

Housing Select Committee			
Report Title	Update on Fire Safety Arrangements Following the Grenfell Tower Fire		
Contributors	Executive Director for Customer Services	Item	5
Class	Part 1 (Open)	Date	5 July 2017

Reasons for Lateness and Urgency

This report is late owing to the developing nature of the situation and the time needed to collate as much information as possible, including from third parties and other stakeholders, so as to provide Housing Select Committee with the most up to date detail possible.

The report is urgent and cannot wait until the next meeting of the Housing Select Committee on 6 September 2017 because the events to which it refers are topical and the next steps set out in this report need to be enacted as soon as possible. It is also in the public interest for the information to be made available in a timely manner and before the recess of the committee.

Where a report is received less than 5 clear days before the date of the meeting at which the matter is being considered, then under the Local Government Act 1972 Section 100(b)(4) the Chair of the Committee can take the matter as a matter of urgency if he is satisfied that there are special circumstances requiring it to be treated as a matter of urgency. These special circumstances have to be specified in the minutes of the meeting.

Introduction

1. This report provides the Housing Select Committee with an update on the national, London-wide and (in particular) Lewisham response to the Grenfell Tower fire in Kensington & Chelsea.
2. As part of the Lewisham response, this report sets out action being taken in light of the failure, following testing, of cladding on three Council-owned buildings.

Recommendations

3. Members of the Housing Select Committee are asked to:
 - i) Note the contents of this report and specifically actions being taken following the failure, following testing, of cladding on three Council-owned buildings as set out in paragraph 42;
 - ii) Note the next steps sets out in paragraph 100.

Background and context

4. During the early hours of 14 June 2017, Grenfell Tower, a 24 storey social housing block in Kensington & Chelsea, was engulfed and destroyed by fire. The most up to date statement on this terrible tragedy, provided by the Metropolitan Police, confirms 80 people dead or missing presumed dead. Due to the scale of the damage caused by the fire, the Police have advised that the final death toll may not be known until the end of the year. At the time of occupancy, the building comprised some 127 units and was home to an estimated 600 residents.
5. In the week following the blaze, a malfunctioning appliance was identified as the cause of the tragedy. The specific reason why the appliance failed and why the fire progressed so rapidly are still unknown and subject to further investigations. However, in the immediate aftermath of the fire, concerns have been raised as to whether cladding, used as thermal insulation on the building, might have been a contributory factor. These concerns resulted in calls for precautionary checks to establish whether specific types of cladding could pose a fire risk to high-rise blocks elsewhere in the country.
6. The unprecedented scale of the Grenfell Tower tragedy, the horrific loss of life and impact upon victims' families and friends, resulted in a wider series of questions about the efficacy of civil contingency planning, impact of public spending cuts and suitability of regulatory controls. The immediate and longer term ramifications of these issues in terms of housing and other construction related policy and oversight are still to be worked through.

National response

7. A summary of key elements of the Government's response to the Grenfell fire is set out under the sub-headings below.

Emergency support to victims

8. In the days following the fire, the Prime Minister, Theresa May, announced that a full Public Inquiry would be held to examine the causes. The Government also announced a £5m support fund for victims of the blaze.
9. On the 15 June the Government launched a dedicated webpage which signposts victims to emergency funding, housing advice, counselling services, bereavement support, legal advice and other services. For those concerned about the possible risk of faulty white goods, the site provides details of the exact make and model of fridge freezer, believed to have been the cause of the Grenfell blaze.

Government guidance on fire safety checks

10. On the 18 June 2017, the Department for Communities and Local Government (DCLG) issued guidance to local authorities on fire safety checks. At the time, whilst acknowledging the exact reasons for the fire are still to be determined, the DCLG published guidance where they "*concluded that there are additional tests*

that can be undertaken with regard to cladding". As a consequence, the Government asked that local authorities and other registered providers of social housing to identify whether any panels used in new build or refurbishment are a particular type of cladding made of Aluminium Composite Material (ACM). To facilitate the identification, the Government asked local authorities to provide samples of ACM material for testing at Government approved laboratories.

11. The above-mentioned DCLG guidance was updated on 22 June with additional information for local authorities if, following testing, it was determined that the insulation within ACM is unlikely to be compliant with the requirements of current Building Regulations. In such an event, authorities are directed to notify the local fire and rescue service's fire safety/protection department, who will carry out an urgent inspection with the 'responsible person' to ensure that they are identifying and introducing appropriate interim measures.
12. For buildings protected by an automatic sprinkler system (or equivalent fire suppression system) the advice is that further interim measures may not be necessary before replacing the cladding. However, if the building is not protected by a suitable suppression system, appropriate consideration should be given to a range of measures, which have been attached to this report as Appendix A (1).
13. The updated guidance, issued by DCLG and attached at Appendix A (2), makes clear that the above-mentioned interim mitigating measures must be implemented immediately to ensure the safety of residents, pending replacement of the cladding.
14. On 30 June, DCLG issued an update to all authorities in relation to its testing process specifically, and the overall situation post-Grenfell more generally. The key points of that update were:
 - The BRE testing process had identified that the cladding from 160 buildings, in 47 local authority areas, had failed the testing process;
 - Every sample tested so far has failed the test;
 - Nationally, the Government believes there are around 600 buildings that may have ACM cladding that needs to be tested;
 - Regarding the reliability of the testing regime, the BRE issued the following statement:

"The tests that are currently being conducted are a screening test to identify which ACM panels are of concern. It tests the filler – the core of the panel – to check if it is of limited combustibility (category 1) or not (category 2 or 3). This is in line with the requirement of the Building Regulations guidance."

"The filler is one element of the overall cladding system."

"If the panel core fails the test we would expect the landlord to take the recommended interim fire safety measures issued on 22 June."

"The Panel will engage with experts across the country to consider whether these panels can be used safely as part of a wider building external wall system, and therefore could remain on a building under certain approved"

circumstances. If, in the meantime, the responsible person for the building chooses to take down and replace cladding, care should be taken to consider the impact that removal may have on the other wall elements, especially insulation, and therefore on the overall fire integrity of the building as well as other Building Regulation requirements. The advice of a competent professional who specialises in the fire performance of cladding assemblies should be sought to assist in these considerations.”

15. As of 2 July, 181 high rise blocks (across 51 local authorities) where ACM cladding had been sampled, had all failed fire safety tests.

Public inquiry and wider investigations

16. In a statement on 29 June, the Prime Minister announced that Sir Martin Moore-Bick, a retired Appeals Court Judge, would chair the Grenfell Fire Inquiry. As a lawyer, Sir Martin specialised in commercial law and spent more than 20 years as a judge of the Commercial Court and Court of Appeal until his retirement in 2016.
17. The Inquiry will be established under the 2005 Inquiries Act, with full powers, including the power to compel the production of documents, and to summon witnesses to give evidence under oath. The Inquiry will be held in public.
18. In her statement, the Prime Minister made clear that the immediate priority is to establish the facts of what happened at Grenfell Tower in order to take the necessary action to prevent a similar tragedy from happening again. But beyond that immediate focus, the Prime Minister stated that it is also important that the wider lessons from the Grenfell Tower catastrophe, and the inspections of other buildings around the country that followed it, are identified and learnt.
19. Before the Inquiry starts Sir Martin will consult all those with an interest, including survivors and victims’ families, about the terms of reference. Following that consultation, Sir Martin will make a recommendation to the Prime Minister, who will then return to Parliament with the final terms of reference. The Inquiry will then begin its work.
20. In addition to the above, Communities Secretary Sajid Javid announced a new independent expert advisory panel to advise on any immediate measures that can be put in place to make buildings safe following the Grenfell Tower fire. The expert panel will look at any immediate action that is required so the public can be confident that everything possible is being done to make all public and private buildings safe as quickly as possible. The Panel will be made up of a range of building and fire safety experts and will be chaired by Sir Ken Knight, former London Fire Commissioner and former Government Chief Fire and Rescue Adviser.

London-wide response

21. A summary of key elements of the London-wide response are set out under the sub-headings below.

Grenfell fire response team

22. On 18 June, it was announced that a Grenfell Fire Response Team had been set up to support residents affected by the fire. The team includes London-wide local and regional government, central government, British Red Cross, Metropolitan Police, London Fire Brigade and many different local and national voluntary groups.
23. The Team is being led by John Barradell, OBE, Chief Executive of Corporation of London, and a Gold Command Centre has been set up to manage the response. Through the establishment of the Response Team, the aim is to help ensure that the unprecedented local and community effort initiated in the days after the fire can be better targeted and focused, supplemented by multi-agency assets. Located a short distance from Grenfell Tower, the Response Team is providing 24 hour support to those affected by the fire who need help with housing, emergency funds, health and social care services.

Regional co-ordination between councils and housing providers

24. At regional level there has been liaison between local authorities and the G15 group of the largest housing associations. As Executive Member for Housing at London Councils, the Mayor Sir Steve Bullock, attended a meeting with G15 chief executives along with the chair of London Councils and the Deputy Mayor of London for Housing where the importance of close communication between Registered Social landlords and councils has been emphasised.

Support from Lewisham

25. Since the tragic event at Grenfell, staff at the London Borough of Lewisham have been deployed to assist in several ways. Lewisham's Chief Executive, Barry Quirk, was on-site in the week following the fire and is supporting the borough by providing interim leadership as Head of Paid Service. He is accompanied by the Heads of Strategy and Public Services
26. In addition, following the activation of the pan-London emergency planning protocol, trained volunteers from Lewisham's workforce were deployed to Kensington & Chelsea to assist in the rest-centre activity. Lewisham has also identified emergency accommodation that it is able to provide and passed this information to the relevant co-ordinator should the borough's assistance be required in housing any residents who lost their homes.

Sampling and testing of cladding

27. In line with national guidance, a number of London local authorities have submitted ACM samples for testing by Government approved laboratories. Across the wider London region, tower blocks in Brent, Barnet, Hounslow, Islington, Lambeth, Wandsworth and Camden have all failed these tests. Of these, Camden became the first London local authority to announce an evacuation of high-rise blocks. The decision, which was taken on the 23 June, followed a joint fire safety inspection

between the Council and the London Fire Brigade. It is understood that the reason for the evacuation was due to numerous other fire safety failures, not just those related to cladding. The Camden evacuation affects four tower blocks (home to approximately 650 households and 4,000 residents). A statement on the Council's website sets out that residents are being evacuated for a period up to four weeks whilst remedial works are undertaken to make the blocks safe.

