

Report to the Cabinet

22 September 2025

Wards: All**Introduction of a High Risk Building Safety Policy
for Neighbourhoods & Housing****Report of the** Director of Legal Services and Partnerships**Report Status:**

This item is not exempt

Therefore exempt reasons are not applicable

This is a key decision. The matter is in the Forward Plan

Forward Plan reference 0044/25.

1. Purpose of the Report and Summary

- 1.1 The Neighbourhoods & Housing Service (N&H) are required to introduce a Building Safety Policy for all High-Rise Buildings which meet the definition of a 'High Risk Building' (identified as being seven or more storeys or, over 18 meters in height) to formalise its duties and meet current legal requirements. The Building Safety Regulator (BSR), Regulator of Social Housing (RSH) and the Housing Ombudsman Service (HOS) expect the Council to have a policy in place.
- 1.2 Each regulatory body holds individual compliance powers, including financial penalties, enforcement action, judgement gradings, and reputational damage. In regard building safety, the BSR's powers include issuing notices, requesting improvements, and, if serious concerns exist, issuing a 'non-occupancy notice'.
- 1.3 The BSR and RSH operate a Memorandum of Understanding (MoU). It outlines an agreement to share details on housing providers, especially in relation to building safety, for example if a compliance notice or special measures order is issued. Similarly, the RSH will notify BSR in advance of publication of regulatory judgements.
- 1.4 It is essential, therefore, that N&H and HCC attach high priority to regulatory inspection readiness, including building safety. N&H have implemented several measures in this regard; these include the Service Improvement Board, chaired by the Chief Executive, various workstream project teams, and a Building Safety Project Team, specifically for Building Safety and BSR compliance.

- 1.5 For the reasons set out above, it is proposed that the attached High Risk Building Safety Policy is approved/adopted, and that agreement is given for **delegated** authority to be granted to the Assistant Director Neighbourhoods & Housing in conjunction with the designated Portfolio Holder for future revisions.

2. Recommendations

- 2.1 To formally approve/adopt the High Risk Building Safety Policy.
- 2.2 To agree that **delegated** authority be granted to the Assistant Director Neighbourhoods & Housing, in conjunction with the designated Portfolio Holder to make future revisions of the High Risk Building Safety Policy where required for legal or regulatory compliance or where required for operational efficiency and best practice in delivering the building safety service to residents.

3. Reasons for Recommendations

- 3.1 A High-Risk Building Safety policy is essential for several key reasons. Firstly, it demonstrates HCC's commitment to providing a safe place to live for our residents, this sets out HCC approach to ensure the buildings within scope are safe and meet regulatory requirements set out in the Building Safety Act and provides clear lines of responsibility. The policy should help drive tenant satisfaction residing in the building within scope, with resident engagement strategies.
- 3.2 A well-defined High Risk Building Safety policy helps ensure compliance with regulatory compliance and requirements, which include Certification, Fire Risk Assessments, Mandatory Reporting, use of Personal Emergency Evacuation Plans (PEEPs), Fire Door Surveys and Management, Fire Signage, operation of a relevant complaints system, External Wall Assessment and Building Safety Cases.
- 3.3 By establishing clear processes and guidelines, the policy should aid in the efficient allocation of resources for High-Risk Building Safety Management. This is particularly important in the context of rising costs and the need for budget protection. However, it is important to note that the content of the new Policy largely covers existing practices already in place and the Policy shall formalise these, albeit some of these processes require a documented procedure or, updating of existing written procedures for which there is currently a plan in place. This includes:
- HCC Neighbourhoods & Housing Repairs & Maintenance Policy - now in place approved by Cabinet July 2025
 - City wide Building Safety Resident Engagement Strategy for High Rise Buildings - currently in place. However, it is within the action plan to develop strategies for each individual high rise block
 - A Serious Incident Policy and Procedure – currently under development expected to go to Cabinet November 2025

- Tenancy Management Procedure (Relevant Section – Removal of Belongings from Communal Parts) – currently under review.
- Mobility Scooter Policy – currently in place. Although this is to be reviewed to include E-Scooters and E-Bikes.

