



Housing Scrutiny Committee
29 November 2018

**Report from the Strategic Director
of Community Wellbeing**

**Progress on Recommendations from the Scrutiny
Committee Task Group on Fire Safety of Low-Rise
Domestic Properties**

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Hakeem Osinaike, Operational Director Housing Hakeem.Osinaike@brent.gov.uk Tel. 0208 937 2023

1.0 Purpose

- 1.1 This report sets out the progress on recommendations provided by the Scrutiny Committee Task Group on Fire Safety of Low-Rise Domestic Properties. We have provided responses to each recommendation in turn.

2.0 Response to recommendations

- 2.1 **Recommendation 1:** The council and registered providers in Brent should publish the latest Fire Risk Assessments for all of their properties on an ongoing basis.
- 2.2 Following the Grenfell tragedy, Brent decided to publish Fire Risk Assessments (FRAs). FRAs for 39 high-rise buildings were published on our website for any member of the public to view and/or download.
- 2.3 The last time our 1057nr FRAs for low-rise and converted properties (1-5 storeys) were undertaken was 2016. We do not feel that publishing this information would add value as some of the information is likely no longer to be relevant for the buildings. All our low rise buildings (1057nr) require new FRAs in 2019 in-line with their cyclical target date. Our intention is to publish the new FRAs, which will be accurate and provide up to date information.

- 2.4 FRAs will be shared in 2019 with all key stakeholders; residents, contractors and the Fire and Rescue service. We are keen to make it as easy for residents and relevant organisations to be able to access this information easily. Therefore, Housing will undertake an options appraisal to develop a solution that will allow access to FRAs in an auditable way through user logins.
- 2.5 The Council is unable to compel Registered Providers (RPs) to publish their FRAs. However, we have communicated our expectation to them and continue to engage in discussions, which will hopefully result in all RPs operating in Brent agreeing to this recommendation.
- 3.0 **Recommendation 2:** In wards where the landlord licensing scheme is in force, the council should institute an amnesty from prosecution for landlords with unlicensed properties to increase uptake of landlord licences.
- 3.1 It is not felt that an amnesty of this sort would add value in Brent, based on our experience of the licensing scheme so far. In the 1st three wards that were designated as Selective areas (Harlesden, Willesden Green and Wembley Central), we saw 135% of the properties that we anticipated needing a licence being licenced. Given this level of coverage, it is our belief that any property not licenced is more likely than not managed by a landlord avoiding the scheme. Landlords avoiding the scheme should either face prosecution or at least a civil penalty notice and any issues of disrepair, including fire safety, should be addressed by enforcement.
- 4.0 **Recommendation 3:** In wards where the landlord licensing scheme is in force, the council should work to raise tenants' awareness of the landlord licence scheme (and more widely if this is expanded beyond these wards). It should also publish a "plain English" guide for tenants on landlords' obligations under the scheme.
- 4.1 Private Housing Services continues to carry out extensive publicity of all its licensing schemes targeted at landlords, tenants and other residents. We use various medium including The Brent Magazine, Local and national Press, Television, leaflets, attending local events, social media, JC Decaux and internal briefs to elected members. In addition we have developed a Community Champion initiative which has a dedicated resource, this can be viewed at www.brent.gov.uk/PRScommunitychampions.
- 4.2 In addition, we are updating our web offering to Tenants visiting Brent's website. This will include a revamped section which sets out clearly what tenants should expect and how to take action if things are not as they should be. This is being carried out as part of the review of the Council's web offering and should be completed early next year.
- 5.0 **Recommendation 4:** The council should establish an anonymous reporting system through telephone as well as the Council's digital platforms for residents to report non-compliant landlords under the landlord licence scheme.

