** And then on access?

[192] **Mr Millington:** Sorry?

[193] **David Melding:** Access.

[194] **Mr Millington:** Access for firefighters, again, would be very straightforward and well-known by developers in terms of road networks and so on.

[195] **David Melding:** So, it would be rare to face that sort of—.

[196] **Mr Millington:** It would be very rare. It would only be on the occasions of poor workmanship, which we would point out and, obviously, the developer would rectify before sign-off.

[197] **David Melding:** Thank you for clarifying that. Can I move, then, to the advice given to residents? Obviously, we don't want to speculate on the particular tragedy. So, looking at the issue generally, as I understand it, the basic advice given to people in high-rise blocks above a certain level is to stay in your flats until the incident has been controlled. I suppose we need to know: one, is that the basic advice, and then, how is that conveyed to tenants? If you need to change that advice, if unfortunately there seems to be a system failure in the building, which, given the spread of what happened to the fire in Grenfell Tower, was the case, it appears, how could that advice be changed? Or is it just something at the time that is not practical because the incident is raging and you're dealing with some people that are, in their views, just following the set advice they've been given?

[198] **Mr Millington:** Each building is different, and the advice in relation to stay put or not is the responsibility of the responsible person for that building as part of their risk assessment. If that advice is given, then there needs to be understanding and clarity about what that means, because there does appear to be some confusion in relation to 'stay put'. If the products of combustion are entering your flat, then of course the advice needs to be for you to make your escape. But the circumstances around 'stay put' are sound as long as all of the things that we've talked about already in terms of the maintenance and the management and control within the construction of that building— as long as all of those measures are in place, and the compartmentalisation is in place to make that a protective unit, the safest place to be is within your own flat. So, all of those other things contribute to that stay put policy.

[199] In north Wales recently we've changed the terminology in relation to stay put, to call it 'safe to stay', to maybe move away from people thinking that they have to stay put. If it's safe to stay, then the best thing for you to do is to stay, but once that corridor outside your room is compromised or



your room itself is compromised, then you really must get out. There is a little bit of confusion there, but the responsibility, I would say, is on responsible people and landlords to make sure that their residents are fully aware of what the strategy is for that building, and to make sure that they know when to escape and when not to.

[200] **David Melding:** And this is obviously very important, to know to make that decision from what, in most circumstances, would be the safest thing to do, which is to remain. But certainly in this case it does appear, doesn't it, that those who made that decision above a certain level of the tower, unfortunately that cost them their lives in all likelihood. It's to empower the people to be able to make that decision, isn't it? Because we're talking about an emergency situation, in the middle of the night often, and people are confused, and there are children around—it's very difficult. So I suppose a high value needs to be placed on how we communicate the correct advice.

[201] **Mr Rossiter:** In relation to fire safety advice, and us as enforcers and regulators of the fire safety Order, as Stuart has suggested, the responsibility lies with the responsible person as part of their risk assessment and their general fire safety provisions to develop that evacuation plan in line with the fire provisions of that building, and everything else. It's the whole picture.

[202] If, whilst we're going along with our housing colleagues, and we audit those premises, we feel that the risk assessment and the evacuation strategy are not in line with our understanding that these people can escape, then we have enforcement powers, or we would advise and guide the responsible person to amend their risk assessment in light of our concerns. But it's not our responsibility to pass that on to the residents. That's the responsible person's responsibility—to develop the risk assessment, the evacuation plan. It's all-encompassing. It's all the same thing.

[203] **David Melding:** And then, when you're in the appallingly challenging situation of dealing with what you've been able to assess is a serious incident, how would changing advice be conveyed? Or are we then talking—? This is extremely challenging, because it appears that in Grenfell there was a point when your flat would not have been penetrated, or the corridor even, but because you're above a certain level, your route of escape was quickly diminishing. So, you can't make that assessment, but there obviously were stories of people telephoning relatives and saying, 'Look, we can see the outside of the building, and this fire has spread massively already.' So, do you have any thoughts at this stage about how we might be looking at the

type of advice, the set advice, that we would be giving people, and the protocols to follow, and how to convey a change if a change within an incident is necessary? I realise I'm asking a question about the most challenging type of situation, but I'd appreciate any response you could give to this.

[204] **Mr Cray:** I think we would—. From our experience of being incident commanders on the fire ground, in the dynamic situations that they are, you deal with what you're seeing in front of you. We have got that link through to our fire control, who have specialist training in terms of survival advice. If that needs to change at any point, then we do have that comms link through to our control. So if people are dialling 999 from within the building, and that advice has changed from our position on the ground, there is a route there that would aid that. I'm not saying that it is easily done, but there is a route there.

[205] **David Melding:** And obviously you would do that as soon as you have a reasonable judgment that the dynamic nature of the incident has reached something really quite grave.

[206] **Mr Cray:** Yes.

10:15

[207] **Mr Millington:** I suppose I would add that before the fire is the time to do this, and to deal with it—that is, to make sure that residents are fully aware of when to stay put, or when it's safe to stay, and when to make their exit. So, the advice, training and support that's given, and information displayed in prominent positions within tower blocks so that people can regularly be refreshed in relation to when it is safe to and when it is not. But, as Iwan says, in the incidence of a fire occurring, then we do have a fire control operator. We're often in telephone conversation with these people, and can provide the changing picture. In north Wales, we have made sure that our fire control operatives are all aware of when it's safe to stay and when it's not safe to, so they can give the correct advice.

[208] **David Melding:** And in the age of mobile phones, this becomes a more feasible route of communication, presumably, because I guess if it was landline driven then fire would have already consumed the wires by then.

[209] **Mr Millington:** Another means of communication in some of our

buildings—. Often these buildings have older people who have care call systems, and in some buildings part of the strategy, whilst it's not fail-safe, is around communication through the care call systems within those buildings, supported by other measures if those systems break down.

[210] **David Melding:** Thank you very much.

[211] **John Griffiths:** Okay, I think time has very nearly defeated us. Could I just ask a final question on advice to residents? As you said, Stuart, in terms of trying to ensure adequate preparation beforehand, is there anything you would say as to what landlords, freeholders or, indeed, the fire service itself might do more of to ensure that residents are adequately prepared to deal with a fire?

[212] **Mr Millington:** I think the area of focus I would suggest is that these fires most often occur within single units in a very similar set of circumstances to how they may occur in a normal single dwelling, and the best form of protection there is to have—if you haven't got sprinklers, of course—smoke alarms installed within your property to give you early warning of fire so that you can make your escape and raise the alarm to your neighbours and to colleagues, and call on the services of the fire and rescue service to come and deal with the incident. So, I would suggest that even in single dwellings, if there are no detectors, that you have access to that and get them installed without delay.

[213] **Mr Cray:** I would just add that if we're talking about a blank piece of paper in terms of anything else done in terms of the legislation issue, given the scenario where we are today, we've knocked on the doors of 700 flats since Grenfell, and not everybody has taken up the offer of a home fire safety check in those blocks, which is quite surprising, really. So, if there's any way of influencing that or insisting on that in certain blocks, then that would certainly be a valuable addition from my point of view.

[214] **Mr Rossiter:** What's important for me as well is because of the complexity of different authorities, different regulators, private landlords and tenants, what's important is that whatever safety message comes from wherever, it needs to be a consistent one and there's no confusion.

[215] **John Griffiths:** Right, okay. Thank you very much. Thank you very much for your evidence this morning, which has been very interesting and very valuable. You will be sent a transcript to check for factual accuracy.

Thank you very much indeed.

[216] **Jenny Rathbone:** [*Inaudible.*]—regulations around sprinklers that allowed builders to deposit plans for housing and flats to beat the—

[217] **John Griffiths:** Yes. Perhaps we could return to that when we have a general discussion following evidence giving, Jenny, although—

[218] **Jenny Rathbone:** If we could get some legal advice on that—

[219] **John Griffiths:** We must bear in mind that we're talking about high-rise residential blocks for the purpose of today's inquiry.

[220] **Jenny Rathbone:** Indeed. I absolutely agree.

10:19

**Ymchwiliad i Ddiogelwch Tân mewn Tyrau o Fflatiau yng Nghymru:  
Sesiwn Dystiolaeth 2  
Inquiry into Fire Safety in High-rise Blocks in Wales: Evidence Session 2**

[221] **John Griffiths:** Okay, we move on then to our second evidence-giving panel this morning—professional housing bodies and representatives. I wonder if you could introduce yourselves, please, for the record, starting with Matt.

[222] **Mr Dicks:** Hi. Good morning, all. My name's Matt Dicks. I'm the director of the Chartered Institute of Housing Cymru.

[223] **Mr John:** Good morning. My name's Gareth John. I'm chair of the Chartered Institute of Building here in Wales.

[224] **John Griffiths:** Okay, thank you both very much for coming in this morning. Perhaps I could begin by asking a few general questions: firstly, whether the respective roles of residents, landlords, the fire service and professional bodies are clear when it comes to fire safety.

[225] **Mr Dicks:** Shall I kick off? If I could just start by expressing our profound sadness at the significant loss of life at Grenfell and also take this opportunity to thank the committee for facilitating hopefully a more robust and holistic discussion about fire safety measures in high-rise flats because,

if nothing else, our members are saying one thing and that is that there is a need for clarity and certainty going forward. So, thank you to the committee for that.

[226] In terms of the question and the current situation, just to reiterate, we need certainty and clarity from Welsh Government and maybe from further afield in terms of the nature and type of testing being undertaken, further to this clear guidance on the course of action once cladding is found to have failed the tests and, going forward from there, a clear view on the timescales and processes for reviewing building regulations, guidance and procurement. More generally, members, as landlords, are subject to building regulations—so, that’s Part B of the building regulations in relation to fire safety where approved documents are issued by the Welsh Government—and also to the housing health and safety rating system, which is utilised under the Renting Homes (Wales) Act 2016 and also a duty to work closely with utility companies to plan maintenance and upgrade their work. So, there is a clear understanding amongst our members as landlords about the regulatory framework that they have to operate in both in terms of fire safety and building regulations as well as regulations for the sector itself.

[227] **John Griffiths:** Okay. So, you don’t see any issues there at the current time.

[228] **Mr Dicks:** Not on a general level—just the point to reiterate about clarity in terms of going forward in terms of the building materials and types of testing that have been undertaken.

[229] **John Griffiths:** Yes, okay. Well, we’ll come back to some of those matters. Bethan.

[230] **Bethan Jenkins:** I just wanted to ask what you meant by ‘clarity’ because, obviously, in the earlier session, you may have heard the fire officers say that the way that they’re testing has changed now because it was new to everybody. So, are you satisfied or do you have the information from either the UK Government or the Welsh Government that that has changed and that you can then relay that to landlords respectively?

[231] **Mr Dicks:** Well, public statements from both the UK Government and the Welsh Government suggest that we have changed to whole-system testing. So, we’re satisfied with that. That’s certainly what our members have been saying from the get-go in terms of the testing of cladding and the

whole–system testing. So, yes.

[232] **Bethan Jenkins:** Okay.

[233] **John Griffiths:** Okay. In terms of engagement with residents, do you consider that that's been effective? And when concerns have been expressed, have those concerns been acted upon appropriately?

[234] **Mr John:** If I can just perhaps touch a bit on what Matt said as well around the regulations, there are four main bits of legislation, regulation and guidance. As Matt said, you've got the building regs, you've got the Regulatory Reform (Fire Safety) Order 2005, the housing health and safety rating system, and, of course, you've got the Welsh housing quality standard as well. I think that, with four pieces of legislation, or four pieces of guidance, there is a danger around misunderstanding and there is a likelihood of confusion, and, again, around the clarity of that. Again, even with all of those, you've still got occupier behaviour—non-compliance with rules, poor housekeeping—. You've got leasehold properties in the frame as well. So, again, engagement with tenants and with leaseholders—. There's an awful lot to do. I think that, from my experience, there is a lot of engagement that goes on, there is a lot of information provided, but I would imagine that, with all the different landlords within Wales, the level of that engagement and the clarity of information provided may be different.

[235] **Mr Dicks:** Just to come in on that, in terms of the response immediately after Grenfell, our members, as landlords, were very proactive in communicating what they were doing in response to their tenants, both about providing assurance on the nature of cladding on their building and what they were doing with regard to testing of cladding on their buildings. They're doing this through their websites—you know, the sort of means of communication through their websites, through social media channels that they generally communicate with tenants, and also encouraging tenants to come forward and to get in touch to discuss directly with them to provide assurance that way, and also carrying out fire safety checks. A large majority of our members are carrying out fire safety checks to, again, provide that sort of second level of reassurance to tenants. But, again, going back to the original point, there's difficulty in providing that when you don't have clarity around the testing taking place and the response to what you do in terms of the testing and the results on that cladding.

[236] **John Griffiths:** As I think you've said, Matt, you are content that the

tests that are now taking place—the more comprehensive tests—on the entirety of the external panel system would appear to be more appropriate than the initial tests. Although, as I understand it, we're still awaiting results of these more comprehensive tests, hopefully that will put landlords in a position then to provide greater reassurance or not, obviously depending on the results.

[237] **Mr Dicks:** Yes, and as I set out at the beginning, it's a more holistic approach that our members have taken in terms of the wider gambit of fire safety precautions and fire safety systems within buildings and ensuring that tenants are aware of those simple things about going through and keeping fire doors shut, and things like that, and ensuring smoke detectors are working.

[238] **John Griffiths:** Okay. Are you satisfied, then, that practice in Wales really does understand the need to give tenants a strong voice and that tenants are properly listened to? Do you think that that's a positive picture in Wales? Because, obviously, we see from the Grenfell Tower and other events that it's extremely important that the tenant's voice is heard and there are proper systems in place for engagement. Do you think, across Wales, that that's the case?

[239] **Mr John:** There's obviously lots of information that's given out to tenants. I know of some landlords and some housing associations who include within their tenants' newsletters specific topics. I know that fire safety has been included in some of those newsletters. So, yes, I think the associations are doing quite a lot on it, but it's one of those things, I think, that you've just got to keep on doing as you get change of tenancies and new people coming in and so forth.

[240] **Mr Dicks:** From our membership's perspective, tenant participation in the governance process is embedded fully into the regulatory system, as per the revised regulations released a couple of weeks ago by the Welsh Government. As part of that, tenants take a direct part in the governance and management of tenant services et cetera, and a full part of that is fire safety and working with the relevant fire safety roles within organisations. But, of course, in many of these blocks, not all tenants are social tenants. There are leaseholders and private owners in these blocks, and another thing that lots of members have spoken to us about are the problems created by leaseholders within tower blocks, particularly barriers created through those arrangements to the compartmentalising of fire safety in terms of having

something as simple as different doors on or not adhering to the same sort of fire safety systems that are imposed or put in the social tenants' units. Also, there are issues around the impact of third-party contractors within properties. Leaseholders will use different contractors to the ones used by the social landlords, and so it's how they keep abreast of the work that they're doing and ensuring that's up to standards et cetera. And, you know, something as simple as gaining access to properties can be difficult in order to maintain those full-system fire safety programmes in place.

10:30

[241] **Mr John:** I think probably the regulatory fire Order 2005 and the need to do risk assessments by the landlord—I think that has pushed landlords forward into being much more proactive in both addressing issues but also in communicating with tenants as part and parcel of that.

[242] **John Griffiths:** Okay. Bethan.

[243] **Bethan Jenkins:** I just wanted to ask—I know we're going on to building regulations, but it wasn't specifically on them. It was: as we've been sitting here I've had a message from somebody who works in a council, and they've said to me that the building control sections are being cut substantially in councils across Wales. So, while it's statutory, and while the councils at the top level may say that they're covering all bases, obviously people working in the field are concerned about the fact that they may not be able to enforce some of these matters because of pressures on budgets. So, I'm just wondering what connections or communications you have with local authorities. Yes, you have your role as private landlords, but obviously the local authority has powers also to enforce, when the fire authority ceases at the door, to have that control. So, I'm becoming more concerned as this inquiry goes on about who is in charge of what and how things get done. If things are breached, if the compartmentalisation is breached, and if somebody's not aware of how to get in touch with private landlords, what happens then? So, you know, how can we improve the system if there's so much regulation and different forms of regulation, or if services are being cut? How do you see a way forward that we can streamline these services so that we can understand that the tenants' safety is protected in all of this?

[244] **Mr John:** I think specifically around building regulations, local authorities are suffering budget cuts. There are reductions in staff. I think, from my perspective, the emphasis with building control is probably around



the planning stage and the approval stage at the very beginning. Enforcement—well, not enforcement, but inspection of work as it goes on is much more difficult for them. There's a danger, of course—a lot of building elements are hidden as work proceeds as well, so without a good inspection regime there's a likelihood of things going wrong.

[245] **Bethan Jenkins:** Do you think there's a good inspection regime? Do you think that it's being inspected enough across the board here in Wales, or would you say that it needs to happen more?

[246] **Mr John:** I think the building regs are the stages and areas that are set out for inspection. I think there's scope for more inspection, certainly as work goes on, but, again, I think we must be mindful of the fact that not all works, particularly maintenance works and refurbishment works, fall under building regulations anyway. So, then it's down to the landlords, the building owners, the contractors to have in place suitable inspection regimes.

[247] If you go back many, many years on major projects there were clerks of works. Quite often now there's not a clerk of works. So, I think there is a need, in our view, for there to be an increase around inspection. Also I think from the point of view of tenants, and for landlords as well, it's this clarity around these regulations. Is there a need for there to be something comprehensive that brings together all the bits and pieces of these regulations in one place?

[248] **Bethan Jenkins:** For example, the specialist engineering contractors' group Wales has said there needs to be a national enforcement agency to drive effective enforcement measures because there are so many different regulations and different enforcement agencies. Is that something that you would support?

[249] **Mr John:** Yes. There are so many different areas of work going on, there's certainly a need for some specific inspections, and possibly done independently from those undertaking the works. So, yes, we would support that.

[250] **Bethan Jenkins:** Okay, thanks. Do you have anything to add?

[251] **Mr Dicks:** I would just say that obviously we're a cross-tenure membership body, so we have members from local authorities. Now, no-one's come to us to directly say there's an issue around budgets for

inspections et cetera, and inspection facilities, but it's common knowledge that local authorities have taken the biggest hit in terms of the austerity budget, so I suppose it's putting two and two together to come up with the answer, but that's obviously something you can raise with the WLGA this afternoon.

[252] In terms of our membership as landlords, they have a duty to comply with the current regulations in terms of inspections, and they can do that either through a local authority route or a route of approved inspectors. Whether that needs to be enhanced and made more robust, that's obviously an argument to be had, and our members would comply with any new regulation systems coming in.

[253] **John Griffiths:** Okay. Well, thanks for that, and we are coming on to building regulations very shortly now, but before we do I just wanted to ask one further question about retrofitting sprinkler systems to high-rise residential blocks in Wales. Would you be in favour of that, and do you see any practical obstacles to that taking place?

[254] **Mr John:** I think, yes. Certainly, sprinkler systems are something that should be considered and fitted where possible. Around the retrofitting and the rest of it, it can only really be answered in any detail following appropriate building surveys. Likely it is that some buildings would be more easily adapted than others. You have to look at issues around water pressure or suitability for storage tanks, et cetera, and all of those would have to be considered. But, from a CIOB perspective, yes, whenever possible they should be fitted. But, again, I think we must not miss the wider picture around fire protection, compartmentation to prevent the spread of flame and smoke, the protection of fire escapes—it's all got to be there as an all-encompassing package.

[255] **John Griffiths:** Okay. Matt.

[256] **Mr Dicks:** Well, the quick answer is 'yes'. We've spoken to members for many years about exploring those opportunities and, in many cases, landlords in Wales have done that as a matter of course. But there are issues. Cost is obviously the one. Just to give you an idea, anecdotally, a member said to me last week that the cost of putting a sprinkler system in a new build was around £250,000 on top of the build. So, if you're extrapolating that upwards to retrofit, then you can have an idea of the cost. In terms of the more holistic approach that we're talking about, then, it has to be part of

a wider discussion about the wider programme and provision in place in buildings.

[257] But, in terms of moving forward and that clarity, our members would be seeking clarity about the funding of retrofitting of sprinklers, because in no sense do they want to start having to pass that on to tenants in any way if there's no money coming forward. But I understand that the Department for Communities and Local Government have recently said that they would be willing to fund that retrofitting work. Is that some clarity we get here in Wales as well?

[258] **John Griffiths:** Okay. Jenny.

[259] **Jenny Rathbone:** Setting retrofitting on one side for a moment, it's been recommended that all buildings over three floors or above should be fitted with fire sprinklers since 2007. So, I just wondered what role your members have had in ensuring that that recommendation was embraced by new building constructors.

[260] **Mr Dicks:** Well, I just—. My previous point was, anecdotally, many of our members or many of our social landlords in Wales have retrofitted high-rise blocks with sprinklers as a matter of course, when it isn't required by regulation. So, there is a mood, if you like, within the sector.

[261] **Jenny Rathbone:** Okay, so what about private construction?

[262] **Mr Dicks:** They're not covered by the same sort of regulations in terms of—

[263] **Jenny Rathbone:** They're covered by building regulations.

[264] **Mr Dicks:** They're covered by building regulations, but, in terms of regulations for the social landlords and—. They're not required to do it.

[265] **Jenny Rathbone:** No, okay, but the majority of high-rise residential blocks are private developments, certainly in city centres. So, Mr John, what's your role been in ensuring that constructors are aware of the regulations?

[266] **Mr John:** Well, our guidance would be compliance with all rules and regulations.

[267] **Jenny Rathbone:** Well, compliance and recommendation—there's a difference here. It's a recommendation. Has everybody ignored this recommendation on the grounds of cost?

[268] **Mr John:** I couldn't answer that; I wouldn't know. No.

[269] **Jenny Rathbone:** But how would we find out? Because, obviously, your members have had a role in advising developers on what is best practice.

[270] **Mr John:** Well, if we're talking of new build construction, probably the best people to have an answer on that probably would be building control. You know, they're the people who would—.

[271] **Mr Dicks:** New builds are required to put them in under the legislation.

[272] **Mr John:** Yes, it's required.

[273] **Jenny Rathbone:** It is required now, but, you know, we have a large number of buildings that have been built since 2007, and actually less—.

[274] **Mr Dicks:** I'm not aware of any PRS buildings retrofitting sprinklers, or—

[275] **Jenny Rathbone:** I'm not talking about retrofitting; I'm trying to get the size of the problem in terms of the buildings that have been built since the recommendation in 2007.

[276] **Mr John:** My thoughts are that the buildings that would have been built since the recommendation—. And whereby planning and building regulations were approved after that regulation then they would have to comply.

[277] **Jenny Rathbone:** They wouldn't, or they would?

[278] **Mr John:** They would have to comply.

[279] **Jenny Rathbone:** Well, they wouldn't if it was a recommendation, but it was not mandatory. It's a recommendation. Clarify for us what is the status, then, of 'Approved Document B'. It's not mandatory, so they can just ignore it. Is that right?

[280] **Mr John:** Well, yes, whether building regulations would approve the

plans or not I suppose would be a question to ask with or without it.

[281] **Jenny Rathbone:** Because, obviously, the fire officers get involved at the preapproval of planning stage, and they obviously have powers to reject something at that stage. But the standard of workmanship that's actually carried out once this building's had approval, what role do your members have in ensuring that the workmanship is up to standard?

