30 June 2017

Dear Bob

MINISTERIAL WORKING GROUP ON BUILDING AND FIRE SAFETY

Thank you for your letter of 26 June regarding the Committee’s scrutiny of building regulations in Scotland.

As you are aware we have convened a Ministerial Working Group on Building and Fire Safety to look into these issues following the tragedy at Grenfell Tower. The Group is chaired by the Cabinet Secretary for Communities, Social Security and Equalities and includes both the Minister for Community Safety and me.

The Group had its second meeting on 28 June and I attach an update from that meeting for your information. One of the issues that we discussed at this meeting was our proposed work programme and I include a copy of this for the Committee’s information. This is a substantive programme of work which will be taken forward at pace over the summer and we will provide an update to the Committee on what action has been taken for your return from Summer Recess.

The Group welcomes the Local Government and Communities Committee’s pro-active approach in widening the scrutiny of your current inquiry to include the safety aspect of Scotland’s building regulations. I will be more than happy to discuss this matter with you and the Committee and I support your intention to request chamber time for this to be discussed after the Summer Recess.

As noted in your letter I would appreciate if you could keep me informed of developments throughout the course of your scrutiny and I will ensure that the Working Group does likewise.

Kind regards

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Ministerial Working Group on building and fire safety
Second meeting held.

The second meeting of a Ministerial Working Group, convened to examine building and fire safety regulatory frameworks, has taken place today.

The meeting was chaired by Communities Secretary Angela Constance with Housing Minister Kevin Stewart and Community Safety Minister Annabelle Ewing. They were joined by Scottish Government officials and the Scottish Fire and Rescue Service.

This group is overseeing a review of building and fire safety regulatory frameworks with an initial focus on high rise domestic buildings, following the tragic Grenfell Tower fire in London.

The Ministers recognised and praised the work of local authorities and private property owners to carry out resource intensive checks of their buildings.

The Group was updated on the latest actions being taken by the Scottish Government, local authorities, the fire and rescue service as well as other building owners across the country.

Checks so far by local authorities have found that:

- No Scottish local-authority owned school buildings above 18 metres have the type of cladding reported to have been used on the Grenfell tower – aluminium composite material (ACM).
- No high rise domestic buildings owned by councils or housing associations have used ACM cladding.
- 29 of 32 local authorities have reported that ACM cladding has not been used on any privately owned high-rise domestic buildings. Edinburgh and Glasgow are completing their investigations and it was acknowledged this will take time due to due to the numbers involved.

In addition the Group heard that:

- Building standards systems and regulations for high rise domestic properties in Scotland means the type of product used on Grenfell Tower should not be used in their cladding systems.
- All health boards have confirmed that none of their buildings use the cladding type reported to have been used on Grenfell Tower.
- The Scottish Government has asked the Scottish Funding Council to write to Universities Scotland and Colleges Scotland to ensure all colleges and universities are taking forward an assessment of their estate. Some have already started this work.
- ACM cladding found on a halls of residence in Edinburgh is being removed as a precaution and officials are keeping in close contact with the City of Edinburgh Council and Edinburgh Napier University to understand more fully the reasons behind why this material was used.
• In some controlled circumstances specified by our building regulations, ACM can be used as part of the cladding systems of other buildings. Our building regulations specify that those cladding systems must meet the relevant technical requirements applicable in each case.

• The group discussed its work plan including a fire safety campaign and an expedited consultation on standard requirements for smoke and fire detection in all high rise domestic properties.

• The Scottish Fire and Rescue Service provided a briefing on their work and said an additional 300 operational assurance visits have been carried out since the Grenfell Tower fire, and 230 additional home fire safety visits to residents in high-rise buildings.

Cabinet Secretary for Communities, Social Security and Equalities Angela Constance said:

“While we continue to be confident that we have stringent building and fire safety regulations which contribute to keeping people safe, following the tragic events at Grenfell Tower it is imperative that we undertake a thorough and critical review of our regulations.

“The group today agreed to continue with the evidence led approach that has been followed since the Grenfell Tragedy. This has meant the initial priority focus was on high-rise domestic properties, then on other priority areas including schools and hospitals.

