

30 October 2020



GRAVES SON & PILCHER

To all Leaseholders of the Van Alen Building

## RE: Van Alen Building – Fire Safety

Dear Sir or Madam

We are writing to inform you of some recent developments regarding fire safety measures at the Van Alen Building.

Fire Safety has always remained a high priority for the directors of the Van Alen Building and GS&P, with three separate fire risk assessments carried out since 2018 and a substantial investment during the past couple of years in fire safety measures such as compartmentation and ensuring all services are fully maintained.

Although the Fire Risk Assessments have not raised any specific external issues, the directors have always been mindful of the fact that the penthouse apartments have a form of cladding on them.

In light of the concerns around external wall systems such as cladding that was raised after the Grenfell disaster, external bodies including RICS introduced, in November 2019, a standard survey form called an EWS1. Its purpose was to enable suitably qualified professionals to carry out an External Wall Survey of any building that was in excess of 18 meters in order to satisfy mortgage lenders that the buildings were safe in the event of a fire.

The Van Alen building is less than 18m tall (Approximately 15m using the RICS measurement guidelines) and therefore there has not been any requirements so far from mortgage companies for an EWS1 survey to be completed.

However, in January 2020 the Ministry of Housing, Communities & Local Government (MHCLG) produced a consolidated advice note which gave further guidance on multi-storey buildings. The advice in this report was that buildings below 18 meters where there were specific concerns may now require an EWS1 form. The examples it gives are buildings of 4-6 storeys that have potentially combustible cladding or balconies with combustible materials. Unfortunately, the Van Alen meets all of these triggers.

The Government has recently announced its intention to introduce a Fire Safety Act next year which will clarify that building owners and managers of multi-occupied residential premises of **any** height must fully consider and mitigate the risks of any external wall systems and fire doors in discharging their duties under the Fire Safety Order.

51 OLD STEYNE, BRIGHTON, EAST SUSSEX, BN1 1HU T: 01273 321123 E: INFO@GSP.UK.COM W: GSP.UK.COM  
PROPERTY MANAGERS · COMMERCIAL ESTATE AGENTS · CONSULTANT SURVEYORS



**MANAGING PARTNERS:** N P Mills, A J Austin.

**PARTNERS:** R J Coble FRICS, P J Manning BSc FRICS, D J Renaut BSc MRICS, H F Whitmarsh BA (Hons), M J Baker, M J Deacon MRICS.

**CONSULTANTS:** S J Owen, C M Davies FRICS ACIARB, R A Creaton, C I Wellings, R D M Clifford MCIARB, I L Mergler MCIM BA (Hons).

The term 'Partner' refers to a member of the LLP registered firm. Regulated by RICS, Graves Son & Pilcher LLP is a Limited Liability Partnership, registered in England and Wales. Registered Office: 51 Old Steyne, Brighton, BN1 1HU, where a list of Members can be inspected. Registration No. OC343267.

Graves Son & Pilcher LLP is an Appointed Representative of RT Williams Insurance Brokers Limited, The Old Coach House, 110 London Road, Brighton BN1 8BB. Registered in England and Wales No. 4994416, which is authorised and regulated by the Financial Conduct Authority.

 GRAVES SON & PILCHER LLP IS PROUD TO BE PART OF THE RIVERSONG GROUP.



GRAVES SON & PILCHER

The MHCLG guidance notes state; 'We strongly advise building owners to consider the risks of any external wall system and fire doors in their fire risk assessments, irrespective of the height of the building, ahead of the planned clarification.'

Based on this guidance, the Van Alen directors and GS&P have been making enquiries with ICS Ltd who were the original installer of the cladding system at the Van Alen. The cladding is only installed on the top floor of the block, the penthouse properties.

ICS Ltd have now confirmed that the external panels on the penthouse apartments have a core of expanded polystyrene (EPS). Although this is not the same type or risk as that used at Grenfell, it is nevertheless not an industry acceptable insulant.

