

Non-Executive Report of the: Housing Scrutiny Sub-Committee 19/03/2018	 TOWER HAMLETS
Report of: Sharon Godman Divisional Director strategy, policy and performance	Classification: Unrestricted
Housing Scrutiny Sub-Committee Scrutiny Review; Fire Safety Scrutiny Review	

Originating Officer(s)	Elizabeth Bailey – Senior Strategy, Policy and Performance Officer
Wards affected	All Wards

SUMMARY

1. This paper submits the report and recommendations of the Housing Scrutiny Sub-Committee's review of Fire Safety for consideration by the Housing Scrutiny Sub-Committee.

RECOMMENDATIONS:

The Housing Scrutiny Sub-Committee is recommended to:

1. Agree the report and the recommendations
2. Authorise the Divisional Director Strategy, Policy and Partnership to amend the draft report before submission to Cabinet, after consultation with the Chair of the Overview and Scrutiny Committee.

1. REASONS FOR DECISIONS

1. This report outlines the findings and recommendations from the Fire Safety Scrutiny Review, which was part of the Housing Scrutiny Committee's work programme for the 2017/18 municipal year.

2. ALTERNATIVE OPTIONS

1. The committee may decide to not to agree the recommendations. This is not recommended as the report outlines work undertaken by Councillors and officers to identify areas of improvement.

3. DETAILS OF REPORT

Background and Context

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 in London and some of the tallest residential buildings planned to be developed.

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.

Scope and aims of the Fire Safety Scrutiny Review

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 focus on high rise residential buildings (above 18 metres high) and would include both public and private sector housing.

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.

This Review set out to make recommendations, which would:

1. Drive improvement in fire safety policies, practices and compliance in existing and new developments
2. Clarify roles and responsibilities across public and private owned high rise buildings
3. Amplify the voice and concerns of the resident tenants.

Approach

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.

The Housing Scrutiny Sub-Committee therefore 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. Roles, Responsibilities and compliance throughout the lifecycle of the building.
2. Fire Safety Prevention
3. Emergency Responses
4. Resident Engagement

Evidence Gathering Sessions

5. The Review was led by Cllr Helal Uddin, Chair of the Housing Scrutiny Sub-committee and took the form of four evidence gathering sessions (3 meetings and 1 call for written submissions)

Area	Session focus	Session Date	Session Chair
Emergency Responses	Current policies/practices of the London Fire Brigade, THH and registered providers around emergency responses	18 January 2018	Cllr Helal Uddin
	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	Cllr John Pierce
	How stakeholders work together		
	Council's enforcement powers		
Fire Safety Prevention	How fire risks/hazards are identified, assessed and remediated during occupation of the building	13 February 2018	Cllr John Pierce
Resident Engagement	Communication strategies to residents to address concerns (including any interim measures)	N/A	Written Submissions
	Complaints systems		
	Residents' key concerns about fire safety		

Recommendation 1: Within 6 months of the publication of 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 2: The Committee supports the introduction of fire safety considerations at the planning stage of development under the draft New London Plan.

The Committee recommends that the Council develops a work programme to:

- define distinct fire safety responsibilities between Planning and Building Control throughout the building process to effectively implement those responsibilities.

Recommendation 3: The Council adopts a proactive approach to encourage residents to enter the Building control profession 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 workforce. The Council should consider:

- Better use of shared resources
- Apprenticeship schemes to support local work and economic development
- Incentives to attract young people onto university courses

Recommendation 4: The Council improves engagement with private providers by developing a forum to share best practice.

Recommendation 5: The Council develops and maintains an emergency contact database for private providers.

Recommendation 6: The Council develops a communication strategy, in consultation with Registered Providers and Private Landlords, to raise awareness with tenants and leaseholders that communal area fire doors and external fire doors on individual flats need to meet the appropriate fire safety standards.

Recommendation 7: The Council makes representations to the Government that the cost of retrofitting sprinkler systems in local authority housing should be funded by the Government to ensure that other housing services can continue to meet residents' needs.

Recommendation 8: The Council provides a review to the Housing Sub-committee of the likely costs of retrofitting sprinkler systems in high risk tower blocks and assesses the impact on other housing services.

Recommendation 9: The Council prioritise retrofitting sprinklers in the flats of residents who require assistance in evacuating and with known hoarding issues.

Recommendation 10: The Council promotes local services available, including mental health issues, to support residents with hoarding.

