

Housing Scrutiny Sub-Committee



TOWER HAMLETS

Fire Safety Scrutiny Review Report

April 2018

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Chair's Foreword

The tragedy of the Grenfell Tower fire was a stark reminder of the paramount importance of the safety of our residents and the need to ensure housing in the borough meets requisite safety standards. The Grenfell Tower fire has particular relevance for the London Borough of Tower Hamlets, which has a significant number of existing high rise buildings and more planned to be developed.

Accordingly, I welcome the opportunity to present this report on the findings and recommendations of the Fire Safety Scrutiny Review. The review looked at fire safety in high rise residential buildings in Tower Hamlets and set out to strengthen existing fire safety practices and policies.

Notably, the review was carried out in the midst of ongoing national inquiries, which are likely to lead to significant changes for building regulations. Accordingly, this report's recommendations also aim to prepare the borough in the wake of a changing regulatory landscape.

Due to the scale of high rise buildings in the borough and rapid population growth, this report also recognises the continued resource challenges that the borough is facing and the need for additional finances from the Government.

I am grateful to the London Fire Brigade, Tower Hamlets Homes, our housing partners and Council officers for their time, insights and commitment in guiding the Housing Scrutiny Sub Committee throughout this Review. In particular, I would like to thank representatives from the London Fire Brigade for their continued excellent service.

Councillor Helal Uddin
Scrutiny Lead, Place

Summary of Recommendations

Recommendation 1

Tower Hamlets Homes, in consultation with the Council and members of the Tower Hamlets Housing Forum, develops, monitors and evaluates a clear, easy-to-use notifications process for residents to:

- raise fire safety concerns separately from general repair issues
- receive clear timeframes for remedial actions, according to the level of risk
- track the progress of remedial actions.

Recommendation 2

The Council develops performance indicators to monitor and manage residents' concerns on fire safety in High Rises in the borough, in consultation with the London Fire Brigade, Tower Hamlets Homes, Registered Providers and Private Providers, to report to the Housing Scrutiny Sub-committee.

Recommendation 3

The Council develops a clear position statement encouraging all Responsible Persons in the London Borough of Tower Hamlets to publish Fire Risk Assessments with a clear programme of works, outlining the scope and timing of the works.

Recommendation 4

The Council develops a Fire Risk Assessment dashboard template, in consultation with Tower Hamlets Homes, Registered Providers, Private Providers and resident representation to accompany published Fire Risk Assessments. The dashboard template should highlight:

- key risks
- works taken and planned to address the risks
- any implications for use of the building by residents.

Recommendation 5

The Council develops a joint communication strategy with clear consistent messages, in consultation with the London Fire Brigade, Tower Hamlets Homes, Registered Providers, Private Landlords and resident representation, to raise awareness with tenants and leaseholders on the following issues:

- communal area fire doors and external fire doors on individual flats must meet the appropriate fire safety standards
- means of escape need to be kept free of storage items (including barbecues on balconies) and obstacles (including grilles over flat windows and doors)
- external areas around entry/exits to buildings must be kept free of obstacles to ensure emergency services can access the building
- minimizing fire risks in homes through referral services, such as London Fire Brigade home visits and encouraging residents or family members to seek mental health support for hoarding issues
- installing smoke alarms to save lives
- certain internal refurbishment works require approvals (including Building Control approvals)

- what to do in an emergency, including when to stay put, when to evacuate and services available to develop personalised evacuation plans.

The Communication strategy needs to consider

- a) a variety of communication channels, including digital, non-digital and meetings or ‘fire safety awareness days’.
- b) the diversity of the borough and develop communication materials in key languages spoken in the borough.
- c) how information is accessible to those sub-letting and visiting the building
- d) best practice models in engaging elderly and disabled residents, such as the Social Model of Disability.

Recommendation 6

The Council invites Registered and Private Providers to the Tower Hamlets Resilience Forum and monitors attendance to ensure housing providers are aware of emergency protocols.

Recommendation 7

The Council develops and maintains an emergency contact database of Private Providers of dwellings in High Rises.

Recommendation 8

The Council improves engagement with Private Providers by developing a forum to share best practice.

Recommendation 9

The Council encourages Tower Hamlets Homes, Registered Providers and Private Providers in the borough to develop personalized emergency evacuation plans with residents, who need assistance to evacuate, and prioritises any remedial works or adaptations that are required to facilitate safe evacuation.

Recommendation 10

Within 6 months of the publication of the Government’s response to the findings of the Independent Review of Building Regulations, the Director of Place submits a report to the Housing Scrutiny Sub-Committee:

- detailing the legal, financial and resource implications on service areas
- advising how the Council proposes to implement the Review’s recommendations
- assessing the impact on residents and the provision of affordable housing
- outlining how the Council will work with Registered Providers and private sector housing providers to engage residents in the implementation of the proposals.

Recommendation 11

The Planning and Building Control Teams develop clear guidance for developers on the distinct fire safety responsibilities in tall buildings throughout the building process, taking account of:

- requirements under the New London Plan
- international best practice; and

- the findings of and Government response to the Independent Review of Building Regulations and Fire Safety.

Recommendation 12

The Council adopts a proactive approach to encourage residents to enter the Building Control and Planning professions and works with Local Authority Building Control (LABC), other boroughs and key partners, to develop a joint strategy with LABC to attract and retain a skilled Building Control and Planning workforce. The Council should consider:

- better use of shared resources
- apprenticeship schemes to support local residents and economic development
- incentives to attract young people onto university courses.

Recommendation 13

The Council continues to advocate for Government funding to fit automatic fire suppression systems in local authority housing in the borough.

Recommendation 14

The Council considers fitting automatic fire suppression systems in High Rises in the borough, prioritising Vulnerable Residents (including residents with hoarding issues or who require assistance to evacuate) and high risk buildings by carrying out a feasibility study by March 2019 on:

- the anticipated cost of works
- the impact of the works on other housing services provided by the Council.

1. Introduction

1.1 Reason for the Fire Safety Scrutiny Review

1.1.1 On 14 June 2017, a fire broke out at Grenfell Tower in the London Borough of Kensington and Chelsea, which caused devastating loss of lives and homes. The Grenfell Tower fire is a tragic reminder of the importance of fire safety in residential high rise buildings. This is particularly relevant for the London Borough of Tower Hamlets (Tower Hamlets), which has a significant number of tall buildings and some of the tallest residential buildings planned to be developed.

1.1.2 Accordingly, the Overview and Scrutiny Committee recommended that the Housing Scrutiny Sub-Committee undertake an in-depth fire safety scrutiny review to consider the Council's response to fire safety issues in the aftermath of Grenfell and identify any gaps in current policies or practices.

1.2 Scope and aims of the Fire Safety Scrutiny Review

1.2.1 On 13 December 2017, the Housing Scrutiny Sub-Committee held a scoping meeting to define the scope of the Fire Safety Scrutiny Review (Review) and agreed that the Review would seek to:

1.2.1.1 drive improvement in fire safety policies and practices in high rise buildings in the borough

1.2.1.2 review roles and responsibilities for fire safety across public and privately owned high rise buildings

1.2.1.3 amplify the voice of residents in respect of fire safety concerns.

1.2.2 The scoping meeting agreed that the Review would focus on:

1.2.2.1 high rise residential buildings (above 18 metres high)

1.2.2.2 both public and private sector housing.

1.3 Approach

1.3.1 Given the large residential stock in the borough and the fire at Grenfell Tower, which highlighted the risk of dwellings, the Review focused on residential, as opposed to commercial, premises.

1.3.2 Due to limited available contacts, private sector housing practices are not fully covered and the Review Committee is grateful to the participation of a representative from Ballymore Asset Management Limited in providing their expertise. A number of recommendations address the need to build better connections with the private sector.

1.3.3 The Housing Scrutiny Sub-Committee noted that a number of national inquiries and reviews into fire safety are ongoing. Although recent testing of Aluminium Composite Material (ACM) cladding supports the theory that ACM is likely to have acted as an accelerant in the Grenfell Tower fire, findings on the causes and circumstances surrounding the fire are yet to be determined.

1.3.4 Accordingly, the Housing Scrutiny Sub-Committee agreed to look beyond preliminary issues identified at Grenfell and carry out a comprehensive review of fire safety, focusing on the following four key areas:

1.3.4.1 Roles, Responsibilities and compliance throughout the lifecycle of the building.

1.3.4.2 Fire Safety Prevention

1.3.4.3 Emergency Responses

1.3.4.4 Resident Engagement

1.3.5 Due to the technical terminology used in this report, a glossary of terms is provided at the end. Defined terminology has been capitalised throughout this report.

1.4 Evidence Gathering Sessions

1.4.1 The Review was led by Councillor Helal Uddin, Chair of the Housing Scrutiny Sub-Committee and took the form of one scoping meeting and four evidence gathering sessions (3 meetings and 1 call for written submissions), as follows:

Area	Session focus	Session Date
Scoping Session	Aims of the review and areas of focus	13 December
Emergency Responses	Current policies/practices of the London Fire Brigade, THH and registered providers around emergency responses	18 January 2018
	How evacuation plans are tested	
	How partners work together in emergency responses	
	Challenges to emergency responses (including temporary accommodation provision)	
Roles and Responsibilities	Key regulations, roles and responsibilities of key stakeholders over the life cycle of buildings from design, construction, occupation and refurbishment	1 February 2018
	How stakeholders work together	
	Council's enforcement powers	

Area	Session focus	Session Date
Fire Safety Prevention	How fire risks/hazards are identified, assessed and remediated during occupation of the building	13 February 2018
Resident Engagement	Communication strategies to residents to address concerns (including any interim measures)	N/A – written submission
	Complaints systems	
	Residents' key concerns about fire safety	

1.5 Members of the Review (Review Committee) included:

Committee Member	Role
Cllr Helal Uddin	Housing Scrutiny Sub-Committee, Chair
Cllr John Pierce	Housing Scrutiny Sub-Committee, Vice Chair
Cllr Andrew Wood	Housing Scrutiny Sub-Committee Member
Anne Ambrose	Housing Scrutiny Sub-Committee Co-opted Member
Moshin Hamim	Housing Scrutiny Sub-Committee Co-opted Member
Cllr Dave Chesterton	Overview and Scrutiny Committee, Chair

The Review was supported by:

Elizabeth Bailey	Senior Strategy, Policy and Performance Officer
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1.6 Presenters

