

For general release

REPORT TO:	<i>Scrutiny and Overview Committee</i> <i>05 September 2017</i>
AGENDA ITEM:	7
SUBJECT:	FIRE SAFETY IN CROYDON
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CABINET MEMBER:	Councillor Alison Butler Deputy Leader and Cabinet Member for Homes, Regeneration & Planning
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	<i>Stephen Tate</i> Director of District Centres and Regeneration

ORIGIN OF ITEM:	The issue of fire safety has received widespread public, media and government attention since the events at Grenfell Tower, and is of concern to all local authorities in relation to their own buildings and to buildings within their boroughs
BRIEF FOR THE COMMITTEE:	To review how the council has responded since the Grenfell Tower fire and how it will continue to ensure the safety and well-being of its own tenants and leaseholders, and of those using the council's buildings.

1. EXECUTIVE SUMMARY

- 1.1 This report summarises the actions that the council has undertaken to date in relation to its own homes and buildings to reinforce a robust approach to fire prevention and safety across the borough. It also provides information on action by the government in relation to private sector and housing association properties in Croydon. The main issues which have emerged in recent weeks concern the materials and construction methods used in cladding tall buildings, the installation of sprinklers, the standard and maintenance of means of escape such as fire doors, and the advice provided to occupants. These issues have been examined by the council at length and a range of immediate and longer-term measures have been undertaken or put in train.
- 1.2 The BRE has been undertaking a series of tests on cladding panels of an aluminium composite material (ACM). The ACM panels have been graded according to their calorific values then subjected to whole-system tests in

conjunction with different forms of insulation. Panels with the highest calorific values have failed these tests meaning that they do not adequately resist the spread of fire to the standard required by current building regulations.

- 1.3 Five private and housing association residential buildings in the borough have ACM panels. The council has been involved in discussions between Communities and Local Government and landlords, and can report that, once full guidance is developed, landlords will be required to replace the relevant cladding with fully-compliant systems. In the meantime, interim measures such as overnight on-site wardens have been instigated.
- 1.4 The council does not itself have any blocks of flats with ACM cladding but does of course have a number of taller blocks of flats, the high-rise nature of which mean that fire safety is paramount. We have been working closely with the London Fire Brigade (LFB) to assure ourselves that the materials and construction system are acceptable, and on the measures necessary to minimise risk. An immediate decision was taken to install sprinklers in 25 blocks of flats with 10 or more storeys with an eight-storey block used as retirement housing for older people added to this schedule.
- 1.5 It is important to stress that the council sees the safety of residents as absolutely vital and has a strong history of investment in its housing stock on different types of health and safety measures. In terms of fire safety specifically, over £10m has been invested since the introduction of the regulatory reform (fire safety) order in 2005. An ongoing programme of periodic fire risk assessments ensures that we identify and address issues as they arise.

2. CROYDON'S COUNCIL HOUSING STOCK

- 2.1 The Grenfell Tower fire affected a housing block of 24 storeys. Croydon Council does not have any blocks of this height but does have a number of tall buildings, the tallest being 12 storeys. The profile of blocks is as follows:

Number of storeys	Number of blocks
10 or more storeys	25
Six to nine storeys	14
Three to five storeys	546
One to two storeys	515
Total	1,100

- 2.2 The council has been working very closely with the London Fire Brigade to ensure that all properties meet fire safety standards. Within the first week following the Grenfell Tower fire, council officers visited every one of our 1,100 blocks of flats to double-check all safety measures and to offer advice and information to residents. The LFB and council have jointly visited all blocks with six or more storeys and the council has been following up on any

recommendations emerging from these inspections.

2.3 Existing cladding systems

The first issue to be addressed was the cladding of blocks of flats in relation to both the materials used and the construction type. Of the 39 blocks of flats with six or more storeys, 16 have cladding but no block contains material similar to that of Grenfell Tower. However, we surveyed each building to ensure that the cladding did match the specification according to our records, which it did. The cladding in our blocks consists of a 3mm powder-coated aluminium panel containing a non-combustible mineral wool insulating material (supplied by the provider Rockwool). No adhesive is used in the system. The cladding system used has very high fire-retardant properties. Because of the material used, we have not been required to submit the cladding for testing to the Communities and Local Government department although we have commissioned our own tests for completeness.

