

**TITLE OF REPORT: Building Safety and Compliance**

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**Purpose of the Report**

1. To provide an overview on the current building safety and compliance position

**Background**

2. The Building Safety Act 2022 (The Act) came into law on 1<sup>st</sup> October 2023 and introduced new duties for the management of fire and structural safety in high rise residential buildings.
3. The Act applies to new and existing occupied buildings over 18 metres high, or containing 7 storeys or more, and with at least two residential units.
4. The Council is required to provide a building safety case for its high-rise blocks. The Building Safety Regulator can request this at any time over the next five years in various tranches.
5. The tranches are prioritised on the height of the building, the number of residents and various other factors that raise the risk profile. The categorization may change as the inspection process progresses.
6. The Council have in place schemes of work to complete risk assessments and servicing of equipment to demonstrate compliance with the key six areas of compliance – fire, water, asbestos, electric, gas, mechanical..

**Building Safety Current Position**

7. Redheugh and Eslington, Regent and St Cuthberts Court are in Tranche 1 for safety case reports.
8. Acomb, Bedale, Ripley, Willerby, Barford, Stretford, Bensham, Warwick, Newbolt and Tennyson are in Tranche 2.
9. Beacon, Lough and Fell, Adelaide, Brisbane, Melbourne and Sidney are in Tranche 3.
10. Park, Peareth and Priory are in Tranche 4.
11. There are no confirmed dates for when the safety cases will be requested by the Building Safety Regulator.
12. All Gateshead Council high-rise blocks were registered with the Building Safety Regulator by the deadline of 31<sup>st</sup> October 2023 and key structural and fire safety building information provided.

13. Further information was provided to the National Register of Social Housing fire safety remediation survey for the Regulator of Social Housing in April 2024.
14. A planned programme of fire risk assessments in high rise blocks is up to date.
15. External wall surveys have been carried out and audited by an external specialist company.
16. Fire strategies and block evacuation processes are in place and externally audited.
17. Customer vulnerability information is in place and shared with the Tyne and Wear Fire and Rescue Service (TWFRS).
18. High rise block audits by the TWFRS are in a rolling programme.
19. Resident engagement strategy, resident multi-storey safety group, complaints procedure and mandatory occurrence process are all in place.
20. 8 of 24 building safety case reports have been completed including those for the 4 tranche one blocks.
21. A quarterly inspection programme of 1,524 communal fire doors is in place.
22. An annual inspection programme of 1,850 flat front doors is in place with a 72% access rate. All non-accesses are in a follow up process with a legal route in place if necessary.
23. The high-rise fire detection system, within dwellings, complies with regulation but is under review for upgrading to a higher standard as part of future planned work.
24. New compliance software is in the process of implementation with a target date of April 2024. This will provide a major part of the golden thread of information directly from the various compliance and risk assessment programmes.

### **Risks and mitigations**

25. There are two high rise blocks with window panels that do not meet current standards. Both are in the process of decommissioning and have acceptable mitigation in place agreed with the TWFRS. 32 of 166 flats in Redheugh are currently occupied and 40 of 166 at Eslington.
26. During the flat front door inspections, a failure of the door locking mechanism was identified. This is currently in dispute with the responsible contractor. A selection of flats has been reviewed by an independent consultant and will be used in support of any litigation. This issue has been reported to TWFRS and is considered a negligible risk.
27. A remediation plan for inadequate fire door smoke seals to 1,390 flat front doors has been agreed with the TWFRS. This is considered a negligible risk.
28. The TWFRS has considered four fires in properties affected when agreeing to the remediation plan. In all cases there was no spread of smoke from the fires. A 9-12 week programme of replacement commenced on 8<sup>th</sup> April 2024.

## Compliance

29. Of the six key compliance areas there are no areas of high risk.
30. Fire risk assessments are within target. All remedial actions are within acceptable completion action plans. The programme comprises of 24 high rise blocks, 104 mid rise blocks, 308 low rise blocks, 9 aged person units and 27 communal lounges.
31. Gas Servicing is 100% compliant – 16,594 properties. Solid fuel servicing is 100% compliant – 10 properties.
32. 947 new boiler installations were carried out for the financial year 2023/24.
33. 379 properties in Gateshead have open flued gas fires, 116 have been removed this financial year as part of a safety improvement plan.
34. 99.22% of properties have an electrical condition report that is less than five years old – 18,078 of 18,219 properties. The 141 with 3 access refusals will be re-visited in next year's programme. 3,767 properties are considered safe but are not compliant with the latest electrical regulations. These properties are reinspected every two years and are on a rolling upgrade programme.
35. Fire alarm and emergency lighting testing are compliant.
36. The programme of inspecting known asbestos containing materials in communal areas of 413 blocks is compliant.
37. Two domestic dwellings have high risk asbestos contained within service risers. This is a controlled hazard and negligible risk due to near impossible access. These continue to be monitored until planned works takes place.
38. The domestic property water risk assessment programme is on target. This has prioritised properties which are at higher risk due to stored water systems. The team continue to carry out water risk assessments in vacant properties and where changes are made to the water systems in properties. This builds data used to identify any additions needed to the programme.
39. Passenger lift servicing and inspection was 100% compliant at end of March 2024
40. Personal lift and lifting device servicing remains at 87.76% complete. As reasonable endeavours can be evidenced the programme is considered compliant.
41. LOLER/thorough insurance inspections of lifting devices have similar access issues and are currently 77.27% complete.
42. Lack of access to service and inspect personal lifting equipment can be due to customer illness and devices awaiting removal and are not always due to the customer failing to cooperate.

43. New compliance software is in the process of implementation with a target date of April 2024. This will report on all areas of compliance.

### **Proposal**

44. Continue to meet the requirements of the relevant legislation and regulation.

45. Monitor progress of mitigation measures.

### **Recommendations**

46. The Overview and Scrutiny Committee is asked to note this report.

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