

<p style="text-align: center;"><b>Housing and Regeneration Scrutiny Sub Committee</b></p> <p style="text-align: center;">22 July 2019</p>	 <p style="text-align: center;"><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Mark Baigent – Interim Director of Housing and Regeneration</p>	<p><b>Classification:</b> Unrestricted</p>
<p style="text-align: center;"><b>Fire Safety Scrutiny Review – Action Plan update</b></p>	

**Executive Summary:**

This report provides an update against the action plan (adopted by Cabinet on 31 October 2018) in response to the recommendations of the former Housing Scrutiny Sub-Committee’s scrutiny review of Fire Safety in high rises in Tower Hamlets. The Scrutiny Review aimed to drive improvements in fire safety policies, practices and compliance in existing and new developments; clarify roles and responsibilities across publicly and privately owned high rise buildings and amplify the voice and concerns of residents.

The Council’s communications team are currently working on publishing a position and commencing work with the Tower Hamlets Housing Forums (THHF) to develop a joint communications strategy. Currently, THHF members have multiple methods to promote fire safety and in the main have utilised existing resident engagement structures to discuss fire safety. Tower Hamlets Homes (THH) has also established a new Joint Working Group on Fire safety which is exploring the development of a suite of KPIs, and a fire risk assessment dashboard. Most RPs have in place KPIs that track the completion of FRAs against an agreed programme for all blocks and track completion of recommended actions arising from the FRAs. Fire Risk assessments for THH blocks are available via the [THH website](#).

Good practices in fire safety management are shared through THHF, the private rented sector charter, and the landlord’s accreditation schemes.

In 2018/19, the London Fire Brigade carried out 237 fire safety audits on purpose built flats, 33 instances (13.92%) of which resulted in some form of action being taken.

The government has recently launched its consultation on what it sees as the approach to implementing recommendations from the Hackitt Review, so the practical implications for authorities will shortly be known in draft. Proposals comprise of:

- clearer responsibilities for those building or managing these buildings;
- a stronger voice in the system and better information for residents;
- greater oversight by regulators; and
- tougher enforcement when things go wrong.

**Recommendations:**

The Housing and Regeneration Scrutiny Sub Committee is recommended to:

- To note the progress made in implementing scrutiny recommendations.

## 1. REASONS FOR THE DECISIONS

- 1.1 This report outlines progress against the implementation of recommendations from the Fire safety Scrutiny Review which was part of the committee's work programme for the 2017/18 municipal year.

## 2. DETAILS OF REPORT

### 2.1 Fire Safety Scrutiny Review

- 2.1.1 As part of its work programme for 2017/18, the former Housing Scrutiny Sub-committee carried out a scrutiny review on fire safety in residential high rises (above 18 metres) in Tower Hamlets (Scrutiny Review). The Scrutiny Review was prompted by the Grenfell Tower fire on 14 June 2017 in the London Borough of Kensington and Chelsea, which caused devastating loss of lives and homes. The Grenfell Tower fire was a tragic reminder of the importance of fire safety in residential high rise buildings and deemed 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.

- 2.1.2 The Scrutiny Review aimed to drive improvement in fire safety policies, practices and compliance in existing and new developments; clarify roles and responsibilities across publicly and privately owned high rise buildings and amplify the voice and concerns of residents. The four main areas of focus for the Scrutiny Review were:

- Roles, Responsibilities and compliance throughout the lifecycle of the building.
- Fire Safety Prevention
- Emergency Responses
- Resident Engagement

The Scrutiny Review was carried out in the context of a number of ongoing national inquiries and reviews into fire safety.

- 2.1.3 Appendix 1 sets out the action plan to implement the recommendations arising from the review. Ten recommendations (1 to 3; 5 to 6; 9 and 10 to 13) have been accepted in full. One recommendation (7) has not been accepted on the basis that it is not the Council's responsibility to hold emergency contact details. Three recommendations (4, 8 and 14) have been accepted in part. Recommendation 4, relating to Fire Risk Assessment dashboards, has been limited to apply to Tower Hamlets Homes only. Recommendation 8 to engage private providers by developing a forum to share best practice has been limited to prioritise large private rented sector providers. Recommendation 14, relating to a feasibility study of automatic fire suppression systems in high rises and prioritising vulnerable residents and high risk buildings, has been limited to the Council's housing stock. The action plan was adopted by Cabinet on 31<sup>st</sup> October 2018.

