

APPENDIX 1

Local Authority's Response to Fire Safety and Grenfell Tower Since 2017

1. Brent Council Housing

Brent Council is responsible for the homes of approximately 9,500 tenants and 3,000 leaseholders. Since the tragedy at Grenfell Tower, an extensive programme of fire safety action and works have been developed and implemented. This has included:

- active fire management and prevention, including a zero tolerance policy in communal areas
- a comprehensive fire risk assessment programme
- Type 4 fire risk assessments to high-rise properties
- development of a low and medium-rise fire safety works programme
- development of a high-rise fire safety works programme
- engagement with the London Fire Brigade
- specialist surveys and investigations into complex property matters.

Fire management and protection

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. This zero tolerance approach is enforced by housing management who are currently utilising the cleaning company for the purposes of identifying any unauthorised items in communal areas and removing them. In addition, fire safety awareness training has been given by a registered training provider to staff.

Fire Risk Assessments review

An ongoing cycle of Fire Risk Assessments has been put in place. The frequency is determined by the inherent risk level of the property type.

Table 1: Fire Risk Assessments by Property Type

Risk Level	Property Type	Inspection Frequency
high	high-rise	12 months
high	converted street properties	24 months
medium and low	low-rise and medium-rise	36 months

Hunters carried out Fire Risk Assessments to the 39 (14 of which are 12 storeys or higher) high-rise blocks in August 2017. The fire safety recommendations and remedial works identified in the Fire Risk Assessments have been completed. These assessments are now informing the high-rise safety works programme.

A significant investment in the compartmentation of the high, medium and low-rise purpose-built blocks was previously undertaken in Brent. This primarily focused on installing Gerda fire-rated doors to front entrance doors and communal areas of flats. This was a good approach to protecting the communal areas of the properties. The street conversion properties were not addressed.

Block cleaning and caretaking

This function is coming back in-house and should be completed in the next six months. This will facilitate a more hands-on approach to protecting blocks and maintaining a zero-tolerance approach to communal areas.

Fire safety systems review

Brent Council's housing management leadership team is undertaking a review of all council-housing management fire safety systems, standards and procedures. This will review how fire safety is embedded across all teams and job roles, considering both operational and strategic issues. The review will set out how fire safety is dealt with across the housing management function. The outputs for the review will include:

- A fire safety strategy for the housing management service and council housing
- A staff practice manual on fire safety and tenancy and estate management.

This review will be reinforced by the Brent Fire Safety Group, which 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 outputs from this are expected to be available at the end of September 2019.

Fire Risk Assessments

A major procurement exercise for a long-term contract with a suitable experienced Fire Risk Assessment consultancy is currently under way. This will be an up to 10-year term contract which will cover the four Fire Risk Assessment types and will include intrusive and destructive surveys. This is expected to be in place by the end of 2019.

Pending the procurement of this contract, there is an ongoing cycle of batched fire risk assessment re-assessments being carried out to ensure that the council remains Fire Risk Assessment compliant. New assessments will also consider the fire implications of any adjacent or attached residential or commercial properties.

The following work programmes are being delivered in addition to the general capital works programme.

Low and medium-rise fire safety works programme

The low and medium-rise fire safety works programme consists of 654 street properties comprising 1,608 dwellings; 673 of these dwellings are leasehold, and 454 purpose-built low and medium-rise blocks comprising 4,606 dwellings; 1,872 of these dwellings are leasehold.

The works specification is listed below. This has been derived via the Type 1 Fire Risk Assessment and a site survey of each block.

Converted street properties:

- class 0 fire retardant paint finish to communal areas
- refurbishment of communal areas
- fire stopping

- new fire-rated entrance doors to flats
- new fire-rated fan lights and side lights to flat entrance doors where required
- master key lock replacement to communal front entrance doors
- electrical meter enclosures
- upgraded domestic smoke alarms
- communal alarm system
- emergency lighting with motion sensors
- non-slip Altro flooring to common areas where required.

Purpose-built blocks:

- class 0 fire retardant paint finish to communal areas
- refurbishment of communal areas
- fire stopping
- repairs to existing fire rated entrance doors to flats
- repairs to existing fire rated communal doors
- upgraded domestic smoke alarms
- emergency lighting with motion sensors
- replacement of intake cupboard doors with fire rated doors
- new fire rated entrance doors to flats if not already done.

The fire safety programme is integrated with a communal parts refurbishment programme for converted properties. The programme budget is £4.3million for converted street properties and £2.3million for purpose-built blocks, totalling £6.6million, and assumes all leasehold work in the home will be completed within programme. The conversions should be completed this financial year. The purpose-built blocks will be completed in the next financial year. Officers are currently exploring options for addressing necessary fire safety-related works within the demise of the leasehold properties.

