



**Brent**

**SUMMONS TO ATTEND COUNCIL MEETING**

**Monday 10 July 2017 at 7.00 pm**

Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

To the Mayor and Councillors of the London Borough of Brent and to each and every one of them.

I hereby summon you to attend the MEETING OF THE COUNCIL of this Borough.

CAROLYN DOWNS  
Chief Executive

Dated: Friday 7 July 2017

**For further information contact:** Thomas Cattermole, Head of Executive and Member Services: 020 8937 5446, [thomas.cattermole@brent.gov.uk](mailto:thomas.cattermole@brent.gov.uk)

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**The press and public are welcome to attend this meeting  
Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.**

# Agenda

## **15 Fire Safety in High Rise Tower Blocks**

1 - 22

This appendix sets out the fire safety arrangements that are already in place in Brent and the additional steps that the Council is taking in response to the tragic events at Grenfell Tower on 14 June, 2017. It includes four recommendations to Full Council.

## **Appendix 1 – Fire safety and the Council’s response to the Grenfell Tower Tragedy**

### **Introduction**

This appendix sets out the fire safety arrangements that are already in place in Brent and the additional steps that the Council is taking in response to the tragic events at Grenfell Tower on 14 June, 2017. It includes four recommendations to Full Council as set out below:

### **Recommendations –**

- 1. Full Council to agree a £10m increase to the 2017/18 Capital Programme to meet the cost of enhancing the fire safety measures in the Council’s housing stock, to be financed initially by additional borrowing.**
- 2. Full Council asks the Chief Executive to write to the Government as a matter of urgency:**
  - 2.1 If recommendation 1 is agreed to request that Government provide direct financial support to meet the costs incurred.**
  - 2.2 If recommendation 1 is agreed, and if government does not agree to fund the works directly to request an increase to the housing revenue account borrowing cap to enable Brent Council to retain its existing headroom as well as undertaking the urgent retrofitting work required on existing housing stock to bring them up to best practice fire safety standards.**
  - 2.3 To request that the government urgently consider revocation of the permitted development rights for office to residential conversions to ensure that such proposals go through the proper planning process to enable full consideration of all relevant planning considerations.**
- 3. Full Council to note that a report proposing an outline programme of works will be taken to the Cabinet meeting on 24 July, with a full itemised and costed programme of work being prepared for Cabinet consideration and approval by October 2017 and its implementation monitored by the Housing Scrutiny Committee.**
- 4. Full Council to ask the Director of Community Wellbeing to write to Registered Providers in the borough to request that they keep the Council updated as to the status of their Fire Risk Assessments for high rise blocks that they are responsible for within the borough.**

## **Mutual support for Grenfell**

In total, 125 Brent Council staff were committed to the pan-London response to support those affected by the Grenfell Tower Fire.

Carolyn Downs, Brent Council's Chief Executive took part in a rota-system involving other London borough chief executives to lead on Humanitarian Assistance efforts in the immediate aftermath of the fire, which included overseeing all elements of the response from organising and managing rest centres, assistance centres, counselling services, co-ordination of voluntary sector partners, rehousing, distribution of clothing, money and aid. Carolyn was supported in her work by Joanna Walton, Head of the Chief Executive's Office, and Bryony Gibbs, a Governance Officer at the council.

Children social workers Jenine Jackson, Maryan Hussein, Nana Yabbey-Hagan and Maria Cowell, and Housing officers Carla Brown and Chanita Lawrence were also sent to help affected residents.

Gail Tolley, Brent Council's Strategic Director for Children and Young People with Helen Woodland, Operational Director, Adult Social Care, led on the Family & Friends Assistance Centre, which was based in Holborn, for those left bereaved by the Grenfell Tower Fire.

105 Brent Council staff also volunteered to take part in a shift rota for both the Family & Friends Assistance Centre and the Community Assistance Centre in Westway, to attend and provide any support required if called upon.

## **Response to the Grenfell Fire**

Many Brent residents were understandably concerned and had numerous questions for the council. Working with Brent Housing Partnership (BHP) and other registered housing providers, we moved quickly to provide as much up-to-date and accurate information as possible to residents, members, partner organisations and journalists.