Lewisham response

28. Lewisham's response to the Grenfell tragedy has been led by the Mayor, Sir Steve Bullock. On 16 June, a statement from the Mayor, posted on the Council's website, extended condolences to the victims and their families and noted that: *'The terrible consequences of the fire at Grenfell Tower have shocked us all and our thoughts and prayers are with the victims, their families, and those who have lost their homes'*.
29. Recognising the need for a risk-based and proportionate local response, the statement went on: *'Although it will take time for the full causes to emerge, I am clear that we need to very quickly assess the implications for the high rise and tower blocks in our borough. Kevin Sheehan, the Executive Director responsible for housing, has written to me today outlining the steps we are taking.'*
30. The statement concluded with a commitment to support the ongoing efforts in Kensington & Chelsea: *'We have today sent a number of officers to the Royal Borough of Kensington and Chelsea to help their staff in running rest centres and supporting residents made homeless by the fire. We stand ready to offer further support along with our fellow boroughs across London. We are also encouraging those residents who want to help to donate to the Grenfell Tower Appeal set up by the Kensington and Chelsea Foundation.'*
31. In a further statement on 23 June, the Mayor announced that Barry Quirk would be joining Kensington & Chelsea Council to help stabilise their managerial structures following the resignation of their Chief Executive. The statement made clear that the temporary arrangement would be in place whilst Kensington & Chelsea identify and appoint a replacement chief officer. In addition to Barry, two other Lewisham Council Heads of Service have been assigned to support the ongoing effort in Kensington & Chelsea.
32. Correspondence relating to the above, appears at Appendix B (1-3) of this report.
33. In Lewisham, there are 152 tower blocks (over 6 stories in height) of which 81 are Lewisham Council owned (71 Lewisham Homes, 10 RB3) a further 58 are Registered Providers (RP) and the remainder are private.
34. The Council initiated an immediate and robust response to the Grenfell Tower disaster, to safeguard and reassure its residents as far as that is possible in the circumstances. It is important to note that the response took a number of approaches, which is necessary because of the varied ownership of tall buildings in Lewisham and the varied regulatory framework that applies as a result.

35. In the following sections these varied responses are set out, alongside a summary of how that response is appropriate given the regulatory framework that applies.

Response in relation to council homes

36. Lewisham Council is a Registered Provider of social housing in the same way as the other housing associations operating in the borough. This means that overall the regulatory relationship is between the Council and the Homes and Communities Agency (HCA). The HCA regulates providers in relation to a set of regulatory standards, of which the requirement the “Home Standard” that all RPs shall “meet all applicable statutory requirements that provide for the health and safety of occupants in their homes” is relevant to fire safety.

37. As a result of the Council’s established strategy for stock ownership, management and investment, which has been in place since the Lewisham Housing Commission of 2001, operational management of Council homes is undertaken by two organisations. These are Lewisham Homes, an ALMO and RB3, which is a special purpose vehicle for homes in Brockley as part of a PFI arrangement.

38. Under these contractual arrangements, the Chief Executives of the ALMO and PFI are the “Responsible Person” for their respective organisation and as such are ultimately responsible for the management and safety of homes, fire safety and general health & safety obligations. The Council oversees the arrangements that are put in place by its contractors in order to ensure that they are robust and that the contractors’ obligations are being satisfactorily met.

39. For the homes overseen and regulated in this way, then, the Council has a clear responsibility to respond strongly to events such as Grenfell and the capacity and control to be able to do so.

40. Immediately following the fire, Council officers met with both organisations to review the processes they had in place and to seek assurances that they were taking action wherever risks had been identified. Since 15 June, Lewisham Homes has been sending staff to a number of tower blocks around the borough to provide fire safety advice and answer questions from residents. They have also written to residents in the properties to provide them with up to date information and to ensure that they know who to contact with any fire safety questions and to remind them of agreed fire evacuation notices and safety procedures. For both Lewisham Homes and RB3, all their properties have up to date Fire Risk Assessments (FRAs).

41. Following on from the initial steps that were taken, and in line with DCLG guidance, both Lewisham Homes and RB3 reviewed the cladding on all blocks of six stories or higher, to establish any that had cladding systems which might need to be tested in line with the Government programme to do so. That exercise revealed that no blocks under the management of the PFI should be tested, but that six blocks managed by Lewisham Homes should. Those blocks were as follows

- Hatfield Close 1-48, SE14
- Hatfield Close 49-96, SE14
- Gerrard House, SE14

- The White House, SE14
- Daubeney Tower, SE8
- Eddystone Tower, SE8

42. Accordingly, surveyors working for Lewisham Homes attended these sites, and took cladding samples which were submitted for testing as part of the DCLG programme. At the time of writing this report, three blocks are now confirmed to have failed ACM fire safety tests. As a result and in line with advice from the London Fire Brigade, Lewisham Council and Lewisham Homes have ordered the removal of cladding from the following buildings:

- 1–48 Hatfield Close, SE14
- 49–96 Hatfield Close, SE14
- Gerrard House, SE14

43. Further to these results, DCLG have confirmed that The White House does not have ACM cladding and as a consequence does not need to be tested as part of this regime. In any event Lewisham Homes will be testing all cladding irrespective of whether or not it falls within the ACM bracket.

44. A statement from the Mayor, Sir Steve Bullock, released on 29 June confirmed the results of Government fire safety tests and advised that the removal of external cladding from the three buildings had been ordered. In the statement, the Mayor assured residents that, based on the advice of Lewisham Homes and the Fire Service, he was satisfied that the buildings did not need to be evacuated and that the removal of the cladding will be achieved with the minimum of inconvenience to residents. The Mayor went on to make clear that safety is the top priority and that consideration is being given to extending Lewisham Homes' sprinkler programme to include other tower blocks, guided by advice from the LFB and the Government's expert panel, established in the wake of the fire. The statement adds that additional measures will immediately be introduced including a 24 hour fire warden service.

45. A similar statement from the Chief Executive of Lewisham Homes was also released.

46. London Fire Brigade carried out an intrusive survey on the two buildings at Hatfield Close on Thursday 29 June and at Gerrard House on Sunday 1 July. Although LFB has not yet submitted its reports to Lewisham Homes, the matters raised on site at Hatfield Close can and will be resolved quickly.

47. Confirmation is still awaited from the BRE of the precise cladding type in relation to Eddystone and Daubeney Towers on the Pepys Estate. However, indications are that the cladding is made of a single sheet of metal rather than ACM. Nonetheless Lewisham Homes will undertake the same rigorous assessment of fire safety that has been overseen by the London Fire Brigade.

48. The Committee may be aware that it has been reported that the London Fire Brigade wrote to all landlords to set out the potential risk of cladding on tower blocks. This letter was received in May, two weeks month before the tragic events at Grenfell House. Officers across all relevant departments were apprised of the

letter from the Fire Brigade following the fire in Shepherd's Bush and ensured they were well-informed as to its content. The Council further advised Lewisham Homes that in light of the advice contained in the letter they should renew their fire risk assessments to incorporate any new guidance. Lewisham Homes has confirmed it has begun to incorporate this new guidance into future FRAs.

49. Lewisham Homes is in the process of commissioning specialist consultants and contractors to conduct invasive surveys of the ACM-cladded buildings to assess whether further fire safety measures need to be addressed.
50. Further to the initial response targeting any Lewisham Homes' stock which is both over six storeys and fully clad, site operatives have identified a group of five blocks in the Dacres Road Estate in Perry Vale which, while mainly constructed of brick, appear to have a cladding-type material on one side. As a priority this material is being put through the same rigorous process as the cladding of the initial six blocks to enable us to establish with total certainty the structure of the material and whether it should be removed as a precaution. Further to this Lewisham Homes are reviewing all remaining stock over six storeys to identify whether there is any amount of clad-type material on blocks which are primarily constructed of brick or concrete.

Response in relation to registered providers

51. Registered Providers are independent organisations regulated by the Homes and Communities Agency. They are important partners of the Council and as such, excellent partnership arrangements and relationships exist. Nonetheless, the registered providers themselves are responsible for their own buildings and residents and, while the Council continues to use its leverage and work together in strong partnerships with these providers, it has no formal oversight or regulatory role or powers.
52. The same regulatory standards that apply to the Council as a Registered Provider also apply for these organisations, and again the specific section of the "Home Standard" is relevant here.
53. Following the Grenfell fire, the Executive Director for Customer Services wrote to all registered providers operating in Lewisham asking them to provide an update, so that the Council could be assured about the actions they were taking in response to the circumstances at Grenfell Tower. A log of the correspondence from the Council in relation to RPs is contained here as Appendix C.
54. Specifically, registered providers were asked to confirm that all fire risk assessments are up to date, that they are taking active steps to reassure tenants of tower blocks, and to ensure that tenants are aware of all relevant fire-safety procedures. In addition, registered providers were asked to identify any other active measures they are taking.
55. Officers remain in close contact with all providers, with a specific focus on providers who are establishing the cladding type on high buildings in the borough. The initial information received was that there were a potential 61 tall buildings owned by RPs

that were being reviewed for their cladding type. Over the two weeks since the Grenfell fire officers have been in close liaison to maintain an accurate and up-to-date position.

56. Over that time the majority of the tall buildings potentially under consideration have been established not to have the ACM cladding that the Government is testing. Officers remain in close contact with our RP partners, in relation to both the testing process and scenario planning in the event of test failures, and this report will be updated with the latest information drawn from that arrangement as it is received by the various committees in the coming weeks.
57. On 28 June David Orr, the Chief Executive for the National Federation of Housing, which is the representative body for Registered Providers in the UK, made the following press statement:

"Since the tragic fire that took place at Grenfell Tower on Wednesday 14 June, colleagues across the housing sector have been doing everything they can to reassure residents and take action to make homes safer. This includes urgently submitting data and samples to the Government's testing programme.

"These tests were the right thing to do, but the results are now conclusive: ACM cladding simply does not pass these tests and is deemed unsafe. Across the country, valuable resources – from specialist equipment to expert time – are being poured into a testing process of which the results are already known.

"We are calling on the Government to halt the testing on ACM cladding and shift its focus to making people safe.

"It is highly likely that this means removing the cladding from hundreds of buildings we were assured were safe - including hotels, private sector blocks, hospitals and student accommodation.

"This process has powerfully demonstrated a systemic failure in construction, manufacturing and the way that regulation has been applied. Putting this right will require a strategic look at the issue of fire safety in buildings as a whole, as well as clear prioritisation and funding from Government – the costs should not fall on the residents of these properties."

Response in relation to private landlords

58. Private landlords are responsible for their own buildings and, unlike Councils and RPs, their housing management is not regulated by the HCA or any other government body. As landlords however they still have legal responsibilities in relation to health & safety, including fire safety. There is still a "Responsible Person" for these buildings, which is the person who has a contractual or tenancy obligation for the maintenance, repair of safety of a premises, which is generally the landlord.
59. In relation specifically to fire safety, the Responsible Person of properties that have shared communal spaces – which all tall buildings are likely to – is required to

undertake Fire Risk Assessments and to act upon any issues which these Assessments identify. Regulation and enforcement in this regard is a function of the London Fire Brigade, whose Inspectors have legal powers, where it has reason to believe it is necessary, for example to enter property, make enquiries, and require the production of information.

60. The Council's main powers to enforce fire safety in residential premises are in the Housing Act 2004. The powers are based on the Housing Health and Safety Rating (HHSR) System. One of the potential hazards is fire. The Council has a range of powers to take enforcement action, comprising improvement notices, prohibition orders and hazard awareness notices. It can also take emergency measures, i.e. emergency remedial action and emergency prohibition orders. The use of these powers depends on whether the fire hazard is assessed as a Category 1 hazard or a Category 2 one.
61. There is Operating Guidance issued under the Housing Act, which describes how the risk assessment of private properties should be carried out. The key points are that officers assess potential hazards on a risk-based and proportionate approach, and when risks are assessed this is done in line with the guidance, by evaluating the likelihood of an occurrence and of the probable spread of harms that could result if it did occur.
62. In practice this means that the areas of greatest risk are pro-actively targeted, while officers respond to specific complaints from residents and others in all other cases. Over the past four years the Councils approach to private sector landlords has been to focus proactively on those known to present the greatest risks. A Rogue Landlord taskforce has taken effective action on cases of greatest concern. More recently, following extensive consideration and scrutiny at the Housing Select Committee the Council has introduced a licensing scheme for HMOs above shops, in addition to its licensing of statutory HMOs.
63. Following the fire at Grenfell Tower, and as set out throughout this report, officers have been in close contact with the landlords of privately owned tall buildings in Lewisham. The response to this from landlords has been extensive, and is on-going. It is detailed at Appendix R. As a result officers are confident that they are currently following the guidance as it stands at present.
64. Furthermore it should be noted that there has not been any evidence before the Grenfell Tower fire of privately owned tall buildings presenting risks or causing complaints. In addition the precise cause of the Grenfell fire is not yet known. Officers will now follow closely any further or different Guidance issued by Government as the evidence for the cause of the Grenfell fire becomes known, and the nature of the Government's legislative and regulatory response – if any - becomes clear.
65. The Council also has two principle functions in relation to the development phase of new buildings, which are also relevant for the purposes of this paper – Planning and Building Control. Each has different roles and responsibilities, which are explained in more detail below.

66. Planning is the process by which we manage how our towns, cities and countryside are developed. The considerations for planning include the use of land and buildings, the appearance of buildings, landscaping considerations, highway access and the impact that the development will have on the general environment.
67. The planning system works alongside a number of other regimes including building regulations. The granting of planning permission can be just one of a number of approvals that a developer will require before a development can be carried out. Where planning permission is needed, it is generally the case that Building Regulations approval will also be necessary. However, many works, such as internal alterations, do not require planning permission but may still need Building Regulation approval. Matters such as fire safety are generally not material planning considerations as they are controlled by other legislation and the government makes clear that planning authorities should not seek to duplicate controls.
68. Building regulations set standards for the design and construction of buildings to ensure the safety and health for people in or about those buildings. Part B deals with fire safety.
69. Building Regulations are set nationally and all developers and construction companies, public or private sector, must follow the same regulations. Not all Building Regulations approvals are carried out by the Council. Approved Inspectors from the private sector can be engaged by contractors to provide this service; in Lewisham for example, the Council's Building Control service accounts for around 60% of the market, with the private sector making up the difference. Appendix D outlines the scope of Building Regulations in more detail and their relationship to other regulatory controls such as the Regulatory Reform (Fire Safety) Order 2005.
70. During the construction and design process, Building Regulations set out the standard of construction and materials to be used in relation to fire safety. Approval of Building Regulations is provided by the relevant Building Control Body (BCB). Following completion of developments, it is the responsibility of the building owner or manager to ensure that fire risk assessments are completed and other fire regulation requirements are adhered to. Authority to control, monitor and enforce these regulations depends on ownership of the building, as set out previously in this report.
71. In addition to statutory powers set out above, the Council has a role as a scheme provider or promoter. These roles are explained below.

Council schemes

72. For Council developments - i.e. those which the Council is delivering itself, appointing its own contractor – the Council controls elements such as fire safety throughout the design and construction process, providing a project management and approval role as client throughout each part of the process. In addition, the Council's Building Control department provides Building Regulations approval where it is required; this involves regular site visits throughout the construction process, taking photographic evidence and samples where necessary of materials.

Sign off and approval is granted through stages of construction before final sign off following practical completion.

73. Once built, the building manager - in the case of Council owned residential properties, Lewisham Homes - has responsibility for ensuring all fire and risk assessments are completed and any remedial works/actions are completed.

Schemes where the council is partner

74. There are regeneration schemes across the Borough where, although the Council is not delivering directly, it is a partner either legally through a development agreement (or similar) or through promotion together with other public sector bodies.
75. The Council relies on its development/construction partner to provide the oversight and management throughout the design, specification and construction process, and ensure that the development meets all required Building Regulations. The Council will of course be party to elements of this through programme/project governance and in most cases will provide sign off through interim and completion certificates. As when delivering its own developments, the Council holds its partners to the same standards in relation to fire safety and national Building Regulations.
76. All of these schemes will require Building Regulation approval, not all of which has been provided by the Council's own department.

Schemes where the council is a promoting partner

77. For regeneration schemes where the Council is simply promoting a scheme, and has no formal involvement, the Council's influence and powers are much more limited. In this instance, the Council would expect of the developer to build and provide high quality buildings which meet all nationally set building regulations and health and safety standards.

Response in relation to privately owned tall buildings

78. As part of the same process of seeking reassurance following the Grenfell tragedy, the Executive Director for Customer Services has written to private landlords seeking their confirmation that they are discharging their legal duties as the "Responsible Person" for fire safety. Specific reassurances have been sought that all fire risk assessments are up to date, that they are taking active steps to reassure residents who live in high-rise properties and to ensure that residents are aware of all relevant fire-safety procedures. This letter also asks that landlords identify other active measures being undertaken. Examples of the letters sent to landlords are contained within Appendix R.
79. Again, officers created an initial list of tall buildings owned by private landlords in the borough. The initial assessment was that there were a total of 13 tall buildings owned by private landlords. Officers have sought further information and assurance about those buildings. The focus has been on obtaining reassurance

that landlords were fulfilling their legal requirements as “Responsible Person” for their buildings. Specific reassurances have been sought in relation to the cladding type that has been used, the engagement of the landlord in the Government’s testing process as appropriate, and more broadly that landlords have completed and actioned FRAs and provided reassurance about fire safety to their residents.

80. Appendix E contains a summary of the 13 buildings, and a summary of what the landlords have provided to this information request. This is presented a similar summary in relation to Council and RP tall buildings. Generally this list focusses on the cladding testing process.

81. Appendix R contains all of the proforma and other written responses that have been received from the relevant landlords in relation to these 13 buildings.

82. Appendix I contains a summary of the review of known information about regeneration schemes and tall buildings undertaken by officers in relation to Planning and Building Control, irrespective of the Council’s involvement in their development. An overview of their location and approved materials. A similar exercise is now being undertaken for non-residential buildings in the Borough.

Engagement with residents and other stakeholders

83. The Council, working with local partners, has taken active steps to engage residents and other stakeholders following the Grenfell Tower fire. As part of this, there has been an extensive programme of early engagement with residents living on estates where concerns exist about cladding.

84. Communication and engagement has been targeted and timely. This includes statements, on the day of the Grenfell Tower fire, providing fire safety advice and assurance to residents and others on the 28 and 29 June, issued in light of the failed ACM fire safety tests at three Council-owned properties, to set out next steps.

85. In addition to the above, there has been ongoing engagement with ward councillors and the local MP as well as extensive and co-ordinated liaison with central government, partners and other stakeholders.

Response to questions in in relation to tall buildings

86. On 22nd June the Chair of the Overview and Scrutiny Committee wrote to the Chief Executive requesting full disclosure of information relating to tall buildings in Lewisham. This letter (and the initial response to it from the Chief Executive Barry Quirk) are attached at Appendix K (1-2).

87. On 23rd June the Chief Executive wrote in reply, stating that the information requested, as far as is available, would be made available at three separate committee meetings as follows:

- Housing Select Committee, 5 July
- Overview and Scrutiny Committee, 11 July

- Sustainable Development Select Committee, 17 July

88. This report therefore provides the first of those responses. The main body of this report contains all of the information available to officers at the time of despatch. It is being kept under review and officers continue their dialogue with Government, with Lewisham Homes and RB3, with RPs operating in Lewisham and with private landlords. Further information that arises from this will be used to update this report ahead of future meetings, where relevant and appropriate.

89. The letter from the Chair of the Overview and Scrutiny also asked, as well as for disclosure of known information, some specific questions in relation to regeneration schemes. For completeness and for the avoidance of doubt, these are listed below with responses drawn from the body of information contained in this report.

What is the type of cladding used in Loampit Vale?

90. See appendix I and R for the information received from developers and RPs and for the information that officers have collated from planning and building control files. Barrett London has confirmed that there is no ACM cladding in its blocks on Loampit Vale. L&Q has confirmed the same.

Is this the same type of cladding used at Grenfell Tower? If so is the developer to replace this now?

91. No.

Have the developer and landlords undertaken a review since the Grenfell tower fire?

92. See appendix R for all correspondence from all private landlords. In this all landlords describe their response to the fire and the additional checks that have been made. Barrett London has confirmed that it “*has undertaken a review of the development taking into account all of the elevational materials around the development, fire safety measures which include sprinklers in many of the buildings, dry and wet risers and mechanical smoke ventilation systems. We have also reviewed our Fire Risk Assessments to ensure that all appropriate management measures are in place*”.

What has Lewisham Council requested, or demanded, of the developer?

93. Please see the log of information requests contained at appendix C and again the summary of responses at Appendix R.

Has a review of materials proposed for the current construction been undertaken?

94. As set out above, the relevant landlords have confirmed that none of the blocks on the Loampit Vale development contain ACM.

95. Also, as set out in Appendix R Muse has confirmed that none of the buildings in Phase 1 of the Lewisham Gateway development contain ACM either.

96. The current planning stage for Phase 2 of the Lewisham Gateway scheme is an amendment to the existing outline consent. This means that there are no details yet of the proposed materials, and these will be considered as part of future reserved matters applications.

In relation to other regeneration schemes:

(i) *How many other regeneration schemes have tall buildings that could be affected, and where are they sited?*

97. See appendices I and R that set out all of the information collated by officers in relation to residential tall buildings

(ii) *Can non-residential tall buildings be considered too*

98. Yes – although at present officers are focussing on tall residential buildings, as set out extensively in the appendices, we continue to liaise with partners in all sectors who have tall buildings.

(iii) *Will a review be undertaken?*

99. Yes – officers intend to carry out a review of non-residential tall buildings.

Next steps

100. It is important to note that the situation following the Grenfell fire is both fluid and fast-moving with a great deal still unknown. In the days, weeks and months to come, lessons will be learnt which will further enhance local planning, inter-agency engagement and cross-borough co-ordination.

101. In the short term and out of an abundance of caution, Lewisham, in common with local authorities up and down the country, is taking appropriate steps to identify and mitigate risk. In the medium-term (contingent on results of ACM sample testing) the local authority will take appropriate measures in line with national guidance and expert advice to keep residents safe. In the longer term, the findings of a public inquiry and wider investigations into the tragic events at Grenfell Tower, will also provide further opportunities to learn lessons.

102. Going forward, a key issue that will need to be resolved is that relating to the cost of operating in the new normal of post-Grenfell building safety and regulatory oversight. The official position from Whitehall is that once inspections are completed and the necessary work identified, DCLG will work with housing associations and local authorities to identify the most appropriate options for supporting funding. In the absence of a firm commitment from Government, a recent statement by the Local Government Association, responding to the Grenfell Tower fire, made clear that: *“We also continue to press the Government to ensure councils have the funding they need to support residents and carry out any new safety measures.”*

103. Council members will be kept apprised of developments, with additional reports presented for scrutiny at the appropriate time.

Financial implications

104. The purpose of this report is to update members on the Fire Safety Arrangements Following the Grenfell Tower fire. As such, there are no direct Financial Implications arising from this update.

105. The work currently being undertaken to ensure all fire safety arrangements are up to date, including associated fire testing and fire patrols relating to LBL owned housing will be covered by existing HRA management, repairs & maintenance and capital allocations.

106. As the situation develops, further detailed financial implications will be provided on each individual issue as they are reported on.

Legal implications

107. The Council is a body corporate having a number of statutory obligations that it must comply with. In this context, pursuant to s. 3(1) of the Health and Safety at Work etc Act 1974, (as amended,) the Council as an employer has the duty to conduct its “undertaking” in such a way as to ensure, so far as is reasonably practicable, that persons not in [its] employment who may be affected thereby are not exposed to risks to their health or safety.

108. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

109. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

110. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.

111. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the

Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

112. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

113. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

114. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

Crime and disorder implications

115. Section 17 of the Crime and Disorder Act 1998, as amended, places a duty upon Local Authorities to consider crime and disorder implications and in particular, “to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.”

116. This statutory obligation is the same for the Authorities “responsible partners” too. The level of crime and its impact is influenced by the decisions and activities taken through the day-to-day functions of local bodies and organisations.

Information relied upon in the preparation of this report	
1.	Safety Checks Following Grenfell Fire, Department for Communities & Local Government, 22 June 2017
2.	Safety Checks Following Grenfell Tower, Department for Communities and Local Government, 18 June 2017
3.	Correspondence between the Executive Director for Customer Services and the Mayor of Lewisham
4.	Correspondence between the Chair of Overview & Scrutiny and the Chief Executive of Lewisham Council
5.	Statement for the Mayor of the Fire Safety Checks, June 2017

Appendix A (1): Guidance from DCLG on fire safety checks



Department for
Communities and
Local Government

Melanie Dawes CB
Permanent Secretary

Department for Communities and Local
Government
2 Marsham Street
London SW1P 4DF

To: Local Authority Chief Executives &
Housing Association Chief Executives
Via email

Date: 18 June 2017

Safety checks following Grenfell Tower

Thank you for all the work you have done with the department since the horrific fire at Grenfell Tower. I know that you are urgently carrying out fire safety checks on your tower blocks and ensuring the appropriate safety and response measures are in place. The Grenfell Tower police-led investigation is underway, but it will be some time before we fully understand how the fire started or why it took hold in the way it did. We know that in the meantime there is significant anxiety amongst residents about whether their own blocks are safe.

There has been much public concern and comment about potential flaws in the cladding that was on Grenfell Tower. While the exact reasons for the speed of the spread of fire have yet to be determined, we have concluded that there are additional tests that can be undertaken with regard to the cladding. We are therefore asking local authorities and other registered providers of social housing to identify whether any panels used in new build or refurbishment are a particular type of cladding made of Aluminium Composite Material (ACM). More details on how to identify this cladding are in the attached technical note and the Homes and Communities Agency can offer expert support in surveying your properties if necessary. It is important to stress that ACM cladding is not of itself dangerous, but it is important that the right type is used.

If you identify that cladding on any of your buildings is made of ACM, then a sample will need to be tested. We have put in place a testing process for any samples, which will be at no cost to local authorities and housing associations. Please contact the department at housingchecks@communities.gsi.gov.uk if you have any queries. In addition, we will follow up with you individually on the morning of Monday 19 June to establish if you require any further assistance. We have been working closely with the Local Government Association, the National

Housing Federation and the Homes and Communities Agency who can also offer you support. We will provide further information on Monday.

We are making this testing facility available to any other residential landlords and you should ensure that they are aware of this offer.

As well as this work I would remind local authorities that they should be well advanced in checking they have robust fire assessments for their stock. I should point out that assessments carried out to comply with the Fire Safety Order are unlikely to have considered the building's cladding. The Local Government Association's *Fire safety in purpose-built blocks of flats* remains the most comprehensive guidance on ensuring fire safety in these types of buildings¹.

Once inspections are completed and necessary work identified, DCLG will work with housing associations and local authorities to identify the most appropriate options for supporting funding

Thank you for all you have done so far.

Yours sincerely



MELANIE DAWES

¹ <https://www.local.gov.uk/fire-safety-purpose-built-flats>

Annex A

Identification of Aluminium Composite Material Cladding

By the end of day on Monday 19th June, local authority and registered providers of social housing should:

- Identify and record the number of properties that are more than 18 metres high
- Identify and record the properties that have been clad with aluminium type panels
- Inspect those identified to establish whether they are panels made of an Aluminium Composite Material (ACM) and record this
- Use the enclosed return form - *New Build and Refurbished Building Information Check List* - to report all of the above findings for each building to DCLG at housingchecks@communities.gsi.gov.uk Please complete and return parts 1 and 2 by close 19 June and subsequent parts as soon as possible thereafter.

Aluminium Composite Material (ACM) is a type of flat panel that consists of two thin aluminium sheets bonded to a non-aluminium core, typically between 3 and 7mm thick. The panels can have a painted or metallic finish (eg copper or zinc effects).

It can be differentiated from solid aluminium sheet by looking at a cut edge whereby the lamination is visible. It may be necessary to cut a hole in a panel if a cut edge is not readily accessible.

On buildings with a floor over 18m above ground level, where ACM panels are identified, it is necessary to establish whether the panels are of a type that complies with the Building Regulations guidance ie the core material should be a material of limited combustibility or Class A2².

To allow for the identification of core materials we are putting in place Government-funded testing capacity that will allow a small sample of the cladding to be tested and its type identified. **From Tuesday 20th June onwards, where ACM panels have been identified, local authorities and registered providers of social housing should begin taking steps to establish that they are of limited combustibility, and to submit samples for testing. DCLG will provide further detailed information about the procedures for submitting test samples**

² Material of Limited combustibility as described in Table A7 of Approved Document B (Vol 2)

Class A2-s3,d2 or better in accordance with BS EN 13501-1

Appendix A (2): Guidance from DCLG on fire safety checks (updated)



Department for
Communities and
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Melanie Dawes CB
Permanent Secretary

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To Local Authority Chief Executives and
Housing Association Chief Executives
By Email

22 June 2017

Safety checks following Grenfell Tower fire

Thank you all for your continued work following the appalling tragedy in North Kensington. Our priority must continue to be checking on the safety of buildings and listening to and being open with residents, and reassuring them as much as possible.

My letter of 18 June asked that local authorities and other registered providers of social housing identify whether any panels used in new build or refurbishment are of a particular type of cladding made of Aluminium Composite Material (ACM).

The testing process for samples of cladding is underway and the attached note sets out the action that an independent panel of experts advise must immediately be taken if it is determined that the insulation within Aluminium Composite Material (ACM) is unlikely to be compliant with the requirements of the current Building Regulations. This advice has been endorsed by the National Fire Chiefs Council who will be circulating it separately to their members.

These interim mitigating measures must immediately be implemented to ensure the safety of residents, pending replacement of the cladding.

If you have any questions about the testing process for the cladding please email housingchecks@communities.gsi.gov.uk

If you have questions about the advice on action which needs to be taken please contact safetychecks@communities.gsi.gov.uk.

Yours sincerely

MELANIE DAWES

Annex A: EMERGENCY FIRE SAFETY REVIEW

If it is determined that the insulation within Aluminium Composite Material (ACM)¹ is unlikely to be compliant with the requirements of the current Building Regulations guidance, it is essential that you **immediately** implement the following interim mitigating measures to ensure the safety of residents, pending replacement of the cladding.

Interim measures recommended by independent panel of experts

Notify Fire and Rescue Service.

Inform your local fire and rescue service fire safety/protection department. Failure to do so may put fire-fighters as well as residents at risk. The fire and rescue service will carry out an urgent inspection with the 'responsible person' to ensure that they are identifying and introducing appropriate interim measures, as set out below. The fire service will carry out a further inspection once the interim measures have been completed:

- Check that the fire risk assessment has been carried out within the previous 12 months and that the recommendations within the action plan of the assessment have been completed; also, confirm that there have been no material changes (to the building, the fire safety measures or the occupancy) that could, potentially, undermine the validity of the fire risk assessment. If no fire risk assessment has been carried out, you must **immediately** arrange for a fire risk assessment to be carried out by a competent person (eg by a person who is listed on a register of fire risk assessors operated by a professional body or certification body, or, preferably, by a company that is certificated by a third party certification body, that is, itself, accredited by the United Kingdom Accreditation Service to operate the certification scheme). Guidance on choosing a competent assessor is here <http://www.cfoa.org.uk/19532>
- Engage with residents to ensure they fully understand the emergency fire procedures in the building, particularly the meaning of "stay put". Ensure that fire procedure notices are accurate.
- Check that, at ground level, or on any balconies, there are no combustible materials (eg storage of refuse) in the vicinity of the cladding. Ensure that there are measures to prevent combustible materials in such locations (eg by temporary barriers or instructions to residents). Instruct residents that they must not have any barbeques on any balcony.
- Check that all flat entrance doors, and doors that open onto escape corridors and stairways, are fire-resisting and effectively self-closing against any resistance of a latch (or, for example, in the case of plant rooms or cupboards, are kept locked shut.) For guidance on these doors, consult the Local Government Association guidance on fire

¹ For the avoidance of doubt; the core (filler) within an Aluminium Composite Material (ACM) is an "insulation material/product", "insulation product", and/or "filler material" as referred to in Paragraph 12.7 ("Insulation Materials/Products") in Section 12 "Construction of external walls" of Approved Document B (Fire safety) Volume 2 Buildings other than dwelling houses. (The important point to note is that Paragraph 12.7 does not just apply to thermal insulation within the wall construction, but applies to any element of the cladding system, including, therefore, the core of the ACM).

safety in purpose-built blocks of flats - <https://www.local.gov.uk/fire-safety-purpose-built-flats> - but, in general, doors that were deemed to be fire-resisting at the time of construction of the block will be satisfactory. Replace any non-fire-resisting doors (such as non-fire-resisting upvc doors) immediately with doorsets (i.e. doors and frames) that are third party certificated as providing at least 30 minutes fire resistance.

- Check all walls that separate flats, plant and store rooms, etc from escape routes to ensure there are no obvious routes for fire or smoke spread (eg, holes where services, such as pipes and cables, pass through walls).
- Check that any smoke control systems, including associated fire detection systems, are operating correctly.
- Check all facilities provided for fire-fighters, including fire-fighting lifts and dry or wet rising mains. If you have **ANY** concerns you should contact your local fire and rescue service, who will, if they have not already done so, carry out an inspection to ensure functionality.
- Ensure that there is sufficient roadway access and hardstanding for firefighting vehicles attending incidents and to be set up to fight any fire externally.
- Check that insulation or other materials that form the façade meet all relevant standards.

If the building is protected by an automatic sprinkler system (or equivalent fire suppression system) you might not need to take any further interim measures before replacement of the cladding.

If the building is not protected by a suitable suppression system you must consider the need for interim measures. The measures adopted need to be based on an assessment of the risk by a competent person, but the following must, at least, be considered:

- Residents to be advised to ensure all smoke alarms are present and working in their flat; to report concerns about fire safety measures in the building (eg presence of combustible materials in escape routes) to their landlord and, understand the purpose of any interim measures begin taken.
- Closure of car parks in which a vehicle fire could impinge on cladding.
- Provision of a temporary communal fire alarm system, comprising smoke detectors in circulation areas and plant rooms, and fire detectors (possibly heat detectors, rather than smoke detectors) in conjunction with fire alarm sounders in each flat. This will enable the entire block to be evacuated simultaneously in the event of fire. This option is unlikely to be suitable for tall blocks, in which a large number of people would need to use escape routes at the same time. The system may comprise a wireless system, using radio to link devices.
- Provision of a fire watch by appropriately trained patrolling security officers/wardens.
- In the case of the most serious risk, consideration must be given to moving all residents out of the block until satisfactory remedial work has been done.

Appendix B (1): Statements and correspondence from and to the Mayor

Lewisham Council staff to support Grenfell Tower fire residents

Published on 16 June 2017

Sir Steve Bullock, Mayor of Lewisham, has issued the following statement on the Grenfell Tower fire and the support we are offering to people affected by the fire.

'The terrible consequences of the fire at Grenfell Tower have shocked us all and our thoughts and prayers are with the victims, their families, and those who have lost their homes.

'Although it will take time for the full causes to emerge, I am clear that we need to very quickly assess the implications for the high rise and tower blocks in our borough. Kevin Sheehan, the Executive Director responsible for housing, has written to me today [outlining the steps we are taking](#).

'We have been in constant contact with the various housing providers in Lewisham in the last couple of days and we will be writing to them all to get their assurance that risk assessments will be carried out as soon as possible. We are prepared to offer whatever advice and support might be necessary to ensure this happens. As further lessons and recommendations emerge from this terrible tragedy we will respond accordingly.

'We have today sent a number of officers to the Royal Borough of Kensington and Chelsea to help their staff in running rest centres and supporting residents made homeless by the fire. We stand ready to offer further support along with our fellow boroughs across London. We are also encouraging those residents who want to help to donate to the Grenfell Tower Appeal set up by the [Kensington and Chelsea Foundation](#) .

Appendix B (2): Statements and correspondence from and to the Mayor



Kevin Sheehan
Executive Director for Customer Services
Laurence House
Catford
London SE6 4RU

Sir Steve Bullock
Mayor of Lewisham
Civic Suite

020 8314 6800

16th June 2017

Dear Steve

Fire Safety in Lewisham

We are only beginning to understand the full scale of the catastrophe that has occurred at Grenfell Tower this last few days. The loss of life and the specific circumstances have made this a uniquely sad and tragic event. I wanted to write to you to keep you informed as to the action we are taking in the Council and with our partners to ensure that our residents are as safe as they can be in the varied range of housing stock that we have here in Lewisham.

In the first instance I have been working with our ALMO, Lewisham Homes. I have also been in close contact with our partner Registered Social Landlords (RSLs) and finally I will be liaising with our partners in the private rented sector, particularly those who are landlords for high rise homes or tower blocks. In each case our partners are as horrified as we have been at the scale of the tragedy in Grenfell Tower. Of course they are also fully aware of their responsibilities for doing everything they can to ensure the safety of their tenants.

I have met Andrew Potter, the Chief Executive of Lewisham Homes, twice since the events at Grenfell Tower unfolded and we have gone through a range of fire safety issues including the need to focus on high rise homes and towers. Andrew and his team will be conducting full risk assessments on those high rise homes and towers that have been identified as most at risk in the light of what has occurred in recent days. Obviously as information becomes available in relation to specific issues which may have contributed to Grenfell Tower we will act on those if they are pertinent.

In the first instance Andrew will be focusing on high rise homes and towers which apparently may share some of the characteristics which existed at Grenfell Tower. In particular, those blocks with external cladding will be assessed and if appropriate be carefully inspected by a specialist consultant. I am reassured that the approach put in place is rigorous in terms of our inspection regime. As a matter of course this is the fire safety regime which Lewisham Homes have in place and which we have arrived at in liaison with the London Fire Brigade.

Lewisham Homes has a comprehensive fire safety programme which has included:

- A Fire Safety Team of 3 advisors (all former senior London Fire Brigade employees) whose role is to inspect, audit and ensure all of our premises are as safe as they can be

www.lewisham.gov.uk

- Work to ensure our tower blocks are fully risk assessed and reviewed every one or two years depending on the block and the associated risk levels (external specialist contractor)
- Regular meetings with the London Fire Brigade operational and regulatory teams
- Periodic London Fire Brigade audits on selected tower blocks
- Regular health and safety training for Lewisham Homes staff
- Monitoring of fire safety compliance by the Council's client team and by Lewisham Homes Board
- Installation of additional emergency lighting where necessary
- Inspection of communal areas to remove combustible materials on a regular basis
- The use of portable sprinkler systems where there are vulnerable people who present a higher fire risk to others
- Information boxes as part of a London Fire Brigade pilot project on our highest risk tower blocks
- Fire alarms in the largest tower blocks which go through to a control centre to directly alert the London Fire Brigade.
- Upgrading front entrance doors on flats to the latest fire standards throughout the borough
- Installing sprinklers systems in sheltered housing and new build flats and hard wire smoke alarms in flats as part of their refurbishment work
- Putting an automatic fire detection system in all Lewisham Homes houses which have been converted into flats.

Lewisham Homes will be sending staff to a number of tower blocks around the borough to provide fire safety advice and answer questions from residents. They will also be writing to people living in the properties to provide them with up to date information and to ensure they know who to contact with any fire safety questions and to remind them of agreed fire evacuation notices and safety procedures.

I have contacted several of our main RSL partners and spoken to the Chief Executives and I will continue to do this over coming days. I will also formally write to our main RSL partners seeking assurance that they are risk-assessing properties they own here in Lewisham. In each of the conversations I have had so far they have been extremely helpful and are responding as you would expect by ensuring their fire risk assessments are up to date. I am as reassured as I can be that they are taking action wherever they have identified risks.

As you know our residents have been moved by the tragic events at Grenfell Tower. We will continue to encourage people living in Lewisham who want to help those affected by the horrific fire to donate to Kensington and Chelsea Foundation's Grenfell Tower appeal: <https://thekandcfoundation.com/>.

I will provide further updates as events unfold.

Yours sincerely



Kevin Sheehan
Executive Director for Customer Services

www.lewisham.gov.uk

Appendix B (3): Statements and correspondence from and to the Mayor

Statement on Barry Quirk

Published on 23 June 2017

A statement from Mayor of Lewisham, Sir Steve Bullock, announcing that Barry Quirk, Chief Executive, is to provide interim leadership support to the Royal Borough of Kensington and Chelsea following the Grenfell Tower tragedy.

Sir Steve Bullock said:

'London local government is working together to support the people affected by the horrific consequences of the Grenfell Tower fire. Since late last week, the Chief Executives of the City of London, Westminster, Southwark, Brent and other senior officers, have been working as part of the Grenfell Tower Response Team to support the victims, their families, and those who have lost their homes.

'Today I have agreed that our Chief Executive, Barry Quirk, will join them to help stabilise the managerial structures of Kensington & Chelsea council, following the resignation of Kensington & Chelsea Chief Executive, Nicholas Holgate. This will be a temporary arrangement while a replacement chief officer for Kensington & Chelsea is identified and appointed. We have well-established processes for internal leadership cover here in Lewisham and expect Barry's new responsibilities to last for a very short period. I therefore do not intend to make any changes to our own structures at this time.

'I am incredibly proud of the support Lewisham has shown to the people of Kensington and Chelsea following the disaster. Eleven members of Lewisham Council staff have supported residents who were made homeless by the fire and helped run rest centres. We stand ready to offer further support along with our fellow boroughs across London.'

Appendix C: Log of letters sent from Council to RPs and to private

Correspondence to RPs and other housing providers:

16 June 2017: Letter from Kevin Sheehan to top six RPs by stock numbers in Lewisham: requesting an update on any actions taken in response to Grenfell, particularly reassurance that all FRAs are up to date, that they are actively taking steps to reassure tenants and ensuring all tenants are aware of relevant fire-safety procedures.

19 June 2017: Letter from Kevin Sheehan to all other RPs in the borough: requesting an update on any actions taken in response to Grenfell, particularly reassurance that all FRAs are up to date, that they are actively taking steps to reassure tenants and ensuring all tenants are aware of relevant fire-safety procedures.

22 June 2017: Letter from Kevin Sheehan to all providers/managers of accommodation considered to be for more vulnerable residents: requesting reassurance that all FRAs are up to date, that they are actively taking steps to reassure tenants and ensuring all tenants are aware of relevant fire-safety procedures, along with an update on any other active measures being taken.

30 June 2017: Letter from Kevin Sheehan to the Chief Executive of the HCA: requesting reassurance that the Registered Providers in Lewisham have been working closely with the HCA, have been taking all required actions such as ensuring that all of their fire risk assessments are up to date, taking active steps to reassure tenants of tower blocks, and ensuring tenants are aware of all relevant fire-safety procedures.

In addition there has been on-going dialogue between officers and these organisations, in response to the information that has been received and in order to compile a full picture of the tall buildings affected in Lewisham

Correspondence to Private Landlords:

19 June 2017: Letter from Kevin Sheehan to the private owners of all tall buildings in Lewisham: requesting an update on any actions they had taken in response to the circumstances at Grenfell Tower, in particular reassurance that all fire risk assessments are up to date, that they are taking active steps to reassure residents who live in high-rise properties, and ensuring tenants are aware of all relevant fire-safety procedures.

30 June 2017: Follow up letter from Kevin Sheehan, requesting a response where none has been received, and asking all landlords to confirm the cladding type and fire safety arrangements in place in their buildings.

Again, in addition there has been on-going dialogue between officers and these organisations, in response to the information that has been received and in order to compile a full picture of the tall buildings affected in Lewisham

Appendix D: Scope of building regulations

Building regulations and building control

26 June 2017



Overview

This briefing has been prepared to provide an overview of building regulations and building control.

Contents

- [What are building regulations?](#)
- [Getting approval for building work](#)
- [Using an Approved Inspector](#)
- [Making a building control application](#)
- [Building control site inspections](#)
- [Signing off building works](#)
- [Building control and the Regulatory Reform \(Fire Safety\) Order 2005](#)
- [Prosecution and enforcement notices](#)
- [Access to building control records](#)
- [How are Approved Inspectors approved?](#)
- [Competent Persons Scheme](#)
- [Can councils set additional standards for construction of new dwellings that go beyond those in Building Regulations?](#)
- [Difference between building regulations and planning permission](#)
- [Further advice and guidance on building control and building regulations](#)

What are Building Regulations?