The Review Committee received evidence from the following experts:

London Fire Brigade

Stephen Dudeney	London Fire Brigade, Borough Commander for Tower Hamlets
Paul Stewart	London Fire Brigade
Paul Eastland	London Fire Brigade
Jim Flin	London Fire Brigade

Tower Hamlets Homes

Susmita Sen	Tower Hamlets Homes, Chief Executive
Will Manning	Tower Hamlets Homes
Ann Otesanya	Tower Hamlets Homes

Registered Providers

Robert Groom	Fire Safety Advisor, Peabody
Dan Hollas	Project Planning Director, Clarion Housing Group
Tony Hughes	Tower Hamlets Housing Forum; Head of Home Management at Southern Housing Group
Sandra Fawcett	Tower Hamlets Housing Forum, Chair; Executive

	Director, Swan Housing
Sally Whitaker	Health and Safety Lead, Poplar HARCA
Registered Providers who also submitted written evidence on resident engagement:	<ul style="list-style-type: none"> • Clarion Housing Association • Eastend Homes • London & Quadrant Housing Trust (including East Thames) • One Housing • Polar HARCA • Southern Housing Group • Spitalfields • Swan Housing Association • Tower Hamlets Community Housing

Private Housing Providers

Aaron Caffrey	Technical Director, Ballymore Construction, Ballymore Asset Management Ltd
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Tenant and Resident Associations

Burton Wharf TRA
Pitsea Estate TRA

London Borough of Tower Hamlets:

Agnes Adrien	Team Leader Enforcement and Litigation, Legal
Mark Baigent	Interim Divisional Director for Housing and Regeneration
David Williams	Deputy Divisional Director, Planning and Building Control
John McGeary	Head of Building Control
Paul Buckenham	Development Manager, Planning and Building control
David Tolley	Head of Trading Standards and Environmental Health
Barry McEwen	Environmental Health officer
Charles Griggs	Head of Community Safety
Sarah Steer	Business and Administration Services Manager
Andrea Stone	Civil Contingencies Officer, LBTH
Jonathan Baston	Principal Environmental Health Officer

2. National Context and Legislation

2.1. Current Fire Safety Regulatory Regime

2.1.1. Different regulatory regimes apply to the different stages of a building's life cycle, from planning, design and construction to occupation and refurbishment.

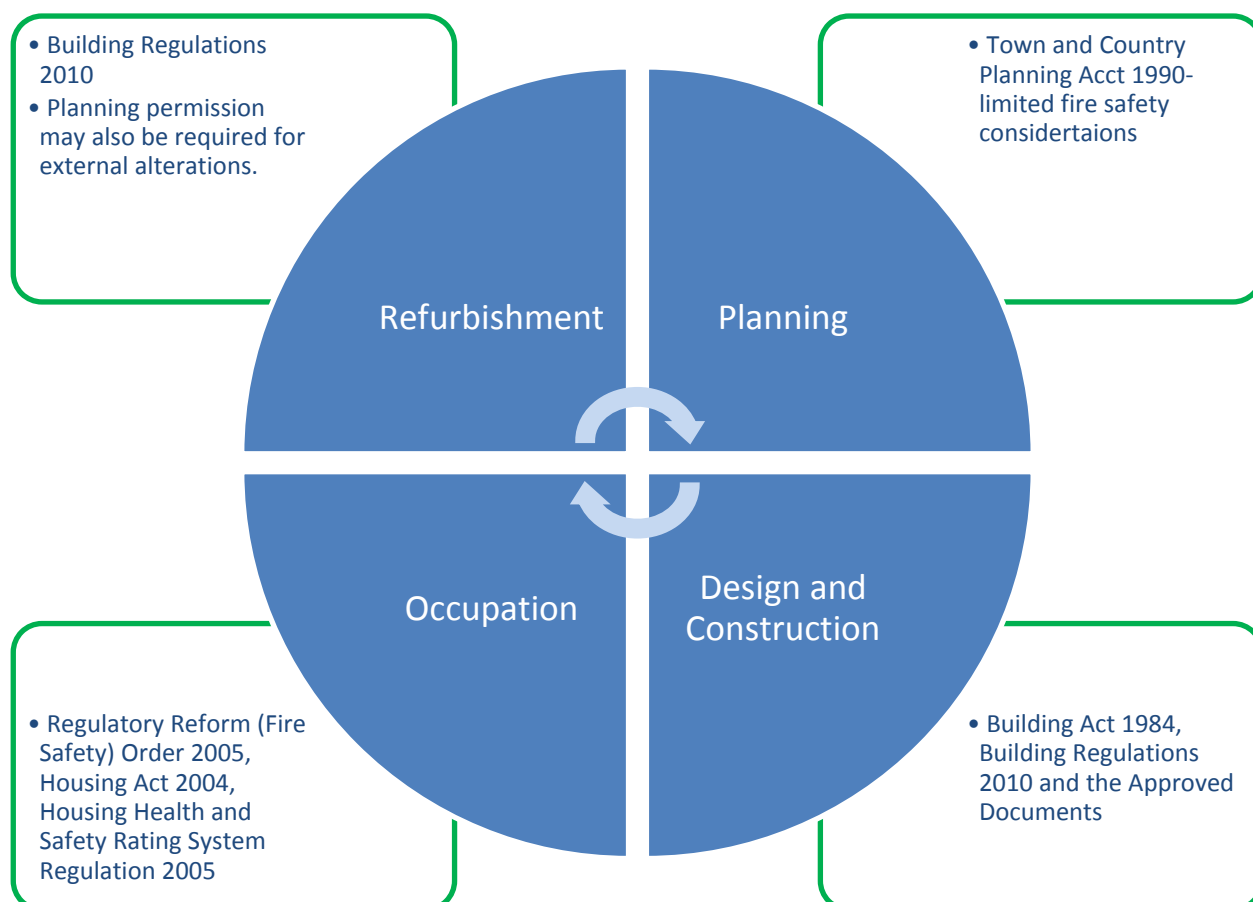


Diagram based on Building a Safer Future, Independent Review of Building Regulations and Fire Safety: Interim Report, Chapter 3.

2.1.2 Key regulations at each stage are as follows:

2.1.2.1 Planning, Design and Construction phases:

Fire safety has not historically been a material planning consideration (discussed below under the Draft New London Plan). Instead, fire safety is governed by the Building Regulations 2010 (Building Regulations) and supporting guidance (Approved Document B¹). Building Regulations approval is obtained either through approval from the local authority building control departments (Building Control) or entities authorised under the Building Act 1984 (Approved Inspectors). Building Control and Approved Inspectors will consult with the fire and rescue authority on the means of escape, access and

¹ <https://www.gov.uk/government/publications/fire-safety-approved-document-b>

facilities for fire services before issuing a formal building control approval².

2.1.2.2 Occupation of the building:

- The Regulatory Reform (Fire Safety) Order 2005 places responsibility on the “Responsible Person” to manage the risk in buildings by carrying out regular fire risk assessments of the common areas. The ‘Responsible Person’ in the case of a block of flats is the person or organisation with control of the premises, which is usually the owner³.
- The Housing Act 2004 and the Housing Health and Safety Rating System Regulations 2005 confer powers on local authorities to ensure fire safety in occupied buildings. Under the Housing Health and Safety Rating System, local authority Environmental Health officers check for 29 potential hazards to determine the likelihood of harm occurring and can issue sanctions to building owners where remedial action is not taken⁴.
- In addition to its emergency response services, the Fire and Rescue Authority plays a key role in fire prevention by inspecting premises to audit fire safety standards or become familiar with the building’s fire safety features and equipment. The Fire and Rescue Authority will advise the Responsible Person on how to comply with their obligations and, if necessary, enforce fire safety standards⁵.

2.1.2.3 Refurbishment:

During the refurbishment stage, the Building Regulations and potentially planning permission (depending on changes to the external appearance or use) will apply as per the Design and Construction phase.

² Article 45 & 46, Regulatory Reform (Fire Safety) Order 2005

³ Local Government Association, Fire safety in purpose-built blocks of flats, May 2012, <https://www.london.gov.uk/moderngov/documents/s2394/>

⁴ Building a Safer Future, Independent Review of Building Regulations and Fire Safety: Interim Report, pp.32-33, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/668831/Independent_Review_of_Building_Regulations_and_Fire_Safety_web_accessible.pdf

⁵ Protocol between Local Housing Authorities and Fire and Rescue Authorities to improve fire safety, https://www.cieh.org/uploadedFiles/Core/Policy/Publications_and_information_services/Policy_publications/Publications/Fire%20Protocol%20final.pdf

2.2 Changing Regulatory Landscape

2.2.1 Following the severity of the Grenfell Tower fire, a number of national reviews into fire safety were set up, particularly focusing on residential High Rises. The findings of these reviews are yet to be concluded but are likely to have significant impacts on the regulatory framework around fire safety and shape best practice in the long term.

2.2.2 In addition to a criminal investigation into the fire, the Government has commissioned the following reviews:

2.2.2.1 Grenfell Tower Inquiry (Inquiry): is an independent public inquiry, which aims to determine the causes of the Grenfell Tower fire and make recommendations as to the action needed to prevent a similar tragedy from re-occurring. In addition to the Grenfell Tower's original design and construction, the Inquiry will consider subsequent modifications to the building, fire safety inspections, management and fire advice to residents. The main hearings are due to commence in May 2018.⁶

2.2.2.2 Independent Review of Building Regulations and Fire Safety (Independent Review) reviews the national system of building regulations for all high-rise residential buildings and aims to "swiftly make any necessary improvements"⁷. The Independent Review's Interim Report, 'Building a Safer Future' was published in December 2017 (Interim Report). The Interim Report found that the current regulatory system for ensuring fire safety in high-rise and complex buildings is 'not fit for purpose' and focused on the following themes⁸:

- **Clear regulation and guidance:** complexity of building regulations.
- **Roles and Responsibilities:** lack of clarity of roles and responsibilities throughout the lifecycle of the building.
- **Early fire safety consultation:** fire and rescue safety services are an integral part of fire safety decisions and although consulted at an early stage, their advice is routinely not listened to.
- **Competence and ageing workforce:** different competency requirements in public and private sectors and a national skills shortage.