[282] **Mr John:** As an institute, we've got wide-ranging membership, from project managers, site managers, architects, surveyors, quantity surveyors—it would depend on the role of the person. As I said earlier, I think there is a lack around inspection with the downturn, with the use of clerk of works.

[283] **Jenny Rathbone:** So, the fragmentation of different trades has compromised the coherence of a building.

[284] **Mr John:** Yes. I think, you know, inspection and—. Quality comes down to good inspection. You've got to have good inspection regimes.

[285] **Jenny Rathbone:** So, the feedback from your members is that we've got to have enhanced inspection.

[286] **Mr John:** I think there is a call for it—enhanced and better inspection, yes.

[287] **John Griffiths:** Jenny, before we go on to further questions on this, I think David had a—

[288] **David Melding:** It's been covered.

[289] **John Griffiths:** Has it been? Okay.

[290] **David Melding:** I do want to go on to the nature of the advice being given to residents now. But I'll do that when you think it's appropriate.

[291] **John Griffiths:** Okay. Jenny.

[292] **Jenny Rathbone:** So, I think one point in relation to deregulation has been that, instead of it being the local authority who is the building regulator, constructors can appoint their own building regulator from an approved list. What's your comment on that?

[293] **Mr Dicks:** It's not their own building regulator; it's their own inspector and contractor.

[294] **Jenny Rathbone:** Well, somebody they select from an approved list. Has that in any way impacted on the quality of inspection?

[295] **Mr John:** Again, I think there's no harm in having some form of competition, I suppose, for want of a better word, and for there to be others who can provide the service, but those providing the service must meet the required standards. What inspections are in place to ensure that happens I'm not sure.

[296] **Jenny Rathbone:** There isn't a role for your members to ensure consistency.

[297] **Mr Dicks:** Well, our members are landlords, so they adhere to what's required by the regulations and what's compliance. But I think—. At the heart of your question, are you asking whether we think private rented sector landlords or developers should go a step beyond compliance? Is that what you're trying to get at, or—?

[298] **Jenny Rathbone:** Well, no. I was trying to understand the number of buildings that have ignored the cost of installing fire sprinklers in high-rise buildings.

10:45

[299] **Mr Dicks:** I'm not aware of any new builds before the new regulations came in, in terms of the private sector, putting sprinklers in—

[300] **Jenny Rathbone:** None of them.

[301] **Mr Dicks:** —but that's just anecdotal evidence that I would need to clarify with analysis.

[302] **Jenny Rathbone:** So, if there was one thing you wanted to see in terms of tightening up building regulations, what would it be?

[303] **Mr John:** I think there needs to be—. Some people working with building regulations are familiar with building regulations. People who don't

work with them on a regular basis perhaps are not. Perhaps, sometimes, they're not the easiest of documents to read so, again, I think there's an opportunity for some clarity around there. Perhaps not necessarily in relation to the building regulations specifically, but I do think that if there are areas of work within buildings that are high risk—and we'll use the example of gas installations and the need for CORGI-registered or ACOPs-trained people—I suppose, with fire safety, the amount of people that can affect the integrity of the fire safety in the building, there's a need for greater and enhanced training for people, and maybe, for high-rise buildings, perhaps there should be some form of permit-to-work system or something so that people just can't go into buildings and do whatever they like. We touched earlier on leaseholders, for example, and what control there is over leaseholders within the flats and the work that they can do within their buildings, so perhaps for people working on high-risk buildings there should be some enhanced code of practice or a safe system of work introduced by landlords, building owners, to ensure that the people working in the building have the right competencies.

[304] **Jenny Rathbone:** Okay.

[305] **Mr Dicks:** I would just reiterate that point and the point I was making earlier about the issue that members that have been raising with us—one of the key issues is around leaseholders and access to units. If a high-rise has to be one single fire safety system then you need to be able to access and ensure that every single unit in that building is adhering to those tight regulations in order to stop fire spreading, et cetera. So, it's one big organic programme within a block of flats.

[306] **Jenny Rathbone:** Indeed, but oughtn't this to be picked up in the annual inspection of communal areas?

[307] **Mr Dicks:** Well, communal areas, yes, but you can't get access to—

[308] **Jenny Rathbone:** But that would include observing that a front door wasn't compliant.

[309] **Mr Dicks:** It would include that, but you wouldn't get access into the house to see if smoke alarms are fitted properly or if a private contractor had come in to do some electrical work, in terms of rewiring, and allow you access to check that.

[310] **Jenny Rathbone:** Okay. That is very complicated. Okay, thank you.

[311] **Mr Dicks:** And having to go to court to get access to tenants' properties, as well, that could take weeks, months, in order to get access to ensure that they're adhering to fire safety protocols.

[312] **Jenny Rathbone:** So, you'd want to have a bringing together of building regulations with the requirements in the housing Acts around—

[313] **Mr Dicks:** Yes, and that's just for social landlords. We haven't even dipped in to what happens with a PRS block, where they're all separate leaseholders and there's some confusion and concerns over who's the freeholder there, and finding access that way.

[314] **Jenny Rathbone:** Surely, all residents ought to be subject to the same safety regulations.

[315] **Mr Dicks:** Yes, but another aspect of that is subletting—illegal subletting or just subletting generally in the private sector. So, it's a confused picture in sometimes understanding who's living in particular areas.

[316] **Jenny Rathbone:** We're not going to be able to regulate human behaviour, but what we're endeavouring to see is how we can improve the regulation of the construction and the function of the buildings.

[317] **Mr Dicks:** Yes, but you could perhaps tighten restrictions on or compel leaseholders or private tenants, to perhaps make it more embedded that they meet fire regulations, as other tenants within a block.

[318] **Jenny Rathbone:** Okay.

[319] **Mr John:** I think, quite often with leaseholders, landlords are dealing with leases that were written often 20, 30 years ago, and at that time didn't take into account all the issues around not just fire safety, but about management of the building. It is very difficult to enforce something on a leaseholder that's perhaps not included in the lease. So, again, I think there's a need, possibly, around high-risk areas of work—fire safety et cetera—for there to be some easy means of possibly overriding the requirements of the lease or something.



[320] **Jenny Rathbone:** Okay, thank you.

[321] **John Griffiths:** Could I just ask, in terms of building regulations approved documents, whether you see any issues there with regard to fire safety matters and high-rise blocks—you know, the process of revising and updating—and whether professional bodies have enough of a role in that process? Is there anything you would particularly flag up around that?

[322] **Mr John:** I think the building regulations do get updated. Whether they get updated often enough, I suppose, is questionable. I think from a construction building viewpoint, it does move at pace, both in relation to the way works are done but also with the introduction of new materials et cetera, and I think regulations need to keep pace with progress out on site in the industry.

[323] **Mr Dicks:** In terms of our membership perspective, obviously they're for the use of practitioners at a high level, i.e. people building properties et cetera and carrying out renovation works, but I'd agree with comments made earlier about moves to simplify and summarise the contents of those and make them more accessible, particularly in light of the coverage and what's happened at Grenfell being in the public eye at such a high level, with the public now wanting to know about these sorts of things, and making it more accessible that way. I mean, as a membership body for landlords in both local authorities' RSLs and the private rental sector, our role is to ensure that our members are kept abreast of the changes that have taken place. We do provide that sort of fire safety training as part of our offer, in terms of both qualifications and CPD and learning development. We began a process of revising and updating prior to Grenfell happening. So, since 2011, we've provided 111 professionals in Wales with that sort of training in terms of front-line professionals, because they're the ones going into the properties and seeing the fire safety in situ.

[324] **Mr John:** I know from the Chartered Institute of Building, we do get involved in changes with building regs, particularly around consultation—there are changes and the rest of it. The institute has just formed a commission of past presidents to investigate the issue of build quality in the construction industry and what needs to be done to address it, and this is something that's been very recently introduced. So, it's very much in its early stages, but that's come about not because of this situation but because of, well, the schools in Scotland and the failures there and the rest of it. So, that commission, hopefully, will be looking to feed into building regulations or

any other issues and consultations around build quality.

[325] **John Griffiths:** Okay, thank you.

[326] **Jenny Rathbone:** But I think Members would expect your members, with the technical expertise, to be ensuring that the construction complied with what had been approved.

[327] **Mr John:** Absolutely.

[328] **Mr Dicks:** And they are.

[329] **Jenny Rathbone:** Well, obviously there have been failures—Scotland was mentioned as one of them—so clearly there is a role for your members to assert their professional expertise a bit more.

[330] **Mr John:** Certainly where they're involved in those projects, absolutely. Our members won't be involved in every single project that's going on around the country. There may be members from other organisations such as the Chartered Institute of Surveyors and so forth. So, we're not involved as a professional body in absolutely every bit of building that's going on, but where we are involved, then our members will be doing everything to ensure quality is top of the agenda.

[331] **John Griffiths:** Okay. David, would you like to come in at this stage?

[332] **David Melding:** Yes, I'd just like to put to the witnesses—. In an earlier session with the fire service, they said that the best advice to residents in tower blocks, or the best way to term the advice, is not 'stay put' but 'stay safe', and I just wonder have your members been implementing that type of advice and its consequences. Presumably, as we've heard repeatedly, compartmentation is the clear aim in terms of what's built and then what's inspected for and the ongoing fire risk assessments that are made. But there may come a point in a catastrophic failure, for whatever reasons, where evacuation, then, has to be the immediate priority. So, I'd just like your views, really, on what I think for most people is at the heart of the issue: how you give good, sound advice, clear principles, but also then not to lock people into not reviewing the situation if it's dynamic and happening to them.

[333] **Mr John:** Well, I think, from our perspective, escape should be the

first—if it's safe to do so, it should be done. 'Stay put' policies were introduced many decades ago. The buildings at the time were constructed with safe havens. I think a 'stay put' policy should only be in place where, through risk assessment, you know that the standard of the building—the fire compartmentation and everything that goes with it—is 100 per cent up to standard. But even then, if escape is possible and can be safely done, then that should be the first instruction, in my view.

[334] **Mr Dicks:** It sort of comes back to the clarity point I was making earlier—you know, clarity on cladding, but also we've had reports of different fire brigades in different parts of the country giving out different messages on 'stay put'. So, from our members' point of view, that just adds to the confusion. Now, generally, we've had a 'stay put' policy. Now, that is fluid, it has to be by the nature of what it's intending to cater for or provide support against, but in many cases, it's sort of defined or implemented depending on the type of tenants or demographic of the tenants you've got. So, there may be a case where, in some instances, you have a large number of elderly residents in a high-rise, which would obviously lend itself to a 'stay put' policy more than, you know, if you had a totally different demographic. It goes back to the point that it has to be part of a whole system again. There have to be opportunities and alternative ways of escape should it come to that sort of outcome. Again, I would say that our members are saying that they need further clarity on that policy in particular.

[335] **David Melding:** And, you know, you talked about your fire training for your members in terms of their responsibilities as landlords—so how is this formed? Part of the responsibility is your side as well, is it, in terms of liaising, obviously, with the fire service and other major stakeholders in all this?

[336] **Mr Dicks:** Yes, it's formed by, in the first instance, meeting regulations—meeting building regulations, meeting fire safety regulations—and working with the fire service to come in and inspect those regulations or facilities put in place to meet fire safety regulations. That is then communicated to tenants through tenant or resident groups, through the usual means of communication, whether it's letters through doors or whether it's through websites or social media et cetera. But, ultimately, it's going back to this point about compliance and landlords' duties under compliance in order to meet those objectives. In terms of the learning opportunity, then that's updated as we move along and regulations are changed and updated. That will then inform the work that the landlords do.

But all social landlords would have specific people within the organisation to specifically look at these sorts of things and other disaster scenarios as well. But that's their job: to ensure that the estate is up to standard and compliant.

[337] **Mr John:** I think, while a landlord can put anything in place, and I'm sure in most cases they do, at 2 o'clock in the morning, the landlord isn't about. The tenants are there, they're on their own, there's a fire, and that's why there needs to be good clear guidance and clarity around what should happen.

11:00

[338] **David Melding:** I suppose the main challenge would come in that respect as to when you should—you know, when 'stay safe' means making every attempt to escape, or, if the fire has not penetrated to your flat or the floor you're on, then it's how you make that judgment. We have heard that the use of mobile phones means that it's more likely that those residents in that most unfortunate situation would be contacting the fire services, or, indeed, I don't know, the sort of helplines that you run. It's at that point—. These are infrequent events, but, obviously, they're catastrophic if they occur and of the gravest nature to the people concerned.

[339] **Mr Dicks:** Yes, I mean, it was raised recently, wasn't it—aspects about how you change the information you're giving to residents during an event—

[340] **David Melding:** During an event, yes. It's particularly challenging—it's bound to be, isn't it?

[341] **Mr Dicks:** Yes. That's something that needs to be looked at and for there to be greater clarity on, yes.

[342] **David Melding:** Yes. Okay, thank you.

[343] **John Griffiths:** Okay. Sian.

[344] **Sian Gwenllian:** We heard this morning from the fire service that risk assessments are vital but that, sometimes, they are the weak link in all of this, because, without robust risk assessments, you can't have robust fire management plans that tenants can follow. And there needs to be a responsible person to carry out the risk assessments, and that is your

members quite often, I presume. But the fire service say that it's difficult to know who the responsible person is, so, therefore, the risk assessments sometimes can be a bit weak and the management plan, therefore, is weak as well. Is that a fair comment?

[345] **Mr Dicks:** Are you referring specifically to the private rented sector or is that social landlords as well, because—?

[346] **Sian Gwenllian:** Everybody—

[347] **Mr Dicks:** Well, I mean, in terms of—

[348] **Sian Gwenllian:** I mean, I think—. What they were saying was that the risk assessments can be the weak link in all of this and so, if you haven't got proper risk assessments, you can't have the proper fire management and that the responsible person—the problem sometimes is finding who that responsible person is.

[349] **Mr Dicks:** I would say that's less likely for registered social landlords and local authorities who, as I said in my previous answer, have specific people looking after the whole estate in terms of that and who operate an approved list of contractors, have a competent person scheme, and regularly seek feedback from tenants in meeting all these risk assessments and requirements—again, there are different demographics that may be involved in particular blocks of flats. In terms of PRS, alluding to the point I was making earlier, it's difficult sometimes to know who the owners of the units are, let alone the owners of the whole building or the freehold, so that provides a bigger headache in that regard. But, ultimately, it comes down to adequate inspection and, again, the issue of compliance versus fire safety or going beyond compliance—

[350] **Sian Gwenllian:** Does it come down to the inspection? I mean, there's a stage before then, surely, isn't there? The risk assessment needs to have been done and a management plan needs to have been drawn up, and then you have the inspection. But if you those first two bits haven't been done, you know, there is a weakness in the system, isn't there?

[351] **Mr Dicks:** Yes, but, again, going back to RSLs and local authorities, I wouldn't say that was the case, no.

[352] **Sian Gwenllian:** No, not in that case, but in the private sector.

[353] **Mr Dicks:** In the private sector, it's kind of 'we don't know', in a sense, because of that—

[354] **Sian Gwenllian:** So, it is a fair comment—

[355] **Mr Dicks:** Yes, from—

[356] **Sian Gwenllian:** —you know, that that can be a weakness in the whole system. Okay.

[357] **John Griffiths:** Okay. And Joyce.

[358] **Joyce Watson:** Just to go back a bit to the construction elements and two things: Gareth, you mentioned a permit of works, especially in terms of any work compromising the existing fire regulations and safety that might have been in place—how do you think that might work and how might it assist safety? And then, following on logically from that, whether the use particularly of subcontractors—and if we're talking of Wales, we're talking of an awful lot of subcontractors, in the main, as the workforce—and whether that's a particular challenge or how we could overcome it, if it is, to ensure that works do actually come up to standard.

[359] **Mr John:** Regardless of who is doing the work, whether it's done with the main contractor, with a DLO, with subcontractors, it all comes down to the inspection regime, and also the training that they have had. Are they competent? So, how were they chosen? In lots of cases, I suppose some of the works done by subcontractors is specialist works. They are works that they do day in, day out, and they therefore are the best people to do it, but it's all about choosing the right people, checking that they are competent, and then the checking regimes as work goes on. I think, particularly, if we're talking in relation to high-risk areas of work, then there should be some kind of compulsory inspection regime. But there are so many things that can get done in buildings, from a simple telephone installation where a cable through a fire compartmentation wall hasn't been properly sealed. So, it is really down to inspection of the works, the choosing of the right people, the training of those people, and the specific training around fire compartmentation.

[360] I've been looking recently at qualifications in the construction industry, and I suppose there is nothing within the qualifications generally

around fire protection and the rest of it. That probably becomes a bolt-on and an add-on later down the line for people then who will be working perhaps regularly on high-risk areas of work. But, as we know, anybody at any time can work on these buildings. So, I think some elements of fire safety training—and not just fire safety, but other areas as well—need to be added into training right at the very beginning with core training.

[361] **Joyce Watson:** Can I bring you back to the permit of works? If we had a system of permit of works, and if we were talking specifically, which we are at this moment, about high-rise, then there would be a record. I know people will do things without that permit, but in the main there'll be a record—and it feeds into everything, really—about alterations that have happened, and then that, in itself, could feed into all the other systems that keep people safe because there would be a recognition that something has changed.

[362] **Mr John:** Again, I think a permit of works system, if it were to be introduced, would be something that would be tied into the risk assessment and included within that. For it to work, the responsible person would have to be clearly identified, and, I think, around RSLs and local authorities, the responsible persons are clearly identified within the organisations. But, I think, then depending upon the number of blocks—high-rise blocks or whatever—perhaps there needs to be a responsible person for that block, not necessarily one responsible person for the whole organisation. The risk assessment can be fine today—we can look at it today and it's absolutely wonderful—and tomorrow it's not, because, again, through not having full control. Keeping escape routes clear, for example—quite often, a chair or a mattress that has been disposed of, in two or three days' time is out in that area. That's something you really have difficulty keeping on top of, without doing daily inspections. But again, then, that comes around then to educating the residents and the people living in the blocks.

[363] **Joyce Watson:** Okay, thank you. Thanks.

[364] **John Griffiths:** Okay. Well, thank you very much for giving evidence this morning. You will be sent a transcript to check for factual accuracy. Thank you very much indeed.

[365] **Mr John:** Thank you.

[366] **John Griffiths:** The committee will now break for 10 minutes, until 11:20.

*Gohiriwyd y cyfarfod rhwng 11:09 ac 11:20.  
The meeting adjourned between 11:09 and 11:20.*

**Ymchwiliad i Ddiogelwch Tân mewn Tyrau o Fflatiau yng Nghymru:  
Sesiwn Dystiolaeth 3  
Inquiry into Fire Safety in High-rise Blocks in Wales: Evidence Session 3**

[367] **John Griffiths:** Okay, welcome back, everyone, and welcome to our two witnesses for our third evidence-taking session today on our one-day inquiry into fire safety issues in high-rise residential blocks in Wales. Could I ask you both to introduce yourselves for our record please, starting with Steve?

[368] **Mr Clarke:** My name's Steve Clarke. I'm the former managing director of Welsh Tenants, and I'm currently a volunteer advising the group on policy.

[369] **Mr Wilton:** I'm David Wilton, director of TPAS Cymru, the Tenant Participation Advisory Service. We work with tenants and landlords all across Wales in social housing, local authorities, and, under our new terms with the Welsh Government, we're trying to start in the private rented sector, but we are still new in that area.

[370] **John Griffiths:** Okay. Well, thank you, both, for that. Could I begin our questions, then, by asking you how effectively you think landlords in Wales have responded to the terrible events at Grenfell Tower?

[371] **Mr Clarke:** Like everyone in housing, I think, and related sectors, the whole tenants movement and housing movement has been devastated by the incidents of 14 June. I think, generally, the sector has woken up to a risk that wasn't there in the past. Cardiff city council, I believe, are looking at installing sprinkler systems. I think they are having a debate on that at the moment, and out shortly in nine of its tower blocks. I think they're also looking at reinforcing fire doors from the 30-minute standard to the 60-minute standard to give longer times in properties. Swansea city council, I believe, are doing the same. I believe very early on they put fire marshals in some of the buildings that returned results from the BRE. I think Newport City Homes likewise have put fire marshals about and heightened the education and awareness of the risks in their buildings.

[372] So, I think the sector has responded pretty well from what I



understand, but I am out of the loop, so to speak, at the moment. From what I hear on the ground, and from what tenants have told us, I think the response has been pretty robust to the risk that's been posed.

[373] **Mr Wilton:** There are clearly two sides to this. There's the technical reaction in terms of testing and what needs to change next, but there's also the communication. I happened to be in Swansea council on the two days of the fire, and they were pulling people off desks with leaflets, 'Right, you go up this tower block, you go up the next one', in terms of getting communications out there. I was impressed with Bron Afon. They opened up quite a detailed Facebook discussion with tenants. It went on for—well, there were probably about 200 comments in terms of the shares. They openly, quite honestly had a conversation with their tenants on Facebook, and I was quite impressed with that. So, there have been a number of people who were mostly impacted. Newport City Homes have been mentioned, the Cardiffs and Swanses—they're the people who've really gone out there and engaged, and they had to. I've been impressed with some of the things they've been doing.

[374] The technical side, I think, is a different discussion, which we'll come on to, in terms of what happens next in terms of how we move forward.

[375] **John Griffiths:** Okay. Is there any implication from what you said, David, that outside the big operators, as it were, it has been less impressive?

[376] **Mr Wilton:** That's an interesting point. We have a Tenant Pulse, which is an online panel, an equivalent of YouGov, which you're probably all familiar with as politicians. So, the Tenant Pulse we sent out, and, actually, the high-rises and people who were in there were actually a lot more comfortable because they'd been communicated to over the last month and regularly, and they'd been visited, and people knocked their doors. It was actually more in the sheltered accommodation that the concerns are at the moment. That's people with disabilities, the elderly—this will be happening, but I think there's more that could be done in terms of reassuring them. Are they staying? Are they leaving? Have they been reassessed? We were talking in the foyer before—I have an auntie in Trivallis and her health has declined over the last year. What she would have been assessed as a year ago or two years ago in terms of being able to exit the building I think would be very different now. So, I think there's something there about not just your high-rises, but the more vulnerable sections of society and what their instructions are.

[377] **John Griffiths:** Okay, thanks for that. Obviously, for today, we're concerned with high-rise residential.

[378] **Mr Wilton:** Absolutely.

[379] **John Griffiths:** In terms of Welsh Government and its leadership and direction-giving role, what would you say in terms of how adequate that's been in responding to these challenges up to the current time?

[380] **Mr Wilton:** I've mentioned the Welsh Government fire safety advisory group that they've set up. I was asked to be a member of that, and we've met, I think, three times since, and we've committed to meeting weekly. I don't know if people are familiar with who they are. I can run through it if you want. There's Des Tidbury, the chief fire and rescue adviser for Wales—I think that's a Welsh Government appointee; Huw Jakeaway, the chief fire officer for South Wales Fire and Rescue Service; Steve Thomas from the Welsh Local Government Association; Ruth Marks from the Welsh Council for Voluntary Action; me; Stuart Ropke, the chief exec of Community Housing Cymru; and the last one we added ourselves. We added Douglas Haig from the Residential Landlords Association, so having that private sector representation.