The [Building Regulations 2010](#) set out the legal requirements about how buildings and extensions should be built. They cover for example the structure of the building, fire safety, and the provision of sanitation, hot water safety and water efficiency measures. The Department of Communities and Local Government publishes guidance called '[Approved Documents](#)' on ways to meet the building regulations.

Getting approval for building work

The role of checking that Building Regulations are being complied with falls to Building Control Bodies (BCBs).

There are two types of BCBs, a Local Authority Building Control service and a private sector Approved Inspector Building Control service.

Customers can choose which type of BCB they use on their project.

Some types of building work can also be self-certified through the government's Competent Person Scheme (CPS), as an alternative to getting building

Briefing

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regulations approval by a Building Control Body. See section on [Competent Person Schemes](#).

Using an Approved Inspector

If an Approved Inspector is used, instead of the Local Authority Building Control Service, then an 'Initial Notice' must be submitted to the local authority jointly by the Approved Inspector and applicant before work commences on site. Once submitted, the local authority should check the details of the Initial Notice within 5 working days – the local authority can reject the notice if the details are found to be incorrect.

Once this notice has been accepted by the local authority the responsibility for plan checking and site inspection will be formally placed on the Approved Inspector.

Upon completion of the work, the Approved Inspector will issue what is known as the 'final certificate' to the local authority and applicant, confirming that the work in the initial notice is complete and that the inspector is satisfied that it complies with the building regulations requirements. The local authority is not required to do any further checks, but will maintain a record of all certificates received from Approved Inspectors. The Approved Inspector is not required to share the detailed documentation on building control applications they process with the local authority.

Private sector Approved Inspectors have existed since 1985 and operate in competition with local authority building control.

Making a building control application

Once it has been established that an application needs to be made to a Building Control Body (BCB) there are three main types of application:

- **Full Plans Application**

This is the most thorough option. Decision on whether plans meet building regulations within 5 weeks, or 2 months with the consent of the applicant. A completion certificate (or 'final certificate' if process by an Approved Inspector) issued within 8 weeks of completion of the approved building work as long as it complies with building regulations.

A full plans application can apply to any type of building work but must always be submitted for works including:

- Buildings covered under the Regulatory Reform (Fire Safety) Order 2005

Detailed plans are submitted and the applicants will get a formal decision notice. This application includes plans, specifications and where necessary structural calculations.

The details are checked to make sure they comply with building control regulations. Once the application is checked and found to be satisfactory, it will be approved. If not, advice will be provided to the applicant on what amendments and/or additional information are required to enable an

approval to be issued. If no response is received or the revisions are not satisfactory an application can be rejected.

- **Building Notice Application**

This type of application is only for smaller projects. Work can start 2 days after a notice has been submitted to the relevant BCB. There is no formal approval from the BCB as there is with a full plans applications.

- **Regularisation Application**

This type of application is for retrospective approval for work already carried out without consent – from a local authority BCB only.

This council building control [flow chart](#) provides an illustrative overview of the building control application process from an applicant's perspective. The process will be similar if an Approved Inspector is used as the building control body, apart from some small differences outlined in the [Using an approved inspector](#) section above i.e. requirement for an 'initial notice' to be submitted to the local authority and issuing of a 'final certificate' to the local authority to confirm that building work has been completed and complies with Building Regulations.

Building control site inspections

Local authority building control officers or Approved Inspectors will make statutory and routine inspections at various stages during building works; to ensure compliance with the building regulations and other relevant legislation and guidance. Here is an [example](#) of a council building control inspection process.

Signing-off building works

Provided the Building Control Body dealing with a building control application has seen all the relevant stages of building work, and they comply with the Building Regulations, the relevant certificates have been provided and the relevant fees paid, a Completion Certificate (or 'Final Certificate' in the case of Approved Inspectors) will be issued.

Building control and the [Regulatory Reform \(Fire Safety\) Order 2005](#)

The Regulatory Reform (Fire Safety) Order 2005 came into force from 1 October 2006. This applies to nearly every type of building and structure.

For example, it applies to:

- offices and shops.
- care providers (including care homes and hospitals).
- community halls, places of worship and other community premises.
- the shared areas of properties several households live in (housing laws may also apply).
- pubs, clubs and restaurants.
- schools and sports centres.
- hotels and hostels.
- factories and warehouses.

It does not apply to people's private homes.

Where a building is to be put to use where the Regulatory Reform Order (RRO) applies or will apply after completion of the work then full plans application must be used (regulation 12 of the Building Regulations 2010).

In addition, for certain types of building works, building control bodies are also required to consult with the fire and rescue authority at certain stages within the process as prescribed by legislation (article 45 of the Regulatory Reform (Fire Safety) Order and regulation 12 of the [Building \(Approved Inspectors etc\) Regulations 2010](#)).

Article 45 of the Regulatory Reform (Fire Safety) Order requires consultation for the following types of work:

- Erection of a building
- Extension or structural alteration
- Change of use

Prosecution and enforcement notices

There are two formal enforcement powers which a local authority can use to achieve compliance with building regulations if informal routes are unsuccessful. Approved Inspectors do not have formal enforcement powers.

Prosecution

A local authority may prosecute a person (builder, installer or main contractor) in carrying out building work that contravenes the Building Regulations in the Magistrates' Court where an unlimited fine may be imposed (section 35 and 35A of the Building Act 1984). Prosecution is possible up to two years after the completion of building work which breaches Building Regulations.

Enforcement

As an alternative, or in addition to, the local authority may serve an enforcement notice on the building owner requiring alteration or removal of work which is in breach of building regulations (section 36 of the Building Act 1984). The local authority has the power to undertake the work itself and recover costs from the owner, if the owner does not comply with the enforcement notice.

A section 36 enforcement notice cannot be served after the expiration of 12 months from the date of building work being completed. A local authority also cannot take enforcement action under section 36 if the work that has been carried out is in accordance with a full plans application which a local authority approved.

First, if a person carrying out building work contravenes the Building Regulations, the local authority may prosecute them in the Magistrates' Court where an unlimited fine may be imposed (sections 35 and 35A of the Building Act 1984). Prosecution is possible up to two years after the completion of the offending work. This action will usually be taken against the person carrying out the work (builder, installer or main contractor).

Access to building control records

Unlike planning applications there is no general public right to inspect plans deposited under the Building Regulations.

How are Approved Inspectors approved?

As the body designated by the Secretary of State in England and Welsh Ministers in Wales, CICAIR Ltd maintains and operates the Construction Industry Council Approved Inspectors Register (CICAIR). More detailed information can be found [here](#). The approval process CICAIR Ltd operates provides applicants with a route to registration as an Approved Inspector.

Approved Inspectors are required to seek re-approval *every five years* to maintain their Approved Inspector status. Approved Inspectors can be individuals or organisations.

All Approved Inspectors must have insurance with the mandatory run-off cover from a Scheme approved by the Secretary of State under Section 47(6) of the Building Act 1984.

The Construction Industry Council is the representative forum for the professional bodies, research organisations and specialist business associations in the construction industry.

Competent Person Scheme

Competent Person Schemes¹ (CPS) were introduced by the government in 2002, to allow individuals and enterprises to self-certify that their work complies with the Building Regulations as an alternative to getting building regulations approval by a Building Control Body.

A Competent Person must be registered with a scheme that has been approved by the Department for Communities and Local Government.

Types of building work included in the Competent Person Schemes include:

- Air pressure testing of buildings
- Cavity and solid wall insulation in an existing building
- Combustion appliances
- Electrical installations
- Heating and hot water systems
- Mechanical ventilation and air-conditioning systems
- Plumbing and water supply systems
- Replacement windows, doors, roof windows or rooflights
- Replacement of roof coverings on pitched or flat roofs
- Microgeneration and renewable technologies

More detail about current Competent Person Schemes and how schemes are authorised can be found [here](#).²

Can councils set additional standards for construction of new dwellings that go beyond those in Building Regulations?

¹ <https://www.gov.uk/building-regulations-competent-person-schemes>

² <https://www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised>

In 2015, the government introduced a new approach for the setting of technical standards for new housing³.

Local planning authorities can set additional technical requirements exceeding the minimum standards required by Building Regulations relating to access and water. They can also set an optional, nationally described space standard. In order to do this, local planning authorities will need to gather evidence to justify the need to set policies for these additional technical standards, in their Local Plans.

The written ministerial statement, published in March 2015⁴ setting out the government's policy on the new technical housing standards, also makes clear that: *"from the date the [Deregulation Bill 2015](#) is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings."*

Difference between building regulations and planning permission

Building regulations set standards for the design and construction of buildings to ensure the safety and health for people in or about those buildings. They also include requirements to ensure that fuel and power is conserved and facilities are provided for people, including those with disabilities, to access and move around inside buildings.

Planning seeks to guide the way our towns, cities and countryside develop. This includes the use of land & buildings, the appearance of buildings, landscaping considerations, highway access and the impact that the development will have on the general environment.

For many types of building work, separate permission under both regimes (separate processes) will be required. For other building work, such as internal alterations, buildings regulations approval will probably be needed, but planning permission may not be.

Further advice and guidance on building control and building regulations

Local Authority Building Control (LABC)

<https://www.labc.co.uk/>

Local Authority Building Control (LABC) represents all local authority building control teams in England and Wales.

³ <https://www.gov.uk/guidance/housing-optional-technical-standards>

⁴ <https://www.gov.uk/government/speeches/planning-update-march-2015>

Appendix E: Current known information about buildings that have, or potentially have ACM cladding

Situation Update: LA Owned - 4th July 2017

Confirmed - ACM		
Address	Provider	Comments
HATFIELD CLOSE	Lewisham Council (Lewisham Homes)	Confirmed ACM samples present
HATFIELD CLOSE	Lewisham Council (Lewisham Homes)	Confirmed ACM samples present
GERRARD HOUSE	Lewisham Council (Lewisham Homes)	Confirmed ACM samples present

Awaiting Confirmation - ACM		
Address	Provider	Comments
DAUBENEY TOWER	Lewisham Council (Lewisham Homes)	Awaiting test results
EDDYSTONE TOWER	Lewisham Council (Lewisham Homes)	Awaiting test results
ASHLEIGH POINT	Lewisham Council (Lewisham Homes)	Awaiting test results
CLAIRVILLE POINT	Lewisham Council (Lewisham Homes)	Awaiting test results
DEEPDENE POINT	Lewisham Council (Lewisham Homes)	Awaiting test results
HEATHWOOD POINT	Lewisham Council (Lewisham Homes)	Awaiting test results
ROSEMOUNT POINT	Lewisham Council (Lewisham Homes)	Awaiting test results

Confirmed - no ACM		
Address	Provider	Comments
KENDER STREET	Lewisham Council (Lewisham Homes)	Passed BRE Testing
Syringa House	Lewisham Council (RB3)	Not being sent to BRE
Alder House	Lewisham Council (RB3)	Not being sent to BRE
Jasmin House	Lewisham Council (RB3)	Not being sent to BRE
Myatt Court	Lewisham Council (RB3)	Not being sent to BRE
Veronica House	Lewisham Council (RB3)	Not being sent to BRE
Conifer House	Lewisham Council (RB3)	Not being sent to BRE