2.4 In conjunction with independent consultant Maulty Ltd, we confirmed that the method of construction, with curved and overlapping panels, is such that it provides fire barriers between floors to prevent the spread of fire. The insulation sits on the metal batten and is attached with a pin-type system to the original structure; the external aluminium cladding panels overlap the battens fixed to the original structure forming a fire barrier between the panels.

2.5 Sprinkler systems

A further issue raised by the Grenfell Tower fire has been the role of sprinkler systems in containing the spread of the fire. In Croydon, the council had already installed sprinkler systems in its six special sheltered blocks for frail older people; it also fits mobile sprinklers in individual flats occupied by vulnerable older people, largely in retirement housing schemes.

2.6 The council made an immediate decision to fit fire sprinklers within 25 blocks of flats with 10 or more storeys, with an eight-storey block used as retirement housing subsequently added to this schedule. Mulalley (the council's housing general building works partnering contractor) has been instructed to commence lead-in activities and approach sub-contractors which specialise in such systems.

2.7 The full range of contract and project management tools, supported by a dedicated project team, will be applied to the entire process from design to quotation to ensure successful delivery. An officer from the LFB, who specialises in sprinklers, is supporting the council to ensure the correct safety standards are incorporated in the specification. The council will be appointing a specialist design consultant to provide additional technical and professional support and advice.

2.8 The timeframe for sprinkler installation works is based on the need for both a quick response and a robust, achievable solution. A range of technical steps is being taken during August such as surveys, drawings and completion of the

specification, with resident engagement during August and September. Works will start in October 2017 with final completion, subject to the leaseholder consultation, estimated as spring 2018.

- 2.9 These 26 blocks have been agreed as the foremost priority. However, the council is in ongoing discussions with the LFB which will enable us, over time, to identify other measures as recommendations are developed. Depending on any further measures agreed, this would have additional financial implications.

Other fire safety measures and processes

- 2.10 Resident safety has historically and consistently been a high priority for the council in the investment in, and management of, its homes. With regard to fire safety specifically, relevant provisions are contained within the Regulatory Reform (Fire Safety) Order 2005 which, when introduced, brought together a range of provisions from various pieces of legislation. The order requires the owners of buildings to undertake risk assessments to enable them to identify, then remove or reduce, risks. In blocks of flats, this responsibility relates to the non-residential parts of a building up to and including the front doors of people's flats. Enforcement (in Croydon as in the rest of London) lies with the LFB which has a range of powers and which works with individual local authorities to ensure that fire safety standards are met. The council has a long-standing and very strong, constructive relationship with the London Fire Brigade which has helped us to understand and discharge our obligations on an ongoing basis.
- 2.11 The council owns more than 700 blocks of flats for which fire risk assessments are required. Assessments are in place for all of these blocks. The council uses Frankham Consultancy Group to undertake the assessments on our behalf. There are various mechanisms for removing or reducing risk including, for example, smoke alarms, dry risers, fire doors and emergency lighting. These have all been subject to checks during the regular fire risk assessments but, as a further precaution, have been further checked during the recent programme of inspections.
- 2.12 **Historic and ongoing investment in fire safety**
In the period since the introduction of the regulatory reform order in 2005, and taking into account the lessons from the Lakanal House fire in 2009, over £10m has been invested in the council's blocks of flats on a comprehensive programme of fire safety measures. This programme, based on fire risk assessments in all relevant blocks, and prioritised in agreement with the LFB, has been fully completed. The main measures included: renewing doors and door frames to flats, cupboards and stores and in communal areas to fire safety standards (ie with a minimum of 30 minutes protection), and incorporating intumescent strips; introducing compartmentalisation of flats in lofts and fire-stopping between flats; renewing soffits, ceilings and duct panels in non-combustible materials; renewing notice boards with fire-resistant models; and putting up signage.

