

Cabinet 30 November 2022	 TOWER HAMLETS
Report of: Ann Sutcliffe, Corporate Director of Place	Classification: Unrestricted
Approval of the action plan arising from the Housing, Regeneration and Scrutiny Sub-committee's Fire Safety Review Report (September 2021)	

Lead Member	Councillor Kabir Ahmed (Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
Originating Officer(s)	Karen Swift, Divisional Director of Housing & Gemma Ganadin, Fire Safety Team Leader
Wards affected	All
Key Decision?	No
Reason for Key Decision	This report has been reviewed as not meeting the Key Decision criteria.
Forward Plan Notice Published	23 May 2022
Strategic Plan Priority / Outcome	All

Executive Summary

The Chair of the H&RSSC requested a review of fire safety across the borough, following the fire at New Providence Wharf (NPW) in May 2021 and invited residents to scope out the key areas of concern at the sub-committee meeting in June 2021. This report sets out the outcome of the review and proposes a number of actions in response to the residents' concerns. The sub-committee at their meeting on 9 September approved the submission of the outcome document (scoping review) and agreed that the proposals be submitted to the Mayor and Cabinet's for approval.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the report arising from the H&RSSC's review of fire safety in the borough; and
2. Approve the actions arising from the recommendations made in the HRSSC's review of fire safety in the borough.

1 REASONS FOR THE DECISIONS

- 1.1 The Housing and Regenerations Scrutiny Sub-Committee (H&RSSC) has previously explored a range of issues concerning fire and building safety. A Fire Safety Scrutiny review was undertaken in 2018, following the Grenfell fire, which led to a Fire Safety Action Plan that was recommended by the sub-committee for closure at HRSSC's meeting of the 15 April 2021, as all the actions had been completed.
- 1.2 Following the fire at NPW, the HRSSC decided to undertake a second 'deep dive' review of fire safety which commenced with a scoping exercise at their meeting held on 22 June 2021. The sub-committee heard evidence from leaseholders to ensure that the 'deep dive' covered the areas of concern from residents' perspective which was used to inform the review that took place over the summer of 2021.
- 1.3 At the committee's next meeting on 9 September 2021, the former Chair of the HRSSC introduced the report which set out the outcomes of the 'deep dive' review and proposed a number of recommendations in response to residents' concerns.
- 1.4 The council's Fire Safety Group then reviewed and formulated an action plan in response to the HRSSC's recommendations. Due to the council elections earlier this year and the resumption of the council's usual decision-making processes, it is now at this point where there has been space in the Cabinet's Forward Plan to take the resulting action plan to Cabinet for approval.
- 1.5 The action plan and its associated proposals will guide the council's ongoing fire and building safety work in collaboration with its Private Registered Providers partners and builders/developers operating in the borough.
- 1.6 Operationally, officers will continue to focus on managing private sector ACM remediation, collecting EWS data on behalf of the DLUHC, responding to residents' concerns on building and fire safety issues and preparing for the implementation of the Building Safety Act.

2 ALTERNATIVE OPTIONS

The alternative option is not to recommend that the Mayor and Cabinet adopts the actions arising from the recommendations - or that only some of them are adopted. This is not recommended as the review that led to these proposed actions was predicated on clearly stated concerns that residents expressed at the fire safety scoping session at the June sub-committee meeting. Nevertheless while the majority of the actions can be met from within existing budgets and are in many cases part of business as usual, it is not possible to action every one of the 17 recommendations, as the council is constrained by legal and financial practicalities in some areas.

3 DETAILS OF THE REPORT

- 3.1 The report sets out the national picture in terms of fire safety following the tragedy at Grenfell Tower and sets out the government's response and the policy and legislation framework which has consequently emerged.
- 3.2 The report also provides the narrative at both borough level and the experience of residents in the build up to the incident at NPW.
- 3.3 A scoping exercise in advance of the Fire Safety Review was undertaken by the H&RSSC at the sub-committee's meeting on 22 June where residents from two key groups were invited to express their views and concerns to inform the review and this is detailed within the report.
- 3.4 Following this scoping exercise, officers produced a scoping document that set out the 17 key questions that were put forward by residents on fire and building safety. The review was undertaken, by officers from the Strategy and Policy (Place) Housing team who focus on housing and regeneration issues. They worked with the council's core operational team who are involved in dealing with operational fire safety issues.
- 3.5 The review process examined the 17 key areas that residents had said concerned them most and involved meetings with relevant officers from across the council to formulate the council's response.
- 3.6 Further discussions were held with the two residents invited to give evidence at the scoping session to obtain supplementary feedback on the issues raised and meetings were held with external agencies including the LFB and RP partners, developers and builders operating in the borough.
- 3.7 Progress on the review work was reported to the weekly Fire Safety Meeting, chaired by the Divisional Director for Housing and Regeneration, and attended by key officers working on fire and building safety from across the council.
- 3.8 The aim of the review was to ensure the outcomes focussed on practical improvements that would resonate with residents and would inform the council's fire and building safety agenda going forward. The 17 questions were categorised into 5 core areas:
- 1) What powers can we use?
 - 2) What can be communicated better?
 - 3) What can we fund?
 - 4) Where to focus our lobbying?
 - 5) Which ways of working can be improved?
- 3.9 **Appendix 2 – Fire Safety Review Scoping Document** contains the outcomes of the review and **Appendix 3 – Fire Safety Proposals** is a distillation of these outcomes into proposals across the 5 core areas. For ease of reference, the proposals are given below:

