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|  Brent | Full Council 8 July 2019 |
| | Report from the Assistant Chief Executive |
| Fire Safety and Housing in the London Borough of Brent | |

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| Wards Affected: | All |
| Key or Non-Key Decision: | Non-Key |
| 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: | One: Appendix 1: Response to Fire Safety and Grenfell Tower since 2017 |
| Background Papers: | N/A |
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1.0 Summary

- 1.1 This report updates Council about existing fire safety arrangements for housing in Brent and actions that the local authority has taken to improve fire safety in council-managed properties since the tragedy at Grenfell Tower in 2017. It also updates Council about fire safety arrangements for the private sector and Registered Providers.

2.0 Recommendation

- 2.1 Council to note the report, including the appendix which sets out fire safety arrangements for housing in the borough.

3.0 Background

- 3.1 On 14 June 2017 a fire broke out at Grenfell Tower, a multi-storey block of flats, in the Royal Borough of Kensington and Chelsea. In the aftermath of the tragedy at Grenfell Tower, Brent Council immediately took part in the pan-London response to support the Royal Borough and affected residents. This support from Brent Council ranged from the Chief Executive overseeing all aspects of the response with other Chief Executives in London, through to 105 staff who volunteered for shifts at the assistance centres which were set up.
- 3.2 Brent Council also responded to residents' immediate concerns in the London Borough of Brent about fire safety. Immediate actions included a dedicated webpage with updates on high-rise blocks, guidance from the London Fire Brigade, and a discussion about fire safety at meetings of Brent Connects residents' forums; the local authority also supported three community meetings for residents which were chaired separately by the borough's MPs.
- 3.3 On 10 July 2017, Council discussed the local authority's response to fire safety following the tragedy at Grenfell Tower, and fire safety measures in its housing stock. An outline programme of works for council housing was presented to a Cabinet meeting on 24 July 2017. Following that meeting on 13 November 2017 Cabinet agreed proposals for managing fire safety and delivering fire safety works in the council's housing stock, at an estimated cost of £10million. This decision was subject to approving the works programme in the report. This included a programme of Type 4 Intrusive Fire Risk Assessments (FRA) to be undertaken in every high-rise block. The FRA programme concluded in December 2018. As well as a high-rise fire safety works programme, there has also been the development of a low and medium-rise fire safety works programme for Brent Council's housing stock.
- 3.4 In addition to the fire safety works programmes, Brent Council's housing service is reviewing council housing management fire safety systems, standards and procedures. This review will look at how fire safety is embedded across operational and strategic issues, and will set out how fire safety is dealt with across the housing management function. A Brent Fire Safety Group has been set up and includes representatives from relevant services within the local authority and external partners such as the London Fire Brigade, Police and major Registered Providers. The council has also formed a sub-group for housing that focuses on the operational aspects of fire safety.
- 3.5 The local authority is also carrying out active fire management and prevention, including a zero tolerance policy in communal areas of its housing stock. For example, officers have informed all tenants and leaseholders about the dangers of leaving items in communal areas, and any items identified during inspections are removed without further notice to the owners.
- 3.6 Brent Council is active in the regulation of Private Rented Sector housing through licensing schemes for houses in multiple occupation (HMOs). The local authority manages three licensing schemes of private landlords in Brent. Two

are borough-wide, Mandatory Licensing schemes for houses in multiple occupation (HMOs), and there is an Additional Licensing Scheme which incorporates a wider pool of smaller HMOs. In addition, Brent Council has designated the wards of Harlesden, Willesden Green, Wembley Central, Dudden Hill, Mapesbury, Kilburn, Kensal Green and Queens Park as subject to Selective Licensing which means that, subject to some exemptions, all private landlords in these areas must obtain a licence.