⁶ Grenfell Tower Inquiry website, <https://www.grenfelltowerinquiry.org.uk/about>

⁷ Government website: <https://www.gov.uk/government/news/independent-review-of-building-regulations-and-fire-safety>

⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/668831/Independent_Review_of_Building_Regulations_and_Fire_Safety_web_accessible.pdf

- **Fire Risk Assessments:** need for regular fire risk assessments to ensure an effective system.
- **Residents:** need to have a stronger voice in the process and know how to raise concerns and escalate them if not remediated or fear retribution of raising such concerns.

2.2.2.3 The Interim Report made seven interim recommendations around:

- Streamlining key building regulations guidance (the Approved Documents)
- Qualifications of those working on complex and high-risk buildings
- Early fire safety consultation and consideration of fire and rescue service advice
- Formal review and handover process from building developers to responsible person before occupation of the building
- Regular fire risk assessments, particularly after significant alterations
- Restricting the use of desktop studies to approve changes to cladding and other systems.

2.2.2.4 Building Safety: Independent expert advisory panel: focuses on immediate building safety measures following the Grenfell Tower fire to ensure public safety in high rise buildings. In particular, the Panel will consider actions needed following completion of the testing on ACM cladding systems and address immediate steps ahead of the Inquiry and Independent Review findings⁹.

2.3 Draft New London Plan

2.3.1 Fire safety has not historically been a material planning consideration. The National Planning Policy Framework (NPPF) sets out the purpose for planning decisions as sustainable development¹⁰ and the focus on the development and use of land. Planning is a separate regulatory system to building control and the Government has repeatedly

⁹ Department for Communities and Local Government, Terms of Reference, : <https://www.gov.uk/government/collections/building-safety-independent-expert-advisory-panel>

¹⁰ Communities and Local government, National Planning Policy Framework, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf#page=7

emphasised that planning should not duplicate other regulatory regimes¹¹.

2.3.2 Further, “at the planning permission stage, there would rarely be enough information in the application and submitted plans to make informed decisions on planning conditions regarding fire safety”¹², with the exception of emergency service vehicle access. Indeed, there is no requirement under current legislation (primarily the Town and Country Planning Act 1990 and regulations) for specific fire safety-related knowledge of those reviewing planning applications. Instead, fire safety is considered at the design and construction phase under the Building Act 1984 and the Building Regulations.

2.3.3 However, the Draft New London Plan (London Plan), which is currently under consultation, advocates for the highest standards of fire safety and calls for fire safety to be considered from the earliest possible stage. The London Plan calls for robust fire safety strategies to be embedded in the design features at the outset to reduce the risk to life in the event of a fire, rather than applying products at a later stage to pre-determined developments¹³. Accordingly, the London Plan proposes:

- that fire statements should be produced by a third-party independent suitably qualified assessor and submitted with all major development proposals.
- that suitable suppression systems (such as sprinklers) are explored at an early stage of building design.

2.4 Current ‘stay put’ guidance in high-rise residential buildings

2.4.1 Following a fire at Lakanal House in Camberwell in London on 3 July 2009, in which six people died, the Assistant Deputy Coroner highlighted the following areas for improvement¹⁴:

- Inconsistent fire safety advice available to occupants in some high-rise buildings
- Use of sprinklers
- Use of fire alarms
- Role of fire risk assessments

¹¹ Royal Town Planning Institute, Summary: responsibility for fire safety during the development application process in England, <http://www.rtpi.org.uk/media/2568211/Planning-and-fire-safety-in-England.pdf>

¹² As above

¹³ Mayor of London Assembly, Draft New London Plan, Policy D11 Fire Safety, paragraph 3.11.1, <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-3-design/policy-d11-fire-safety>

¹⁴ Letter from Frances M Kirkham CBE to Eric Pickles MP dated 28 March 2013, as cited in the Building a Safer Future Interim Report, <https://www.lambeth.gov.uk/sites/default/files/ec-letter-to-DCLG-pursuant-to-rule43-28March2013.pdf>

- Simplification of Building Regulation fire safety statutory guidance (Approved Document B)

2.4.2 Accordingly, the Local Government Association (LGA) developed new guidance for purpose-built blocks of flats to address these findings, including advice on the ‘stay put’ policy¹⁵.

2.4.3 The LGA guidance explains that the premise of the ‘stay put’ policy is built on effective compartmentation between flats so that a fire is contained within the flat of origin and does not spread to other parts of the building. Accordingly, the guidance advises that it is normally safe for residents to remain in their own flat if a fire has occurred elsewhere in the dwelling. The guidance advocates for the continuation of the ‘stay put’ policy on the basis that “experience has shown that most residents do not need to leave their flats when there is a fire elsewhere. Indeed, in some circumstances, they might place themselves at greater risk when they do so”¹⁶.

¹⁵ <https://www.local.gov.uk/fire-safety-purpose-built-flats>

¹⁶ Local Government Association, Fire safety in purpose-built blocks of flats, section 19 Stay put policy, <https://www.local.gov.uk/sites/default/files/documents/fire-safety-purpose-built-04b.pdf>

3. Local Context

3.1. New Local Plan for Tower Hamlets

- 3.1.1.** The Local Plan sets out Tower Hamlets' planning framework to manage future development by guiding sustainable development and meeting the needs of the local community. Following a six week consultation period, a draft new local plan has been submitted to the Government for independent examination to outline how homes will be delivered over the next 15 years¹⁷. Due to timing, the Review Committee has not recommended that planning considerations are included in the Local Plan.
- 3.1.2.** The Local Plan addresses population growth demands in the borough, in line with Government requirements, as set out in the London Plan. The London Plan (2015) allocates Tower Hamlets the highest target for housing in London, which amounts to a minimum of 39,314 additional new homes in the borough over a ten year period and a minimum target of 3,931 new homes each year¹⁸.

3.2. Population Growth and Housing Demand

- 3.2.1.** Tower Hamlets has recorded the fastest growing population in the country in recent years, growing almost 30 per cent between the 2001 and 2011 Census. Further, growth is expected to increase by 26 per cent from 296,300 in 2016 to 374,000 in 2026¹⁹. Accordingly, housing demands have significantly increased in the borough following rapid population growth. Tower Hamlets is now the second most densely populated borough in London²⁰.

3.3. Diversity

- 3.3.1.** According to the 2011 Census, 69 per cent of the borough's population are from a minority ethnic community. 43 per cent of the borough's population were born outside of the UK. Projections indicate that the proportion of Black and Minority Ethnic (BME) and white residents will not change significantly to 2031²¹.
- 3.3.2.** When compared by tenure, the White and Asian ethnic groups have the highest proportions of owner occupation (30 per cent for both groups) and the Black population of Tower Hamlets were least likely

¹⁷

https://www.towerhamlets.gov.uk/ignl/council_and_democracy/consultations/past_consultations/Local_Plan.aspx

¹⁸ Above, paragraph 2.4.3

¹⁹ Local Plan, paragraph 1.2.16,

<http://towerhamlets.objective.co.uk/portal/planning/newlp/nlpr18/reg18?pointId=s1477046029915>

²⁰ Above, paragraph 2.2.7

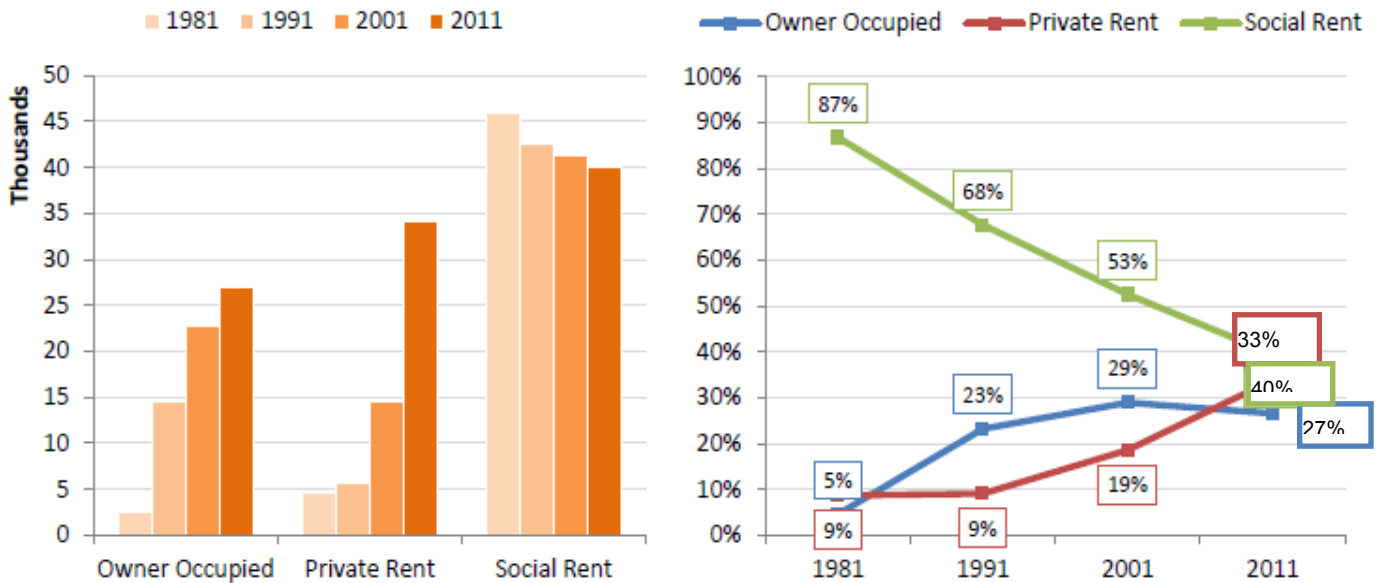
²¹ Above, paragraph 2.3.2

to be owner occupiers (6%). Those most likely to be living in social housing are Mixed (47%), Black (42%) and Asian (35%). According to the 2011 Census data, some Ethnic groups are more likely to be in the Private Rented Sector, particularly the White other group but also Black, and to a lesser extent, Asian, Indian and Chinese²².

3.4. Housing Tenures in the borough

3.4.1 There have been significant changes in the proportion of owner occupiers and tenants renting their homes over the last thirty years. In 1981, 5 per cent of households lived in owner occupied accommodation increasing to 27 per cent in 2011. Despite this increase, Tower Hamlets has the second lowest percentage of owner occupied households in England and Wales with the majority of residents renting social housing (40 per cent) or private rented accommodation (33 per cent)²³. Notably, privately rented households have increased from 17 per cent in 2001 to 33 per cent of households in 2011, which accounts for a rise of 152 per cent²⁴.