[381] The committee is not there to duplicate the UK efforts. There is a technical group in existence. It's at an English level, to be honest. We are there to look at those recommendations and what it means for Wales. What I can say is that I've been really impressed with the attitude of the people around that table so far in terms of looking at—. There's nothing out of scope. It's all about sleeping risk, so that can include hotels, that can include universities—everything. And there doesn't seem to be any feeling that there is anything out of scope at looking at what we can do better in Wales, and advise the Minister going forward. We meet weekly, and we accept that this could be a three-year project, for all we know.

[382] **John Griffiths:** Okay. So, you're content in short, then, David, are you, that Welsh Government is fulfilling that leadership?

[383] **Mr Wilton:** That's from a lessons learnt perspective. I think, from the other side, we've got to look at what testing is happening at the moment—this whole-system testing. I think social housing and the councils are all very actively engaged. The private rental sector I think is reluctant at the moment.

I don't think it's necessarily that they're afraid of it. I think there's just a lot of reactions at the moment. We've seen—and you'll all have seen—headlines of, 'This has failed', or, 'Swansea council has failed', but, actually, they passed later with a different type of test. The private rental sector, I think, is holding back a little bit because there was a bit of a knee-jerk reaction as to what tests were going to happen, I think, at the beginning, straight after the disaster. And, therefore, there's nowhere near enough testing going on at the moment for them. I think there was a figure last week that there's 8,000 potentially across the UK, and only 27 had been tested in the private rental sector. I think they want to see more clarity as to what is a robust test.

[384] **John Griffiths:** Are you—

[385] **Mr Wilton:** I don't agree with that, but I think they are holding back. Social housing and councils are very, very proactive.

[386] **John Griffiths:** Okay, I was just going to ask if you're in a position to know, then, what the position is with the private high-rise blocks in Wales and testing. To your knowledge, are they all holding back, as you describe it, or—?

[387] **Mr Wilton:** From my experience so far of what we've seen, yes, there is a little bit of, 'What is the correct test? What is fire safe?' At first, it was, 'Are these aluminium composite material panels physically flammable or not?', and there was a lot of reaction then when they were failing. Now, the process is looking at whole-system testing, and I think that's a more sensible approach.

[388] **John Griffiths:** Yes, and there's an awaiting of the results of those further tests. Okay. David.

[389] **David Melding:** It was that point.

[390] **John Griffiths:** Oh, was it? Sorry. Okay. I think, actually, David might want to come in at this stage because I was just going to move on to questions, really, about the advice given to tenants. David.

[391] **David Melding:** We heard from the fire service earlier this morning, and they said that the best way of expressing the core advice is, 'Not stay put'—this is for tower blocks—but, 'Stay safe'. And I wonder whether you feel that's being conveyed effectively. Because, obviously, there can be

catastrophic incidents when you have to make a judgment to leave the building as best you can, or whether to stay, you know, in your own flat, relying on the compartmentalisation approach. That's very, very challenging, obviously, how to make that judgment. So, I'd like reflections on that, and then whether you think 'stay safe' is a better tagline than 'stay put'. I realise it may not be yours, but it's in common currency.

11:30

[392] **Mr Clarke:** Just to give you a bit of background as well, I also served six years on the board of Atal Tân Cymru/Firebrake Wales, which was the community fire safety charity set up to co-ordinate community fire safety messages across Wales to eliminate and reduce incidence of death and injury through fire. I was chair of that body for three years.

[393] So, the 'stay put' policy, if you like, after Lakanal, was heightened, but it was never 'stay put' irrespective; it was always—. In London, I think it was 'if in doubt, get out'. But it also needed to be backed up by education and information around at what point should you consider not staying put, and I think the fire service, over the decades, have been very proactive in getting these community fire safety messages out there to educate and inform people about what they should do in the event of fire.

[394] But I agree with you; I think it's not just 'stay put'—it's 'if in doubt, get out' or, you know, 'stay safe' is a better term.

[395] **Mr Wilton:** I struggle with 'stay safe'. I don't even know really what that means. Well, obviously I do, but I think it's one that just—. It needs a lot more individual—. I think every building has its own unique fire precautions and its own evacuation or procedures, and I think that goes back to educating the residents, as Steve's mentioned, as to what is the policy for that building and those people as well, going back to vulnerable residents and things like that. It's not one fire evacuation or fire procedure for one building; it's back to individuals. I just struggle with 'safe'; I don't know what that means.

[396] **Sian Gwenllian:** Does it confuse people, though, to have, you know, the 'stay put' or 'stay safe'? Are people confused about all that?

[397] **Mr Wilton:** I've not seen—. In the evidence that came back, I think people accept that they have individual considerations and they just want

that reassurance. The thing that came out in our stuff was that the building is safe in the first place, you know, and the building has adequate procedures, and they need to know what they need to follow.

[398] **John Griffiths:** Okay. Jenny.

[399] **Jenny Rathbone:** Schools have termly fire drills. I just wondered whether you were aware of any fire drills taking place in tower blocks, because that would—. It might be difficult if the advice is, 'Stay where you are'. Could you clarify whether you're aware of any large-scale tower blocks where they have fire drills?

[400] **Mr Clarke:** I'm not—. Perhaps that would be a better question to ask the housing sector about their procedures. Obviously, as part of their risk assessment, you know, that may include profiles of the community as well, whether it's a wholly sheltered block, what the age profile is, what the demographics are—

[401] **Jenny Rathbone:** We're looking at high-rise here, so—

[402] **Mr Clarke:** Yes, but even—. You know, there are some that are predominantly elderly tenants—

[403] **Jenny Rathbone:** No, that is true.

[404] **Mr Clarke:**—as well, so I think that it would depend on their risk assessment, which they should undertake annually. They should have an action plan. Part of that action plan should cover exit from the property and also consider the profiles of that community as well.

[405] **John Griffiths:** Joyce.

[406] **Joyce Watson:** Just keeping on the fact that individuals are often very vulnerable themselves, but also they need to get out, is it the case, then, that there are things like evacuchairs in high-rise buildings to help people help people? Is that a requirement? Because we did hear some testimony about, you know, people falling over, et cetera.

[407] **Mr Wilton:** I don't feel qualified to comment on that. I think that we need—. There are specialists who can advise on that.

[408] **Joyce Watson:** Okay.

[409] **Mr Clarke:** I would say that risk isn't a static process; it's a dynamic process. It may change year from year. Profiles change year to year. So, it's up to that risk assessment to be able to look at it and say the profiles of that community, the difficulties that community may have in exiting the building in the event of a fire, and to accommodate that profile accordingly.

[410] **Joyce Watson:** I just want to press this, because you've brought it to the table. So, when we're looking at a building—let's ask it another way—a high-rise, and we're talking about the structure of the building, mostly, have you ever been made aware that, running alongside that, they've looked at the way of helping and putting in place means of helping those who are vulnerable? Because you've just said an awful lot of people—. Once people stay in a place long enough, the possibility of them becoming less mobile increases. Or do you not know the answer?

[411] **Mr Clarke:** Just to follow up, fire service advice suggests to knock on somebody's door and to assist where you can, as well, as a neighbour. I've been to sessions whereby these conversations have happened, and having somebody on the floor that would be responsible, say, for instance, would be useful—or would take charge in a situation. All these exit plans and all these exit systems are developed with residents when these issues are discussed, and I know that the fire service has been very good at actually supporting communities to be able to look at the issues of that community and to create an action plan to get safely out of that building.

[412] **Mr Wilton:** Can I just quickly add—? I've been trying to look through all the communications I've seen from Newport City Homes, Bron Afon and everyone else. I don't see anything of that. There are some excellent things about individuals and what to do, but not about buddy systems or floor marshals or anything like that. I can't see anything in the communications I've seen so far.

[413] **Joyce Watson:** Okay, thank you.

[414] **John Griffiths:** Is it your general view that residents of high-rise blocks in Wales are sufficiently informed on fire risk and sufficiently listened to? We know that one of the big issues that will be looked at in terms of the events at Grenfell Tower will be whether that voice from residents over the years was sufficiently listened to and acted upon. It's obviously extremely

important that tenants are properly informed—feel that they're fully informed—on these issues, but feel they have the opportunity to make their voice heard and that the systems and mechanisms are in place for that. What's your view? Are we in that position in Wales?

[415] **Mr Wilton:** I think this was not on the radar of anybody in Wales. I think, in Wales, there are two sides to it: one is people didn't anticipate this; secondly that the tenant-landlord relationship, generally, in Wales, is a lot, lot stronger. It's the nature of who we are in Wales. I think the work that we do, and Steve does—ourselves, we spend a lot of time focused on getting the tenants and landlords working together. So, we had not had reports of some of the things like we've had in Grenfell, where tenants were being ignored and not listened to about fire safety. That was not something we'd seen before. I don't think it was on people's radar that this could potentially happen. People trusted the regulations—trusted that these buildings were safe—and we've been, sadly, proven wrong.

[416] **John Griffiths:** Okay. Steve.

[417] **Mr Clarke:** I can recall several incidents over the years about minor issues being discussed. I think landlords have got better at engaging tenants in terms of regeneration, in terms of refurbishments, but sometimes it can be focused on more style than substance—than specification—and that varies across landlords. It depends on—. Because, obviously, you have tenants on the boards making decisions, as well as tenants scrutinising decisions as well. I think that one of the things that happened in Grenfell is that they weren't listened to, and evidence was presented to counteract the tenants' argument, but tenants weren't in a position to challenge that professionally, if you like, with expert outside support. There is a call now in England, I think, to re-establish the tenants movement in England because it was a very good support body in terms of if you had a problem at your local level that you felt quite strongly enough, you could take it to national and then national could engage Ministers or others about decisions—or local authority level. So, the issue about representation is quite important, I think. As I said, that broke down for whatever reason in Kensington. I have seen instances whereby decisions have been challenged by tenants and overruled by landlords. But generally, I think, there have been some huge improvements in engaging tenants in regeneration programmes. But as I said, the technical specifications of that and the details that underlie the decision that was made around the type of cladding—I would say there's still work to be done about educating tenants about what to look for, how to challenge, how to

scrutinise. I think it probably may get even more so, obviously with the pressures on value for money as well. So, I think tenants need to be very wise to that and need adequate training and support to be able to look closely at these issues and examine them, but also have a national representative voice to be able to challenge externally if they feel they need to.

[418] **John Griffiths:** So, in terms of that national representation role for tenants in Wales, then, and where we currently are, as you say, there's a call now in England, then, for perhaps looking at that again and maybe trying to strengthen the voice of tenants in that way. What would be your view of where we are in Wales on those matters, then? Do we need improvement here?

[419] **Mr Clarke:** We have a voluntary participation system that is very much in the control of landlords. They control the budgets, they control who they engage, et cetera. Tenants and residents associations are on the decline. We've got no tenant management organisations in Wales, no EMBs—which is the estate management boards—where they have a certain level of devolved responsibility, or have protocols for mediation or arbitration on decisions they don't agree with. Those formal structures, which have been undermined, I think, for quite a while now in Wales, in replacing voluntary task and finish structures—. And I feel that's been to the detriment of Wales. There are tenants who engage and get involved in social events and that's all well and good. There are also tenants, as well, who may disagree with landlords profoundly on strategies, on policy, on rents et cetera, and can be excluded from that voluntary engagement process, or not selected to go to the conferences and go to the events et cetera, to be able to meaningfully engage. Unfortunately, we have seen cases where people are struck off lists if they are problematic or in disagreement, or seen as serial complainants about the policies of landlords. That's why it's important to have that counterbalance as an organisation, to support that body and tell them when they're wrong as well, balancing the rights and the responsibilities agenda.

[420] **John Griffiths:** Okay. David, would you share that view, or would you—?

[421] **Mr Wilton:** Partially, yes. I think there's no doubt that there's a mixed bag of tenant representation across Wales. I think Steve's right about some areas in terms of the decline of tenant and resident associations. However, I think this goes back to this governance; it's part of a wider review here in terms of how housing associations are regulated. You see the likes of



Merthyr Valleys Homes turning into a co-op where the tenants are very much at the heart of the decision making, so there is a mixed governance across Wales as to how tenants are involved in that. For us, we are very much focused on getting that tenant and resident working together. We don't see a great deal of conflict like there used to be maybe 10 or 20 years ago, but I think there is something, as Steve was saying, about the control of the budgets, control of the issues and things like that. But I think that's part of our work to try and change that with the tenants.

[422] The only thing I struggle with is tenants being empowered and informed in some of these fire safety things. It's a lot of ask for tenants. They've got a lot of things in their lives, and they've got to have confidence that the regulations—that the people like yourselves are making laws that protect them. I think that's very important. The tenants have got a lot of things that they want to improve in their communities. We're going to see a lot of change in the next couple of years in how communities work with Brexit and everything else. We ask a lot from our tenants in terms of their voice in a lot of our issues.

11:45

[423] **John Griffiths:** Steve.

[424] **Mr Clarke:** Just to come back on that—I mean, that's fine within the social housing sector where you have structured bodies to communicate with who are ethical, who are regulated, quite strongly—very ethical in the work they do and have a clear mission and plan, but the private rented sector covers 50 per cent of properties in Wales now and it is the default social housing sector for tenants. And if you undermine the tenants movement in Wales and the tenant's voice in Wales, you're also making it really difficult to begin shaping how the private rented sector develops from a tenant's perspective. And that's my concern with if you throw the baby out and the bath water as well, then you have to start from a very low base when, actually, you know, these issues highlight that you do need a strong consumer voice, not an organisation that helps participate—[*Inaudible.*]—which I've always supported and agreed with, but to represent tenants as well, and, if necessary, challenge local authorities on decisions, judicial review et cetera. Educate, inform, balancing rights with responsibilities—that's the role of the tenants' organisation as far as I'm concerned, and if you undermine that, then that's going to be detrimental to the long-term benefit of landlords and tenants in Wales, I think.

[425] **John Griffiths:** Can I just ask on that—? We'll have to move on quickly, but in terms of high-rise, privately owned blocks, then, in Wales—you mentioned earlier, David, that you're perhaps at the very early stages of considering how there might be more of a role for your organisation in terms of those private tenants. I mean, at the moment, are we in a position to know to what extent the voice of those residents in the privately owned tower blocks in Wales is effective in determining fire safety within those blocks?

[426] **Mr Wilton:** From what I see so far, there is very little tenant representation because the models have changed over the last year. So, if you look at the big private sector—ones in this city and others—there's a lot around student accommodation. Now, in the old days, universities would have built those, or they would have been at least branded under the university, and then you'd have had things like the National Union of Students representation, accommodation committees and things like that. These are now very much in the private sector, these buildings. They're independent, and we don't see—there's very little evidence of any sort of tenant representation, tenant forums, that have any real teeth at the moment. That is something that—. That is part of our work over the next two years.

[427] **John Griffiths:** Okay. Sian.

[428] **Sian Gwenllian:** I was just going to ask about risk assessments and the evidence we heard earlier from the fire service is that these are crucial in the whole set-up. Is that your experience? Is there anything that tenants can do when they feel that those risk assessments aren't in place properly? What advice are you giving to them to make sure that those are in place, and then the management plans, and everything that flows from that?

[429] **Mr Wilton:** Should I go on?

[430] **Mr Clarke:** Yes, fine.

[431] **Mr Wilton:** I think there are a number of layers here that you've raised. One is the quality of those risk assessors, and I think the Cabinet Secretary's advisory group has already identified that quite quickly as to what is the qualification and how easy it is to get qualified as a fire risk assessor. I think that's something that needs to be looked at quite thoroughly. So, the first is: who's making those risk assessments? How do tenants even know or get

access to them? That, across the social and council is a lot easier than in the private rental sector. I think we've already acknowledged that. And then how do you challenge it is then the third part of it. So, I think, within the social housing council sector, that's a lot easier. And if they felt they were getting nowhere, that's the sort of thing that we would be taking up with them. I think in the private rental sector—how do you get access to your landlord's documentation? I don't know; it's not easy.

[432] **Mr Clarke:** From my point of view, those risk assessments are critical. I think that, again, there are quirks around tenancy management: who's responsible for what in relation to the building? We've got the Housing Act 1985; we've got the 2004 Act for the housing health and safety rating system, which puts responsibility to local authorities; we've got the regulatory reform Orders, 2005 and 2011, for the fire service, which put some responsibility on common parts to the building but not access to the inside of the tenancy. I think that, possibly, certainly from my experience, when tenants are involved in regeneration or refurbishment schemes for the blocks, that can be a real hold-up on one scale, but also I don't know how you're going to overcome that because—

[433] **Sian Gwenllian:** I was going to ask you that, yes.

[434] **Mr Clarke:** It's a really tricky one. Do you give the fire authority more powers to access those properties to undertake fire risk assessments? We've certainly argued, with Welsh Assembly Members' support, for a five-year electrical safety certificate so that, at least when they do inspections in properties—60 per cent of all fires are caused in the kitchen—. It's around lifestyle, but it can also be around electrical goods. I've certainly written loads of articles around the issue of my concern in terms of the austerity agenda and electrical goods—people buying second-hand from eBay et cetera, not having PAT testing, installations around the home, overloading plugs. These types of things about lifestyle within the cell—within that property—are really important. Of course, as the fire service says, if that cell's breached, you can spread that fire to another flat. That's an issue around utility companies as well doing proper installations or making good any damage or disruption they cause to that cell.

[435] So, the challenge, I think, has many levels because there are many bodies that have got responsibilities and rights. So, it's about the housing health and safety ratings system, the capacity to deliver that by local authorities. It is about educating tenants around the fire risks in their

properties and being doubly aware, when you install new utilities or competing utilities, of what they do—inspecting work et cetera. There are a number of issues that need to be looked at, but there are significant challenges.

[436] **John Griffiths:** Okay. And Jenny.

[437] **Jenny Rathbone:** I just want to go back to your comments about student accommodation provision having been privatised, and I think that's a relevant point. But just because it's privately run wouldn't mean that students couldn't demand to have representation around fire safety—

[438] **Mr Wilton:** Absolutely.

[439] **Jenny Rathbone:** I just wondered—

[440] **Mr Wilton:** But it's about qualification, you know. There's no doubt that you'll have resident groups or something in these blocks—we've seen some of them—but are they sufficiently qualified or are they sufficiently—

[441] **Jenny Rathbone:** Well, they won't be qualified, but they'll be interested in their own fire safety, I think.

[442] **Mr Wilton:** No, but how would they know what questions to ask? You have to have a certain amount of faith that these buildings have been built correctly in the first place and that there is valid paperwork and certificates. So, I think there are things we can empower them with. We've written guides before for tenants—'download questions to ask your landlord'. There's definitely a lot more we can do on that on the communications side of it.

[443] **Jenny Rathbone:** It's also something that the NUS could do because—

[444] **Mr Wilton:** Absolutely.

[445] **Jenny Rathbone:** —obviously, they employ people to do research.

[446] **Mr Wilton:** Yes. So, there's no doubt—questions to ask, the paperwork you want to see and that type of stuff.

[447] **Mr Clarke:** Just to come back, on service charges, if you're part of a block, you're likely to incur service charges. We've helped facilitate many

meetings with tenants and landlords around breaking down that service charge. That service charge will include payments for a fire extinguisher, checking fire blankets, upgrading, checking dry risers—a whole range of issues are covered under service charges. So, we did a lot of work the year before last when service charges were introduced to look at, ‘Okay, what should you be looking for? How do you break that down?’—rather than just having one headline figure, breaking that down and then finding out what you are paying for, how frequently that is done, what the validation checks are that are involved by the landlord or the responsible person, the competent person, for the fire safety in the block.

[448] **John Griffiths:** Okay. Thanks for that. Could I ask as well, are you aware of any specific concerns being raised by residents of high-rise blocks in Wales around fire safety prior to Grenfell Tower, no?

[449] **Mr Wilton:** No.

[450] **Mr Clarke:** Not high-rise, no.

[451] **John Griffiths:** No, okay. Also, hopefully, a brief question and a brief answer on media coverage. Obviously, it can provide useful information for residents of high-rise tower blocks, or it can raise alarm. What do you think of the recent media coverage since Grenfell Tower and its effect on residents in Wales? Are you aware of any issues there?

[452] **Mr Wilton:** I think the initial knee-jerk was to send all these panels to testing, and I think, on reflection, that was an interesting choice because all material has a certain amount of flammability. So, we were getting these headline figures that this block had failed and this block had failed on the individual panels themselves, and that created a lot of mistrust, and I think some were scared. When you started doing the whole-system testing then we found that, actually, the building did have the right, adequate procedures and things like that.

[453] **John Griffiths:** So, it’s not so much the media coverage as the testing that was decided upon initially, perhaps.

[454] **Mr Wilton:** Yes. There was an element of, ‘We’ve got to do something—we’ve got to quickly test, and test whether these panels are safe or not.’ And I think that slightly compounded it in terms of the mistrust.

[455] **John Griffiths:** Yes. Okay. David.

[456] **David Melding:** Does Mr Clarke want to—?

[457] **John Griffiths:** Or Steve, did you want to—? Yes.

[458] **Mr Clarke:** In isolation they may be safe, they maybe not, but being in conjunction with other materials and other systems and other failures could make them unsafe. So, I think it's right that—. I wouldn't like to prejudge or criticise what the Government decides to do in terms of the response, because it was obviously such a horrendous incident, but I do think it's about providing reassurance in terms of the media. I think good journalism is always useful. It improves transparency and it causes you to look at things you might not have otherwise looked at. But journalism has to be responsible as well in terms of how you respond to that. It's a bit like a velodrome, isn't it? You're always trying to catch up and correct and reassure people.

[459] **Mr Wilton:** I also know that Community Housing Cymru, the Chartered Institute of Housing and the local government association did a very good, effective briefing to the media here in Wales to try and educate them a lot on what these issues were, what they were doing and things like that. That only really covers that—again, that's social housing rules, but I know that they fed back that they felt that there was a change in the media after they did some of their work.

[460] **John Griffiths:** Okay. So, that was a useful exercise.

[461] **Mr Wilton:** Yes.

[462] **John Griffiths:** Yes. David.

[463] **David Melding:** Yes, thank you, Chair. I find that your evidence is really powerful on this point that people—and why shouldn't they—assume these buildings were robust so that you could have a compartmentalisation approach because the structure of the building was safe, and that's a matter for Government and the legislatures that scrutinise Governments to ensure. That's the foundation, and it convinces me, if that's anything to advance our discussion this morning.

[464] I just wondered how shocked people were because I think most of us looking at what happened in Grenfell Tower just didn't think a building could

suffer a catastrophic event like that—so quickly, anyway. Do you think this may have changed any sort of attitudes and expectations? I suppose one of the things we could be looking at is retrospective sprinklers. I don't know what tenants think about that type of system, generally. I think we've heard that the priority is in the common areas, but you may know more about more extensively. We've been told by the fire service that any intervention within the compartment has to be done expertly, otherwise you could put the whole concept at risk if there's poor work. We've not had the interim report yet, obviously, of the incident last month, but I think a working hypothesis is that something was compromised and allowed the fire to escape into the exterior. So, I'd just like your thoughts on those issues.