Formal written procedures are required for the following activities which sit under the High Risk Building Safety Policy:

- High Risk Building Relevant Complaint Procedure
- Fire Risk Assessment Procedure
- Mandatory Reporting Procedure
- Residential Emergency Evacuation Plans (PEEPs) Procedure
- Fire Door Survey & Management Procedure (inc No Access)

- 3.4 In summary, a High-Risk Building Safety policy is crucial as it enhances clarity, ensures tenant satisfaction, maintains regulatory compliance, and optimizes resource management.
- 3.5 As highlighted above, the proposed Policy reflects many existing / established processes and is reflective of the standard Tenancy Agreement which has been in place since 2011. Whilst there is a need for the procedures to be formalised, in the main the Policy does not bring any significant changes to current practices or tenant/landlord responsibilities.
- 3.6 Delegated authority to the Assistant Director Neighbourhoods & Housing in conjunction with the designated Portfolio Holder for future revisions is also being requested, for legal or regulatory compliance or where required for operational efficiency and best practice in delivering the building safety service to council tenants.
- 3.7 There are no financial implications as a result of implementing this Policy.

4. Key Organisational Impacts

4.1. Impact on other Executive Committees (including Area Committees) and decision makers:

- 4.1.1 No anticipated impact due to no significant changes in process or procedure at this stage (albeit some procedures do require formalising) however, the Communities Overview and Scrutiny Commission are explicitly referenced in this Policy as receiving quarterly reports on building safety responsibilities and as such providing some level of Governance/Assurance of compliance with this Policy.

4.2. Contribution to the delivery of the Community Plan, the Council Plan and/or Area Plans:

4.2.1 This decision supports the following Community Plan ambitions:

Ambition 1: Safe and Welcoming Neighbourhoods

Provide opportunity for community engagement and financial investment that puts residents, their homes and their neighbourhoods first.

4.3. Impact on other key strategies/business plans:

4.3.1 This decision will also support the Neighbourhoods and Housing Business Plan 2021-2026. In particular;

- Promoting and delivering building safety
- Protecting vulnerable residents
- Setting clear service standards and managing customer expectations.
- Communicating effectively
- Embracing new legislation
- Professionalisation of our workforce

4.4. Equalities Impact Information

4.4.1 A full Equalities Impact Assessment has been carried out and is attached to this report.

5. Consultation

5.1 This Policy was subject to numerous resident consultations which took place throughout August 2025 with the Multi-Storey Living Group and various Tenant & Resident Associations.

6. Background

6.1 The Building Safety Act 2022 (BSA) came into force 1st April 2023 and introduced duties upon the management of fire and building safety in high rise residential buildings (HRRBs). The Act created the Building Safety Regulator (BSR) and made the BSR the Building Control Authority for HRRBs. This is consequently a secondary regulatory body to whom the Council are accountable in addition to the Housing Regulator in relation to its high rise residential buildings.

6.2 The Act places residents at the heart of building safety and introduces standards to ensure the competence of all persons responsible for overseeing, managing, and delivering works in HRRBs

6.3 On the same theme the Fire Safety Act 2021 introduced an obligation to identify responsible persons (RP) for multi-occupied residential buildings (a building containing

two or more domestic premises) and introduced greater clarity upon the application of the Regulatory Reform (Fire Safety) Order 2005 within such buildings.

6.4 The Fire Safety (England) Regulations 2022 was introduced following the recommendations made in the Grenfell Tower Inquiry Phase 1 report. These regulations apply to all multi-occupied residential buildings, 11 meters in height and above. They require the RP to provide additional safety measures, including building plans, information on external cladding systems, secure information boxes, wayfinding signage, routine door inspections and providing information to residents on the importance of fire doors

7. Issues for Consideration

7.1 The Council needs to introduce a High Risk Building Safety Policy, as per 1.2 in the report, failure to do so could result in financial and reputational damage to the Council.

