

	<p align="center">Community and Wellbeing Scrutiny Committee</p> <p align="center">22 February 2022</p>
	<p align="center">Report from the Strategic Director, Community and Wellbeing</p>
<p>Fire Safety Standards and Actions in Council Properties – Update Report</p>	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Hakeem Osiniake Operational Director of Housing Tel: 02089372023 Hakeem.osinaike@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To set out the background and context to Brent Housing Management's programme of works to improve the fire safety standard in the Council's housing stock.
- 1.2 To set out the policy and legislative responsibility of Brent Housing Management to undertake fire safety works in the Council's housing stock, and outline Brent Housing Management's approach to fire safety works since Grenfell.
- 1.3 To set out the programme of fire safety action and works that have been developed and implemented since the last update given to scrutiny in 2019.
- 1.4 To set out the fire safety requirements in the Council's housing stock and the plans to address these going forward. Outlining what Brent Housing Management is doing to ensure the Council's housing stock complies with fire safety legislation, carrying out fire risk assessments and identifying general fire precautions that need to be in place.

2.0 Recommendations

- 2.1 That the Committee note the contents of this report.

3.0 Background, Context and Legislation

- 3.1 Fire Safety has always been high on the agenda of Brent Council. On 10th July 2017 Full Council responded to the Grenfell Tower tragedy by launching the commitment to review fire compliance in the council's high rise stock and identify any measures needed to ensure it reflects best practice, and meet all necessary costs, identify a set of measures to improve fire safety to best practice standards and meet all necessary costs, which were forecasted at £10M. After assessing our stock, we quickly realised that we were in a relatively strong position with regards to fire safety compliance. This is primarily due to a robust system of Fire Risk Assessments (FRA's) but also because we did not have any high-rise buildings with cladding.
- 3.2 However, Grenfell created a new focus on fire safety in its broadest sense and the work since has created new standards and expectations, for example sprinklers, improved fire and smoke alarms systems, emergency lighting, smoke ventilation and resident information communication in the event of a fire.

4.0 Landlord Responsibilities

- 4.1 Landlords and freehold owners of residential buildings have a legal duty to ensure that a fire risk assessment is carried out to identify and remove any fire risks and hazards, or to reduce these as far as possible.
 - 4.2 In rented properties, landlords are responsible for ensuring that the properties meet fire safety standards. Landlords also need to keep their tenants informed of what to do in an emergency, including providing evacuation plans.
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- 4.3 The Council is required under the Housing Act 2004 to inspect privately owned residential properties (including common areas) under the *Housing Health and Safety Rating System* (HHSRS). The HHSRS is a risk assessment tool used to identify potential hazards to health and safety issues in buildings. Officers use points under the system to calculate the risk and severity of any hazards they identify. Fire is one of the 29 categories of potential hazards under the HHSRS.
- 4.4 In relation to fire hazards, these include inspecting the position of cookers and heaters; the adequacy of space heating facilities, including any defects or disrepair; clothing drying facilities; sockets and other electrical installations; any materials in the property that would allow fire and smoke to spread; facilities to stop fire from spreading, such as fire stops, internal doors, self-closers; any disrepair causing a fire risk; other fire safety equipment such as smoke / heat detectors, fire extinguishers, lightning protection systems; and other fire safety measures like means of escape.
- 4.5 Regional fire and rescue authorities (such as the London Fire Brigade) are responsible for enforcing the '*Fire Safety Order*', which is set out in paragraph 4.7 below, in non-domestic buildings. This includes the communal areas of residential blocks, just not the inside of residential properties. As fire safety authorities, they can enforce landlords' legal fire safety obligations outside the home and within buildings. Some fire safety authorities also make fire safety visits to evaluate the risk of fire inside homes and provide bespoke advice to residents on identifying and addressing fire risks and hazards.
- 4.6 The Council can be contacted by its tenants and leaseholders and they can make a formal complaint directly to the Council. In most cases, this will give an opportunity for Council officers to put things right and explain the Council's position to them. If the customer remains dissatisfied, they may take their complaint to the Ombudsman. Housing officers are available and regularly speak to tenants, offering an opportunity for them to raise any concerns. Should a customer remain concerned or unhappy with how the council is dealing with something they can make a formal complaint.
- 4.7 The Regulatory Reform Order (Fire Safety) 2005 requires building owners to carry out a fire safety risk assessment and keep it up to date. This shares the same approach as health and safety risk assessments and can be carried out either as part of an overall risk assessment or as a separate exercise.
- 4.8 Based on the findings of the assessment, the Council needs to ensure that adequate and appropriate fire safety measures are in place to minimise the risk of injury or loss of life in the event of a fire.
- 4.9 The Fire Safety Act 2021 extends the scope of fire risk assessments to include the building structure and external walls. This includes requiring a Responsible Person to review and update the risk assessment process. The responsible person is the Operational Director of Housing, and their delegates.
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5.0 Fire Risk Assessments