12:00

[465] **Mr Clarke:** From my point of view, in terms of sprinklers, we had a debate some years ago in terms of sprinklers and I think it got a mixed reaction. I think, again, it's around the language. Fire suppression systems—if you're cooking it won't go off, it's in extreme heat that it would go off, et cetera, and only in one compartment. I think the way people perceive sprinkler systems goes back to the days of the industrial era when you had long pipes running through factories and they would all go off, et cetera. So, I think there's a lot of education around sprinkler systems, fire suppression systems and mist based systems, et cetera. There's a lot of education there. It has moved on quite substantially. I agree that, as a consequence of what's happened, people are considering these issues more. But I agree that the response in Cardiff, Swansea and Newport, et cetera, about retrofitting is a good thing. As I said, it reassures tenants, and that's what I think needs to be had at the moment as well.

[466] **Mr Wilton:** I totally agree with Steve there. We have to make these buildings safe, and they have to stay safe. So, there are two issues there. The third question, then, is: who pays for that? With the service charges, it's very easy for landlords to start putting all this in the service charges, and suddenly some of our most vulnerable people in society are getting stiffed with the bill for, potentially, the failures of buildings that weren't built correctly in the first place. That does really concern me.

[467] **John Griffiths:** Okay, Jenny. Sorry, David.

[468] **David Melding:** Just to finish, I'm sure that your particular concerns there are shared by the members of the committee. Just to finish this point

on the common areas, there has been some talk that we need stricter policies, or to get a clearer understanding of why they need to be free of things. You quite naturally can understand how people might leave a pushchair out, or the mattress that's going to be collected in a few days. The fire services were mentioning these. Actually, I'm not sure it was the fire service—maybe it was the last witnesses. But anyway, in the everyday realities of life, this is what sometimes happens. So how concerned are you about that aspect? Because again, something that happens in a common area can have a more general effect on compromising the building, can't it?

[469] **Mr Wilton:** Absolutely. We saw recently at Taff Housing that they noticed they had a number of pushchairs and full prams in their common area, because trying to get it all the way up there in the lift and back down again and everything else—. So, they built a little secure area off the site of the building, but within the area, where pushchairs and prams and all that could be stored. That is then a single point of contact. It took it all out of the communal area, where it shouldn't have been.

[470] **David Melding:** So that's about adaptation and responding imaginatively to everyday life situations that people are in.

[471] **Mr Wilton:** Absolutely.

[472] **Mr Clarke:** Except when we had some debates some time ago around the mobile scooters, and electric charging, et cetera. Some used those around the house as well. They were totally immobile, and would charge around the house. So, I think, as I say, there's no clear answer. It's a very awkward issue to deal with. But again, it comes back to education in terms of having good electrical safety checks, et cetera, so that if the concern is about charging these vehicles in your home, then are there adequate trip switches, are there adequate safeguards within the home in relation to this equipment? Because they have batteries that could explode, et cetera.

[473] The other issue as well is heating utility cost, where we've seen in some cases tenants going back to Calor gas heating and things, which again may be against the tenancy agreement. But also, if you have a leaseholder who has sold that on to a private sector tenant, then how strictly is that enforced? So, the issue around what happens in the home is vitally important, but as I said, I think you need to balance the rights and responsibilities of tenants with landlords and the wider public interest when you have these debates, and engage fully with people who may be



disadvantaged as a result.

[474] **David Melding:** And it's also about tactful communication, isn't it, in terms of getting people on board because they want to be, because they realise what the risks are?

[475] **Mr Clarke:** Yes.

[476] **David Melding:** Thank you.

[477] **John Griffiths:** Jenny.

[478] **Jenny Rathbone:** I appreciate that the tenants or residents may be anxious about additional costs if we improve fire safety in high-rise buildings, but I just wanted to pick up on something that the mid and west Wales fire service told us, which was that in their door knocking in tower blocks to reassure people and inform them about the implications of Grenfell, they were offering free home safety fire checks and people were refusing them. So, I wondered if you could give us some insight as to what might be behind that.

[479] **Mr Clarke:** Yes. I referred earlier to black market goods, overloading plugs, et cetera, and potential costs. And I know the fire service are very good; I've been around with them in terms of these home fire safety checks and helped promote those, and they're very good. If they see a faulty item, they donate to them.

[480] **Jenny Rathbone:** Okay, so you think people are anxious that their goods were going to be removed or condemned.

[481] **Mr Clarke:** That's part of it. And, again, is there a cost involved, especially if you're on a low income and you're struggling?

[482] **Jenny Rathbone:** But it's free. They said it was free.

[483] **Mr Clarke:** Well, not so much the home fire safety checks, which I know are free, but it's the implications of those as well. So, it's about the whole package of support behind that. That could be an issue as well.

[484] **Mr Wilton:** And let's be honest, some of our most vulnerable people are put in high-rise buildings. Some of them have been less desirable

properties in the past, and who's ended up there? More vulnerable people, people who've come from other countries—things like that. There is that intrusiveness and that distrust of people in authority coming in. And I think Steve's absolutely right; the plugs, the sockets and everything else—'What's it going to mean for me?'

[485] **Jenny Rathbone:** Okay, thank you.

[486] **John Griffiths:** Okay, thanks for that, and we will now move on and we have some questions from Bethan Jenkins.

[487] **Bethan Jenkins:** I know a lot of the questions have been asked already and we're short on time, but I wanted to ask a few questions. But I wanted to ask, going back to the tenants' participation, I know that some people—. Well, I've spoken to some housing associations, and they've told me that once the tenant has been elected onto the board, they don't just represent the tenants; they represent the whole of the housing association, and the consequences of that are quite large. And then it implies that the tenants are not there really just to represent the tenants—that they have to take on that wider responsibility. So, I'm wondering whether you would be able to suggest how it could be changed, so that the tenants would be able to be there directly responding to tenants' needs, and if there was something that could be changed in legislation—I know you say about the private landlord sector being harder—so that we understand how that link happens between the tenants and what they do on these boards more distinctly. So, I'm just—.

[488] **Mr Wilton:** I think across Wales there's no one model, so you'll see that some housing associations have a lot of tenants on there; they're actually fixed as part of that stock transfer that happened 10 years ago. And that's changing. The reality is that tenants do have a conflict being on a board in the best interests of the housing association versus themselves, and therefore we've seen models change. Again, I referred to Merthyr Valleys Homes becoming a co-operative. They have a very small, tight professional board, but they're elected, all of them, by the tenants and they have that tenant—. Sorry, members, because that's staff as well. Members, staff and tenants, and they elect the board representatives. That works for Merthyr Valleys Homes; it's not necessarily the model for everybody. Newport City Homes are very much open to reviewing what they're doing at the moment and we've been involved with that, helping the tenants shape a model that works for them, but it may not mean that they are board members. Some might choose to become board members for their own reasons, because they

want to contribute to their housing association, but they accept that that wouldn't mean that they are a tenant representative. So, there are a lot of changes, and I think this goes back to some of the Public Accounts Committee work in terms of transparency of housing associations, and how they—. They all say tenants are at the heart of the organisation—it's a classic line. There's a real mixed view—.

[489] **Bethan Jenkins:** The issue I wanted to get at was that you said earlier that tenants might not have raised these concerns before, but they might not have raised them because they don't know where to go and they don't feel that they have a voice. So, I'm just wondering how we can work through that particular scenario.

[490] **Mr Clarke:** Let's be clear: in law, tenants join the board and they become the landlord, and they have the responsibilities of a landlord, and also to the financial viability of that organisation. It's a different set of rules, in fact, from my point of view—I've said this before—I'm not a fan of just having tenants on the board because they can contribute something as tenants; they need to bring the skills that the board requires in order to function correctly, whether that's, you know, whatever skills that have been assessed.

[491] I much prefer scrutiny and being able to challenge the board in terms of delivery of its priorities to keep tenants safe, to deliver affordable housing, to keep supply, and all the other visions and values the sector has in relation to the provision of housing. Scrutiny is key, but, in doing scrutiny, you need to know what to ask. You know, you don't need programmes being developed by the chief executive or being formed by a board. I think scrutiny has to be independent; it has to have a way of looking at the sector, what are common problems across the sector that are appearing, and look at that, 'How are we dealing with that?' That requires, I think, an independent tenants' voice.

[492] I could go back to the events that we used to hold. We used to have totally different conversations with tenants than, say, TPAS Cymru did with tenants, or that landlords had with tenants, and tenants used to take that back, and other tenants would say, 'Where did you get this from?' Well, this is from the conversations we had with other tenants, talking tenant to tenant. So, I really feel it's important to have that independent tenant voice. Because, as I've said before, I think, with the growth of the private rented sector, where more and more people who would have had the protection of social

housing—you know, a highly regulated social housing system—going into the private rented sector, there's even more of a need now to have a good, strong tenant voice in Wales. I think we'll be playing catch-up with England after the inquiry as a result, because there is a call, even by TPAS England, to re-establish the tenants' voice in Wales, because I think tenants had nowhere to go. They didn't have the independent education. The tenants movement is an international one. In Paris, in France, you would never have had a Grenfell-type incident, because they've got five fire marshals on a tower block like that 24/7, you know. And, again, that's driven by tenant engagement in Paris, in France, around the issues of regeneration. It's an international movement, and I think Wales is poorer for having not had an independent voice that can educate, inform, challenge and also work with tenants in terms of education.

[493] **Bethan Jenkins:** I just wanted to get on the record, I know time is tight—

[494] **John Griffiths:** Before you do, Bethan, I think David just wanted to—

[495] **Mr Wilton:** I just want to say about this, I think Steve's point's a very valid one. We are funded through the landlords and through Welsh Government, but we are doing, every day, training for tenants to take on that challenge. So, yesterday, in north Wales, we were training tenants in scrutiny. I think that next week is value for money. So, we are constantly giving tenants skills to take and challenge their landlord and work with them in different models, and there's a number of different ways we can do that. So, that is happening, and there are some very, very good, in the social housing sector, scrutiny panels like the Newydd Housing Association panel—if you ever meet them, they're a formidable crew. They really do challenge their landlord. But that's not consistent across Wales, and it's certainly not happening in the private rental sector.

[496] **John Griffiths:** Okay. Bethan, very briefly, because we're running out of time rapidly.

[497] **Bethan Jenkins:** Yes, just because I haven't been able to ask you, I want to get it on the record here just with regard to capacity in the system. Obviously, you heard the fire chiefs saying that their responsibility ends at the door in terms of enforcement, then it carries forth to the local authorities. Do you believe that there is sufficient capacity within the local authorities as they stand to be able to perform either that inspection or

enforcement role? If not, do you think that a new enforcement agency for Wales would be beneficial, so that we can pull all those parts together?

[498] **Mr Clarke:** From my point of view, I've had real problems in getting the local authority to undertake a housing health and safety rating system. They simply don't have the capacity.

[499] **Bethan Jenkins:** You've had what, sorry? Problems with all?

[500] **Mr Clarke:** Problems with local authorities—

[501] **Bethan Jenkins:** All local authorities?

[502] **Mr Clarke:** All local authorities undertaking a housing health and safety rating system. There are exceptions where, you know, Ceredigion I think is very good. I've always had a good response in Ceredigion. But when dealing with a hazard in the home for which you want intervention from the local authority, it's very difficult, because of capacity, to get them out to assess that and also, sometimes, to get them to issue a prohibition notice. I've had, unfortunately, bad experiences with people just coming out with a piece of paper to do a housing health and safety risk assessment, not with a computer or the proper, as the system should be applied—. But I think that is generally a capacity issue, and I've had a lot of experience of poor response.

12:15

[503] **Bethan Jenkins:** Can that lead to more problems, then, if they don't do it properly?

[504] **Mr Clarke:** Well, absolutely, and I think it's about getting access to justice for tenants. Again, this system's in place to be able to—if you have a hazard in your home, then you can go to your local authority, who has the responsibility to undertake an assessment and appropriate that risk to the landlord, issuing prohibition notices, et cetera. Depending on that could be whether you get a home, whether you can move on from that property, as well, or whether you leave it as a result of the hazards and, therefore, are intentionally homeless. So, it's an absolutely pivotal role, but it's poorly resourced in Wales, in my experience.

[505] **John Griffiths:** Would you agree with that, David?

[506] **Mr Wilton:** Yes, I totally agree with Steve on that. I think it's wider than just risks in your own home; it's risks for other people. So, in a high-rise situation, it's leaseholders in a block taking out a fire door, replacing their front door with something else. I know the fire service has been very frustrated with the lack of enforcement from local authorities on that. I think they may have mentioned it this morning.

[507] **John Griffiths:** Okay, thank you for that. We have a final couple of questions from Gareth Bennett.

[508] **Gareth Bennett:** You mentioned, a couple of times, fire marshals. I wondered if you thought there was any way in which we could promote more fire marshals.

[509] **Mr Clarke:** I mean that in a highly competent sense. In terms of Swansea, I understand that there are fire marshals, and I would expect these are qualified people who know their stuff in respect of that. The other side of it, in terms of voluntary systems—again, with regard to communities, there are what we call gatekeepers in communities: people who know where to go if you have a problem. These look after other people. They could be carers living in that block that do care services for people. It's about educating them adequately around the issue and, perhaps, with people with dementia, et cetera, providing support around what are the basics. So, I am very supportive of having, on each floor—or having a couple of fire marshals in the building. Even when you meet with a landlord, they understand what questions to ask about the risk assessment: the action plan, if there are any checks they can do, physically, around the building, whether a dry riser has been vandalised or whatever. So, they can play an important role in—

[510] **Gareth Bennett:** Could the Welsh Government be involved in pushing more of a role for fire marshals?

[511] **Mr Clarke:** Well, I think it would help if there were moneys available to train people adequately or to resource appropriate organisations to provide training and, maybe, a foundation certificate thing for them so that they could progress that area of expertise if they wanted to. But there are plenty of people who volunteer in blocks. There are plenty of gatekeepers, as I say, who know everything about the block: how many leaseholders; who lives in there; what the history of the block is; et cetera. So, it's utilising that voluntary effort to heighten awareness of fire safety within that community.

[512] **Gareth Bennett:** The other thing that you mentioned was, with the sprinklers—David was asking about that—there has been a mixed reaction to the idea of having sprinkler systems fitted. Is there a role for the Welsh Government in promoting and education in that area?

[513] **Mr Clarke:** Social landlords should have been consulting after 1 January, I believe, 2016, in terms of retrofitting sprinkler systems in high-rise buildings, so I should imagine—I don't know whether David is aware—that consultation would have been under way. As I said, I know that Swansea, Cardiff and Newport are consulting and their boards are looking at retrofitting. So, that work is under way.

[514] **John Griffiths:** Okay. Gareth, if you're content—

[515] **Gareth Bennett:** Yes.

[516] **John Griffiths:** Okay, just a final question from me in terms of tenants being consulted or not on specifications when high-rise blocks are being refurbished: does that happen?

[517] **Mr Wilton:** I can't answer that. I don't know. You'd have to go through all 40 to 50 landlords.

[518] **Mr Clarke:** I would refer to my earlier response in terms of it's very much about colour, style and even appointment of contractors, et cetera. The technical detail of refurbishments, I think, is left to building controls and the appropriate persons, but it's more about the other stuff. There may be, also, some issues and decisions around value for money.

[519] **Mr Wilton:** It goes back to: no one thought of asking, 'Are these safe enough or are they going to result in the tragedy of 80 deaths?' You have to have a certain amount of confidence with these things that somebody knows what they're doing.

[520] **John Griffiths:** Absolutely. Okay, well thank you both very much for coming in to give evidence to the committee today. You will be sent a transcript to check for factual accuracy. Thank you very much indeed. The committee will now break until 1 o'clock.

*Gohiriwyd y cyfarfod rhwng 12:20 ac 13:01.  
The meeting adjourned between 12:20 and 13:01.*

**Ymchwiliad i Ddiogelwch Tân mewn Tyrau o Fflatiau yng Nghymru:  
Sesiwn Dystiolaeth 4  
Inquiry into Fire Safety in High-Rise Blocks in Wales:  
Evidence Session 4**

[521] **John Griffiths:** Welcome back to committee members and clerks after our lunch break, and welcome to our witnesses for our fourth evidence-giving panel today in our one-day inquiry into fire safety in high-rise residential blocks in Wales. Thank you all very much for coming along to give evidence this afternoon. Could I ask you to introduce yourselves for the record, please, perhaps starting with Tony Jones? Just briefly your names and roles.

[522] **Mr Jones:** Tony Jones, capital works manager for Flintshire County Council.

[523] **Ms McGill:** I'm Sarah McGill, director of communities and housing with Cardiff county council.

[524] **Mr Blackmore:** Colin Blackmore, building improvement manager, Cardiff council.

[525] **Mr Lloyd:** Clive Lloyd, deputy leader, City and County of Swansea.

[526] **Mr Nicholls:** Martin Nicholls, director of place for Swansea council.

[527] **John Griffiths:** Okay. Thank you all very much for coming along today. Perhaps I might begin by asking the first question, which is: what steps have social landlords taken since the tragedy at Grenfell Tower to both make sure their residences are safe and to provide reassurance? Who would like to begin?

[528] **Mr Lloyd:** Shall we begin in Swansea?

[529] **John Griffiths:** Yes, okay—please.

[530] **Mr Lloyd:** I think some of our test results got in the public domain the first of any authority. I'll bring in Martin as we're going along and he can bring in anything that I miss. Right from the outset from the tragic events at



Grenfell, certainly from a Swansea perspective, the reassurance of residents within the tower blocks was our primary concern. So, it was put in place immediately a plan of action to carry out that reassurance. It was quick communication via letters to all our residents in tower blocks. It was about providing assurance that, where we had sprinkler systems in place, they were all working, again, with assurance from the fire service that all fire safety regulations were in place. We liaise constantly with the fire service and sought to get testing carried out—the annual fire inspection test brought forward—to be carried out as quickly as possible. It was about, in those blocks where we had the aluminium composite material, putting reassurance through 24-hour fire wardens in place so residents could be reassured, even through the night, that people were on site. It was putting in place an advice line, so that residents could, if they wanted information, ring an advice line. But it was through the day having our housing team leaders and housing staff on site to be in constant contact with residents to provide this reassurance. So, we put that in place almost immediately, and at the same time, obviously, we were going through the process of the testing. We might come on to the testing, and I'll make some comments on those, because I think that is absolutely critical to the point I'm making it about reassurance.

[531] **John Griffiths:** We will come on to that, yes.

[532] **Mr Lloyd:** Martin, I don't know if you have anything you want to add to that.

[533] **Mr Nicholls:** Just, really, in terms of the letter drops. There have been four all together: the first one immediately the day after the terrible tragedy in Grenfell, and three subsequent letters. But not just dropped in: doors knocked; any residents there the opportunity to speak to somebody; seek advice. That on-site presence, I think, has been really, really important, and the feedback at a residents' meeting this week was very positive in terms of the way in which the council had communicated what had happened and what the issues were. And this communication went to all tenants and residents of all of the high-rises—not just the ones that had ACM products there—because a lot of the tenants wouldn't have known the difference. So, there were slightly different messages, depending on which block you lived in, confirming exactly as it applied to them, rather than any generic-type statements, which was also well received by residents.

[534] **Mr Lloyd:** Could I just clarify the point again for the committee that these were put in place prior to any sort of testing being carried out? They

weren't actions put in place as a result of the testing failure. I think that's a really important point that's come up.

[535] **John Griffiths:** No, it was in the wake of the Grenfell Tower terrible disaster—

[536] **Mr Lloyd:** In the wake of the Grenfell—yes.

[537] **John Griffiths:** We understand that. I wonder if I could ask you briefly—. You mentioned the fire safety wardens. Are these council employees, or—?

[538] **Mr Lloyd:** Yes, they're the council—. So, through the day, we have our housing officers available on site: the housing support unit. But these were housing employees who were engaged through the night as well, as an addition to what would normally be carried out. So, yes, local council employees.

[539] **John Griffiths:** Okay. Who would like to come in on this?

[540] **Mr Blackmore:** Cardiff?

[541] **John Griffiths:** Yes, please, Colin.

[542] **Mr Blackmore:** We also wrote to all our tenants—I think it was two days after the fire. We have a big Arabic and Somali population in the bay, so we translated the letter so that it went out in English, Welsh, Somali and Arabic; reminded them about the processes in place and the fire safety conditions that we've currently got at the blocks. Fortunately, none of our blocks had the ACM material, but we thought it a good idea just to remind people of that. We did also provide a dedicated telephone line. Everyone who rang was spoken to, everyone who wanted a visit was visited, and I think the feedback we've had since then is that people were very appreciative of that, and it seemed to work very well. And that's where we are at the moment. We're still taking a lot of calls, but it does seem to have calmed down initially after the first week.

[543] **John Griffiths:** Okay.

[544] **Ms McGill:** I think the only thing to add was we also made residents aware that we were going to independently verify the cladding that we had on six of our blocks. We've got nine high-rise blocks owned and managed by

Cardiff council, and six of them have cladding systems. So, we commissioned that the day after the fire just to add that added reassurance. So, that was also communicated at the time.

[545] **John Griffiths:** What was the nature of that testing then, Sarah?

[546] **Ms McGill:** First of all it was visual, because we needed, first of all, immediately, to understand whether we were needing to take part in the testing. But then secondly, we commissioned a more intrusive set of surveys so that we could be sure of that situation. We've had that report back from our consultant, so we're confident. It was about making absolutely sure we didn't have to comply with the testing regime that was in place.

[547] **John Griffiths:** Okay. So, it wasn't—. I mean, we know about the tests that are taking place at a UK level. In terms of the initial testing, which was more limited in terms of only the external skin of the external panel system, and the current test, which is the more comprehensive test of the entire external panel—. You didn't do a test of that nature, obviously, but—

[548] **Ms McGill:** No. We were just making absolutely sure it wasn't ACM. That was—

[549] **John Griffiths:** That was the sole purpose.

[550] **Ms McGill:** Yes. That was the purpose.

[551] **John Griffiths:** I see. Okay. Thanks very much. Could I ask you as well about the Welsh Government's role in terms of leadership and setting direction? Do you consider that that role has been adequately discharged with regard to these matters since the Grenfell Tower disaster?

[552] **Mr Lloyd:** I think it's difficult to answer that without bringing in the wider context of the communication that was coming back to us as a local authority in terms of the actual testing. In terms of the initial test that we were asked to carry out, I think what we would stress to Welsh Government as well is that, in local government, there's a lot of technical expertise, which we felt we had in Swansea that I don't think was exploited, probably, enough. That may be a lesson going forward. But certainly in terms of the testing that was being carried out and the information that was coming in about testing the cladding in isolation, the communication that we were sending up that we didn't think that that was sufficient, and then Welsh Government passing

that on to BRE and the Department for Communities and Local Government, and then information coming back the other way in terms of at what level that test was being carried out, was hugely frustrating. The impact that we were having to constantly deal with in terms of trying to reassure our residents on a lack of information that we were, hour by hour, day by day, trying to seek from Welsh Government, the Building Research Establishment or DCLG has been the biggest frustration for us, really.

[553] I think, in fairness, Welsh Government—. The Cabinet Secretary came to Swansea and visited some residents along with me during the period, and I think it's been equally frustrating for the Cabinet Secretary and his civil servants to get information from DCLG and the Building Research Establishment as to what tests were being carried out, at what level and whether they were sufficient and what we needed to do next.