8. Options and Risk Assessment

8.1 N&H require a High Risk Building Safety policy as this is a regulatory requirement. However, it is important to note that the content of the new Policy is using largely existing practices albeit many of these processes need to be formalised in documented procedure for which there is currently a plan in place. Therefore, there are no known risks in introducing a policy.

9. Comments of the Monitoring Officer (Town Clerk)

9.1 Whilst there is no specific statutory requirement within the Building Safety Act 2022 that the Council have a High Risk Building Safety Policy, it is both explicit and implicit in the various associated guidance, regulation and the published expectations of both the Housing Regulator and the Building Safety Regulator that this is a requirement and that there will inevitably be adverse consequences for those landlords who do not have such a Policy in place.. Because of the wide range of inter dependent and associated obligations required under the various legislative and regulatory provisions it would be difficult for the Council to demonstrate compliance and without such formal policy being introduced. It is important that the operational procedures relating to high risk buildings are in accordance with the agreed Policy and that the Policy and procedures are kept under review to ensure these reflect changes in legislation, regulation and also emerging case law and findings by the respective Regulatory bodies (SL)

10. Comments of the Section 151 Officer (Director of Finance and Transformation)

10.1 The Director of Finance and Transformation supports the recommendations to formally adopt the High Risk Building Safety Policy. There are no identified financial implications within the report as the policy formalises existing practices. Any associated compliance costs are expected to be met from existing budgets (CM).

11. Comments of the Assistant Director OD & HR and compliance with the Equality Duty

11.1 This report is noted by the Assistant Director OD & HR. There are no staffing or equality issues arising. (SH)

12. Comments of Overview and Scrutiny

12.1 This report is due to be considered by the Communities Overview and Scrutiny Commission at its meeting to be held on 11 September 2025. Any comments or recommendations agreed by the Committee will be submitted to Cabinet for consideration. Ref: Sc8904 [MK].

13. Comments of the Portfolio Holder for Economic Renewal, Housing and Organisational Development

13.1 I strongly support the adoption of this policy. It's absolutely essential for the Council to have a policy in place about how it will deal with safety in its high risk, high rise buildings. Additionally, the Building Safety Regulator, the Regulator of Social Housing and the Housing Ombudsman Service also expect the Council to have such a policy in place. (PF0049)

Contact Officer: Rebecca Franks Telephone No.:

Officer Interests: None

Background Documents: -

- Equality Impact Assessment

Implications Matrix

This section must be completed and you must ensure that you have fully considered all potential implications

This matrix provides a simple check list for the things you need to have considered within your report

If there are no implications please state

I have informed and sought advice from HR, Legal, Finance, Overview and Scrutiny and the Climate Change Advisor and any other key stakeholders i.e. Portfolio Holder, relevant Ward Members etc prior to submitting this report for official comments	No No Implications
I have considered whether this report requests a decision that is outside the Budget and Policy Framework approved by Council	No No Implications
Value for money considerations have been accounted for within the report	No No Implications
The report is approved by the relevant Director/Assistant Director	Yes
I have included any procurement/commercial issues/implications within the report	No No Implications
I have considered the potential media interest in this report and liaised with the Media Team to ensure that they are briefed to respond to media interest.	No No Implications
I have included any equalities and diversity implications within the report and where necessary I have completed an Equalities Impact Assessment and the outcomes are included within the report	Yes
Any Health and Safety implications are included within the report	No No Implications
Any human rights implications are included within the report	No No Implications

I have included any community safety implications and paid regard to Section 17 of the Crime and Disorder Act within the report	No No Implications
I have liaised with the Climate Change Advisor and any environmental and climate change issues/sustainability implications are included within the report	No No Implications
I have considered how the decision may contribute or impact on culture and heritage within the city.	No No Implications
I have included information about how this report contributes to the Community Plan/ Area priorities within the report	Yes
I have considered the impact on air quality, carried out an appropriate assessment and included any resulting actions or opportunities necessary to improve air quality in the report.	No No Implications