Confirmed - no ACM		
Address	Provider	Comments
Holly Tree House	Lewisham Council (RB3)	Not being sent to BRE
Poplar House	Lewisham Council (RB3)	Not being sent to BRE
Foxborough Gardens (Block 1)	Lewisham Council (RB3)	Not being sent to BRE
Foxborough Gardens (Block 2)	Lewisham Council (RB3)	Not being sent to BRE
LETHBRIDGE CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LETHBRIDGE CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LETHBRIDGE CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LETHBRIDGE CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LETHBRIDGE CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LETHBRIDGE CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
RAWLINSON HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
HAWKE TOWER	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MILTON COURT ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MILTON COURT ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
NEWBRIDGE POINT	Lewisham Council (Lewisham Homes)	Not being sent to BRE
RADCOT POINT	Lewisham Council (Lewisham Homes)	Not being sent to BRE
STANDLAKE POINT	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ELIOT BANK	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ELIOT BANK	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ELIOT BANK	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ELIOT BANK	Lewisham Council (Lewisham Homes)	Not being sent to BRE
GREYSTEAD ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
SHIRBURN CLOSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
WOOD VALE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
WOOD VALE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
HAZEL GROVE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
CAMBRIA HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LONGHEDGE HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
PEMBERTON HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
SHAMROCK HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE

Confirmed - no ACM		
Address	Provider	Comments
TARQUIN HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
BELL GREEN LANE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
BELL GREEN LANE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
BELL GREEN LANE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
PORTHCAWE ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
WINCHFIELD ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
WINCHFIELD ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
WINCHFIELD ROAD	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MILFORD TOWERS	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MILVERTON HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MILFORD TOWERS	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ROSENTHAL HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
DOLPHIN TOWER	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LAPWING TOWER	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MARINE TOWER	Lewisham Council (Lewisham Homes)	Not being sent to BRE
MERMAID TOWER	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ASHFORD HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
HOWARD HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
WARDALLS HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
GIFFIN STREET	Lewisham Council (Lewisham Homes)	Not being sent to BRE
CITRUS HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ARGOSY HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
BEMBRIDGE HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
BENCE HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
CLEMENT HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
HARMON HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LANYARD HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
PELICAN HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
PENDENNIS HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
ARLINGTON HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE

Confirmed - no ACM		
Address	Provider	Comments
CORNBURY HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
LANGFORD HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
PITMAN HOUSE	Lewisham Council (Lewisham Homes)	Not being sent to BRE
TRUNDLEYS TERRACE	Lewisham Council (Lewisham Homes)	Not being sent to BRE

Situation Update: RP Owned - 4th July 2017

Awaiting Confirmation - ACM		
Address	Provider	Comments
1-56 Orchard Court, Bell Green	Clarion	Awaiting test results
57-97 Orchard Court, Bell Green	Clarion	Awaiting test results
98-122 Orchard Court, Bell Green	Clarion	Awaiting test results
Aurora House, Bromley Road	Clarion	Awaiting test results
Meadowcroft Mews, George Lane, SE6 (Rushey Green	L&Q	Awaiting confirmation however unlikely to be ACM
Ingres Apartments, 31 Dartmouth Place, (Forest Hill)	L&Q	Awaiting confirmation however unlikely to be ACM
Manila Apartment, 14 Clyde Terrace, (Forest Hill)	L&Q	Awaiting confirmation however unlikely to be ACM

Confirmed - no ACM		
Address	Provider	Comments
01-17 Bluebell House, Copperwood Place, SE10 8GB	Family Mosaic	Passed BRE Test
1-78 JUBILEE HEIGHTS PRIMROSE WAY LONDON SE10 8FN	Family Mosaic	Passed BRE Test
BLK 1-20 Mulberry House Parkside Avenue London SE10 8FW	Family Mosaic	Passed BRE Test
BLK 1-50 Mountsfield House Primrose Way London SE10 8FL	Family Mosaic	Passed BRE Test
BLK 2-43 Kestrel House Parkside Avenue London SE10 8FP	Family Mosaic	Passed BRE Test
Flats 1-17 Blossom House Hillside Avenue London SE10 8GB	Family Mosaic	Passed BRE Test
Flats 1-18 Liberty House Silverwood Place London SE10 8FZ	Family Mosaic	Passed BRE Test
Flats 1-26 Osprey House Copperwood Place London SE10 8FY	Family Mosaic	Passed BRE Test
St Peters Gardens	Clarion	Not being sent to BRE
Leybridge Court A, Leybridge Estate	Clarion	Not being sent to BRE
Leybridge Court B, Leybridge Estate	Clarion	Not being sent to BRE
Leybridge Court C, Leybridge Estate	Clarion	Not being sent to BRE
Merridale, Leybridge Estate	Clarion	Not being sent to BRE
Nara building, Connington Road	Clarion	Not being sent to BRE
Astral House, Bromley Road	Clarion	Not being sent to BRE
Aube House, Bromley Road	Clarion	Not being sent to BRE

Confirmed - no ACM		
Address	Provider	Comments
L&Q	L&Q	Not being sent to BRE
L&Q	L&Q	Not being sent to BRE
L&Q	L&Q	Not being sent to BRE
L&Q	L&Q	Not being sent to BRE
L&Q	L&Q	Not being sent to BRE
L&Q	L&Q	Not being sent to BRE
L&Q	L&Q	Not being sent to BRE
Millcroft House	Phoenix	Not being sent to BRE
Nayland House	Phoenix	Not being sent to BRE
Tuscany Corte, 71 Loampit Vale SE13	L&Q	Pass L&Q internal test, not being sent to BRE
Paris Corte, 75 Loampit Vale, SE13	L&Q	Pass L&Q internal test, not being sent to BRE

Situation Update: Privately Owned - 4th July 2017

Awaiting Confirmation - ACM		
Address	Provider	Comments
Deptford Project	U+I	Awaiting confirmation of whether testing required
Aragon Tower	KFH	Awaiting test results however the building managers do not believe this to be ACM.

Confirmed - no ACM		
Address	Provider	Comments
Loampit Vale (Renaissance)	Barratt London	Not being sent to BRE. FRA detail provided and noted all concerns addressed.
Cannon Wharf (Greenland Place)	Barratt London	Not being sent to BRE. FRA detail provided and noted all concerns addressed.
Catford Green	Barratt London	Not being sent to BRE. FRA detail provided and noted all concerns addressed.
Eros House	Catford Holdings Limited	Awaiting test results, however no ACM Cladding. Further internal tests underway.
Marine Wharf West	Berkeley Homes	All FRA's up to date and advice sent to residents. 24/7 concierge on site. No testing required.
Chapter Student Living	Greystar	All FRA's up to date and advice sent to residents. Property manned 24/7.
Seager Distillery	Galliard Homes	FRA's up to date and guidance provided to residents
Lewisham Gateway (Block 1)	Muse	Fire Risk Assessment in place, residents provided with advice, no testing required.
Lewisham Gateway (Block 2)	Muse	Fire Risk Assessment in place, residents provided with advice, no testing required.
Lewisham Gateway (Block 3)	Muse	Building as yet incomplete, FRA to be undertaken when complete, no testing required.
Batavia Road	Real Star Living	Fire Risk Assessment in place, residents provided with advice, no testing required.

Appendix I: Information in relation to regeneration schemes

Building Name	Landlord/Owner	Postcode	Planning comments	Building control comments																																																								
Loampit Vale (Renaissance)	Barratt London	SE13 7DJ	(iii) Buildings D1 and D2 shall be finished in the samples of Terca Baggeridge bricks in Kelmsey Yellow and the 'jatoba' timber cladding. The rainscreen cladding system would be formed of approximately 1400 800mm x 800mm glass panels fixed to the structure on an aluminium frame. 10% of these would be backlit with LED lights. The base of the building would be a plinth of a composite cladding	Lewisham BC- FP/09/13203 & FP/10/09736																																																								
Cannon Wharf (Greenland Place)	Barratt London	SE8 5JN	The use of metal cladding. Powder coated aluminium fenestration utilised throughout as well as metal railings for projecting and inset balconies.	AI - NHBC Completed 10/11/2015 (IN/13/06161)																																																								
Marine Wharf West	Berkeley Homes	SE16 7UD	Proposed that the entire front elevation of this building is a red aluminium cladding	Lewisham BC Completed 19/5/2017 (FP/11/10268) Fee outstanding																																																								
Aragon Tower	Berkeley Homes	SE8 3AJ	Details of cladding, namely Synthapulvin "pearl"	Lewisham BC (Files in archives) completed 14/6/2006 (FP/04/02038)																																																								
Parkside	Family Mosaic	SE19 8FP	<p>BRICK</p> <table border="0"> <tr> <td>Ibstock-</td> <td>Ipswich</td> <td>wire</td> <td>cut</td> </tr> <tr> <td>Weinerberger</td> <td>-</td> <td>Eton</td> <td>buff</td> </tr> <tr> <td>Ibstock-</td> <td>Throckley</td> <td>smooth</td> <td>grey</td> </tr> <tr> <td>Ibstock</td> <td>-</td> <td>Minster</td> <td>cream</td> </tr> <tr> <td>Dass</td> <td>baksteen-</td> <td>Upton</td> <td>smooth</td> </tr> </table> <p>CLADDING</p> <p>Proteus metal cladding panels (RAL 7032/7038/7035/7044/9018/7024) and soffits to recessed balconies on block A (RAL 7024)</p> <p>OTHER</p> <table border="0"> <tr> <td>Metal</td> <td>paint</td> <td>finished</td> <td>railings</td> <td>(RAL</td> <td>7024)</td> </tr> <tr> <td>PPC</td> <td>aluminium</td> <td>rainwater</td> <td>goods</td> <td>(RAL</td> <td>7024)</td> </tr> <tr> <td>PPC</td> <td>aluminium</td> <td>coping</td> <td></td> <td>(RAL</td> <td>7024)</td> </tr> <tr> <td>Double-glazed</td> <td>composite</td> <td>windows</td> <td></td> <td>(RAL</td> <td>7024 frames)</td> </tr> <tr> <td>Glass</td> <td>balcony-</td> <td>aluminium</td> <td>powder-coated</td> <td>RAL</td> <td></td> </tr> <tr> <td>Balustrades</td> <td>-</td> <td>RAL 7024</td> <td>with 10mm clear toughened</td> <td>glass</td> <td></td> </tr> </table>	Ibstock-	Ipswich	wire	cut	Weinerberger	-	Eton	buff	Ibstock-	Throckley	smooth	grey	Ibstock	-	Minster	cream	Dass	baksteen-	Upton	smooth	Metal	paint	finished	railings	(RAL	7024)	PPC	aluminium	rainwater	goods	(RAL	7024)	PPC	aluminium	coping		(RAL	7024)	Double-glazed	composite	windows		(RAL	7024 frames)	Glass	balcony-	aluminium	powder-coated	RAL		Balustrades	-	RAL 7024	with 10mm clear toughened	glass		
Ibstock-	Ipswich	wire	cut																																																									
Weinerberger	-	Eton	buff																																																									
Ibstock-	Throckley	smooth	grey																																																									
Ibstock	-	Minster	cream																																																									
Dass	baksteen-	Upton	smooth																																																									
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Glass	balcony-	aluminium	powder-coated	RAL																																																								
Balustrades	-	RAL 7024	with 10mm clear toughened	glass																																																								

