**Nobel House Residents Update 01.04.21**

Below is the weekly update on progress on the Nobel House cladding issue, including responses in red to specific questions that residents posed.

**Questions for Y&Y (Aaron from Y&Y is on annual leave this week, Jo Hills from Raven had answered this week’s questions in Aaron’s absence).**

**Q1: Can the VAT be claimed back by Y&Y or will the cost of the survey to owners have VAT added, so the actual cost we have to pay will be £50,700?**

A: This question will need to be answered by Y&Y next week.

**Q2: When will residents be provided with a full copy of the intrusive survey report that has resulted in the Waking Watch recommendation?**

A: We understand that Y&Y are still awaiting the report to come through from the fire engineer. We have certainly not seen it yet at Rave**n.**

**Q3: What are the specific qualifications of the Fire Engineer who has made this recommendation? This is important as only specific qualifications can be used to justify this.**

A: The fire engineer is Gavin W Jones MEng CEng MIFireE MSyI, a fire, safety and security expert.

**Q4: Has Surrey Fire and Rescue Service confirmed they agree with this recommendation, including the need for three full time staff at all times?**

A: Yes, they have agreed with the recommendation.

**Q5: I’ve been in and out the building throughout the day (30.03.21). I’ve seen no sign of the Waking Watch, so am assuming that it’s not in place and we won’t be charged for today?**

A: That is correct. Recruitment and training is currently underway.

**Q6: Where is the legislation that refers to the requirement for a Waking Watch?**

A: The H&S at work act is a good starting point:

[**https://www.legislation.gov.uk/ukpga/1974/37/section/4**](https://www.legislation.gov.uk/ukpga/1974/37/section/4)

**Health and Safety at Work etc. Act 1974**

***“General duties of persons concerned with premises to persons other than their employees.***

*(2) It shall be the duty of each person who has, to any extent, control of premises to which this section applies or of the means of access thereto or egress therefrom or of any plant or substance in such premises to take such measures as it is reasonable for a person in his position to take to ensure, so far as is reasonably practicable, that the premises, all means of access thereto or egress therefrom available for use by persons using the premises, and any plant or substance in the premises or, as the case may be, provided for use there, is or are safe and without risks to health.”*

Surrey Fire & Rescue, in backing this decision up, also referred us to the [NFCC guide waking watch](https://www.nationalfirechiefs.org.uk/write/MediaUploads/COVID-19/NFCC_advice_on_COVID-19_and_waking_watch_-_FINAL_25_March_2020.pdf)  which states:

*“It is the responsibility under the Regulatory Reform (Fire Safety) Order 2005 (FSO) of the Responsible Person (RP) to ensure the provision of the waking watch is maintained until fire safety issues are fully remediated. Where the need for a waking watch has been identified, these will be essential for maintaining the viability of the premises for continued residential occupation. The need to implement and maintain a waking watch is one which RPs need to do in order to safeguard residents due to specific fire safety issues with the building.”*

There is other legislation and guidance that people may wish to look up.

**Q7: Can the decision that a Waking Watch is needed be challenged?**

A: I do not know if anyone else has tried to challenge a Waking Watch but It may be useful to consider that there are some people living in the building, who we are aware of, that have genuine fears of a fire occurring because of the cladding on the building. Additionally, the Fire Service have enforcement powers available to them should they be concerned about fire safety or adherence to fire safety recommendations.