- 2.1.4 Appendix 1 also provides a progress update against each action in implementing recommendations, as summarised below:

**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 separate 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.

The new Joint Working Group on Fire safety (made up of involved residents, Tower Hamlets Federation reps, THH Board and THH staff) are looking at ways of monitoring enquiries. This includes working with THHF on this and data gathering at present. In addition, the use of a dedicated reporting facility e.g. by email account may be considered as a good practice example which RPs will consider through the THHF benchmarking sub group.

Currently, THHF members have multiple methods to promote fire safety and in the main have utilised existing resident engagement structures to discuss fire safety. All RPs have service standards for responding to resident reports, and remedial actions are completed as appropriate dependent on the particular circumstances of the block and issue.

**Recommendation 2:** The Council develops performance indicators to monitor and manage residents' concerns on fire safety in high rise buildings, in consultation with the London Fire Brigade, Tower Hamlets Homes, Registered Providers and Private Providers, to report to the Housing Scrutiny Sub-Committee

The Tower Hamlets Homes Joint Working Group on Fire Safety is developing a suite of KPIs for THH. The Group are to consider the value of a range of indicators in Q2. At the end of Q1, 100% of tall buildings (over 18 metres) managed by THH had an up to date FRA in place. FRAs have been commission for the 9 substantial blocks to establish current risk tolerability and a rationalised FRA programme will be agreed with THH in Q2 for the remaining blocks in scope.

Most RPs have in place KPIs that track the completion of FRAs against an agreed programme for all blocks and track completion of recommended actions arising from the FRAs. Some RPs are also monitoring the levels of risk identified by FRAs to specifically report on high priority recommendations arising.

THH has delivered a presentation to the THHF housing management sub group on its approach to fire safety, and performance improvements.

The London Fire Brigade have carried out 237 fire safety audits on purpose built flats in Tower Hamlets during 2018-19 period of which :

- 33 instances of some form of action taken (13.92 %)
- 7 Formal Action Enforcement Notices issued (2.95 %)
- 26 Informal Notification of deficiencies issued (10.97%)

All other visits to residential premises, including purpose built flats were the result of post fire visits, complaints or requests for us to visit for various reasons. Additional hi-rise premises were also inspected due to the presence of ACM clad buildings in the area.

**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.

A position statement will be published shortly. Fire Risk assessments for THH blocks are available via the [THH website](#). In addition, the Council's ALMO THH, has also published a communicated fire safety information, advice and guidance to its residents whether this be for fire in the home or in the block. This includes THH's approach to fire safety – buildings and its fire safety strategy.

The Council encourages RPs to publish information on FRAs. Data on the % of FRAs that are in place is reported as a KPI to both the Statutory Deputy Mayor for Housing and to the Housing and Regeneration Scrutiny Sub Committee.

**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.

This is being considered as a report by the Joint Working Group on Fire safety for THH properties. A methodology to determine the need for FRA's and criteria for prioritisation is in development.

Some RPs do have in place a dashboard that provides management information across the organisation. In addition some RPs in the UK are also developing Health and Safety check lists for each block to be placed in communal areas.

**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 or their agents and resident representation, to raise awareness with tenants and leaseholders accessible to all.

THHF support the development of a joint communications strategy. The Council's communications team are currently working with partnership colleagues requesting to attend the next THHF Exec meeting / asset management sub group to take this forward. A timetable and action plan will be drafted following the development of the communications working group.

Ending Feb 2019 include, THH has made 3,914 visits across 95 blocks, advising residents.

**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.

The Council's Civil Protection Unit delivered a presentation to the THHF Executive on 23rd May 2018. Participation by RPs at training sessions and exercises are ongoing, the next scheduled is the forthcoming Ex Safer City 2019 1<sup>st</sup> & 2<sup>nd</sup> May 2019. The Chair of THHF also attends the Borough Resilience Forum.

CPU will deliver a presentation to the re-scheduled Private Renters' Charter Forum on 10 September and Landlords' Forum on 9 October. Training will be offered to landlords.

**Recommendation 7:** The Council develops and maintains an emergency contact database of Private Providers of dwellings in High Rises.