- 5.1 The Council carries out risk assessments once a year in all of its high-rise residential buildings and every three years in low rise. The Council also has a process in place for Caretakers and Housing Officers to report on any fire safety concerns when they carry out their regular cleaning and inspections.
- 5.2 Where urgent risks are identified in an FRA, they are logged and sent to the relevant teams. Where the urgent risk can be repaired, it is sent through to the day-to-day responsive team to complete. Where the repair is not urgent and is more specialist we pass to the contractor who undertakes our fire safety planned work. All of these actions are monitored on a weekly basis where a meeting is convened chaired by the Strategic Compliance Manager to discuss progress. An update is then provided to the Head of Housing Property Services. Progress on actions is reported to the Operational Director of Housing and Housing Management Team, on a monthly basis.
- 5.3 In the Council's high-rise blocks the fire risk assessors carried out a Type-4 Fire Risk Assessment, which is an intrusive survey where there is a degree of destructive inspection, in both the common parts and in residents' properties. This will usually require opening up the construction and making good after the inspection. It is essential to ascertain the fire integrity of buildings and in particular compartmentation. A type-4 is the most comprehensive fire risk assessment and was done as a one off exercise we now undertake annual Type-1 FRAs.
- 5.4 Low and medium rise blocks, including converted street properties receive a FRA every 3 years, as they are lower risk buildings.
- 5.5 Within flats, consideration is given to the integrity of compartmentation around openings in walls and floors for services such as gas, water, electricity, telecommunications and drainage. These may be present where such services enter from the common parts or pass between flats. In most cases, the extent of any openings and the extent of fire stopping may require opening up panels in kitchens, bathrooms and other areas.