Since the fire on June 14, the council has provided the following communications as part of the enhanced engagement approach on fire safety:

- Detailed reassurance messages and advice to BHP tenants and leaseholders on how to prevent a fire and what to do if one starts
- Regular technical updates to members with the latest position on fire safety in the borough and regular updates as the results from the Government's cladding tests were announced
- Frequently asked questions and answers for BHP contact centre staff to use when responding to tenants and leaseholders
- Rapid responses (within 48 hours) from the BHP customer response team to residents who emailed with specific questions or concerns about fire safety in their blocks

- Letters to all 3 Brent MPs
- Dedicated webpage for Grenfell Fire ([www.brent.gov.uk/grenfellfire](http://www.brent.gov.uk/grenfellfire)) including a full range of latest updates on high rise blocks in Brent and advice and guidance from the London Fire Brigade and an interactive map detailing fire risk assessments in council high rises.
- Close liaison with communications teams from registered providers to get information out locally
- Two drop in sessions were arranged for members' to receive updates on a fast moving situation and ask any questions about fire safety. See attached at Annex 1 a copy of the concerns raised at the member briefing on the 3 July with answers.
- Fire safety was also discussed at the latest round of Brent Connects Forums, pointed attendees to the Council's website as well as noting any issues of concern

The council also supported three community meetings which were chaired separately by the borough's three Brent MPs. These meetings gave residents a chance to air their concerns and ask specific questions from a panel of experts including council representatives from planning and building control, representatives from BHP and relevant registered providers and The London Fire Brigade. All three meetings were well attended and, in addition to specific local questions, a broad range of questions emerged as themes including:

- who's responsible for fire safety in individual properties and what are you doing to explain this?
- Is the 'stay put' policy that failed people in Grenfell Tower still the one the LFB would advise?
- Whether enhanced fire safety measures such as sprinklers and fire alarms will now be fitted to all council owned (and other) blocks?
- Will the fire risk assessments for all BHP blocks be made public?
- Why isn't fire safety considered as part of the planning process?
- Could the council organise smaller meetings which are specific to individual estates or even blocks so that residents can raise and discuss issues at the most local level possible with appropriate representatives including London Fire Brigade?

### **Government Testing - Checking and Testing Aluminium Composite Material (ACM) cladding**

On Saturday 17th June, the Department for Communities and Local Government convened a group of technical experts to provide advice on the best immediate steps Government could take to help local authorities and other landlords address the fire safety concerns that tenants living in tower blocks similar to Grenfell Tower would undoubtedly have.

While it was too early for the full and exact reasons for the speed of the spread of the Grenfell Tower fire to be known, the experts agreed that, from the information available, additional tests should be undertaken urgently on Aluminium Composite Material cladding. On the advice of the experts, the Department wrote to local authority and housing association landlords on 18 June, asking them to identify all their residential tower blocks (properties over 18 metres in height), to identify those with aluminium type external cladding and inspect those to establish whether the panels were made of an Aluminium Composite Material, so that they could be submitted for testing through a process being established by the Department, to provide a wider range of information about their tower blocks, and continue checking that they have robust fire assessments for their stock. The Department wrote again to all social landlords on 19 June setting out the process they should follow to submit samples of ACM cladding to the Building Research Establishment for testing and the first samples were received and tested on Wednesday 22 June.

### **Brent Council Housing Stock – Managed by Brent Housing Partnership**

The Council is responsible for approximately 9,500 council tenants and 3,000 leaseholders (12,500 altogether) homes in the borough, which are managed by an Arm's Length Management Organisation (ALMO) Brent Housing Partnership (BHP).

The council and Brent Housing Partnership (BHP) moved quickly to do extra checks and double checks of our high-rise blocks so that we are able to provide our residents with the reassurances they deserve. In Brent the facts are:

- We have 37 high-rise blocks in Brent and all have a current fire risk assessment and are compliant.
- We have never used Rydon Limited or Harley Facades Limited, the contractors who worked on Grenfell Tower, anywhere in Brent.
- Estate inspectors and compliance experts have visited all 37 high rise blocks, including communal areas and exit routes to remove any remaining rubbish, bicycles and other hazards which could hinder access and exit in an emergency.
- Nearly £10million has been spent over the past 4 years on measures to reduce the risk of fires in council run properties across the borough.

Under the Regulatory Reform (Fire Safety) order 2005 (RRFSO) BHP as the responsible person is required to undertake fire risk assessments of public areas.

These assessments determine the risk of fire occurring (e.g. due to materials used/stored within these areas and the probability of ignition), the ease of evacuation and provision for firefighting.

BHP carry out fire risk assessments (FRAs) on a regular basis, the frequency of which is determined by the level of risk associated with the building type. The following cycle of assessment has been discussed with and agreed with the London Fire Brigade and is in line with good practice:

Table 1

<b>Risk Level</b>	<b>No. of Blocks</b>	<b>Inspection Frequency</b>	<b>Type of property included</b>
High	37 high rise	12 Months	All high rise residential blocks 5 storeys and over. FRAs last carried out in April and May 2017.
Medium & Low	430 medium & low rise  577 converted street properties	24 Months	The recommended assessment period for residential blocks under 5 storeys, street properties i.e. maisonettes or houses divided into two dwellings is either every three or five years dependent upon block risk and/or whether they fall under the parameters of the Regulatory Reform (Fire Safety) Order 2005  All non-high-rise council blocks managed by BHP are assessed on a 2 year cycle

It should be noted that if following a risk assessment the risk dictates a more regular inspection then the frequency of inspection will be increased accordingly for that location.