3.5. Number of Households by tenure 1981-2011 Percentage of households by tenure



Source: Opinion Research Services, London Borough of Tower Hamlets Strategic Housing Market Assessment Update, May 2017, p.88

²² General Housing Evidence Base, November 2016, p.36,

https://www.towerhamlets.gov.uk/Documents/Housing/LBTH_Evidence_Base.pdf

²³ Housing Tenure in Tower Hamlets, 2011 Census factsheet 2015-04, April 2015, p.2,

https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Census_2011/2015_04_10_Tenure_key_facts_final.pdf

²⁴ Housing Tenure in Tower Hamlets, 2011 Census factsheet 2015-04, April 2015, p.1

3.6. Housing providers

3.6.1. Social housing in the borough is provided by:

3.6.1.1. **Tower Hamlets Homes (THH):** an arms-length management organisation (wholly owned by the Council) and responsible for managing and maintaining the Council's housing stock of some 21,000 social rented homes and leaseholder homes originally sold under the right to buy scheme.

3.6.1.2. **Registered providers:** The Council also works with 58 housing associations operating in the borough, which collectively own and manage more homes than the Council.

3.6.2. However, for the first time in the borough's history, less than half the housing stock is social housing²⁵. Given the sharp increase in privately rented accommodation, private landlords play an increasingly significant role in helping to meet the borough's housing demands. "Assuming the release back into the market of many dwellings in the private rented sector currently occupied by tenants in receipt of housing benefit would have significant consequences; therefore it remains appropriate to recognise that the private rented sector will continue to make an important contribution towards providing housing options for households unable to afford their housing costs in future"²⁶.

3.6.3. Importantly, engaging the private sector is crucial to ensure quality housing for residents. National trends in non-decent homes by tenure indicate that social rented properties are more likely to comply with standards, compared to three in ten of the private-rented sector currently estimated as non-decent²⁷.

3.7. Overcrowding

3.7.1. According to the 2011 Census occupancy rates, 34.8 per cent of households in the borough are overcrowded, which is higher than the rest of England (8.7 per cent)²⁸. From 2001 to 2011, overcrowding per tenure in Tower Hamlets is as follows:

- Reduced by 15 households in the social rented sector

²⁵ General Housing Evidence Base, November 2016, p. 16,

https://www.towerhamlets.gov.uk/Documents/Housing/LBTH_Evidence_Base.pdf

²⁶ Opinion Research Services, London Borough of Tower Hamlets Strategic Housing Market Assessment Update, p.69 https://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Strategic_Housing_Market_Assessment_2017.pdf

²⁷ Above, p. 47

²⁸ Above, p.10

- Increased by 1,814 households in the owner occupied sector
- Increased from 4,073 to 14,523 households in the private rented sector (an increase of 52%).

3.7.2. Notably, the number of multi-adult households living in the area has increased 94 per cent to 17,281 households. Multi-adult households refer to sleeping accommodation within a dwelling, which is only for the household's access, with shared facilities, including living rooms. The growth in multi-adult households is particularly high in the private rented sector, which represents 93 per cent of the total increase in multi-adult households in the borough²⁹.

3.8. Hoarding

3.8.1. During the evidence gathering sessions, the London Fire Brigade and the Council's Environmental Health Team reported increasing incidents of hoarding. A hoarding disorder can be described as collecting and being unable to discard excessive quantities of items³⁰. "The items can be of little or no monetary value and usually result in unmanageable amounts of clutter"³¹. In its most severe form, a hoarding disorder can interfere with the use of the home and negatively impact on the person's quality of life and mental health³². From a fire safety perspective, hoarding items can increase the risk of fire and prevent the means of or ability to escape.

3.8.2. The Review Committee noted that 10 days after Grenfell, there was a major fire incident at a Tower Hamlets Homes block of 16 properties. The fire started on the top floor and spread through the roof space. The fire was an exceptionally fast developing fire. The fire started in a flat with a large number of flammable items. The London Fire Brigade would usually expect to deal with a fire in 15-20 minutes but because of the fire loading, the fire spread into the roof and destroyed the entire roof. Fortunately, nobody was injured and the compartmentation of the building ensured the fire remained in the roof space. However, fire stopping in the roof space was inadequate and works have begun to improve roof space fire stopping across the Avebury Estate.

²⁹ Above, p.43

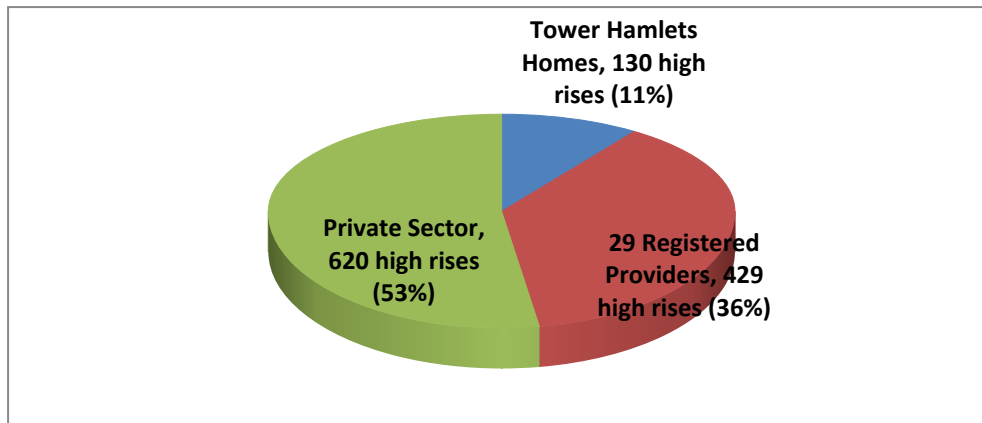
³⁰ Chartered Institute of Environmental Health, Professional Practice Note: Hoarding and how to approach it, 2 September 2012, p.1, https://www.cieh.org/uploadedfiles/core/policy/publications_and_information_services/policy_publications/publications/hoarding_ppn_may09.pdf

³¹ NHS UK website, Hoarding disorder <https://www.nhs.uk/conditions/hoarding-disorder/>

³² Chartered Institute of Environmental Health, Professional Practice Note: Hoarding and how to approach it, 2 September 2012, p.1, https://www.cieh.org/uploadedfiles/core/policy/publications_and_information_services/policy_publications/publications/hoarding_ppn_may09.pdf

3.9. High Rises and flatted accommodation

3.9.1. The borough has a high proportion of residential High Rises (buildings over 18m high). According to the latest figures, there are approximately 1,179 residential High Rises in the borough, which are divided between providers as follows:



Source: London borough of Tower Hamlets, Housing Options information, figures correct as at 13 February 2018

3.9.2 The borough's housing stock is dominated by flatted accommodation with 8 per cent of dwellings comprising of flats compared to 42 per cent in London and 16 per cent in England³³. This is significant in respect of the impact of the 'stay put' policy, clarifying evacuation plans and retrofitting sprinklers.

3.10 Post Grenfell Measures

3.10.2 Since the Grenfell Tower fire, the Government has introduced and paid for testing of samples of wall cladding systems consisting of ACM. The Building Research Establishment has also carried out large scale tests to establish how different types of ACM panels in combination with different types of insulation behave in a fire to help building owners make decisions on any further measures that may need to be put in place³⁴.

3.10.3 The Ministry of Housing, Communities and Local Government (MHCLG) is liaising directly with Registered Providers to determine whether their housing stock is known to have ACM cladding.

3.10.4 MHCLG has asked local authorities to compile a comprehensive list of privately-owned residential blocks over 18 metres and upload the data to a national database. Tower Hamlets is in the process of identifying whether cladding on privately-owned High Rises consists of ACM by:

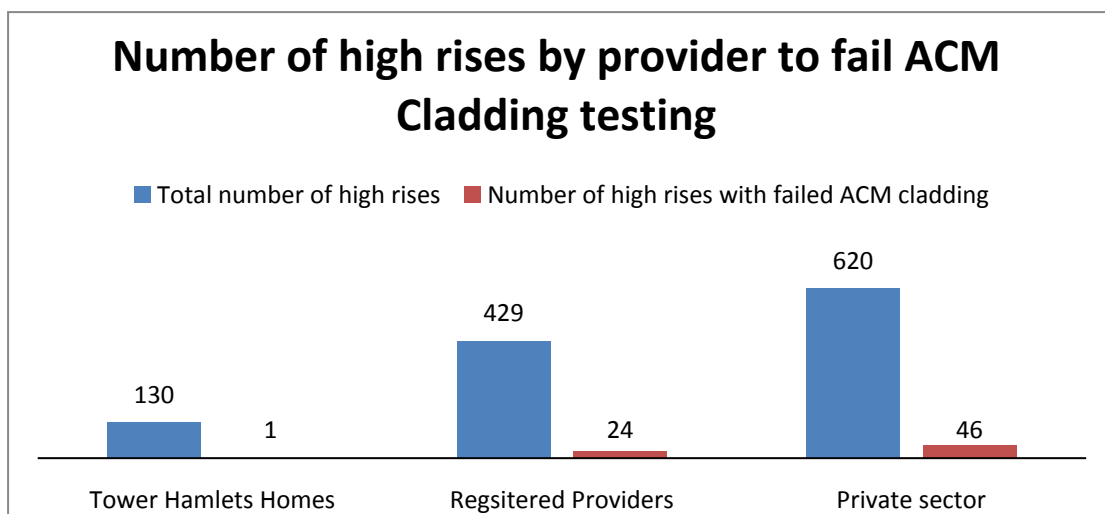
³³ General Housing Evidence Base, November 2016, p.17

³⁴ Government website: <https://www.gov.uk/government/news/expert-panel-recommends-further-tests-on-cladding-and-insulation>

3.10.4.1 Conducting site visits: from a visual inspection, Housing and Environmental Health officers have identified approximately 320 High Rises have a form of cladding.

3.10.4.2 Writing to owners and managing agents for information on cladding materials.

3.10.4.3 Where necessary, serving section 235 notices under the Housing Act 1984 requiring owners to provide cladding information. As at 13 February, Tower Hamlets is waiting to hear from approximately 100 privately-owned High Rises.



Source: London Borough of Tower Hamlets, Housing Options information, figures correct as at 13 February 2018

3.10.5 Only one block owned by the Council had ACM cladding, covering less than 20% of the building. This has now been removed and replaced. Two other Council blocks have non-ACM cladding that needs to be replaced. Works are underway to remove and replace this cladding.