6.0 Current and Future Fire-Safety Related Works

- 6.1 This programme of work has started to and will continue to address a number of risks identified in the Housing Scrutiny Report dated 25 April 2019 which was submitted to the then Housing Scrutiny Committee.
 - 6.2 The Council has continued to undertake fire safety works within its Housing stock. There has been ongoing works throughout all types of properties including high-rise. The low and medium rise programme commenced in 2019 as these properties had not had work undertaken for some time. The high-rise blocks have previously benefitted from targeted works over the last few years. Major works to high-rise blocks will commence from later this year. This is due to the large scale and logistics of the works and the corresponding budget that is required.
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- 6.3 The low and medium rise fire safety works programme is now nearing completion. This has been a significant investment and has addressed all of the low and medium rise housing stock.
- 6.4 These properties now have a high standard of fire protection and are able to operate as stay put or evacuation properties as relevant.
- 6.5 The Council has undertaken significant fire-safety related works to its Housing low and medium rise stock. This has included the following:
- 6.5.1 Fire safety and internal communal area refurbishment to low and medium rise properties. The properties include street conversions and purpose built blocks. These works included extensive fire compartmentation, emergency lighting, smoke alarms, and the redecoration of communal areas.
- 6.5.2 The Council has undertaken this work to 454 blocks and 654 street properties, to bring them up to modern standards and upgrade the fire rating of the properties. 6214 number of households benefited from this programme, and circa £5M has been spent.
- 6.6 The high-rise fire safety works programme. The high-rise fire safety works programme has been driven by the FRA programme, and is ongoing. However, the high-rise blocks will be subject to a higher level of fire safety specification once the high-rise refurbishment programme commences. This will include new sprinkler systems.
- 6.7 These works include fire safety compartmentation, fire doors and smoke alarms to the high-rise blocks, and are ongoing. It is our intention to continue the investment in our high-rise blocks to extend the life of the blocks and improve the fire safety. Over the next five years, the Council plans to invest approximately £33m in refurbishing high-rise blocks. This will include comprehensive refurbishment of all elements in the block but specifically as regards to fire safety, installing sprinkler systems, further fire compartmentation works, and communal fire door replacements.
- 6.8 Electrical upgrades to dwellings. These works are part of an ongoing five year programme of electrical testing and upgrading to dwellings. We will be spending approximately £1.2M each year for the next five years. These works are particularly important with regards to fire safety as faulty electrics rank number 4 in the most common reasons for house fires. Faulty sockets, extension leads and outdated wiring are a few of the reasons why electrical fires start and these will all be identified and remedied as part of the programme.
- 6.9 The current building regulations for new build tower blocks stipulates that buildings over 30m in height are to be fitted with sprinklers in flats. The blocks assessed as part of the type 4 FRA project have each been in excess of 30m in height.
- 6.10 Under the high rise refurbishment programme we intend to install sprinkler systems to the following blocks:
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High rise block
WINDMILL COURT
KILBURN SQUARE
WATLING GARDENS – 3 BLOCKS
THE OAKS
MANOR COURT
LODGE COURT

6.11 Taking Kilburn Square as an example.

6.11.1 The various works and estimated costs that would be required to fully modernise this tower block are listed below. The works are significant in terms of specification and scope due to the age of the block, previous lack of investment, and the need to introduce modern systems and functionality for residents. This is a significant investment but it will provide the block with a further 40 to 60 year's serviceable life, and it will be comparable to the new build development that is planned adjacent.

Building Element / Cost Area	Total £	Rational for the Works	Rechargeable to Leaseholders	Value Total	Value Each Leaseholder
Scaffolding	£ 353,025	Access for external fabric works.	Yes	£ 315,195	£ 3,940
Hoists	£ 84,145	Access for external fabric works.	Yes	£ 79,145	£ 989
Roofing	£ 104,940	Roof finish at end of lifecycle.	Yes	£ 35,940	£ 449
Drainage	£ 145,000	Failed drainage pipework throughout the block.	Yes	£ 135,000	£ 1,688
Structure	£ 102,014	Masonry repairs due to concrete spalling.	Yes	£ 97,314	£ 1,216
Balconies/Balustrades	£ 61,200	Necessary repair works.	Yes	£ 27,000	£ 338
External Finishes	£ 19,753	Lifecycle works.	Yes	£ 12,480	£ 156
Decorating Works	£ 90,535	Lifecycle works and fire safety to internal communal areas.	Yes	£ 85,535	£ 1,069
External Wall Insulation	£ 527,272	Insulation is not essential but costs can be partially considered as an option to more thorough masonry repair, redecoration, etc.	Possibly partially; say 30%	£ 148,296	£ 1,854
Windows & Doors	£ 1,645,991	Lifecycle replacement but higher specification	Partially, say 60%	£ 925,870	£ 11,573
Lifts	£ 554,000	Lifecycle replacement	Yes	£ 554,000	£ 6,925
Mechanical & Electrical	£ 304,208	TBA	Say 75%	£ 201,591	£ 2,520
Sprinkler Systems	£ 363,200	Fire safety decision by Cabinet.	No	£ -	£ -
FRA	£ 246,808	Fire safety works	Yes	£ 200,000	£ 2,500
Kitchen & Bathrooms	£ 503,947	Not normally done to leaseholder dwellings. Required due to major upheaval re fabric, services, etc.	Possibly partially; say 30%	£ 136,184	£ 1,702
Asbestos	£ 55,900	To facilitate safe working.	Partially, say 50%	£ 26,000	£ 325
District Heating Installation	£ 960,000	Domestic boilers could be retained, so not chargeable.	No	£ -	£ -
Pressurised Mains	£ 50,000	To suit sprinklers?	No	£ -	£ -
Domestic Extract Ventilation System	£ 115,200	Required for safety reasons. However, higher than necessary specification.	Partially, say 15%	£ 16,200	£ 203
Electrical Lateral Mains	£ 100,000	Lifecycle works.	Yes	£ 67,500	£ 844
Communal Smoke Ventilation System	£ 180,000	Probably higher than necessary specification.	Partially, say 20%	£ 36,000	£ 450
Total £	£ 6,567,137			£ 3,099,250	£ 38,741
Design Team; Consultants; Enablement Works	£ 800,000		15.90%	£ 492,781	£ 6,160
Contingency	5% £ 328,357			£ 154,962	£ 1,937
Prelims	£ 1,379,099			£ 650,842	£ 8,136
OH&P	£ 396,491			£ 187,117	£ 2,339
GRAND TOTAL	£ 9,471,084			£ 4,584,953	£ 57,312

