

Homes and Neighbourhoods Directorate
222 Upper Street

Report of: **Matt West, Service Director – Housing Property Services**

Meeting of: **Housing Scrutiny Committee**

Date: **20th September 2022**

Ward(s): **All**

Delete as appropriate: **Non-Exempt**

Subject: Housing Fire Safety Update

1. Synopsis

- 1.1 This report outlines the Councils progress on its key fire and building safety programme and initiatives since the last update report to the Housing Scrutiny Committee in December 2021.
- 1.2 This report also outlines the Council's strategy in preparation for the new/updated legislative framework arising from the Grenfell Tower tragedy, which is now becoming clearer and brings significant challenge.
- 1.3 The report also provides an update on the Councils Fire Risk Assessment (FRA) programme, including status of actions arising; the fire safety works upgrade programme(s); and other relevant fire/building safety related matters.

2. Legislative Framework

- 2.1 The Building Safety Bill received Royal Assent in March 2022 and becomes the Building Safety Act 2022.
- 2.2 Secondary legislation in the form of the Fire Safety (England) Regulations 2022 have also been passed into law and will implement many of the Grenfell Tower Inquiry Phase One recommendations.

- 2.3 The Fire Safety (England) Regulations 2022 will be effective in law from **23rd January 2023**. A more detailed summary of the new requirements can be found in Appendix 1 for information, but the new duties are broadly set out below.
- 2.4 New and/or amended requirements include;
- External wall (EW) construction now in scope of Fire Risk Assessment (FRA)
 - Provision of information on EW construction to Fire and Rescue Service (FRS)
 - Doors between dwellings and common parts explicitly 'in scope'
 - Annual inspection of flat front entrance doors in blocks 11m+ (5 storey)
 - Requirement to inspect communal fire doors quarterly 11m+ (5 storey)
 - Specific requirement for wayfinding signage in blocks 11m+ (5 storey)
 - Premises Information Boxes (PIBs) required in buildings 18m or 7 storeys+
 - Flat layout drawings to be included in PIBs
 - Monthly inspections for key fire-fighting equipment; and
 - Reporting of defects to key fire-fighting equipment if >24hrs to FRS
- 2.5 Following a previous consultation (July 2021) on Personal Emergency Evacuation Plans (PEEPs), the Government has not implemented this GTI recommendation due to practical difficulties and the risk proportionality of implementation.
- 2.6 A new consultation has been carried out during the summer of 2022, in relation to Emergency Evacuation Information Sharing (or EEIS), although this is currently aimed at properties with a simultaneous evacuation strategy only.
- 2.7 It is currently unclear where the PEEPs/EEIS requirements may be, although the Council is updating its FRA template to consider any 'reasonable adjustments' that could be implemented at Council properties, in the event of future requirements.
- 2.8 Part 4 of the Building Safety Act 2022 includes a safety case regime, for which the Council is currently preparing. This regime will be effective from April 2024.
- 2.9 A HRRB is defined as follows under Part 4 of the BSA 2022 as a building that;
- (a) is **at least 18 metres** in height **or has at least 7 storeys**, and
 - (b) contains **at least 2 residential units**.
- 2.10 The Council has **86** buildings within its portfolio which are considered within scope as HRRB's, including **17** Tenant Management Organisation (TMO) buildings.
- 2.11 The first BSA duty on the Council in relation to existing HRRB's, will be to register them with the Building Safety Regulator between April and October 2023.
- 2.12 The new Gateway process is currently effective for higher-risk buildings and the Council's new build team are following the new requirements.

3. Building and Fire Safety Programme Board

- 3.1 The Building and Fire Safety Programme Board (B&FSB) is now fully established and resourced. The Board meets monthly and is also reporting regularly into the Directorate Delivery Board via the Council's Project Management Office (PMO).
- 3.2 The B&FSB is currently chaired by the Director of Housing Property Services (HPS) and comprises several work streams, with each workstream having a range of issues arising from the Fire Safety Act 2021; Building Safety Act 2022; and the Fire Safety (England) Regulations 2022.
- 3.3 Each work stream group will consider a range of issues and the potential implications for the Council, as well as developing relevant policies, processes, and procedures to meet not only the explicit and/or immediate requirements of the legislation, but also to develop long-term infrastructure and building safety culture, to support ongoing compliance and ultimately to ensure the safety of residents.
- 3.4 The following workstreams have already been established;
- Policy
 - Governance
 - Investment and Planning
 - Building Material and Practice
 - Building Safety Management
 - IT
- The formal workstreams are supported by ad hoc task/finish working groups to look at specific issues and areas of work as appropriate.
- 3.5 The British Standards Institute (BSI) has recently published several Publicly Available Specification (PAS) documents, relating to competence in the built environment. Analysis of these documents by the Governance workstream will result in a detailed learning and development plan for Homes and Neighbourhoods employees, commensurate with their fire/building safety responsibilities.
- 3.6 The B&FSB will also be considering how to engage with residents more effectively on building safety matters and involve residents in decision making processes, a key Grenfell recommendation. Resident engagement strategies are being considered more widely by the Service Improvement Board (SIB) at present, in line with the requirement of the Social Housing White Paper.