FRAs are carried out by a specialist consultant and cover the communal areas and also extend into riser cupboards, electrical intake cupboards, bin storage areas and the like. The FRA considers matters such as:

- Safety of the electrical supply
- No smoking signage
- Risk of arson
- Security and suitability of bin storage
- Lightning protection
- Building cleaning frequency
- Combustible materials & dangerous substances
- The ease of evacuation in event of a fire (presence of emergency lighting, way marking etc.)
- Obstacles that could present residents safe egress or fight-fighters safe access to a building in event of a fire.
- Ventilation of stair well and lobbies
- Do flat entrance doors have adequate fire protection?
- Do doors in common areas have adequate fire protection?
- Is emergency lighting provided and in good order?
- Adequacy of compartmentation in common parts to prevent the spread of fire?

Actions arising from inspections are given a priority rating. This is based upon the risk posed by the matter and also gives some consideration to the practicalities of remedying the matter. Each building assessed is also given an overall risk rating for

the premises. In additions to FRAs, there are a range of other activities that BHP undertake as part of managing fire safety of the Council's Housing Stock as follows:

**Testing of equipment** – where fire safety equipment is provided, this is tested by an external provider on a 3 month cycle and includes testing of dry risers and smoke vents in communal areas of blocks and also extinguishers, fire blankets and alarms where they are provided in estate meeting rooms.

**Capital Investment-** Since 2012, nearly £10m has been invested in fire safety works arising from FRAs, including replacement doors, fire separation between communal areas and dwellings, installation of signage and/or way marking, emergency lighting and fire detection systems. When practical BHP have incorporated further fire safety measures in other planned works meaning the true sum of fire safety works significantly exceeds this sum.

### **Enhancing Fire Safety Standards**

Even though the Council's housing stock is compliant with current fire safety legislation there are, understandably, concerns being raised by Members' and tenants' as to whether the Council will be retrofitting extra fire safety measures. It is, therefore, recommended that BHP carries out a full assessment of each high rise residential property owned by the Council, in conjunction with the London Fire Brigade and in consultation with local residents, to identify a set of measures to improve fire safety to best practice standards, including the consideration of sprinkler systems, improved fire and smoke alarm systems, emergency lighting and other measures including the information given to residents in the event of a fire.

Following approval by Cabinet, BHP will proceed as soon as practical with an initial tranche of works identified up to a cost of £10 million. By way of example, the estimated unit cost for retrofitting sprinklers in a 2 bedroom flat would be in the region of £3000. Therefore a tower block with 12 floors and 80 flats would cost approximately £240K. The Council has 37 blocks that are 5 floors and above, of which 22 are 10 floors or more.

### **Financial Implications for the HRA**

The current HRA funded element of the Council's capital programme is budgeted to be £69.4m for 2017/18. The proposed additional £10m capital investment in fire safety works will be added to the current year's programme taking the total investment in maintaining the current stock and delivering new stock to £79.4m in 2017/18. The additional £10m investment would be funded through additional borrowing. This increase in borrowing requires approval by Full Council in accordance with the Council's Scheme of Transfers and Virements.

In order to ensure that borrowing is affordable nationally, each local authority is set an HRA borrowing limit (debt cap) under self-financing, and it will not be possible for that limit to be exceeded.

The HRA debt cap, is already under pressure in the medium term, with the requirement to utilise Right To Buy receipts and there is increasing uncertainty on the future direction of some of the Housing related policy decisions the government

had made early in 2016/17. The prescribed reduction in rents between 2016 and 2020 will significantly reduce rental income to fund services and the government's other reforms are likely to reduce the size of the Council's stock and further reduce income and undermine economies of scale.

There has yet to be any confirmation if government will be supporting councils financially in investment in additional fire safety protection above and beyond the legal minimum in the form of grant funding or additional capacity to borrow above the HRA debt cap. Without this additional financial support the council will reach its headroom in the short term. Whereby, reduced flexibility in its decisions to invest in additional local HRA stock and more than likely having to return retained "Right to buy receipts" to government.

#### **Recommendations –**

- 1. Full Council to agree a £10m increase to the 2017/18 Capital Programme to meet the cost of enhancing the fire safety measures in the Council's housing stock, to be financed initially by additional borrowing.**
- 2. Full Council asks the Chief Executive to write to the Government as a matter of urgency:**
  - 2.1 If recommendation 1 is agreed to request that Government provide direct financial support to meet the costs incurred.**
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#### **Registered Providers (RPs)**

There are approximately 17,000 general needs rented homes managed by RPs in the borough and these are regulated by the Homes and Communities Agency (HCA).