High-rise fire safety works programme

Type 4 Fire Risk Assessments have been carried out on all of the high-rise blocks (twelve floors and above). This concluded in December 2018. The Type 4 assessments are the best way to understand all of the risks in a building. Type 4 assessments require a degree of 'destructive' inspection, in both the common parts of the building and the flats themselves. Dwelling surveys were carried out on a sampling basis. They are essential to ascertain the fire integrity of the building and in particular compartmentation. It is the only way to establish long-term robust fire safety strategy and systems. The findings of the Type 4 surveys have a significant bearing on the fire strategy of the building and the prioritisation of the improvement works.

Within flats a Type 4 survey gives consideration 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.

From the surveys it was apparent the local authority has previously invested in fire safety measures previously with Gerda fire doors being fitted throughout the blocks to flat entrances, cross corridors and stairs. In addition to the installation of fire doors, certified fireproofing and stopping works have also been carried out to the large majority of accessible risers to corridors and lobbies within communal areas.

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.

However, the assessments have identified the following areas for investigation and/or remedial action. These will be actioned under our programme for Type 4 Fire Risk Assessment High-Rise Remedial Works (Tower Block Fire Safety Improvement Programme). These include:

- local management actions i.e. removing obstructions in communal areas
- investigation and possible replacement of spandrel panels, window panels and infill panels
- higher category dwelling smoke and fire alarms
- ventilation ducting and redundant flues
- assessing the need for common area ventilation systems
- any remaining compartmentation issues within dwellings and common areas
- common area and flat front door repairs to maintain compartmentation.

Fire improvement works have generally been integrated with the planned works programme as it is more cost-effective to do one set of works on a building, and not all residents may appreciate the fire safety works, which may be unsightly, so doing them alongside planned works should see an overall improvement in the building.

Our approach to prioritising the blocks has been threefold. Firstly, given the lack of national guidance, the best estimate of future regulation is the current regulation for new buildings. Therefore, the proposal is to focus in the first instance on buildings that are 12 storeys and above, which would currently require sprinklers if they were newly built. Secondly, the original FRA1s provided risk ratings, and so those where there is the greatest risk (after all the recommended actions have been completed) would be prioritised. Thirdly, the planned works already in the programme, for example Kilburn Square.

There are 14 tower blocks which are over 12 storeys high. Eight of the tower blocks are part of the South Kilburn Regeneration programme. Hence the decision to refurbish the six non-regeneration blocks in the first instance. The first phase of the Tower Block Fire Safety Improvement Programme is a programme of fire safety improvement and major works to six tower blocks, and is currently in design and procurement. This will include the installation of sprinkler systems. It is expected that this programme will also be delivered via the construction partner Wates.

The work to install sprinklers within tower blocks will be integrated with other major works that have been identified from the stock condition survey. The reason for integrating fire improvement works with the planned works programme is it will be

more cost-effective to do one set of works on a building, and not all residents may appreciate the fire safety works, which may be unsightly, so doing them alongside planned works, should see an overall improvement in the building.

The works will include refurbishments such as external repairs, window replacements, lift replacements, (as will be the case on Kilburn Square) and a heating system replacement (as will be the case on Lodge and Manor Courts). This may make it more palatable for leaseholders as an improvement would mean an increase in the quality and value of their property.

The expected start on-site dates for the works to the tower blocks we are retaining currently are:

- The Oaks, Windmill and Watling; November 2019
- Manor and Lodge; January 2020
- Kilburn Square; February 2020

Sprinklers

It is proposed to install sprinklers to all flats within the council's high-rise blocks that are not proposed for demolition. These blocks are:

- Watling Gardens
- Lodge Court
- Manor Court
- Windmill Court
- Kilburn Square
- The Oaks.

Spandrel panels and cladding

Brent Council has no blocks with Aluminium Composite Material. However, a number of blocks have isolated areas of external wall panels. The panels in these blocks will be tested and if necessary replaced in conjunction with the capital works programme.

Some newer blocks have isolated areas of timber cladding. Where timber cladding is structural it should be treated with a fire retardant treatment. Blocks with timber cladding will be investigated and treated with a fire retardant treatment if necessary.

Block ventilation

A specialist report has been commissioned to review the ventilation requirements of several blocks. Once finalised, appropriate works will be carried out. This will ensure that blocks will effectively disperse smoke in the event of a fire.

Joint working with partners including the London Fire Brigade

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 formed with the London Fire Brigade a sub-group for housing that focuses more on the operational aspects of fire safety matters within the borough. It is attended by senior managers from the council, representatives from

Housing Associations and senior officers from the London Fire Brigade. Recent meetings have been useful in reinforcing the working relationships as follows:

- communication of the London Fire Brigade's property inspection programme in Brent.
- shared knowledge.
- understanding of team work streams.
- dialogue regarding risk management, specifications and prioritisation.
- identification of key contacts in each team.

Council officers are working closely with the London Councils' Engagement 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. The asset compliance manager attends the London Housing Director's Fire Safety Group meetings. Officers also participate in the Ministry of Housing, Communities and Local Government Building Safety Programme.