3.7 Another significant area of focus is IT, in preparation for the Building Safety Case regime. The safety case will need to include evidential data to support a claim that each building is safe and there is currently no central compliance database with which to support such requirements.

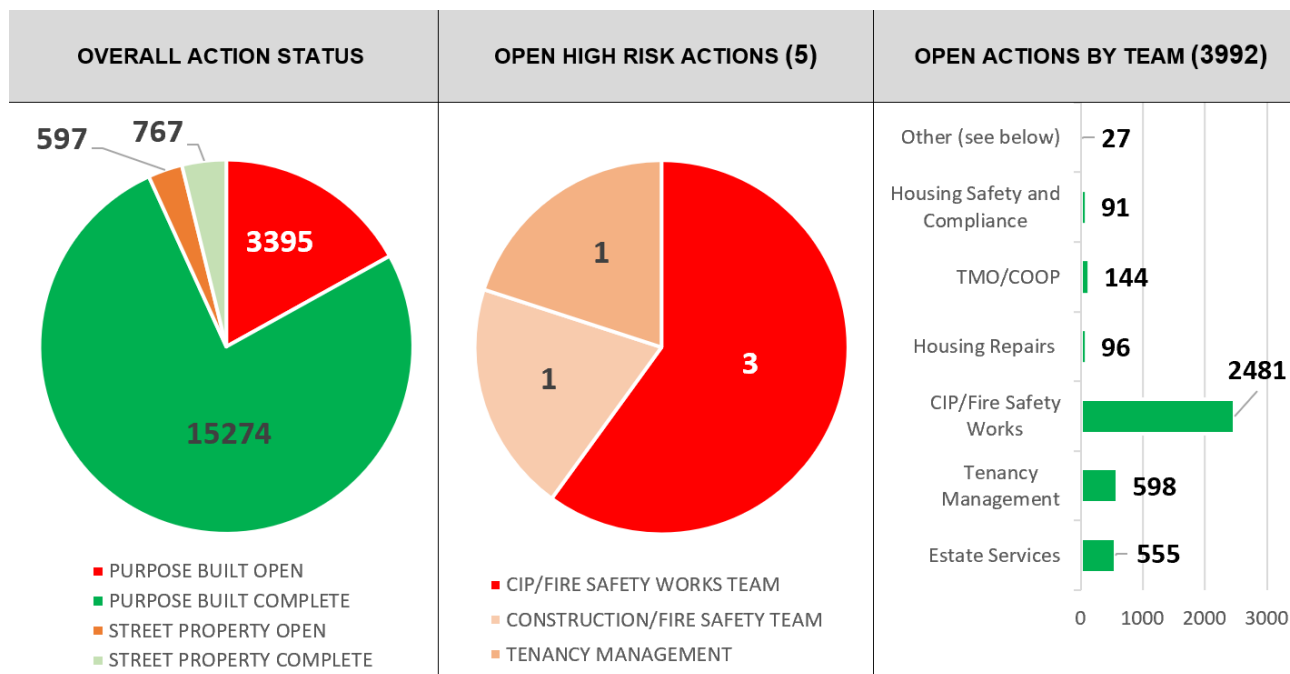
4. Fire Risk Assessment (FRA) Programme

4.1 Since the last update to the Housing Scrutiny Committee a total of **390** FRA have been carried out (December 2021 – August 2022) on the Council’s housing stock.

- **38** FRA in blocks of **10 storeys or more**
- **71** FRA in blocks **between 6 and 9 storeys in height**
- **281** FRA in blocks of **5 storeys or less**

4.2 From the **390** FRA completed in this period, a total of **1118** actions have been raised and allocated appropriately throughout the Homes and Neighbourhoods Directorate.

4.3 A full FRA action status for the period **01.01.2016** to **31.08.2022** is provided below.



4.4 Significant reduction in open high-risk actions (33 to 5). High risk actions are monitored through monthly update reports to HMT and Homes and Estates Safety Board (HESB).

- 4.5 Homes and Neighbourhoods have worked closely with residents to increase awareness of the importance of keeping landlord areas free of fire hazards. Inappropriate storage of resident belongings in common areas is the most frequently raised FRA action.
- 4.6 Homes and Neighbourhoods also have a small team completing routine street property inspections, which has successfully accessed 100% (238) properties managed by the Council (prior to PFI2 insourcing). This inspection approach is now being replicated with the former PFI2 street properties.
- 4.7 The Council is also carrying out enhanced FRA as part of its Tall Buildings fire safety programme, along with assessments of external wall construction etc. This is in preparation for the new/enhanced fire safety regulation regimes outlined in Section 3.