Registered Providers (RPs) or Housing Associations are required to carry out fire risk assessments and operate in a similar way to BHP in managing fire safety in relation to the housing it manages. The Council has written to the 14 RPs / housing associations operating within Brent asking them to confirm their fire risk assessments are up to date for their properties and to identify any high rise blocks that they are responsible for management within the borough. The list of RPs is:

Registered Provider	Fire Risk Assessment in place	Nos. of High rise	ACM Cladding	Website for most up to date information
<b>Catalyst</b>	Yes, although all are being reviewed	9	3 blocks are cladded and 1 has partial cladding but none use ACM.	<a href="http://www.chg.org.uk/residents/all-residents/resident-news/37128/keeping-our-residents-safe-grenfell-tower/">www.chg.org.uk/residents/all-residents/resident-news/37128/keeping-our-residents-safe-grenfell-tower/</a>
<b>Peabody (formerly Family Mosaic)</b>	Both blocks are part of the Quintain Estates development and not managed by Peabody. They are liaising with the agents to ascertain the FRA position, both are new build	2		<a href="http://www.familymosaic.co.uk/statement-grenfell-tower/">www.familymosaic.co.uk/statement-grenfell-tower/</a>
<b>Genesis</b>	All blocks have FRA from May or July 2016	10	No ACM cladding identified in Brent blocks but a review is underway of all existing buildings and new developments	<a href="http://www.genesisha.org.uk/customers/advice_and_support/fire_safety.aspx">www.genesisha.org.uk/customers/advice_and_support/fire_safety.aspx</a>
<b>Homegroup</b>	N/A	0	None	<a href="http://www.homegroup.org.uk/Media/News/Home-Group-news/Home-group-statement-on-fire-safety-following-Grenfell-Tower-fire">www.homegroup.org.uk/Media/News/Home-Group-news/Home-group-statement-on-fire-safety-following-Grenfell-Tower-fire</a>
<b>Hyde Housing</b>	Yes	11	1 block is cladded awaiting additional details	<a href="http://www.hyde-housing.co.uk/news/local-news/grenfell-tower-west-london/">www.hyde-housing.co.uk/news/local-news/grenfell-tower-west-london/</a>
<b>Innisfree</b>	N/A	0	None	<a href="http://www.innisfree.org.uk">www.innisfree.org.uk</a>
<b>Inquilab</b>	N/A	0	None	<a href="http://www.inquilabha.org/news_feeds/detail/information-for-residents-following-the-fire-at-grenfell-tower">www.inquilabha.org/news_feeds/detail/information-for-residents-following-the-fire-at-grenfell-tower</a>
<b>L&amp;Q Group*</b>	Yes	15	Fail - on 2 blocks both have cladding (some partial) and have failed testing. A range of measures is in place to enhance fire safety and systems pending decisions on potential removal of cladding. LFB have advised that risk is low	<a href="http://www.lqgroup.org.uk/about/media-centre/news/details/31">www.lqgroup.org.uk/about/media-centre/news/details/31</a>
<b>Metropolitan</b>	Yes	3	awaiting feedback on possible need to re-inspect one block which is 6 storeys high	<a href="http://www.metropolitan.org.uk/statement-on-fire-safety/">www.metropolitan.org.uk/statement-on-fire-safety/</a>
<b>Network Homes</b>	Yes	23	18 blocks have cladding but no known ACM failure	<a href="http://www.networkhomes.org.uk/firesafetyupdate/">www.networkhomes.org.uk/firesafetyupdate/</a>
<b>Notting Hill</b>	N/A	0	None	<a href="http://www.nhhg.org.uk/ne">www.nhhg.org.uk/ne</a>

<b>Housing</b>				ws/news/resident-news/grenfell-tower-fire-information-for-residents/
<b>Octavia Housing**</b>	Yes	1	Fail	www.octaviahousing.org.uk/news-events/news/233
<b>Origin Housing</b>	N/A	0	None	www.originhousing.org.uk/media-hub/news/fire-safety
<b>Paradigm***Housing</b>	In progress see below	1	Fail	www.paradigmhousing.co.uk/latest-news

In addition to this The Department for Communities and Local Government and HCA are also working with RPs to identify high rise blocks with cladding and the Council has asked that this information is shared with the authority when it is available.