- 2.13 Now that this comprehensive programme is complete, the main capital investment each year will be on newly arising requirements identified through ongoing fire risk assessments or as circumstances change. For example, we are currently introducing premises information boards which will provide information for fire fighters such as test certificates and the location of valves; the location of vulnerable people will be kept securely inside blocks. Existing measures (for example automatic opening vents, dry risers and sprinklers) will of course require regular maintenance or servicing over time, and an allocation of £108,000 has been made within our cyclical works programme to address such maintenance; the level of funding will be set each year according to the need. Other expenditure, for example on repairs which arise as components break down unexpectedly or are damaged, is met through the annual responsive repairs budget. Urgent fire safety repairs and minor works are completed within seven days. Larger repairs, such as new doors which have to be manufactured to size, are completed within six weeks.
- 2.14 As well as the more formal fire risk assessments, all blocks with communal areas are subject to weekly checks by the council's caretaking staff to identify and address issues as they arise. These include, for example, checking communal areas for obstructions or combustible materials, and ensuring that fire doors are closed and fully operational. Any issues requiring follow-up actions are logged with regular monitoring to ensure they are completed. Caretakers and other staff will, as a matter of course, provide advice to residents about any behaviour which poses risks for example leaving obstacles in fire escape/exit routes.
- 2.15 Under the terms of the responsive repairs contract, repairs contractor Axis Europe is required to proactively identify maintenance issues and take appropriate repairs action when undertaking routine or requested maintenance works in flats or communal areas of blocks and estates. This ensures that problems are dealt with automatically rather than being referred through the council for a formal request, and it avoids administrative delays.
- 2.16 It is worth noting that the council makes extensive use of consultants and specialists in other organisations (as well as in the LFB), both historically and in relation to the programme currently being planned. This brings in expertise, best industry practice and independent checks of the council's own work and policies. Examples range from the undertaking of fire risk assessments, to policy and process reviews, design consultancy for specific projects, surveys, project management and testing.
- 2.17 As well as its own stock within the housing revenue account, the council has also bought a number of properties, mostly individual or low-rise dwellings, under the *extending temporary accommodation* scheme, and has also leased accommodation from private owners. All properties procured are assessed under the Housing Health and Safety Rating System (HHSRS) to identify and address any risks and hazards prior to letting. All properties have a smoke alarm installed, and properties with solid fuel have a carbon monoxide alarm.

Three blocks of flats (none of which have cladding) acquired through leases fall within the tower block category. Fire risk assessments for these were undertaken in January 2017 and there has been a thorough safety review as a result of recent events. Responsibility for fire safety has recently transferred to the council with the extension of the leases. As with council blocks, the leased blocks are subject to more regular inspections to ensure that routes of escape are clear, and that fire doors, emergency lighting and smoke vents are fully functional.

Consultation and engagement

- 2.18 In order to avoid unnecessary anxiety and concern amongst residents and in particular those living in taller buildings or blocks with cladding, information and advice have been given a high priority throughout. There is a strong commitment to a continued engagement with tenants and leaseholders, schools, and residents in general.
- 2.19 We have written twice to tenants and leaseholders living in the council's taller blocks of flats, giving specific information to those in previously-cladded blocks, and have also visited these blocks dropping written information and knocking on doors to give people a chance to ask questions and raise concerns (this achieved a roughly 50% response rate). We have written to those in medium-rise blocks (three storeys and above) and to non-resident leaseholders (who have let out their homes). We have undertaken a programme of fire safety drop-in sessions in the 39 taller blocks, operated by staff from across the housing service. Throughout, we have briefed frontline staff to ensure that they give consistent and up-to-date advice. A special edition of Open House, the newsletter for council tenants and leaseholders, was issued in July to give a full update. Letters have also been sent to the occupants of three temporary accommodation blocks leased by the council. Regular updates have also been sent to councillors and members of parliament, and a set of frequently asked questions (FAQs) placed on the council's website.
- 2.20 Residents have been engaged more formally through the Tenant and Leaseholder Panel, a board of residents which is consulted on and informed about policies and spending in relation to the stock, estates and services for residents. A detailed presentation was given to the panel at its meeting on 04 July 2017, and the chair and vice-chair of the panel have been notified about wider communications from the beginning. A range of service improvement groups covering different areas of operation (including the tenancy & caretaking, repairs, planned works and leasehold groups) have had the opportunity to discuss related fire safety measures at their latest round of meetings, with the Resident Involvement Group discussing on the best mechanisms and timing for issues of concern and interest.
- 2.21 Where we are proposing to install sprinkler systems, there will be full engagement with the affected residents. As there will be different solutions and timetables for different blocks of flats, this engagement will be specific to individual blocks. We have been taking legal advice on the position of

leaseholders in relation to access to their homes, meeting costs and so on, and will develop an approach accordingly.

