

Report for: Overview and Scrutiny Committee – 19 July 2018

Item number: 11

Title: Scrutiny Review of Fire Safety In High Rise Blocks

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Ward(s) affected: All

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

1.1 This report provides the Committee with a progress report on the Scrutiny Review on Fire Safety in High Rise Blocks, which was begun by the previous Committee as part of its work plan for 2017/18.

2. Cabinet Member Introduction

N/A

3. Recommendations

3.1 That a final evidence session of the Committee be arranged to consider areas within the terms of reference for the review not yet covered, to further update Members on action taken and to identify potential conclusions and recommendations.

4. Reasons for decision

4.1 The Committee undertook a review on Fire Safety in High Rise in 2017/18. This report provides the new Committee with a progress report on this.

5. Alternative options considered

N/A

6. Background information

6.1 In the aftermath of the Grenfell Tower fire, the Committee agreed at its meeting on 17 July 2017 to set up a review on the issue of fire safety in high rise blocks. The full scope and terms of reference that were approved for this are attached as Appendix A.

6.2 The terms of reference for the review were as follows:

“Focussing on the 54 high rise blocks (over six storeys) owned by Haringey, housing association housing and privately owned homes where the Council has responsibility for building control, the review will consider the following:

- Building Safety:
 - How has the Council satisfied itself that its buildings and high-rise buildings in the Borough are safe from fire, including construction materials, containment, ventilation, evacuation routes, safety systems (e.g. sprinklers and alarms)?
 - What action has been identified and taken to date in response to Grenfell?
 - How is building safety monitored, including housing management policies and procedures?
 - How is fire safety for high rise blocks featured in the Council’s planning policy and building control responsibilities?
 - What is the Council and ALMO’s assessment of the effectiveness and application of current building regulations? Are there sufficient resources for enforcement?
- Engagement – How are residents engaged with in relation to fire safety, including awareness of procedures in the event of a fire and responding to concerns about fire safety?
- Access – Are the needs of residents with disabilities known and how are they reflected in fire safety arrangements and evacuation procedures?
- Procurement – what weight is attached to safety against other considerations in considering tenders for building works?
- Emergency Planning – how prepared is the Borough to coordinate the response to a major incident?
- Governance – are the current decision-making and accountability arrangements for the ALMO adequately considering issues of fire safety?”

6.3 Two evidence sessions of the Committee were held. These were on 3 October 2017 and 8 January 2018. Copies of the notes of these meetings are attached as Appendix B.

6.4 The Committee appears to have received evidence on most of the areas that it set out to cover, as set out in the terms of reference. The main area not covered to date in the evidence received so far is the position in respect of housing associations that are preferred partners (i.e. L&Q, Sanctuary, Family Mosaic/Peabody, Newlon and Clarion). However, much has happened that is relevant to the review since it was commissioned and evidence received.

6.5 The Public Inquiry began its work on 14 September 2017. Its terms of reference are as follows:

1. “To examine the circumstances surrounding the fire at Grenfell Tower on 14 June 2017, including:
 - (a) the immediate cause or causes of the fire and the means by which it spread to the whole of the building;
 - (b) the design and construction of the building and the decisions relating to its modification, refurbishment and management;
 - (c) the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design,

construction, equipping and management of high-rise residential buildings;

- (d) whether such regulations, legislation, guidance and industry practice were complied with in the case of Grenfell Tower and the fire safety measures adopted in relation to it;
- (e) the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information;
- (f) the fire prevention and fire safety measures in place at Grenfell Tower on 14 June 2017;
- (g) the response of the London Fire Brigade to the fire; and
- (h) the response of central and local government in the days immediately following the fire;

and

2. To report its findings to the Prime Minister as soon as possible and to make recommendations

6.6 Phase one of the inquiry is scheduled to run until early November 2018. This will not consider decisions made about the refurbishment of the tower, Kensington and Chelsea's interaction with residents or the governance and management of the block, which are expected to be tackled in a second phase. This is expected to take the inquiry into 2020.

6.7 In addition to setting up the Public Inquiry, the government also asked Dame Judith Hackitt to carry out a review of building regulations and fire safety. Interim findings were published in December 2017 and the final report published on 17 May 2018. This recommendations include the following:

- An "outcomes-based approach" to the regulatory approach, to be overseen by a new regulator;
- Clearer roles and responsibilities throughout the design and construction process, as well as during a building's occupation;
- Residents to be consulted over decisions affecting the safety of their home;
- A more rigorous and transparent product testing regime; and
- Industry to lead strengthening competence of those involved in building work and to establish an oversight body.