At the date of drafting this report (7 July 2017), the Council is aware that there are 3 RPs with blocks of flats which are above 5 stories that have cladding that has failed the Government Fire test. These are:

<b>Register Provider</b>	<b>Address</b>	<b>ACM Cladding</b>	<b>Gov. Test</b>	<b>RP response</b>
L&Q	George House and Swift House, Albert Road, South Kilburn, NW6 5BR	Yes	Fail	*L&Q has been informed that the cladding used on its blocks at George House and Swift House in South Kilburn, has failed the Government's testing of their cladding samples. The London Fire Brigade has since carried out a site visit and have advised that they do not believe that the blocks are a high risk, as all fire safety systems required in the building are in place. They have also advised that no risks were identified that would warrant decanting the premises.
Octavia Housing	Elizabeth House - 341 High Rd, Wembley HA9 6DB	Yes	Fail	**Elizabeth House in Wembley, which is owned and managed by Octavia Housing, has failed the Government's testing of their cladding samples. However, following an extensive check of the building the London Fire Brigade has advised Octavia that Elizabeth House does not require evacuation nor immediate removal of

				cladding.
Paradigm Housing	27-61- Hornby Court, Willesden, NW10 2AZ	Yes	Fail	***Hornby Court in Willesden, a block owned and managed by Paradigm Housing, has failed cladding tests. However, following an extensive check of the building, the London Fire Brigade has advised Paradigm that Hornby Court does not require evacuation.

## Recommendation

- 4. Full Council to ask the Director of Community Wellbeing to write to Registered Providers in the borough to request that they keep the Council updated as to the status of their Fire Risk Assessments for high rise blocks that they are responsible for within the borough.**

## Private Sector Buildings (residential and commercial)

In the case of privately owned high rise blocks, the council's power to act is limited. However, in order to raise the issue of the serious risks involved Brent's Building Control service has written to owners, architects and managing agents to advise on the information we have so far and the checks landlords can make to establish the risk level in their buildings.

Building Control, in addition to being carried out by The Local Authority, can also be carried out by Private Approved Inspector Companies, appointed by Client, Contractor or design Team. In these cases we are not permitted to request information direct from the Approved Inspector. In essence, The Building Control function on some high rise buildings in Brent, has not been administered by Brent Building Control and we therefore have no powers to investigate via The Approved Inspector.

The way the Building Control procedure works is in two main stages. The first involves checking of the detailed drawings, specifications, calculations, Fire Strategies and including Statutory Consultation with the Fire Brigade. The proposals are then either Approved, Conditionally Approved or Rejected.

The second stage is to carry out inspections of the works on site on a risk assessed basis balanced against available resources. We are not on site every day and therefore do not see all details of the build.

Once the building is complete, a completion Certificate is issued and Building Controls involvement is over.

The options for direct action on existing buildings, where new work is not being carried out is beyond the scope of The Building Regulations. Building Regulations are not retrospective

While, Brent Council is the planning authority for most new building works, our building control service competes with the private sector for the building Regulations work.

Additionally building control services operate strictly within the building regulations and cannot withhold approval on materials that have been tested as suitable or adequately assessed.

Owners are required to carry out fire risk assessments and spot checks are carried out by the London Fire Brigade. However, these are restricted checking that fire doors, risers, and alarms are fully functional within the fabric of the building and therefore would not pick up faults in cladding systems or fire compartmentation outside the main structure.

The Council has identified a number of privately owned buildings with cladding from its planning and building control records, and has issued an advice note to the owners and managers of these buildings.

The Government has also issued advice to owners of private residential accommodation and offered assistance with the testing of cladding. This is being disseminated via representative bodies for the private residential sector.

The Construction Industry Council has also issued instructions to approved building control inspectors to check their records for buildings with cladding; this will ensure that buildings not inspected by local authority building control teams are identified.

### **Permitted development**

Under central Government rules, permitted development means that developers can perform certain types of work without needing to apply for planning permission from the local authority. These are called "permitted development rights". They derive from a general planning permission granted not by the local authority but by Parliament. In some instances, 'prior approval' from the Council is required but only a limited number of factors can be taken into account.

### **Private Sector Landlords (Residential)**

The Council recognises the positive contribution made to local housing by private landlords and works with them to make sure their properties are adequate, safe and meet legal requirements.

To help do this, the Council manages three licensing schemes of private landlords in Brent. Two are borough wide, Mandatory Licensing Scheme for houses in multiple occupations (HMOs) and an Additional Licensing Scheme which incorporates a wider pool of smaller HMOs. Also Brent Council has designated the electoral wards of Harlesden, Willesden Green and Wembley Central as subject to Selective

Licensing which means that, subject to some exemptions, all private landlords in these three areas must obtain a licence.

Landlords of properties covered by the schemes have a duty to apply for a license for their properties. Following receipt of an HMO licence application and fee the Council issue a license with specific management and improvement conditions and inspect the property within the lifetime of the licence.