“We will continue to prioritise and are now looking at the next areas of focus which will be any high-rise properties where people sleep overnight that have not already been captured by local authority’s initial investigations. We’ll also look at other properties where there are expected to be vulnerable people living.

“I’d like to thank all local authorities, the fire and rescue service, housing associations and numerous other building owners across Scotland who are working extremely hard at the moment to reassure the public about the safety of their buildings.

“We’ll continue this partnership to ensure collectively we are doing our utmost to reassure members of the public of the safety of Scotland’s buildings.”
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| **Information and intelligence gathering** on use of ACM in a) high rise domestic buildings and high rise non-domestic buildings with sleeping accommodation b) schools and hospitals c) other priority buildings identified by MWG | • To establish whether material used in Grenfell Tower has been used in cladding in similar high rise buildings to establish whether any remedial action is required                                                                                                                                                                                                                                                                                                                                 | • Engagement with local authorities, NHS Boards and other bodies  
• Analysis of returns from these bodies  
• Commission contractors to compile detailed inventory of high rise domestic properties in Scotland |
| **Review of building regulations** for high rise domestic buildings and high rise non-domestic buildings with sleeping accommodation to include:  
• comparison of regulations in Scotland vis a vis England, Wales and NI  
• clarity of regulations regarding non-combustible material | • To ensure Scottish building standards and regulations) are robust and sufficiently clear                                                                                                                                                                                                                                                                                                                                                                                   | • Desk-based review  
• Consultation with external experts  
• Engagement with stakeholders                                                                                                                                                                                                                          |
| **Review of approval and enforcement of building regulations**                                                                                       | • To ensure building standards are being adhered to and enforced  
• To ensure regulations are sufficiently clear                                                                                                                                                                                                                                                                                                                                                                                | • Desk-based review  
• Engagement with stakeholders  
• Consultation with external experts  
• Property check                                                                                                                                                                                                                                 |
| **Review of fire safety regime and regulatory framework for high rise domestic buildings**                                                              | • To ensure the regime provides comprehensive protection to residents                                                                                                                                                                                                                                                                                                                                                              | • Desk top review  
• Consultation with external experts  
• Engagement with stakeholders                                                                                                                                                                                                                                           |
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| **Consultation on revised and consolidated guidance on Fire Safety** | - To ensure fire safety guidance is robust, consistent, appropriate and meaningful  
- To respond to a recommendation of 2016 from the Regulatory Review Group on fire safety enforcement legislation  
- Desk based review  
- Consultation on fire safety in premises which provide sleeping accommodation (consultation on business premises concluded in April)                                                                                                                                                                                                                                                                                                                                                                      |
| **Risk Assessment** of (non-domestic) premises which provide sleeping | accommodation (e.g. hospitals)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| **Overview by SFRS of their operational assurance visits**           | - To ensure operational visits are ongoing and effective  
- Quarterly visits by local fire crews for operational assurance visits  
- SFRS to review standard procedures for these operational visits  
- Scheduled visits by SFRS crews, as needed, to residents requesting Home Fire Safety Visits                                                                                                                                                                                                                                                                                                                                                                                                       |
| **regarding fire safety in domestic high-rises, and prioritise Home**  | Fire Safety Visits to residents of high-rise flats                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| **Fire Safety Visits to residents of high-rise flats**               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| **Review of evidence on automatic fire suppression systems**          | - To ensure appropriate and effective use of automatic fire suppression systems  
- Desk based evidence review to identify gaps                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| **Consultation on smoke and fire detection standards**               | - To ensure standards sufficient and consistent across different tenures  
- Consultation  
- Targeted engagement with key stakeholders  
- Development and analysis of options (including costs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| **Targeted fire safety campaign for high rise domestic properties**   | - To ensure landlords/owners understand their responsibilities  
- To ensure tenants understand how to stay safe in the event of a fire  
- Tenant engagement  
- Landlord/owner engagement  
- Social media campaign                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| **Targeted fire safety campaign for high rise domestic properties**   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |