

<b>REPORT TO:</b>	<b>CABINET 17 July 2017</b>
<b>AGENDA ITEM:</b>	<b>6</b>
<b>SUBJECT:</b>	<i>Fire safety in Croydon</i>
<b>LEAD OFFICER:</b>	<i>Shifa Mustafa</i> <b>Executive Director of Place</b> <i>Stephen Tate</i> <b>Director of District Centres and Regeneration</b>
<b>CABINET MEMBER:</b>	<b>Councillor Alison Butler</b> <b>Deputy Leader and Cabinet Member for Homes, Regeneration &amp; Planning</b>
<b>WARDS:</b>	<b>'All'</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON</b>	
Include here a brief statement on how the recommendations address one or more of the Council's Corporate Plan priorities: <a href="#">Corporate Plan 2015-18</a>	

<b>FINANCIAL IMPACT</b>
Estimated expenditure of £10m within the housing revenue account over two years. This figure is based on an informed estimate of the cost of sprinkler installations to 26 blocks of flats, including associated works and project management.
<b>FORWARD PLAN KEY DECISION REFERENCE NO: n/a</b>

<p>The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below.</p> <p><b>1. RECOMMENDATIONS</b></p> <p>1.1 The Cabinet is recommended to note the actions taken to date in in relation to the Council's own housing stock and other corporate buildings in response to the Grenfell Tower fire.</p> <p>1.2 The Cabinet is recommended to note the other fire safety measures and processes in place relating to non-residential buildings.</p>
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<p><b>2. EXECUTIVE SUMMARY</b></p> <p>2.1 Following the tragic events that took place in the early morning of 14 June at Grenfell Tower, the Leader, on behalf of Croydon Council, extends his most sincere condolences to those affected by the fire.</p> <p>2.2 Council officers, signed up as local authority liaison officers, have provided, and continue to provide, support and services to the Royal Borough of Kensington</p>
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and Chelsea in their response to the residents of Grenfell Tower and the wider community, and to the London Borough of Camden in the decanting of certain of their blocks of flats.

- 2.3 This report sets out this council's immediate response to ensuring the safety and well-being of its own tenants and leaseholders, and of those using the council's buildings. It sets out the actions that have already been undertaken, together with a planned programme of further work to reinforce a robust approach to fire prevention and safety across the borough.
- 2.4 The first priority was to ensure, through surveys and testing, that the cladding on the 16 blocks where installed was safe in terms of the materials used and the construction method. This has been established to our and the London Fire Brigade's satisfaction.
- 2.5 The council has also visited all of its 1,100 blocks to carry out fire safety checks as a precaution.
- 2.6 An immediate decision was taken to install sprinklers in the 25 blocks of flats with 10 or more storeys with an eight-storey block used as retirement housing for older people added to this schedule.
- 2.7 In order to avoid unnecessary anxiety and concern amongst residents and in particular those living in taller buildings or blocks with cladding, information and advice have been given a high priority throughout. There have been regular communications with residents including letters to all those living in blocks with more than six storeys, door-to-door information drops and visits, drop-in sessions, and walkabouts by officers and councillors. Front-line staff such as caretakers and tenancy officers have been fully briefed so that they can provide consistent information to residents when undertaking their day-to-day duties. Residents have been more formally engaged in the planned programme of measures through the Tenant and Leaseholder Panel which discussed the council's fire safety response since the Grenfell Tower fire.
- 2.8 It is important to stress that the council sees the safety of residents as absolutely vital and has a strong history of investment in its housing stock on different types of health and safety measures. In terms of fire safety specifically, over £10m has been invested since the introduction of the regulatory reform (fire safety) order in 2005. Annual provision is made for the maintenance and servicing of all measures which have been installed. Current fire risk assessments are in place for all blocks for which assessments are required.
- 2.9 A fire safety board has been set up to provide governance for the programme of measures and reviews in relation to both the housing stock and other council-owned buildings for which we are responsible. In particular, the council is carrying out a fire risk assessment survey of schools together with further due diligence checks.
- 2.10 The council's response will be further developed should new advice, guidance or regulation be forthcoming, with updates provided subsequent to this report

as necessary.

2.11 The council has committed to fund the works to enable us to start procurement but we believe that the costs should be met by central government. In a letter to the Secretary of State for Communities and Local Government, the council has asked that the government:

- Remove the borrowing cap that limits how much councils can borrow to invest in housing
- Hand councils the power to set rent levels
- Allow Croydon to spend an element of money from right to buy sales on council housing safety improvements
- Reconsider introducing legislation that forces councils to sell off high-cost empty properties

2.12 The council has responded to an invitation to give its views and suggestions on the nature and scope of the public inquiry into the Grenfell Tower fire.

### **3 BACKGROUND**

3.1 Cllr Alison Butler, Deputy Leader and Cabinet Member for Homes, Regeneration & Planning gave a statement to Full Council on 26 June 2017; this summarised the council's immediate response, decisions and actions subsequent to the Grenfell Tower fire. The statement set out the guidance, advice and support for tenants and leaseholders that had been provided to date and gave assurances that this focus will continue. This report provides a full update of what has happened to date.

### **4 ACTION RELATING TO THE COUNCIL'S HOUSING STOCK**

4.1 The Grenfell Tower fire affected a housing block of 24 storeys. Croydon Council does not have any blocks of this height but does have a number of tall buildings, the tallest being 12 storeys. The profile of blocks is as follows:

<b>Number of storeys</b>	<b>Number of blocks</b>
10 or more storeys	25
Six to nine storeys	14
Three to five storeys	546
One to two storeys	515
Total	1,100

#### **4.2 Overview**

The council has been working very closely with the London Fire Brigade (LFB) to ensure that all properties meet fire safety standards. Within the first week following the Grenfell Tower fire, council officers visited every one of our 1,100 blocks of flats to double-check all safety measures and to offer advice and information to residents. A number of the visits to the taller buildings were carried out jointly with the LFB based on their selection of the blocks with the

highest priority.

### 4.3 Existing cladding systems

The first issue to be addressed was the cladding of blocks of flats in relation to both the materials used and the construction type. Of the 39 blocks of flats with six or more storeys, 16 have cladding but no block contains material similar to that of Grenfell Tower. However, we surveyed each building to ensure that the cladding did match the specification according to our records, which it did. The cladding in our blocks consists of a 3mm powder-coated aluminium panel containing a non-combustible mineral wool insulating material (supplied by the provider Rockwool). No glue or adhesive is used in the system. The cladding system used has very high fire-retardant properties. Because of the material used, we have not been required to submit the cladding for testing to the Communities and Local Government department although we have commissioned our own tests for completeness. In conjunction with independent consultant Maulyte Ltd, we confirmed that the method of construction, with curved and overlapping panels, is such that it provides fire barriers between floors to prevent the spread of fire. The insulation sits on the metal batten and is attached with a pin-type system to the original structure; the external aluminium cladding panels overlap the battens fixed to the original structure forming a fire barrier between the panels.

### Sprinkler systems

- 4.4 A further issue raised by the Grenfell Tower fire was the possible benefit of sprinkler systems in containing the spread of the fire. In Croydon, the council had already installed sprinkler systems in its six special sheltered blocks for frail older people; it also fits mobile sprinklers in individual flats in retirement housing schemes occupied by vulnerable older people.
- 4.5 The council made a commitment at the Cabinet meeting on the 19 June to fit fire sprinklers within 25 blocks of flats with 10 or more storeys, with an eight-storey block used as retirement housing subsequently added to this schedule. On 29 June, the contracts and commissioning board (CCB) considered a briefing paper setting out the proposed procurement strategy. Recognising the urgency of this work, CCB agreed that the council instruct Mulalley (the council's housing general building works partnering contractor) to commence lead-in activities including the approach to sub-contractors which specialise in such systems. In accordance with the existing terms of the partnering contract and the specification, Mulalley will provide the council with a quotation for the required works and there will be no requirement for a contract variation to be undertaken.
- 4.6 The full range of contract and project management tools, supported by a dedicated project team, will be applied to the entire process from design to quotation to ensure successful delivery. An officer from the LFB, who specialises in sprinklers, is supporting the council to ensure the correct safety standards are incorporated in the specification. The council will be appointing a specialist design consultant to provide additional technical and professional

support and advice.

- 4.7 The timeframe for sprinkler installation works is based on the need for both a quick response and a robust, achievable solution. A range of technical steps will be taken during August such as surveys, drawings and completion of the specification, with resident engagement during August and September. Works will start in October 2017 with final completion, subject to the leaseholder consultation, estimated as spring 2018.
- 4.8 These 26 blocks have been agreed as the foremost priority. However, the council is in ongoing discussions with the LFB which will enable us, over time, to identify other measures as recommendations are developed. Depending on any further measures agreed, this would have additional financial implications.

### **Other fire safety measures and processes**

- 4.9 Resident safety has historically and consistently been a high priority for the council in the investment in and management of its homes. With regard to fire safety specifically, relevant provisions are contained within the Regulatory Reform (Fire Safety) Order 2005 which, when introduced, brought together a range of provisions from various pieces of legislation. The order requires the owners of buildings to undertake risk assessments to enable them to identify, then remove or reduce risks. In blocks of flats, this responsibility relates to the non-residential parts of a building up to and including the front doors of people's flats. Enforcement (in Croydon as in the rest of London) lies with the LFB which has a range of powers and which works with individual local authorities to ensure that fire safety standards are met. The council has a long-standing and very strong, constructive relationship with the London Fire Brigade which has helped us to understand and discharge our obligations on an ongoing basis.
- 4.10 The council owns more than 700 blocks of flats for which fire risk assessments are required. Assessments are in place for all of these blocks. The council uses Frankham Consultancy Group to undertake the assessments on our behalf. There are various mechanisms for removing or reducing risk including, for example, smoke alarms, dry risers, fire doors and emergency lighting. These have all been subject to checks during the regular fire risk assessments but, as a further precaution, have been further checked during the recent programme of inspections.
- 4.11 **Historic and ongoing investment in fire safety**  
In the period since the introduction of the regulatory reform order in 2005, and taking into account the lessons from the Lakanal House fire in 2009, over £10m has been invested in the council's blocks of flats on a comprehensive programme of fire safety measures. This programme, based on fire risk assessments in all relevant blocks, and prioritised in agreement with the LFB, has been fully completed. The main measures included: renewing doors and

door frames to flats, cupboards and stores and in communal areas to fire safety standards (ie with a minimum of 30 minutes protection), and incorporating intumescent strips; introducing compartmentalisation of flats in lofts and fire-stopping between flats; renewing soffits, ceilings and duct panels in non-combusitble materials; renewing notice boards with fire-resistant models; and putting up signage.

- 4.12 Now that this comprehensive programme is complete, the main capital investment each year will be on newly arising requirements identified through ongoing fire risk assessments or as circumstances change. For example, we are currently introducing premises information boards which will provide information for fire fighters such as test certificates and the location of valves and; the location of vulnerable people will be kept securely inside blocks. Existing measures (for example automatic opening vents, dry risers and sprinklers) will of course require regular maintenance or servicing over time, and an allocation of £108,000 has been made within our cyclical works programme to address such maintenance; the level of funding will be set each year according to the need. Other expenditure, for example on repairs which arise as components break down unexpectedly or are damaged, is met through the annual responsive repairs budget. Urgent fire safety repairs and minor works are completed within seven days. Larger repairs, such as new doors which have to be manufactured to size, are completed within six weeks.
- 4.13 As well as the more formal fire risk assessments, all blocks with communal areas are subject to weekly checks by the council's caretaking staff to identify and address issues as they arise. These include, for example, checking communal areas for obstructions or combustible materials, and ensuring that fire doors are closed and fully operational. Any issues requiring follow-up actions are logged with regular monitoring to ensure they are completed. Caretakers and other staff will, as a matter of course, provide advice to residents about any behaviour which poses risks for example leaving obstacles in fire escape/exit routes.
- 4.14 Under the terms of the responsive repairs contract, repairs contractor Axis Europe is required to proactively identify maintenance issues and take appropriate repairs action when undertaking routine or requested maintenance works in flats or communal areas of blocks and estates. This ensures that problems are dealt with automatically rather than being referred through the council for a formal request, and it avoids administrative delays.
- 4.15 It is worth noting that the council makes extensive use of consultants and specialists in other organisations (as well as in the LFB), both historically and in relation to the programme currently being planned. This brings in expertise, best industry practice and independent checks of the council's own work and policies. Examples range from the undertaking of fire risk assessments, to policy and process reviews, design consultancy for specific projects, surveys,

project management and testing.

- 4.16 As well as its own stock within the housing revenue account, the council has also bought a number of properties, mostly individual or low-rise dwellings, under the *extending temporary accommodation* scheme, and has also leased accommodation from private owners. All properties procured are assessed under the Housing Health and Safety Rating System (HHSRS) to identify and address any risks and hazards prior to letting. All properties have a smoke alarm installed, and properties with solid fuel have a carbon monoxide alarm. Three blocks of flats (none of which have cladding) acquired through leases fall within the tower block category. Fire risk assessments for these were undertaken in January 2017 and there has been a thorough safety review as a result of recent events. Responsibility for fire safety currently rests with a management company but, with the extension of the leases about to take effect, will shortly transfer to the council. As with council blocks, the leased blocks are subject to more regular inspections to ensure that routes of escape are clear, and that fire doors, emergency lighting and smoke vents are fully functional.
- 4.17 A number of registered providers (RPs) of social housing have stock in the borough. All of these have been contacted about the nature of their stock and the actions they have identified to ensure the safety of their own tenants and residents. Some RPs will have blocks which do not meet standards and will be working with the LFB on remedial action; the council will provide support as necessary.
- 4.18 The council has been working with the LFB and with Communities & Local Government to understand the position in relation to private sector housing.

## **5 COUNCIL NON-HOUSING BUILDINGS**

- 5.1 The council owns a number of non-residential buildings for which the same fire safety obligations apply. These buildings include schools, libraries, leisure and community centres, and other premises for public use or in public areas, as well as office buildings. A total of 49 corporate buildings (excluding schools) are subject to a fire risk assessment under the terms of the Regulatory Reform (Fire Safety) Order 2005. All assessments are up-to-date or under commission. In addition to these formal assessments, which are reviewed annually, the facilities management operations team undertakes weekly visual safety checks of all corporate buildings to ensure, for example, routes of escape are kept clear. A full review of all current FRAs is being undertaken and will be complete by the 28<sup>th</sup> July.
- 5.2 The director of capital at the Education, Skills and Funding Agency has written to all bodies responsible for schools, requesting the completion of a fire risk assessment survey. Croydon Council is the responsible body for community schools in the borough but other responsible bodies include diocesan bodies,

academies and education trusts which will have the same responsibility to provide information about their fire risk assessment processes. The focus of the survey is on buildings which have four or more storeys or which have residential accommodation. We do not have any community school buildings of this nature.

- 5.3 Alongside the completion of this survey, the council is undertaking further due diligence checks across the school estate. A desktop study of all cladding used on our buildings will be completed alongside a physical assessment of buildings, if required. This proactive step will support school leaders and provide information for parents, carers, staff and governors.
- 5.4 The checks on the building materials will complement the fire risk assessments that are undertaken regularly in every school. These assessments ensure that robust fire prevention measures are in place alongside assurances that quick and safe evacuation processes are in place.

## **6. GOVERNANCE**

- 6.1 A fire safety board has been established by the council in conjunction with the LFB taking a council-wide view of fire safety arrangements. The first priority is co-ordinating the work across the housing stock detailed above, which will be followed by: a review of our approach to the wider council estate; a review of the building control service's processes; and a bringing together of information from other sectors including in relation to private buildings in the borough. The board is chaired by the executive director of place and reports to the chief executive.
- 6.2 The directors of district centres and regeneration, and of housing need, have been co-opted onto a similar fire safety board set up by London Councils which will give Croydon an influence in decision-making and campaigning, and provide the opportunity for learning about good practice across the capital.

## **7. CONSULTATION AND ENGAGEMENT**

- 7.1 There is a strong commitment to a continued engagement with tenants and leaseholders, schools, and residents in general.
- 7.2 We know that residents, in particular those living in blocks of flats, will have concerns, and we communicated with them to provide reassurance, advice and information about the measures which have been taken and which are planned. We have written twice to tenants and leaseholders living in the council's taller blocks of flats, giving specific information to those in previously-cladded blocks, and have also visited these blocks dropping written information and knocking on doors to give people a chance to ask questions and raise concerns (this achieved a roughly 50% response rate). We have written to those in medium-rise blocks (three storeys and above) also and to non-resident leaseholders (who have let out their homes). We have commenced a programme of fire safety drop-in sessions in the 39 taller blocks, running between 05 and end of

July and operated by staff from across the housing service. Throughout, we have briefed frontline staff to ensure that they give consistent and up-to-date advice. A special edition of Open House, the newsletter for council tenants and leaseholders, will be issued during July to give a full update. Similar letters have also been sent to the occupants of three temporary accommodation blocks leased by the council. Regular updates have also been sent to councillors and members of parliament, and a set of frequently asked questions (FAQs) placed on the council's website.

- 7.3 Residents have been engaged more formally through the Tenant and Leaseholder Panel, a board of residents which is consulted on and informed about policies and spending in relation to the stock, estates and services for residents. A detailed presentation was given to the panel at its meeting on 04 July 2017, and the chair and vice-chair of the panel have been notified about wider communications from the beginning. A range of service improvement groups covering different areas of operation (including the tenancy & caretaking, repairs, planned works and leasehold groups) will also have the opportunity to discuss related fire safety measures at their next round of meetings. The Resident Involvement Group considers the best mechanisms and timing for issues of concern and interest.
- 7.4 Where we are proposing to install sprinkler systems, there will be full engagement with the affected residents. As there will be different solutions and timetables for different blocks of flats, this engagement will be specific to individual blocks. We will be seeking legal advice on the position of leaseholders within these in relation to access, costs and so on.
- 7.5 Residents are often reminded to have regard for their own safety and that of others by making sure, for example, that they do not leave rubbish and obstacles in communal areas which can help the spread of fire or impede access through routes of escape. Such behaviour is currently identified and addressed by caretakers and other frontline staff, with obstacles removed and residents advised about the risks. The council will support the LFB in strict enforcement of safety rules in future and promote a safety culture intolerant of careless or irresponsible behaviour primarily through education, information and advice, but also, where necessary, through direct enforcement action against individuals. A new letter which reinforces this strict approach is being used in such instances. The council also supports the LFB in issuing advice to residents about what to do in the event of a fire. Tenancy officers have always included fire safety advice in their visits to new tenants. We are now issuing new leaflets to them, and these will also be placed on general notice-boards.

## **8. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 8.1 The estimated cost of the housing fire safety works detailed in this report is currently circa £10m. Further work is being undertaken to establish a more detailed cost estimate and this will be reported back to a future Cabinet.
- 8.2 At this stage these works will be funded within the parameters of the HRA's 30-year business plan in a way that maintains long-term sustainability, and work is

on-going to re-profile existing capital investment assumptions and identify other efficiencies across the management of the HRA that will support the delivery of this vital work. While, we have committed to undertake these works we believe that the Government should support these important safety works and have written to Sajid Javid MP, The Secretary of State for Communities and Local Government seeking funding accordingly as set out in paragraph 2.11.