Landlords of privately rented properties in Brent must comply with Brent licensing conditions which underpins existing health and safety laws. All premises must be fully compliant with the current Local Authorities Coordinators of Regulatory Services (LACORS) Fire Safety Guidance. The Housing Health and Safety Rating System (HHSRS) made under Part 1 of The Housing Act 2004 requires that all properties are free from serious hazards. Licensing of HMOs under Part 2 of the Act makes a specific duty of the licensing scheme to ensure that there is no HHSRS action to be exercised by the Council.

For instance rented HMO properties must have:

- Smoke alarms on every floor and a carbon monoxide alarm in every area where there is a solid fuel source
- Fire blankets and head detectors in kitchens
- Adequate fire means of escape in case of fire and that fire precautions e.g. fire doors, automatic fire alarms, emergency lighting etc., are maintained
- Made sure that all residents are fully aware of the procedures to follow in the event of a fire and display a clearly worded fire notice in a prominent place(s) in the property
- Certified gas safety check at least annually
- Periodic electrical inspections and appliances checks (recommended every 5 years or before the start of every tenancy) though under licensing we may demand an electrical installation condition report and Portable Appliance Tests at any time
- Landlords must carry out a fire safety risk assessment of their properties

Inspections are made to ensure compliance with these conditions and where the relevant standards are not met the appropriate enforcement action taken. Where landlords fail to licence or manage their premises the appropriate enforcement action is taken.

Post the introduction of Additional and Selective licensing, there have been several instances where Brent has prosecuted landlords for safety matters in contravention of the Housing Act, HMO Management Regulations and the licensing scheme conditions. In the penalties imposed by the Magistrates and in total 94 landlords and agents have been prosecuted with fines totalling just over £500,000.

The Council also deals reactively with any complaints regarding privately rented accommodation. On inspection an assessment is made under the HHSRS.

The Council also works closely with the London Fire and Emergency Authority (LFEPA). The Council has a joint protocol with the LFEPA detailing the Council's responsibilities and those of the LFEPA. Where there is an overlap a decision is made about who the most appropriate enforcing authority is.

### **Non-residential Council Property**

The Council is responsible for a range of non-residential property, including offices and commercial units, and has arrangements in place for ensuring that these are safe, including carrying out regular fire risk assessments.

#### Annual compliance survey

The Council's property portfolio is very diverse, and responsibility for ensuring fire safety, can rest with: the Council's property team; responsible services; or even with tenants, in the case of premises let on commercial leases.

The Property team have, since 2016, established a more formal process for ensuring duty holders are addressing both: fire compliance, and a wide variety of other compliance issues via an online survey issued to all duty holders. This survey is adapted according to the characteristics of the target audience (e.g. schools, commercial leases etc). Responses received are to be subject to sample audit.

#### Commercial portfolio

The Council has 99 buildings which are leased to tenants who have full repairing responsibility. We have sent compliance surveys to these tenants in order to establish if they have fire risk assessments. There have been about 60 responses to the compliance survey sent and non-responders are being followed up.

Where any tenants fail to respond or provide adequate documentation, we will assess whether as landlord Brent needs to step in and undertake.

There are 6 residential service tenancies and 1 block of 6 flats with no shared internal common areas, these are being reviewed. There are 13 buildings with an element of shared use between tenants and for which the Council has some responsibility of which 10 have some shared common areas. FRAs have been or are will be undertaken for all 10.

#### Operational portfolio

Brent Council has responsibility for 20 buildings across the operational portfolio. Each of these buildings has a fire risk assessment which is commissioned by the council and users within the buildings are responsible for ensuring the actions identified are completed. Property is contacting users to remind them and confirm this is the case. At the Civic Centre and the Library at Willesden Green a monthly alarm test is carried out. At all other buildings it is the responsibility of building users to coordinate the regular test.

#### Schools portfolio

Brent Council is the responsible body for 44 community schools across the borough. None of them have buildings of 4 storeys and above and are therefore not subject to the Government testing regime for ACM cladding. Each of these schools are responsible for commissioning a fire risk assessment and ensuring the actions identified are completed. All schools have a fire risk assessment in place and are responsible for ensuring it is reviewed on an annual basis. The schools also conduct a weekly test and perform an organised full evacuation drill at least once every school term (three times a year).

### Health & safety

The Council has developed a fire safety management system to ensure the provision of appropriate fire safety systems and procedures to reduce the risk to life and property from fire in the operational and commercial estates, and in community schools. The management system defines standards and responsibilities in buildings in those portfolios.