- 2.22 Residents are issued with reminders to have regard for their own safety and that of others by making sure, for example, that they do not leave rubbish and obstacles in communal areas which can help the spread of fire or impede access through routes of escape. Such behaviour is currently identified and addressed by caretakers and other frontline staff, with obstacles removed and residents advised about the risks. The council will support the LFB in strict enforcement of safety rules in future and promote a safety culture intolerant of careless or irresponsible behaviour primarily through education, information and advice, but also, where necessary, through direct enforcement action against individuals. A new letter which reinforces this strict approach is being used in such instances. The council also supports the LFB in issuing advice to residents about what to do in the event of a fire. Tenancy officers have always included fire safety advice in their visits to new tenants. We are now issuing new leaflets to them, and these will also be placed on general notice-boards. The council is funding a programme of storage facilities for mobility scooters in retirement housing schemes to ensure that the scooters are not obstructing routes of escape or otherwise presenting fire risks.

The cost of fire safety measures in council homes

- 2.23 The estimated cost of the housing fire safety works is currently about £10m.
- 2.24 Although this council, along with many other authorities, has written to the Secretary of State for Communities and Local Government seeking financial assistance from the government, he has responded that he expects that landlords themselves fund any works – if any local authority has difficulties, the government will ensure that current restrictions on the use of financial resources will not prevent any essential works advised by local fire services from going ahead.
- 2.25 Provision has been made with the council's 30 year housing revenue account (HRA) business plan. However, we are working within a challenging financial environment as a result of a number of policy changes introduced by the government. This includes the considerable loss of income from ongoing annual 1% rent cuts introduced in the welfare reform and work act 2016, and the anticipated sale of higher value homes to fund the right to buy for housing association tenants introduced in the housing and planning act 2016 which will result in a further loss of rental income. We therefore do not have the financial resources within our HRA to fund the sprinkler programme without significant reductions to other planned capital programmes or to other services over the period of the business plan. The cabinet member for homes, regeneration and planning, Councillor Alison Butler, has written again to the secretary of state putting the case that sprinkler works are necessary to ensure the fire safety of our housing and should therefore be funded by the government.

2.26 We have also requested, in correspondence to the secretary of state and through our feedback on the terms of reference for the public inquiry, that consideration be given to the following measures to ensure the continuing financial viability of the HRA:

- transfer of rent-setting powers to social landlords
- removal of the borrowing cap that limits how much councils can borrow to invest in housing
- approval for using an element of receipts from right to buy sales on council housing safety improvements
- not implementing legislation which forces councils to sell off high-value empty homes

3. OTHER HOUSING STOCK

3.1 The Communities and Local Government department has identified five private sector and housing association buildings in Croydon which have ACM panel/insulation systems falling into the categories which have failed recent BRE tests. The results of the tests together with advice notes have been sent to the landlords and CLG is in discussion with them about any immediate steps they might need to take to protect the safety of residents (including, for example, employing on-site overnight wardens), about how they will work with the council to prepare plans for communicating with residents, and about their remediation plans for the building in light of the test result. CLG advice is that the cladding is removed although landlords will first want to see full guidance on suitable systems. The role of local authorities will be to support landlords and to use any enforcement powers under the housing health and safety rating system should landlords fail to follow advice concerning the cladding.