[554] **John Griffiths:** Okay. Before I bring Bethan in, what you're saying really then, Clive, is that, in terms of the technical expertise within the local authority, you would have advised early on that the initial testing was inadequate, that the testing that is now taking place is what was necessary, and your frustration was that that knowledge wasn't sought from you or that you didn't have the opportunity to put that forward to Welsh Government initially and that then, because it's you to Welsh Government, Welsh Government to UK Government, BRE, it's a bit convoluted and it's not as timely as it might be. Is that it, in essence?

[555] **Mr Lloyd:** Again, I'll bring Martin in now, but almost immediately post Grenfell and in the work that we were carrying out locally, I think we've held a consistent line, which has been reflected in press and media interviews, of the need to carry out a full-system test because testing limited combustibility in isolation is going to give you a failed test. The analogy that really hit home to me was that we get into a vehicle every day with combustible materials; if you test that in isolation—i.e. petrol—it's going to combust, but it's the system around it that protects. That's always been our message: testing the cladding in isolation wasn't sufficient; it was never going to be sufficient. A whole-system test was what was required, and, thankfully, at the end of last week, DCLG and BRE seem to have taken that—. But we've been consistently saying that over the last three weeks.

[556] **John Griffiths:** Yes, sure.

[557] **Mr Lloyd:** Again, I don't know whether Martin wants to come in.

[558] **Mr Nicholls:** Do you mind if I just add to that? I think there were a couple of flaws really. The first one was a lack of clarity over what the test was actually trying to achieve. So, discussions with Welsh Government officials to try and seek clarification and, as Councillor Lloyd has said, Welsh Government were clearly caught in the middle between the DCLG and BRE. But, we had communication with Welsh Government and with BRE officials to try and, firstly, seek clarification as to what tests they were doing and whether it was a test to demonstrate compliance with building regulations or a test to prove something else—and that's still ambiguous.

[559] We also directly advised that at least one of the tests that needed to be undertaken was to demonstrate compliance with building regs, unless of course there was a view that the current building regs were inadequate in terms of the situation. Again, failure to get clarity over that didn't help the situation.

[560] The third thing was that, after trying to seek clarification for a number of days and not getting it, communicating that, then, when the samples were sent off, with those sorts of caveats to say, 'Please, when you test these, can you please clarify exactly what the test is?' It's not about a failed test, but it's about, if there's a failed test, using the wrong methodology and the effect then that had on residents, regardless of the reassuring messages that we were able to put in our correspondence. You can imagine it was very, very difficult because we were communicating that the products that were being installed—because these are relatively new refurbishments—were compliant with building regs. Yet, elsewhere in the UK, somebody's indicated a test has failed; therefore, they're not safe. A lot of the terminology being used nationally hadn't helped that understanding either. Interestingly, on the day before the actual samples were tested from Swansea, the full-system test that we'd been advocating had been undertaken by BRE on the product supplied by the manufacturer who supplied our products and passed.

13:15

[561] So, effectively, there was a passed system test on 29 June, and the day after we could notify that our building had failed, and then have to deal with the aftermath of that. I think the communication around that and a more joined-up approach between local government, Welsh Government, DCLG and BRE would have helped to certainly avoid some of the anxiety that's been created as a result of that lack of communication.

[562] **John Griffiths:** Okay. Well, thanks for that. Would you add anything from Cardiff, first of all, on that? Is the experience any different in Cardiff?

[563] **Ms McGill:** I think the big difference is the issue around whether there were ACM products present or not, because that, I think, is what's made the significant difference in the experience. Because once we were clear—and I think the communication was very clear—about what to do in the sense of, 'Check to see if it is', and then there was the testing regime, if it wasn't, that was very helpful to have that as a clear piece of information and clear guidance, and so our experience was that that was very welcome. It arrived in a timely fashion, and we were very pleased with that. But I do think it depends on what the results were that you were looking at in terms of what kind of cladding you'd got. That was the key.

[564] **John Griffiths:** Okay. Well, thanks for that. Tony, in terms of Flintshire, first of all, in terms of the first question—as I neglected to bring you in at that stage—but also in terms of these questions, what would you say from a Flintshire perspective?

[565] **Mr Jones:** Going back to the first question, we're relatively lucky in that we've only got three tower blocks, and we're even luckier in the fact that one tower block sits on one side of our office and the other two blocks sit on the other side of the office. So, it's close proximity from our point of view. We've also got accommodation support officers based as a hub in one of those units. So, as far as reassurance for the tenants is concerned, we see a lot of the tenants every day when we go and buy a sandwich. So, there's a lot of conversation going on during the course of the day. But immediately what happened was that, on the morning of the fourteenth, we sent a team of accommodation support officers, housing managers and housing officers to go and visit everybody. It was all hands on deck, all the staff together, reassuring everybody, trying to calm everybody with the reassurance that what we've got is a good system that we've put in place. It's not the same as what was happening in Grenfell. The following Wednesday—the twenty-first—we'd organised a combined information bus from the North Wales Fire and Rescue Service. So, they brought an information bus to the premises. They were there all day. We invited everybody to come and talk to the fire brigade and ourselves—the fire service and staff from Flintshire County Council. Again, a secondary wave of reassurance. Following that, we did manage to get involved in checking all the things that we needed to be checking and doing some extra conversations, extra inspection regimes,

joint inspections with north Wales fire service. So then we held another tenants' evening meeting last Tuesday—Tuesday the fourth—to both sets. I say 'both sets' because there's a tenants residents association for a pair, and a separate tenants residents association for the single. So, we held some more information meetings for them last Tuesday. I felt that maybe after that meeting the tenants felt even more reassured. They were reassured on waves 1 and 2, but with the constant media attention that's been portrayed to everybody, they were still a little bit unsure. I think the meeting that we had last week sort of managed to reassure everybody, finally. But it's a constant reassuring conversation that we're having. We have regular personal emergency evacuation plans with everybody in the blocks. I think 50 per cent of our blocks—. They're all sheltered, so 50 per cent of the people in those blocks have regular PEEPs with accommodation support officers. So, personal evacuation plans are readjusted every single week; so, there's continuous conversations going on with those people.

[566] Coming back to the second question—sufficient leadership and direction—fortunately, we haven't got the ACMs, unlike our colleagues in Swansea, et cetera. So, I think, from my perspective I felt that the information had come through very, very quick. You're following central Government's guidance around what's to be tested. The only major question I had was, 'Well, that's great; I haven't got that material, but I have got other materials.' I think I was turning my attention immediately on the Friday to the normal external wall insulation products that we have got as part of the community energy saving programme and the carbon emissions reduction target funding that we'd been receiving over the last five, six, seven or eight years. So, my attention turned very, very swiftly on the Friday to start looking at what we should or shouldn't be doing there. I was trying to find some guidance as to whether we should be doing anything with these, bearing in mind that, I think, quite a number of organisations—local authorities and ourselves—have had tenants and private people setting fire to their own buildings to prove to themselves that that is adequate. So, I thought, maybe, if we were to learn something from this, maybe we shouldn't have just taken it to the ACMs; we should have just widened it a little bit to, hopefully, stop people trying to burn their own houses, which I don't think is a very good idea. So, we had to put a quick communication out on that to try and calm that down and to stop people doing that task. So, I think, from my point of view, initially, quick communication—all good. ACM—that wasn't a problem for me; it was a problem for our other colleagues, but I was looking for a bit more guidance on what we should be doing for the other types of products.

[567] **John Griffiths:** Well, that's very useful. Bethan.

[568] **Bethan Jenkins:** Yes, I just wanted to go back a step and perhaps—excuse my ignorance, I'm not a specialist on this. If you know or don't know that you have ACM—Cardiff, you seem to imply that you didn't know or that you wanted to confirm that it was ACM. So, regardless of Grenfell, at what point, anyway, would there be potential testing of these flats for you to be reassured that they're safe? For example, you already knew, it seems to me, in Swansea, that a whole-system approach was necessary to give a conclusive outcome. So, how do you feel that the system works, regardless of this tragedy, and how then do you think that, potentially, if you do have this technical expertise, or if you do have this knowledge, we can learn from this so that we can be assured that—not that we want anything to happen, but if there was to be something the future, there would be that operational activity already in place?

[569] My second question is: you mentioned, Martin, that you were testing against building regulations, but if not against this, then what? That is my question, because you said there was some confusion as to—. If it wasn't tested against building regulations, what were you trying to assess? So, I'd like some—. Well, if you can't give me clarity, then at least to understand what, potentially, you thought you were testing against.

[570] **Mr Nicholls:** I'll try and pick both those up. On the first one, the normal procedure would be through your annual fire risk assessment, so you do your assessment of the block and that would include everything, including any risks, external, internal, fire doors, et cetera, et cetera. So, that would be a normal process for assessing if there were any risks. They're done by a trained officer, and then shared, and then joint visits are arranged with mid and west Wales fire service, in our case. So, therefore, if there are any concerns in terms of fire safety, then they would be picked up and then dealt with—

[571] **Bethan Jenkins:** And have you had any concerns over the years, or is it—

[572] **Mr Nicholls:** No, no concerns. There will always be minor issues. You might find tenants have left some rubbish in a communal area, so it's about reminding tenants that, actually, they need to make sure they don't; installing, as they already have, our fire doors on the buildings—if tenants are damaging them or have taken off their door closures, then you would



look at that. So, they tend to be minor amendments.

[573] In a way, fortunately or unfortunately, because all of the refurbishments are only either recently completed or are ongoing in all of those high-rise blocks, we have the specifications and exactly what was being done to hand, so it was immediate, the information. So, we were very quickly able to determine which ones had the ACM products that we were asked to specifically look at and which ones didn't. And then the blocks that haven't been refurbished, they would be the traditional either concrete or brick finish. So, you can immediately do that risk assessment and see whether anything has changed.

[574] In terms of the test, I probably can't answer part of it, because we were seeking clarification of exactly what the test was trying to achieve, including discussions with colleagues through building control, and we weren't able to establish the test that was being commissioned by DCLG of BRE. So, that was the test, as we understand it, of the core of the ACM panel, as opposed to—there are a number of ways of achieving building regulation compliance, and one would be a whole-system test. So, trying to seek clarification. I think, in the end, whilst we still haven't got the clarification, the fact that the whole-system test now appears to be an acceptable method of proving safety, we've now been able to communicate with our tenants that we've now got that reassurance, but that was after three sort of 'yes', 'no', 'yes' exchanges as to whether we could give that reassurance, and we've now been able to do that, as it stands. And that was only after the full-system test of 29 June.

[575] **Mr Lloyd:** A frustration for us, again, with those tests was either BRE or DCLG not knowing that this full-system test was being carried out as well. They were dealing directly with information, releasing information, about a failure of the individual cladding systems, but it seemed that nobody knew that this full-system test had been commissioned by the manufacturer on identical systems to Swansea's and this was being carried out at the same time, and that wasn't fed to us. So, a huge cause of frustration for us, but, more importantly, it could have given us reassurance for the residents a lot sooner. So, I would just add those remarks there.

[576] **John Griffiths:** Tony.

[577] **Mr Jones:** So, just to make my mind clear, you're asking: would they have tested it before Grenfell? If Grenfell hadn't happened, your question is:

would they have tested it, as a basic test?

[578] **Bethan Jenkins:** Yes, as part of the general fire safety checks—obviously now I know—so that you would know that the cladding would be what you thought it was and that it would be safe as well.

[579] **Mr Jones:** I think, for me, generally speaking, when we talk about external wall insulation—cladding, rainscreen, call it what you like—I'm trade background. Thirty odd years ago I started talking about fire internally. So, if you look at buildings, generally speaking, you've got a lot of work that has gone on internally for fire protection. It has become a science. We need to look at the science of this. So, I have got knowledge going back 30 years of science of what to do and what not to do regarding fire from an inside perspective. Externally, cladding and the types of systems that we've got now are quite a new science. So, we need to be clear on that. I don't think we're in situation here of, 'Is it building control's fault? Is it the specification's fault? Is it the suppliers' fault?' I think, generally speaking, it is a new science that maybe we haven't got enough knowledge about. Does that make sense?

[580] **Bethan Jenkins:** So, even if you were to look at it now, it may reveal something different in the future because of the—

[581] **Mr Jones:** Definitely, because of what's happened. But, I think, even if you look back over the last six to 10 years, the people who are specifying various products haven't got 30-something years' worth of experience around internal protection. Because, basically, we're putting something on the outside of a building, and we've set light to a building from the external side, and, yet, not from the inside. We've got good fire protection measures on the inside, generally, across most buildings, but we're moving into a new science, a new area of technology, that maybe, collectively, a lot of people haven't got a lot of knowledge about. Just to apply that thought process a little bit further, it's a bit like a heating system. We've got gas boilers. Everybody knows about gas boilers now, but there's a lot of other alternative technology coming on board: ground-source heat pumps, air-source heat pumps. Do we fully understand of all of that technology? No, not really. We're learning, and we're learning as time goes on. Does that make sense?

[582] **Bethan Jenkins:** Yes.

[583] **Mr Jones:** So, to answer your question about whether they would have tested it, it wouldn't have been an automatic thought process, I don't think,

for anybody in any council, or any RSL, to think, 'I need to go and test that'. But those thought processes, potentially, should have been done.

[584] **Bethan Jenkins:** Okay.

[585] **Mr Jones:** Does that make sense?

[586] **Bethan Jenkins:** Yes, that makes sense. And Cardiff?

[587] **Ms McGill:** Yes, I think it's probably worth drawing that out a bit, because it is about the fire safety arrangements that you have overall. So, the cladding that we have in Cardiff was installed in 1990 and 1992, and so it's been there for a considerable period of time. But it is about making sure that you have both the materials that you use and the fire doors that you have, the testing arrangements that are in place—that you've got a really robust regime to ensure you've got sterile areas in the communal areas. That's really important. Obviously you have sprinklers in the bin chute areas and in the areas of high risk. But it is that whole-system approach to fire safety that's the key, and I think it's unfortunate in some respects that the focus in a sense is only about that external material, although it's obviously crucial. But it's about the overall management systems as well. I don't know if you want to add anything to that, Colin.

[588] **Mr Blackmore:** Yes, basically we were fortunate that ours were clad in the 1990s, when there wasn't the modern, light material there is now. Ours is a basic concrete product, really. But we do carry out our risk assessments, and you ask, 'Do you pick up anything?' We pick up something every time. We do them every six months and there's lots of stuff. We're out with the fire service today looking at lifts. There'll be a tenant who dropped something in one of our blocks—a settee somewhere—but we've got caretakers on board every day, and they'll pick that up. So, there are issues, and that's why we do it, but we do have regular training events with the South Wales Fire and Rescue Service, who've done live training in eight of our nine blocks. So, there are a number of things that we're doing, and, with all that energy going into it, those blocks should be safe.

[589] **John Griffiths:** So, you do fire risk assessments every six months. Is that the position in Swansea?

[590] **Mr Nicholls:** Every 12.

[591] **John Griffiths:** Every 12 months.

[592] **Mr Nicholls:** With interim joint visits with the fire service. So, the formal fire risk assessment annually, but with additional visits depending on the programme of the fire service across all our high-rises as well.

13:30

[593] **Mr Blackmore:** Ours is more formal and we review every six months, and then the fire service tend to come round—. Well, they're more regular at the moment, that's for sure, but they'll look at each block every 18 months, two years.

[594] **John Griffiths:** And in Flintshire, Tony?

[595] **Mr Jones:** Yes, the towers are done annually, unless any significant works have taken place, which is paramount for all of us. And the lower level stuff is biennially, unless any significant works have happened in those blocks, and we have regular conversations and meetings with the fire service as well.

[596] **John Griffiths:** Okay. Joyce.

[597] **Joyce Watson:** I want to pick up on duties and whether you as landlords are all clear about your duties under the fire safety legislation, particularly the fire Order 2015. That's my question.

[598] **John Griffiths:** Yes, the Regulatory Reform (Fire Safety) Order 2005.

[599] **Joyce Watson:** Oh, sorry, yes. I got the wrong year. Sorry.

[600] **Ms Nicholls:** I think that, yes, we're clear, hopefully, with the reassurance that we've had, and, going through all of the approaches with the fire service, they've not raised any concerns in terms of the approach that we've got. I think it's safe to say that there's probably some ambiguity around some of the guidance that goes along with the legislation, because, I think, whilst the legislation is clear, there is some ambiguity in terms of the guidance which can mean that—. It could be clearer, if we were looking at areas for improvement. So, I think that will be an opportunity, looking forward, for the future.

[601] In terms of where we've got the sleeping accommodation and the fire safety in purpose-built blocks, bear in mind that part of the problem we've got is we're not building any new buildings. So, we're governed and restricted by the existing assets that we've got and the existing structures that we've got as well, in terms of escape routes, et cetera.

[602] **John Griffiths:** Okay.

[603] **Ms McGill:** Yes, I think we are clear. Obviously, we used the guidance, 'Fire safety in purpose-built blocks of flats'. One of the questions we had was, I think—. We understand that Welsh Government were actually looking at a set of regulations specifically for Wales. I think Colin actually contributed to it.

[604] **Mr Blackmore:** I think we've got the fire safety Order of 2005, but the practical interpretation of that is with this document that most authorities use, I think, and are probably familiar with. And I think it was mentioned in the letters that came round, that were circulated, about testing et cetera.

[605] **John Griffiths:** What is that document?

[606] **Mr Blackmore:** It's called 'Fire safety in purpose-built blocks of flats'. You use it in tandem with the fire safety Order, which is more the black-and-white sort of—. So, this is more your practical stuff that you should be doing about compartmentation et cetera. Now, as far as I'm aware, the Welsh Government commissioned a Welsh version of this, and I understand that is with the Welsh Government to rubberstamp and seal at the moment. I think it was written by a fire officer, Richard Davies, and it was circulated for consultation with local authorities. So, I understand there's going to be a Welsh version of this, but that's currently—

[607] **John Griffiths:** It's not out there yet, and we obviously don't know how different it will be from that document. No, okay. Well, we can certainly take an interest in that as a committee.

[608] **Mr Jones:** To answer your question, yes, we're well aware of the fire safety Order 2005. I think maybe this is potentially common amongst local authorities, as opposed to RSLs, and it's around who owns the legal responsibility for anything that needs to be done. And, if I use one or two small examples of that, traditionally, our corporate team dealt with some of the issues like lifts, as an example. They would put out a lift maintenance

regime for all of our buildings, including the housing buildings. So, we've got a corporate team that deal with the lift inspection regime. But, since I've been involved in the last five years, I've been taking parts of that away from the corporate team, especially on the houses that we manage and look after, and we've brought them in-house to the housing team, taking it away from corporate. And I've built together a small team of individuals to work in what I class as a 'communal area', and not specifically fire risk, but to deal with asbestos, to deal with legionella, to deal with fire risk, et cetera—it's all of the compliance issues in those communal areas, because we as an authority have got around 50 blocks altogether, which is 97 individual units.

[609] Obviously, that's a lot smaller than some of our colleagues in some of the other authorities, but I felt that it was an important piece to manage. And what I've done with that is to put people in that team who are fully aware of their legal responsibilities and duties to deal with the fire regulations in particular. For myself, that's part of my background. I've got a guy who's been working for local authorities, for CIPFA, for 10 years, so it's quite a specialist team of individuals that are now dealing with that. But I think that's potentially the big difference, maybe, between us and some of the RSLs. So, if you're an RSL, with your unit, you may already have a set of people to deal with that.

[610] But it's been a slight problem, I think, with local authorities having different teams dealing with different parts of the building. And if I use fire extinguishers, which are very simple, basic things—. You know, when we had the fire brigade round last week, some of them hadn't been checked since 2015, because corporate managed that part of the process in our building. So, I'm grabbing that back.

[611] **John Griffiths:** Right.

[612] **Joyce Watson:** We did hear from the Chartered Institute of Building this morning that—. Because one of the issues about fire safety very often comes after some modification work has taken place and has compromised what was already there. They suggested, and so I'm going to run it past you, that it would be a really good thing if there was a permit of works, so that anybody who carries out any work—and, of course, it would be very easy for you in your field, because there's one only—to issue a permit of works that then gets signed off by the responsible person, but also that the local fire and rescue service could also help with that. What do you think of that?

[613] **Mr Jones:** I'll start, if you don't mind. I'm a fellow of the CIOB, so I'm well aware of some of those conversations that have been going on. I think, in principle, it's quite a good suggestion, because you're along the lines of the hot works permit, which is what somebody would do if they're working in that area. So, I think that, in principle, it's quite a good idea. But I'll just come back a step and come back to the last conversation I just had a moment ago about corporate and housing and maybe two different teams doing things. The work now that goes on in those properties, my team specifies and manages while they're on site. Okay? So, as far as compartmentation issues are concerned, they now deal with those contractors under strong contract management during that process. So, we specify it and contract manage it, whereas, traditionally, maybe in the past, corporate team might have specified it and got the tender together, and then you've got a dissemination then with maybe the contract team who are managing it on site. So, again, I think it was an important factor for me to take it all in-house. So, we're specifying it and managing it on site as a contract administration. But, personally, I think it is quite a reasonable and good idea to do a hot works permit scenario, so you are signing something off at the end of each day that you've checked that that piece of work has been fully compartmented. It sounds a good suggestion to me.

[614] **Mr Lloyd:** This is all about learning, isn't it? You know, we'd be foolish not to learn from all this sort of work that's been carried out. I'll hand over to Martin now to talk about the technical implications of that.

[615] **Mr Nicholls:** Yes, actually, I do think it is a good idea. I think there are some boundaries as to what type of work we're talking about—so, certainly works that would affect the compartmentation or the actual integrity of the fire system itself, as opposed to, you know, many hundreds of thousands of day-to-day repairs that would be done on those same buildings. So, you would already have a similar process in place if you were doing major works through the CDM regulations anyway, so the major works would be covered. And the greater risk, I would believe, would be on the very small amount of work that somebody doesn't see as a big issue—to knock a little hole through a wall just to put a cable through for Sky TV. So, it's that sort of side. And, of course, an added complication to that is that there's also tenant involvement and what tenants may do in terms of works or, perhaps they shouldn't do, but do in terms of their own properties. But I certainly think it's an opportunity and an idea worth exploring, yes.

[616] **John Griffiths:** Okay, well—

[617] **Joyce Watson:** And—

[618] **John Griffiths:** We've moved on, I think, to refurbishments, which is the set of questions where I think Gareth Bennett had some points to make.

[619] **Gareth Bennett:** Yes. Thanks, Chair. When refurbishment is undertaken, what priority is given to fire safety considerations? I don't know if, Tony, you want to get the ball rolling.

[620] **Mr Jones:** Yes, I mean, similar to what we just mentioned there, and the fact that we're specifying it and managing it. I think that's the important piece, I feel. Just beyond that, just picking up on what my colleagues said about tenants, et cetera, we do have a lot of people dealing with work in all our buildings. We have day-to-day repairs. We have got our own internal DLO. I held a toolbox talk only two weeks ago on the back of the strength of this, educating that team around compartmentation. So, I think it is trying to get that message round to as many people as possible—people beyond my team, people beyond the people who are under my control—to try and get that message out. Something that we've been considering is a fire safety booklet for our tenants. That would form part of compartmentation—that would form part of that booklet, to remind tenants that they are not to do that break in that chain.