- 5.1 Anonymous reports of non-compliant landlords can be made on our online referral form www.brent.gov.uk/report a property or by calling our dedicated telephone number, which is 020 8937 2384.
- 6.0 **Recommendation 5:** The council and registered providers should work with care providers to ensure that the London Fire Brigade has up-to-date information about vulnerable tenants and leaseholders.
- 6.1 The Council and care providers share useful fire safety information with the Fire and Rescue Service concerning residents who are particularly vulnerable. The council uses existing data, sends letters and displays notices in communal areas to identify groups who would benefit from a more detailed assessment of their needs being undertaken and promote the support that is available. This takes the form of a 'Person-Centred Fire Risk Assessment' questionnaire. A PCFRA is a simple risk assessment, completed with the resident, and considers their characteristics, behaviours and capabilities. This is to identify people who may have a higher risk from fire, and consider what actions/measures may be taken to reduce those risks to a reasonable level. The intention is to retain and share this information online and this is part of Customer Relationship Management system (CRM) implementation currently taking place.
- 6.2 If the assessment identifies reduced capacity to evacuate in the event of fire, a Personal Emergency Evacuation Plan (PEEP) is created. This is a plan of action agreed with the resident that outlines what actions they should take, what assistance may be needed to evacuate if a fire occurs in their own flat/room, or if the Fire Service determine that they need to be evacuated due to a fire in another part of the building.
- 7.0 **Recommendation 6:** The council and registered providers should review the appropriateness of fire detection systems in properties based on the specific needs of their tenants and leaseholders.
- 7.1 We are undertaking a comprehensive review of fire prevention and detection measures across our stock. The majority of our stock is made up of 1,057 low and medium rise and converted properties. Approximately 9,000 FRA Actions have been identified and a structured and systematic approach is being taken to ensure successful delivery. The specification for each fire detection system will be bespoke to the building and determined on a case by case basis.
- 7.2 Suitably qualified and experienced building surveyors are visiting each block and converting recommendations for physical remedial works contained in the FRA 'Action Plan' into a scope of works, including detailed specifications and costings.
- 7.3 It has been hugely important to engage residents on the programme and this will continue as we roll out the main programme. To support this, a dedicated Resident Liaison Officer has been assigned to work with and communicate with residents. Similarly, we are keen to engage ward Cllrs and will be providing opportunities for visits to properties that have been completed.

7.4 Works have been prioritised based on risk and consultation with residents. The programme is managed through work in progress inspections, post work inspections, measured KPI's and contract meetings. We selected three converted properties to pilot the works and these have been useful in giving us a benchmark of quality and exploring issues like:

- The contractors skills and competencies
- The adequacy of the original scope of works
- Appreciating access difficulties
- Reviewing product specifications
- Evaluating the methods for estimating cost
- Agreeing level of standard to be achieved
- Testing data collection, input methods and outputs
- Resident feedback on work carried out

7.5 Now that the pilots are complete, we are starting the main programme of works. It is likely that all converted street properties with leaseholders will require Section 20 consultation given the likely value of works. The Section 20 consultation requirement on medium and low rise blocks is less likely owing to the value of works related to the number of dwellings. This is because works with a value of less than £2,500, do not normally require s.20 consultation. Works will typically include:

- Refurbishment and security upgrades to street doors,
- Complete redecoration to a 'zero' fire rated standard for walls, ceilings, floors
- Repairs and redecoration of bannisters, stairs and window interiors
- Lighting upgrades to provide LED fittings with an emergency capability and movement-activation.
- Common-parts alarm and detection as appropriate
- Fire Safety signage to common parts
- Dwelling alarm and detection as appropriate
- The enclosure of gas and electric utility equipment within fire-resisting construction
- 'Fire-stopping' of any unguarded penetrations of floors and walls
- The replacement of any non-compliant flat entrance or cupboard doors with high performance fire doors