4 COUNCIL NON-HOUSING BUILDINGS

4.1 The council owns a number of non-residential buildings for which the same fire safety obligations apply. These buildings include depots, crematoria, children's homes, pupil referral units, youth, leisure and community centres, and other premises for public use or in public areas, as well as office buildings. Fire risk assessments have been undertaken for 49 corporate buildings (excluding schools) that fall under the terms of the Regulatory Reform (Fire Safety) Order 2005. A detailed review has been carried out of these assessments to ensure all actions are being progressed and ensure outstanding items are addressed. The identified outstanding items will be completed within the next two months. Where the actions are the responsibility of a "local responsible person (LRP)", the facilities management team is scheduling meetings to ensure that the LRP understands what is required, is progressing the actions and will provide evidence of compliance; a further set of meetings will be set up to check that agreed measures are completed within the required timescale. Training has also been undertaken for all youth community groups and organisations, working with the youth service, to help raise fire safety awareness, roles and responsibilities. A full review of the entire corporate estate has also been

completed including all leasehold properties and the council has identified a further 51 sites for which a fire risk assessments will be required and these will be procured accordingly. The council will also be sending out formal letters to all occupants, leaseholders and tenants of the corporate estate in order to seek evidence of fire safety arrangements and risk assessments, which will then be reviewed and monitored to ensure compliance.

- 4.2 The Director of Capital at the Education, Skills and Funding Agency has written to all bodies responsible for schools, requesting the completion of a fire risk assessment survey. Croydon Council is the responsible body for community schools in the borough but other responsible bodies include diocesan bodies, academies and education trusts which will have the same responsibility for providing information about their fire risk assessment processes. The focus of the survey is on buildings which have four or more storeys or which have residential accommodation. We do not have any community school buildings of this nature.
- 4.3 Alongside the completion of this survey, the council is undertaking further due diligence checks across the school estate. A desktop study of all cladding used on our buildings will be completed alongside a physical assessment of buildings, if required. This proactive step will support school leaders and provide information for parents, carers, staff and governors.
- 4.4 As a result of the desk top analysis, the decision has been made to replace external cladding at Chestnut Park Primary School. The external rain screen cladding complies with fire regulations but it has been removed as a precaution because the materials include an aluminium composite material (ACM) and a sealed polyethylene core. The remedial works will be finalised before children return to school in September.
- 4.5 The checks on the building materials across the community school estate will complement the fire risk assessments that are undertaken regularly in every school. These assessments ensure that robust fire prevention measures and assurances that quick and safe evacuation processes are in place.

5. GOVERNANCE

- 5.1 A fire safety board has been established by the council in conjunction with the LFB to take a council-wide view of fire safety arrangements. The board's remit has included, firstly, co-ordinating the work across the housing stock detailed above, followed by: a review of our approach to the wider council estate; a review of the building control service's processes; and a bringing together of information from other sectors including in relation to private buildings in the borough. The board is chaired by the executive director of place and reports to the chief executive.
- 5.2 The directors of district centres and regeneration, and of housing need, have been co-opted onto a similar fire safety board set up by London Councils which

will give Croydon an influence in decision-making and campaigning, provide the opportunity for learning about good practice across the capital, and ensure a consistency of approach across local authorities.

6. FURTHER DEVELOPMENTS AND CHANGING REQUIREMENTS

- 6.1 The context within which we operate is changing and this is likely to require further measures, or reviews of existing systems and processes, as new advice and requirements emerge. The government now has in place a building safety programme. This involves: the testing and checking buildings as mentioned above, and advice to landlords; an independent expert advisory panel to develop recommendations for improving public safety and identifying the buildings of concern, to be followed by advice on other buildings (ie those with materials other than ACM, or where cladding has been removed or new construction halted because it was planned to install ACM); and an independent review of building regulations and fire safety with a particular focus on high rise residential buildings. The terms of reference for the public inquiry have now been approved. These mostly concern matters directly related to the Grenfell Tower fire but there will no doubt be findings of general relevance including the scope and adequacy of regulations, legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings. Whilst not included specifically, the prime minister has promised that the Government will also consider the broader questions raised by the public including the wider social housing issues.
- 6.2 The council will be examining all findings and provisions as they emerge to ensure that our own buildings, measures, procedures and enforcement policies are updated accordingly.

Appendices

None

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BACKGROUND DOCUMENTS: None