1. Ensure Fire Statements submitted to the council by developers/builders as part of the Planning process are robust and address all known fire safety issues.
 2. Investigate the promotion of “Commonhold” with our PRP partners, builders, and developers.
 3. Explore regular Quarterly meetings between the Mayor/officers and Leaseholders.
 4. Further publicise the council’s building safety pledge to residents, building owners and PRPs
 5. Set up a fire safety portal that contains clear information for homeowners, tenants, leaseholders and clarifies the role of Housing Associations, builders, and developers.
 6. Ensure the council’s revamped website explains how the BSF application process works to leaseholders and builders/developers submitting bids.
 7. Explore with the LFB and other London boroughs using CIL money to purchase firefighting equipment.
 8. Continue to lobby the Government with our RP partners for increased funding for independent advisory services at every opportunity.
 9. Raise gathering of economic data/cost implications of building safety issues at the LHD FSG meeting to enlist the support and collaboration of other councils and RPs.
 10. Review the findings of the final LFB report into the fire at NPW with our RP partners, building owners and developers.
 11. Work with our RP partners and building owners and developers to implement the Building Safety database.
 12. Explore the feasibility of contributing to the Building Safety Map with our RP partners and building owners.
 13. Continue to meet with LFB and PRP partners to develop a joint Fire Safety Engagement Plan.
 14. Work with RP partners and LFB to develop a fire safety video and other engagement/communication material to promote fire safety.
 15. Establish a Tower Hamlets Fire Safety Forum with LFB and THHF partners to examine evacuation procedures and to promote appropriate fire alarms and signage.
 16. Establish a Resident and Landlord Fire Safety Forum to ensure effective resident involvement and collaboration in all relevant fire safety issues
- 3.10 It has not been possible to action every one of the 17 key questions posed as the council is constrained by legal and financial practicalities in some areas.
- 3.11 Further detail on the work associated with the scrutiny review includes Appendix 4 - the template for the council’s revamped web pages which has formed the Fire Safety Portal.

4. EQUALITIES IMPLICATIONS

- 4.1 The Public Sector Equality Duty (as set out in the Equality Act 2010) aims to embed equality considerations into the day-to-day work of public bodies, so that they tackle discrimination and inequality and contribute to making society fairer.

The actions proposed in the 'The Fire Safety Action Plan 2021' to be taken by the council in respect of ensuring fire safety in the borough reflect this duty.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 There are no other statutory implications identified at this stage. The council's work to date and going forward is considered to be commensurate with all its best value, environmental and safeguarding responsibilities.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 The Council received £257k grant funding from DLUHC for External Wall Surveys. At 31st March 2022, £137k has not been spent and is held in an earmarked reserve to fund the team and their work. No more grant funding is available for this work.
- 6.2 As part of budget setting for 2022/23 a growth bid was approved for two years for £671k to enable the team to expand and provide suitable ICT for recording the results of surveys. This growth will allow the work outlined in this report to be completed.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The report asks the Mayor and Cabinet to approve the recommendations made in the review of fire safety in the borough which are set out in the appendices to this report.
- 7.2 Planning applications are determined in accordance with the development plan unless material considerations indicate otherwise as set out in s38(6) of the Planning and Compulsory Purchase Act 2004.
- 7.3 The London Plan (2021) includes a policy on fire safety. The London Plan is now part of the development plan and the council is applying this policy to relevant developments in the borough. Applicants are now required to submit a fire statement which is then assessed by the HSE as part of the statutory consultation process.
- 7.4 The Council intends to encourage developers in the use of commonhold, introduced by the Commonhold and Leasehold Reform Act 2002, which aims to overcome the disadvantages of leasehold ownership.
- 7.5 Under the Regulatory Reform (Fire Safety) Order (2005) (FSO), (as amended by the Fire Safety Act 2021 (FSA)) building owners in purpose-built flats, including Homes of Multiple Occupancy are required to determine the fire protection measures in the building. Following the introduction of the FSA in October 2021, the 'Responsible Person' will be held liable for contraventions of the FSO where they have failed to comply with fire risk assessments.
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Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 - Non-executive Report of the Housing and Regeneration Scrutiny Sub-committee 'Fire Safety Review' – September 2021
- Appendix 2 – Fire Safety Review Scoping Review Document.
- Appendix 3 – Fire Safety Proposals.
- Appendix 4– Fire Safety Portal – Web Template.
- Appendix 5 – Membership of the HRSSC March 2021-April 2022.
- Appendix 6 – HRSSC Recommendations Action Plan April 2022

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

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