5. Investment in Building Safety

- 5.1 The council has reviewed its investment plans and refocused them to ensure there are sufficient resources in its building safety programme, ensuring all key aspects of building safety are being addressed within our five-year programme.
- 5.2 Building safety investment represents around a fifth of our investment programme.
- 5.3 Our updated 5-year investment programme will see £151m invested in building safety - note that investment rates are set to accelerate over the next few years now that new partnering contracts are in place and detailed assessments of work are underway:

Area of Work	Investment commitment	Current spends so far for 2022/23	Spent during 2020/21 and 2021/22
Fire safety works to tall blocks	£50m	£0.01m	£2.26m
Interlinked fire alarms and emergency lighting works in street properties and mansion blocks	£40m	£0.46m	£2.22m
Installation of wet rising mains	£4m	£0.04m	£3.19m
Communal doors and bin storage areas	£34m	£0.96m	£4.84m

Area of Work	Investment commitment	Current spends so far for 2022/23	Spent during 2020/21 and 2021/22
Front door programme	£17m	£1.95m	£6.5m
Electrical testing programme	£6m	£0.61m	£2.6m
Total	£151m Spend to Date £42.8 million	£4.03m Target £7.2m	£21.61m

5.4 Committed resource for Tall Blocks has increased to ensure that the safety measures for these buildings meet and continue to meet expected standards. These investment sums will continue to be reviewed, as guidance to landlords is developed as a result of the Fire Safety Act 2021 and the Building Safety Act. We are working with our contractors on site to ensure works are in line with the needs of each property.

5.5 Additional investment has been set aside for the interlinked alarms programme for street properties, as has our programme for the communal doors and bin storage as the scope of works (including complimentary fire safety works identified as part of the pilot stages of our street properties programme) has expanded and cost pressures are being experienced across the construction industry.

6. Fire Safety Works Programme

6.1 The Councils building safety programmes continue, focusing on several key areas which include; flat front entrance door (FED) replacements; communal area upgrades and improvements; and interlinked detection and warning in converted street properties

6.2 FED Programme

Since November 2019, the Council has installed **3,823** FED door sets. Of this total, **2,971** were replacements for original Masterdor installations that were found to be deficient in post-Grenfell testing. All blocks within the Masterdor replacement programme are now completed.

There are approximately 80 replacement door-sets to complete, these are a mixture of door-sets where the Police, LFB or Gas Safety Team have forced entry. These replacement door-sets are due to be completed by **December 2022**.

In addition to replacement FED, **191** No. Secondary Means Fire Escape (SME) doors have been installed across the Borough to date, including both the St Lukes and Bemerton Estates.

6.3 Communal Area Works

A programme of fire safety improvements to the communal areas of the Council's HRRB's commenced in 2020. The primary focus of this work is communal fire doors replacements and fire-stopping improvements, including hard to access areas such as penetrations in service riser ducts and intake cupboards/rooms etc.

- 81 blocks completed within the communal tall blocks 6+ storeys programme.
- 10 blocks currently on site, including Brecknock Estate, President House and Macclesfield House
- 30 blocks still waiting for works to commence – surveys completed.

Originally due to complete in March 2022, this programme of work evolved from being predominantly an upgrade programme into a replacement programme due to the condition of doors. Several supply chain issues have had a significant impact on this programme, including the Covid-19 pandemic and the conflict in Ukraine which has led to labour shortages. Completion of the communal works programme is now likely to be **March 2023**.

6.3 Interlinked Detection and Warning Programme

The programme to install interlinked smoke/heat detection and warning systems in the Council's directly managed and Partners Street properties is now well underway. Interlinked alarm installations compensate for inadequate compartmentation between the dwellings and provide the earliest possible warning of fire to occupants.

Due to a range of challenges, the detection and warning programme has been broken down into several phases and packages of work.

Works have now been completed at **344 properties** across the Borough, the scope of works varies depending on the characteristics of the block. The remaining phases of work are broadly outlined below, along with current estimated timescales;

Phase 1 - 28 PFI1 blocks, which are currently being surveyed. Site commencement is expected end of October 2022 and completion is expected in March 2023.

Phase 2 – Consists of 220 blocks, overall programme of works is due to start in September 2022 and expected to be completed in July 2024.

Phase 3 - This phase of works includes smaller street properties and equates to 126 blocks. Works expected to commence November 2022 with completion in March 2023.

Phase 4 – Pilot scheme currently being planned with view to rolling out in July 2023. This phase consists of blocks which do not have a landlord power supply and will therefore need to be completed in conjunction with U.K Power Networks (UKPN).

Similar works are due to be carried out at several older style mansion blocks. Several priority blocks are currently subject to Section 20 consultation, which ends on 29th September 2022.

7. Enforcement Action

- 7.1 The Council has now received notification from the London Fire Brigade that it has satisfied the requirements of the Enforcement Notice that was served in respect of Godfrey House in June 2021.
- 7.2 The Council has received **3** Notifications of Fire Safety Deficiencies (NOD's) in the current financial year **2022/23**. A NOD is the lowest form of enforcement action and is not a matter of public record
- 7.3 The issues outlined within the respective NOD's had already been identified by the Council's FRA process prior to the LFB inspections, and as such, were already included in the current programme of works outlined in Section 6 of this report.
- 7.4 Local Ward Councillors have been notified of the NOD's and the issues identified will be addressed by the recommended timescales.
- 7.5 Progress against any enforcement action is monitored via the Council's Homes and Estates Safety Board (HESB) to ensure all issues are effectively tracked to completion.

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06th September 2022