The Council has a comprehensive suite of fire safety policies and associated guidance available:

- Fire Safety Management Policy
- Fire Risk Assessment Policy
- Fire Warden Policy
- Fire safety for homeworking
- Fire drill record template
- Fire emergency plan template
- Buildings fire safety management guide
- Personal emergency evacuation plan template
- Toolbox talks for fire safety
- Fire safety checklist template

Competency of fire risk assessors is crucial as is the day-to-day management of any remedial work action plans identified by the fire risk assessment. The Council Fire Safety Management Policy signposts to London Fire Brigade advice on the subject. To summarise it is a policy requirement that a fire risk assessment must only be commissioned from a registered assessor obtained through either a UKAS accredited company or a professional body registration scheme.

The currency of a fire risk assessment is a point at issue. The law on the subject, contained in Article 9 of the Regulatory Reform (Fire Safety) Order, 2005 requires that a fire risk assessment 'must be reviewed regularly so as to keep it up to date'. Must, in law, is acknowledged to be an absolute obligation.

The next steps in this area of fire safety compliance will be to carry out an in-depth review of all known fire risk assessments in the operational, commercial and community school portfolios to determine two things: 1) currency and 2) progress against the action plans associated with each fire risk assessment.

In conclusion, for non-residential Council property where Fire Risk Assessments are being updated and where Brent is the responsible body a full review by a suitably qualified competent assessor will be commissioned to be completed this financial year.

## Members briefing 3 July Fire safety

### **Actions:**

- London Fire Brigade to provide the latest fire statistics for Brent
- Members felt it was really important that fire safety and the role and process of emergency planning becomes a key part of the member induction programme.
- Major education programme on fire safety for residents including leaflets, Brent Magazine, council website etc.
- Include a Premise Information Box (PIB) outside every council property which LFB have keys for which contain detailed plans of the building and notes about the location of any vulnerable residents.

Questions asked by members:

### **Do we have an emergency planning team?**

- Yes. It's a two person team and they have also been helping out at the rest centre and the BECC near Grenfell Tower. The Emergency Planning Team works with departments to provide shelter for those affected and maintains the provision of essential services. They are also responsible for coordinating the council's business continuity arrangements, so that incidents affecting the organisation can be dealt with effectively and quickly, without interruption to the important services the council provides to the community.

### **Do we practice emergency planning in the borough?**

- Yes, we do have sessions to rehearse the theory and practical exercises
- We have handled other incidents such as the Brondesbury Park and Wembley WWII bombs

### **How many officers have been involved?**

- A core of about 30 people and around 130 working on rota, including social workers, housing officers, liaison officers, counselling and emergency planning

- The Mayor has been requested to host a reception to thank those involved and has kindly agreed.

**Is the tri borough set up part of the problem why Grenfell has been handled so badly?**

- It appears that where the tri borough aspects were in place, these actually worked better
- Westminster have put a lot of resource into this
- The ten years of austerity has taken its toll

**Do we have disabled people on the top floors?**

- Vulnerable people are encouraged to have a personal protection plan
- We wouldn't want to move people that don't want to be moved.
- For new people moving into high rise blocks, we will look to ensure disabled and vulnerable people are based on the lower floors.

**What are we doing less of to ensure we can do this extra work as a result of the Grenfell tragedy?**

- Peter Gadsdon and the Communications team have been doing a lot of the organisation, dealing with media enquiries and assisting communication with residents
- FOI's are taking up time but being managed
- We have been managing the situation within existing resources however if this continued for a long period it would have an implication for the delivery of Brent services.

**Are officers who have directly involved be rewarded in some way, perhaps with an extra day off as a thank you for the work?**

- The Mayor has agreed to host a reception for all those that have been working on the incident.

**What about our fire regulations in relation to our Landlord licensing scheme. How rigorous are they and do they have checks in place?**

- Landlords of privately rented properties in Brent must comply with Brent licensing conditions which underpins existing health and safety laws.

For instance rented properties must have:

- Smoke alarms on every floor and a carbon monoxide alarm in every area where there is a solid fuel source
- Fire blankets and heat detectors in kitchens
- Must be adequate fire means of escape in case of fire and that fire precautions e.g. fire doors, automatic fire alarms, emergency lighting etc., are maintained

- That all residents are fully aware of the procedures to follow in the event of a fire and display a clearly worded fire notice in a prominent place(s) in the property
  - Certified gas safety check at least annually
  - Periodic electrical inspections and appliances checks (recommended every 5 years or before the start of every tenancy) though under licensing we may demand an electrical installation condition report and Portable Appliance Tests at any time
  - Landlords must carry out a fire safety risk assessment of their properties
- As part of our licensing scheme we have committed to inspecting all houses in multiple occupation during the licence period. At present there is a programmed inspection regime and properties are prioritised in a risk based approach. A reactive measure also operates in response to complaints referrals regarding licensed properties and or licence holders and persons managing licence properties. *(More details can be found in the Fire Regulations in relation to our Landlord licensing scheme briefing note)*

**Can Catalyst be invited to the public meeting, as they haven't been and they have flats in South Kilburn?**

- Yes, of course – (Subsequently Catalyst were invited but were unable to attend)

**Is London Councils trying to get the money from the government to support housing improvements?**

- The LGA is better placed to do this and will be. We need a voice and we need the Government to provide resources.
- In addition, we will be asking for the borrowing cap on HRA to be lifted to allow us access to extra funding to provide high quality housing.