[621] **Gareth Bennett:** How does it work in Cardiff? Is there a—?

[622] **Mr Blackmore:** I think we've got a similar set-up, it sounds like, to Tony. We've got a dedicated compliance team, and we have regular fire management meetings, and we've got a special group. We all should be aware of the CDM regs, as Martin mentioned. If you are doing any work that falls under CDM—but, if you are doing a boiler installation programme or a kitchen and bathroom programme or something, you will have a construction phase plan, which is a safety plan that comes back from that contractor. We are very aware of the issues about compartmentation, issues about hot work, et cetera. You'll have specific risk assessments for those sorts of things that we should have in place—we have got in place. But if we can learn any more then we can. We should be on the ball with all that, because we are responsible landlords, and we do vet our contractors. They are safe contractors. They should be working in the right way. We've got scheme managers who are probably on site almost every day, so—.



[623] **Gareth Bennett:** And how about in Swansea? Do you feel it works well in Swansea?

[624] **Mr Lloyd:** It's absolutely at the forefront as far as we are concerned. Our procurement, and our operational procedures post procurement, adhere to that. Again, I'll pass on to Martin with the detail, but I think that what's reassuring for me, as a politician locally, is that we've gone through a refurbishment process quite recently—in the last couple of years, 18 months—and all the fire checks that have been carried out post Grenfell have assured us that our contractors have actually been working to the standard that we've set out at the front end of the contract, and that has actually been implemented through our contract management and contract assurance procedures, post sign-off. So, politically, we're assured, but Martin will answer on the technical aspect of how that works.

[625] **Mr Nicholls:** Certainly, like colleagues have already described, very much a similar approach in terms of corporate landlord functions—so, everything vested in one place. I think if I had been asked the question probably five years ago, I'd be more concerned that we wouldn't have necessarily visibility as to what everybody was doing. But now, as colleagues have said, because that has been the natural direction of travel for most local authorities and housing associations, it's all managed, commissioned, monitored, supervised and then checked in one single place. We are fortunate that most of the work is undertaken by our own directly employed staff. Therefore, the toolbox talks, et cetera, can reinforce the importance of fire safety—the visual checks of, when somebody is going into a flat, even if it is to do an unrelated item, checking that the door closures are still intact on the fire door that we installed last year. So, it's those sorts of additional, added value checks that we can get. But it is, on this occasion—. I am not one for control, but, on this occasion, it is about control, and not allowing people in to do things in our buildings that could compromise the safety of them. So, I very much endorse what colleagues have said.

[626] **Gareth Bennett:** Is there any potential issue still there with the vetting of subcontractors who carry out repair work?

[627] **Mr Nicholls:** Well, the contract award, clearly, would normally vet your principal contractor. Then, through your CDM regulations, et cetera, or the normal checks, you would establish and ensure that all—as I am sure colleagues do—contracted appointments take place in line with the Welsh Government guidance. So, we use the SQuID pre-qualification questionnaires

to assess previous performance and future performance in terms of health and safety. There is always a risk, I guess, as you go further down the supply chain, that you are directly appointing to a principal contractor, and sometimes knowing where that stops.

13:45

[628] So, we do whatever is reasonable, certainly for the principal subcontractors, to ensure that we are happy with their performance, bearing in mind—. I think the major works I wouldn't be concerned about at all, because there is an on-site presence and a regular vetting, both from technical officers and building control and others. If there was a risk, which is small, it would be on much smaller scale, ad hoc little schemes, where, perhaps, in the past you may have got a much smaller contractor who's not as familiar with health and safety and perhaps things like the CDM regs, but I think we will have closed that down, certainly over the last few years, in terms of the approach that we've got.

[629] **Gareth Bennett:** Okay, thanks. How do you feel that system works in Cardiff?

[630] **Mr Blackmore:** Yes, we do exactly the same, and we've got the procurement side of things, where there's usually a cost and a quality split, 70/30, so you'd check that background experience. We have quarterly meetings with all our contractors regarding compliance and health and safety, and that'll pick up stuff like asbestos, fire, Legionella, as Tony mentioned. We actually go down to the next level and we do ask for details of all their subcontractors and we check that they're accredited under the Safety Schemes in Procurement scheme, which is a sort of contractor safety scheme that's quite recognised now, but we do on-site visits as well. We'll check training records and ask for copies of the certificates and things like that, so we feel we've got it pretty well sorted, really.

[631] **Gareth Bennett:** And, in Flint, Tony, do you think that vetting procedure is robust?

[632] **Mr Jones:** Yes. I think, to echo what colleagues mentioned earlier on, it is more difficult with the small and medium-sized enterprises marketplace. Principal contractors are very well set up in this day and age, although they bring their own challenges to us, when we're dealing with principal contractors, and what I call the plc-type companies—the large companies.

Their vetting process is very, very strict, so we're offering the local supply chain to go and work with the main principal contractors, and some of them do not end up working for those principal contractors, because their vetting process is very, very strict. So, unfortunately, some of the local SME marketplace lose opportunity because they're not geared up to go and work for the principal contractor. So, when we talk about principal contractors, I'm very, very comfortable with the arrangements that are in place.

[633] Going a bit further down the supply chain to the SME marketplace, some of the smaller projects I deal with, I get some of my different surveyors working closely with those guys, trying to educate those SMEs, and I'm pleased to say that because of that process—. We've had a couple of Health and Safety Executive visits recently in the last 12 months, and they've been very complimentary of the SME marketplace. But it does take a lot of handholding from, again, a certain small number of my team, who are of a contractor-based background and have more health and safety knowledge about what they should be doing, but they're actually teaching the SME marketplace. It's time consuming, but it's getting those guys and girls ready for that next step up to when they take on projects of their own.

[634] **Gareth Bennett:** Okay, thanks.

[635] **John Griffiths:** Okay. Thanks for that. Would any of you have anything to say about a means of safeguarding against the danger of the external cladding, the exterior of the building, being breached by drilling works, whether it's for satellite dishes or for telephone lines or for cable or whatever? We've heard previously that this does risk compromising the fire safety of the building. Are you doing anything, or is there anything obvious that might be done, to guard against that risk?

[636] **Ms McGill:** I think the issue is that, for works that are being managed in the way that we've all described, I think we'd be confident that that compartmentation was not breached, and that steps were taken to ensure that that didn't happen. I think Tony's earlier point is very valid, though. I think, across the board, it tends to be smaller works, and potentially those undertaken by tenants themselves, where we wouldn't necessarily be aware. I do think that Tony's idea about more communication about why it's so important that that isn't breached might be something that's worth exploring further, because it tends not to be the big contracts of kitchen and bathroom improvement or boiler installation, or whatever it is, or even where you're putting in satellite dishes and so forth; it tends to be where things have

happened on a very small scale, and that, I think, is an area we need to think about, I would say.

[637] **John Griffiths:** Okay, thanks for that. Well, we have some further questions on fire safety measures. Jenny Rathbone.

[638] **Jenny Rathbone:** Thank you very much and apologies for not being here earlier. Could you tell us whether high-rise residential buildings are generally fitted with fire sprinklers? Obviously, older ones won't be, but, anything that's after 2007, are they?

[639] **Mr Nicholls:** For Swansea, no. None of our high-rise blocks are fitted with sprinklers. Some of the low-rise residential ones are, but none of the high-rise are.

[640] **Jenny Rathbone:** Oh, interesting answer. Could you explain why you chose the low-rise for—?

[641] **Mr Nicholls:** Risk assessment, and in terms of the refurbishment works that have been ongoing over the last few years. There's no requirement for them to be installed. That is something, now, that Swansea's looked at, and we'll be looking to retrofit sprinklers on all blocks. However, when the risk assessments were done on those blocks that are 14 storeys and above, in conjunction with the fire service, it was and is intended to install sprinklers on those as part of the future refurbishment, and it did seem a little bit unusual for us, going forward, to be installing sprinklers on those blocks without, then, covering the existing blocks for peace of mind and reassurance of the tenants. In the past, the regulations didn't require it, because, as we've talked about earlier, the actual fire precaution works that take place in the building have been deemed sufficient to meet the requirements of building regulations.

[642] **Jenny Rathbone:** What about in Cardiff and Flintshire?

[643] **Ms McGill:** So, in Cardiff, we have sprinklers in the bin stores and in the chutes in all of the high-rise blocks, but not in the individual flats, so that's the position with the high-rises.

[644] **Jenny Rathbone:** And in Flintshire—?

[645] **Mr Nicholls:** Can I just add? That is the same. We do have the

sprinklers in the bin chutes.

[646] **Jenny Rathbone:** Okay, fine. Thank you for that. Flintshire.

[647] **Mr Jones:** We've got three towers, as I mentioned, and I fitted sprinklers in the refurbishment works that have been going on in the last 18 months. We had three projects on the go at the same time. We did external wall insulation, which was new windows, doors, et cetera, which had one project manager looking after that. Two of the blocks needed all heating pipes renewing because we'd knocked down a load of maisonettes, so it wasn't fit for purpose, there were leaks everywhere, but we fitted sprinklers at the same time as doing the heating pipes. So, I had three projects going on. Three contractors—one principal contractor, but three contractors on site over an 18-month period. We put a second project manager on the sprinklers and the heating internally, so one project manager was managing work inside, and one project manager was working on work outside. And the reason for putting the sprinklers in some time ago—. We were talking about this prior to popping in here today; it's a difficult one, and I wouldn't like to share this next word, but it's an ugly word, and it's 'money'.

[648] As far as local authorities are concerned, in Swansea, Wrexham, and Flintshire, we've got a lot of investment to do to get to the WHQS. My job is to manage the WHQS programme of works. Part of that is the communal area work. So, what we're all trying to do is to make every penny stretch—every pound stretch to its maximum—to achieve the WHQS by 2020. So, when I was developing my business plan to get us to WHQS, I didn't have money in for sprinklers as part of that plan, but, as I got involved in that procedure with my team and we started developing that team, I felt that, from a risk-based point of view, because the three units are sheltered accommodation blocks—I went back to my chief officer and asked her for an extra £0.5 million so I could fit the sprinklers in the three blocks. I've got to be honest, initially, when she asked me to explain why, I explained why, and she went along with the idea and, from that day on, I was fighting against everybody, and I mean fighting against everybody—the finance team, the repairs team, housing management, tenants while we were fitting it. Nobody wanted these sprinklers in—they were ugly; making a lot of mess while we were doing it. And I fought against an awful lot of people and I had to front a lot of angry tenants, to be honest, while we were doing the project—I had three or four tenants' meetings—because it's retrospective, it is messy; it's not a nice job. But I felt that the risk level for a sheltered accommodation block, with one means of egress, one staircase—. I felt that we needed that as an extra

added level of security and protection. So, we went to the three towers first. I'll be honest; I didn't really have any intentions around sprinklers in the lower levels, but all my politicians are now coming to me and saying, 'Can we have them in the low-level units?'

[649] **Jenny Rathbone:** Thank you for that. In terms of focusing on our high-rise blocks, is there any virtue in limiting retrospective installation of sprinklers to the communal areas on the grounds that they're accessible, they're not where people's furniture is, and it provides you with that egress from wherever the fire might be?

[650] **Ms McGill:** I think, potentially, that may be the case, and obviously we will need to review, absolutely, whether there's going to be retrospective installation of fire suppression. I do think that guidance in that area is very important, because obviously each block, some of them are—. You know, our earliest block was built in 1958, I think; it's been there a long time. We do, I think, need to take a balanced approach to the risk here. I know that's a difficult thing to say, but over the years, in the last 10 years, we've had 19 quite serious fires in our multistorey blocks—all have remained contained. Obviously, we learn, and we will want to ensure that we are following, you know, the best practice. But I think it has to be a balance in terms of what is effective and what the most important steps that we can take are. Again, it is this whole-system approach, I think. As I said, obviously we will be considering the guidance coming out from the inquiry in London, I'm sure, and taking that view. But it is important I think we take the right step to ensure that safety is enhanced, really.

[651] **Mr Jones:** Sorry, if I could just step in there—if you're talking about communal areas and common areas for sprinklers, we need to look at the source of—

[652] **Jenny Rathbone:** Yes, so in the stairways and passages.

[653] **Mr Jones:** Well, you need to look at where the source of ignition starts. Generally speaking, if we were to historically look back at where the source of ignition starts, it's in the home, it's in the flat—

[654] **Jenny Rathbone:** No, I understand that.

[655] **Mr Jones:** —as opposed to common areas, sorry.

[656] **Jenny Rathbone:** Okay.

[657] **Mr Lloyd:** Again, I don't know whether Martin bought it up, but we have taken the decision in Swansea to retrospectively fit in all our high-rise blocks. So, we've already made that decision.

[658] **John Griffiths:** What sort of cost is involved in that, Clive?

[659] **Mr Lloyd:** We're going through the procurement exercise as we speak. Martin—I think it's six figures—I don't know if you can put any more clarity on it at this stage.

[660] **Mr Nicholls:** Yes. I think, as we were speaking before we came in, it's probably a lot more than if we'd have fitted them 12 months ago. I think the indicative figures are circa £200,000 to £300,000 to £400,000 per block. So, you know, that's the sort of indicative figure—.

[661] **John Griffiths:** Is the increased cost, compared to a year ago, a matter of supply and demand, as it were, or—?

[662] **Mr Nicholls:** Almost certainly, yes.

[663] **John Griffiths:** Okay.

[664] **Mr Nicholls:** And the ability to actually recruit. There are a limited number of sprinkler manufacturers in the UK and installers. So, I think, given the demand is likely to increase significantly across the UK, that's going to be quite difficult.

[665] **John Griffiths:** Okay. And there are a number of other fire prevention measures. Jenny.

[666] **Jenny Rathbone:** So, do your high-rise flats have fire alarms, or do they have smoke detectors? What is the norm in terms of provision?

[667] **Mr Nicholls:** Smoke detectors—individual hard-wired smoke detectors in each flat, and then communal areas covered separately.

[668] **Jenny Rathbone:** Okay. Smoke detectors—

[669] **Mr Blackmore:** We've got the same: smoke detectors in the flats. Our

two highest blocks have got fire alarms in the communal areas as well.

[670] **Jenny Rathbone:** Fine. And in Flintshire?

[671] **Mr Jones:** Yes, smoke detectors that are linked to a call centre, an out-of-hours call centre as well, and fire alarms in the common areas.

[672] **Jenny Rathbone:** So, if they go off, they're linked to a call centre, but not directly to the fire and rescue service.

[673] **Mr Jones:** Yes, directly to the fire and rescue service. The fire alarm does—directly to the fire service—but in the flats, the smoke alarms, the Chubb system is connected to what we call Galw Gofal, which is an out-of-hours service, and it's also linked to another service called Custodian. So, it actually sends messages to two sets of individuals, and then both of those individuals get in touch with the fire service as well, and then we go with where there's communication with the tenants in the flats then.

[674] **Jenny Rathbone:** Okay. But do you communicate with the resident initially to say, 'What's been going on?', or do you automatically contact the fire service?

[675] **Mr Jones:** Sorry—in the case of a fire? When the alarm goes off?

[676] **Jenny Rathbone:** When the smoke alarm goes off.

[677] **Mr Jones:** When the smoke alarm goes off, that will alarm the out-of-hours service. So, that out-of-hours service will then contact the tenant direct via a call centre system.

[678] **Jenny Rathbone:** Okay, thank you.

[679] **Mr Jones:** And then inform us.

[680] **Jenny Rathbone:** Very good. So, how frequently do local authorities check the escape routes to make sure that, obviously, there are no blockages to escape? In particular, what consideration, if any, do you give to people who are infirm or have a disability and how they're going to escape? I mean, in the Maelfa flats, obviously, there are quite a lot of housebound people. What's the strategy for ensuring that they are going to be able to be removed, were it to be required?



[681] **Ms McGill:** The answer to the first question is 'daily'. So, the escape route's checked every day. In terms of elderly or disabled residents, and for all those residents in our sheltered blocks, we have personal emergency evacuation plans, which are updated regularly, and they're also made aware to the fire service as well so that they know.

[682] **Jenny Rathbone:** Thank you for that. What about Swansea?

14:00

[683] **Mr Nicholls:** Formal weekly checks, via our risk surveyor, but, effectively, all housing officers and housing managers who are in the blocks will look at that and identify any potential risks with that. And they're actually undertaking daily checks at the moment, but, prior to the terrible fire, there were weekly formal checks. It's very similar in terms of the advice as to disabled people. Obviously, they can request a transfer. We can't force people to move, but if people request a transfer, that's taken into account in terms of the points that would be allocated if they wished to transfer out of high-rise.

[684] **Jenny Rathbone:** And in Flintshire, is it the same or similar?

[685] **Mr Jones:** Yes, we've got daily checks going on and we've got our housing managers who do a monthly check as well, not just of the fire escapes but the whole block in its entirety. That's something we've been very, very keen on the last couple or three years. As far as vulnerable tenants are concerned, I've already mentioned the sheltered accommodation, so we've got quite a large number. I think that, in one of the blocks, it's 50 per cent. So, what we do is—the accommodation support officers who are based in that unit do personal emergency evacuation plans, PEEPs, on a weekly basis. Every Monday morning they get updated, and that information is put in a secure box on the ground floor for the fire service. So, they are aware of any vulnerable tenants who are in that building, including any specialist problematic areas around oxygen tanks et cetera, et cetera.

[686] **John Griffiths:** Okay. We have to move on quickly to advice issues. Before we do, just one further question from me: do any of you have particular concerns about single staircases in your tower blocks? Is that a cause of concern for any of you?

[687] **Mr Jones:** Yes, it is for me. Ours have only got the one single—. I mentioned earlier on the sheltered accommodation. So, this comes back to the 'stay put' scenario. Again, that's part of the reason why we put the sprinklers in, so there is some extra added protection around 'stay put'—so, extra sprinklers in along with all the other added measures we've put in place. But let's just say that that's up for review, and I'm sure that that will be a national conversation. It's already started, that conversation, hasn't it, around the 'stay put' or 'get out' policy et cetera? We've had some heated debates ourselves around that policy. So, it does cause me concern. We've got one means of access and egress, yes. I can't say it doesn't worry me. I've been looking already at what the situation is—can I put an extra staircase on one side of the building or not? That's my thought process at the moment, not necessarily to help people get out, but even just the fire brigade getting in or tackling it from a different angle. I can't deny that, from my point of view, it's something I think we need to look at.

[688] **John Griffiths:** Okay. Colin.

[689] **Mr Blackmore:** Yes, the majority of our blocks have got one staircase, but they're totally sterile. There's nothing in there that should burn or we've got automatic opening vents, which should take the smoke out. You know, unless something hits it from outside, that staircase should be good.

[690] **Mr Nicholls:** Yes, it's the same point. Going back to the point about compartmentation, it's about keeping those exit routes sterile. But, yes, for us to say that only having one means of escape is something we'd all be entirely happy with—. Clearly, it would be ideal if we have more, and that does directly linked into the 'stay put' policy, which, again, I'm sure is something that's going to be looked at and reviewed by the fire service and others as well.

[691] **Mr Jones:** I'm looking at a different set of fire doors for that staircase. I'm looking at upping the grade of door on that staircase to give it some extra compartmentation over and above what is, potentially, the minimum.

[692] **John Griffiths:** I see. Okay, well, thank you for that. Over to David Melding.

[693] **David Melding:** Thank you, Chair. Just to talk about the 'stay put' policy, we've heard a range of things, really. When I put this question to the fire service, they said they'd rather the base concept be 'stay safe', which

then introduces an issue where, in a catastrophic failure, the best advice would be to evacuate the building as soon as possible. So, we've had 'stay put' perhaps merging more into 'stay safe' and then another one was, 'if in doubt, get out'. These various messages are obviously getting to tenants, even if you are quite firm in the message that you're putting out. Obviously, people read the papers or are maybe listening to this evidence session, indeed. So, where are we? What's the best advice? What's your current advice? I think Mr Nicholls indicated that there is probably going to be perhaps a bit more systematic reviewing of this as well. So, when might we see the product of that? I don't mind who starts.

[694] **Mr Jones:** I'll start, if you like. You mentioned that it's a difficult subject, isn't it? I think it's not helping having the media attention. Even if we look at the wider scale of what's gone on nationally, you've got the London Fire Brigade and Greater Manchester—two conflicting perspectives. But, when you break it down, I don't think it is conflicting information. I think the Greater Manchester perspective is 'get out', but what they're referring to, which I don't think has quite been made clear, is 'get out if your house is on fire, or if your flat is on fire'. So, that's the sort of advice that we're giving to our tenants. We have got a 'stay put' policy. I've already mentioned the sheltered accommodation block—one means of egress. It's not fantastic. So, we are saying 'stay put', but we're also saying, 'If the fire is in your flat then, yes, you need to get out of your flat.' So, I think that's where the anomaly has arisen from, in the media and the national press, over the last two weeks. You've got two different conflicting pieces of information. That's what the people see as the headline, isn't it? You see London and Manchester—a difference of opinion. But it's not actually a difference of opinion if you break it down and look underneath the skin.

[695] **Ms McGill:** And that's exactly the same position in Cardiff. The advice is to remain and following the fire service advice to stay put unless the fire is in your flat, in which case you need to leave immediately. So, that's the same advice.

[696] **David Melding:** And do you want to add anything?

[697] **Mr Nicholls:** The same situation in Swansea. We issue a fire booklet, which confirms our advice. Again, we visited that with the fire service, we met with them a couple of times in the last couple of weeks, and they've repeated that that is the best advice that we can give. So, again, I suspect it will be reviewed, but we need to go on their advice as it is at the moment.

[698] **David Melding:** Obviously, fires are very dynamic situations, and I don't want to reflect directly on what happened last month, but in the event of something structural, catastrophic and potentially, therefore, grave happening, at the moment would there be enough flexibility so that people would know when existing advice then has to be immediately reviewed and how is that done? Because it's possible you could make a decision to stay put because your flat has not been affected, or the whole level that you are on may not have been affected, but an escape route—I do acknowledge what you've already said about keeping them sterile, but if there's a more general fear of failure of the exterior of the building or something, that could have happened a few floors below you, and a decision to delay in those circumstances obviously could have grave consequences. So, I just wonder how these adaptations, during an event—you know, might they occur? Or is this just very, very challenging and perhaps something that needs profound review?

[699] **Mr Jones:** You've answered the question yourself, I think. Yes, those last two statements—fire technology is very, very complicated. If you just look at some of the shopping centres that we've got in the city of Cardiff here, they have refuge areas for vulnerable people to stay while work goes on around them to evacuate the building. So, they have a get-out situation. So, people are vacating the building but they have refuge areas for vulnerable people to stay. So, to answer your question, we're going into the science again—I mentioned science earlier on—and the science of the fire technologies and what we should or shouldn't do in the case of X, Y or Z.

[700] Every building does present its own different challenges. If I use my building as the example: we have got a sterile staircase; it's in a good position, central to the building. But the reality is—and, again, as we were sharing earlier on, I've been on a couple of shouts with the fire brigade, because they've borrowed our buildings for dummy runs and I've been on those shouts with them, seeing how it all works—it's a very small, tight staircase, and that staircase is there for firefighters to get up. You know, we need to think about this. It's a pretty hectic situation that's going on—you've got seconds, minutes to deal with this. So, I don't think any of us would answer your question, I don't think, it's fair to say, because this is going to be a national problem and there's going to be a lot of science—we need to revisit all of that science and we need to revisit that technology as to why these things happen. The other thing is that, again, I've done quite a lot of fire technology research, and then we bring into the equation human beings

and human beings behave very, very oddly in fire.