3.10.6 24 High Rises managed by Registered Providers have failed ACM cladding testing. At least 3 Registered Providers have removed the cladding pending replacement. Some of these blocks have more decorative cladding (not covering the whole building). Pending a clear position from Government around decorative cladding, current London Fire Brigade advice is to remove this cladding where it surrounds the means of escape. In the case of new builds, removal of cladding may not be possible until a replacement system has been developed and approved.

3.10.7 Approximately 46 private sector High Rises have failed the ACM cladding testing, a number of which have decorative cladding, as opposed to entire coverage.

3.10.7.1 When a High Rise fails an ACM cladding test, the fire brigade then visit to ensure additional safety measures are in place until the cladding is removed and replaced. Typically this includes a “Waking Watch” in which fire marshals patrol the building to enable “Simultaneous Evacuation” in the case of a fire, rather than the usual “stay put” approach. 34 High Rise blocks in Tower Hamlets currently have Waking Watches and Simultaneous Evacuation measures in place (6 Registered Providers and 28 Privately owned)³⁵.

³⁵ London Borough of Tower Hamlets, Housing Options information, figures correct as at 30 April 2018

4. Findings and Recommendations

4.1 Recommendation categories

4.1.1 The Review Committee has made 15 recommendations, which address key challenges to fire safety and areas identified for improvement during the evidence gathering sessions on prevention measures, emergency responses, roles and responsibilities and resident engagement. The recommendations have been categorised around four desired outcomes, which are as follows:

- Engagement: Residents feel engaged and that their concerns have been heard and are being addressed
- Prevention: Residents know how to minimise fire risks and how to raise concerns
- Emergency responses: are as effective as possible for all residents
- Resources: are in place to ensure the Council's current and future obligations and fire safety standards are met.

4.2 Engagement: Residents Feel Engaged And That Their Concerns Have Been Heard And Are Being Addressed

"[...]it's clear that in the months and the years before the fire, the residents of Grenfell Tower were not listened to³⁶."

4.2.1 The Grenfell Tower fire demonstrates the importance of listening to residents as a key source of identifying fire safety issues and helping to improve fire safety standards.

4.2.2 Accordingly, in considering how the Council supports resident engagement, the Review Committee focused on the following mechanisms around:

- how fire safety concerns are raised
- how Fire Risk Assessments are carried out and monitored
- how residents are updated and engaged with the works carried out in their buildings.

4.2.3 Raising fire safety concerns

4.2.3.1 Feedback from a Chair of a Tenant and Resident Association of Tower Hamlets Homes suggests that fire safety concerns are not addressed promptly when raised, leaving residents "feeling disengaged and powerless". Accordingly, the Committee

³⁶ Communities secretary Sajid Javid, speech at the National Housing Federation, 19 September 2017

reviewed the existing mechanisms for raising fire safety concerns and identified areas of improvement.

4.2.3.2 The Review Committee heard that formal complaints about Council properties can be raised through the Council's general formal complaints process, which aims to provide a full response within 10 working days. If still not satisfied, residents can further escalate their complaint to stages 2 and 3³⁷. Similarly, the Review Committee noted that Registered Providers have similar formal complaints processes, including similar escalation stages.

4.2.3.3 The Review Committee acknowledged the importance of a formal complaints process as a method of recording and escalating concerns. However, a number of Registered Providers and Tower Hamlets Homes commented that formal complaints require both written submissions and responses and highlighted that remedying the risk rather than exchanging lengthy correspondence was a priority. This was echoed by a Chair of a Tenant and Resident Association, who commented that formal written submissions are a disincentive for residents to raise concerns. Indeed, according to the Council's complaint's log, only one formal complaint on fire safety was received between June 2017 and February 2018, which was escalated to Stage 2 (not including Member or Mayor enquiries or petitions).

4.2.3.4 As an alternative, the Review Committee noted that residents can raise fire safety concerns for Council properties by contacting the Tower Hamlets Homes Housing Service Centre through digital and non-digital channels³⁸. Similarly the Review Committee heard from nine registered providers in the borough, with informal mechanisms to raise concerns such as free phone repairs services and reporting to onsite estate services staff and customer relations teams. The Review Committee also noted some online services enable residents to log and track the progress of 'repair' issues.

4.2.3.5 However, the Review Committee heard that Tower Hamlets Homes and most Registered Providers do not have a separate process for raising fire safety concerns. Only one Registered Provider noted that it has a dedicated email inbox for fire safety related queries and another commented that it was considering a dedicated form on their website to report fire related issues.

³⁷ After the evidence gathering session (on 28 August 2018) the complaints process was changed to a two stage complaints process. Details of the process can be found here: https://www.towerhamlets.gov.uk/lgnl/council_and_democracy/complaints/complaints.aspx

³⁸ http://www.towerhamletshomes.org.uk/Contact_us/Contact_us_home_page.aspx

Accordingly, fire safety issues are currently raised alongside other general 'repair' issues. By raising fire safety issues separately, the Review Committee considers that fire safety actions can be identified, prioritised and monitored to ensure residents' concerns are heard and addressed promptly.

Recommendation 1

Tower Hamlets Homes, in consultation with the Council and members of the Tower Hamlets Housing Forum, develops, monitors and evaluates a clear, easy-to-use notifications process for residents to:

- raise fire safety concerns separately from general repair issues
- receive clear timeframes for remedial actions, according to the level of risk
- track the progress of remedial actions.

4.2.4 Strengthening Fire Risk Assessments

4.2.4.1 Under Article 9 of the Regulatory Reform (Fire Safety) Order 2005, the 'Responsible Person' is required to carry out and regularly review a fire risk assessment of the common parts of the building. The Fire Risk Assessment will evaluate risks and existing fire safety measures to determine whether additional measures are necessary³⁹.

4.2.4.2 The Review Committee noted that there has been much emphasis in the media on the lack of any legislative definition of what constitutes "regular fire risk assessments" and the competency of fire risk assessors. The Review Committee heard that Tower Hamlets Homes carries out Fire Risk Assessments on high risk buildings (such as High Rises) every year and every three and four years for medium and low risk buildings respectively. Similarly, the Review Committee also heard that Registered Providers carry out Fire Risk Assessments annually for High Rises. Tower Hamlets Homes have engaged Savills, who are professionally accredited and independent fire safety engineers, to complete the Fire Risk Assessments.

4.2.4.3 The Review Committee was reassured that up-to-date Fire Risk Assessments have been carried out on all 911 blocks managed by Tower Hamlets Homes. The Review Committee noted that 902 blocks were rated as a 'moderate risk' and 9 rated as a 'substantial risk'. While the Review Committee noted that Fire Risk Assessments play an important role in dealing "with remaining risk to

³⁹ As above

protect people from death or injury in the event of a fire”⁴⁰, it acknowledged that the Fire Risk Assessment by itself is not sufficient.

4.2.4.4 The outcome of a Fire Risk Assessment is a suitable action plan, which lists the programme of works (prioritised according to risk⁴¹) Further, the Committee heard that carrying out the works promptly is equally important. The Review Committee noted that Tower Hamlets Homes has drawn up a programme of works with approximately 5,500 work items, which have been categorised according to the level of risk and technical and management issues identified in the Fire Risk Assessments. Similarly, the Review Committee heard that Registered Providers have defined clear processes to assess and categorise risks around technical and management issues in Fire Risk Assessments. Fire safety works to the ‘substantial risk’ blocks have begun and are due to be completed by the Summer of 2018⁴².

4.2.4.5 In terms of monitoring implementation of works, the Review Committee heard that Tower Hamlets Homes uses a database to determine the timeframes for completing works and monitor when these have been closed out. Registered Providers reported a similar approach to closing out items together with reporting structures on compliance for overdue actions.

4.2.4.6 The Review Committee noted that since the Grenfell Tower Fire, the London Fire Brigade are taking a tougher approach about how quickly matters need to be closed out and taking enforcement action, if needed. Tower Hamlets Homes work items were originally scheduled to take place over 5 years. At the Council’s request, delivery of these work items will be sped up to 3 years.

4.2.4.7 Under the Housing Acts 1985 and 2004, local authorities are responsible for keeping the condition of all housing in their area under review and for checking all aspects of health and safety, including fire safety⁴³. The Review Committee recommends closer monitoring of fire safety compliance by the Council by developing performance indicators around timely completion of Fire Risk Assessments and remedying identified actions. The Review

⁴⁰ London Assembly, Planning and housing Committee, Fire Safety in London, Fire risks in London’s tall and timber framed buildings, December 2010, <https://www.london.gov.uk/moderngov/documents/s2394/>

⁴¹ Local Government Association guidance on Fire Safety in purpose built blocks of flats, paragraph 37.1, <https://www.local.gov.uk/sites/default/files/documents/fire-safety-purpose-built-04b.pdf>

⁴² http://www.towerhamletshomes.org.uk/My_Home/Home_safety/Fire_Safety_FAQs.aspx

⁴³ London Assembly, Planning and housing Committee, Fire Safety in London, Fire risks in London’s tall and timber framed buildings, December 2010, <https://www.london.gov.uk/moderngov/documents/s2394/>

Committee acknowledges that actions will cover a range of works and recommends applying the London Fire Brigade risk matrix as a guide.

Recommendation 2

The Council develops performance indicators to monitor and manage residents' concerns on fire safety in High Rises in the borough, in consultation with the London Fire Brigade, Tower Hamlets Homes, Registered Providers and Private Providers, to report to the Housing Scrutiny Sub-committee.

“Transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society”⁴⁴.

4.2.5 Updating and engaging residents

4.2.5.1 The Review Committee also considered how residents are kept informed of the risks in their buildings. For the ‘substantial risk’ blocks, Tower Hamlets Homes have sent residents a letter detailing the scope and timings of the works⁴⁵ and published Fire Risk Assessments. The Review Committee noted that all Fire Risk Assessments for Council properties will be published in April 2018, once residents’ personal details are redacted.

4.2.5.2 However, the Review Committee noted that some but not all Registered Providers have published the Fire Risk Assessments.

4.2.5.3 Registered Providers, who have published their Fire Risk Assessments, recommended presenting the Fire Risk Assessments with the programme of works so residents are reassured that action is being taken and can engage in the process. Accordingly, the Review Committee recommends that all Responsible Persons in the borough publish Fire Risk Assessments with a programme of works so that residents:

- can identify when Fire Risk Assessments have taken place, and if needs be, hold the ‘Responsible Person’ to account by requesting that they are carried out
- are aware of measures taken to mitigate and reduce risks
- are aware of risks and, if necessary adapt behaviours to ensure risks are not elevated.

