Where now for high rise living?

Loss of project oversight by one architect and of borough architects' departments have led to a fragmentation of responsibilities and dominance of budget and programme led by project managers and builders

The implications for planning, management, procurement and design of high-rise residential buildings of the Grenfell tower tragedy are manifest. It is not easy to focus on the practical and pragmatic issues in its aftermath.

Susan Emmett, late of Savills Research and now with Policy Exchange, argues on page 10 for the need to take the politics out of housing; the graphic spread on pages 8-9 'The only way is up' prepared by Raconteur using NLA data shows the extent to which tall, mainly residential towers are in London's development pipeline.

On page 16 **Duncan Bowie** calls for a fundamental rethink of housing policy although at the London Planning and Development Forum (see page 42) he compliments Conservative manifesto policies. These include reforms to capture land value uplift from development and to the compulsory purchase process to make it easier for councils to use. **Jennifer Holgate** of Bond Dickinson writes about this on page 27. The Tory manifesto also supports high-quality, high density housing "like mansion blocks, mews houses and terraced streets" – reflecting the promotion of low-rise high-density housing by architects since the 1960s. The manifesto also seeks to deliver the planning reforms in February's relatively radical Housing White Paper including changes to the National Planning Policy Framework and targets delivering one million new homes by the end of 2020 and half a million more by the end of 2022.

We publish a professional manifesto with an article by **John Assael** on page 18 where he calls for 'great design and better housing regardless of politics'.

The Construction Industry Council has pulled together its members to form a task force following the Grenfell disaster. Representing architectural practices, the Association of Consultant Architects puts the focus on the procurement process, roles and responsibilities in the construction industry.

They say: "While not being a specialist in any aspect of the construction of buildings, the architect is trained to understand the essentials of the functioning of buildings and to take a holistic view of both the building and the process of construction. We believe that this role is being undervalued and disrupted by a fragmentation of responsibility through changes to the process of procurement with the multiplicity of decision makers involved in this process.

The independent role, standing sufficiently outside of the commercial pressures on a project, which was traditionally vested in the profession of architecture has all but been dismembered in many instances, notably with much public procurement. It is not certain that such a continuity and breadth of involvement would ensure that a disaster would never happen, but we believe that it most certainly would substantially reduce the risk.

As publishers of forms of appointments and building contracts the ACA has a long and special interest in successful design, procurement and construction.

We have 'brainstormed' some suggested areas for investigation in the wake of the fire, and in the context of the current status of our industry. These are listed below.

Is the design and procurement of buildings in England and Wales currently working as it should? If not, how can it be improved to prevent future catastrophic failures?"

Paul Finch writing under the heading 'Clarity of thought and purpose will be crucial for the Grenfell inquiry' in *Property Week* of 7th July says: "As for the inquiry, the other broad question that >>>

Planning in London has been published and edited by Brian Waters, Lee Mallett and Paul Finch since 1992

>>> one hopes will be addressed (because it will be dealing with a particular instance of procurement and will need to put it into context), is the way that risk transfer, a polite term for passing the buck, has become endemic throughout construction. This is because it is part of the ideology of project management and the worst exponents of design-and-build. It is not the same thing as being risk-averse, although that is another congenital condition. So what happens if financial risk is at odds with fire safety?

This is going to be a rough ride". ■

Questions raised by the ACA

In the particular case of Grenfelll Tower:-
• Was the building after regeneration compliant with the regulatory frameworks? If so are the current regulatory frameworks fit for purpose?
• If it was, how did the failure occur?
• If it was not compliant, how did the non-compliance happen?