6.11.2 This level of investment does however mean that there will be a significant recharge to leaseholders. The above table also illustrates the works that the Council are likely to be able to recharge, or not depending upon the reasons for the work being specified.

6.12 Officers would expect to complete these installations by 2026.

6.13 The Assessors consider the retrofitting of sprinklers may have been a consideration and subsequent recommended control measure if the building compartmentation had been compromised over the course of alterations and refurbishments since the original build. However, the fire risk assessors have considered this factor throughout the fire risk assessment process and intrusive inspections of the common areas and flats and are satisfied that the retrofit of a sprinkler system is a control measure that is not a statutory requirement.

6.14 The National Fire Chiefs Council note that fires in homes still account for the greatest number of fire deaths and injuries and the installation of sprinklers in domestic premises would have a significant impact in reducing these.

- 6.15 The National Fire Chiefs Council and the National Fire Sprinkler Network have worked together to investigate the “Efficiency and Effectiveness of sprinkler systems”. This report indicates that where installed, sprinkler systems operate on 94% of occasions, demonstrating very high reliability. Furthermore, it is evident that when they do operate, they extinguish or contain the fire on 99% of occasions, which demonstrates that they are very effective. The research also found that in both converted and purpose- built flats, sprinklers are 100% effective in controlling fires.
- 6.16 The installation is backed up by installation of a detection system at each floor that is remotely monitored 24/7. The activation of a sprinkler system is regarded as a ‘fire event’ by the Fire and Rescue Service and they will always attend. Therefore, this enhancement provides direct notification to the Fire Brigade rather than reliance on individual residences
- 6.17 The system will be custom engineered to the requirements of each individual building, and the design parameters ‘signed off’ by the fire and rescue service. A sprinkler system requires multiple fire-rated pumps, which may be also used to deliver the potable domestic boosted supply. Distribution pipework is run throughout the block vertically and laterally through the common parts with junctions into each dwelling. Isolation valves must be provided, the usual model being one per floor.
- 6.18 The Council wish to raise the bar with regard to enhancing fire safety measures for its residents and their homes. Therefore, and considering the above observations such enhancements are recommended to be only introduced on the 8 blocks to be retained as the capital investment can achieve long-term benefits.

7.0 Compartmentation

- 7.1 From the surveys carried out in all blocks, it was apparent the Council has invested in fire safety measures previously with new ‘Gerda’ fire doors being fitted throughout the blocks to flat entrances, cross-corridors and stairs.
- 7.2 In addition to the installation of fire doors, certified fire proofing and stopping works have also been carried out to a large majority of accessible risers to corridors and lobbies within communal areas.
- 7.3 The compartmentation in the Common Areas was to a good standard with no major breaches in compartmentation identified to common areas nor any trends in compartmentation deficiencies in the blocks.
- 7.4 What is common throughout the Flats in all blocks is the high level of fire separation within risers between vertical floor levels. The majority of service penetrations that are in the main cast, steel and copper pipework, between floors have been in-filled by a concrete pour with no major breaches apparent.
- 7.5 However, there is presence of open flues that rise through the height of the building connecting flats below and above, that historically were used to discharge flue gases from former gas fired heating units. A number of the
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openings were found to be proofed but the majority inspected were open thus providing passage for smoke and fire. Proofing works are ongoing in this area and Council officers hope to complete these works as part of this year's fire safety programme.