- 7.6 Undertaking the fire safety remedial works to every flat and block provides us with an opportunity to undertake decorations, electrical works and un-reported repairs. We have therefore combined other essential works with the fire safety remedial works programme. Combining works in this manner will provide cost savings, minimise disruption to residents and provide fully refurbished communal areas.
- 7.7 As landlords, RPs have fire safety obligations in the same way the Council does, but they may choose to take a different approach to the council to discharging these obligations. However, we are using this process as an exemplar in our discussions with them.
- 8.0 Recommendation 7:** All social landlords should take a “zero tolerance” approach to bulky items kept in common areas.
- 8.1 It is our understanding that RP’s take a similar approach to the council on this issue. That is, tenants and leaseholders have been informed about the dangers of leaving items in communal areas and any items identified during inspections are removed without further notice to the owners. This zero tolerance approach has been communicated to Estate Inspectors who undertake Environmental Quality Checks every 28 days to high-rise blocks and 56-days to medium/low rise and converted blocks. Estate Inspectors have been raising orders for any un-authorized items in communal areas to be removed by the cleaning contractor.
- 8.2 To be clear, a ‘zero tolerance’ approach means residents are not permitted to use communal areas to store or dispose of their belongings or rubbish. No exceptions apply. This ensures that communal areas are effectively ‘sterile’ i.e. free of combustible material, ignition sources and obstructions. Housing Staff do this via the use of the TORT Notice (legally treating the item(s) as abandoned) for the removal of bulky items in common areas. In addition, FRAs further identify if any items in the communal area would obstruct the means of escape.
- 9.0 Recommendation 8:** All social landlords should provide storage space for bulky items for all property types and sizes.
- 9.1 Providing storage space for bulky items for all property types and sizes may not be feasible but, where practicable, officers work with tenants and leaseholders to find a solution. Storage in relation to mobility scooters, prams and bikes require a considered design approach. Additional facilities, alternative housing may be considerations, however will need to be assessed on a case by case basis. Where facilities are available residents are required to use them to store bulky items. This is being monitored via Estate Inspections.
- 10. Recommendation 9:** The council should continue to develop plans and seek funding for secure bicycle storage units across the borough.

- 10.1 We are currently delivering a programming installing bicycle storage across our estates, prioritising where a demand was identified. This is currently been delivered at no cost to tenants and leaseholders.
11. **Recommendation 10:** The council should act to reduce unauthorised parking in areas for the use of emergency services, including:
- Clearer and better maintained signage and markings to identify those areas permitted for car parking, and those areas which are to be kept clear
 - Improving awareness of traffic and parking rules, and
 - Stronger enforcement of parking rules.
- 11.1 There is ongoing parking enforcement activity on some estates, where Emergency Access points are clearly identified and monitored by our Parking Enforcement Contractor. However, the Council believes the current scheme is insufficient to deal with this issue and we have therefore commenced consultation on 'trial' estates on a new parking scheme. This scheme, which will be based on a Traffic Management Order, will ensure designated parking areas are made available for emergency services.
12. **Recommendation 11:** The council and registered providers should regularly use their communication channels to inform and raise the awareness of residents in relation to fire safety.
- 12.1 The Council and RP's use a variety of methods to communicate with residents in terms of raising awareness of fire safety. These include social media; publications; internet-based communication including website and intranet; stakeholder communications; events and community safety campaigns. For example, the Council has held fire safety surgeries for every high rise block and we consistently feature fire safety advice in 'Your Voice', the Brent tenant and leaseholder magazine.
13. **Recommendation 12:** The council and registered providers should provide, in the main entrance of all types of property, floor plans identifying the location of fire exits, and clearly and simply explaining what to do in case of a fire..
- 13.1 Fire Safety Notices will be installed / updated as part of the Fire Safety Remedial Works Programme. Fire Safety Notices will be clearly displayed in all of our properties at the main entrances of the buildings. As part of delivering this initiative we have already revised the fire safety notices and provided same to our contractors.
- 13.2 Existing guidance does not support the provision of floor plans within every building. They are usually installed within larger buildings where they may be uncertainty regarding the direction of escape. Given that the majority of Brent's stock is within low-rise buildings there is no ambiguity in terms of the direction of escape and therefore no requirement to fit floor plans. Blocks that are identified as having any ambiguity regarding escape routes will have

appropriate floor plans of the building. Requirement for floor plans will be identified by the FRA, which is undertaken by a competent and trained Fire Risk Assessor.