Recommendation 11: The Council develops a communication strategy, in consultation with Registered Providers and Private Landlords, to raise awareness with tenants and leaseholders that certain refurbishment works require approvals (including Building Control approvals where necessary)

Recommendation 12: The Council develops performance indicators, in consultation with registered providers, to report to the Housing Scrutiny Sub-committee on Council and Registered Providers' outstanding actions identified in Fire Risk Assessments and to monitor timeframes in resolving these.

Recommendation 13: The Council develops a Fire Risk Assessment dashboard template, in consultation with Registered Providers and Tenant and Resident Associations, to highlight key risks, remedial actions planned or taken, timeframes and any actions required by residents to accompany published Fire Risk Assessments.

Recommendation 14: The Council works with Tower Hamlets Homes, Registered Providers and the London Fire Brigade to develop a consistent approach to storing items in common areas across the borough.

Recommendation 15: The Council, in consultation with the London Fire Brigade, Tower Hamlets Homes and Registered Providers engages with Tenant Resident Associations to improve understanding of when to stay put and when to evacuate.

Recommendation 16: The Council approaches known residents who need assistance to evacuate to develop personal emergency evacuation plans with them.

Recommendation 17: The Council work with registered providers to develop fire signs and fire safety leaflets in other languages spoken in the borough.

Recommendation 18: The Council invites registered and private providers to the Tower Hamlets Resilience Forum to ensure all providers are aware of emergency protocols.

Recommendation 19: The Council works with registered providers to develop a clear separate process for residents to raise and escalate fire safety issues.

Recommendation 20: Due to the volume of housing in the borough, residents are a key source of identifying and raising fire safety issues to improve fire safety standards. The Council considers resident engagement options (such as ward fire safety champions) to promote fire safety awareness and when to raise an issue.

Recommendation 21: The Council develops a best practice model, based on shared learnings between providers, to communicate key information during an emergency, addressing

- different languages spoken in the borough
- digital (including social media) channels
- non-digital channels (including joint publications)
- key contact information on a dedicated website page.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. 4.1. Following the scrutiny review of fire safety issues arising from the Grenfell tragedy this report makes 21 specific recommendations to improve fire safety within residential premises across the borough.
- 4.2. Whilst no specific additional financial commitments have been identified within the report, there are a number of proposals that could result in additional cost pressures for revenue resources or, more likely, the

Council's capital programme and furthermore may influence the relative prioritisation of capital projects.

- 4.3. For example the retrofitting of sprinkler systems is highlighted as a key measure and although government funding is likely to be sought across a broad range of providers this cannot be guaranteed. Recommendations 7, 8 and 9 all propose the prioritisation of sprinkler installations retrospectively in high risk blocks and for vulnerable groups. The Council will need to decide its relative prioritisation of these aspects alongside its other projects and programmes as it develops its capital programming and in the light of any government funding available.
- 4.4. Recommendation 1 calls on the Corporate Director of Place to report within 6 months of the publication of the findings of the Independent Review of Building Regulations on resource requirements; this report will need to be specifically considered as a part of the appropriate budget planning processes.

5. LEGAL COMMENTS

- 5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee can appoint such Sub-Committees or Scrutiny Panels as the Committee considers appropriate from time to time to carry out individual reviews under the Overview and Scrutiny work programme.
- 5.2 The Overview and Scrutiny Committee appointed the Housing Scrutiny Sub-Committee for the purposes of scrutiny over all of its housing functions and ensure transparency in how these functions are discharged.
- 5.3 The Scrutiny Review's purpose was to 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.
- 5.4 All blocks of flats must have a health & safety risk assessment carried out of the communal areas. This is a legal requirement under the Management of Health and Safety at Work Regulations 1999. Communal areas do not just mean the internal parts of the building: they also include the roof, structure and other external areas. The duty to comply with health & safety regulations falls on the landlord or person responsible for managing the building.
- 5.5 Every block of flats also needs a fire safety risk assessment. Again this applies to the communal parts, not to the individual flats, and it's an obligation on the landlord. In respect of the Council owned stock, the Council must ensure that such risk assessments are in place and regularly reviewed and updated.

5.6A total of 21 recommendations have been proposed in the Scrutiny Review Report and all are capable of being undertaken within the Council's powers.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. Recommendations under this review seek to improve quality housing for residents and encourage greater resident communication and engagement.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1. The recommendations in this report are made as part of the Housing Scrutiny Sub-Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1. There are no direct environmental implications arising from the report or recommendations.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1. There are no direct risk management implications arising from the report or recommendations.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1. There are no direct crime and disorder reduction implications arising from the report or recommendations.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 – Fire Safety Scrutiny Review

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

- NONE

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