⁴⁴ Department for Communities and Local Government, Local Government Transparency Code, February 2015, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/408386/150227_PUBLICATION_Final_LGTC_2015.pdf

⁴⁵ http://www.towerhamletshomes.org.uk/My_Home/Home_safety/Fire_Safety_FAQs.aspx

4.2.5.4 Further, Registered Providers reported that some Fire Risk Assessments can use technical terminology. The Review Committee noted that helping residents understand Fire Risk Assessments and highlighting key risks will increase transparency and support resident engagement. The Review Committee discussed the importance of residents having access to the full Fire Risk Assessment but using an accompanying front page descriptive summary document or dashboard to highlight risks, works planned and timeframes. Members of the Review Committee further requested that residents should be actively involved in the development of the dashboards to ensure these are user friendly.

Recommendation 3

The Council develops a clear position statement encouraging all Responsible Persons in the London Borough of Tower Hamlets to publish Fire Risk Assessments with a clear programme of works, outlining the scope and timing of the works.

Recommendation 4

The Council develops a Fire Risk Assessment dashboard template, in consultation with Tower Hamlets Homes, Registered Providers, Private Providers and resident representation to accompany published Fire Risk Assessments. The dashboard template should highlight:

- key risks
- works taken and planned to address the risks
- any implications for use of the building by residents.

4.3 Prevention: Residents know how to minimise fire risks and how to raise concerns

“We believe that the most effective firefighting technique is prevention”⁴⁶.

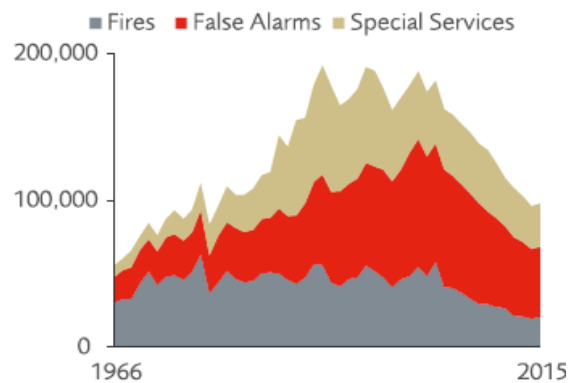
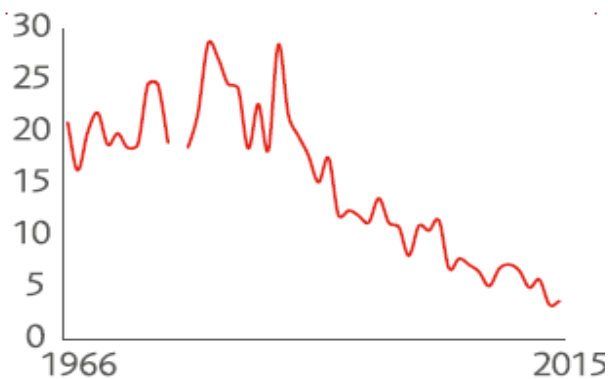
4.3.1 Since 1987 there has been a long-term decreasing trend in the number of fires in the home and resulting fire deaths across London⁴⁷.

⁴⁶ London Fire Brigade website, <https://www.london-fire.gov.uk/safety/>

⁴⁷ London Fire Brigade, London Safety Plan, p.14, <https://www.london-fire.gov.uk/media/1670/london-safety-plan-2017.pdf>

Fire fatalities (per million population)

All incidents attended



Graphs from the London Fire Brigade, London Safety Plan, pp.14-15

- 4.3.2** The decrease in fire deaths and injuries has been attributed to the introduction of the Furniture and Furnishing Regulations 1988, sustained campaigning around smoking, the increase in smoke alarm ownership and importantly fire prevention work⁴⁸.
- 4.3.3** Fire prevention work includes raising resident awareness of fire safety in buildings to reduce the risk of fires and promote safer living. This also includes ensuring that the integrity of the fire safety design of High Rises is not compromised.
- 4.3.4** In particular, the Review Committee noted that the fire safety design of High Rises is centered around compartmentation. Compartmentation is the sub-division of a building “*into compartments separated from one another by walls and/or floors of fire-resisting construction to:*
- *Prevent rapid fire spread which could trap occupants of a building.*
 - *Reduce the chance of fires becoming large, on the basis that large fires are more dangerous, not only to occupants and fire and rescue service personnel, but also to people in the vicinity of the building*”⁴⁹.
- 4.3.5** However, the Review Committee heard from a number of key stakeholders presenting evidence that some behaviours can compromise the integrity of fire safety designs, including compartmentation, and endanger homes and residents. These behaviours and risks are summarised in the table below.

⁴⁸ London Fire Brigade, London Safety Plan, p.15, <https://www.london-fire.gov.uk/media/1670/london-safety-plan-2017.pdf>

⁴⁹ Building Regulations, Approved Document B, B3 Section 5: Compartmentation, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/485420/BR_PDF_AD_B1_2013.pdf

Fire Safety Strategy	Behaviour	Action	Risk to Resident if not addressed
Reduction of fire hazards	<ul style="list-style-type: none"> • Hoarding items (within flats) • Personal items in the common areas (ranging from door mats and pot plants, to barbecues on balconies) 	<ul style="list-style-type: none"> • If prejudicial to health or a nuisance, the council's Environmental Health Team have powers under Part 3 of the Environmental Protection Act 1990 to remove items. • Most Registered Providers liaise with the London fire brigade to ensure additional fire detection is in place. • Some Registered providers also work with specialist agencies, Health and Safety Advisors to address hoarding. • Some Registered Providers noted that known hoarders are regularly monitored and if the problem is unresolved, then legal action for eviction will be taken. • Some Registered Providers have developed a 'zero tolerance' approach, as opposed to Tower Hamlets Homes' 'managed use' approach. 	<ul style="list-style-type: none"> • Increased risk of fire • Increase rapid fire spread • Impeding escape in a fire to an area of safety
Compartmentation	<ul style="list-style-type: none"> • Fire doors not compliant with current fire safety standards • Communal area fire doors propped open or self-closers not fitted/working • Building/refurbishment works (particularly for homes modified 	<p>Urgent works by Tower Hamlets Homes includes fire stopping between flats and roof spaces and replacing fire doors. Tower Hamlets Homes is also engaging with leaseholders to put in fire doors and in certain blocks has made contractors available and not charged to replace doors.</p>	<ul style="list-style-type: none"> • Increasing the risk of the fire spreading to common areas • Reduced time to escape • Impeding access to escape routes in a fire

Fire Safety Strategy	Behaviour	Action	Risk to Resident if not addressed
	to be occupied by multiple households) not approved by Building Control		
Early detection	Lack of installation or maintenance of fire alarms	Some Registered Providers held fire safety awareness days and provided domestic smoke alarms.	<ul style="list-style-type: none"> Lack of early warning system to seek safety and call the Emergency Services
Means of escape	<ul style="list-style-type: none"> Linking balconies and pass doors sealed and used as personal private spaces storing items such as old cookers and washing machines. Grilles over doors and windows Exit / entry to properties obstructed by vehicles and motor scooters chained to fencing near exits/entries. Lack of evacuation plans – important to know when the ‘stay put’ policy applies and when to evacuate. 	<ul style="list-style-type: none"> If there is only a single means of escape, the London Fire Brigade will issue an enforcement notice to remedy this. Where alternative means of escape have been blocked off for private use⁵⁰, the London Fire Brigade commonly advise tenants and Responsible Persons to install compensatory measures, such as additional fire doors, fire alarms and/or sprinklers. 	<ul style="list-style-type: none"> Impeding access to escape routes in a fire Increasing the risk of the fire spreading to common areas

⁵⁰ From 2006, Approved Document B no longer specified that an alternative means of escape from maisonettes is necessary, provided that there is a protected entrance hall and either smoke alarms in each habitable room (heat alarm in the kitchen) or a sprinkler system, Local Government Association, May 2012, Fire safety in purpose-built blocks of flats, Paragraph A1.72, <https://www.local.gov.uk/sites/default/files/documents/fire-safety-purpose-built-04b.pdf>

4.3.6 The Review Committee noted that, while providers had taken action to address these behaviours, ongoing resident engagement is important to raise awareness and address underlying concerns, such as:

4.3.6.1 Need for consistent messages and regular enforcement: The Review Committee heard that after the Grenfell Tower fire, advice from Registered Providers and Tower Hamlets Homes differs on items residents are allowed to keep on their balconies and in some common areas. Some Registered Providers have developed a 'zero tolerance' approach, as opposed to Tower Hamlets Homes' 'managed use' approach. The Review Committee acknowledges that the housing stock across the borough is diverse and each block has a different construction (some with cladding/ part cladding). However, the Review Committee suggests that compliance would be better facilitated by consistent advice.

4.3.6.2 Lack of confidence in the 'Stay Put' policy: The Review Committee heard from the London Fire Brigade that, following the Grenfell Tower fire, residents understandably lack confidence in the 'stay put' policy and are evacuating from buildings, with or without cladding, with the risk of impeding emergency services' access.

4.3.6.3 Grilles: The Review Committee learned that some resident responses to required works had been mixed, particularly relating to grilles across balconies or doors. While Tower Hamlets Homes is clear that grilles need to be removed, a sensitive approach needs to be adopted, particularly when residents have experienced community safety issues.

4.3.7 The Review Committee also heard that Registered Providers will not always be aware of who occupies the building and noted that approximately 57 per cent of Tower Hamlets Homes' 9000 leasehold properties are sub-let. Further, it is suspected that a large proportion of these are sublet to multiple households. The Review Committee heard that it remains a challenge to know when the property has been sublet, additional family members move in and for how long. Further, as with the Lakanal House fire, there may be visitors on the premises during a fire incident, who are unfamiliar with the layout of the building.

4.3.8 Given the ethnic diversity of the borough, the Review Committee also noted the need to ensure that key information and fire signage is accessible and understood.