- 13.3 As landlord responsibilities are similar, RPs are likely to follow this same approach.

14. Outline of governance and risk management arrangements for fire safety

- 14.1 The main duties on local authorities as landlords in relation to fire safety are covered by the Regulatory Reform (Fire Safety) Order 2005 (FSO) and the Housing Act 2004. The FSO applies in England and Wales. It covers general fire precautions and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around most premises.

- 14.2 The key requirement under the FSO is that local authorities and indeed other housing providers as landlords of residential buildings, must carry out and maintain a suitable and sufficient fire risk assessment in communal areas to identify and provide adequate fire precautions and procedures to ensure the safety of all relevant persons. As part of carrying out a fire risk assessment, they must take adequate precautions to reduce the risk and to manage the risk that remains.

- 14.3 Fire Risk Assessments are undertaken by competent external Fire Risk Assessors who are appointed via a competitive tender process and have demonstrated that they are suitably qualified, accredited by a recognised 3rd party scheme and have experience of undertaking fire risk assessments to similar buildings.

- 14.4 The Council engaged an external expert to carry out a review of all council housing management fire safety systems, standards and procedures. This included the review of how fire safety is embedded across all teams and roles, considering both operational and strategic issues. An action plan has been submitted and this is now being implemented.

- 14.5 The Council has formed a Strategic Fire Safety Group that includes representatives from within the council, external partners and senior officers of the London Fire Brigade. The Council has also agreed with the London Fire Brigade to create a sub-group for housing that will focus more on the operational aspects of fire safety matters within the borough and that will be attended by senior managers from the Council, representatives from Housing Associations and senior officers from the London Fire Brigade.

- 14.6 The Council appointed a suitably qualified and experienced fire safety compliance manager in March 2018 to take strategic and operational lead for fire safety.

- 14.7 Council officers are working closely with the London Councils Engagement in Best Practice Group. This is enabling the Council to become a major contributor

in the sharing of learning and one of the first to learn about new findings, changes and government updates relating to fire safety.

15. Outline of mitigations in place for civil emergencies

- 15.1 The Fire Safety Communications strategy forms part of a wider Disaster Recovery Plan Strategies and Processes to cover all major incidents.
- 15.2 A Disaster Recovery Plan will ensure the continuation of vital business processes and ensure the councils response and communication is appropriate in the event that a disaster occurs.
- 15.3 The Council, both as a landlord and a Local Authority, has in place a robust disaster recovery plan, which is tested on a regular basis.

16. Overview of the community engagement approach for fire safety

- 16.1 We are committed to supporting residents by making sure they are confident about what arrangements that are in place and that they are able to raise any concerns that they have. To support residents directly in the aftermath of Grenfell, we committed to hold fire safety drop-in surgeries in each of the Council's high rise blocks, recognising that every block is different and the issues in every block would be different.
- 16.2 These resident fire safety drop-in surgeries have taken place and have received positive feedback, specifically in terms of the opportunity to gain reassurance. Fire Safety leaflets including answers to FAQ's were also issued during the sessions.
- 16.3 The sorts of concerns raised by residents related to access for emergency services, smoking in communal areas and general housing management issues. The Estate Services team have followed up with appropriate communications and investigations and the website was updated with FAQs, fire safety information and the current FRAs.

17. Finance Implications

- 18.1 There are no financial implications for this report.

18. Legal Implications

- 18.1 There are no legal implications for this report.

19. Equality Implications

- 19.1 There are no equality implicated associated with the content of this report.

20. Consultation with Ward Members and Stakeholders

- 20.1 None

Report sign off:

PHIL PORTER

Strategic Director Community
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