

## City of London Corporation Committee Report

<b>Committee(s):</b> Barbican Residential Consultation Committee: For Information  Barbican Residential Committee: For Information	<b>Dated:</b> 25/11/2024  09/12/2024
<b>Subject:</b>  <b>Blake Tower</b>	<b>Public report:</b>  For Information
<b>This proposal:</b> <ul style="list-style-type: none"> <li>provides statutory duties</li> </ul>	Providing Excellent Services
<b>Does this proposal require extra revenue and/or capital spending?</b>	Within existing resources
<b>If so, how much?</b>	£ N/A
<b>What is the source of Funding?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	Yes
<b>Report of:</b>	Judith Finlay, Executive Director Community and Children's Services Rachel Pye, Assistant Director of Public Protection
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### Summary

Blake Tower comprises 74 private leasehold flats spread across 17 floors (including two floors below street level). The Corporation owns the freehold of the building and Redrow Homes Limited, the developer, has a 150-year lease. The managing agent for the development is James Andrew Residential Limited (JAR).

The purpose of this briefing note is to provide the Committee with background information relating to Blake Tower and to set out the Corporation's actions to date.

### Recommendation(s)

Members are asked to:

- Note the report.

## **Main Report**

### **Background**

1. Blake Tower is a residential block within the Barbican estate. The Corporation owns the freehold of the building and Redrow Homes Limited, the developer, has a 150-year lease. It was intended that Blake Tower would ultimately be managed by the Corporation (through the Barbican Estate Office). The Corporation entered into a deed of surrender that obliged it to take back the Redrow lease either:
  - 30 months after the date of Practical Completion of the second phase of the development or,
  - two years after the sale of the last of the units by way of an underlease.
2. Practical Completion of the second phase of the development was issued on 18 April 2017 and 30 months from then gave a date for completion of 18 October 2019.
3. The Corporation are ready to assume responsibility for the transfer, but Redrow have not progressed this as yet. For some time, there has been considerable resident dissatisfaction and concern about progress in resolving issues at Blake Tower.
4. As part of its role and responsibilities as a local authority (entirely separate from the Corporation's contractual relationship with Redrow), as part of the Building Safety Programme the Environmental Health Team has issued an Improvement notice under the Housing Act 2004 using the Housing Health and Safety Rating System (HHSRS) to assess the risk associated with fire safety (12th December 2023). The Improvement Notice sets out the fire safety problems associated with the block and the works needed to remedy them with a reasonable time for starting and completing the works.

### **Current Position**

1. Residents and Corporation officers continue to have concerns over the safety and quality of works undertaken.
2. The Corporation has been liaising with Redrow, its management agent (JAR) and residents of the Blake Tower Residents Association (BTRA) to try and bring this matter to a satisfactory conclusion. This matter is receiving high political attention with regular briefings and discussions with the Chairman of Policy and Resources (CPR) and relevant members. The CPR has written to MHCLG to highlight concerns.

3. The Corporation has invested effort and resources to move this matter forward including:
  - Commissioning specialist surveys on the communal areas and a sample number of flats to assess the standard and quality of the construction works and the safety of the building. These surveys include condition surveys and specific and intrusive fire stopping/compartimentation surveys.
  - Appointing an expert to oversee the work being undertaken by Redrow.
  - Appointing a specialist legal advisor, Fieldfisher, to advise us on the options available to us through the Development Agreement with Redrow including, serving formal notices of defects to Redrow.
  - Regularly communicating with BTRA and with Redrow to ensure that we understand the resident perspective and that Redrow undertake the necessary remedial works.
4. The Housing Act 2004 Improvement Notice sets out the fire safety problems associated with the block and the works needed to remedy them with a reasonable time for starting and completing the works. There are two different dates for completion of works, depending on the nature of the works, the shortest being 12 months (by February 2025) and the longest being 24 months (by February 2026). The works required by the Improvement Notice seek to reduce the risk associated with fire to a satisfactory level and does not seek to remove all alleged fire safety defects or works that may or may not have been subject to Building Regulations at the time of conversion.
5. Redrow's contractors undertook intrusive survey work in four flats over August. The work was observed by Savill's and Corporation Environmental Health officers. The residents commissioned their own experts at the same time. The BTRA have shared a summary of their expert findings with the Corporation. Redrow have shared a summary of their fire experts report but despite requests, officers have not yet received full survey information from Redrow. That position is being challenged through the City's enforcement role.
6. Redrow have commenced works starting on 4<sup>th</sup> November to address a July 2024 Type 2 FRA (Fire Risk Assessment). Residents have raised concerns regarding the works being undertaken in a "piecemeal fashion", citing inaccurate documents and without the conclusion of Type 4 FRA (a destructive inspection both in relation to common parts and to a sample of flats), which has is being undertaken in November. The purpose of the Type 4 FRA is to inform whether a supported temporary simultaneous evacuation strategy should be put in place due to the compromised compartmentation works, which was requested by the Corporation in relation to their Enforcement role.
7. Savill's, working on behalf of the Corporation, will be present and review the continuing Redrow survey and remedial works undertaken against Type 2 and 4 FRA 's.
8. On 16<sup>th</sup> October LFB were notified (an automated notification via the detection system in the development) of a potential fire incident and responded