Hackitt Review

Officers are currently developing the recommendations from the Hackitt report. These include:

- greater focus on multi-occupancy higher-risk residential buildings (HRRBs) that are 10 storeys or more in height
- stronger change control processes
- a clear and identifiable duty holder function with responsibility for building safety
- delivering building safety as a system rather than by considering a series of competing or isolated objectives via the creation and maintenance of building safety cases for existing buildings
- non-use of combustible products where alternatives exist
- closer working with Building Control and Planning, the London Fire Brigade, and other agencies
- more rigorous inspection and checking regime
- not using desktop and global assessments
- greater involvement and information exchange with residents.

2. Registered Providers

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

Registered Providers (RPs) are required to carry out Fire Risk Assessments and operate in a similar way to the council in managing fire safety in relation to the housing they manage. The council in 2017 wrote to 14 Registered Providers operating within Brent asking them to confirm their Fire Risk Assessments were up to date for their properties and to identify any high-rise blocks they were responsible for managing in the borough.

However, Building Control has no statutory power in respect of Fire Risk Assessments and therefore cannot insist that they are carried out. Fire Risk Assessments are the responsibility of the building owner and the body with enforcement powers is the London Fire and Emergency Planning Authority (LFEPA). Building Control has no involvement.

In 2017 the Ministry for Housing, Communities and Local Government, and the Homes and Community Agency was working with Registered Providers to identify high-rise blocks with cladding and the local authority asked that this information was shared with the authority when it was available.

3. 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 in 2017 wrote 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 Council's 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 London 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 Control's 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.

It should be noted that Building Control have no statutory power in respect of Fire Risk Assessments and therefore cannot insist that they are carried out. Fire Risk Assessments are the responsibility of the Building Owner and the body with enforcement powers is the London Fire and Emergency Planning Authority. Building Control has no involvement.

In 2017 Brent Council 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 was disseminated via representative bodies for the private residential sector. In 2017, the Construction Industry Council also issued instructions to approved Building Control inspectors to check their records for buildings with cladding; this was to ensure that buildings not inspected by local authority building control teams are identified.

Since 2017, Brent Building Control have 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, there are currently seven remaining and they are at various stages of implementing a remedial works programme:

- Four are in the process of making arrangements to have the cladding removed and have schemes agreed.
- Two are about to undergo assessments or studies with the Building Research Establishment (BRE) to check the proposed solution is adequate.
- One has completed its final investigation report and is putting forward proposals to remove the cladding.
- One is awaiting test results to identify the grade of aluminium composite material (ACM).

All seven have enhanced fire safety arrangements in place whilst until the remedial works are complete.

4. Private Sector Residential Landlords

Brent 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 schemes for houses in multiple occupation (HMOs), and 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.

The local authority is just about to embark on a consultation process that is recommending the renewal of the Additional Licensing scheme and Selective Licensing scheme in the wards of Harlesden, Willesden Green and Wembley Central as well as proposing to extend Selective licensing to other areas in the borough.

Landlords of properties covered by the schemes have a duty to apply for a licence for their properties. Following receipt of an HMO licence application and fee the council issues a licence with specific management and improvement conditions and inspects 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 heat detectors in kitchens
- adequate means of escape in case of fire and that fire precautions e.g. fire doors, automatic fire alarms, emergency lighting etc are maintained.

And landlords must ensure:

- 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 places in the property
- a 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

- they 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 is taken. Where landlords fail to license or manage their premises the appropriate enforcement action is taken.

After 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 160 landlords and agents have been prosecuted with fines totalling just over £1,500,000. In addition, the council has issued over 100 Civil Penalty Notices against landlords and agents for Housing Act offences.

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

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

5. Non-Residential Council Property

Commercial portfolio

The council's commercial portfolio is largely occupied on the basis that responsibility for safety lies with the tenants as they control the premises. The local authority's duty is to monitor whether tenants are carrying out this responsibility.

Property department will be issuing a revised questionnaire to all tenants to check they are complying with statutory requirements during Quarter 3 of 2019. The results of this questionnaire will be analysed and any tenants who are falling short of their duty will be issued with default advice and offered assistance to implement any necessary measures during Quarter 4 of 2019.

Multi-tenanted buildings

Whilst there are individual tenants who are responsible for safety within their demised areas, in some circumstances the local authority will retain an overall responsibility for compliance.

A review of Fire Risk Assessments is being undertaken by qualified fire risk assessors, which will be completed Quarter 3 of 2019. Where a requirement for a revised assessment is identified following these reviews these will be carried out in Quarter 4 of 2019. Reviews of the assessments will be carried out annually.

Schools

Community schools are responsible for commissioning Fire Risk Assessments and ensuring all actions identified are carried out. All schools have an assessment and are responsible for ensuring it is reviewed annually and perform evacuation drills per term. The council's Property Department continues to monitor that the schools are undertaking these duties.

Operational properties

All operational properties have Fire Risk Assessments which are being reviewed by qualified fire risk assessors by the end of Quarter 2 in 2019. Where new assessments are required these will be undertaken. All Fire Risk Assessments will be reviewed annually by competent personnel going forward.