

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3727
Author:	Matt Gregory
Department:	Development and Growth
Contact:	Matt Gregory (Job Title: Planning Policy and Research Manager, Email: matt.gregory@nottinghamcity.gov.uk, Phone: 0115 876 3981)
Subject:	New burdens funding from MHCLG towards information on tall buildings
Total Value:	£40,209 (Type: Revenue)
Decision Being Taken:	To receive £40,209 of New Burdens grant from Ministry of Housing, Communities and Local Government (MHCLG), towards the costs of investigating the facing materials and insulation materials of tall buildings, in response to a request for this information from MHCLG; and That expenditure against this grant be delegated to the Director of Planning, Housing and Regeneration.
Reasons for the Decision(s)	MHCLG wrote to all councils on 18 July requesting that all local authorities complete a data collection exercise to identify external wall materials and insulation on all high-rise residential and hotel buildings of 18 metres and over within their area. The information is required by MHCLG by 31st March 2020, and 'New Burdens' grant has been made available to councils to undertake the work. More information is in the attached letter and technical note.
Briefing notes documents:	Letter_to_Local_Authorities_18_July.pdf, Technical_Note_15_July_-_EWS_data_collection_FINAL.pdf
Other Options Considered:	None. Not receiving the grant would mean either Nottingham City Council would have to fund the work, or it would not be done with consequential impact on the City Council's reputation. Therefore this option was rejected.
Background Papers:	None

Published Works:	None.
Affected Wards:	Citywide
Colleague / Councillor Interests:	None.
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	None, the decision relates to a data collection exercise with no crime and disorder implications.
Equality:	EIA not required. Reasons: No policy decision being made, exercise is data collection on which equality considerations have no bearing.
Relates to Council Property Assets:	Yes
Decision Type:	Officer
Executive Decision?	Yes
Scheme of Delegation Reference Number or Other Source of Delegation:	1
Subject to Call In:	No The call-in procedure does not apply to the decision because the value of the decision is below the call in threshold.
Advice Sought:	Finance, Property

Finance Advice:

The decision to accept the 19/20 MHCLG New Burdens Grant to the value of £40,209 will be used to collect the necessary data on the facing and insulation materials used within our high rise buildings across the city.

This information is required by MHCLG by the 31st March 2020, it is the responsibility of the Head of Building Control and Planning Strategy to meet this deadline and maintain adequate records of the exercise undertaken in order to reduce the risk of grant clawback.

Should additional costs be incurred above the grant allocated for this purpose, the service area will be required to fund any overspends through additional or existing resources.

Advice provided by Roma Patel (Commercial Business Partner) on 29/11/2019.

Property Advice:

The decision will facilitate the collection of property related data required by MHCLG and as such the decision is supported. Advice provided by Rodney Alan Martin (Development Manager) on 03/12/2019.

Signatures:

Chris Henning (CORPORATE DIRECTOR DEVELOPMENT & GROWTH)
SIGNED and Dated: 06/12/2019



Neil O'Connor CBE

Director, Building Safety Policy

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18th July 2019

To: Local Authority Chief Executives

Building safety

After the Grenfell Tower fire, the Government set up the Building Safety programme. As part of that local authorities identified all high-rise residential buildings with Aluminium Composite Material (ACM) cladding systems across both the social and private sector. In addition, a screening programme for building owners was established to test the fire safety of cladding systems used on high-rise buildings. Buildings which were found to have systems which failed the combustibility test were expected to be remediated by the building owner. The Government has since pledged £600m to ensure both private and social sector building owners take appropriate action to replace ACM cladding with safe systems.

This programme of work continues and many local authorities have been especially proactive and engaged in the challenge of assessing building safety. The efforts of your staff are very much appreciated and are contributing directly to ensuring the safety of residents.

Data collection exercise on External Wall Systems in high-rise residential buildings

The Building Safety programme continues to consider safety risks to high-rise buildings and supports action if there is a risk to public safety. The department is therefore asking all local authorities to complete a data collection exercise to identify external wall materials and insulation on all high-rise residential buildings 18 metres and over within their area.

This exercise is part of an ongoing programme of work to enable the department to build a more complete picture of high-rise residential buildings and the variety of external wall systems in use. This will help local authorities and fire and rescue services to prioritise their inspection and protection work to ensure that building owners are taking the right steps to keep their residents safe. It will also provide an evidence base for the new regulatory arrangements proposed in our recent



consultation '*Building a Safer Future: proposals for reform of the building safety regulatory system*'. The data exercise is structured in such a way that additional questions could be added in the future if this would develop our data set to support this work.

The Local Government Association are supportive of this safety critical work and in line with the New Burdens Doctrine we will be seeking to provide additional resource. It is also worth highlighting the powers within the Housing Act 2004 which support local authorities to acquire relevant information.

I would take this opportunity to remind you of the direction from the Secretary of State on 17 May 2018, which asked local authorities to identify all high-rise residential buildings 18m and over and to notify MHCLG of any inspections or assessment of hazards identified as part of this.

Building identification and use of DELTA

The department will be using the DELTA platform for the data collection process and the attached technical guide can be used to support the exercise. Please note that **this exercise covers social and private residential housing stock (with the exception of housing association properties), hotels and student accommodation.** Local authorities are not required to report on social housing association buildings and I am separately writing, in similar terms, to housing associations asking them to complete this exercise for social buildings they are responsible for.

Thank you for your ongoing cooperation and support in taking this important work forward.

Neil O'Connor
Director, Building Safety Programme

cc
Leader of the Council

Encs.

Identifying Details of External Wall Systems – Technical Note

Overview

The external walls of high-rise residential buildings may be made up of a number of materials in combination. The external wall may be a cavity wall, rainscreen cladding system or an External Wall Insulation (EWI) system.