N/A

**Recommendation 8:** The Council improves engagement with Private Providers by developing a forum to share best practice.

A presentation on Fire Safety best practice will be delivered at the Landlords' Forum on 9 October. An extensive briefing on this topic was also delivered to the forum in 2017. Fire

Safety is also promoted through the Private Renters' Charter and in the accreditation training that landlords undertake through the Landlord License Accreditation Scheme. These sessions take place quarterly at the Town Hall and in 2018/19 77 Tower Hamlets landlords were accredited.

**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 priorities any remedial works or adaptations that are required to facilitate safe evacuation

RPs specialising in supported housing have developed PEEPs. The majority of blocks managed by RPs (General Needs properties) have a 'Stay Put' Policy in place. Some General Needs RPs have provided information on vulnerable residents either directly or indirectly to the LFB.

**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.

The Government did not respond to the Independent Review of Building regulations until January 2019 so this unfortunately built in delay to the process. The government has recently launched its consultation on what it sees as the approach to implementing recommendations from the Hackitt Review, so the practical implications for authorities will shortly be known in draft. It is now anticipated that a draft report will be targeted at a September 2019 completion. An interim update was however provided to the committee in November 18 which outlined the recommendations from the Hackitt review and work locally and nationally on implementation.

**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

The overall position remains uncertain at a national and regional level. The guidance document cannot be committed to yet as the new London Plan policy has not been adopted. Until it is the need to consider fire safety matters at an earlier planning stage is not a policy requirement. Officers will continue to track this and are assembling best practice. Anticipate December 2019 for completion but dependent on London Plan timetable so maybe earlier or later.

**Recommendation 12:** The Council adopts a proactive approach to encourage residents to enter the Building Control and Planning professions and works with the Local Authority Building Control (LABC), other boroughs and key partners, to develop a joint strategy 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.

The process to address recruitment and retention issues was awaiting the formal introduction of a new corporate policy on recruitment and retention packages (market supplements). However, Planning is shortly to start its next round of targeted recruitment to fill some of its experienced role vacancies so once this concludes it will start to give us a clearer view of the recruitment picture. The Division is also shortly embarking on a fresh graduate intake by the end December 2019.

**Recommendation 13:** The Council continues to advocate for Government funding to fit automatic fire suppression systems in local authority housing in the borough

The Council is supporting the Local Government Association and London Councils to advocate for funding.

Some RPs advise that they are actively considering retrofitting fire suppressant systems to selected blocks whilst others indicate that they are prioritising passive fire protection measures and or waiting for further direction or developments.

**Recommendation 14:** The Council considers fitting automatic fire suppression systems in High Rises in the borough, prioritizing 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 on:

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

The Council is awaiting the outcome of Hackitt recommendations and legislative changes before commencing a feasibility report with different models of costings for works.

However, THHF has commenced initial work to identify procedures in place for the evacuation of vulnerable households during a fire. One approach identified as good practice is a secure box with details of vulnerable households accessible to the fire brigade and updated annually. The THHF Asset Management sub group will further discuss this along with other approaches of good practice for wider roll out.

### **3. COMMENTS OF THE CHIEF FINANCE OFFICER**

3.1 There are no direct financial implications arising from this report.

### **4. COMMENTS OF LEGAL SERVICES**

4.1 This is a report updating the committee on the Action Plan arising out of the Fire Safety Scrutiny Review. There are no immediate legal implications arising from this report.

### **5. OTHER STATUTORY IMPLICATIONS**

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),

- Risk Management,
  - Crime Reduction,
  - Safeguarding.
- 5.2 The recommendations in scrutiny review are made as part Scrutiny Sub-Committee's role in helping to secure continuous improvement for the Council, as required under its Best Value duty.
- 5.3 There are no direct environmental implications arising from this report.
- 5.4 The recommendations of the Scrutiny Review are based on areas of risk and for improvement for the Council and its partners and the actions seek to address these.
- 5.5 There are no direct crime and disorder reduction implications arising from the report or recommendations.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- [Fire Safety Scrutiny Review Report \(hyperlink\)](#)

### **Appendices**

- Appendix 1 – Fire Safety Scrutiny Review Action Plan Update

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

#### **List of “Background Papers” used in the preparation of this report**

- NONE