6.8 Further detail on how the recommendations within the review report will be implemented is awaited from the government.

6.9 As alluded to within the evidence gathering sessions, Homes for Haringey (HfH) has been reviewing the safety of its buildings in line with various guidance from the Ministry of Housing, Communities and Local Government (MHCLG) and the London Fire Brigade. There are currently a number of workstreams ongoing;

- A full survey is underway of all properties with full height window panels to establish the construction of the window infill panels. The report is due August 2018;

- Work is underway to review all stock investment work where compartmentation may have been breached when new rising services were installed. All work where HfH have complete records (since 2006) has been reviewed and HfH are now reviewing all pre 2006 investment works;
 - HfH are currently reviewing all composite fire door installations to ensure manufacturers fire door certification is consistent with the doors installed. There are 7000 composite front entrance doors from a range of manufacturers. The current door manufacturer Ashford have provided certification and on HfH's request have sent 4 door sets for further fire testing;
 - HfH have now completed intrusive surveys of one of their 7 timber framed buildings and whilst they are satisfied that the building was constructed in line with building regs, it is possible that resident alterations could breach compartmentation. They are developing communications for residents and prioritising automatic fire detection in these blocks;
 - Historically landlords have only completed type 1-2 risk assessments which are non-intrusive communal area surveys. HfH is about to start type 3-4 fire risk assessments which includes intrusive surveys in communal areas and within properties. These risk assessments will help to identify breaches in compartmentation on vertical risers.
- 6.10 In addition, action has also been taken by Housing Associations to identify any high rise blocks owned by them which have Aluminium Composite Material (ACM) cladding. A number of blocks owned by a housing provider in Tottenham were found to have at least some ACM cladding. However, those of them that are modern buildings have a number of fire safety systems including a sprinkler system, wet riser, a firefighter's lift and smoke evacuation valves. The housing provider concerned committed to remove and replace the ACM cladding as soon as it was found to have failed safety tests, and the work is expected to start in July 2018. A block in Hornsey owned by another provider is partly clad with ACM. The provider has also committed to remove this cladding, and the works are expected to start in July 2018.
- 6.11 The Council has also reviewed the position regarding private residential blocks in the borough. This confirmed that there are no private blocks over 6 storeys which have ACM cladding. In July 2018, the Council was informed by MHCLG that they had been informed a hotel within the borough has ACM cladding. The Council had previously asked the business owner about this hotel and they did not declare this issue until very recently. They consider this to be low risk on the basis that the hotel has a range of fire safety measures including 24 hour staffing, an evacuation procedure and two staircases to allow evacuation of the hotel
- 6.12 In terms of the Committee's review, it is proposed that a final evidence session be arranged. The purpose of this would be to;
- Receive a further update on progress in areas covered by earlier evidence sessions;
 - Consider any areas not covered so far in evidence sessions; and

- Identify potential conclusions and recommendations for the review.

7 Contribution to strategic outcomes

7.1 Priority 3 – Clean and Safe: A clean, well maintained and safe borough where people are proud to live and work.

8 Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

8.1 This report provides the Committee with a progress report on the Scrutiny Review on Fire Safety in High Rise Blocks. There are no financial implications at this stage to consider in this progress report. A capital budget of £16m has been approved in the February 2018 HRA MTFs report for costs associated with Broadwater Farm.

Legal

8.2 There are no legal implications arising from the recommendations in the report

Equality

8.3 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- Advance equality of opportunity between people who share those protected characteristics and people who do not;
- Foster good relations between people who share those characteristics and people who do not.

8.4 The Committee should ensure that it addresses these duties by considering them within its work plan and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
- Whether the impact on particular groups is fair and proportionate;
- Whether there is equality of access to services and fair representation of all groups within Haringey;

- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

8.5 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

9 Use of Appendices

- 9.1 Appendix A: Review on Fire Safety in High Rise Blocks – Scope and Terms of Reference
Appendix B: Review on Fire Safety in High Rise Blocks – Notes of Evidence Sessions

10 Local Government (Access to Information) Act 1985