			Exposed concrete balcony slabs – Max aggregate size 20mm/Cement type CEM1/Min cement content 325kg per m3/Max free water in cement ratio: - 0.55 Glazed curtain walling- RAL 7024 Charcon Woburn original paving- 210x134x80 colour graphite Charcon Parliament- 200x100x80 textured greyblock paving Charcon Andover - 200x100x80 textured light grey block paving – proposed addition Charcon Academy textured flag paving- 600x600 and 400x400 (public and private amenity areas ground and podium level) Charcon Moordale textured flag paving- 400x400 (temporary bin loading areas) Marshalls Deep Pendle natural- 450x450 (private amenity areas 1st floor and above) Granite set rumble strip Ayton products resin bound gravel- grey beige colour Marshalls textured conservation kerb- silver grey	
52-54 Thurston Road	Family Mosaic	SE13 7SD	Use of Eternit cladding	Building control Partnership LTD (IN/12/17631) rainscreen cladding (Not signed off)
Sherwood Court	Chapter Student Living	SE13 7SD	Aluminium cladding	Lewisham BC- HA/15/10640- completed 19/04/2016
Catford Green	Barratt London	SE6 4BS	119 "Views on the changes to the two entrance buildings marking the entry to the site from the park were mixed, but the present proposals were thought an improvement on the previous design. The use of copper cladding to mark the beginning and end of the development was not found convincing; such superficial dressing indicated a weakness in earlier design work."	AI - NHBC - Completed 14/06/2016- Ref (IN/13/10309)
Batavia Road	Real Star Living	SE14 6BJ	a zinc cladding to, in particular, the taller element. The Applicant states that brick elevations have a robust appearance, are less susceptible at ground floor level to damage, and easier to repair. Officers accept this.	Lewisham BC - (FP/13/10490) - completed 30/11/2015
Seager Distillery	Galliard Homes	SE8 4HR	Holland House Materials: 1) Yellow Multi-stock brick to match existing brick façade; 2) Powder coated aluminium profile; 3) Mild Steel powder coated cleaning rail; 4)Fixed clear double glazed unit; 5) Top hung clear double glazed window; 6) Anodized aluminium fascia/soffit panel; 7) Reconstituted stone coping; 8) Retained facade - brickwork to be	AI - NHBC COMPLETED 14/12/2011 (IN/07/00445)

			<p>cleaned and repointed 9) Retained corbel detail; 10) Frameless glass pivot door; 11) Mild steel louvres; 12) fixed anodized double glass unit; 13) Mild steel louvred panel; 14) Movement Joint; 15) Red brick to match existing brick facade; 16) Retained stone sill; 17) Aluminium window frame.</p> <p>PHASE 1 Details of the facing materials, including the treatment of the external faces of the existing buildings to be retained (including their colour and texture) to be used on the buildings.</p> <p>The submission consists of</p> <p>Windows As the proposed scheme would be based on a RC Concrete frame, internal columns have been added to optimise the structure and this has been masked by opaque panels.</p> <p>If the panels were to be made of clear glass it would show the structure and the applicants consider that then the columns would have to be deleted giving rise to clear spans across the Tower. The applicants have asked their structural engineers to report on the building having a clear span. The engineers considered that should the structure have a clear span across each of the 4 wings of the building, each span would be 11m which would require a steel frame of 450mm in depth.</p> <p>Therefore the internal columns were added to reduce the span to 5.5m to allow for a concrete frame solution. The applicant's engineers state in their report that this is the preferred option in terms of sustainability, acoustics and feasibility.</p> <p>Facing Materials Aluminium cladding panels PPC Gris 150 Sable – textured and metallic which would be within a unitised system with a finish to match zinc cladding, these would be prefabricated off site. Corner Glazing Double glazed in framed aluminium in PPC light grey Balconies</p>	
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			<p>The applicants have designed out the changes in levels within the flats so that there is now a level threshold between the flat and its balcony and drop ceilings have been removed. Balconies would consist of a double glazed panel framed unitised system in PPC light grey with toughened glass balustrades to replace mesh infill and the vertical steel channels have been removed.</p> <p>Other materials</p> <p>External Roller Binds (Pearl)</p> <p>Aluminium head box and channel (PPC RAL 7035)</p> <p>Aluminium framed curtain walling</p> <p>Aluminium spandrel panel (PPC RAL 7035)</p> <p>Aluminium Acoustic ventilation grille (PPC RAL 7035)</p> <p>Aluminium Window Frame (PPC RAL 7037)</p> <p>Double glazed framed glazing with silicone sealed corner glazing</p> <p>Horizontal feature channels – which have been lowered to along with the slab behind (PPC RAL light grey)</p> <p>Tower block c materials:</p> <p>1) Openable clear double glazed unit</p> <p>2) Fixed clear double glazed unit</p> <p>3) Fixed opaque double glazed unit</p> <p>4) Toughened clear glass balustrade</p> <p>5) Aluminium framed curtain walling</p> <p>6) Aluminium cladding panel</p> <p>7) Stainless steel mesh balustrade</p> <p>8) External roller blinds</p> <p>9) Aluminium headbox and channel</p> <p>10) Aluminium handrail</p> <p>11) Aluminium spandrel panel</p> <p>12) Timber decking FSC</p> <p>13) Aluminium Acoustic</p> <p>- Zinc cladding</p>	
Eros House	Catford Holdings Limited	SE6 2EG	Internal document. Recent pre-app stated: The property is of concrete frame construction with the main building clad in Trespa panels. There is a public plaza and landscaped area at the front of the building which includes a large sculpture. Brick.	Lewisham BC - FP/99/00957 (Conversion of floors 2-8 to 63 flats - Completed 16/05/2001

Appendix K (1): Correspondence between Chair of Overview and Scrutiny and the Chief Executive Barry Quirk



Councillor Alan Hall
Chair, Overview & Scrutiny Committee

Barry Quirk
Chief Executive
Lewisham Council

22nd June 2017

Dear Barry,

Lewisham's Tall Buildings and Fire Safety following Grenfell Tower

Following the horrific fire at Grenfell Tower, North Kensington last week, I would like to formally request an assessment of the fire and other risks of the tall buildings in the Lewisham Town Centre regeneration area.

Furthermore, I would like to request an assessment of the fire and other risks of the tall buildings in any regeneration areas that the Council is a partner, sponsor or associate in any way.

The safety of the Lewisham residents demands further searching questions. The Council has a wider duty of improving and securing the wellbeing of our residents. Notwithstanding, the Council's specific statutory duties, the reputational risk to the Council could be substantial.

Specifically, I would ask in relation to Lewisham Town Centre:

- What type of cladding has been used in Loampit Vale?
- Is this the same cladding Grenfell Tower? If so, is the developer to replace this now?
- Have the developer and landlords undertaken a review since the Grenfell Tower fire?
- What has Lewisham Council requested – or demanded – of the developer?
- Has a review of materials proposed for the current construction been undertaken?

In relation to other regenerations schemes:

- How many other regeneration schemes have tall buildings that could be affected and where are they sited?
- Can non residential tall buildings be included too?
- Will a review be undertaken?

You will be aware that the Department for Communities and Local Government have issued 'Guidance on the safety checks on private residential blocks' and I hope that the Council will ensure that landlords are aware of their responsibilities and insist on checks where the Council is a partner, sponsor or associate in any way.

Furthermore, I request full disclosure of information to the Overview & Scrutiny Committee.

I look forward to your reply.

Yours sincerely

Councillor Alan Hall

Appendix D (2): Correspondence between Chair of Overview and Scrutiny and the Chief Executive Barry Quirk



Barry Quirk CBE
Chief Executive

Chief Executive's personal office
5th Floor Laurence House
Catford, London SE6 4RU

23 June 2017

Dear Councillor Hall

Lewisham's Tall Buildings and Fire Safety following Grenfell Tower

I write in response to your request for an assessment of the fire and other risks of the tall buildings in Lewisham Town Centre, and other regeneration areas in the borough, dated 22 June 2017.

You will be aware of the immediate and robust response that the Council has made to the Grenfell Tower disaster, which was set out in the letter from Kevin Sheehan dated 16 June. Our focus has been threefold.

First, we have been working closely with Lewisham Homes and RB3, the managers of the homes the Council owns, to be reassured that: fire risk assessments have been completed and actions responded to; that additional precautions have been taken for those high rise towers and homes that have been identified as most at risk; that they are providing clear information and reassurance to residents, and that together we are responding to the requirements of the DCLG.

Second, we have been in close contact with our registered social landlord (RSL) partners, seeking their assurance that they too are fully risk-assessing their properties, reassuring their residents, and complying with the requirements of the Government's on-going review into the circumstances of the fire.

You will know that in some places we are working actively in partnership with RSL partners to bring forward housing regeneration, and in these places our dialogue has been particularly close and focussed on ensuring risks are properly managed.

Finally, we have written to every landlord of every tall building in Lewisham, requesting that they too reassure us about the steps they are taking. The Council has no formal powers to require these landlords to respond, and they are not regulated by the Government in the same way as the Council and its RSL partners. Nonetheless we will continue to utilise

our partnership relationships to ensure that they are aware of their responsibilities.

We are therefore taking a number of active steps to protect the safety of Lewisham residents, in the manner you suggest in your letter. Your letter also asks specific questions about developments in Lewisham Town Centre, and regeneration projects across Lewisham, and you ask that there is full disclosure of information relating to those projects to the Overview & Scrutiny Committee.

I can confirm that we will disclose all information that is available to officers, in relation to your questions, and that we will provide this in the form of a written report which will be considered at three separate committee meetings as follows:

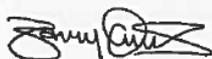
- Housing Select Committee, 5 July
- Overview and Scrutiny Committee, 11 July
- Sustainable Development Select Committee, 19 July

Officers will collate the information that has been made available to them by our partners and private developers in relation to the projects you mention. In addition they will collate any relevant information that was included in the planning applications for these projects. Where Lewisham Council has provided Building Control services to the development, which will only be where the developer has chosen the Council from a market of potential providers, we will also include relevant information in that regard.

It is important to be clear, however, that the report to the Committees cannot provide an assessment of the fire or other risks attendant to any of the buildings in question. These assessments will be carried out for landlords by expert advisors, and I trust that you will agree that Council officers should not attempt to make assessments of this manner, using the limited information that is available to them.

Nonetheless I am confident the information that will be presented in this report will reassure you that the Council is taking all reasonable steps in response to the Grenfell tragedy, and to protect and reassure our residents.

Yours sincerely,



Barry Quirk
Chief Executive