- 7.6 The Council will be installing or upgrading to an enhanced Grade D, Category LD2 or LD1 smoke alarm system in each dwelling as part of our electrical testing programme and will include these as part of our voids specification. These provides additional smoke and fire monitoring within the dwelling and includes the lounge and sometimes the bedrooms in addition to the escape routes and kitchens. This provides early warning to the occupants of the dwelling and means that there is less reliance on higher levels of compartmentation as the occupants would either vacate or raise the alarm as soon as smoke or a fire became apparent.

8.0 People at Risk and Social Factors Impacting Fire Safety

- 8.1 In consideration of people at risk and relating social factors, Council officers are developing a strategy to provide comprehensive fire safety information for all residents in all native or first languages of the residents.
- 8.2 The Council has fitted Gerda 'Premises Information' box in all of our blocks containing a list of residents who require for the use by the London Fire Brigade in the event of a fire. Therefore, the Council is in consultation with the London Fire Brigade and will support with other relevant information and familiarisation visits.
- 8.3 An action plan has been developed by housing officers to identify residents that would benefit from a Person Centred Risk Assessment (PCRA) and/or a Personal Emergency Evacuation Plan (PEEP). They have produced a number of PEEP's and continue to work with Adult and Children social services on the best methods of identifying and implementing PEEPs. These assessments have helped to identify the needs of each vulnerable individual in a block and enabled the Council to put together information the Fire Brigade would need, in the event of a fire. As our surveys confirm compartmentation and as such, a stay put policy, residents are able to remain in their homes, except when they need to be evacuated by the Fire Brigade. In cases where there is not a stay put policy and self-evacuation is necessary, we will discuss a permanent decant to a more suitable home.

9.0 Fire Alarms

- 9.1 Not all Brent Council purpose built blocks require fire alarms to common areas and to the escape routes. The buildings have been designed based on a 'stay put' approach and the occupants in each of the blocks adopt this. Therefore, the focus for purpose built blocks is on providing a comprehensive early warning heat and smoke detection, and alarm system within each dwelling.
- 9.2 The introduction and triggering of a communal fire alarm system would promote a simultaneous evacuation, which is not desirable in a building that is not designed for this. It would inevitably lead to false alarms, unnecessary fire and
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rescue service attendance, maintenance costs and a risk to evacuating residents who would be safe to remain in their flats, into areas that may be affected by smoke, or mass confusion and potential injury of residents simultaneously evacuating via the stairs.

- 9.3 All Brent Council converted street properties are designed as “evacuation recommendation” blocks. These have been fitted out to support early warning throughout the property, and the safe evacuation of the properties in the event of a fire alarm being activated.

10.0 Granville New Homes

- 10.1 These blocks have been managed by BHM on behalf of First Wave Housing since 2017. It was identified that the blocks have suffered from a number of defects. However, there are two main issues with the properties, water ingress at various locations in the blocks and uncertainty about the fire rating of the external and internal walls and floors. In addition to the above, the Fire Bridge served First Wave Housing with Enforcement Notices, which led to a waking watch to be introduced in the blocks. Recent consultation will see the properties coming into the HRA in April 2022.

- 10.2 The fire risk assessment for the blocks and the subsequent intrusive investigations have identified that the construction is poor. The blocks have two distinct methods of cladding. One is formed of cementitious panels, and the other is of brick effect panels. Both of these appear to have a variety of insulation materials including expanded polystyrene, mineral wool and void spaces.