appropriately deploying their high-rise protocol. The City enforcement colleagues reviewed the matter and fed back to Redrow on an issue relating to studio flats having been connected in error to the communal alarm system. Works are underway to reconfigure the detection system in the studio flats.

9. The Merger with Barratt Homes has now taken place. The formal name is now Barratt Redrow. Redrow advise that that the merger will not affect their plans.

## **Enforcement Notice**

10. The Corporation is receiving regular updates on progress with the works required by the Housing Act 2004, Improvement Notice. Some works have already been completed and most are in progress. The further flat investigations that were undertaken in the summer will be pivotal to understanding the extent of works for issues such as compartmentation, sprinkler pipework, etc. Although Redrow have released one of their expert reports, others appear yet to be shared with the Corporation. Given the length of time it has taken to prepare these reports, further action has been taken to compel Redrow to release all pertinent documentation in relation to the August 2024 flat investigations.
11. Officers are closely monitoring the situation, and should any information come to light that confirms that the current evacuation strategy is no longer viable, then action will be taken to compel the instigation of an interim, suitably supported temporary simultaneous evacuation strategy.
12. Officers are in regular contact with colleagues in the LFB about this block and they have in turn confirmed that without a Fire Risk Assessment in place that confirms the need for an interim temporary simultaneous evacuation strategy the LFB would not be able to enforce this.
13. Although Officers believe that the works being undertaken by Miller Knight on behalf of Redrow will help reduce the fire risk at the development, Officers have set out their concerns over the scope and resident engagement in relation to the works.
14. Redrow had committed to trying to do works in a manner that meant that works would be, where possible grouped to minimise disturbance to residents and done in a manner that fully engaged the residents. The current Miller Knight programme requires more planning to achieve that aim and to do a significant level of work that would see further compliance with the Corporation's Improvement Notice as well as their own identified works.
15. With these issues highlighted, Redrow have carried out and continue to commission works to comply with the requirements of the Improvement Notice,

such as improving the fire detection within the studio flats at the development (though this has initially been carried out incorrectly), improving fire evacuation directional signage, installing wayfinding signage, putting in place management protocols to deal with issues such as battery operated bicycles, ensuring the main sliding doors open effectively in the event of a fire, putting in place protocols to see the external element of the fire escape stair kept free from slip hazards, submitting a pre-planning application to deal with the wintergardens opening onto the escape stair, etc. The quality and relevance of the works carried out is closely monitored by officers of the Corporation.

### **Options**

16. The Corporation continues to review options and the approach, engaging with BTRA and Redrow to inform the strategy going forward.

### **Proposals**

17. The Committee is asked to note the commitment of the Corporation in holding Redrow to account for resolving the quality and safety deficiencies currently evident at Blake Tower.

### **Key Data**

1. We are awaiting information from Redrow to inform their next steps, which will in turn inform how the Corporation responds in relation to its enforcement role.

### **Corporate & Strategic Implications**

2. Progressing work outlined in this paper will contribute to the corporate plan's intention to provide excellent services.

### **Financial Implications**

3. There are no additional Financial implications arising from this report.

### **Resource Implications**

4. There are no additional resource implications arising from this report.

### **Legal Implications**

5. Legal advice, including specialist legal advice from Fieldfisher, supports the current approach and work programme.

### **Risk Implications**

6. The work underway seeks to reduce the risk arising from the issues identified in relation to Blake Tower.

### **Equalities Implications**

7. The work undertaken will have neutral or positive benefits for residents of Blake Tower.

### **Climate Implications**

8. Any work undertaken will be delivered by Barratt Redrow's contractors.

### **Security Implications**

9. None

### **Conclusion**

10. Whilst the Corporation is prepared for the transfer of the management of Blake Tower, this has not progressed due to outstanding issues with the quality of the development works and associated resident dissatisfaction. Redrow will commission a contractor to provide the necessary documentation but are currently not suggesting a timescale for this work.

11. Obtaining and reviewing the survey works, and associated improvement plan are key in assessing Redrow's future commitment to resolving this challenge. We have requested an update from Fieldfisher on our strategy in light of Redrow's current approach.

12. Despite recent concerns and issues, progress is being made in relation to the Corporation's enforcement intervention under the Housing Act 2004.

### **Appendices**

None.

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