

# Parliamentary Briefing: Fire Safety Bill

## House of Lords: Report Stage

17 November 2020

### 1. Key Messages

- We ask Peers to speak in support of the *two cross-party* amendments tabled by Lord Bourne of Aberystwyth to ensure that the Fire Safety Bill includes:
  - Mandatory electrical safety checks across all tenures in High Rise Residential Buildings (HRRBs).
  - A requirement for Responsible Person(s) to maintain a register of electrical appliances in HRRBs.
- These amendments will build on important Electrical Safety Regulations currently being implemented for the Private Rented Sector and will **ONLY apply to HRRBs - not across the whole Social Rented Sector (SRS) in England.**

#### Mandatory electrical safety checks

- From 1<sup>st</sup> July 2020, the implementation of mandatory electrical safety checks in the Private Rented Sector in England commenced through the 'The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020'. **The amendment proposed by Lord Bourne of Aberystwyth will only extend these regulations to HRRBs to create parity across different tenures within these buildings. This is especially important as HRRBs are often mixed tenure. The amendment seeks to build on the PRS regulations.**
- The existing PRS regulations help reduce accidents and injuries caused by electricity by mandating regular checks of fixed electrical installations – including consumer units (fuse box) and wiring. Social renters and owner occupiers in HRRBs are currently not covered by the new regulations. **This means that there is an effective 'tenure lottery' when it comes to electrical safety checks, with the PRS covered by mandatory five-yearly checks, social renters with non-mandatory checks at irregular intervals and owner occupiers falling completely outside of the regulatory framework altogether.**

#### Register of electrical appliances

- Lord Bourne's other amendment will require the maintenance of a register of white goods in HRRBs and provide advice and information to tenants when appliances are recalled. This is particularly important given that fires caused by appliances in HRRBs have increased in the last three years.<sup>ii</sup> The register would ensure that unsafe products are identified by the Responsible Person(s) / Management Company in these buildings and appropriate action taken to inform the tenants of the risk of using these appliances.

### 2. Background

- Electrical Safety First believes HRRBs must be covered by electrical safety checks and Management Companies must have an idea of what appliances are in use in their buildings for three reasons: -
  - i) **The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 do not apply to all flats in a HRRB.** These standards will apply to HRRBs, but only to privately rented flats. This creates an anomaly where parts of these buildings, depending on the tenure, will be regulated but other flats will

not. **This creates a complicated three-tier system of electrical safety and endangers all residents. This must be resolved.**

- ii) **Fires caused by electrical sources of ignition in HRRBs are increasing.** The latest analysis of Home Office fire data by the Charity shows 355 accidental electrical fires occurred across England last year in purpose-built high-rise buildings that include 10 or more flats. This figure has increased over the past three years, with 301 electrical fires recorded during 2016/17 and 309 recorded during 2017/18.<sup>iii</sup>
- iii) **Electricity causes more fires than gas.** The number of residential fires caused by electricity are six times higher than gas<sup>iv</sup>. **This was one of the main reasons why the Government introduced electrical safety checks in the PRS.**

### 3. Fires caused by electricity in England

- **Electrical Safety First believes that the Government should come forward with mandatory checks for HRRBs because their benefit has already been recognised and implemented within the PRS.** These checks would mean that owner(s) would be required to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. The landlord and owners are then provided with a copy of the electrical safety report for their tenants, and their local authority if requested. This would give greater confidence to people living in HRRBs that their electrical installations are safe.
- **In England, 53% of all electrical dwelling fires are caused by an electrical source of ignition.<sup>v</sup>** The Charity supports the Fire Kills campaign, and co-runs Electrical Fire Safety Week with the Home Office each year to raise awareness of the cause electrical fires in UK homes<sup>vi</sup> with members of the public. **However, we believe additional legislative measures are needed to protect people from fires caused by electricity in HRRBs where risk is particularly high, because flats are located so closely together.**
- This table<sup>vii</sup> illustrates the Home Office’s statistics analysed by Electrical Safety First and shows fires caused by domestic wiring faults remain consistently high even as the overall number of domestic fires have decreased. **These figures suggest that installations wiring issues are not being adequately tackled and it would be very beneficial for HRRBs to be therefore covered by electrical safety regulations, just as the rest of the PRS has been recently.**

Year	Number of Fires attributed to domestic wiring in England
2019-20	1,672
2018-19	1,597
2017-18	1,745
2016-17	1,724
2015-16	1,694

- **Six times as many residential fires are caused by electricity than gas.** Data in England from the Home Office shows that for residential dwellings, **13,855 fires** were caused by electrical accidents. By contrast, **2,272** were caused by gas accidents. Indeed, for every year from 2015 to 2020, electricity was **five times more likely to** be the cause of a fire than gas in domestic dwellings<sup>viii</sup>.
- HRRBs do contain gas. Ronan Point HRRB in London was caused by a gas explosion more than 50 years ago in 1968.<sup>ix</sup> But in more recent fires in HRRBs, for example, Grenfell Tower, Lakanal House and Shepherds Court in London, which all contained gas, the **fires were caused by an electrical source of ignition.**