- 10.3 A comprehensive communal and dwelling interlinked fire alarm system has now been installed into the properties. Alarm monitoring arrangements will be in place over the next couple of weeks. A joint inspection was held with the London Fire Brigade to assess the block following the previous enforcement notice. The actions identified in the Enforcement Notices have now been signed off. It is expected that the alarm system will be commissioned within the next few weeks.

- 10.4 In addition, combustible material has been removed from communal areas, and additional fire stopping has been installed. The panels and insulation will require to be removed and replaced with A1 or A2 rated materials to comply with building regulations. The waking watch will be removed in stages once the alarm monitoring is mobilised. A procurement exercise is required to procure the new cladding and other repairs to the blocks. This project is expected to take three years.

11.0 Building Safety Bill

- 11.1 Going forward, the Council will be focussing on the new Building Safety Bill. This will focus on the following.
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- 11.1.1 A more stringent regime for higher-risk buildings and drive improvements in building safety and performance standards in all buildings.
- 11.1.2 Ensure residents have a stronger voice in the system, and establish additional protections for leaseholders in relation to financing remediation works.
- 11.1.3 Additional obligations under The Regulatory Reform (Fire Safety) Order 2005:
 - 11.1.3.1 Participate in a new, more stringent regulatory regime for high-risk residential buildings.
 - 11.1.3.2 Increased competence among industry professionals and regulators to raise standards in the design, construction and management of buildings;
 - 11.1.3.3 Oversee performance systems of all buildings, with guidance on building performance as well as building safety, ensuring that factors like countering climate change are factored into regulatory decisions.
 - 11.1.3.4 Establishing a 'golden thread of information' which is a live digital document with accurate and up-to-date information of the building data around fire safety matters.
 - 11.1.3.5 Evidencing that the relevant standards have been satisfied.
 - 11.1.3.6 Developing a Building Assurance Certificate from the Building Safety Regulator in respect of all high-risk buildings in occupation.
 - 11.1.3.7 Developing the role of 'Accountable Person' who will be legally responsible for building safety on occupation.

11.2 The Council is in the process of recruiting a building safety team to put a plan together and deliver the requirements of the Building Safety Bill when it comes into effect as the Building Safety Act.

12.0 Financial Implications

- 12.1 Fire safety related works on council homes are funded from the Housing Revenue Accounts (HRA), predominantly through rental income, along with recovery of cost through major work billing to leaseholders. Budgetary requirements over the next five years are informed through the Asset Management Strategy.
 - 12.2 Statutory work elements in relation to fire safety works are incorporated within baseline assumptions in the 30 year HRA Business Plan. This consists of £33m investment over the next five years to refurbish high-rise blocks and address
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fire safety requirements, such as sprinkler systems, compartmentation works, and communal fire door replacements.

- 12.3 In addition to the above, further £6m over the next five years have been profiled to undertake electrical upgrades as a preventative measure of fire risk.
- 12.4 Annual revenue budgets have been set at £0.3m per annum towards cyclical maintenance and day-to-day responsive repairs in relation to fire safety monitoring devices.

Additional new roles required to form the building safety team have been integrated within Property Services staffing establishment, through restructuring of vacant positions, without any further growth in 2022/23 salary budgets.

13.0 Legal Implications

- 13.1 Owners and landlords of residential buildings have to comply with various legal duties to ensure the safety of others, including occupiers, and to discharge the duties 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. Local authorities also have 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. Local housing authorities as landlords also need to give comply with other statutory requirements that are set out in the Gas safety (Installation and Use) Regulations 1998, the Electrical Equipment (Safety) Regulations 1994 and the Furniture and Furnishings Act 1988. In most cases, it is the responsibility of the Fire and Rescue Authority (i.e. the London Fire Brigade) for the area to enforce the obligations of The Regulatory Reform (Fire Safety) Order 2005.
- 13.2 The remaining legal implications, including details of recent and forthcoming legislation, are set out in the main body of the report.

14.0 Equality Implications

- 14.1 There are no equality implications associated with the content of this report.

Report sign off:

Phil Porter

Strategic Director, Community Wellbeing