Although the cladding is only located on the top floor and therefore presents a minimal risk to residents, due to fire generally spreading upwards, it is nevertheless important to ensure the building is fully compliant with fire safety requirement and therefore it is likely that the cladding will need to be replaced. However at this point in time it is unclear about what would be a suitable replacement, so the advice from the original installers is to ensure we fully research appropriate products and seek professional advice. As the guidance on cladding is constantly being reviewed, we do not want to rush into anything until we are certain that the final result will be fully compliant.

We may also need to firstly carry out a full EWS1 survey that includes the rendering to check for any insulation behind it, and also the general compartmentation between each floor.

Another area of concern for the Van Alen building is balconies which have decking that is not fire resistant as this is considered a potential fire risk. The MHCLG guidance notes advises;

'Balconies including combustible materials may not meet an appropriate standard of safety and could pose a risk to the health and safety of residents and other building users. Building owners should therefore ensure that they understand the materials used in the construction of balconies. This will enable them or their competent advisor to better understand the associated risk of external fire spread and take appropriate action to manage this risk.'

As you can appreciate, there is still a great deal of further investigation required before any firm decisions are made on how to proceed, and the directors are also mindful that leaseholders would not want to spend additional money without fully investigating all options and ensuring value for money is provided for any work that is carried out.

The exterior of the Van Alen building is due to be redecorated in 2022 which would involve scaffolding and therefore we would ideally look to combine any external cladding remedial works with the redecoration programme to fully utilise the scaffolding and avoid paying twice for access costs. However, depending on the result of further enquiries, it may be decided that we would need to bring forward the redecoration programme to 2021 in order to avoid unnecessary delays to the fire safety remedial works, or if the current situation prevents residents from selling their flat or re-mortgaging.

Whilst all these issues are being decided and actioned, as an interim safety measure we need to ensure that all the action points on the recent fire risk assessment have been implemented. The fire safety works within the communal areas have almost been completed, however the work to individual flat entrance doors is still outstanding. The reason for this is that we have



GRAVES SON & PILCHER

been obtaining quotes from three different contractors and also investigating various options for upgrading the Perko door closers (as fitted within the door and frame). Even upgraded Perko closers are not proving to be effective in closing the doors from all angles.

A suitable overhead door closer has now been sourced and a competitive price obtained for installing these as well as any other works required to individual doors. We will therefore shortly be contacting leaseholders on an individual basis to advise of the cost of the work to their doors and seeking approval to proceed with leaseholders paying for the cost to their own front door. It is important that leaseholders agree to these works without delay, as we need to ensure all the outstanding works highlighted in the recent fire risk assessment are completed promptly in light of the recent information that has been obtained regarding the cladding.

A concern raised in the fire risk assessment was items being left in the lobby areas outside flat entrance doors as these can be a potential fire risk and also cause a trip hazard if there is smoke in the corridors. We would therefore remind residents that they ensure these areas remain clear at all times. The cleaners have been requested to remove any items that are left in the communal hallway or lobbies and to put them in storage.

As the cladding is only located on the top floor, the risk of fire spreading to the rest of the building is considerably lower than buildings with cladding on all levels. However, it is important to ensure that sufficient precautionary safety measures are taken in the meantime.

We are currently seeking advice from the Fire Risk Assessors and the Fire and Rescue Service on whether it is still advisable to have a 'stay put' policy in the event of a fire or whether an evacuation policy would be more suitable in light of this recent information. We will advise residents as soon as there is a clear response.

If you have any questions, then please do not hesitate to contact us. This matter will also be discussed at the AGM via Zoom on Monday 2 November at 6.30pm which all residents are invited to attend.

<https://us02web.zoom.us/j/85162209230?pwd=N1NDcnIIOWE0WDIGVXhQU0szMW1lUT09>

Meeting ID: 851 6220 9230

Passcode: 2468

Yours faithfully

**Matthew Reeve**

**Senior Property Manager**

Direct dial: 01273 267235