#### 4. Residential Tower Block Fires

- Three high profile fires at Grenfell Tower, Lakanal House and Shepherds Court were all caused by electrical goods – a fridge-freezer, a TV, and a tumble dryer. Each of these was a residential tower block. **Of note is that each building was mixed tenure – with residents not only from the social rented sector but the private rented sector and owner occupiers too.**
- In Grenfell, of the 129 properties, 115 were socially rented with 14 privately owned<sup>x</sup>. These 14 properties would be either owner occupied or rented in the private rented sector. At Shepherds Court there are 102 properties. At least 17 of these are privately owned<sup>xi</sup> – and as such are either owner occupied or rented in the private rented sector. Similarly, at the time of the fire at Lakanal House, 9 properties were privately owned<sup>xii</sup>.
- **The mixed tenure across these three buildings demonstrates the critical importance of these amendments – in order to bring parity across the tenures and ultimately ensure all residents safety. The PRS regulations have created this anomaly in HRRBs and we urge the Government to look favourably at Lord Bourne’s amendments.**

#### 5. Social Rented Sector

- **Electrical Safety First has conducted a consultation with social rented landlords on their views of mandatory checks in the SRS.** Even though Lord Bourne’s amendment will not apply to the SRS, other than in HRRBs, it was important to engage with the sector to understand their views on potential mandatory checks. **Electrical Safety First undertook this work whilst we await the Government’s own response to its Social Housing Consultation.**<sup>xiii</sup>
- Electrical Safety First’s consultation has received responses from 42 social housing providers, including some of England’s largest, who house thousands of tenants. **97% of social housing providers who responded to our consultation backed mandatory checks for the SRS. This is a very positive response from the sector and demonstrates there is support in the sector for these checks. Lord Bourne’s amendments will of course only apply these in the first instance to HRRBs, not the whole sector. We urge the Government to protect HRRBs through this Bill.**

#### 6. Appliance registration – a precedent

- Lord Bourne’s amendments will require HRRBs Management Companies to assume responsibility for maintaining a register of white goods, **for which there already exists a precedent in student accommodation throughout England.**

- Many providers, of residential student accommodation – including universities themselves, regularly undertake to maintain, albeit voluntary a register of electrical appliances. Often this register of appliances is updated annually – and is likely far harder to maintain given the high turnover of students.
- Electrical Safety First believes that this amendment will not be burdensome on HRRB Management Companies to undertake and it is practical to implement as demonstrated by the example of student accommodation. We **urge Peers to back the cross-party amendments tabled by Lord Bourne as they will be a real step forward in protecting people who live in HRRBs from electrical accidents, incidents and deaths.**

<sup>i</sup> The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 <https://www.legislation.gov.uk/ukdsi/2020/9780111191934>

<sup>ii</sup> Electrical Safety First analysis <https://www.electricalsafetyfirst.org.uk/media-centre/press-releases/2020/04/charity-calls-for-electrical-safety-checks-white-goods-register-in-tower-blocks/>

<sup>iii</sup> Ibid

<sup>iv</sup> Figures from Electrical Safety First analysis of Home Office Dataset <https://www.gov.uk/government/statistical-data-sets/fire-statistics-incident-level-datasets>

<sup>v</sup> Electrical Safety First analysis of Home Office Statistics 2018-19 <https://www.electricalsafetyfirst.org.uk/what-we-do/our-policies/westminster/statistics-england/>

<sup>vi</sup> <https://www.electricalsafetyfirst.org.uk/what-we-do/electrical-fire-safety-week/>

<sup>vii</sup> Electrical Safety First analysis of Home Office statistics Analysis of Home Office data\* shows the following figures for Fires attributed to domestic wiring in England, years 2015-2020: <https://www.gov.uk/government/statistical-data-sets/fire-statistics-incident-level-datasets>

<sup>viii</sup> Figures from Electrical Safety First analysis of Home Office Dataset <https://www.gov.uk/government/statistical-data-sets/fire-statistics-incident-level-datasets>

<sup>ix</sup> Ronan Point Disaster - [http://news.bbc.co.uk/onthisday/hi/dates/stories/may/16/newsid\\_2514000/2514277.stm](http://news.bbc.co.uk/onthisday/hi/dates/stories/may/16/newsid_2514000/2514277.stm)

<sup>x</sup> Freedom of Information request to the Royal Borough of Kensington & Chelsea [https://www.whatdotheyknow.com/request/grenfell\\_tower\\_tenancies\\_at\\_the](https://www.whatdotheyknow.com/request/grenfell_tower_tenancies_at_the)

<sup>xi</sup> Analysis of Land Registry / Rightmove data <https://www.rightmove.co.uk/house-prices/w12-8pn>

<sup>xii</sup> London Borough of Southwark Cabinet Report <http://moderngov.southwark.gov.uk/documents/s51821/Report%20Lakanal%20inquiry.pdf>

<sup>xiii</sup> <https://www.gov.uk/government/consultations/a-new-deal-for-social-housing>