POTENTIAL TOPICS FOR INVESTIGATION
1. The history, ownership by RBKC Council and social housing use of the building.
2. The building underwent a major Regeneration Project. Identify reasons for the project, social, economic and political context.
3. RBK&C Council does not have a Chief Architect, or an Architects Department. Was this a factor?
4. Who was the 'Client' on the project and were they competent to assume that role?
5. Planning Consent applied for in late 2012 and granted in January 2014.
6. Relationship between Planning and Building Acts, their separate and overlapping natures.
7. Appointment of professional teams and their roles and what forms of appointment were used? Do they encourage teamwork or protectionism?
8. Was there a team leader and were they competent to fulfil that role?
9. Who was responsible for the overall design and specifications?
10. In selecting materials for inclusion in the building and with the increasing manufacture and use of new composite and combinations of materials are we satisfied as to their performance 'promise'? Are they fit for the purpose to which they are applied? Is the testing of materials as good as it needs to be?
11. If the cladding solution selected was used countrywide how did this get passed on? Through suppliers, trade contractors or commissioning clients?
12. Who was responsible for the overall design and construction programme. Was sufficient time allowed?
13. Were all aspects of the project that needed to be, addressed by an individual team member?
14. Continuity in team contributions. Were there critical gaps in expertise?
15. Was there any Cost-Benefit analysis during the design process?
16. When and by whom was the construction procurement decided? How was the decision made and was that the most appropriate process? What form of contract was used and was this most appropriate form of contract?
17. How was the contractor selected? What elements of the design (if any) were the responsibility the main or specialist contractors?
18. How were specialist designer/subcontractors selected?
19. Was anyone responsible for ensuring that the design intent was satisfied by specialist designers/contractors?
20. Was the project programme reasonable? Was sufficient time allowed for full design to progress in time for the construction programme?
21. Regulatory frameworks. Are they clear or are they overly complex?
22. Planning Acts.
23. Building Acts.
24. Fire Precautions Acts.
25. CDM and Health and Safety Law.
26. Environmental Health Acts.
27. Housing Acts.
28. Whilst innovation is essential for society to progress, are the Regulations sufficiently clear to permit innovation, without allowing innovation to go unchecked?
29. How are decisions on innovation made and authorised?
30. Should Full Plans Approval be secured before construction is commenced on site? (Used to be relevant in Scotland through the issue of a Warrant).
31. What role does the Fire Brigade play is design of tall buildings?
32. What is the current position on the issue of Fire Certificates?
33. Tenants were consulted in the design process. Were their comments fully addressed?
34. Who was responsible for representing the interests of the tenants throughout the project?
35. What is the role of insurance on building projects and do insurance companies influence positively of negatively?
36. Post project completion, were tenants informed of safety requirements in their daily use of the building both common parts and their own occupancies.
37. Was the fire precautions regime in place and understood by the landlords and all tenants?
38. Was there regular testing of building services and installations?
39. Post completion, were there regular inspections by Landlords representatives?
40. Was there a regime in place for post completion defects, complaints and concerns?
41. Were there regular tests of fire detection and warning systems and evacuation tests?

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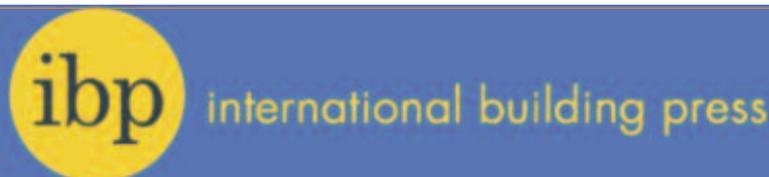
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The conflict for boroughs of both regulating and delivering housing

Boroughs should police the provision of homes in their area and leave the delivery of mainstream social housing to more flexible, focused and competent bodies

One of the fundamental political and regulatory - ie governance - issues thrown up by the lives lost at Grenfell Tower is whether there is an inherent conflict of interest for a local authority in being an owner and a local regulator of housing provision.

Local authorities frequently complain about the activities of the private sector as 'landlords' and then themselves sustain physical conditions which they would otherwise abjure. Was Peter Rachman responsible for deaths in the run-down and rent-regulated properties he owned in Notting Hill? He did, it was alleged at the time, make life uncomfortable for many tenants.

In fact, it might be argued that the regulation of rents was one of the measures that made conditions so bad in Notting Hill that it became what it did - before a resurgent Bourgeois tribe of newly minted economic migrants reclaimed it for their own, forcing the residue of its less affluent residents into whatever public sector nooks and crannies could be found.

In the early 1980s, when London's population hit a 100-year low, you could see the effect of controlled rents and municipal landlordeeism in every inner London borough. Much as you can today, only it was more extreme in terms of derelict and squatted council property and run down council-owned estates. This was a very poor legacy given the altruistic social Utopian ideals that generated the Welfare State and its ambition of Homes Fit For Heroes.

We could see Grenfell as a the end point to an era of two halves. The first of which was Socialist and drove the state's role in provider of social housing for the part of society that needed better subsidised homes. We know where that ended up. Some good stories, some horror stories. The second half was the Conservative reassertion of private individualism seeking to reverse the all too tangible failures of the earlier era and liberate private economic endeavour. But without sufficiently modernising or sustaining our collective duty to help those most in need.

Somehow these trans-party characteristics came together in Grenfell with horrible effect.

Local authorities need to exercise their authority, otherwise things can fall apart. Rather than being ineffectual landlords, might they not be better policemen of other providers? Ingrained, hard-to-shift poverty and disadvantage seem to remain rooted in place where positive change is not achieved. There are plenty of places in London like that, despite proximity to the heart of one of the world's most successful cities. Somewhere in those places is usually a lot of council housing. There is also a political umbilical link in some boroughs between housing provision and perpetual power. That is not a healthy relationship, and it works both ways either side of the political spectrum.

Boroughs should police the provision of homes in their area and direct development to secure improvement. They might also make and manage emergency provision for those who need it most when life gets really difficult – but, they would perhaps perform a better role by making sure, first and foremost, that the homes on their patch were safe, as it is now pretty clear that lots of them aren't, and leave the provision of mainstream social housing to more flexible, focused and competent bodies, like independent housing associations, or even perhaps the private sector. ■