Recommendation 5:

The Council develops a joint communication strategy with clear consistent messages, in consultation with the London Fire Brigade, Tower Hamlets Homes, Registered Providers, Private Landlords and resident representation, to raise awareness with tenants and leaseholders on the following issues:

- communal area fire doors and external fire doors on individual flats must meet the appropriate fire safety standards
- means of escape need to be kept free of storage items (including barbecues on balconies) and obstacles (including grilles over flat windows and doors)
- external areas around entry/exits to buildings must be kept free of obstacles to ensure emergency services can access the building
- minimizing fire risks in homes through referral services, such as London Fire Brigade home visits and encouraging residents or family members to seek mental health support for hoarding issues
- installing smoke alarms to save lives
- certain internal refurbishment works require approvals (including Building Control approvals)
- what to do in an emergency, including when to stay put, when to evacuate and services available to develop personalised evacuation plans.

The Communication strategy needs to consider

- e) a variety of communication channels, including digital, non-digital and meetings or 'fire safety awareness days'.
- f) the diversity of the borough and develop communication materials in key languages spoken in the borough.
- g) how information is accessible to those sub-letting and visiting the building
- h) best practice models in engaging elderly and disabled residents, such as the Social Model of Disability.

4.4 Emergency responses: are as effective as possible for all residents

4.4.1 In considering Emergency Responses, the Review Committee reviewed the following:

4.4.1.1 A co-ordinated response in an emergency

4.4.1.2 How Vulnerable Residents' needs are met in emergency responses

4.4.1.3 Stay put policy and evacuation plans

4.4.2 The Review Committee heard that in large scale emergencies, such as the Grenfell Tower fire, partnership work and co-ordinated planning

are key. The Civil Contingencies Act 2004 establishes a clear set of roles and responsibilities for emergency responders, based on the following:

4.4.2.1 Category 1: the emergency services, local authorities, NHS bodies

4.4.2.2 Category 2: the Health and Safety Executive, transport and utility companies, who act as 'co-operating bodies'.

4.4.3 The Government's Emergency Response and Recovery guidance⁵¹, together with the Emergency preparedness guidance, provides a national framework for managing the local multi-agency response to emergencies. The guidance also provides a common frame of reference (such as concepts and language) between agencies responding to emergencies, which helps partners co-ordinate their response⁵². Accordingly, the Review Committee noted that every responder will understand the command structure, irrespective of which organisation they work in.

4.4.4 As a requirement of the Civil Contingencies Act 2004, the Tower Hamlets Local Resilience Forum (Resilience Forum) has been formed to help responders share learnings on civil contingencies, emergency preparedness, response and recovery. The Review Committee heard that the Forum meets quarterly with good attendance from the Emergency Services, Public Health England, the military, the Environment Agency, Tower Hamlets Homes and Poplar Harca. The Review Committee noted that more Registered Providers and private sector housing providers (Private Providers) would benefit from attending the Tower Hamlets Resilience Forum to assist a co-ordinated emergency response.

4.4.5 The Review Committee was reassured that the Council regularly tests its emergency procedures. Further, the Review Committee noted that the Council has signed a Memorandum of Understanding with the British Red Cross and a Pan London Memorandum of understanding is due to be signed in April 2018, to provide more assistance to residents. The Review Committee also heard that the Council has identified that it needs to work more closely with the community voluntary sector to co-ordinate designated foodbanks and donation centres and is liaising with community groups to set this up.

⁵¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/253488/Emergency_Response_and_Recovery_5th_edition_October_2013.pdf

⁵²<https://www.gov.uk/government/publications/emergency-response-and-recovery>

Recommendation 6:

The Council invites Registered and Private Providers to the Tower Hamlets Resilience Forum and monitors attendance to ensure housing providers are aware of emergency protocols.

- 4.4.6** The Review Committee noted that the London Fire Brigade will have primacy of the emergency scene, until the scene is safe and will then handover to the local authority. The local authority will then usually lead the recovery process via the Local Authority Liaison Officer⁵³.
- 4.4.7** The Local Authority Liaison Officer is a representative of the borough, who will react to requests for local authority assistance and is the on-scene liaison point for the Council⁵⁴. The Review Committee heard that the Council has a pool of over fifty staff and volunteers, which it can contact in an emergency, ranging from social work staff, administrative staff, Environmental Health officers and structural engineers.
- 4.4.8** The Review Committee heard that the Liaison Officer will also liaise with Registered Providers and Private Providers and, if needs be, provide temporary accommodation for residents. Depending on the scale of the incident, temporary accommodation may either be hotel accommodation or a 'rest centre' set up in local schools.
- 4.4.9** The Review Committee noted that support around languages is considered when setting up Rest Centres and staff have an on-site book to give instant translations to key questions.
- 4.4.10** The Council is responsible for providing temporary accommodation assistance to all residents who become legally homeless (which includes being unable to stay in social or private housing due to fire)⁵⁵. The Homelessness Reduction Act 2017 will increase local authorities' existing duties to tackle and prevent homelessness and extends this duty to all those affected. However, the Review Committee heard that the Council does not have a contact database for private providers and, in an emergency, it can be difficult to contact managing agents, owners and residents in private housing. For example, after the Grenfell Tower fire, the Council had logistical difficulties in obtaining cladding information about privately-owned

⁵³ HM Government, Emergency Response and Recovery. Non statutory guidance accompanying the Civil Contingencies Act 2004, p.92,

⁵⁴ LESLP Major Incident Procedure Manual, 2015, Paragraph 3.9,
<https://www.met.police.uk/globalassets/downloads/about-the-met/major-incident-procedure-manual-9th-ed.pdf>

⁵⁵

http://england.shelter.org.uk/housing_advice/homelessness/guide/homeless_get_help_from_the_council/who_qualifies_for_housing

High Rises, which has taken up valuable resources. Further, the Review Committee noted that Land Registry records may not have up to date contact details of the owner or managing agent.

Recommendation 7:

The Council develops and maintains an emergency contact database of Private Providers of dwellings in High Rises.

- 4.4.11** The Review Committee also noted that the Tower Hamlet's Environmental Health team responds to tenant complaints on health and safety hazards, including fire risks. Under the Housing Act 2004 and Housing Health and Safety Rating System, local authorities have a duty to take appropriate enforcement action where a serious hazard (category 1) is identified in residential properties and discretion to take action for less serious hazards (category 2).
- 4.4.12** The Review Committee noted that addressing cladding issues under the Housing Act 2004 and the Housing Health and Safety Rating Scheme is untested and not designed for High Rises. In theory, Housing Health and Safety Rating Scheme applies to any type of accommodation in any building. However, to determine a Category 1 hazard in a block of flats, the Environmental Health Team would need to assess all hazards in every flat in that block before it can determine that fire safety is one of the risks present and write to every landlord and occupier before each visit. Accordingly, there are a number of hurdles before enforcement action can be taken.
- 4.4.13** In contrast, the Review Committee noted that a formal Environmental protection protocol was developed a couple of years ago to support collaborative work between the Environmental Health Team and Registered Providers and the Tower Hamlets Housing Forum set up to support best practice. In particular, the Tower Hamlets Housing Forum has focused on Registered Provider's interim responses around ACM cladding. The Review Committee noted that the Tower Hamlets Housing Forum, compared to other boroughs, is well developed. The Review Committee heard the benefits of shared learning and suggested that a forum could help to build the Council's rapport with the private sector.

Recommendation 8:

The Council improves engagement with Private Providers by developing a forum to share best practice.

- 4.4.14** The Liaison Officer will also identify any additional support for Vulnerable Residents. The Review Committee heard that the Council

holds risk registers to identify Vulnerable Residents with a live database of care packages to ensure resident information is up to date. Council staff will also collect information from the scene to identify whether residents are receiving support from other health providers and, if necessary, call on social workers, health services or nursing care organisations.

- 4.4.15** A written submission from a chair of a Tenant and Resident Association highlighted that residents with disabilities or needing assistance in an emergency “have serious concerns and worries about what they should do in the event of a fire emergency”. There appears to be a reliance on Vulnerable Residents contacting the London Fire Brigade or building management to develop a personalised emergency evacuation plan. The Review Committee recommends that the Council takes a more proactive approach to identify residents needing assistance in an evacuation through the Council’s risk register and assist residents develop personalised emergency evacuation plans.

Recommendation 9:

The Council encourages Tower Hamlets Homes, Registered Providers and Private Providers in the borough to develop personalized emergency evacuation plans with residents who need assistance to evacuate and prioritises any remedial works or adaptations that are required to facilitate safe evacuation.

4.5 Resources: are in place to ensure the Council’s current and future obligations and fire safety standards are met

- 4.5.1** The Review Committee considered the following resource implications to ensure that the Council can meet current and future fire safety standards:

- 4.5.1.1** The changing regulatory landscape
- 4.5.1.2** An ageing building control workforce
- 4.5.1.3** Retrofitting sprinklers

4.5.2 Changing regulatory framework

- 4.5.2.1** A number of national reviews into fire safety in residential High Rises are currently ongoing. In particular, the Review Committee

noted the Interim Report's findings that the current regulatory system is 'not fit for purpose' to ensure fire safety in high rise buildings⁵⁶.

4.5.2.2 In particular, the Review Committee focused discussions around:

- Suitable qualifications and competency of those working on complex and high risk buildings.
- Concerns about the independence of Approved Inspectors (private companies or individuals authorised under the Building Act 1984 to carry out building control services.
- Concerns that the regulatory system allows shortcuts for those minded to develop as cheaply as possible with weak enforcement sanctions to deter poor behavior.
- Whether relevant information is passed to the 'Responsible Person' throughout the building lifecycle, as required by the Regulatory Reform (Fire Safety) Order 2006.
- The current 'non-worsening' provision for refurbishment means out of date construction is not upgraded to current standards.

4.5.2.3 Accordingly, the Review Committee noted the likelihood of an increased role for Building Control and changes stemming from the following interim recommendations:

- a more rigorous risk based approach for High Rises
- simplification of building regulations statutory guidance on fire safety (Approved Document B⁵⁷),
- formal review handover process on occupation,
- clarification of Common Parts and responsibilities

4.5.2.4 Accordingly, the Review Committee considers it important to further understand the implications of these changes and monitor allocated resources.

⁵⁶ Building a Safer Future, Independent Review of Building Regulations and Fire Safety, Interim Report, p.5,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/668831/Independent_Review_of_Building_Regulations_and_Fire_Safety_web_accessible.pdf

⁵⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/485420/BR_PDF_AD_B1_2013.pdf

Recommendation 10:

Within 6 months of the publication of the Government's response to the findings of the Independent Review of Building Regulations, the Director of Place submits a report to the Housing Scrutiny Sub-Committee:

- detailing the legal, financial and resource implications on service areas
- advising how the Council proposes to implement the Review's recommendations
- assessing the impact on residents and the provision of affordable housing
- outlining how the Council will work with Registered Providers and private sector housing providers to engage residents in the implementation of the proposals.