### **1. The effect of the decision**

The decision to undertake these necessary safety improvements, if not funded wholly by the Government will put increased pressure on the HRA

### **2. Risks**

- The requirement for additional works to housing might increase funding requirements resulting in the HRA business plan becoming unsustainable within a shorter period of time than currently predicted
- Refusal of access to carry out works within individual flats will compromise the signing-off of works by the building control service
- Insufficient capacity in the specialist sub-contractor sprinkler market or that market scarcity and/or high levels of demand increase cost
- That commitment to maintain all homes to the decent home standard over time may be compromised in the short to medium term.

### **3 Options**

Not applicable.

### **4 Future savings/efficiencies**

Not applicable

Approved by: Lisa Taylor, Director of Finance, Investment and Risk, and Deputy S151 Officer

## **9. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

- 9.1 The Solicitor to the Council advises that legal advice has been sought in respect of leaseholders owning homes in blocks of flats subject to additional fire safety works and obligations under S20 of the Housing Act.
- 9.2 It is likely that during the course of the programme additional legal input may be required.
- 9.3 For the purposes of reviewing whether Mulalley would be suitable contractors to deliver sprinkler installation works to the priority blocks, external legal advice was provided in relation to the Council's OJEU publication, value of contract and other related procurement matters.
- 9.4 Approved by: J Harris Baker Director of Law and Monitoring Officer

## **10. HUMAN RESOURCES IMPACT**

- 10.1 There are no human resources impacts in respect of Croydon staff.
- 10.2 Approved by: Sue Moorman, Director of Human Resources

## **11. EQUALITY IMPACT**

- 11.1 Equality considerations were taken into account as part of the requirements defined within the original invitation to submit a solution documents (including the Term Partnering Contract) during the reprocurement of general building works to the housing stock, and the contractor is required to be compliant with the Equality Act 2010 and to ensure a focus on customer satisfaction and the diverse needs of the community. The contractor, and any sub-contractors, will be required to demonstrate that proposed works will ensure adequate access provisions for both the public and staff during the planning, consultation and delivery of works.
- 11.2 This report explains the responsibilities of residents in respect of fire safety. One particular issue that has arisen in recent times is the use of mobility scooters in retirement housing schemes, as these help vulnerable people to remain independent. To ensure that people can store these in an accessible located, the council has started a programme of installing storage provision; this will ensure the safe storage and charging of scooters whilst enabling convenient access.

## **12. ENVIRONMENTAL IMPACT**

- 12.1 The sprinkler installation and other fire safety improvements recommended contribute to ensuring the safety of tenants and leaseholders and will serve to educe the risk of the environmental and human loss and suffering that fires cause.

- 12.2 Mulalley's contract the opportunity of support for the council in a number of areas including reducing Croydon's CO<sub>2</sub> emissions and reducing in fuel poverty amongst Croydon's housing residents.
- 12.3 In accordance with the contract terms and where required, Mualley will produce site waste management plans for any works and the Council is satisfied that they will contribute to reducing Croydon's CO<sub>2</sub> emissions and result in a move to more sustainable components and products.

### **13. CRIME AND DISORDER REDUCTION IMPACT**

- 13.1 Installation of sprinkler systems will reduce the risk of disorder arising from a major incident.
- 13.2 There is increased risk of disruption from anti-social behaviour associated with setting off sprinkler systems.

### **14. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 14.1 Not applicable.

### **15. OPTIONS CONSIDERED AND REJECTED**

Not applicable.

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**CONTACT OFFICER:** *Stephen Tate, Director of District Centres and Regeneration extension 47446*

### **APPENDICES TO THIS REPORT**

None

### **BACKGROUND PAPERS**

None