This data collection aims to gain information on the external facing material (i.e. brickwork, concrete, cladding panels etc) and insulation types within the external wall to form a better picture of the combinations in use in external wall systems.

To ensure that systems are safe, the Independent Expert Advisory Panel on Building Safety has issued an [Advice Note on external wall systems](#). If following investigation into the materials used you have any concerns, then you should follow the steps in this note. Buildings with ACM should already have been screened in accordance with the government’s advice.

External Facing Materials

The questions in the External Wall section of the data collection ask you to provide information on the external wall facings across the entire building – that is to say the materials which provide the external finish to the building.

The percentage of the external wall that is windows, or other forms of glazing, should be calculated and included as ‘glass’.

The rest of the external walls may be all made of one material (i.e. brickwork or concrete) or may be a mix of different facing materials. We are asking for the material to be identified and for a reasonable estimate to be made of the percentage coverage of the external walls of the building that is made up of this material.

The total sum of all materials (including windows/glazing) should be 100%.

Details of the options provided are below:

Material	Information
Glass	This should be used to record windows and any other forms of glazing (i.e. glass curtain walls).
High Pressure Laminate	High Pressure Laminates (HPL) are panels made of a combination of wood or paper which are then impregnated with a resin and consolidated under heat and high pressure. They are available in a wide range of colours. Care should be taken to identify the precise fire properties of the panel used as similar panels may or may not have fire retardance.
Aluminium Composite Materials	Aluminium Composite Materials are usually made of two thin sheets of metal with a filler material between them.
Other Metal Composite Materials	Any metal cladding panel with a filler material that is not made of aluminium. These may be made of zinc or copper, for example.

Metal sheet panels	Panels made purely of metal with no filler. These may be aluminium, zinc or copper.
Render system	Render is an external cement finish to a building. This may be smooth or textured.
Brick Slips	Brick slips are the faces of bricks which have been cut and then attached to the building to create the appearance of a brick finish.
Brick	Traditional brickwork.
Stone panels/stone	Any stone or panels made of stone.
Tiling systems	Any tiling systems (for example terracotta tiling).
Timber/wood	Timber or wood, including any wood cladding systems (but excluding any wood based HPL which should be included in High Pressure Laminate).
Do not know	Please use this if you are unsure of the material that has been used. If you have any further information please include it in the further details box.
Other	Materials other than those listed above – please provide details.

Insulation

Insulation between the external finish of the building and the remainder of the building is to provide thermal protection and avoid heat loss. To understand the fire safety of the external wall system, it is important to understand the insulation used.

It is possible that more than one type of insulation has been used, but it is more likely that the building will be insulated in a single material. Building owners should check their records (see below) to determine the insulation used. If this is not available, an intrusive inspection by a qualified person could identify the type of material.

Where more than one material has been used please assess the proportion of coverage as with the external facing material above.

It is unlikely that there will be insulation behind glass windows, so the proportion of the building that is windows or transparent glazing should be recorded as “None” for insulation.

Details of the options provided are below:

Insulation	Information
Mineral Wool	A form of insulation made from rock wool (usually made from basalt). Glass wool should not be included here but in the relevant category below.
Polyurethane rigid foam (PUR)/ Polyisocyanurate (PIR) foam	PUR and PIR foam insulation is made by mixing chemicals with a blowing agent to form a material with individual air bubbles.
Phenolic foam	Another form of foam, but using a different approach and chemicals than PIR/PUR.
Expanded and Extruded polystyrene (EPS/XPS)	Polystyrene based insulation.

Glass wool	A form of insulation made from glass wool (usually made from glass fibres from recycled glass).
Wood fibre	Insulation manufactured using wood.
None	No insulation present. This may be because this proportion of the building is glazed (i.e. windows) or if some or all of the building has a cavity wall that has not been insulated.
Do not know	Please use this if you are unsure of the insulation that has been used. If you have any further information, please include it in the further details box.
Other	Insulation other than those listed above – please provide details.

Sources of information to determine materials

For any building constructed in the last 15 years, information should be available in as-built drawings or the Operation and Maintenance manual for the building. If this is not available, building owners may wish to contact the original architect or developer or refer to the tender documents for the construction of the building. Similarly, where cladding has been added as the result of a refurbishment in the last 15 years, the same information should be available.

We are aware that in some cases, products may have been substituted for alternatives during the construction period. The building owner will need to make their own assessment of the quality assurance processes that were in place during construction and whether the materials used were appropriately checked to ensure their safety. If there is doubt about the materials used, the building owner may wish to investigate this further.

If records do not exist as to the materials used, building owners may wish to seek professional advice to ascertain the nature of the materials. Whilst some materials are identifiable by inspection, identifying the material used in cladding panels may be more difficult given that many cladding systems made of different materials look similar. It may be possible to identify the type of panel by removing a panel to enable further inspection. This should only be done by a qualified person and where panels are removed care should be taken to ensure that any combustible insulation is appropriately covered and that where panels are re-fitted this is done in line with manufacturer's guidelines.

Where the insulation materials are not known, it is likely that the only way of determining this will be an intrusive inspection of the wall.

Building owners remain responsible for the safety of their buildings and it is at their discretion whether to undertake intrusive inspections. However, if there is a clear risk of the use of combustible materials that means that the external wall system may not be safe, building owners should clearly undertake such an inspection urgently.

Where there is doubt about the material that has been used the building owner may wish to ensure that products have not been substituted with a material that is less fire safe. For example, the use of an aluminium composite when an aluminium sheet had been specified, or an HPL with a lower fire classification than that originally specified. Where this is required it is likely to need inspection of the



interior of the panel and so this inspection is likely to be destructive to the panel that has been removed.