4.5.3 The Interim Report also recommends that consultation with fire rescue services by building control bodies and those commissioning or designing the buildings should take place at the earliest possible stage so fire safety can be "fully designed in"⁵⁸ The Review Committee noted the draft New London Plan, also seeks to ensure fire safety is considered at the earliest opportunity in the development process⁵⁹.

4.5.4 The Review Committee heard that the Planning Department welcomes the early consideration of fire issues. However, the Review Committee noted that planners are not experts in fire safety so Tower Hamlets Planning Department, as with other local authorities, does not currently have capacity to consider fire safety. The proposed policy states that the Building Control Team can be consulted to assist. The Review Committee considered that there is a need for clearly defined roles to ensure Council resources are not duplicated or issues missed due to overlapping responsibilities.

4.5.5 The Review Committee also noted that, given the borough's housing targets imposed by Government and proposed new developments, tall buildings are likely to increase. The Draft New London Plan states that "safety considerations must be central to the design and operation of tall buildings"⁶⁰. The Review Committee heard that expertise in High Rise and complex buildings is scarce. Accordingly, The Review Committee recommends that international guidance

⁵⁸ Building a Safer future – Independent Review of Building Regulations and Fire Safety: Interim Report, p. 22

⁵⁹ Mayor of London Assembly, Draft New London Plan, Policy D11 Fire Safety, paragraph 3.11.1

⁶⁰ Mayor of London Assembly, Draft New London Plan, Policy D8 Tall buildings, paragraph 3.8.9

should be considered to develop clear guidance to ensure developers consider fire safety issues at the outset.

Recommendation 11:

The Planning and Building Control Teams develop clear guidance for developers on the distinct fire safety responsibilities in tall buildings throughout the building process, taking account of:

- requirements under the New London Plan
- international best practice; and
- the findings of and Government response to the Independent Review of Building Regulations and Fire Safety.

4.6 An ageing building control workforce

- 4.6.1** The Review Committee heard that Building Control surveyors need considerable training, experience, skill and judgment to ensure development works meet the relevant functional requirements. This is particularly relevant for High Rises to understand the complexity of design.
- 4.6.2** The Review Committee heard that nationally and locally, the Building Control workforce is ageing and the availability of skilled surveyors with experience of high rise complex buildings is scarce. There is a lag between Building Control officers retiring and training up new staff to the requisite level. This is exacerbated by Approved Inspectors winning the market share and driving skilled Building Control officers into the private sector.
- 4.6.3** The Review Committee noted that compared to five years ago, the number of skilled officers in the borough has significantly decreased. To address this, Tower Hamlets Building Control has recently restructured and initiated a recruitment drive, hiring two new trainees and employing two apprentices, who have now become Building Control surveyors through training.
- 4.6.4** The Review Committee considered that other Local Authorities are experiencing the same problem and looking to share resources so experience can be used where it is needed.

Recommendation 12:

The Council adopts a proactive approach to encourage residents to enter the Building Control and Planning professions and works with Local Authority Building Control (LABC), other boroughs and key partners, to develop a joint strategy with LABC to attract and retain a skilled Building Control and Planning workforce. The Council should consider:

- better use of shared resources
- apprenticeship schemes to support local residents and economic development
- incentives to attract young people into university courses.

4.7 Sprinklers

4.7.1 The Review Committee learned from the London Fire Brigade Borough Commander for Tower Hamlets that sprinklers can be an effective way of slowing the spread of fire before fire services reach the fire and set up their fire attack (Intervention Time). According to the London Fire and Emergency Planning Authority, there is clear evidence that sprinklers (and other forms of automatic fire suppression systems) can be effective in rapidly suppressing fires and help to⁶¹ :

- reduce death and injury from fire
- reduce the risks to fire fighters
- protect properties
- reduce the effects of arson
- reduce the environmental impact of fire
- reduce fire costs and the disruption to community and business.

4.7.2 Since 2007, new build blocks over 30 metres must be fitted with sprinklers. However, there is no requirement to retrospectively fit sprinklers to older High Rises. The Review Committee noted that following the Grenfell Tower fire, several London boroughs with low numbers of High Rises, including Waltham Forest, Enfield and Wandsworth, have begun retrofitting sprinkler systems to their residential High Rises.

4.7.3 The Royal Institute of British Architects has recommended to the Independent Review of Building Regulations and Fire Safety that sprinklers are retrofitted to existing residential buildings over 18

⁶¹ https://www.london-fire.gov.uk/media/1824/think_sprinkler_leaflet.pdf

metres in height, and perhaps extended to all residential buildings above three storeys in height⁶².

- 4.7.4** The Review Committee heard that Tower Hamlets has looked at the costs of retrofitting new sprinkler systems but does not have the budget available. Further, due to the demand in sprinkler systems, costs are fluctuating and being driven up. The Government has deemed the installation of sprinklers as non-essential and therefore is not currently proposing to fund local authorities to retro-fit sprinklers to existing High Rises.
- 4.7.5** However, given the evidence of the impact of sprinklers and growing support and campaigning activities of the London Fire Brigade, the Review Committee supports the installation of sprinklers in existing High Rises and recommends that the Council makes representations to the Government for increased funding.
- 4.7.6** The Review Committee also proposes that the Council review the feasibility of procuring and installing sprinklers in Council High Rises (and encourages Registered Providers to do the same) and assess the impact on other planned housing projects, including the delivery of affordable housing (Feasibility Report). The Feasibility Report should also provide different models, accounting for risk factors, such as prioritising Vulnerable Residents and ‘high risk’ blocks.

Recommendation 13:

The Council continues to advocate for Government funding to fit automatic fire suppression systems in local authority housing in the borough.

Recommendation 14:

The Council considers fitting automatic fire suppression systems in High Rises in the borough, prioritising Vulnerable Residents (including residents with hoarding issues or who require assistance in evacuating) and high risk buildings by carrying out a feasibility study by March 2019 on:

- the anticipated cost of works;
- the impact of the works on other housing services provided by the Council.

⁶² <https://www.architecture.com/knowledge-and-resources/knowledge-landing-page/riba-submits-evidence-and-recommendations-to-review-of-building-regulations-and-fire-safety>

Glossary of terms

<p>Aluminium Composite Material (ACM) cladding</p>	<p>Cladding made of two layers of aluminium attached to a lightweight core material such as polyethylene or polyurethane.</p>
<p>Approved Document B</p>	<p>The ‘Approved Documents’ provide guidance for meeting the requirements of the building regulations in common building situations. Approved Document B covers fire safety matters within and around buildings.</p>
<p>Approved Inspector</p>	<p>Building regulations require that construction complies with the building regulations and is independently verified. Verification may be given by local authorities or privately appointed approved inspectors. Approved inspectors are companies or individuals authorised under the Building Act 1984 to carry out building control work in England and Wales and registered with the Construction Industry Council.</p>
<p>Building Regulations</p>	<p>The Building Regulations 2010 are minimum standards for construction and extensions to most buildings and set out:</p> <ul style="list-style-type: none"> • What qualifies ‘building work’ and falls under the control of the regulations • What types of buildings are exempt • The notification procedures that must be followed throughout the building work • Requirements for specific aspects of building design and construction.
<p>Cladding</p>	<p>A non-structural component attached to the external building surface. This differs from structural elements, such as brick walls or applied surfaces, such as render.</p>
<p>Common parts</p>	<p>The Common Parts in a high rise purpose built flat generally refer to all parts of the building that have not been allocated to an individual flat and are used by all occupiers of the building. Under the Fire Safety Regulatory Order</p>

Compartmentation	<p>Compartmentation is the sub-division of a building “into compartments separated from one another by walls and/or floors of fire-resisting construction to:</p> <ul style="list-style-type: none"> • Prevent rapid fire spread which could trap occupants of a building. • Reduce the chance of fires becoming large, on the basis that large fires are more dangerous, not only to occupants and fire and rescue service personnel, but also to people in the vicinity of the building’
Draft New London Plan	<p>The Draft New London Plan sets out the overall strategic plan for London, including an integrated economic, environmental, transport and social framework for the development over the next 20-25 years. This includes housing. Further the London Plan is legally part of each London’s Local Planning Authorities development Plan and must be taken into account when planning decisions are made in the borough.</p>
Environmental Health	<p>The Council department/team responsible for enforcing health and safety legislation in businesses, investigating food poisoning outbreaks, pest control, noise pollution and regulating private rented landlords and other environmental health services to residents and businesses in Tower Hamlets.</p>
Fire Loading	<p>Refers to the amount of combustible material in a building or flat and the amount of heat this can generate as a measurement to determine the severity of a fire.</p>
Fire Risk Assessment	<p>Review of the fire risk of a building and measures required to reduce or eliminate the risk of fire and identify persons at risk.</p>
High Rise	<p>There is no legal definition of a high-rise building. In this report the term refers to residential purpose built flats in a tower block above 18 metres.</p>

Hoarding	The collection of excessive quantities of objects (with an inability to discard them), which can inhibit the use of the home or personal function. This increases the risk of fire and can prevent the means of or ability to escape.
Local Authority Building Control	Not-for-profit membership organisation that represents all local authority building control teams in England and Wales.
Multiple occupation	An entire house or flat which is let to three or more tenants who form two or more households and who share a kitchen, bathroom or toilet (Housing Act 2004)
Registered Provider	Includes local authority landlords and private registered landlords (such not-for-profit housing associations and for-profit organisations) providing social housing
Responsible Person	The 'Responsible Person' in the case of a block of flats is the person or organization with control of the premises, usually the owner.
Simultaneous evacuation	All residents in a building reacting to the warning signal when a fire is discovered and leaving the premises.
Stay Put policy	Residents remain in their own flat where a fire has occurred elsewhere in the building
Tenure	Describes how dwellings are occupied
Vulnerable Residents	In this report means a person whose ability to protect themselves in the event of a fire is impaired through physical or mental disability or illness, age, emotional fragility or distress.
Waking watch	A system whereby staff continually patrol all floors and the exterior perimeter of the building to maintain safety of occupants of the building from fire.