

<b>SUBJECT:</b>	<b>FIRE SAFETY UPDATE</b>
<b>DIRECTORATE:</b>	<b>HOUSING AND INVESTMENT</b>
<b>REPORT AUTHOR:</b>	<b>ROSS O'LOUGHLIN – FIRE SAFETY ASSURANCE MANAGER</b> <b>MATT HILMAN ASSISTANT DIRECTOR</b> <b>ANDREW MCNEIL ASSISTANT DIRECTOR</b>

**1. Purpose of Report:**

1.1 To update committee on CoLC's actions / progress on fire safety in light of the Hackitt review following the tragic events at Grenfell Tower.

1.2 The report will update committee on:

The Ministry for Housing, Communities and Local Government (MHCLG) report along with the "Building a Safer Future" consultation

Recommendations taken from the Hackitt report accepted by the MHCLG

The progress made in respect of these recommendations in advance of their proposed implementation through legislation

**2. Executive Summary**

2.1 This report covers the background following the Grenfell Tower fire (June 2017), it covers the key recommendations and CoLC's current position relating to fire safety.

2.2 Which includes:

- Fire strategies and considerations for building the risk profile
- Resident engagement
- Investment in infrastructure strategy
- Overall, in-house competence to be able to react to the new legislation
- Collaboration with Fire and Rescue and Lincolnshire Emergency Planning

2.3 To conclude, we have no combustible cladding on any of our in scope buildings. We have extended the knowledge and skills of our workforce and are far more aware of the risks posed by fire. We continue to develop our oversight and apply a risk based approach to our improvement and investment programmes.

Until the Bills are enshrined in law we continue to anticipate the changes, and are working on being in a position to satisfy and surpass the new legislative requirements.

The completion of fire infrastructure strategies, development of meaningful resident engagement and the collaboration with stakeholders, are all key in delivering fire safety assurance. This will result in delivering safe properties for the city's residents and ensuring a 'safer future' for the buildings.

### **3. Background**

- 3.1 Following the recruitment of a fire safety specialist within the Housing Directorate, the focus of the Safety Assurance Team has shifted to better understand the level of fire risk and to plan to react to legislature. The last 6 months has seen the Fire Service Inspections of the three tower blocks and continuous engagement to reassure that the Council has a strong grasp of the risk, both current and future, and how best to manage it.
- 3.2 The Grenfell Tower fire in West London on 14 June 2017 claimed 72 lives. The tragedy exposed serious failings across the whole system of building and managing high-rise homes. The proposed legislative changes are in reaction to this and the government have produced these Bills to address the issues raised in the Hackett Inquiry. Residents and leaseholders will have access to vital safety information about their building and new complaints handling requirements will be introduced to make sure effective action is taken where concerns are raised.
- 3.3 Together, measures in the draft Building Safety Bill (BSB), Fire Safety Bill (FSB), and Fire Safety Order (FSO) consultation will improve safety standards for residents of all blocks of flats of all heights, with even more stringent approaches and oversight for buildings in scope. When residents move into a building that falls under the new set of rules, it will need to be registered with the Building Safety Regulator and apply for a Building Assurance Certificate. The Accountable Person (AP) will need to conduct and maintain a safety case risk assessment for the building and appoint a Building Safety Manager to oversee it day to day.
- 3.4 The HSE will introduce a self-funding Building Safety Regulator, that will be empowered to test landlords competence to manage the in scope buildings, have veto rights on the appointment of the Building Safety Manager (BSM) and have far greater powers to sanction those who do not follow the legislation.

### **4. Legislative changes and effect**

- 4.1 The detail for the above-mentioned changes is vast and to summarise this we need to delineate between the BSB and FSB. The legislation is considering a mutual approach, although terminology reflects the CDM regulations in one and the Regulatory Reform (fire safety) Order in the other. The main thing here is the Responsible Person/ AP is the same thing in terms of duty holder responsibility.
- 4.2 This BSB is introducing a whole suite of changes that do align to CDM regulations, so there is familiarity in that. What is different is the introduction of a regulator, described above, that will supply a Building Assurance Certificate, which is specific to that building, on completion and production of a host of documents and other requirements in an application process. Without this the AP will be in breach and liable to prosecution.

- 4.3 The application will require the name of the AP, the BSM (competence not yet agreed and is required so the regulator can veto the appointment if not competent). A copy of the Building Safety Case report – new provision and a document that holds the Fire Risk Assessments, Fire strategy, test certificates, Alarm types, et al in one place – the so-called golden thread. A resident engagement strategy. Any information on the prescribed mandatory occurrence reporting – breaches in fire safety compliance/ structural concerns. Provisions for information routes to the residents and regulator alike.
- 4.4 So, the BSB is looking for all the information relating to the in-scope building type of high risk residential (18m or taller – may widen in future to encompass more building types inclusive of office types) relating to building safety. Then having a means to engage with the AP and BSM and understanding of how information is shared with residents. It wants to see active engagement and focus on fire safety. How the authority responds to safety issues and how it manages the overall safety of the in-scope buildings. This will be applicable to all buildings of this type, at any stage of construction and of course current buildings in use.