- 3.7 Landlords of privately rented properties in Brent must comply with Brent licensing conditions which underpin 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.
- 3.8 The London Borough of Brent has a number of Registered Providers operating in the borough, and there are approximately 17,000 general needs rented homes managed by Registered Providers. These are regulated by the Homes and Communities Agency (HCA). Registered Providers are required to carry out Fire Risk Assessments and operate in a similar way to Brent Council's housing service in managing fire safety in relation to the housing they manage.
- 3.9 There are also a number of private and commercial residential buildings in the borough. Brent Building Control has been working with building owners, the London Fire and Emergency Planning Authority and the Ministry of Housing, Communities and Local Government to make sure all residential buildings (including hotels and student accommodation) 18 metres or taller with aluminium composite material (ACM) cladding are safe. From the original list of buildings of potential interest in 2017, there are seven remaining and four of these are in the process of making arrangements to have the cladding removed. All seven have enhanced fire safety arrangements, agreed with the London Fire Brigade, in place until the remedial works are complete.
- 3.10 Since 10 July 2017 fire safety actions by the Cabinet were monitored by the Housing Scrutiny Committee. On 27 July 2017, the Housing Scrutiny Committee discussed a report which set out the work being done around fire safety measures in Brent. On 14 September 2017, the Housing Scrutiny Committee set up a task group chaired by Councillor Long to review fire safety; the completed report which contained 11 recommendations, was agreed by the committee on 16 January 2018. Councillor Long formally presented the scrutiny report to the Cabinet on 12 March 2018. On 29 November 2018 there was a progress update about the recommendations in the task group report. On 25 April 2019 the scrutiny committee was given an update about progress with fire safety in Brent, which reviewed the task group's recommendations.
- 3.11 On 15 June 2017, the Prime Minister announced there would be a public inquiry into the tragedy at Grenfell Tower, and it was formally set up with a terms of reference on 15 August 2017. The independent public inquiry, chaired by Sir Martin Moore-Bick, formally opened on 14 September 2017. The Inquiry will prepare a report for the Prime Minister which will be sent to Parliament and

published in full. As stated below, the Phase 1 report of the Grenfell Tower Inquiry is likely to be published in October 2019. The Chief Executive of Brent Council, Carolyn Downs, has provided a witness statement to the inquiry in relation to her role in London Gold Command, as referenced in 3.1. The Government also commissioned Dame Judith Hackitt to lead the Independent Review of Building Regulations which published a final report in May 2018. The Hackitt Review made 53 recommendations; in response the Government published an Implementation Plan in December 2018 to put the recommendations into effect.

- 3.12 Phase 1 of the Grenfell Tower Inquiry is limited to finding out exactly what happened on 14 June 2017. The Phase 1 Inquiry report is, at this stage, likely to be published in October 2019, according to the Grenfell Tower Inquiry website. Phase 2 of the Grenfell Tower Inquiry is focused on establishing how Grenfell Tower came to be in a condition that allowed a tragedy of that scale to occur. The Grenfell Tower Inquiry is currently planning for Phase 2 hearings to commence in January 2020.

4.0 Financial Implications

- 4.1 On 13 November 2017 Cabinet agreed that the expenditure for the fire safety programme for the local authority's housing stock be integrated within the Housing Revenue Account capital investment programme. This expenditure for 2018/19 as part of the 2018/19 to 2020/21 Capital Programme was set out in the Budget and Council Tax 2018/19 proposals which were agreed by Council on 26 February 2018.

5.0 Legal Implications

- 5.1 Owners and landlords of buildings have to comply with various legal obligations to ensure the safety of others, including occupiers, and to discharge the duty they owe. There are further legal duties which landlords of residential properties owe to their tenants, some of which are covered in section 11 of the Landlord and Tenant Act 1985 in relation to keeping properties in repair. The local authority also has specified statutory duties and powers to take action against those, including owners of properties of residential accommodation, who expose others to hazardous or dangerous living conditions due to safety risks which include fire safety, most of which are covered in the Housing Act 2004. In June 2017, the Government issued a protocol to owners, landlords and managers of private residential blocks in England regarding safety checks on private residential blocks and the sampling of aluminium composite material (ACM) cladding, including identifying and testing ACM cladding.

6.0 Equalities Implications

- 6.1 There are no direct equalities implications arising from this report.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Member briefing sessions about fire safety took place in 2017. Members have reviewed fire safety at scrutiny committee meetings as set out in the report.

Report sign off:

Peter Gadsdon
Assistant Chief Executive