

Book review

Fire Safety in Residential Property: A Practical Approach for Environmental Health

Richard Lord

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John Pointing praises a useful and timely work.



John Pointing

The flawed state of regulatory control affecting residential property became evident with the unfolding of the Grenfell Tower fire tragedy in June 2017. The combination of the retreat of state institutions from supervising building operations, the watering down of regulatory provisions and the running into the ground of agencies responsible for enforcing them has resulted in the hollowing out of the system ostensibly intended to ensure that people could reside in their dwellings safely. The tide is turning in the aftermath of the Grenfell Tower tragedy, heralding a retreat from the disastrous government policy promoting self-regulation. Richard Lord's monograph thus comes at a timely moment.

Fire Safety in Residential Property is the most recent addition to a series of monographs published by Routledge and supported by the Chartered Institute of Environmental Health. It will be of interest to professionals such as environmental health officers, housing officers and surveyors, as well as to landlords, tenants and owner-occupiers of residential property, especially those living in flats where the cladding is made from combustible materials.

This a practical text, serving very well as an introduction to a complex set of issues linked to fire safety. It starts with a useful chapter summarising the relevant primary and secondary legislation pertaining to fire hazards. Lord makes an important point that

this body of legislation is overly complicated, making it difficult for non-experts to understand. He also discusses how fires start, and makes links between the types of materials used to construct or refurbish buildings and an assessment of risk that takes into account how occupiers actually use their homes. The basics of proper compartmentation, the fitting of regulation-compliant fire doors and fire-stopping bring into play weaknesses in supervision and the mindless cost-cutting employed by a cynical and incompetent construction industry. Really basic faults – the use of cheap building techniques coupled with widespread incompetence – have been widespread, largely going unchecked. The grinding down of local authority building control and government's caving in to the self-serving demands of the private sector are the ghosts walking the corridors of flats built over the past 20 years or so.

The link between regulatory weaknesses and problems on the ground, including the way property is used, is very well brought out in this book. In chapter 4, Lord has written an informative and lucid analysis of fire risk assessment in residential premises, and has identified serious weaknesses in the Regulatory Reform (Fire Safety) Order 2005 SI No 1541. I hadn't appreciated that 'there is no requirement for the responsible person or fire risk assessor to have particular fire risk qualifications or to be competent to undertake an assessment' (page 32). The crucial importance of these roles for maintaining fire safety is discussed, including at the construction stage, where regulatory weaknesses have been profound.

Chapter 7 looks in more detail at the different fire risks associated with different types of rented dwellings. Useful points are made about such practical matters as considering the varying risks associated with changing uses and tenure mixes of property. The chapter is written in an engaging style relevant to landlords, managers, tenants and regulators. Lord has also

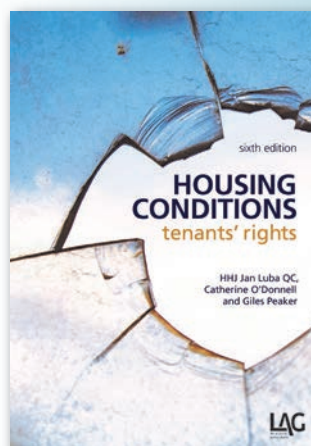
made good use of First-tier Tribunal and Upper Tribunal decisions in his discussion of good practice.

Lord considers the implications for the leaseholders of flats of the External Wall Fire Review process put into effect post-Grenfell. Signing off a building as reasonably safe by a suitably qualified and competent professional assessor is needed in order for leaseholders to sell their leases. In 2020, an estimated 1.5m modern flats had not been signed off and were, consequently, unmortgageable, so trapping those owning leases.

The critical need to increase the numbers of technically competent fire risk assessors is a theme coming out of the book, and it is clear that the

response to this has been woeful. The ex-polytechnic universities have been dismally slow to put on the new training courses needed to rectify this problem, while the professional associations, such as the Royal Institution of Chartered Surveyors and the Chartered Institute of Environmental Health, have been weak and ineffective in pressing the case for improving training, skills and competency. There is also the need for a clear lead from government on this (and other matters). But housing ministers come and go, leaving nothing much in the way of positive achievements, and we have to go a long way back in time for an exception: Harold Macmillan, who held the post in 1951-54.

John Pointing is a barrister specialising in environmental health law.



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