## **5 Fire Safety Bill**

- 5.1 The FSB new bill will essentially do three things:
- Amend the FSO such that the building owner is required to manage and reduce the risk of fire, related to structure and external walls of the building, including cladding, balconies and windows as well as entrance doors to flats and within communal areas.
  - Provide a platform for the introduction of secondary legislation to enable recommendations from the Grenfell Inquiry phase 1 to be introduced, which stated building owners and those that manage them should be responsible for a number of actions including lift inspections, evacuation plans and easily understandable fire safety instructions for residents.
  - Allow MHCLG to include other types of buildings in the FSO as is required by industry events as well as design and construction considerations.
- 5.2 Moving forward this will mean that the extent in which current FRA's are compiled will need to be extended to include more areas, especially the external balconies and façade of the buildings. This could also mean increased costs in upgrading the external windows to fire rating standards and will take the responsibility beyond the front door and into the flat itself.

## **6 Current position on fire safety**

- 6.1 The collaboration between Investment and Housing Repairs teams has created opportunity to enhance fire safety provisions across the housing stock particularly with regard to fire doors. The invitation of SAT into these collaborative meetings has seen some projects and issues expedited through development of understanding the holistic risk-based approach, combined with project management and joinery expertise. This will continue and despite teething problems through the procurement of fire doors in the tower blocks, fire safety

knowledge has gathered momentum and is being realised in the commitment to qualifying staff to BM Trada (UK third party accreditation service for wood work). This improved knowledge and commitment to improving standards will support the future plans to enhance the building information we gather as we look to build our building information in support of the Building Safety Case described above.

- 6.2 The Fire Service Inspection of the Tower Blocks was facilitated by SAT and through negotiation and careful consideration of the risks, presented to the Fire Service, the current progress and plans in place have satisfied the inspectors that we are appropriately managing the risk. There are outstanding actions related to fire doors and our collective proposal to solve these issues is accepted. This programme of work will require momentum and we have agreed methods of work including notional door set and surrounding wall fire resistance testing. This will help in determining the level of works required in improving compartmentation in the Jarvis House and Trent View. Future meetings on fire evacuation and collaborative working group on reactions to the new legislation have been set up with the CoLC, fire and rescue and LCC emergency planning.
- 6.3 The plan which has appeased the Fire Service includes a production of fire strategy drawings, which will afford us the opportunity to have a more proactive and strategic approach to spending on fire safety provisions. In essence provide us with a precedence of work required and look where our critical concerns are and how to resolve them. This applies to tower blocks only, but in order to be able to react to the legislative changes we need to have a picture of what we have and how we intend to manage that risk, without which the application to the regulator will not occur. By being proactive, creating a fire strategy and working from this we are futureproofing our effort and appeasing the Fire Service, whilst ensuring the safety of our occupants is the top priority. Our work with residents on a robust engagement plan will further supplement this work and is critical to ensuring we meet the needs of legislation and resident needs, whilst ensuring we have the right approach to investment work.
- 6.4 The main effort is aimed at the tower blocks as this is our greatest fire risk, in terms of number of occupants in one location. However, the overall assessment is not a high likelihood. All of the actions in the last round of Fire Risk Assessments have been completed. Now the fire strategies are complete, new Fire Risk Assessments can be commissioned and we are building a better picture, with more knowledge to make the right decisions around investment in fire safety.
- 6.5 The sheltered schemes are the next priority in terms of building risk, once again due to the number of occupants and the type of occupant. The fire door programmes will be delivered with a risk-based approach, to manage the investment output. The same approach to fire strategies and fire risk assessments will continue as with tower blocks, so that we are raising our standard but also subtly aware of the secondary legislative changes, that may occur in the years following the enactment of the upcoming bills, if the scope of the building type increases.
- 6.6 RO/ROSS checks carried out so far have provided strong evidence that the legal checks are being carried out in accordance with the appropriate standards and regularity. Further assuring the fire risk is being managed appropriately. The addition of a new in house fire safety advisor will further support this work.

## **7 Strategic Priorities**

### **7.1 Let's deliver quality housing**

The measures we are taking aim to ensure that our tenants and leaseholders in Higher Risk Buildings have fire safety at the core of our management.

## **8. Organisational Impacts**

### **8.1 Finance (including whole life costs where applicable)**

All costs related to fire safety works are currently funded from the Housing Revenue Account

### **8.2 Legal Implications including Procurement Rules**

As outlined in the report

### **8.3 Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

### **8.4 Human Resources**

The Safety Assurance Team, within Housing and Investment currently advises and oversees fire assurance. The Manager role and the new Fire Safety Advisor role increases the overall fire safety knowledge, and expertise within the department.

### **8.5 Land, Property and Accommodation**

The report covers how the council is ensuring fire safety in its residential property

### **8.6 Corporate Health and Safety implications**

The proposed role of Building Safety Manager may have a wider implication for corporate Health and Safety. At present the recommendations are for High risk residential buildings.

## **9. Risk Implications**

### **9.1 (i) Options Explored**

Whilst the residential building we manage do not contain any combustible cladding the proposals explored in the MHCLG consultation shape the option we have proposed.

9.2 (ii) Key risks associated with the preferred approach

The preferred approach will enable the council to adopt the MHCLG proposals at an early stage. Whilst there will be a transition period of up to 5 years, not looking to encompass these proposals could create a reputational issue.

**10. Recommendation**

The committee notes the progress that the council has made in addressing the issues and proposals from the Hackitt review.

**Is this a key decision?** No

**Do the exempt information categories apply?** Yes/No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** Yes/No

**How many appendices does the report contain?** None

**List of Background Papers:** None

**Lead Officer:** Andrew McNeil, Assistant Director  
Telephone (01522) 873214