**Where investment is needed will leaseholders have to pay?**

Fire doors in community areas and personal property front doors have been provided at no cost to leaseholders dwellings.

- If significant investment is needed we would need to use a section 20 and consultation process if we were considering recharging leaseholders
- We could do improvements at no cost to leaseholders if we choose and can afford to do so.

**Communal fire doors are being left propped open...**

- We are stressing to residents the importance of them being closed with letters to reinforce it
- If persistent we will follow up with ASB action.

### **Are we satisfied with safety features such as sprinklers and fire doors closing properly?**

- By law we don't have to have sprinklers – but we are costing these out at the moment and working out a time line for implementation if a decision is taken to install them.
- All our properties are fire risk assessment compliant
- We are looking at the options for what we do above and beyond the legal standards
- We had a big investment programme around three years ago and have put a big investment into safety in the last few years, supplying and fitting new fire doors was part of this
- We have and will continue to work with residents to pick up any issues and make any necessary repairs
- We have set up a dedicated email box for fire safety concerns for residents
- We have been doing lots of publicity to get them to report any issues.

### **What would happen if we had a Camden situation?**

- We are not expecting a Camden issue where we need to move masses of people, as the ones affected are new builds and therefore are built to modern standards and have good safety features.
- If it did happen, we would step in and help to rehouse.

### **Are all the blocks that have failed new build?**

- At the moment yes.
- When a developer is building, they can choose whether to use the Council as building inspectors, or an accredited inspector. If they choose the latter, the council is not responsible for oversight of the work.
- The Government is doing the safety testing it's based on spread of flame, combustibility and testing of the composite.
- The Government is now looking to do tests in more detail.

### **Why doesn't Octavia Housing not just remove the cladding on Elizabeth House immediately?**

London Fire Brigade have deemed the building as safe. This is for a number of reasons including the age of the property, the current additional safety measures in place such as smoke extraction and sprinklers on the ground floor.

- Octavia will replace the cladding, but it has to be manufactured and built
- Simply taking off the cladding would actually raise the risk of fire and make the building less safe in the short term
- There has been an increase of fire wardens in the block

- London Fire brigade has done a site visit with a crew to familiarise themselves with the block and also carried out additional inspections

### **What about Middlesex House?**

- This doesn't have cladding, it is rendered and therefore not subject to the Government testing.

### **How do we acknowledge tragedy but build confidence with our residents?**

- We must stay calm, take LFB advice if buildings are deemed safe and give technical reassurances.

### **Has the cladding at Watling Gardens been independently tested?**

Yes it has and we'll be using the Fire Brigade Audit Tool at the completion of the job to ensure that the fire safety as part of the refurbishments is best practice.

### **When are the results back?**

We're expecting the results back on the 14 July

### **Has the plaster render and the paint covering at Watling Gardens been tested and to what standard?**

A core of the wall construction has been sent for independent testing. We will advise Members and place the results on our website when we have them back. We have been advised by the manufacturer that the material are all non-combustible. The cladding system at Watling Gardens is not panels but a Rockwool rendering and paint finish. This is not the cladding type currently being tested by the government. The results are due back on the 14 July

### **How are we ensuring that the Fire Brigade's access to our buildings are not blocked by parked cars or other vehicles?**

There are regular patrols by council parking wardens but residents and visitors also need to park responsibly.

### **Is there a regular maintenance testing regime, including for fire alarms etc., for all blocks?**

- Yes we have regular fire risk assessments and fire safety equipment inspections, maintenance and servicing schedules.
- Dependent on the fire equipment type we have our approved contractors attend and complete servicing and maintenance visits on a three, six and nine month basis. Annual and twice yearly inspections also take place on the required equipment.

All of the above applies to, and where fitted:

- Fire alarm panels

- Fire alarms
  - Dry/wet risers
  - Emergency lighting
  - Fire extinguisher - all variants
  - Fire blankets
- 
- In addition to the above we also have estate inspectors visit blocks on a one/two month rota. While attending the block they also carry out spot checks on the equipment listed above and raise any immediate concerns identified. They also provide repairs and replacements relating to any fire door within the property that may have occurred in between the fire risk assessments taking place.
  - This approach allow us to maintain our fire safety management and standards. It also ensures that we demonstrate and meet best practice within local government guidelines and LFB guidance notes.

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