[701] **David Melding:** Yes, at 2 o'clock in the morning you wake to face this and you're terrified, disorientated—there are all sorts of emotions going through your mind.

[702] **Mr Jones:** There are, but it's been proved—I've seen some figures with the fire service of situations that have happened and human behaviour in fire is quite bizarre, I think you'll see, and that's just in a very small contained fire. It's still quite bizarre how they don't see the danger sometimes. I think the biggest problem we've got with fire—and, again, Grenfell showed this—is the speed at which it can take hold. People underestimate that problem.

[703] **David Melding:** Do you have anything to add that's different, or would you agree, basically?

[704] **Mr Nicholls:** Just really to go back to the point about that we really can't say too much about the compartmentation. If the 'stay put' policy, which is what we've got and what we're advised, gives absolute reassurance that you have those stairwell escapes, the absolute reassurance that you have proper fire doors et cetera, because that's what it relies on—containment of the fire and then—.

[705] **David Melding:** That's been really stressed by all witnesses, I must say, so I think we've got that message. Just to finish, then, I think we all noted how quickly you communicated with your residents after the Grenfell catastrophe, because, obviously, it's possibly the biggest fire incident since the second world war. It just marks a terrible event. And I think you referred, in Cardiff, to the languages that you were communicating in. Your method of communication—is that varied as well? Would you go door-to-door and talk to people as well as leaflet distribution, or putting things up in communal areas and, presumably, your websites for those that access in that way? So, just some reassurance, really, on the various methods you're using would be useful.

[706] **Mr Lloyd:** Can I just come in, as the only politician here? I think it's fair to say local government post Grenfell was severely tarnished by some of the behaviour and some of the actions from some in Kensington and Chelsea, and then Camden in the following days. Whilst there's no backslapping here by any stretch of the imagination, this is a serious situation that we've been dealing with, hour by hour. We were talking about it earlier, weren't we? This

has totally consumed us for the last three weeks post Grenfell. I have to say, as a politician, that the work of our officers in Swansea and, from what I'm hearing, in Cardiff as well, has been absolutely outstanding. I've seen the reaction—the ability to react and interact with tenants through a number of mediums, so whether that's through letter, through personal visits, through liaison with the fire service to get them on site and escort them round, having our fire marshals available through the 24 hours, has been certainly a credit to Swansea, and I can't thank Martin and his housing team enough for the way that they have responded and reassured residents, even in adversity from the information that was coming down from central Government and BRE. I experienced that myself, along with the Cabinet Secretary. So, Martin will answer the question in a bit more detail, but I'm reassured by how local government, certainly in Swansea, has reacted to this. It's been first class and outstanding from my experience and involvement in all of this.

[707] **John Griffiths:** Thanks for that. Just in terms of detail, I'm afraid, we've got very, very limited time, so if you could just answer very briefly, that would be appreciated.

[708] **Mr Nicholls:** Certainly. All mediums, and whatever medium—so, letters, face-to-face, meetings if required, 24/7 telephone—

[709] **David Melding:** And the face-to-face would be with the more vulnerable groups and people, would they? On a risk basis, you might be—

[710] **Mr Nicholls:** Everybody. We've done it with everybody, yes.

[711] **David Melding:** Thank you.

[712] **John Griffiths:** Okay, thank you all very much for that. You will be sent a transcript to check for factual accuracy. Thank you very much for coming along to give evidence today.

14:15

**Ymchwiliad i Ddiogelwch Tân mewn Tyrau o Fflatiau yng Nghymru:  
Sesiwn Dystiolaeth 5  
Inquiry into Fire Safety in High-rise Blocks in Wales: Evidence Session  
5**

[713] **John Griffiths:** Okay. Afternoon everyone. Thanks for coming along

today for our fifth and final evidence-taking session in this one-day inquiry into fire safety in high-rise residential blocks in Wales. I wonder if you could introduce yourselves briefly for the record please, starting with Ceri.

[714] **Ms Doyle:** I'm Ceri Doyle, chief executive, Newport City Homes.

[715] **Mr Beckingsale:** Tim Beckingsale, director of asset management for Pobl Group.

[716] **Mr Brunt:** Alan Brunt, chief executive of Bron Afon housing association in Torfaen.

[717] **Mr Ropke:** Stuart Ropke, chief executive of Community Housing Cymru.

[718] **Mr Owen:** Mike Owen, chief executive of Merthyr Valley Homes.

[719] **John Griffiths:** Okay. Thank you all very much. Perhaps I might begin with the first question, which is: what steps have you taken since the tragedy of Grenfell Tower to make sure residents are safe and also to provide necessary reassurance? Who would like to begin? Ceri?

[720] **Ms Doyle:** I don't mind, Chair, if that's okay. If I could start with the latter point first of all, on the morning of the tragic events that were exposed on all of our tv screens, we took the decision that it was important to give our residents as much assurance as we could. Consequently, from about 8 o'clock that morning, we had our community relationship officers on site in all three of the buildings. At that point, they were just dealing with inquiries as they arose. Later on in the day, we did a door-knocking exercise, which provided all of the residents with a written update, which was subsequently shared with our local councillors, our AMs, our MPs, as well as with our colleagues in south Wales fire and rescue. That approach has continued over the last four weeks, and we're now on the fifth communication that's gone out to our residents.

[721] In addition to that, the following day, we started a process of surgeries in each of the tower blocks, where our staff, alongside south Wales fire and rescue, would meet with any residents that had concerns that were arising. That seems to have worked quite well. I couldn't say to you, hand on heart, that there are no anxious residents. I'm aware of two myself. The majority—and we have 240 people in the three tower blocks in Newport—are content

with the communication that they've had, and, furthermore, many of them are actually advocating, as Members may have seen in the press, that they actually feel quite safe in the building.

[722] In terms of the actual steps that we've taken since that point, we did have fire risk assessments that were up to date. We've taken the opportunity, in partnership with our colleagues in south Wales fire and rescue—and I think they were speaking to you earlier today—to update all three fire risk assessments. Additionally, we've conducted a level 4 intrusive fire risk assessment, which has ripped up—for simplicity's sake; I'm not a technical expert—floors, ripped up plaster. We've checked things like the fire protection measures that are in place. We've ensured that fire breaks are all functional, all doors are functional, that the fire retardant paint is doing the action that it should be doing, that all fire safety elements, whether they be heat alarms or, indeed, smoke alarms, are all working, as well as having conducted an evacuation exercise of one of the tower blocks, and we've now brought forward that evacuation testing on two of the other blocks.

[723] Clearly, the residents' view is the one that is of most importance to us. We've also been in touch with some of the press and media outlets, as we have concerns that there was a degree of a media circus surrounding the events. Whilst I understand the commerciality of the newspaper industry and, indeed, of the media, it wasn't really putting our residents at the heart of what was going on. And I'm really grateful to both the Welsh Government, our colleagues today from CHC, and south Wales fire and rescue, for enabling us to manage that and make sure that all communications went to residents first, and then more broadly.

[724] **John Griffiths:** Okay. Who would like to go next?

[725] **Mr Owen:** We've got one tower block. On the morning after the incident at Grenfell Tower, our staff went there and door-knocked, and we had a 09:30 meeting with all the residents. South Wales fire and rescue came with us, which was really good, because the cynicism, after what they'd seen, about us was, 'Could we be really trusted?' But the fire service there, saying, 'There's a lot of measures in place; you can rest assured, we know this block intimately', was great. We had a lot of questions, with everyone incredibly anxious, but, once we'd gone through the cladding system on this block, the block had sprinklers, it's got a huge number of other measures in, there was a level of, sort of, air going out of the room, and people felt, 'Okay, thanks'.



[726] We agreed that we would come back the following week, the same time, to allow people to go away, talk to families, think of questions that might have come up in the meantime between those two dates, and we were back a couple of times. And, in between that, following on from Ceri's point about the media, BBC Wales—and many, many inquiries from different media outlets—wanted to bring an independent fire expert to assess the block. We decided that the public scrutiny of that would be worth having. They came, and that did actually give the residents quite a bit of assurance on top of what the fire service had said. So, the second meeting was a lot calmer, everyone was feeling pretty—most of the things had been done; we'd spent a lot of time talking about the stay-put policy, and was it a stay-put policy, and wasn't it. That was kind of their big issues.

[727] And then they've agreed to set up a fire-watch-style committee in the block, to review the fire risk assessments, as they're done, just to keep them informed about all the measures that we've done, the checks that are supposed to have been done. Since then, we've written to everyone who lives in our low-rise flats, because the concern in high-rise was obvious and explicit, but it wasn't a very easy excuse for us just to say, 'You live in a low-rise, this doesn't apply to you', when, actually, we've got 40-odd low-rise blocks, where we've got running fire risk assessments. So, we wrote to everyone in low-rise with the risk assessment details, what we'd found in the risk assessments, the type of construction and issues about safety.

[728] So, there's been a lot of activity in the last couple of weeks, and a lot of reassurance. And, like Ceri said, I wouldn't like to say everyone's feeling confident, because it did shake people to the core, what happened—there's no doubt about that. But I think most of—a couple of AMs have been up to have a look round and they met some residents. I think the feeling was that as much is being done as possible, and they could feel as safe as you could in the circumstances, I think.

[729] **John Griffiths:** Okay. Mike, just very briefly, the fire-watch system, how will that work?

[730] **Mr Owen:** The fire what, sorry?

[731] **John Griffiths:** The fire-watch system that you mentioned—how will it work?

[732] **Mr Owen:** I think the idea was that just a group of residents—there

was about five or six—were going to get together periodically, and our health and safety officer would go and meet them, and they'd say, 'Have you done the water checks on the pressure, have you done this?', 'Yes, we've done that, we've done the walkabout, we've done the assessments. Have you got any concerns?' It's just a way of having a dialogue between us and the residents, which continues, about fire safety. So, you know, perhaps five years, 10 years ago, it might have been about kids getting into the tower block and anti-social behaviour, but it's kind of all going to be about fire safety in tower blocks now, I suspect, and we'll be meeting them regularly to talk about that. We couldn't think of a better name than 'fire watch', and that was just the name we came up with on the morning.

[733] **John Griffiths:** Sure. Okay, thanks very much. Alan, has it been much the same for you, would you say?

[734] **Mr Brunt:** I think so. We were concerned not to—I mean, our circumstances are very different, because the three towers that we own do have sprinkler systems fitted and the construction of the external wall insulation is a very different approach. And we were concerned not to alarm residents unnecessarily, but we did very quickly get in an information leaflet drop, wrote to all residents, carried on the work that we do. We worked very closely with South Wales Fire and Rescue Service in giving reassurance to residents in all the high-rises—we're very active with the fire service on that. We've stepped up the work needed on our fire risk assessments, to make sure that the few gaps in those, that we're making sure that we've got—we've accelerated programmes to address some of the gaps in those. Not that those are serious gaps, as I say, because we've got the sprinkler system fitted and other approaches as well so that there aren't significant gaps, but, nonetheless, by way of giving assurance, we've wanted to make sure those programmes have been accelerated. Like others, we've sent off our materials as a further reassurance, really, for testing. They're not ACM materials, but nonetheless, as part of belt and braces we have submitted our stuff.

[735] **John Griffiths:** Okay. Thanks for that. In terms of Welsh Government's leadership role and Welsh Government's responsibility to set direction in dealing with these matters, would you have any reservations or any concerns about Welsh Government fulfilling that role—the way it's fulfilled that role, the way it is fulfilling that role—or not?

[736] **Mr Ropke:** I think I'll probably start with this one. This was an incredibly fast moving story from day one, post the tragic incident onwards. I

think what we found very quickly is that we were clearly engaged in a data collection exercise with our members and talking to our members extensively. Welsh Government had requirements about what they needed, as did the Welsh Local Government Association as well. So, what we saw, actually—this is one, again, of the strengths we have in Wales—was a very quick joining up of forces with Welsh Government and the two representative bodies, sharing data, actually working from the same data and then using us, as the umbrella body, really to be able to distil messages down to our members quickly and appropriately. Tenant safety and reassurance was the No. 1 priority, but equally, rather than Welsh Government being bombarded, being able to filter stuff back through us where there were issues—. So, I actually think that over the three weeks or so since the Grenfell Tower incident, Welsh Government have, certainly at official level, done a very, very decent job from our point of view. I think if you speak to our members they'll say the information we've had has been good. That said, that's possibly not the whole story. In terms of the social housing sector—and clearly, we're representing the housing association sector here—very quickly, we can get a handle on the issues. We have 18 tower blocks owned by housing associations in Wales of over seven storeys. We can do those messages. I think the bigger issue here is in the private sector, actually, in terms of where it moves on to, and I think that's possibly more difficult for things to be done.

[737] From our point of view, speaking to our members, we've been able to work very closely with Welsh Government and the WLGA. Crucial amongst that, I have to say—and I think the media circus here has already been mentioned—I can't remember a media feeding frenzy around something in housing like we've seen over the last three weeks. By talking and working very closely with our colleagues at WLGA and Welsh Government, we've been able to ensure that the messages to the media are consistent. I think that's been absolutely key. It's about reassuring tenants here that their safety is the No. 1 priority and what happens next—those messages have to be consistent. So, we've worked very closely with them on that, including a joint media briefing with Welsh Government, ourselves and WLGA to journalists off the record. Actually, that was an opportunity to explain to journalists just what the issue we were facing here was: ACM—what is it, what does it look like, what was the testing regime, why was it being done that way, why were we all supportive of whole-system testing? So, from my point of view, I think it's an operation that has worked well and has actually got more efficient over the weeks, as you'd expect.

[738] **Mr Owen:** Can I add a point? I echo everything Stuart's said, but the one area, I think, is that I'm keen to make sure that we don't narrow this view about safety in high-rise to just what materials are used and what materials are put in place. We've all got real concerns about leasehold legislation, which not all housing associations have got, but certainly local authorities and ex-local authorities have got leasehold flats. While we can control the fire risk within the properties we own to some extent, we can't control it in leasehold flats. So, as an example, Merthyr Valleys Homes fitted sprinklers, and we fitted for free sprinklers in all the leasehold properties. We fit fire doors for free, but they can take them off because it's their own house. The rising gas main goes through the flat—we have intumescent breaks between the kitchen and where the rising gas main is. It doesn't mean the leaseholder can't take the kitchen units to pieces and rearrange the kitchen in a different way, leaving us all at risk. We don't know if they service their gas boiler or gas mains or their gas appliances. We think there are lots of wider issues than just materials in high-rise and we'd welcome more discussions on that with Welsh Government.

[739] **John Griffiths:** Okay. Tim, before we go on, in terms of Pobl, is there anything that's different to what we've heard in terms of the initial steps taken or your concerns about Welsh Government's leadership role?

14:30

[740] **Mr Beckingsale:** Not particularly, Chair. We have, post Grenfell, quickly confirmed that there are no ACM cladding materials within Pobl's estate. There's one block in particular that we've been concerned with in Swansea—Vivian House in Blackpill—and we have carried out two interim fire risk assessments. We've gone on site on 19 June and 26 June. We had staff teams there talking to residents. We've written to residents, just to reassure them over fire safety issues. We are happy with the systems that we have operating there. We have no ACM cladding within the estate. Nonetheless, just to pick up on Alan's point about belt and braces, we took samples and sent them off for testing, just to confirm the situation there. So, we've been pleased, actually, with the way that CHC have interacted with us. I just want to back up Stuart's points—and I'm sure that we all agree with this—we feel that CHC have done a really excellent job in terms of mediating between ourselves and Welsh Government, and the flow of information has been good. It's been really helpful. It's been literally hour by hour on some days, and it's been a good process in that sense.

[741] **John Griffiths:** Okay, thanks for that. I wonder if I might ask Ceri, in terms of Newport City Homes, whether there are any updates on the testing. As we've heard, we've all followed the progress in terms of the initial, more limited testing, which many thought was too limited, and we now have testing of the entire external panel system, as it were, which, as we've heard previous to your evidence and in your evidence, is, perhaps, a more sensible and satisfactory testing regime. Any update on the testing of that external panel system, Ceri?

[742] **Ms Doyle:** Of course, Chair. I think—well, not 'I think'—I hope that some of our predecessors who've given you comments today would have explained to you the situation with the Department for Communities and Local Government. Just last week they confirmed that they were now moving to testing two types of insulation material, as well as three types of external cladding. I'm sure Members will be aware, given the amount of exchange that there has been on this matter, that all of the cladding systems are made up of an insulating inner, a gap, and then an exterior cladding. So, that whole-system testing, DCLG confirmed was taking place last week. They're now conducting those six tests. We don't have a date yet in relation to when those tests will be made available. I know you asked previously to my colleagues about the support of the Welsh Government. It has been good. I would encourage the Welsh Government to ensure that we know when the outcomes of those tests are going to be made available to us at the earliest possible opportunity, because regardless of whether there's a pass or a fail, I think there are going to be implications for high-rise living and for us, as social landlords, in dealing with high-rise living in the future. So, from a Newport City Homes perspective, as Members may be aware, we did have a fail in relation to the ACM panel test that was on our building. We are still, with the support of the South Wales Fire and Rescue Service, reiterating that the combination of safety measures in our buildings means that it's still safe for our residents to be living in them. The outcome of the testing will enable us to determine what actions need to be taken, both short and longer term. So, the sooner we are made aware of when those results are going to be made available, the sooner we can then begin to act on our contingency plans.

[743] When it actually comes to contingencies, it may be worth noting to the committee that there are challenges at the moment with the supply chains. I can speak for Newport with some authority, but less so for other parts of the country, and I'm sure colleagues can speak for their own tower blocks. We know that the insulation materials used in Newport are fire retardant. It's the

ACM that's on the outside that, as an isolated component, isn't. As part of the whole-system testing, we'll either get a fail or a pass. If we were to try to replace just the ACM on the exterior of our building, indicative costs that we're receiving at the moment are that it would cost more to simply replace the 4cm ACM cladding than the costs of putting in the entire cladding system when the refurbishment was conducted 2013. Now, I can't talk for the private sector and I'm not sure if you're receiving evidence from them at the moment, but morally, that gives me problems in that my residents' rent, which ultimately pays for the work that we conduct and the maintenance programmes we take forward, may need to be utilised to accommodate inflated prices in order to accommodate any additional safety measures that come about as a result. Aside from the financial implications, there are now, also, I'm led to believe, supply chain issues, so the access for replacement cladding for the ACM is limited. As I'm led to believe, a number of manufacturers are choosing to await the outcome of the inquiry that's taking place before they're releasing, at any scale, products to the market. I mention that as context for you, but again, if there were areas that the Welsh Government could support us in addressing, they may be two areas to consider.

[744] **John Griffiths:** What sort of cost is involved, potentially, for Newport City Homes?

[745] **Ms Doyle:** So, for Newport City Homes we have three tower blocks that are 11 storeys high. At the time that we installed the current cladding system, which is made up of 125mm of fire-retardant Rockwool with a 4cm panel on the outside and the appropriate fixing materials—the cost of doing all three tower blocks at the time was £1.8 million. That was circa 2013–14 costs. We're now being told it would cost £2 million, and that's just an estimate to just replace that 4cm external cladding. Now, I appreciate there is inflation in the economy, and I'm not an expert in this field, but that seems like an awful lot of inflation in order to just replace one element of a system.

[746] **John Griffiths:** Okay. I know other Members wish to come in, but I was just going to ask Stuart: when we talked about Welsh Government's leadership role, Stuart, you mentioned the private sector. Could you just say a little bit more about that? Are you saying that perhaps it's a particular challenge for Welsh Government in terms of the private sector issues?

[747] **Mr Ropke:** I think it will be a challenge, because I know they are working closely with WLGA to identify the private sector blocks across Wales.

I'm aware that work is progressing, but purely in terms of numbers there will be more private sector blocks, clearly, particularly that have been built in recent years across Wales—particularly in big cities. And I think the infrastructure we have in place to work with social landlords and local authorities is very much more advanced than the linkage with the private sector and owners of blocks—and you've got particular management arrangements in private sector blocks around management companies, share of freehold and owners. So, I think the issues there, I would suggest, are significantly more challenging than getting a handle on the issue within the social sector.

[748] **John Griffiths:** Okay. Well, thanks for that. We have some further questions from Joyce.

[749] **Joyce Watson:** Just really asking whether you're all confident that you fully understand the fire safety legislation, and particularly the fire safety Order of 2005.

[750] **Mr Brunt:** I feel very confident that we understand the requirements of the 2005 Order. We have a fire safety consultancy on a retainer, as it were. We work very closely with them about fire safety. We have dedicated fire safety officers within the organisation who take a lead on fire safety—working with our tenants, working with the fire service—and around 50 of our staff are particularly trained on fire safety measures. So, in terms of what we're required to do under the Order, yes, I think we have a very strong understanding of that. I don't think it's—. I think where the lack of clarity lies is around some of the wider building regulation requirements and that sort of thing. In terms of what we're expected to do, I would be confident.

[751] **Mr Owen:** I would just add that most of us are probably the responsible officer under that Act, which means we're the ones that will be ultimately hoicked off to court. So, we're pretty keen that that is enforced and we do it properly and our organisations are informed about it, because the health and safety officer or the consultant is the competent person; we're the responsible officer.

[752] **Mr Ropke:** Just to hopefully give some assurance, perhaps, for the wider sector, CHC have had a fire safety network group in place for six years. It has consistently been amongst our best-attended network groups. It meets on a regular basis; we had a recent meeting last week. The joy of that group: you can discuss the legislation; discuss the latest developments around fire

safety—it's exactly what it's there for. But, importantly, we are joined in that group by colleagues from local government, Welsh Government, but also the fire and rescue services. That's a very, very important bit of infrastructure that's in place to help give some assurance across the piece. And, certainly, all of my members—33 of them— take a role in that group. I think that's indicative of the importance they place on fire safety.

[753] **Joyce Watson:** Okay. We heard this morning about an idea from the Chartered Institute of Building about a permit of works being given for alterations that might then help feed back into any work that is done on any of the properties, so that they conform to and maintain the fire safety standards that are currently in place, to make sure that they don't compromise any of the standards that are already there, and also to feed into the meetings that you have, so that you could be then assured that those works do comply and don't compromise. What do you think of that idea?

[754] **Mr Owen:** I'm not quite sure what they said, but certainly, one part—

[755] **Joyce Watson:** A permit of works being issued by anybody that does anything to any of the properties that you might oversee—

[756] **Mr Owen:** There are certainly certain elements of that I'd be really supportive of, because one of our biggest problems is utility companies making alterations without permission, drilling through fire doors, drilling through fire walls, just turning up—someone wants Sky TV, and they just go straight through whatever they want. So, I think there would be a lot of merit in that.

[757] **Joyce Watson:** Are you all agreed?

