

Update on Fire Safety to Residential Blocks of Flats

Adults' Health, Adults' Care and Housing Overview and Scrutiny

12th September 2018

Author: Cabinet Member for Housing and Public Safety

Wards: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To give an update on the management and fire safety improvement works to the Council's residential blocks of flats.
- 1.2 To allow the Members of the Overview and Scrutiny Committee to review and comment on changes to management arrangements and delivery of fire safety improvement works.
- 1.3 Fire safety work is directly linked to the Council's Priority 1: "Improve infrastructure and housing to support a growing, low-carbon economy."

2. Recommendations

The Committee is recommended to:

- 2.1 Note the progress with delivery of fire safety improvement works and changes to management arrangements.

3. Detail

- 3.1 The Council reviewed its fire safety measures in place for all its residential blocks of flats following the Grenfell Tower fire on 14th June 2017. This identified fire safety improvement works which were approved by Cabinet on 18th October 2018 following recommendations from this Committee.
- 3.2 The Government issued a Building a Safer Future report in May 2018 following an independent review of building regulations and fire safety, which is referred to as the 'Hackitt report'. The Government's Building Safety Programme has also issued an advice note in relation to the replacement of flat entrance fire doors due to some manufacturers' doors failing fire safety tests.

Fire safety improvement works

- 3.3 Cabinet authorised safety fire safety improvement works shown as follows:
 - 3.3.1 DMJ – new front entrance fire doors, additional hard-wired smoke detectors and intumescent grills (£150,480)
 - 3.3.2 Six 10-storey general purpose blocks of flats – new internal fire doors, passive protection to protected shafts (escape stairway) and intumescent grills (£525,000)

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- 3.3.3 George Hall Court – installation of fire suppressive system (£255,000)
 - 3.3.4 Medium rise blocks of flats – emergency escape lighting (£135,000)
 - 3.3.5 A tender was advertised for new front entrance and internal fire doors along with a sprinkler system in January 2018. When tenders were returned this identified that combining the two packages of work increased the cost beyond the available budget.
 - 3.3.6 Therefore, the installation of a new fire doors and sprinkler system were re-advertised in separate work packages. Tenders were returned and preferred bidders selected in May 2018. Unfortunately, the preferred bidder for fire doors withdrew prior to award of works. They cited that this was due to them only wanting to fit an approved internal fire door set in the general-purpose high-rise blocks of flats. However, a pre-start meeting with the supplier identified that they didn't have resources in place to manage this contract and their schedule of rate price for fitting the internal fire doors was significantly lower than other contractors that tendered for the works.
 - 3.3.7 The key aspect of installing a sprinkler fire suppressive system is the siting of the Cold Water Storage tanks (CWSTs) due to the large volume of water that needs to be stored and the weight or extra load on the structure of the building. Further work has been required to clarify the installation requirements for the sprinkler system at George Hall Court, particularly in relation to pipework, boxing and options for siting of the CWSTs.
 - 3.3.8 Extensive work has been undertaken to ensure that appropriate front entrance fire doors are to be fitted at the DMJ and contractors are competent to deliver fire safety works. Consultation is planned to take place with residents at the DMJ and George Hall Court during September 2018 to explain what fire safety work is planned to be carried out. Fire safety works are currently planned to start on site in October 2018.
 - 3.3.9 Our in-house workforce have fitted the independent hard-wired smoke detectors (supplementary to the fire alarm system) to flats in the DMJ. There are 59 tenanted and 13 leaseholder flats in the DMJ. We've completed the installation of 51 tenanted flats and have appointments for a further four flats. We have an appointment to install the detectors to one leaseholder flat. We will continue to work with tenants to fit the hard-wired smoke detectors and take enforcement action to complete the works as necessary.
 - 3.3.10 We completed the installation of escape or emergency lighting to 28 medium-rise blocks of flats, which has also improved the lighting to the

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communal areas and led to positive feedback from tenants in these blocks of flats.

3.3.11 The passive protection to the shafts (escape stairways) and intumescent grills form part of the specification for works with the fire doors and will be carried out at the same time.

- 3.4 It is essential to ensure that front entrance doors to individual flats are fire resistant to maintain the fire compartment between flats and communal areas. Officers are ensuring that all new front entrance fire doors, where remedial or repair work is required, that these have a primary fire safety test certificate to demonstrate that they meet the requirement in Building Regulations guidance for fire resistance and smoke control from both sides.
- 3.5 All fire safety work is only undertaken after taking advice from the Council's Building Control team or independent Fire Risk Assessor to scrutinise the impact of any proposed works. In addition, Building Regulation approval and certification is only to be undertaken through the Council's Building Control team.

Fire safety management arrangements

- 3.6 At present, Fire Risk Assessments (FRAs) and the management of fire safety is delivered through the Council's corporate Health & Safety team. In addition, Housing staff undertake FRAs to the medium and low-rise blocks of flats. The repair work arising from FRAs is delivered through the Housing Property Maintenance Team. This has identified the need to make sure that FRAs are undertaken by competent persons. These arrangements make it difficult to monitor performance and increases the risk of non-compliance.
- 3.7 Therefore, it is proposed to simplify the management arrangements to ensure that the roles and responsibilities for commissioning, delivery and monitoring of fire safety work is clearly defined. In future, the Housing Property Maintenance Team is to be responsible for arranging FRAs, planning and delivery of fire safety repair works, instructing premises managers in relation to site arrangements, planning fire safety improvement works and instructing responsible persons on their duties. The corporate Health & Safety team will be responsible for auditing and notifying the responsible persons on performance.
- 3.8 The Council has increased capacity to deliver fire safety work by creating two new posts. A Fire Safety Manager and Fire Safety Officer are to be appointed to manage, administer and deliver fire safety works. Recruitment is taking place and management changes are planned to be implemented in October 2018.
- 3.9 Specialist refresher awareness training has been carried out to ensure staff understand their role and responsibilities for fire safety, which should help to ensure that building defects, such as fire doors not closing properly or door

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closers missing etc., are reported and rectified quickly to mitigate the risk of spread of fire in the event of an incident.