[758] **Ms Doyle:** I agree with what Mike is saying about the utilities issue. What has become apparent to me over the last four weeks are some of the complexities, not just around the building regulations, but in and around the procurement process that is complied with when we take forward any refurbishment works. You have the relationship between the lead contractor and subcontractors; the relationship between the lead contractor and expert advisors, whether architects, cost control or whatever element; you've got the inter-dependency between building control and the planning department and the broader responsibilities of the local authority to connect with stakeholders like the fire brigade. In addition to that, you have certification bodies like the British Board of Agrément and United Kingdom Accreditation



Service. It's such a complex area. Whilst I'm not opposed to what I think colleagues have maybe said to you this morning, there is a need for clarity and simplification, in my view, of the current regulations, and I just caution against anything that would superimpose on what we already know to be a very heavily bureaucratic process, which has potentially allowed for some complacency in relation to what we've seen that's happened at Grenfell. So, 'yes' to what you've proposed that colleagues have said to you, but alongside greater clarity and simplification of what's in place, I'd suggest.

[759] **Joyce Watson:** But one of the big issues that's also been raised this morning in terms of what are called complexities inspection. It was given in evidence to us that if, at every stage, you had the right level of inspection, with the right people carrying out that inspection, you would immediately remove some of that confusion, because the standards would be met in exactly the same way, whether that's materials, whether it's work or whatever else it is that people are doing in their construction.

[760] **Ms Doyle:** If I may, I think I'd agree with that, but what's become apparent over the last four weeks is that if errors have been made elsewhere, or if, as we pore through the complexities of the situations we each have as landlords ourselves, we all have an accountability and a responsibility. Mine is to my tenants. So, as an example, I will have compliance electricians that will check works that are going on. Now, to the best of my knowledge, we go above and beyond what is required under any of the inspection, regulation or, indeed, some of the statutory requirements that are in place.

14:45

[761] When I challenge my officers as to why we're doing that, the answer, quite simply, is, 'It'll keep you out of jail, Cer.' But at the heart of that is that it gives us the assurance. It enables me to demonstrate that I understand the accountabilities and responsibilities that we have on us, and I think that, if you look at some of the emerging findings from Grenfell, there was clearly a lack of accountability and responsibility in some areas.

[762] **Mr Beckingsale:** I just wanted to add that, within Pobl, we've found an approach that works very well for us, which is employing a member of staff who is a specialist in fire safety. We work with external consultants on a retainer as well, but we've actually employed a member of staff who is properly qualified and competent. On this whole issue of controlling refurbishment, and even on new-build schemes, we make a connection

there. So, we will have that member of staff checking on new builds and refurbishments as sites progress. It's an added measure to make sure that we are keeping on the right side of the law and regulations as well.

[763] **John Griffiths:** Could I just ask in terms of fire assessments as well how regularly they're undertaken and the level of training that those undertaking the fire assessments receive?

[764] **Mr Owen:** Do you want me to take that? Ours are done every 12 months. The—

[765] **John Griffiths:** Is that general, that it's every 12 months? Yes.

[766] **Mr Owen:** But different consultants and different experts will tell you, based on their assessment of what's there, when they think the next one's needed. So, we've had them previously in the past when they've said, 'You don't need one for three years.' But we've kind of upped that to a year in the last year, really. We've been back through them all and we're doing them in shorter time periods.

[767] **Mr Brunt:** That's the same with Bron Afon too—every 12 months.

[768] **Mr Beckingsale:** We will categorise based on risk. So, some of our properties will be done on an annual basis. Depending on risk, some will be every two years, some will be every three years. Certainly, high-rise is an annual fire risk assessment, definitely.

[769] **John Griffiths:** Yes, okay. And the same with Newport City Homes?

[770] **Ms Doyle:** Yes.

[771] **John Griffiths:** Okay. That's great. We'll move on to some questions from Jenny Rathbone.

[772] **Jenny Rathbone:** Okay. Thank you. I just wanted to ask a question about fire sprinklers. I think, Mike and Alan, you both mentioned that your high-rise buildings had sprinklers already installed. So, I just wondered what the situation was with the other providers.

[773] **Mr Beckingsale:** The one scheme that I mentioned before, Vivian House in Blackpill, Swansea, is a 1960s build, so it's not fitted with

sprinklers. We have an alarm system in place and a range of other fire safety measures. We are certainly considering retrofit at the moment. It's an eight-storey block, with 32 apartments. We have a dry riser in place. It's something that we are considering now, and I expect it's going to be an option that we may well take.

[774] **Jenny Rathbone:** Okay. And Ceri.

[775] **Ms Doyle:** We don't have them in the buildings at the moment. In 2013, when the work was conducted, I'm led to believe that it was considered that the package of measures that was in place didn't necessitate it at that time; neither did the building regulations. We have now moved to a position where we are installing, and the board have approved that. So, it's just a matter now of, again, working with the supply chain and getting a date for that work to be conducted.

[776] **Jenny Rathbone:** Okay. Were you aware that the guidance issued from the UK for England and Wales suggested that sprinklers or something similar were recommended for high-rise buildings?

[777] **Ms Doyle:** I'm aware of that guidance now. I understand that that wasn't the situation when the works were done on refurbishment, and that's exactly why we're responding. In terms of the research that we've conducted, our board believe that there isn't a case for not installing them.

[778] **Jenny Rathbone:** Fine. Thank you for that. Stuart, would you like to just give us the overall picture if you are able to?

[779] **Mr Ropke:** Yes. The picture across the piece, I think, is that four blocks currently have sprinklers across Wales. They're in just 25 per cent of the high-rise blocks. My understanding—and Ceri's already referred to Newport City Homes—is that a number are now considering it and I would expect to see that number rise quite quickly. If we go back to CHC's response to the sprinkler legislation consultation back in 2013, we certainly saw the case—and we made clear in that response—for sprinklers in high-rise where there was risk, but I think, with some of the issues we were seeing at that point, it wasn't feasible in every instance. There were a number of issues around infrastructure, including water pressure, water tank storage and the like. Sprinklers clearly have a role to play here. They clearly will play a bigger role going forward. I think it has been said that they are just one part of the bigger fire safety system within blocks. But I'm pretty sure, from speaking to

members across Wales, that where people are able, they will move now to install sprinklers in their high-rise blocks where that's appropriate.

[780] **Jenny Rathbone:** Okay. When looking at all the other measures—thank you for that—are the high-rise buildings normally fitted with fire alarms? Is that in the communal areas, or do you have smoke detectors in individual flats? What's the picture, both generally and in your individual properties?

[781] **Mr Brunt:** I can speak for Bron Afon and each of our flats has either a smoke or a heat detector linked to the sprinkler system as well, and communal areas, too.

[782] **Jenny Rathbone:** Great; lovely.

[783] **Mr Owen:** Ours are the same. There's smoke and heat detectors in the flats and in the communal areas—*[Inaudible.]*

[784] **Mr Beckingsale:** Similarly, so, speaking about Vivian House, there's a fire detection and alarm system that covers the communal area with sounders in the individual flats as well. There are hardwired smoke detectors within each individual flat as well. There's a range of other measures as well, including a testing regime. I just wanted to mention as well in terms of dry risers, those are in place. Compartmentalisation is in place as well. There are fire breaks between storeys as well. So, just picking up on the earlier point, there's a whole range of measures that are in place already.

[785] **Jenny Rathbone:** Okay, and Ceri in Newport.

[786] **Ms Doyle:** We have the provision of both in the communal areas and in each of the flats, and they also don't only use an alarm system; there's also a light system connected to them for those who are hard of hearing.

[787] **Jenny Rathbone:** Great. And are fire alarms directly linked to the fire and rescue services, or the smoke/heat detectors? Are they linked to your out-of-hours service, or what?

[788] **Mr Beckingsale:** So, we're linked to what's commonly called the dual comm system to the custodian call centre. So, yes, we have a link to that.

[789] **Mr Brunt:** Ours are similar. It goes to the call centre with an instruction to directly contact the fire service.

[790] **Jenny Rathbone:** So, this is designed to ensure that false alarms aren't being reported to the fire service.

[791] **Mr Brunt:** Yes.

[792] **Jenny Rathbone:** Okay.

[793] **Mr Owen:** Ours is a block with designated elderly, and it goes straight to the fire service. Can I just add a point about the fire service? One of the things that I hope you'll also have a look at in this is the capacity of fire services to deal with high-rise fires. The station at Merthyr is a 24/7 station; it's not a reserve station. Had it been a reserve station, it wouldn't have been able to cope with the fire in the tower block at Merthyr, and it's also got the equipment that reaches to the top of the tower block. There was talk in my time at Merthyr that there was going to be a sub-regional Abercynon station that serviced the bigger area. Well, their response time from central Merthyr to the tower block is 800m and two minutes. You move it further away and it has other issues. So, I think when you're looking at fire safety, you need to look at the capacity of the fire services to deal with a high-rise fire.

[794] **Jenny Rathbone:** Thank you for that. In terms of people's understanding of evacuation procedures, schools have regular termly fire drills. Clearly, that is challenging in a place for elderly people; the stress involved might be inappropriate. Is that practised at all in any of the other blocks that aren't specifically for the elderly? You know, to have a fire drill.

[795] **Ms Doyle:** We do them annually, and we traditionally did them annually on one of the tower blocks. In light of what's happened, we've now—. We've already conducted one, actually, which was scheduled. I can't take credit for suddenly reacting and doing that; it was a long-scheduled one. But with south Wales fire and rescue, we're now doing evacuation of the other two.

[796] **Jenny Rathbone:** Does anybody else want to add to that?

[797] **Mr Owen:** We do fire tests, and the alarms will go off at a notified time, and the residents know it's going to happen so that you can plan for it. But we don't practice evacuation, because the fire service's advice in this block is that it's a controlled evacuation, rather than everyone getting themselves out, and you make a call yourself whether you want to stay or go. The fire service will come in, and if they think the fire is spreading, they will

bring people out rather than everyone exiting the building in this block.

[798] **Jenny Rathbone:** So, how do the fire service know who's infirm or has a disability and therefore needs assisted—

[799] **Mr Owen:** Actually, that's an interesting point, because, for our residents, as you come in, there's a fire—oh, let's just say it's a cupboard. There's a technical name for it. But, as they come in, they have a key for a special cupboard where all the disability and vulnerability issues are stored, and that's updated daily, so, if there is a fire, they come in and take the register of what's going on. But that's only for our residents. If a leaseholder has had a hip replacement, we don't know, because they're not obliged to tell us. And they're in bed, they're ill, they've got the flu, you don't know.

[800] **Mr Beck:** I just wanted to add to that. I think it's common practice that specific fire safety information is kept in lobbies close to the fire panel. That's standard practice.

[801] **Jenny Rathbone:** Okay. Thank you for sharing that information. Does anybody want to add anything on that at this stage? No. Okay.

[802] Most of our high-rise blocks, as far as I'm aware, have only one staircase. Yours have two in Newport. Obviously, that's best practice. For those who have buildings with one staircase, what are the issues around assessing risks were the staircase not to be accessible because of a fire or damage?

[803] **Mr Beck:** It's clearly an issue. We would take an approach within our general leased stock, and Vivian House is one such example, where we will employ a stay-put policy, and, because of the fire safety measures that we have in place, compartmentation, et cetera, we feel that that's a reasonable approach to take. It's an issue that we are seriously considering at the moment and, as part of our fire risk assessment approach, we will obviously look very closely at that. I think it's fair to say, if we have residents who may have trouble exiting, we will always try and take a person-centred approach. So, at the letting stage, when we're assessing new residents coming into a block such as Vivian, if we feel that there may be risks in terms of them evacuating personally in a fire then we will take that fully into account, and that may influence the decision that we take in terms of what accommodation they're offered. So, we really try and take a person-centred approach to that side of things.

[804] **Jenny Rathbone:** Okay.

[805] **Mr Brunt:** Our blocks only have one stairwell, and it's a tricky issue. Our basic feeling is that the other measures that are in place to ensure fire safety will compensate, and the basic line of the fire service for us is that, if there is a fire within the flat, for people to remain—sorry, outside of the flat, for people to remain within the flat—so, it's 'stay put' advice, essentially. Clearly, that is something we keep under review, with the fire service, as to whether that's the right approach. But, broadly, we think the other measures should compensate.

[806] **Jenny Rathbone:** And do you practice fire drills, or is it not appropriate with the type of residents you've got?

[807] **Mr Brunt:** We don't have evacuation processes. In the same way like Tim was saying, for people with mobility issues, or with disabilities, we'll always make sure that there is a personal evacuation plan in place. Again, the approach of the fire service, part of working closely with them, is that they will take their own approach.

[808] **Jenny Rathbone:** Their own approach. Mike.

[809] **Mr Owen:** I've got one single-exit fire escape, but it's a H-shaped block, so there are three flats on a corridor, three flats on another corridor. So, you come out of your flat, which has got a fire-check door on, so that's half an hour, you go into a compartmentalised area with two fire-check doors, you go through that and then the staircase is there. So, there are quite big time blocks before the fire would reach, plus sprinklers in the corridor. There are no sprinklers in the fire escape, for obvious safety reasons of getting down the stairs, but there are no combustible items in the stairwell. That's a completely concrete zone, so there's nothing combustible in it. It's also got vents on the top, which, when the smoke alarm opens, they open on the roof to vent through the smoke, so the smoke doesn't hold in the evacuated areas.

[810] **Jenny Rathbone:** Stuart, is there anything you need to add in terms of what the overall picture is?

15:00

[811] **Mr Ropke:** No. I think the sense you've got from the four members represented here really echoes across the rest of the members with high-rise.

[812] **John Griffiths:** Okay. Well, I think we need to move on to some questions around tenants. Just one very brief question from me before we do. Stuart, when we were talking about retrofitting sprinklers into high-rise blocks in Wales, I think your answer suggested that some may be in difficulty in doing so. What would those difficulties be?

[813] **Mr Ropke:** So, the difficulties that members report, while often don't make it impossible but make it very, very difficult on occasion, include issues like water pressure within that area and water tank storage for the sprinklers. There might not be an area within the block where you can put that in, or, indeed, the infrastructure surrounding it won't be able to support that. So, those are the two main things that our members report to us in terms of difficulties. Clearly, there's an effort to look to overcome those. It's a question of whether that's always possible in terms of retrofit.

[814] **John Griffiths:** Okay, thanks very much. David.

[815] **David Melding:** Thank you, Chair. I think a couple of you have referred to the compartmentation and then the 'stay put' policy that's based on that. We heard a range of evidence, including from the fire service, that said they don't particularly like the phrase 'stay put'; 'stay safe' is what they think is better. But another witness talked about, 'If in doubt, get out', and I notice in the media that's probably a fair description of some of the range that's been talked about as well. So, your current policy, I think from what most of you said, is that—it's 'stay put' or 'stay safe', if you term it that way. I suppose what we really need to get to is that, if that advice is compromised by a catastrophic structural event, is there flexibility in the system to turn it to, 'Get out quickly'? How is that dealt with?

[816] **Mr Owen:** Can I answer that? I think one of the discussions we had with residents was that every fire is going to be a different event, and even though they're elderly you still have to make a judgment call yourself. They can't have advice that fits every eventuality. I've lived in a tower block that I was the manager of, and there was a huge fire in the stairwell in the fire-risk area. Someone had filled the escape staircase with mattresses. It was a 19-storey tower block, so, if everyone had come piling down the stairs on a, 'You must exit immediately', they'd have gone straight into where the heart



of the fire was, with everyone piling down the stairs after them. So, if the fire's in a communal area outside your flat, maybe rushing out of your flat into the source of the fire isn't the best advice. If the fire is in your kitchen, close the door, close the door of your lounge and get out of the front door. You kind of have to have a more adult discussion with your residents about making an assessment. But, generally, we talked with our residents about controlled evacuation. If you don't think you're at risk, let the fire brigade bring you out. If you think you're immediately at risk, you can leave the building. No-one can tell anyone to stay there if they ultimately feel at risk. They are private individuals with their own lives to be responsible for, and they can leave and go at will. If we say 'stay put', they can still go, can't they?

[817] **David Melding:** The really challenging bit here and the—. I think, is it Kevin at the end there, hinted at this, that we might have to have a profound rethink about high-rise living, but is it possible that people will—? This would be an extreme situation, but we've just had an extreme event, and that's why we're asking these questions—you could make a decision because your flat has not been violated by the fire, the whole level you're on hasn't been, and, from your general observation around you might think, 'Well, no, I should wait until instructed by the fire brigade', but, in another part of the building, there could be something catastrophic happening that will prevent your means of escape. So, it's how and, you know, what are the possibilities to at least attempt to get different information to those people if—?

[818] **Mr Owen:** I think that's—. The fire and rescue officers took that very question from the residents last Wednesday, and their view was, 'Trust us—we're the experts. If we think you ought to leave, we'll knock your door and tell you to come out. If we think you're ill behind the door, we'll smash the door off its hinges and bring you out. We're the experts, we'll help you make that call.' We haven't got an intercom system where we could press a button and say, 'Please leave the building now, please leave the building', because, in a fire, it might have gone off and people would be waiting for that call. It's not a very easy thing to manage this, is it?

[819] **David Melding:** I realise that, yes. It's deeply challenging, but one assumes that was the general policy in Grenfell Tower, and obviously—

[820] **Mr Owen:** I think, when it comes out in the inquiry, there was probably a perception that they were supposed to stay put and there was probably a different policy in operation.

[821] **David Melding:** And, of course, we don't want to pre-empt anything that the inquiry will find. It's difficult to negotiate this territory at the moment, I appreciate.

[822] **Mr Ropke:** I wonder if—. We talk about the fact of 'stay safe, stay put', and the role of the fire service. I think one of the things that consistently gets reported to us as the trade body is the lack of consistency on occasion in the advice that our members are receiving from the fire and rescue service, which is sometimes a bit, I think, bemusing for landlords in terms of that. We would certainly be keen to see more consistent advice given. In the past, as the membership body, we have looked at putting a primary fire authority system in place that would provide advice across Wales to landlords that they would tie into. I think we are going to look at that again, because I think there is merit, for a number of reasons, in looking at it again. If one fire authority were responsible for the advice across Wales, I suspect that they would develop a level of expertise in terms of the policies that should apply within high-rise living and elsewhere.

[823] I think one of the other things we've seen over the last three weeks is that, if we'd had a primary fire authority in place, I believe that the data around the blocks that we had in Wales would have been more freely available in one place with that primary fire authority, and I certainly think that might have shortcut some of the time that was spent collecting that data straight away after the incident. So, consistent advice is important. I'm not entirely sure we see that all the time, even within, I have to say, the same fire authority on occasion.

[824] **David Melding:** [*Inaudible.*] And, then, just for on record—I think you've touched on these issues as well, and I think you tend to be at the front of best practice in this area, but it's communicating a clear message to residents, and, sometimes, residents can have a perception of what they should do that is quite awry from what the current advice actually is. So, getting that information across, and the means you do it—successful communication means you try multiple methods, or you run multiple methods. So, do you just want to touch on the range of methods you use? I know you have hinted at it earlier, but—.

[825] **Mr Brunt:** In Bron Afon's case, there is, as you suggest, a range of information sources. In our publications for tenants over the last two years, virtually every publication, in terms of newsletters and so on, has had a half-page item on fire safety. The fact that we work—. In our case, the south

Wales fire service regularly does training routines within the blocks, which means that they're very visible. And, as someone said earlier on, it's a very reassuring presence, and so—. But, our engagement with residents—through the fire risk assessments, we follow up issues on those with active tenants groups, and that sort of thing. And, then, as tenants are going into the property, there's a lot of guidance and information on fire safety as they enter into the property to take up the letting.

[826] **Mr Beckingsale:** I'm sure I speak for all of the representatives here. We will use as many means as we possibly can, whether it's through social media or through our websites. I think, as well, I just wanted to add that we will endeavour to engage as much as we can with our tenants over issues such as fire safety. We will use social media—so topical, seasonal issues, around barbecuing, for example, Halloween, Bonfire Night, et cetera, et cetera. So, we will do our best to put information out into our newsletter for tenants, and through social media, if we can possibly do that as well. I think, for us, I have to say, Grenfell has certainly made us have a look again at how we really engage, particularly through the fire risk assessment process, and I think, for us, it's very much about ensuring that we're closing the loop. I'm sure there's some very good practice here in the room. But, in terms of discussing issues, knocking doors, perhaps, as part of the fire risk assessment process, and ensuring that residents are fully engaged with us, as we go through all of that, that's certainly something that we're looking really closely at at the moment.

[827] **David Melding:** Because you don't want to be reading the advice, do you, when the emergency is ongoing? You want that to be understood at that time.

[828] **Mr Beckingsale:** Yes, absolutely.

[829] **John Griffiths:** Are you content, David? Okay. Thank you very much. Well, that brings us to the end of our questions. Thank you all very much—. Sorry, Mike, did you want to—

[830] **Mr Owen:** [*Inaudible*,]—Chair, for Welsh Government?

[831] **John Griffiths:** Yes.

[832] **Mr Owen:** There is an issue—it doesn't affect all of us, but it certainly affects Bron Afon and Merthyr Valleys Homes—that the rent tenants pay on

housing benefit, particularly the elderly tenants, is covered by something called the local housing allowance, which sets the rate. The rate in Merthyr and Bron Afon is below our rent, and it's based on the thirtieth percentile rent of the private rented sector. We had a meeting with Lord Freud, who was the Minister at the Department for Work and Pensions at the time, to say, 'These properties do not have all the fire safety measures that a high-rise block needs; they need continuous investment and there needs to be a service charge for the fire safety element, and the residents don't have enough benefit to pay the rent, or the service charge.' And it comes in to place in 2019, in Merthyr, and there'll be about a £3 a week gap—that's at our rent now, and the LHA, so probably more like about £7 by 2019.

[833] I think it's a real issue in terms of making blocks safe for people to live in, that they've got enough rent to pay the fire safety service charges for things like, you know, the management of sprinkler systems, fire alarm systems—all those things need a sufficient level of funding to maintain. And the UK Government—this isn't a Welsh Government, it's the UK Government—are reducing the rents that people have in those blocks, to a level based on a low-rise, poor-quality private sector house.

[834] **John Griffiths:** Okay. Mike, thank you very much for that. If we need any further information on that issue, one of the clerks will follow it up with you, but thank you very much for bringing that to our attention.

[835] Okay. Well, thank you all very much for attending this afternoon. You will be sent a transcript to check for factual accuracy. Thank you very much.

15:12

### **Papurau i'w Nodi Papers to Note**

[836] **John Griffiths:** Okay. The next item we have before us today is item 7: papers to note. There is one paper to note, paper 1. Is committee content to note? Yes. Thank you.

### **Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd Motion under Standing Order 17.42 to Resolve to Exclude the Public**

*Cynnig:*

*Motion:*

*bod y pwyllgor yn penderfynu that the committee resolves to gwahardd y cyhoedd o weddill y exclude the public from the cyfarfod ac o'r cyfarfod ar 18 remainder of the meeting and from Gorffennaf yn unol â Rheol Sefydlog the meeting on 18 July in accordance 17.42(vi). with Standing Order 17.42(vi).*

*Cynigiwyd y cynnig.  
Motion moved.*

[837] **John Griffiths:** And, following on from that, item 8 is a motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting, and, indeed, from the meeting on 18 July. Is committee content? Okay. Thank you very much. We will move into private session.

*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 15:13.  
The public part of the meeting ended at 15:13.*