Future fire safety works

- 3.10 Some leaseholders in medium and low-rise blocks of flats still have standard front entrance doors which are not fire or smoke resistant. Officers will continue to work with leaseholders to get these replaced and take enforcement action in line with protocols with the Fire Service, where needed.
- 3.11 The installation of a fire suppression system will be a high priority for any future improvement or refurbishment works to residential high-rise blocks of flats. A budget has allocated a budget of £100k for design work to refurbish the first two high-rise blocks in the south of the town. A consultant has been appointed to assess and determine options for the future use of the DMJ tower. At present, there is an under-occupation in the commercial part of the building and extensive consultation will be required with residents prior to any future change of use or refurbishment. A fire suppressive system will be included in any future options for the DMJ tower.
- 3.13 The Council continues to work very closely with Dorset and Wiltshire Fire & Rescue Service (DWFRS) and have arrangements in place for regular training sessions so that they are familiar with buildings and able to practice their operational arrangements for tackling a fire in the residential high-rise blocks of flats.

Fire risk assessments

- 3.14 The purpose of a fire risk assessment is to evaluate the risk to people from fire, taking into account existing fire safety measures, and to determine whether additional measures are necessary.
- 3.15 A tender was advertised for new FRAs to be carried out to all the Council's low and medium-rise blocks of flats. A specialist contractor is in the process of being appointed with surveying work likely to start during October or November 2018. This is the first phase of a comprehensive exercise to help drive quality and enable further learning in the assessment process during a highly dynamic period of activity in the development of FRAs.

Stay put and prepare to evacuate policy

- 3.16 The Council has implemented the 'stay put and prepare' policy in line with guidance from DWFRS, which is still valid and remains in place. The 'stay put' policy is set out in the Fire Safety Action Plan (FSAP) for all the Council's high-rise and tower block in Swindon.

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- 3.16.1 Where a fire occurs in a flat, the residents alerts others in the flat and make their way out of the building
- 3.16.2 If a fire starts in the common parts, anyone in these areas should make their way out of the building
- 3.16.3 All other residents not directly affected by the fire are expected to 'stay put and prepare to evacuate. This policy does not prevent people from leaving the building in the event of a fire.
- 3.16.4 The Fire Service remain committed to this approach and advise that residents may put themselves at more risk or get in the way and prevent them from tackling a fire if a simultaneous approach was taken to evacuate high-rise or tower block of flats.
- 3.16.5 The Fire Safety Action Plan Notice has been updated on all the floors in the DMJ.
- 3.17 Following advice from DWFRS a 'stay put' and prepare to evacuate policy is still in place for all our high-rise blocks of flats. This policy does not prevent people from leaving the building in the event of a fire.

4. Alternative Options

- 4.1 The Council has a duty of care and is unable to delegate its responsibilities for fire safety to its residents living and visiting its blocks of flats. Fire safety work is currently being planned in accordance with latest guidance and current benchmark standards.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The cost of initial fire safety work was approved at Cabinet on 18th October 2018. In addition, a further £250k has been included in the Housing Revenue Account (HRA) capital programme for fire safety works arising out FRAs to be carried out during this financial year, 2018/19.
- 5.2 Furthermore, a budget of £140k has been allocated to appoint a specialist contractor to undertake FRAs to the medium and low-rise blocks of flats. The first phase is planned to start imminently and any savings will remain within the revenue budget.
- 5.3 The procurement of a specialist contractor to undertake FRAs and delivery of fire safety work is to be undertaken in accordance with Standing Orders and the Council's Financial Regulations.

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Legal and Human Rights Implications

- 5.4 The Homes and Community Agency sets out the current regulatory framework for local authorities and registered providers that own and manage social housing for rent in England, which places a duty on the Council to comply with all relevant legislation.
- 5.5 The Government's Social Housing Green Paper published on 14th August 2018 states that legislation is to be introduced to overhaul the system to improve fire safety and communication with residents. It also proposes a review of the Decent Homes Standard as part of the system to improve fire safety.
- 5.6 There is also a duty under The Regulatory Reform (Fire Safety) Order 2005 to ensure that general fire safety precautions are suitable and sufficient. There is a minimum requirement to ensure that a Type 1 FRA (communal area inspection only) is undertaken, which is carried out to identify any remedial works and action plan to improve fire safety.
- 5.7 There is also a further requirement under the Housing Act 2004 to assess the risk from fire under the current Decent Homes Standard for category 1 hazards identified through the Housing Health & Safety Rating System (HHSRS). For example, defective compartmentation may be considered to be a significant fire risk and likelihood of harm in the event of a fire (by allowing fire and smoke to other parts of the dwelling).

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

Diversity Impact Assessment

- 5.8 A Diversity Impact Assessment has been completed, which has identified that the fire safety improvement works do not have adverse impacts. However, it has identified the need to support vulnerable and disabled residents living in flats to ensure that they are not put at unnecessary risk. An annual review of the DIA is to be carried out, which will also include an assessment of all residents living in high-rise blocks of flats to check that they are able to evacuate the building in the event of a fire.

Risk Management

- 5.9 It is essential to procure high quality work where fire safety is prioritised, particularly in relation to flat front entrance fire doors and sprinkler systems.
- 5.10 Extensive risks are identified through the management of fire safety works and it is proposed that these are managed through the Housing Service Risk Register.

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6. Consultees

6.1 None.

7. Background Papers

7.1 None.

8. Appendices

8.1 None.